From: GARTENBAUM Andrea
To: "Valdez.Heather@epa.gov"
Subject: RE: Oakridge included in a NOI to sue for non-submittal of a NNSR program
Date: Wednesday, January 22, 2014 3:31:52 PM

Heather,

We still plan to submit the three LRAPA rulemakings to EPA in late spring, assuming they are adopted by the Oregon EQC in March. I want to make sure I understand your email and what you're looking for, regarding the Oakridge PM2.5 nonattainment area. Are you asking for something other than these three SIP packages? Should the letter we send to EPA with these packages specifically mention the nonattainment area?

Thanks,

Andrea Gartenbaum
(formerly Andrea Curtis)
Air Quality Division - Rules Coordinator
Oregon Department of Environmental Quality
503-229-5946
gartenbaum.andrea@deq.state.or.us

From: Valdez, Heather [mailto:Valdez.Heather@epa.gov]
Sent: Friday, January 03, 2014 3:09 PM
To: GARTENBAUM Andrea
Subject: RE: Oakridge included in a NOI to sue for non-submittal of a NNSR program

Oops, forgot to attach the NOI.

Heather Valdez
Chemical Engineer
EPA Region 10
Office of Air, Waste and Toxics
1200 6th Ave, Suite 900, AWT-107
Seattle WA, 98101
(206) 553-6220
valdez.heather@epa.gov
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http://www.epa.gov/epawaste/nonhaz/define/index.htm

Boiler TTN Page
http://www.epa.gov/ttn/atw/boiler/boilerpg.html

RICE TTN Page
http://www.epa.gov/ttn/atw/rice/ricepg.html

Combustion Portal (compliance assistance for combustion regulations)
http://www.combustionportal.org/

From: Valdez, Heather
Sent: Friday, January 03, 2014 3:07 PM
To: 'GARTENBAUM.Andrea@deq.state.or.us'
Subject: RE: Oakridge included in a NOI to sue for non-submittal of a NNSR program

Hi Andrea,

It's great to see that you are out for public comment on your proposed rules to incorporate LRAPA rules into the Oregon SIP.

I've attached the notice of intent that I referenced previously. It is from the Center for Biological Diversity and in part relates to the submittal of nonattainment NSR rules for the Oakridge PM2.5 nonattainment area. It looks like only the "finding of failure to submit" allegation applies to Oakridge. Let me know if you have any specific questions related to this.

We understand these rules will be submitted this spring. If the timing changes, please let us know.

Thanks --

Heather Valdez
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Office of Air, Waste and Toxics
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valdez.heather@epa.gov
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Non-Hazardous Secondary Materials
http://www.epa.gov/epawaste/nonhaz/define/index.htm

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From: Valdez, Heather
Sent: Wednesday, December 04, 2013 1:45 PM
To: 'GARTENBAUM Andrea'
Cc: Spenillo, Justin
Subject: RE: Oakridge included in a NOI to sue for non-submittal of a NNSR program

Hi Andrea, we will try to help you to come to a more clear understanding of what this means for you. I am fairly new to NSR so I have some coming up to speed to fully grasp the meaning myself. But Justin will be assisting me. We will try to get back to you soon so that you will be able to take this into account for the action you will take to add the LRAPA rules.

Thanks!

Heather Valdez
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(206) 553-6220
valdez.heather@epa.gov
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R1 (New England) RICE Website, Engine Compliance Assistance
http://epa.gov/region1/rice/

Boiler Area Source Compliance Assistance
http://www.epa.gov/boilercompliance/

Department of Energy Website on Energy Assessments
http://www1.eere.energy.gov/manufacturing/tech_deployment/energy_assessment.html

Non-Hazardous Secondary Materials
http://www.epa.gov/epawaste/nonhaz/define/index.htm

Boiler TTN Page
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RICE TTN Page
http://www.epa.gov/ttn/atw/rice/ricepg.html

Combustion Portal (compliance assistance for combustion regulations)
http://www.combustionportal.org/

From: GARTENBAUM Andrea [mailto:GARTENBAUM.Andrea@deq.state.or.us]
Sent: Wednesday, December 04, 2013 10:32 AM
To: Valdez, Heather
Subject: RE: Oakridge included in a NOI to sue for non-submittal of a NNSR program

Hi Heather, I'm the SIP coordinator for Oregon DEQ. I'd like to know more about what this means for us. In two weeks, we're opening the public comment period on DEQ's proposed rulemaking to add the LRAPA rules to the State Implementation Plan.

Thanks,

Andrea Gartenbaum
(formerly Andrea Curtis)
Air Quality Division - Rules Coordinator
Oregon Department of Environmental Quality
503-229-5946
gartenbaum.andrea@deq.state.or.us

From: Valdez, Heather [mailto:Valdez.Heather@epa.gov]
Sent: Tuesday, December 03, 2013 11:09 AM
To: GARTENBAUM Andrea; OLIPHANT Margaret; HOUGH Merlyn; LANIER Robbye
Cc: Spenillo, Justin; Deneen, Donna
Subject: Oakridge included in a NOI to sue for non-submittal of a NNSR program

Hi Merlyn, how are you?

And Hi, Andrea, Margaret, and Robbye, I don't know if we have met, I have worked for a number of years on the Air Toxics Team doing implementation of stationary source regulations.

I recently started helping out the SIP team and I will be taking over for the LRAPPA package of three submittals (dated 2008, 2010, and 2011(?)).

We have just been notified Oakridge was included in a notice of intent (NOI) to sue for non-submittal of a NNSR program.

We are looking into the notice to see if this will affect the three SIPs currently slated for submission in Spring 2014.

The NOI is raising claims relevant to state SIP submissions.

It makes the same claims that are being made in the ongoing CBD litigation, which are:

1. An allegation that EPA is required to make a finding of failure to submit with respect to one or more attainment plan requirements against one or more 2006 PM2.5 nonattainment areas within your region (except Region 5); and
2. An allegation that EPA is required to take final action on nonattainment NSR SIP submissions with respect to various PM2.5 nonattainment areas for which the deadline for EPA to approve or disapprove the submissions has passed.

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http://www1.eere.energy.gov/manufacturing/tech_deployment/energy_assessment.html

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