Message

From: Dykes, Teresa [Dykes.Teresa@epa.gov]
Sent: 7/24/2018 8:16:40 PM
To: Ayres, Sara [Ayres.Sara@epa.gov]
Subject: FW: Re-proposal of OAR SAN 4908 – NESHAP Amendment: General Provisions for Once In Always In

The regions that are on the workgroup are R1, R4 and R7- per Wanda's email below. Didn't remember these.

Terri Dykes
Senior Attorney
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Washington, DC 20460
202.564.9883

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From: Bartlett, Keith
Sent: Monday, July 23, 2018 10:57 AM
To: Dykes, Teresa <Dykes.Teresa@epa.gov>
Cc: Ayres, Sara <Ayres.Sara@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>
Subject: RE: Re-proposal of OAR SAN 4908 – NESHAP Amendment: General Provisions for Once In Always In

Thank you Terri! I also encourage OC and OCE to coordinate on this to bolster our discussion about justification for increased tier level.

Keith

From: Dykes, Teresa
Sent: Monday, July 23, 2018 10:55 AM
To: Bartlett, Keith <Bartlett.Keith@epa.gov>
Subject: RE: Re-proposal of OAR SAN 4908 – NESHAP Amendment: General Provisions for Once In Always In

Thanks for doing this Keith. Attorney Work Product / Ex. 5 Attorney Work Product / Ex. 5 The leaders have been working with us- but it is much better to have this on a higher tier to get concurrence.

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From: Bartlett, Keith
Sent: Thursday, July 19, 2018 11:01 AM

To: Farrar, Wanda <farrar.wanda@epa.gov>
Cc: Ayres, Sara <Ayres.Sara@epa.gov>; Dykes, Teresa <Dykes.Teresa@epa.gov>
Subject: RE: Re-proposal of OAR SAN 4908 – NESHAP Amendment: General Provisions for Once In Always In

Wanda, thank you for this information.

I don't understand the rationale for both not re-tiering a rule from 2007, and for keeping a rule a Tier 3 so that it can proceed on a certain predetermined schedule. Whose schedule? The Rule itself should dictate the Tier, regardless of the need to get a rule out the door on some predetermined schedule.

Will OAR answer that question?

I am happy to discuss –

Keith

From: Farrar, Wanda
Sent: Thursday, July 19, 2018 10:39 AM
To: RSC Core <RSC_Core@epa.gov>
Subject: Re-proposal of OAR SAN 4908 – NESHAP Amendment: General Provisions for Once In Always In

Good Day RSC,

OAR has received questions re: SAN 4908 – NESHAP Amendment: General Provisions for Once In Always In. This is a re-proposal of the 2007 proposal. OAR staff has been working w/the workgroup since April of this year. When work was re-started on this action, the need to keep this action as a tier 3 in order to keep on schedule was discussed. However, OAR agreed to provide the workgroup information and input, including review of the draft proposal prior to moving to OMB. The kick-off meeting was on 4/12/18 and subsequent meetings were on 5/10/18 and 6/14/18. Our next meeting is scheduled for 08/09/18. In addition to the monthly meetings with the ADP WG, we have had multiple focused meetings between OAQPS, OGC, and OECA. (Our meetings have included from OECA- Sara Ayres and Theresa Dykes. Sara has been working with us on the compliance aspects of our proposal while Terri has been working with us on the enforcement aspects.)

If there are questions or concerns, please email to me. Thank you!

Wanda

Workgroup Members (please provide any updates):
Sara Ayres, Teresa Dykes, OECA
Scott Jordan, OGC
Barry Elman, OP
Susan Lancey, R01
Lee Page, Yolanda Adams, R04
Ward Burns, R07

NESHAP Amendment: General Provisions for Once In Always In - IBM Lotus Notes

File Edit View Create Actions Section Tools Window Help

Close Print Edit Document Reg Reporting Workgroup New Side Agreement New Tier Change Request New Comment Help Admin

NESHAP Amendment: General Provisions for Once In Always In
SAN: 4908 | RIN: 2060-AM75
OAR/OAQPS/SPPD
Tier 3 Regulation
OMB: Supplemental NPRM - Significant (confirmed)

Action Information

TRACKER Status: Development

SAN: [redacted]
RIN: 2060-AM75

Action Type: Regulation
AAship: OAR
Division: SPPD
Office: OAQPS
Branch: PSG
Working Title: NESHAP Amendment: General Provisions for Once In Always In

Full Title: Reclassification of Major Sources as Area Sources Under Section 112 of the CAA

Tiering

Tier Status: Approved
Tier Approval Date: 10/1/2004
Tier Level: 3

Regulatory Reporting

Reg Agenda?: Yes

Action POCs - Elineth Torres, Debra Dalcher

Primary POC: Elineth Torres (OAR/OAQPS/SPPD/PSG): 919-541-4347

Secondary POC: Debra Dalcher (OAR/OAQPS): 919-541-2443

Internal Abstract:

These amendments would address when a major source can become an area source, and, thus, become not subject to national emission standards for hazardous air pollutants (NESHAP) for major sources under Clean Air Act (CAA) section 112. The amendments will implement the EPA's plain language reading of the CAA section 112 definitions of "major" and "area" sources as discussed in the January 2018 William Wehrum memorandum titled "Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act." (See notice in 83 FR 5543, February 8, 2018.) This action will provide an opportunity for interested persons to provide comment on many of the same issues covered in the 2007 NESHAP: General Provision Amendments (72 FR 69, January 3, 2007).

1 document selected

Office (Network)

9:48 AM 7/19/2018

From the desk of:
Wanda Farrar