Message

From: Fallon, Gail [fallon.gail@epa.gov]
Sent: 10/4/2018 6:18:17 PM
To: Joffe, Brian [Joffe.Brian@epa.gov]
CC: Laumann, Sara [Laumann.Sara@epa.gov]
Subject: RE: Attorney assignment request - ND request for EPA position on common control for Coyote Station and Coyote Creek Mining Company

Great, thanks!

From: Joffe, Brian
Sent: Thursday, October 4, 2018 12:17 PM
To: Fallon, Gail <fallon.gail@epa.gov>
Cc: Laumann, Sara <Laumann.Sara@epa.gov>
Subject: RE: Attorney assignment request - ND request for EPA position on common control for Coyote Station and Coyote Creek Mining Company

Thanks Gail. Sara will be the ORC point person on this matter.

Brian Joffe
Deputy Regional Counsel
EPA Region 8
Ph: (303) 312-6499
Fax: (303) 312-6859

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From: Fallon, Gail
Sent: Wednesday, October 3, 2018 5:00 PM
To: Joffe, Brian <Joffe.Brian@epa.gov>
Subject: Attorney assignment request - ND request for EPA position on common control for Coyote Station and Coyote Creek Mining Company

Brian – Please see below for a brief explanation. ND is requesting our response by November 17th and this is related to one of the recent NSR policy shifts so we'll likely need OGC involved as well.

Thanks!
Gail

From: Fallon, Gail
Sent: Wednesday, October 3, 2018 4:55 PM
To: Rao, Raj <Rao.Raj@epa.gov>
Cc: Morales, Monica <Morales.Monica@epa.gov>; Law, Donald <Law.Donald@epa.gov>; Wauters, Patrick <wauters.patrick@epa.gov>; Vetter, Cheryl <Vetter.Cheryl@epa.gov>
Subject: ND request for EPA position on common control for Coyote Station and Coyote Creek Mining Company

Raj,
We received the attached letter and enclosures today. North Dakota is requesting EPA's position on whether the Coyote Creek Mining Company (CCMC) and the Coyote Station coal fired power plant should be considered under "common

control," siting the Meadowbrook letter. The state's historical source determination is that the two companies are separate sources. This issue has arisen in public comment on the state's fourth renewal of the Coyote Station title V permit.

We are in the process of researching Region 8's historical official position on this in case it needs to be addressed in our response and are just beginning our analysis. Please assign someone from your staff to work with us on this.

The state is requesting EPA's response by November 17, 2018 based on our 45-day title V review period.

Thanks,
Gail

Gail Fallon
Acting Air Permitting and Monitoring Unit Chief
EPA Region 8
1595 Wynkoop Street, Mail Code 8P-AR
Denver, CO 80202
(303) 312-6281