Message

**From**: Massie Hatch [massie.hatch@mshatch.com]
**Sent**: 6/9/2021 8:19:40 PM
**To**: Beckham, Lisa [BECKHAM.LISA@EPA.GOV]
**CC**: Chris Courtney [chris@courtneyconsultingllc.com]; Kaytlyn Taglialavore [kaytlyn.taglialavore@mshatch.com]
**Subject**: RE: New Pyrolysis Rubber Recycling Facility on Tribal Land, Near Oasis, CA

No problem Lisa. I will send an invite for Friday, 6/18 at 10 am.
Does MS Teams work for you?

Thank you so much!

Massie Hatch, PE, CPP
M. S. Hatch Consulting, LLC
949.892.9515 (mobile)
Massie.hatch@mshatch.com

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**From:** Beckham, Lisa <BECKHAM.LISA@EPA.GOV>
**Sent:** Wednesday, June 9, 2021 1:02 PM
**To:** Massie Hatch <massie.hatch@mshatch.com>
**Cc:** Chris Courtney <chris@courtneyconsultingllc.com>; Kaytlyn Taglialavore <kaytlyn.taglialavore@mshatch.com>
**Subject:** RE: New Pyrolysis Rubber Recycling Facility on Tribal Land, Near Oasis, CA

Hi Massie,

That sounds good. I will unfortunately be out again – Monday thru Wednesday - next week. Here are some times I'm available next Thursday and Friday:

Thursday, June 17, 10:00am PDT
Friday, June 18, 10am-12pm PDT
Friday, June 18, 1:30pm-3:30pm PDT

We should also include Robert Powell with the Tribe if he is interested.

(I apologize for the limited availability, June and July is going to be very busy for me.)

Lisa

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**From:** Massie Hatch <massie.hatch@mshatch.com>
**Sent:** Wednesday, June 9, 2021 12:39 PM
**To:** Beckham, Lisa <BECKHAM.LISA@EPA.GOV>
**Cc:** Chris Courtney <chris@courtneyconsultingllc.com>; Kaytlyn Taglialavore <kaytlyn.taglialavore@mshatch.com>
**Subject:** RE: New Pyrolysis Rubber Recycling Facility on Tribal Land, Near Oasis, CA

Hi Lisa,
Thanks so much for getting back to me and for your response regarding HEARTH Act of 2012 and BLM Checklist.

On the air permitting side, we were hoping to schedule a call with you next week to discuss the project to make sure we are on the right track with the permit application package. Are you available Monday after 2:30 pm?

Thanks,

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M. S. Hatch Consulting, LLC
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**From:** Beckham, Lisa <BECKHAM.LISA@EPA.GOV>
**Sent:** Tuesday, June 8, 2021 8:57 AM
**To:** Massie Hatch <massie.hatch@mshatch.com>
**Cc:** Chris Courtney <chris@courtneyconsultingllc.com>
**Subject:** RE: New Pyrolysis Rubber Recycling Facility on Tribal Land, Near Oasis, CA

Hi Massie,

Sorry for the delay in responding.

I honestly know very little about the HEARTH Act of 2012 and have never been involved with it or reviewed a document related to it. My general understanding is that the process replaces the typical BLM lease process and is meant to be generally equivalent. EPA isn't typically involved in the lease process.

Looking as this checklist from BLM: https://www.bia.gov/sites/bia.gov/files/assets/bia/ots/ots/pdf/idc1-032154.pdf, it sounds like the Tribe's regulations should specify the type of review they are expecting. It might be worth asking the Tribe what they are looking for or if they have an example of something they would like to see?

I will note that with the typical BLM lease process there is usually an ESA/NHPA review that EPA often also relies on as part of our air permitting process. I'm not sure if that will be covered by the Tribe's process.

If you would like to still discuss this let me know. My calendar is pretty full this week, but Friday morning would probably work.

Lisa

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**From:** Massie Hatch <massie.hatch@mshatch.com>
**Sent:** Monday, June 7, 2021 7:29 AM
**To:** Beckham, Lisa <BECKHAM.LISA@EPA.GOV>
**Cc:** Chris Courtney <chris@courtneyconsultingllc.com>
**Subject:** RE: New Pyrolysis Rubber Recycling Facility on Tribal Land, Near Oasis, CA

Good morning Lisa,
I know you were out of the office last week. I wanted to resend the below email and ask if you have a few minutes to discuss this project with our team. Could you please let me know your availability this week?

Thanks,
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M. S. Hatch Consulting, LLC
949.892.9515 (mobile)
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**From:** Massie Hatch
**Sent:** Tuesday, June 1, 2021 3:02 PM
**To:** beckham.lisa@epa.gov

**Cc:** Chris Courtney <chris@courtneyconsultingllc.com>
**Subject:** New Pyrolysis Rubber Recycling Facility on Tribal Land, Near Oasis, CA

Hi Lisa,
I hope you are doing well.
My team is assisting Courtney Consulting with air permit requirements for a proposed Pyrolysis Rubber Recycling Facility on Tribal Land, Near Oasis, CA. I believe Chris Courtney (copied here) reached out to you in March about this project and you provided very helpful information, shown below.

We are working on quantifying the emissions and identifying he applicable requirements. We are also putting together a list of questions to discuss with you at your convenience. There is a permit issued by the Missouri Department of Natural Resources in 2017 for a similar operation in Nodaway County, MO (https://dnr.mo.gov/env/apcp/permits/docs/marvllecsoin-2017cp2.pdf.) We are requesting information from their permit files to assist with our emission calculations.

In the meantime, Courtney Consulting is also preparing the planning document for the proposed project as per the HEARTH Act of 2012. Are you familiar with documents prepared under this act? We are trying to confirm the air quality analyses and calculations (if any) that we need to include in the document. For typical NEPA/CEQA, we quantify criteria and GHG emissions from proposed construction and operational activities. It is not clear to us whether the same analyses would be required under the HEARTH Act of 2012 for projects on tribal lands. We would appreciate any guidance or examples you can provide. Thank you for your
help.

EPA input:

1. Determine the POTENTIAL emissions (assuming the facility overrates continuously, 8760 hours/yr) of each of the pollutants subject to the preconstruction program on a TON PER YEAR basis:
    a. Pollutants are listed here: https://www.epa.gov/caa-permitting/tribal-minor-new-source-review-permitting-epas-pacific-southwest-region-9#thresholds
    b. We would also need information on air toxic emissions for our EJ analysis: dioxin/furans, benzene, HCl, styrene, and polycylic aromatic hydrocarbons (PAHs)
2. When providing data on potential emissions, we need to know the test methods that were used to determine emissions.

    a. EPA's test methods: https://www.epa.gov/emc/emc-promulgated-test-methods
    b. The reason we need this information is because, to my knowledge, this equipment doesn't exist in the U.S., so we don't have any existing data to draw from. For example, when someone builds a power plant we have decades of emissions data based on EPA test methods and we have a high confidence in what we expect the emissions to be. In this case, we may be starting from scratch.
3. I recommend submitting a request for an applicability determination to the EPA to see whether any incineration regulations apply.
4. Once we determine the emissions, type of permit you need, and whether it is considered an incinerator, you will need to submit an application.

    a. https://www.epa.gov/caa-permitting/tribal-minor-new-source-review-permitting-epas-pacific-southwest-region-9#instructions At a minimum you will need, to submit the last one listed "New or Modified Minor Sources."
    b. When it comes to completing an air permit application, it has some very technical aspects and for a facility like this, and you may want to consider hiring a consultant that is familiar with submitting such applications.

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