Message

From: Nelson, Leverett [nelson.leverett@epa.gov]
Sent: 9/11/2020 3:41:04 PM
To: Johnson Koch, LeAnn M. (Perkins Coie) [LeAnnJohnson@perkinscoie.com]
CC: Mooney, John [Mooney.John@epa.gov]; Gross, Louise C [gross.louise@epa.gov]
Subject: RE: Status of Ohio Nuisance Rulemaking

LeAnn-

The package is undergoing legal review. This could take some time, as EPA ensures that the administrative record is solid. We are looping in our Office of General Counsel colleagues in this regard.

We plan to reach out to you when we get closer to a final decision. If you have urgent questions in the meantime, feel free to reach out to the senior lawyer in my office who is working on this: Louise Gross, who is cc'd on this message.

Thanks.

-Rett

From: Johnson Koch, LeAnn M. (Perkins Coie) <LeAnnJohnson@perkinscoie.com>
Sent: Thursday, September 10, 2020 12:10 PM
To: Nelson, Leverett <nelson.leverett@epa.gov>
Cc: Mooney, John <Mooney.John@epa.gov>
Subject: RE: Status of Ohio Nuisance Rulemaking

Hi Rett - -

Just checking in to see how things are progressing on the review of the nuisance rulemaking since it's been a few weeks. Are there any updates you can share with me?

Thanks,
LeAnn

LeAnn Johnson Koch | **Perkins Coie LLP**
Office: 202.654.6209
Mobile: 202.253.6152

From: Nelson, Leverett <nelson.leverett@epa.gov>
Sent: Friday, August 21, 2020 5:07 PM
To: Johnson Koch, LeAnn M. (WDC) <LeAnnJohnson@perkinscoie.com>
Cc: Mooney, John <Mooney.John@epa.gov>
Subject: RE: Status of Ohio Nuisance Rulemaking

LeAnn-

There is a package under review within the region. I don't have a final schedule, but think it will be at least another few weeks before we have any more information to share with you.

I will keep you posted. Thank you.

-Rett

From: Johnson Koch, LeAnn M. (Perkins Coie) <LeAnnJohnson@perkinscoie.com>
Sent: Thursday, August 20, 2020 12:36 PM
To: Nelson, Leverett <nelson.leverett@epa.gov>
Cc: Mooney, John <Mooney.John@epa.gov>
Subject: RE: Status of Ohio Nuisance Rulemaking

Hi Rett –
Just checking in to see if you have an estimated date yet or any updates from a couple of weeks ago?
Thanks,
LeAnn

LeAnn Johnson Koch | **Perkins Coie LLP**
Office: 202.654.6209
Mobile: 202.253.8152

From: Nelson, Leverett <nelson.leverett@epa.gov>
Sent: Tuesday, August 11, 2020 12:43 PM
To: Johnson Koch, LeAnn M. (WDC) <LeAnnJohnson@perkinscoie.com>
Cc: Mooney, John <Mooney.John@epa.gov>
Subject: FW: Status of Ohio Nuisance Rulemaking

LeAnn-

Thanks for your call on Friday. The region is proceeding to draft documents (which will require legal review). I'm afraid there's little to report out to you beyond that. We are working on it.

Please continue to check in with me as needed. Thanks again.

-Rett

From: Johnson Koch, LeAnn M. (Perkins Coie) <LeAnnJohnson@perkinscoie.com>
Sent: Thursday, July 09, 2020 1:13 PM
To: Nelson, Leverett <nelson.leverett@epa.gov>
Cc: Mooney, John <Mooney.John@epa.gov>
Subject: RE: Status of Ohio Nuisance Rulemaking

Thanks Rett. I appreciate the update.

LeAnn Johnson Koch | **Perkins Coie LLP**
Office: 202.654.6209
Mobile: 202.253.8152

From: Nelson, Leverett <nelson.leverett@epa.gov>
Sent: Thursday, July 9, 2020 2:07 PM
To: Johnson Koch, LeAnn M. (WDC) <LeAnnJohnson@perkinscoie.com>
Cc: Mooney, John <Mooney.John@epa.gov>
Subject: RE: Status of Ohio Nuisance Rulemaking

LeAnn-

We are still working out a schedule for the next steps. Nothing is imminent in the next few weeks. As you know, we have received numerous comments: 217 submissions made containing over 1800 comments. We need to complete responses to comments and work with our Headquarters counterparts as part of the process. I can update you once we have a more definite schedule put together.

Thanks.

-Rett

From: Nelson, Leverett
Sent: Wednesday, July 08, 2020 2:36 PM
To: Johnson Koch, LeAnn M. (Perkins Coie) <LeAnnJohnson@perkinscoie.com>
Cc: Mooney, John <Mooney.John@epa.gov>
Subject: RE: Status of Ohio Nuisance Rulemaking

Sorry, LeAnn, for not getting back to you. We are looking into it. Your voice-mail implied it was soon, but I hadn't heard that. Again, John and I are investigating.

-Rett

From: Johnson Koch, LeAnn M. (Perkins Coie) <LeAnnJohnson@perkinscoie.com>
Sent: Wednesday, July 08, 2020 2:20 PM
To: Nelson, Leverett <nelson.leverett@epa.gov>
Cc: Mooney, John <Mooney.John@epa.gov>
Subject: RE: Status of Ohio Nuisance Rulemaking

Rett –

Do you have an estimate of when EPA will move forward with the SIP correction?

Thanks,
LeAnn

LeAnn Johnson Koch | Perkins Coie LLP
Office: 202.654.6209
Mobile: 202.253.6152

From: Nelson, Leverett <nelson.leverett@epa.gov>
Sent: Monday, May 18, 2020 10:37 AM
To: Johnson Koch, LeAnn M. (WDC) <LeAnnJohnson@perkinscoie.com>
Cc: Mooney, John <Mooney.John@epa.gov>
Subject: RE: Status of Ohio Nuisance Rulemaking

LeAnn:

I checked in. The comments will be posted after the close of the comment period. Because of the Memorial Day holiday they will be available for viewing on Tuesday, May 26th.

Thanks.

-Rett

From: Johnson Koch, LeAnn M. (Perkins Coie) <LeAnnJohnson@perkinscoie.com>
Sent: Monday, May 18, 2020 8:32 AM
To: Nelson, Leverett <nelson.leverett@epa.gov>
Subject: RE: Status of Ohio Nuisance Rulemaking

Hi Rett –
It looks like EPA has received 175 comments to date but only 4 are currently available on regs.gov. Do you know if they others will be posted before the close of the public comment period on Friday?
Thanks,
LeAnn

From: Nelson, Leverett <nelson.leverett@epa.gov>
Sent: Wednesday, April 22, 2020 9:25 AM
To: Johnson Koch, LeAnn M. (WDC) <LeAnnJohnson@perkinscoie.com>
Cc: Mooney, John <Mooney.John@epa.gov>
Subject: FW: Status of Ohio Nuisance Rulemaking

Dear LeAnn:

Attached please find the Federal Register notice extending the comment period.

There were three requests to extend the comment period from:

1. David Altman on behalf of individuals, former regulators, and a consortium of environmental and health organizations from throughout Ohio.
2. Anonymous request.
3. Communities United For Action (CUFA) - Clark Beck, Board President; Mary Metzmeir, Executive Director.

The comment period is extended to May 22, 2020. The previously submitted comments/extension requests are now available to view in the docket on regulations.gov. Please let me (or the contact identified in the Federal Register notice) know if you still can't see them. Thanks.

-Rett

T. Leverett Nelson
Regional Counsel
U.S. EPA, Region 5

From: Johnson Koch, LeAnn M. (Perkins Coie) <LeAnnJohnson@perkinscoie.com>
Sent: Tuesday, April 21, 2020 4:30 PM
To: Nelson, Leverett <nelson.leverett@epa.gov>
Subject: RE: Status of Ohio Nuisance Rulemaking

Thanks Rett. Do you know who requested the extension?

LeAnn Johnson Koch | **Perkins Coie LLP**
Office: 202.654.6209
Mobile: 202.253.8152

From: Nelson, Leverett <nelson.leverett@epa.gov>
Sent: Tuesday, April 21, 2020 5:21 PM
To: Johnson Koch, LeAnn M. (WDC) <LeAnnJohnson@perkinscoie.com>
Subject: Status of Ohio Nuisance Rulemaking

LeAnn-

Thank you for your call yesterday.

I do expect the public comment period to be extended. The extension notice should be published in the Federal Register tomorrow. Comments would then be due by 05/22/2020. I'm still checking on the ability to see other commenters' comments in the docket. Thanks.

-Rett

T. Leverett Nelson
Regional Counsel
U.S. EPA, Region 5

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