Message

From: Gross, Louise C [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=25A8DF2A549B43FCAFB543F4388B170A-LGROSS02]
Sent: 9/12/2019 6:22:05 PM
To: Daugavietis, Andre [daugavietis.andre@epa.gov]
Subject: RE: Correction of Error in the Ohio State Implementation Plan - draft briefing paper

Let's chat after the Monday morning meeting....

Louise C. Gross
Associate Regional Counsel
U. S. Environmental Protection Agency
77 W. Jackson Blvd. (C-14J)
Chicago, IL 60604
(312) 886-6844

From: Daugavietis, Andre <daugavietis.andre@epa.gov>
Sent: Thursday, September 12, 2019 8:57 AM
To: Gross, Louise C <gross.louise@epa.gov>
Subject: RE: Correction of Error in the Ohio State Implementation Plan - draft briefing paper

Ex. 5 AWP/DP

im on flexi or would come down to discuss

From: Gross, Louise C <gross.louise@epa.gov>
Sent: Wednesday, September 11, 2019 4:04 PM
To: Daugavietis, Andre <daugavietis.andre@epa.gov>; Furey, Eileen <furey.eileen@epa.gov>
Cc: Lupton, Jane <lupton.jane@epa.gov>; Klassman, Debra <klassman.debra@epa.gov>; Lee, Sandra <lee.sandra@epa.gov>; Nelson, Leverett <nelson.leverett@epa.gov>
Subject: RE: Correction of Error in the Ohio State Implementation Plan - draft briefing paper

Ex. 5 AWP/DP

Louise C. Gross
Associate Regional Counsel
U. S. Environmental Protection Agency
77 W. Jackson Blvd. (C-14J)
Chicago, IL 60604
(312) 886-6844

From: Daugavietis, Andre <daugavietis.andre@epa.gov>
Sent: Wednesday, September 11, 2019 2:26 PM
To: Furey, Eileen <furey.eileen@epa.gov>
Cc: Lupton, Jane <lupton.jane@epa.gov>; Klassman, Debra <klassman.debra@epa.gov>; Lee, Sandra <lee.sandra@epa.gov>; Gross, Louise C <gross.louise@epa.gov>; Nelson, Leverett <nelson.leverett@epa.gov>
Subject: RE: Correction of Error in the Ohio State Implementation Plan - draft briefing paper

eileen: here is a draft briefing paper in prep for monday's meeting. regards -andre

From: Furey, Eileen <furey.eileen@epa.gov>
Sent: Wednesday, September 11, 2019 9:12 AM
To: Daugavietis, Andre <daugavietis.andre@epa.gov>
Cc: Lupton, Jane <lupton.jane@epa.gov>; Klassman, Debra <klassman.debra@epa.gov>; Lee, Sandra <lee.sandra@epa.gov>; Gross, Louise C <gross.louise@epa.gov>; Nelson, Leverett <nelson.leverett@epa.gov>
Subject: RE: Correction of Error in the Ohio State Implementation Plan

Ex. 5 AWP/DP

Thanks a million!
Eileen

Eileen L. Furey
Acting Deputy Regional Counsel
U.S. EPA Region 5
(312) 886-7950

From: Daugavietis, Andre <daugavietis.andre@epa.gov>
Sent: Wednesday, September 11, 2019 8:46 AM
To: Furey, Eileen <furey.eileen@epa.gov>
Cc: Lupton, Jane <lupton.jane@epa.gov>; Klassman, Debra <klassman.debra@epa.gov>; Lee, Sandra <lee.sandra@epa.gov>; Gross, Louise C <gross.louise@epa.gov>; Nelson, Leverett <nelson.leverett@epa.gov>
Subject: RE: Correction of Error in the Ohio State Implementation Plan

Ex. 5 AWP/DP

From: Furey, Eileen <furey.eileen@epa.gov>
Sent: Monday, September 9, 2019 4:53 PM
To: Gross, Louise C <gross.louise@epa.gov>; Daugavietis, Andre <daugavietis.andre@epa.gov>; Nelson, Leverett <nelson.leverett@epa.gov>

Cc: Lupton, Jane <lupton.jane@epa.gov>; Klassman, Debra <klassman.debra@epa.gov>; Lee, Sandra <lee.sandra@epa.gov>
Subject: RE: Correction of Error in the Ohio State Implementation Plan

All-

Ex. 5 AWP/DP

Thanks,
Eileen

Eileen L. Furey
Acting Deputy Regional Counsel
U.S. EPA Region 5
(312) 886-7950

From: Gross, Louise C <gross.louise@epa.gov>
Sent: Wednesday, September 04, 2019 9:46 AM
To: Daugavietis, Andre <daugavietis.andre@epa.gov>; Nelson, Leverett <nelson.leverett@epa.gov>; Furey, Eileen <furey.eileen@epa.gov>
Cc: Lupton, Jane <lupton.jane@epa.gov>; Klassman, Debra <klassman.debra@epa.gov>; Lee, Sandra <lee.sandra@epa.gov>
Subject: RE: Correction of Error in the Ohio State Implementation Plan

Andre,

Ex. 5 AWP/DP

Louise

Louise C. Gross
Associate Regional Counsel
U. S. Environmental Protection Agency
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Chicago, IL 60604
(312) 886-6844

From: Daugavietis, Andre <daugavietis.andre@epa.gov>
Sent: Tuesday, September 03, 2019 8:43 AM
To: Nelson, Leverett <nelson.leverett@epa.gov>; Furey, Eileen <furey.eileen@epa.gov>
Cc: Lupton, Jane <lupton.jane@epa.gov>; Klassman, Debra <klassman.debra@epa.gov>; Lee, Sandra <lee.sandra@epa.gov>; Gross, Louise C <gross.louise@epa.gov>
Subject: RE: Correction of Error in the Ohio State Implementation Plan

Ex. 5 AWP/DP

From: Nelson, Leverett <nelson.leverett@epa.gov>
Sent: Tuesday, September 3, 2019 8:30 AM
To: Furey, Eileen <furey.eileen@epa.gov>; Gross, Louise C <gross.louise@epa.gov>; Daugavietis, Andre <daugavietis.andre@epa.gov>
Cc: Lupton, Jane <lupton.jane@epa.gov>; Klassman, Debra <klassman.debra@epa.gov>; Lee, Sandra <lee.sandra@epa.gov>
Subject: FW: Correction of Error in the Ohio State Implementation Plan

FYI.

From: Johnson Koch, LeAnn M. (Perkins Coie) <LeAnnJohnson@perkinscoie.com>
Sent: Monday, September 02, 2019 8:06 PM
To: Nelson, Leverett <nelson.leverett@epa.gov>
Subject: RE: Correction of Error in the Ohio State Implementation Plan

Mr. Nelson –

Thank you very much. In the meantime, I wanted to pass along the attached final rule, which was just published on Thursday, August 29. The final rule revises the California SIP to remove a general nuisance provision very similar to Ohio's because the inclusion of the nuisance provision is inconsistent with the Clean Air Act.

We look forward to scheduling a meeting to discuss the importance of EPA correcting the Ohio SIP on the same basis.

Thanks,
LeAnn

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

From: Nelson, Leverett <nelson.leverett@epa.gov>
Sent: Tuesday, August 27, 2019 10:18 AM
To: Johnson Koch, LeAnn M. (WDC) <LeAnnJohnson@perkinscoie.com>
Subject: RE: Correction of Error in the Ohio State Implementation Plan

Dear LeAnn:

I will look into this, and someone here will get back to you. Thank you.

-Rett Nelson

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

From: Johnson Koch, LeAnn M. (Perkins Coie) <LeAnnJohnson@perkinscoie.com>
Sent: Monday, August 26, 2019 1:24 PM
To: Nelson, Leverett <nelson.leverett@epa.gov>
Subject: FW: Correction of Error in the Ohio State Implementation Plan

Hi Mr. Nelson --

We are hoping to schedule a meeting with the Regional Administrator to discuss our request, on behalf of several companies, that EPA modify the Ohio State Implementation Plan. The SIP violates the Clean Air Act because it includes requirements related to non-criteria air pollutants. Numerous state SIPs have been revised to address exactly this error, as described in the attached communication.

Would it be possible to schedule a meeting to discuss this issue with the Regional Administrator? Time if of the essence because citizen suit actions are pending and being threatened based on the error in the SIP.

Thanks,
LeAnn

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

From: Johnson Koch, LeAnn M. (WDC)
Sent: Monday, August 26, 2019 2:02 PM
To: 'williams.felicia@epa.gov' <williams.felicia@epa.gov>
Subject: RE: Correction of Error in the Ohio State Implementation Plan

Ms. Williams –
I am writing to follow-up on my email below, to see if we can schedule a meeting with Ms. Stepp to discuss our request that EPA modify the Ohio State Implementation Plan. I look forward to hearing from you.
Thanks,
LeAnn

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

From: Johnson Koch, LeAnn M. (WDC)
Sent: Wednesday, August 14, 2019 1:56 PM
To: 'williams.felicia@epa.gov' <williams.felicia@epa.gov>
Subject: FW: Correction of Error in the Ohio State Implementation Plan

Ms. Williams –

Per my voicemail, attached is the letter I sent to Ms. Stepp on June 11. We would like to schedule a meeting with Ms. Stepp to discuss our request that EPA correct an error in the Ohio State Implementation Plan. Would you please let me know when Ms. Stepp would be available for a meeting. We plan to include several companies in the meeting that have been adversely affected by the error in the state SIP.

Thank you,
LeAnn

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

From: Johnson Koch, LeAnn M. (WDC)
Sent: Tuesday, June 11, 2019 11:18 AM
To: 'stepp.cathy@epa.gov' <stepp.cathy@epa.gov>
Cc: 'laurie.stevenson@epa.ohio.gov' <laurie.stevenson@epa.ohio.gov>; 'todd.anderson@epa.ohio.gov' <todd.anderson@epa.ohio.gov>; 'michael.guastella@epa.ohio.gov' <michael.guastella@epa.ohio.gov>; 'robert.hodanbosi@epa.ohio.gov' <robert.hodanbosi@epa.ohio.gov>; 'drew.bergman@epa.ohio.gov' <drew.bergman@epa.ohio.gov>; 'blakely.pamela@epa.gov' <blakely.pamela@epa.gov>; Ford, Aimee E. (WDC) <AFord@perkinscoie.com>
Subject: Correction of Error in the Ohio State Implementation Plan

Dear Ms. Stepp:

Attached is a letter requesting that EPA correct an error in the Ohio State Implementation Plan, specifically, the incorporation of a public nuisance rule, which is unrelated to attainment and maintenance of the NAAQS.

Please let me know if you have any questions and thank you in advance for your assistance.

LeAnn

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

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