Message

From: Burger, Riley [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=BURGER, RILEY]
Sent: 3/30/2023 11:57:59 AM
To: Truchan, JoAnn [JoAnn.Truchan@AlleghenyCounty.US]; Barnes, Britlyn [Barnes.Britlyn@epa.gov]
CC: Ajenifuja, Hafeez [Hafeez.Ajenifuja@AlleghenyCounty.US]
Subject: RE: USS ET - Comment/Response Document

My understanding is that there is not a formal deadline to withdrawal/resubmit a proposed permit & RTC. But I will note that the petition clock starts today on the version submitted and will show as such on our website. I am working tomorrow if you prefer to talk then. Will check back in later today

Thanks

Riley Burger (he/him/his)
Senior Permit Specialist
Air & Radiation Division
US EPA Mid-Atlantic Region
Phone 215-814-2217
Email burger.riley@epa.gov

From: Truchan, JoAnn <JoAnn.Truchan@AlleghenyCounty.US>
Sent: Thursday, March 30, 2023 7:53 AM
To: Burger, Riley <burger.riley@epa.gov>; Barnes, Britlyn <Barnes.Britlyn@epa.gov>
Cc: Ajenifuja, Hafeez <Hafeez.Ajenifuja@AlleghenyCounty.US>
Subject: RE: USS ET - Comment/Response Document

What is the actual deadline? I can send you a formal withdrawal of the 45-day review (since that probably needs to be done anyway) and that can buy us some time. Perhaps tomorrow or Monday?

From: Burger, Riley <burger.riley@epa.gov>
Sent: Thursday, March 30, 2023 7:51 AM
To: Truchan, JoAnn <JoAnn.Truchan@AlleghenyCounty.US>; Barnes, Britlyn <Barnes.Britlyn@epa.gov>
Cc: Ajenifuja, Hafeez <Hafeez.Ajenifuja@AlleghenyCounty.US>
Subject: RE: USS ET - Comment/Response Document

Hi JoAnn,

I'm off site today so have limited availability, but may be able to make 2:30 work. I will send you a calendar invite now and will let you know if it needs to be moved

Riley Burger (he/him/his)
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From: Truchan, JoAnn <JoAnn.Truchan@AlleghenyCounty.US>
Sent: Thursday, March 30, 2023 7:15 AM
To: Burger, Riley <burger.riley@epa.gov>; Barnes, Britlyn <Barnes.Britlyn@epa.gov>
Cc: Ajenifuja, Hafeez <Hafeez.Ajenifuja@AlleghenyCounty.US>
Subject: RE: USS ET - Comment/Response Document

Riley,
I would like to discuss this further. I cannot definitively say I am withdrawing the proposed RTC/permit until I know what the path moving forward is. But since the last day is either today or tomorrow, I need guidance to make a decision today. And this is something I would rather discuss than try to email.

I am available any time today except for 10-11.

Thanks,
--JoAnn

From: Burger, Riley <burger.riley@epa.gov>
Sent: Wednesday, March 29, 2023 9:16 AM
To: Truchan, JoAnn <JoAnn.Truchan@AlleghenyCounty.US>; Barnes, Britlyn <Barnes.Britlyn@epa.gov>
Cc: Ajenifuja, Hafeez <Hafeez.Ajenifuja@AlleghenyCounty.US>
Subject: RE: USS ET - Comment/Response Document

Hi JoAnn,

Thanks for following up on this.

The options you laid out all include revision to the the RTC/permit in some capacity. So there is record of the status, can you confirm that ACHD would like EPA to consider the RTC/proposed permit withdrawn?

Regarding the path forward—including specific requirements from the consent order in the permit would be a good idea. Whether that is through the mechanisms of RTC revision or re-notice is not a clear line. Generally changes can be made to the proposed permit that are a logical outgrowth of a response to a comment. However, if those changes are significant (again not a bright line) re-notice may be recommended.

As to content of the revised response I would encourage including as much specificity as possible as to compliance status (what requirements are/are not being met at this time); and if there are any not being met, the plan to get to compliance. Let me know if you want to talk further. We can set up a call.

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From: Truchan, JoAnn <JoAnn.Truchan@AlleghenyCounty.US>
Sent: Monday, March 27, 2023 10:48 AM
To: Burger, Riley <burger.riley@epa.gov>; Barnes, Britlyn <Barnes.Britlyn@epa.gov>
Cc: Ajenifuja, Hafeez <Hafeez.Ajenifuja@AlleghenyCounty.US>
Subject: USS ET - Comment/Response Document

Riley,
Last week you asked me to take a look at the RTC for USS Edgar Thomson in case we wanted to make any changes. Specifically, you asked us to look at any comments pertaining to compliance plans in light of GASP's petition of USS Clairton on that basis. There is one comment in the RTC, #62 (actually submitted by Clean Air Council). Things are a little messy, and I am asking for some guidance.

- The consent order referenced in comment #62 was filed May 17, 2022.
- The draft permit went out for public comment at almost the same time, May 26, 2022 (bearing in mind that notice are sent to the *Pittsburgh Post-Gazette* about a week in advance).
- I received the RTC for internal review on November 3, 2022.
- The consent order was finalized in mid-November, 2022.

As you can see, these documents kept crossing paths. Our response to comment #62 is that the consent order was still in-process (which at the time, it was). From what I can tell, most of the requirements of the consent order are for various studies. The only things that might be an issue are the following:

46. Requirement to add an oxidizing additive to the slag pits for H2S control (although there are no details what specifically needs to be done or how compliance will be demonstrated)
47. Requirement to install SO2 CEMs on the Riley Boilers

I see several different options:

1. Add a reference to this consent order to condition IV.29 and revise the RTC.
2. Withdraw proposed permit from 45-day review and incorporate work practice standards for slag pits, SO2 CEMs on Riley Boilers, revise RTC, and resubmit for 45-days.
3. Withdraw proposed permit, revise as above and re-advertise for public comment.

Please let me know your thoughts.

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