Ex. 5 - Attorney Work Product

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From: Smith, Molly
Sent: Tuesday, September 05, 2017 2:09 PM
To: Bollweg, George <bollweg.george@epa.gov>
Subject: FW: Revised Data?

FYI – new data.

Molly Smith

Environmental Scientist

U.S. EPA Region 5

Air Enforcement and Compliance Assurance

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From: Smith, Molly
Sent: Tuesday, September 05, 2017 1:47 PM
To: Colledge, Michelle <Colledge.Michelle@epa.gov>
Cc: Cantello, Nicole <cantello.nicole@epa.gov>; Miller, Patrick <miller.patrick@epa.gov>
Subject: RE: Revised Data?

Michelle –

The timeline is as follows:

- April 2014 – Southeast Environmental Task Force (community group) recommends S.H. Bell be included in new Region 5 community enforcement initiative.

- April 25, 2014 – Inspection conducted with violations found.

- May 19, 2014 – Inspection conducted with Method 9 violations found.

- May 20, 2014 – Inspection conducted with new violations found.

- July 15, 2014 – First Notice of Violation issued, alleging opacity and fugitive dust migration off the facility's property line.

- March 4, 2015 – EPA Region 5 issues Section 114 Information Request for the installation of ambient PM_{10} continuous air monitors and filter-based monitors.

- June 2015 – S.H. Bell refuses to install any monitors.

- December 8, 2015 – Inspection conducted with concerns noted.

- December 5, 2016 – Stipulation and Consent Order issued to install the ambient PM_{10} air monitors and payment of $100,000 penalty for refusal to install monitors.

- March 1, 2017 – Monitors begin collecting data, inspection conducted, monitor data submitted each month.

- March 21, 2017 – Air monitoring siting evaluation conducted.

- August 7, 2017 – Second Notice of Violation issued.

Also, attached is the most recent cumulative data package, including filter data for July 2017. Please note that EPA is investigating the data for July 27, 2017 – almost all of the metals were reported as 0 and we are concerned about the flow in the monitor for that day. We will be posting the data on the website as soon as possible, with a similar disclaimer.

Thanks and let me know if you need anything else.

Molly Smith

Environmental Scientist

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From: Colledge, Michelle
Sent: Tuesday, September 05, 2017 8:58 AM
To: Smith, Molly <Smith.Molly@epa.gov>
Subject: Revised Data?

Hi Molly-

Do you have a sense when the July data will be available for review? I am drafting a consult on the data we have this week, and would like to include it if it is available.

Also-do you have a writeup anyplace (maybe for an RA briefing or something) where you discuss the enforcement history of the SH Bell Chicago site? It would be useful to put the existing emissions in perspective with information suggesting that levels were higher until very recently.

Thanks!

Michelle

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