To: Galbraith, Michael[Galbraith.Michael@epa.gov]; Valentino, Michael[valentino.michael@epa.gov]
From: Lee, Jae
Sent: Wed 5/24/2017 5:48:35 PM
Subject: FW: Tradebe Status

I will keep update with you the Tradebe's appeal status.

Jae

From: JEAN, RUTH [mailto:RJEAN@idem.IN.gov]
Sent: Wednesday, May 24, 2017 12:03 PM
To: Lee, Jae <lee.jae@epa.gov>
Subject: RE: Tradebe Status

I think it's safe to say the appeal deadline was late last week. I haven't heard of an appeal being filed, but sometimes it takes a bit of time for us to be informed. I will check with our legal counsel to see if an appeal has come through. I'll let you know.

From: Lee, Jae [mailto:lee.jae@epa.gov]
Sent: Wednesday, May 24, 2017 12:53 PM
To: JEAN, RUTH <RJEAN@idem.IN.gov>
Subject: RE: Tradebe Status

Ruth,

Do you have anyone petitioned for appeal of the State RCRA final permit for Tradebe?

Does the appeal deadline passed or do we need to wait couple more days? HQ is very anxious to know.

Jae

From: JEAN, RUTH [mailto:RJEAN@idem.IN.gov]
Sent: Wednesday, April 19, 2017 9:55 AM
To: Lee, Jae <lee.jae@epa.gov>
Subject: RE: Tradebe Status

Jae,

Per our issued guidance: "If you object to this decision issued by the Indiana Department of Environmental Management (IDEM) and are: 1) the person to whom the decision was directed, 2) a party specified by law as being eligible to appeal, or 3) aggrieved or adversely affected by the decision, you are entitled to file an appeal. (An aggrieved or adversely affected person is one who would be considered by the court to be negatively impacted by the decision. If you file an appeal because you feel that you are aggrieved, it will be up to you to demonstrate in your appeal how you are directly impacted in a negative way by the decision)."

If you would like an interpretation of what this means, you should talk with one of our attorneys. I recommend April Lashbrook. 317-233-1805.

Thanks,

Ruth

From: Lee, Jae [mailto:lee.jae@epa.gov]
Sent: Wednesday, April 19, 2017 10:47 AM
To: JEAN, RUTH <RJEAN@idem.IN.gov>
Cc: Galbraith, Michael <Galbraith.Michael@epa.gov>; Valentino, Michael <Valentino.Michael@epa.gov>; Cunningham, Michael <cunningham.michael@epa.gov>; Setnicar, Mary <Setnicar.Mary@epa.gov>; NADDY, JOHN <JNADDY@idem.IN.gov>

Subject: RE: Tradebe Status

Thanks, Ruth

So I will take that ETC can appeal the IDEM's draft RCRA permit even if they have not submitted review comments during the comment period, though I am not sure how they can demonstrate they are an adversely affected party.

Jae

From: JEAN, RUTH [mailto:RJEAN@idem.IN.gov]
Sent: Wednesday, April 19, 2017 9:33 AM
To: Lee, Jae <lee.jae@epa.gov>
Subject: RE: Tradebe Status

Jae,

If the petitioner can demonstrate that they are an aggrieved or adversely affected party, then they can appeal.

Thanks,

Ruth

From: Lee, Jae [mailto:lee.jae@epa.gov]
Sent: Wednesday, April 19, 2017 9:49 AM
To: JEAN, RUTH <RJEAN@idem.IN.gov>
Subject: RE: Tradebe Status

Ruth,

One other questions is that can ETC appeal your permit of they have not submitted comment during the public comment period? The federal rule is that only the people who has submitted comment during the public comment period can appeal the permit to the portion of the permit they hhave commented.

Jae

From: JEAN, RUTH [mailto:RJEAN@idem.IN.gov]
Sent: Wednesday, April 19, 2017 5:17 AM
To: Lee, Jae <lee.jae@epa.gov>
Subject: RE: Tradebe Status

I have not received any comments. If I do, you will see the comments when I respond to them with the issuance of the final decision in approximately 4-6 weeks.

From: Lee, Jae [mailto:lee.jae@epa.gov]
Sent: Tuesday, April 18, 2017 10:41 AM
To: JEAN, RUTH <RJEAN@idem.IN.gov>
Subject: RE: Tradebe Status

Ruth,

I guess the public comment period for the RCRA draft permit for Tardebe is ended.

Was ETC submitted any comments for the draft permit? If they did, can you share with us?

Jae

From: JEAN, RUTH [mailto:RJEAN@idem.IN.gov]
Sent: Wednesday, April 12, 2017 10:34 AM
To: Lee, Jae <lee.jae@epa.gov>
Subject: RE: Tradebe Status

No

From: Lee, Jae [mailto:lee.jae@epa.gov]
Sent: Wednesday, April 12, 2017 11:30 AM
To: JEAN, RUTH <RJEAN@idem.IN.gov>
Subject: RE: Tradebe Status

Ruth
Has the Environmental Technology Council submitted review comments for the State RCRA draft permit for Tradebe?

Jae

From: Lee, Jae
Sent: Monday, April 10, 2017 10:43 AM
To: 'JEAN, RUTH' <RJEAN@idem.IN.gov>
Cc: John Naddy <jnaddy@idem.in.gov>; Setnicar, Mary <setnicar.mary@epa.gov>; SCHROER, CRAIG <CSCHROER@idem.IN.gov>; Valentino, Michael <valentino.michael@epa.gov>
Subject: Tradebe Status

Ruth,

I would like to let you know that we received response (mostly CBI) for the information request of the Desorption Units from Tradebe.

We have a meeting scheduled with Tradebe's representatives on April 12 at Chicago to discuss mass balance aspects of the units.

We are also scheduled a conference call with HQ and Region 6 on April 17.

If things are moving well, we might able to send a memo to HQ of the Region 5's position on this permit exemption issue by the end of April or early May.

Please let me know if you have any questions.

Jae

From: JEAN, RUTH [mailto:RJEAN@idem.IN.gov]
Sent: Tuesday, February 07, 2017 11:26 AM
To: Lee, Jae <lee.jae@epa.gov>
Cc: Valentino, Michael <Valentino.Michael@epa.gov>; John Naddy <jnaddy@idem.in.gov>; Setnicar, Mary <Setnicar.Mary@epa.gov>
Subject: RE: Tradebe waste derived fuel issue

Jae,

As I've informed you before, any questions related to the SDS decision should be directed to John Naddy.

When you called earlier, you asked if Tradebe generates HW fuels from their fuel blending operations, and who utilizes those fuels. For clarification, my answers were in relation to their permitted fuel blending operations only. I want to ensure that you did not think I was discussing the SDS unit.

For future reference, please understand that I cannot answer any questions regarding the SDS units. I am not familiar with the SDS, nor was I involved in the original decision. I can only answer questions regarding their hazardous waste permit.

Thanks,

Ruth

From: Lee, Jae [mailto:lee.jae@epa.gov]
Sent: Tuesday, February 07, 2017 11:33 AM
To: JEAN, RUTH
Cc: Valentino, Michael
Subject: Tradebe waste derived fuel issue

Ruth,

HQ came up a question that the IDEM's March 31, 2006 letter (attached) states that, in the second page, fifth paragraph,
" If the unit was used to produce fuels or merely for treatment, the unit would require a HW treatment permit".

Since Tradebe generates hazardous waste derived fuels for the blending to send to off-site cement kilns, should they be required to have a treatment permit?

Any thoughts on this? This letter was referenced in the CAA permit.

Jae