Message

From: Charles McPhedran [cmcphedran@earthjustice.org]
Sent: 6/5/2019 9:17:02 PM
To: Langman, Michael [langman.michael@epa.gov]
CC: Danesh, Paymon [Danesh.Paymon@epa.gov]; Damico, Genevieve [damico.genevieve@epa.gov]; Lauren Piette [lpiette@earthjustice.org]
Subject: RE: Comments Re: No. T147-39554-00065 Riverview Energy Corporation, New Source Construction and Part 70 Operating Permit

Michael et al.--

I'm writing to follow up on our e-mail exchange below about the Riverview Energy project. Based on our calculations, EPA's objection to the proposed permit is due this Friday, June 7. We ask that EPA e-mail us a copy of its action on this permit when available.

Thank you,

Charley McPhedran

From: Langman, Michael <langman.michael@epa.gov>
Sent: Monday, January 28, 2019 8:45 AM
To: Charles McPhedran <cmcphedran@earthjustice.org>
Cc: Danesh, Paymon <Danesh.Paymon@epa.gov>; Damico, Genevieve <damico.genevieve@epa.gov>; Lauren Piette <lpiette@earthjustice.org>
Subject: RE: Comments Re: No. T147-39554-00065 Riverview Energy Corporation, New Source Construction and Part 70 Operating Permit

Hi Charles,

Yes, your email is correct.

If EPA does not object to the proposed permit, any person may petition the EPA Administrator to object to the issuance of the permit within 60 days after the end of EPA's 45-day proposed permit review period. IDEM has not submitted the proposed permit to us for our review yet.

Please let me know if you have any further questions.

Thanks,
Michael Langman
Environmental Scientist
Air Permits Section, US EPA Region 5
Email: langman.michael@epa.gov
Phone: 312-886-6867

From: Charles McPhedran <cmcphedran@earthjustice.org>
Sent: Friday, January 25, 2019 9:58 AM
To: Damico, Genevieve <damico.genevieve@epa.gov>; Langman, Michael <langman.michael@epa.gov>; Danesh, Paymon <Danesh.Paymon@epa.gov>
Cc: Lauren Piette <lpiette@earthjustice.org>
Subject: FW: Comments Re: No. T147-39554-00065 Riverview Energy Corporation, New Source Construction and Part 70 Operating Permit

I'm writing to follow up on our prior communications regarding the Riverview Energy project in Indiana. Please see the e-mail exchange with IDEM immediately below (the full e-mail chain included for background), in which Jenny Acker of IDEM confirms the following:

"IDEM will be submitting a new proposed permit to EPA Region 5 for review after completing its review of public comments on the draft permit and revising the draft permit as appropriate. Therefore, the window for a citizen petition to EPA to object to the permit under Clean Air Act 505(b)(2) will not open until after IDEM submits the new proposed permit to EPA, and EPA does not then object during its statutory 45-day review period for that new proposed permit."

Earthjustice would appreciate EPA also confirming this timing for our petition to object. We realize your offices are closed but would appreciate a reply once you are back at work.

Charles McPhedran, Esq.
Earthjustice
(215) 717-4521 (office)
(215) 206-0352 (cell)
cmcphedran@earthjustice.org

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From: ACKER, JENNY <JLACKER@idem.IN.gov>
Sent: Friday, January 25, 2019 9:44 AM
To: Charles McPhedran <cmcphedran@earthjustice.org>
Subject: RE: Comments Re: No. T147-39554-00065 Riverview Energy Corporation, New Source Construction and Part 70 Operating Permit

Charles,

You are correct.

Jenny

From: Charles McPhedran [mailto:cmcphedran@earthjustice.org]
Sent: Thursday, January 10, 2019 10:43 AM
To: ACKER, JENNY <JLACKER@idem.IN.gov>; Logan, Doug <DLogan@idem.IN.gov>; vetter.cheryl@epa.gov; damico.genevieve@epa.gov
Cc: Lauren Piette <lpiette@earthjustice.org>
Subject: RE: Comments Re: No. T147-39554-00065 Riverview Energy Corporation, New Source Construction and Part 70 Operating Permit

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Thanks for your reply. To confirm, IDEM will be submitting a new proposed permit to EPA Region 5 for review after completing its review of public comments on the draft permit and revising the draft permit as appropriate. Therefore, the window for a citizen petition to EPA to object to the permit under Clean Air Act 505(b)(2) will not open until after

IDEM submits the new proposed permit to EPA, and EPA does not then object during its statutory 45-day review period for that new proposed permit.

Charles McPhedran

From: ACKER, JENNY <JLACKER@idem.IN.gov>
Sent: Tuesday, January 8, 2019 3:11 PM
To: Charles McPhedran <cmcphedran@earthjustice.org>; Logan, Doug <DLogan@idem.IN.gov>
Cc: Lauren Piette <lpiette@earthjustice.org>
Subject: RE: Comments Re: No. T147-39554-00065 Riverview Energy Corporation, New Source Construction and Part 70 Operating Permit

Mr. McPhedran,

The EPA concurrent (parallel) review of the permit began when the permit went on PN and ended 30 days later.

Prior to issuing or denying the permit, an ATSD (Addendum to the TSD (Technical Support Document)) must be prepared. The ATSD will document comments received during the public notice period, including testimony provided during the public hearing held by IDEM, and the responses to the comments. IDEM received the transcript, of over 200 pages, from the public hearing on January 3, 2019. Upon completion of the ATSD, the final permit (including attachments and appendices) will be proposed to the US EPA Region 5 for review.

It is difficult to say when the permit will be ready for EPA proposal.

The status of the permit can be tracked on the IDEM website at: http://www.in.gov/apps/idem/caats/
To view the document, choose Search Option **by Permit Number**, then enter permit 5 digit permit # 39554.
The status of the permit will change from PN to Proposed once the permit is submitted to the US EPA Region 5.

Jenny Acker
Branch Chief
Permits Branch, Office of Air Quality
Indiana Department of Environmental Management
100 N. Senate Ave, IGCN 1003
Indianapolis, IN 46204
Ph. (317) 234-5285
Fax (317) 232-6749
jlacker@idem.in.gov

Help us improve!
IDEM values your feedback

From: Charles McPhedran [mailto:cmcphedran@earthjustice.org]
Sent: Monday, January 07, 2019 4:13 PM
To: ACKER, JENNY <JLACKER@idem.IN.gov>; Logan, Doug <DLogan@idem.IN.gov>
Cc: Lauren Piette <lpiette@earthjustice.org>
Subject: FW: Comments Re: No. T147-39554-00065 Riverview Energy Corporation, New Source Construction and Part 70 Operating Permit

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I'm writing to follow up on our comments of December 10 (see below and attached).

Could you let me know the timeline for IDEM's action on this permit? Also, has IDEM removed the permit from parallel processing with EPA, and will IDEM be sending a new proposed permit to EPA after reviewing and responding to public comments?

Thank you,

Charles McPhedran

Charles McPhedran, Esq.
Earthjustice
(215) 717-4521 (office)
(215) 206-0352 (cell)
cmcphedran@earthjustice.org

From: Gabrielle "Gabi" Winick <gwinick@earthjustice.org>
Sent: Monday, December 10, 2018 3:09 PM
To: dlogan@idem.IN.gov
Cc: Charles McPhedran <cmcphedran@earthjustice.org>; Lauren Piette <lpiette@earthjustice.org>
Subject: Comments Re: No. T147-39554-00065 Riverview Energy Corporation, New Source Construction and Part 70 Operating Permit

December 10, 2018

Please accept the attached Comments and Attachments to Comments submitted on December 10, 2018 in regard to permit number T147-39554-00065.

These comments were submitted by Southwestern Indiana Citizens for Quality of Life, Valley Watch, Sierra Club, Citizens Action Coalition, and Earthjustice.

We will also be sending along a paper copy via U.S. Mail.

Thank you,

/s/ Gabi Winick

Gabrielle "Gabi" Winick
She/Her/Hers
Litigation Assistant, Coal Program
Earthjustice
1617 John F. Kennedy Blvd., Suite 1130
Philadelphia, PA 19103
T: 215-717-4526 (direct)
F: 212-918-1556

earthjustice.org

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