To: Harrison, Ben[Harrison.Ben@epa.gov]
From: Smith, Suzanne
Sent: Fri 2/16/2018 9:14:05 PM
Subject: RE: LOOP Next Steps

The primary argument is that they're an outer continental shelf source. We've had discussions with interior, the coast guard…and everyone comes to the conclusion that LOOP falls within our jurisdiction. It's a deep water port. Everyone is pretty sure they need a permit, just not necessarily what type. LOOP did a lot of circular talking when we met with them so we really are waiting to see if they'll send in supplemental information.

Suzanne J. Smith | Multimedia Counseling Branch Chief

Office of Regional Counsel | EPA Region 6 | 214.665.8027

From: Harrison, Ben
Sent: Friday, February 16, 2018 2:10 PM
To: Smith, Suzanne <Smith.Suzanne@epa.gov>
Subject: Re: LOOP Next Steps

Title 5 permit for VOC's as marine vessel loading facility? Are they claiming State jurisdiction or just that they don't have sufficient emissions?

Sent from my iPhone

On Feb 16, 2018, at 2:03 PM, Smith, Suzanne <Smith.Suzanne@epa.gov> wrote:

> It looks like Jim specifically asked about the water component, but there are significant air issues with LOOP. LOOP has asserted a number of arguments to provide justification as to why it does not need an air permit. We have not seen any facts to support the absence of an air permit. However, we have requested that they send us any documentation they may have to support the notion that they do not need an air permit. Because of the significant amount of time they have operated without an air permit (20+ years), the lack of an air permit may become an issue raised to senior management.

Suzanne J. Smith | Multimedia Counseling Branch Chief

Office of Regional Counsel | EPA Region 6 | 214.665.8027

From: Alvarado, Tina
Sent: Thursday, February 15, 2018 4:59 PM
To: Harrison, Ben <Harrison.Ben@epa.gov>
Cc: Gillespie, David <Gillespie.David@epa.gov>; Jones, Bruced <Jones.Bruced@epa.gov>; Smith, Suzanne <Smith.Suzanne@epa.gov>
Subject: RE: LOOP Next Steps

I expect that David Garcia will provide an update, but here is where we are on the cross-cutters:

•□□□□□□□□ David Garcia, Stacey, Taim and I met with NOAA (Habitat Conservation and ESA) and USFWS Feb 7-8

•□□□□□□□□ Magnuson Stevens - NOAA has sent an email that based on our conversations were and the discharges, they have no issues and consider consultation completed.

•□□□□□□□□ ESA – Based on conversations with both USFWS and NOAA, the Water Division will prepare a BE and engage in informal consultation with the services.

•□□□□□□□□ NEPA – LOOP has agreed to prepare a draft EA limited to the discharges covered by the permit.

Cc:ing Bruce because there is an air component to this as well. If they need an air permit, then there will be ESA compliance for that too, but that will be down the road.

Wren and David have already given Anne a heads up, but there is a joint program briefing scheduled for the RA on the 26th.

From: Harrison, Ben
Sent: Thursday, February 15, 2018 3:31 PM
To: Alvarado, Tina <Alvarado.Tina@epa.gov>
Cc: Gillespie, David <Gillespie.David@epa.gov>
Subject: Re: LOOP Next Steps

Can you shoot me an update and some talking points for me to provide sr staff? David, can you get me a paragraph on the facility? Seems like there are some odd features, it pipes to a cavern onshore which discharges to State waters but the facility also discharges to federal

waters hence the joint permit?

Sent from my iPhone

On Feb 15, 2018, at 2:57 PM, Payne, James <payne.james@epa.gov> wrote:

Thanks everybody.

Ben – pls provide a mini briefing on this matter at this Tues 9am weekly meet, particularly as Div of Water raised/asked at weekly meet yesterday.

From: Alvarado, Tina
Sent: Wednesday, February 14, 2018 10:28 AM
To: Gillespie, David <Gillespie.David@epa.gov>; Payne, James <payne.james@epa.gov>
Cc: Harrison, Ben <Harrison.Ben@epa.gov>
Subject: RE: LOOP Next Steps

David, Stacey and I will just be telling LOOP what they need to do for the cross-cutters based on our meetings with USFWS and NOAA last week. We are not really going to talk about the permit proper. David and Stacey will be in the Red River conference room at 1:30.

From: Gillespie, David
Sent: Wednesday, February 14, 2018 10:20 AM
To: Alvarado, Tina <Alvarado.Tina@epa.gov>; Payne, James <payne.james@epa.gov>
Cc: Harrison, Ben <Harrison.Ben@epa.gov>
Subject: RE: LOOP Next Steps

Tina,

Could you please provide me with the info for the call this afternoon (when, where, any background documents)? I don't have anything on it.

Thanks.

David Gillespie

gillespie.david@epa.gov

(214) 665-7467

From: Alvarado, Tina
Sent: Wednesday, February 14, 2018 10:17 AM
To: Gillespie, David <Gillespie.David@epa.gov>; Payne, James <payne.james@epa.gov>
Cc: Harrison, Ben <Harrison.Ben@epa.gov>
Subject: RE: LOOP Next Steps

Here is the final letter. David, Stacey and I will be on a call with LOOP this afternoon re: NEPA and ESA requirements for the NPDES permit. Bruce is still working with the air program and LOOP attorneys on the air permitting side.

From: Gillespie, David
Sent: Wednesday, February 14, 2018 10:11 AM
To: Payne, James <payne.james@epa.gov>
Cc: Harrison, Ben <Harrison.Ben@epa.gov>; Alvarado, Tina <Alvarado.Tina@epa.gov>
Subject: FW: LOOP Next Steps

Jim,

These draft documents are the latest I have received (I didn't have any further comments on the draft LOOP letter). I have not seen any briefing sheets yet.

David

David Gillespie

gillespie.david@epa.gov

(214) 665-7467

From: Magee, Melanie
Sent: Thursday, February 01, 2018 4:50 PM
To: McGee, Tomika <McGee.Tomika@epa.gov>; Stenger, Wren <stenger.wren@epa.gov>; Price, Lisa <Price.Lisa@epa.gov>; Garcia, David <Garcia.David@epa.gov>; Robinson, Jeffrey <Robinson.Jeffrey@epa.gov>; Donaldson, Guy <Donaldson.Guy@epa.gov>; Dwyer, Stacey <Dwyer.Stacey@epa.gov>; Jones, Bruced <Jones.Bruced@epa.gov>; Gillespie, David <Gillespie.David@epa.gov>; Shaikh, Taimur <Shaikh.Taimur@epa.gov>; Alvarado, Tina <Alvarado.Tina@epa.gov>; Lawrence, Rob <Lawrence.Rob@epa.gov>
Cc: Smith, Suzanne <Smith.Suzanne@epa.gov>
Subject: Re: LOOP Next Steps

All,

Attached is a copy of the draft letter to LOOP and the revised Air Issue Briefing. Air and Water edits have been included with the attached version. ORC, if you have any additional comments or concerns, please advise.

Thanks, Melanie

From: McGee, Tomika
Sent: Wednesday, January 31, 2018 9:21 AM
To: McGee, Tomika; Stenger, Wren; Price, Lisa; Garcia, David; Robinson, Jeffrey; Donaldson, Guy; Magee, Melanie; Dwyer, Stacey; Jones, Bruced; Gillespie, David; Shaikh, Taimur; Alvarado, Tina; Lawrence, Rob
Cc: Smith, Suzanne
Subject: LOOP Next Steps
When: Thursday, February 1, 2018 1:00 PM-1:45 PM.
Where: 7th Flr. Little Rock Conf. Rm.