To: Suzanne Smith[Smith.Suzanne@epa.gov]
From: Robinson, Jeffrey
Sent: Thur 12/7/2017 9:04:29 PM
Subject: FW: My Notes from the US Coast Guard Discussion Regarding LOOP
LOOP legal opinion on Air Emissions Regulatory Authority Determination.pdf

From: Lawrence, Rob
Sent: Thursday, December 07, 2017 3:03 PM
To: Magee, Melanie <Magee.Melanie@epa.gov>; Robinson, Jeffrey <Robinson.Jeffrey@epa.gov>
Cc: Toups, Brad <Toups.Brad@epa.gov>; Olszewski, Joshua <olszewski.joshua@epa.gov>
Subject: RE: My Notes from the US Coast Guard Discussion Regarding LOOP

Here is the Squire Patton Boggs legal opinion that is not in concurrence with EPA interpretation going back to 2003. We need Josh (or another air permitting lawyer) to look at it. Curtis, the Coast Guard lawyer, agrees with the EPA view.

Rob Lawrence

Region 6

Policy Advisor - Energy Issues

214.665.6580

From: Magee, Melanie
Sent: Thursday, December 07, 2017 2:47 PM
To: Robinson, Jeffrey <Robinson.Jeffrey@epa.gov>
Cc: Lawrence, Rob <Lawrence.Rob@epa.gov>; Toups, Brad <Toups.Brad@epa.gov>
Subject: My Notes from the US Coast Guard Discussion Regarding LOOP

Jeff,

Several R6 staff including Rob, Brad and myself attended the LOOP conference call. Our R6 NPDES staff have been working with LOOP on their permit renewal for several years and do not have sufficient information to reissue the NPDES permit. For the air permit side, I stated that we have not had any conversations with LOOP representatives concerning the proposed modification and we would be interested in knowing more about the air emission sources located in the off shore operations. We noted that we are aware of the LDEQ onshore permitting action and the USCG verified that they believe the offshore operations are not included in the LDEQ permitting action. In a letter from LOOP, the company has asserted that "under DOI authority, EPA does not have any jurisdictional authority." I believe Rob has a copy of this letter (Patton Boggs Memo) and the USCG has asked us to review this letter with our Air Attorneys. The USCG would like to know if EPA believes we have the permitting authority for the marine terminal located on the OCS block, Grand Isle Block 59 and the path forward for air permitting.

Rob and Brad, please feel free to add any additional comments or edits.

Thanks, Melanie

Melanie Magee

Environmental Engineer

Air Permits Section (6MM-AP)

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