

Cantello, Nicole

From: Cantello, Nicole
Sent: Tuesday, March 04, 2014 10:43 AM
To: 'Michael Maher'; Bush, Bonnie
Subject: RE: Beemsterboer discussion

Dear Mr. Maher:

Here's what the modified 114 request will say:

PM₁₀ Monitors and Siting

1. Within 15 days of receipt of this information request, Beemsterboer shall submit proposed monitoring site locations at the Facility for EPA review and approval prior to establishing the monitoring sites.
2. Within 15 days of receipt of this request, Beemsterboer shall submit to EPA a map showing the property lines of the Facility, the locations of nearby residences and industrial properties, and proposed locations of the monitoring sites.
3. At least thirty days prior to its arrival at the facility, Beemsterboer shall notify EPA that petroleum coke will be transported to the 2900 106th Street facility.
4. On the day that the petroleum coke arrives at the 2900 106th Street facility, Beemsterboer shall operate and maintain two ambient monitoring sites and monitoring equipment at the Facility. Each site shall contain a continuous Federal Equivalent Method (FEM) real-time PM₁₀ monitor. One of the sites shall also contain a Federal Reference Method (FRM) PM₁₀ filter-based monitor operating every third day. The two sites shall be located near the northeast and southwest corners of Facility property. The filter-based FRM PM₁₀ monitor shall be located at the northeast site.

This is the only part of the document that will be modified. Within 15 days of the request- Beemsterboer can either resubmit its locational information or send EPA a letter stating that the information it has previously submitted was still valid for this request.

Thanks for your consideration of this matter.

Best,

Nicole Cantello
Attorney/Advisor
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604
312/886-2870
cantello.nicole@epa.gov

From: Michael Maher [mailto:mmaher@smbtrials.com]
Sent: Friday, February 28, 2014 7:33 AM
To: Cantello, Nicole; Bush, Bonnie
Subject: RE: Beemsterboer discussion

Nicole:

Thanks for you call, yesterday, wherein we discussed a modification of the 114 Request, such that Beemsterboer Slag would be required to install air monitors prior to re-placing pet coke at the facility. That solution would seem to address your concerns identified below. I am out of the office all morning and will be back for a short period this afternoon. Please forward the revised 114 at your earliest convenience so I can examine it.

Sincerely,

Mike Maher

From: Cantello, Nicole [<mailto:cantello.nicole@epa.gov>]
Sent: Thursday, February 27, 2014 1:37 PM
To: Michael Maher; Bush, Bonnie
Cc: Frank, Nathan; Czerniak, George; Cohen, Eric; Mendoza, Stephen
Subject: RE: Beemsterboer discussion

Hello Mr. Maher:

We appreciate the amount of documentation already submitted by Beemsterboer in support of its request to be relieved of the requirement to comply with monitoring requirements of the 114 request. Upon review of the documents submitted and to move forward in granting your request, EPA will need an assurance that Beemsterboer will not immediately move the petcoke material back onto the site, thereby skirting the requirements of the 114 Request.

Therefore, we ask that Beemsterboer certify that no new bulk material (petcoke) will be stored on the property for a period of one year of this date. Once this certification is made, we will promptly respond to your request.

Best,

Nicole Cantello
Attorney/Advisor
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604
312/886-2870
cantello.nicole@epa.gov

From: Michael Maher [<mailto:mmaher@smbtrials.com>]
Sent: Thursday, February 27, 2014 1:02 PM
To: Cantello, Nicole; Bush, Bonnie
Cc: Frank, Nathan
Subject: RE: Beemsterboer discussion

Nicole:

Attached please find documentation demonstrating all pet coke has been removed from the facility and correspondence requesting removal of requirement for monitoring and testing. All Pet coke and Met Coke have now been removed from the facility.

Sincerely,

Mike Maher

From: Cantello, Nicole [<mailto:cantello.nicole@epa.gov>]
Sent: Tuesday, February 25, 2014 11:19 AM
To: Michael Maher; Bush, Bonnie
Cc: Frank, Nathan
Subject: RE: Beemsterboer discussion

Thanks for your message. In order for us to remove the monitoring requirement included in the 114 Information Request, please fully document the removal of the petcoke material from the property. We request the following: (1) a certification from the property owner that the materials have been removed from site; (2) dated photographs of the site documenting the removal of the materials, and (3) documentation, such as manifests and/or bills of lading showing the transport of the materials of the material to another location.

Please let us know if you would also be requesting relief from the 114 requirement to sample the petcoke. If so, please include it with the email sending the documentation supporting your request to be relieved of the monitoring.

We look forward to working with you to complete compliance with the 114 request.

Best,

Nicole Cantello
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77 West Jackson Boulevard
Chicago, Illinois 60604
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cantello.nicole@epa.gov

From: Michael Maher [<mailto:mmaher@smbtrials.com>]
Sent: Tuesday, February 25, 2014 8:13 AM
To: Bush, Bonnie
Cc: Cantello, Nicole
Subject: RE: Beemsterboer discussion

Bonnie:

As suggested during our earlier conversation, Mr. Beemsterboer removed all coke blend, pet coke, IRM, Pine Bark and met coke (in addition to other materials) from his property, pursuant to a Consent Order with the State of Illinois. This activity was recently completed. Consequently, Mr. Beemsterboer's property cannot be a source of fugitive particulate emissions.

Based on the above, we request modification of the prior order to remove requirements for air monitoring.

If you wish to discuss this, I can be reached at 312/923-8261.

Sincerely,

Mike Maher

From: Bush, Bonnie [<mailto:bush.bonnie@epa.gov>]
Sent: Friday, January 10, 2014 1:10 PM
To: Michael Maher

Cc: Cantello, Nicole
Subject: RE: Beemsterboer discussion

Mr. Maher - EPA approves your request to extend the monitoring deadline for Beemsterboer to March 1, 2014. We understand Beemsterboer has been told that there is a 6 week time period between ordering the monitoring equipment and delivery. Please notify us of the date that Beemsterboer ordered the equipment. We look forward to hearing from you once all materials have been removed. If you have any questions or would like to discuss anything in the meantime, please feel free to call me or Nicole Cantello at 312.886.2870.

Bonnie J. Bush, Environmental Engineer
Air Enforcement MI/WI Section
U.S. EPA Region 5
Phone: (312) 353-6684
Fax: (312) 408-2267

Report possible harmful environmental activity at <http://www.epa.gov/compliance/complaints/index.html>

From: Michael Maher [<mailto:mmaher@smbtrials.com>]
Sent: Friday, January 10, 2014 12:54 PM
To: Bush, Bonnie
Cc: Cantello, Nicole
Subject: RE: Beemsterboer discussion

Bonnie:

Based on our conversation today, which included discussion of equipment ordering difficulties, the recent holidays and extreme weather, I requested an extension until March 1, 2014 of the monitoring recently approved by USEPA at the Beemsterboer facility. As also discussed, we expect the remaining Metcoke will be removed by February 28th. I agreed to contact you, immediately, once the materials are removed.

Thank you for your timely consideration of this request.

Sincerely,

Mike Maher

From: Bush, Bonnie [<mailto:bush.bonnie@epa.gov>]
Sent: Friday, January 10, 2014 12:43 PM
To: Michael Maher
Cc: Cantello, Nicole
Subject: Beemsterboer discussion

Mr. Maher - thanks for your call back a few moments ago. Please send me an email and cc Nicole Cantello, email address above, requesting the extension for the monitoring at Beemsterboer that you and I discussed. Thank you.

Bonnie J. Bush, Environmental Engineer
Air Enforcement MI/WI Section
U.S. EPA Region 5
Phone: (312) 353-6684
Fax: (312) 408-2267

Report possible harmful environmental activity at <http://www.epa.gov/compliance/complaints/index.html>