

Wed May 18 18:27:54 EDT 2016
Wachter.Eric@epamail.epa.gov
FW: Clean Air Act notice of intent to sue
To: CMS.OEX@epamail.epa.gov; Gaines.Cynthia@epamail.epa.gov

From: Robert Ukeiley [mailto:rukeiley@igc.org]
Sent: Tuesday, May 17, 2016 10:39 AM
To: Mccarthy, Gina <McCarthy.Gina@epa.gov>
Subject: Clean Air Act notice of intent to sue

Please see attached.

Robert Ukeiley

Law Office of Robert Ukeiley

255 Mountain Meadows Road

Boulder, CO 80302

Tel: 303-442-4033

rukeiley@igc.org

Law Office of Robert Ukeiley

255 Mountain Meadows Road • Boulder, CO 80302 • tel. 303.442.4033

Robert Ukeiley
rukeiley@igc.org

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

May 12, 2016

Gina McCarthy
Administrator
United States Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Re: Clean Air Act Notice of Intent to Sue pursuant to 42 U.S.C. § 7604(b)(2) for failure to take final action under 42 U.S.C. § 7410(k)(2) - (4) and failure to make findings of failure to submit under 42 U.S.C. § 7410(k)(1)(B) for 2008 ozone NAAQS nonattainment areas state implementation plans

Dear Administrator McCarthy,

On behalf of the Center for Biological Diversity, the Center for Environmental Health, and the Clean Air Council, I am writing to inform you that the Environmental Groups intend to file suit against you for “a failure of the Administrator [of the United States Environmental Protection Agency (“EPA”)] to perform any act or duty under this chapter which is not discretionary with the Administrator.” 42 U.S.C. § 7604(a)(2). Specifically, under 42 U.S.C. § 7410(k)(1)(B), EPA must issue a finding of failure to submit nonattainment area state implementation plan (SIP) submittal elements, and publish notice of that action in the Federal Register for the 2008 ozone national ambient air quality standards (NAAQS). This duty is required for the nonattainment and ozone transport region (OTR) areas and elements listed in Table 1. Additionally, under 42 U.S.C. § 7410(k)(2) - (4), EPA must take final action, and publish notice of that action in the Federal Register, on SIP submittals listed in Table 2. As explained in more detail below, EPA has failed to perform these mandatory duties.

EPA should remedy its violation of these mandatory duties to better protect the public and native ecosystems from ozone’s harmful effects. People commonly refer to ground level ozone as smog. According to EPA, based on exhaustive scientific review, ozone pollution causes decreased lung function, increased respiratory symptoms, emergency department visits,

hospital admissions for respiratory causes, and even death. 73 Fed. Reg. 16,436 (Mar. 27, 2008). Those most at risk from ozone pollution are children; active people, *e.g.*, runners and people who do manual labor outside; people with pre-existing lung and heart diseases such as asthma; and older people. *Id.* at 16,440. Ozone also damages vegetation, both native and commercial crops. *Id.* at 16,485-16,486. Damage to native vegetation results in ecosystem damage, including diminished ecosystem services, that is, the life sustaining services that ecosystems provide to people for free, such as clean air, clean water and carbon sequestration. *Id.*

I. FAILURE TO MAKE FINDING OF FAILURE TO SUBMIT

EPA is required to determine whether a state implementation plan (SIP) submittal is administratively complete. 42 U.S.C. § 7410(k)(1)(B). If, six months after a submittal is due, a state has failed to submit any required SIP, there is no submittal that may be deemed administratively complete, and EPA must make a determination stating that the state failed to submit the required state implementation plan. *Id.* This is referred to as a “finding of failure to submit.”

EPA nonattainment designations for the 2008 ozone NAAQS were effective for most areas of the United States no later than July 20, 2012. *see* 77 Fed. Reg. 30,088 (May 21, 2012). EPA designated all of the areas listed in Table 1 nonattainment for the 2008 ozone NAAQS or these areas are part of the ozone transport region (OTR). All elements of the nonattainment SIP were due by no later than the dates listed in Table 1. *See* http://www3.epa.gov/airquality/urbanair/sipstatus/reports/ozone-8hr__2008_en.html. EPA has a mandatory duty to make a completeness finding under 42 U.S.C. § 7410(k)(1)(B) by no later than six months after the due dates for the submittals. The States in Table 1 have failed to submit nonattainment and OTR SIPs for the areas and elements listed in Table 1 as of the date of this letter. Yet, EPA has failed to issue a finding of failure to submit, as required under 42 U.S.C. § 7410(k)(1)(B), regarding the nonattainment or OTR area SIPs for the areas and elements listed in Table 1.

TABLE 1

AREA & ELEMENT(S)	SUBMITTAL DEADLINE (No later than)
Los Angeles-South Coast Air Basin, CA: Clean Fuels for Boilers, Contingency measures for Volatile Organic Compounds (VOC) and Nitrogen Oxides (NOx), Contingency Provisions for Reasonable Further Progress (RFP) Milestones 182(c)(9), Enhanced Monitoring (PAMS), Extreme Nonattainment New Source	7/20/2015

<p>Review (NNSR), Auto and Light-Duty Truck Assembly Coatings Control Technique Guidelines (CTG) Reasonably Available Control Technology, Vehicle Miles Traveled-Transportation Control Measures (VMT-TCMs) to Offset Growth</p>	
<p>San Joaquin Valley, CA: Clean Fuels for Boilers, Contingency measures for VOC and NOx, Contingency Provisions for RFP Milestones 182(c)(9), Enhanced Monitoring (PAMS), Extreme NNSR, NOx RACT for Major Sources, VMT-TCMs to Offset Growth</p>	<p>7/20/2015</p>
<p>Los Angeles-San Bernardino Counties (Antelope Valley), CA: Contingency measures for VOC and NOx, Contingency Provisions for RFP Milestones 182(c)(9), Enhanced Monitoring (PAMS), Severe 15 NNSR, NOx RACT for major sources, VMT-TCMs to Offset Growth</p>	<p>7/20/2015</p>
<p>Los Angeles-San Bernardino Counties (Mojave Desert), CA: Contingency measures for VOC and NOx, Contingency Provisions for RFP Milestones 182(c)(9), Enhanced Monitoring (PAMS), Severe 15 NNSR, NOx RACT for major sources, VMT-TCMs to Offset Growth</p>	<p>7/20/2015</p>
<p>Riverside County (Coachella Valley), CA: Contingency measures for VOC and NOx, Contingency Provisions for RFP Milestones 182(c)(9), Enhanced Monitoring (PAMS), Severe 15 NNSR, Non-CTG VOC RACT for Major Sources, NOx RACT for Major Sources, Auto and Light-Duty Truck Assembly Coatings CTG RACT, Fiberglass Boat Manufacturing Materials CTG RACT, 2006 Flat Wood Paneling Coatings CTG RACT, Flexible Packaging Printing Material CTG RACT, Industrial Cleaning Solvents (2006) CTG RACT, Large Appliance Coatings (2007) CTG RACT, Lithographic Printing Materials and Letterpress Printing Materials (2006) CTG RACT, Metal Furniture Coatings (2007) CTG RACT, Miscellaneous Industrial</p>	<p>7/20/2015</p>

<p>Adhesives (2006) CTG RACT Miscellaneous Metal Products Coatings (2008) CTG RACT, Paper, Film, and Foil Coatings (2007) CTG RACT, Plastic Parts Coatings (2008) CTG RACT, VMT-TCMs to Offset Growth</p>	
<p>Sacramento Metro, CA: Contingency measures for VOC and NOx, Contingency Provisions for RFP Milestones 182(c)(9), VMT-TCMs to Offset Growth, Enhanced Monitoring (PAMS), Severe 15 NNSR for El Dorado, Feather River, Placer, Sacramento and Yolo-Solano, Non-CTG VOC RACT for Major Sources for El Dorado, Sacramento, and Yolo-Solano, NOx RACT for Major Sources for El Dorado, Placer, Sacramento, and Yolo-Solano, Auto and Light-Duty Truck Assembly Coatings CTG RACT for El Dorado and Yolo-Solano, Fiberglass Boat Manufacturing Materials CTG RACT for El Dorado and Yolo-Solano, 2006 Flat Wood Paneling Coatings CTG RACT for El Dorado and Yolo-Solano, Flexible Packaging Printing Material CTG RACT for El Dorado and Yolo-Solano, Industrial Cleaning Solvents (2006) CTG RACT for El Dorado and Yolo-Solano, Large Appliance Coatings (2007) CTG RACT for El Dorado and Yolo-Solano, Lithographic Printing Materials and Letterpress Printing Materials (2006) CTG RACT for El Dorado and Yolo-Solano, Metal Furniture Coatings (2007) CTG RACT for El Dorado and Yolo-Solano, Miscellaneous Industrial Adhesives (2006) CTG RACT for El Dorado, Sacramento and Yolo-Solano, Miscellaneous Metal Products Coatings (2008) CTG RACT for El Dorado and Yolo-Solano, Paper, Film, and Foil Coatings (2007) CTG RACT for El Dorado and Yolo-Solano, Plastic Parts Coatings (2008) CTG RACT for El Dorado, Placer and Yolo-Solano</p>	<p>7/20/2015</p>
<p>Ventura County, CA: Contingency measures</p>	<p>7/20/2015</p>

for VOC and NOx, Serious NNSR	
Baltimore, MD: Inspection and Maintenance (I/M) Basic	7/20/2015
Connecticut: I/M Enhanced, OTR New Source Review (NSR)	7/20/2015
Delaware: I/M Enhanced, OTR NSR,	7/20/2015
District of Columbia: I/M Enhanced, OTR NSR, Non-CTG VOC RACT for Major Sources, NOx RACT for Major Sources, Refinery Vacuum Producing Systems, Wastewater Separators and Process Unit Turnarounds CTG RACT	7/20/2015
Maine: I/M Enhanced, OTR NSR, Non-CTG VOC RACT for Major Sources, NOx RACT for Major Sources, Fiberglass Boat Manufacturing Materials CTG RACT, Industrial Cleaning Solvents (2006) CTG RACT	7/20/2015
Maryland: I/M Enhanced, OTR NSR, Non-CTG VOC RACT for Major Sources, NOx RACT for Major Sources, Fiberglass Boat Manufacturing Materials CTG RACT	7/20/2015
Massachusetts: I/M Enhanced, OTR NSR, Non-CTG VOC RACT for Major Sources, NOx RACT for Major Sources, Auto and Light-Duty Truck Assembly Coatings CTG RACT, Fiberglass Boat Manufacturing Materials CTG RACT, Flexible Packaging Printing Material CTG RACT, Industrial Cleaning Solvents (2006) CTG RACT, Large Appliance Coatings (2007) CTG RACT, Lithographic Printing Materials and Letterpress Printing Materials (2006) CTG RACT, Metal Furniture Coatings (2007) CTG RACT, Miscellaneous Industrial Adhesives (2006) CTG RACT, Miscellaneous Metal Products Coatings (2008) CTG RACT, Paper, Film, and Foil Coatings (2007) CTG RACT, Plastic Parts Coatings (2008) CTG RACT	7/20/2015
New Hampshire: I/M Enhanced, OTR NSR, Non-CTG VOC RACT for Major Sources, NOx RACT for Major Sources	7/20/2015
New Jersey: Fiberglass Boat Manufacturing Materials CTG RACT, Industrial Cleaning	7/20/2015

<p>Solvents (2006) CTG RACT, Miscellaneous Metal Products Coatings (2008) CTG RACT, Paper, Film, and Foil Coatings (2007) CTG RACT, Plastic Parts Coatings (2008) CTG RACT</p>	
<p>Pennsylvania: I/M Enhanced, OTR NSR, Non-CTG VOC RACT for Major Sources, NOx RACT for Major Sources, Auto and Light-Duty Truck Assembly Coatings CTG RACT, Fiberglass Boat Manufacturing Materials CTG RACT, Flexible Packaging Printing Material CTG RACT, Industrial Cleaning Solvents (2006) CTG RACT, Lithographic Printing Materials and Letterpress Printing Materials (2006) CTG RACT, Miscellaneous Metal Products Coatings (2008) CTG RACT, Plastic Parts Coatings (2008) CTG RACT</p>	<p>7/20/2015</p>
<p>Rhode Island: I/M Enhanced, OTR NSR, Non-CTG VOC RACT for Major Sources, NOx RACT for Major Sources, Auto and Light-Duty Truck Assembly Coatings CTG RACT, Fiberglass Boat Manufacturing Materials CTG RACT, 2006 Flat Wood Paneling Coatings CTG RACT, Flexible Packaging Printing Material CTG RACT, Large Appliance Coatings (2007) CTG RACT, Lithographic Printing Materials and Letterpress Printing Materials (2006) CTG RACT, Metal Furniture Coatings (2007) CTG RACT, Miscellaneous Metal Products Coatings (2008) CTG RACT, Paper, Film, and Foil Coatings (2007) CTG RACT, Plastic Parts Coatings (2008) CTG RACT</p>	<p>7/20/2015</p>
<p>Vermont: I/M Enhanced, OTR NSR, Non-CTG VOC RACT for Major Sources, NOx RACT for Major Sources, Auto and Light-Duty Truck Assembly Coatings CTG RACT, Fiberglass Boat Manufacturing Materials CTG RACT, 2006 Flat Wood Paneling Coatings CTG RACT, Industrial Cleaning Solvents (2006) CTG RACT, Lithographic Printing Materials and Letterpress Printing Materials (2006) CTG RACT, Miscellaneous Industrial Adhesives</p>	<p>7/20/2015</p>

(2006) CTG RACT, Miscellaneous Metal Products Coatings (2008) CTG RACT, Plastic Parts Coatings (2008) CTG RACT	
Virginia: I/M Enhanced, OTR NSR, Non-CTG VOC RACT for Major Sources, NOx RACT for Major Sources, Auto and Light-Duty Truck Assembly Coatings CTG RACT, Fiberglass Boat Manufacturing Materials CTG RACT, 2006 Flat Wood Paneling Coatings CTG RACT, Flexible Packaging Printing Material CTG RACT, Industrial Cleaning Solvents (2006) CTG RACT, Large Appliance Coatings (2007) CTG RACT, Lithographic Printing Materials and Letterpress Printing Materials (2006) CTG RACT, Metal Furniture Coatings (2007) CTG RACT, Miscellaneous Industrial Adhesives (2006) CTG RACT, Miscellaneous Metal Products Coatings (2008) CTG RACT, Paper, Film, and Foil Coatings (2007) CTG RACT, Plastic Parts Coatings (2008) CTG RACT	7/20/2015
Phoenix-Mesa, AZ: Marginal NNSR	7/20/2015
Calaveras County, CA: Marginal NNSR	7/20/2015
Chico (Butte County), CA: Marginal NNSR	7/20/2015
Imperial County, CA: Marginal NNSR	7/20/2015
Kern County (Eastern Kern), CA: Marginal NNSR	7/20/2015
Mariposa County, CA: Marginal NNSR	7/20/2015
Nevada County (Western part), CA: Marginal NNSR	7/20/2015
San Diego County, CA: Marginal NNSR	7/20/2015
San Francisco Bay Area, CA: Marginal NNSR	7/20/2015
San Luis Obispo (Eastern San Luis Obispo), CA: Marginal NNSR,	7/20/2015
Tuscan Buttes, CA: Marginal NNSR	7/20/2015
Greater Connecticut, CT: Marginal NNSR	7/20/2015
New York-N. New Jersey-Long Island, NY, Connecticut: Marginal NNSR	7/20/2015
Washington, VA: Marginal NNSR	7/20/2015
Chicago-Naperville, IL, : Marginal NNSR	7/20/2015
Cincinnati, IN: Marginal NNSR	7/20/2015
Cincinnati, KY: Marginal NNSR	7/20/2015

Dukes County, MA: Marginal NNSR	7/20/2015
Memphis, TN: Marginal NNSR	7/20/2015
Atlanta, GA: Marginal NNSR	7/20/2015
Washington, MD: Marginal NNSR	7/20/2015

Without a submittal addressing the nonattainment SIP elements, the minimum criteria cannot be met for the States in Table 1 to submit a state implementation plan addressing the nonattainment requirement, and EPA must issue a finding of failure to submit. EPA is in violation of this mandatory duty.

II. FAILURE TO APPROVE OR DISAPPROVE IN WHOLE OR PART

The Clean Air Act also requires that if, six months after a state submits a SIP submittal, EPA has not made the completeness finding and has not found the submittal to be incomplete, the submittal is deemed administratively complete by operation of law. 42 U.S.C. § 7410(k)(1)(B). EPA must take final action on an administratively complete submittal by approving in full, disapproving in full, or approving in part and disapproving in part within 12 months of the completeness finding. 42 U.S.C. § 7410(k)(2) - (4).

For the 2008 ozone NAAQS nonattainment SIP, states have submitted elements which were deemed complete by the date in the completion date column of Table 2. Thus, the due date for EPA to take final action on these submittals by approving or disapproving them in whole or part passed on the date in the final action due date column. However, EPA has not taken final action on these submittals as of the date of this letter. Thus, EPA is in violation of its mandatory duty in 42 U.S.C. § 7410(k)(2) - (4).

TABLE 2¹

AREA & STATE	ELEMENT(S)	COMPLETION DATE	FINAL ACTION DUE DATE
Denver-Boulder-Greeley-Ft. Collins-Loveland, CO	Marginal NNSR	11/16/2012	11/16/2013
Philadelphia, PA-Wilmington, DE-Atlantic City, NJ	Marginal NNSR	4/17/2014	4/17/2015
Seaford, DE	Marginal NNSR	4/17/2014	4/17/2015
St. Louis-St. Charles-Farmington, MO	Marginal NNSR	3/9/2015	3/9/2016
Upper Green River Basin Area, WY	Marginal NNSR	11/11/2011	11/11/2012
Los Angeles-South	Non-CTG VOC RACT for	1/18/2015	1/18/2016

¹ Note: Submittals prior to May 21, 2012 must have been submitted for purposes of compliance with the 1997 ozone NAAQS.

<p>Coast Air Basin, CA</p>	<p>Major Sources, NOx RACT for Major Sources, Aerospace CTG RACT, Equipment leaks from Natural Gas/Gasoline Processing Plants CTG RACT, Factory Surface Coating of Flat Wood Paneling CTG RACT, Fiberglass Boat Manufacturing Materials CTG RACT, 2006 Flat Wood Paneling Coatings CTG RACT, Flexible Packaging Printing Material CTG RACT, Industrial Cleaning Solvents (2006) CTG RACT, Large Appliance Coatings (2007) CTG RACT, Lithographic Printing Materials and Letterpress Printing Materials (2006) CTG RACT, Metal Furniture Coatings (2007) CTG RACT, Miscellaneous Industrial Adhesives (2006) CTG RACT, Miscellaneous Metal Products Coatings (2008) CTG RACT, Paper, Film, and Foil Coatings (2007) CTG RACT, Plastic Parts Coatings (2008) CTG RACT,</p>		
<p>Sacramento Metro [Placer], CA</p>	<p>Non-CTG VOC RACT for Major Sources, Aerospace CTG RACT, Auto and Light-Duty Truck Assembly Coatings CTG RACT, Bulk Gasoline Plants CTG RACT, Equipment leaks from Natural Gas/Gasoline Processing Plants CTG RACT, Equipment leaks from Natural Gas/Gasoline Processing Plants CTG RACT, Fiberglass Boat Manufacturing Materials CTG RACT, Flexible Packaging Printing Material CTG RACT, Fugitive Emissions from Synthetic</p>	<p>10/30/2014</p>	<p>10/30/2015</p>

	<p>Organic Chemical Polymer and Resin Manufacturing Equipment CTG RACT, Graphic Arts – Rotogravure and Flexography CTG RACT, Large Appliance Coatings (2007) CTG RACT, Large Petroleum Dry Cleaners CTG RACT, Leaks from Gasoline Tank Trucks and Vapor Collection Systems CTG RACT, Leaks from Petroleum Refinery Equipment CTG RACT, Manufacture of High-Density Polyethylene, Polypropylene and Polystyrene Resins CTG RACT, Manufacture of Pneumatic Rubber Tires CTG RACT, Manufacture of Synthesized Pharmaceutical Products CTG RACT, Metal Furniture Coatings (2007) CTG RACT, Miscellaneous Industrial Adhesives (2006) CTG RACT, Miscellaneous Metal Products Coatings (2008) CTG RACT, Paper, Film, and Foil Coatings (2007) CTG RACT, Petroleum Liquid Storage in External Floating Roof Tanks CTG RACT, Refinery Vacuum Producing Systems, Wastewater Separators and Process Unit Turnarounds CTG RACT, Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Processes CTG RACT, SOCMI Distillation and Reactor Processes CTG RACT, Shipbuilding/repair CTG RACT, Solvent Metal Cleaning CTG RACT, Storage of Petroleum Liquids in Fixed</p>		
--	--	--	--

	Roof Tanks CTG RACT, Surface Coating for Insulation of Magnet Wire CTG RACT, Surface Coating of Automobiles and Light-Duty Trucks CTG RACT, Surface Coating of Cans CTG RACT, Surface Coating of Coils CTG RACT, Surface Coating of Fabrics CTG RACT, Surface Coating of Large Appliances CTG RACT, Surface Coating of Metal Furniture CTG RACT, Surface Coating of Miscellaneous Metal Parts and Products CTG RACT, Surface coating of Paper CTG RACT, Tank Truck Gasoline Loading Terminals CTG RACT, Use of Cutback Asphalt CTG RACT, Wood Furniture CTG RACT,		
San Joaquin Valley, CA	Non-CTG VOC RACT for Major Sources, Aerospace CTG RACT, Auto and Light-Duty Truck Assembly Coatings CTG RACT, Bulk Gasoline CTG RACT, Equipment leaks from Natural Gas/Gasoline Processing Plants CTG RACT,	1/18/2015	1/18/2016
Connecticut	Non-CTG VOC RACT for Major Sources, NOx RACT for Major Sources, Aerospace CTG RACT, Auto and Light-Duty Truck Assembly Coatings CTG RACT, Bulk Gasoline CTG RACT, Equipment leaks from Natural Gas/Gasoline Processing Plants CTG RACT,	1/18/2015	1/18/2016
Ventura County, CA	NOx RACT for Major Sources, Aerospace CTG RACT, Auto and Light-Duty Truck Assembly Coatings CTG RACT, Bulk Gasoline CTG RACT, Equipment leaks from Natural Gas/Gasoline	1/18/2015	1/18/2016

	Processing Plants CTG RACT, Fiberglass Boat Manufacturing Materials CTG RACT, Flexible Packaging Printing Material CTG RACT, Industrial Cleaning Solvents (2006) CTG RACT, Large Appliance Coatings (2007) CTG RACT, Lithographic Printing Materials and Letterpress Printing Materials (2006) CTG RACT, Metal Furniture Coatings (2007) CTG RACT, Miscellaneous Industrial Adhesives (2006) CTG RACT, Paper, Film, and Foil Coatings (2007) CTG RACT, Plastic Parts Coatings (2008) CTG RACT,		
Ventura County, CA	2006 Flat Wood Paneling Coatings CTG RACT	5/17/2010	5/17/2011
Sacramento-Yolo-Solano, CA	Aerospace CTG RACT, Equipment leaks from Natural Gas/Gasoline Processing Plants CTG RACT, Factory Surface Coating of Flat Wood Paneling CTG RACT, Fugitive Emissions from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment CTG RACT, Graphic Arts – Rotogravure and Flexography CTG RACT, Large Petroleum Dry Cleaners CTG RACT, Leaks from Gasoline Tank Trucks and Vapor Collection Systems CTG RACT, Leaks from Petroleum Refinery Equipment CTG RACT, Manufacture of High-Density Polyethylene, Polypropylene and Polystyrene Resins CTG RACT, Manufacture of Pneumatic Rubber Tires CTG RACT,	7/31/2007	7/31/2008

	<p>Manufacture of Synthesized Pharmaceutical Products CTG RACT, Petroleum Liquid Storage in External Floating Roof Tanks CTG RACT, Refinery Vacuum Producing Systems, Wastewater Separators and Process Unit Turnarounds CTG RACT, SOCOMI Air Oxidation Processes CTG RACT, SOCOMI Distillation and Reactor Processes CTG RACT, Shipbuilding/repair CTG RACT, Solvent Metal Cleaning CTG RACT, Storage of Petroleum Liquids in Fixed Roof Tanks CTG RACT, Surface Coating for Insulation of Magnet Wire CTG RACT, Surface Coating of Automobiles and Light-Duty Trucks CTG RACT, Surface Coating of Cans CTG RACT, Surface Coating of Coils CTG RACT, Surface Coating of Fabrics CTG RACT, Surface Coating of Large Appliances CTG RACT, Surface Coating of Metal Furniture CTG RACT, Surface Coating of Miscellaneous Metal Parts and Products CTG RACT, Surface coating of Paper CTG RACT, Tank Truck Gasoline Loading Terminals CTG RACT, Use of Cutback Asphalt CTG RACT, Wood Furniture CTG RACT,</p>		
<p>Pennsylvania</p>	<p>Aerospace CTG RACT, Bulk Gasoline CTG RACT, Equipment leaks from Natural Gas/Gasoline Processing Plants CTG RACT, Fugitive Emissions from Synthetic Organic Chemical Polymer and</p>	<p>3/28/2007</p>	<p>3/28/2008</p>

	<p>Resin Manufacturing Equipment CTG RACT, Graphic Arts – Rotogravure and Flexography CTG RACT, Large Petroleum Dry Cleaners CTG RACT, Leaks from Gasoline Tank Trucks and Vapor Collection Systems CTG RACT, Leaks from Petroleum Refinery Equipment CTG RACT, Manufacture of High-Density Polyethylene, Polypropylene and Polystyrene Resins CTG RACT, Manufacture of Pneumatic Rubber Tires CTG RACT, Manufacture of Synthesized Pharmaceutical Products CTG RACT, Petroleum Liquid Storage in External Floating Roof Tanks CTG RACT, Refinery Vacuum Producing Systems, Wastewater Separators and Process Unit Turnarounds CTG RACT, SOCOMI Air Oxidation Processes CTG RACT, SOCOMI Distillation and Reactor Processes CTG RACT, Shipbuilding/repair CTG RACT, Solvent Metal Cleaning CTG RACT, Storage of Petroleum Liquids in Fixed Roof Tanks CTG RACT, Surface Coating for Insulation of Magnet Wire CTG RACT, Surface Coating of Automobiles and Light-Duty Trucks CTG RACT, Surface Coating of Cans CTG RACT, Surface Coating of Coils CTG RACT, Surface Coating of Fabrics CTG RACT, Surface Coating of Large Appliances CTG RACT, Surface Coating</p>		
--	--	--	--

	of Metal Furniture CTG RACT, Surface Coating of Miscellaneous Metal Parts and Products CTG RACT, Surface coating of Paper CTG RACT, Tank Truck Gasoline Loading Terminals CTG RACT, Use of Cutback Asphalt CTG RACT, Wood Furniture CTG RACT,		
Maine	Auto and Light-Duty Truck Assembly Coatings CTG RACT, Large Appliance Coatings (2007) CTG RACT,	10/23/2013	10/23/2014
Sacramento, CA	Bulk Gasoline CTG RACT, Equipment leaks from Natural Gas/Gasoline Processing Plants CTG RACT, Fugitive Emissions from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment CTG RACT, Leaks from Gasoline Tank Trucks and Vapor Collection Systems CTG RACT, Leaks from Petroleum Refinery Equipment CTG RACT, Manufacture of Synthesized Pharmaceutical Products CTG RACT, Petroleum Liquid Storage in External Floating Roof Tanks CTG RACT, SOCOMI Air Oxidation Processes CTG RACT, SOCOMI Distillation and Reactor Processes CTG RACT, Storage of Petroleum Liquids in Fixed Roof Tanks CTG RACT, Surface Coating of Automobiles and Light-Duty Trucks CTG RACT, Surface Coating of Coils CTG RACT, Tank Truck Gasoline Loading Terminals CTG RACT, Use of Cutback Asphalt CTG RACT,	1/11/2008	1/11/2009
Sacramento, CA	Factory Surface Coating of Flat Wood Paneling CTG RACT,	7/21/2009	7/21/2010

	<p>2006 Flat Wood Paneling Coatings CTG RACT, Flexible Packaging Printing Material CTG RACT, Graphic Arts – Rotogravure and Flexography CTG RACT, Large Appliance Coatings (2007) CTG RACT, Large Petroleum Dry Cleaners CTG RACT, Manufacture of High-Density Polyethylene, Polypropylene and Polystyrene Resins CTG RACT, Manufacture of Pneumatic Rubber Tires CTG RACT, Paper, Film, and Foil Coatings (2007) CTG RACT, Refinery Vacuum Producing Systems, Wastewater Separators and Process Unit Turnarounds CTG RACT, Shipbuilding/repair CTG RACT, Surface Coating for Insulation of Magnet Wire CTG RACT, Surface Coating of Cans CTG RACT, Surface Coating of Fabrics CTG RACT, Surface Coating of Large Appliances CTG RACT,</p>		
<p>Massachusetts</p>	<p>2006 Flat Wood Paneling Coatings CTG RACT</p>	<p>7/31/2008</p>	<p>7/31/2009</p>
<p>Los Angeles and San Bernardino Counties (Western Mojave Desert) [Antelope Valley], CA</p>	<p>Graphic Arts – Rotogravure and Flexography CTG RACT, Large Petroleum Dry Cleaners CTG RACT, Leaks from Gasoline Tank Trucks and Vapor Collection Systems CTG RACT, Solvent Metal Cleaning CTG RACT, Surface Coating of Automobiles and Light-Duty Trucks CTG RACT, Surface Coating of Cans CTG RACT, Surface Coating of Coils CTG RACT, Surface Coating of Fabrics CTG RACT, Surface Coating of Metal Furniture CTG RACT, Surface Coating</p>	<p>7/31/2007</p>	<p>7/31/2008</p>

	of Miscellaneous Metal Parts and Products CTG RACT, Surface coating of Paper CTG RACT, Use of Cutback Asphalt CTG RACT,		
Los Angeles and San Bernardino Counties (Western Mojave Desert) [Mojave Desert], CA	Graphic Arts – Rotogravure and Flexography CTG RACT, Leaks from Gasoline Tank Trucks and Vapor Collection Systems CTG RACT, Petroleum Liquid Storage in External Floating Roof Tanks CTG RACT, Shipbuilding/repair CTG RACT, Solvent Metal Cleaning CTG RACT, Storage of Petroleum Liquids in Fixed Roof Tanks CTG RACT, Surface Coating of Metal Furniture CTG RACT, Surface Coating of Miscellaneous Metal Parts and Products CTG RACT, Surface coating of Paper CTG RACT, Tank Truck Gasoline Loading Terminals CTG RACT, Use of Cutback Asphalt CTG RACT, Wood Furniture CTG RACT,	1/11/2008	1/11/2009
New York	Industrial Cleaning Solvents (2006) CTG RACT,	8/21/2013	8/21/2014
Rhode Island	Miscellaneous Industrial Adhesives (2006) CTG RACT,	4/27/2010	4/27/2011

As required by 40 C.F.R. § 54.3, the persons providing this notice are:

The Center for Biological Diversity
 1212 Broadway, Suite 800
 Oakland, CA. 94612
 Attn: Jonathan Evans
 Tel: (510) 844-7100 x318

Center for Environmental Health
 2201 Broadway, Suite 302
 Oakland, CA 94612
 Attn: Caroline Cox

Administrator Gina McCarthy

May 12, 2016

Page 18

Tel: (510) 655-3900

Clean Air Council
135 South 19th Street, Suite 300
Philadelphia, PA 19103
Tel: (215) 567-4004

While EPA regulations require this information, please direct all correspondences and communications regarding this matter to the undersigned counsel.

The Environmental Groups and their counsel would prefer to resolve this matter without the need for litigation. Therefore, we look forward to EPA coming into compliance within 60 days. If you do not do so, however, we will have to file a complaint.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Ukeiley".

Robert Ukeiley
Counsel for Center for Biological Diversity,
Center for Environmental Health, and Clean Air
Council