

From: Snead James (DNREC) [mailto:James.Snead@state.de.us]  
Sent: Thursday, August 07, 2008 5:12 PM  
To: Tony Nocito  
Cc: Amirikian Ronald A. (DNREC); Foster Paul (DNREC); Gomes Colin (DNREC); Postell Tom (DNREC); Chesser Kimberly A. (DNREC)  
Subject: RE: Meeting Reminder : Permitting requirements for ABCOV operations

Hi Tony,

It was good to speak with you this afternoon.

Just to summarize our conversation. We did hear back from EPA HQ. It was EPA Office of General Counsel's opinion that 40 CFR 70.3(b)(1) allows states discretion to decide whether or not to exempt sources from Title V permitting requirements if the sources are area sources and if the source would only be subject to Title V permitting due to a 112 standard in effect as of the promulgation of Title V permitting program in 1992.

I was informed by Paul Foster of Delaware's Air Permitting Group that Air Quality Management, based on EPA's opinion (above), would not require a source utilizing the ABCOV process to obtain a Regulation 1130 (Title V) permit, if the only reason the source would be required to obtain such permit were due to the installation or operation of the ABCOV process, which is subject to 40 CFR 61.155.

However, as we discussed this afternoon, the source using the ABCOV process would still be subject to the registration or permitting requirements under Regulation 1102, which I previously sent you.

Should you need specific information on permitting, I recommend that you contact Paul, whom you met at our June 11 meeting, directly.

Best of luck with your venture.

Jim

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From: Snead James (DNREC)  
Sent: Tuesday, June 10, 2008 2:16 PM  
To: Amirikian Ronald A. (DNREC); Foster Paul (DNREC); Gomes Colin (DNREC); Postell Tom (DNREC); Chesser Kimberly A. (DNREC); 'Tony Nocito'  
Subject: Meeting Reminder : Permitting requirements for ABCOV operations

Hello All,

I just wanted to remind you of tomorrow's meeting with Tony Nocito to discuss the ABCOV process to convert asbestos contaminated materials to non-hazardous solid waste and the potential air permitting needs in Delaware.

Meeting date, time & location: 6/11/08 – 1pm – Large Conference Room at Grantham Lane Facility.

Thank you for your willingness to participate and let me know if you have any questions or needs for tomorrow.

Jim