

CAA-05-2016-0037 UNITED SCRAP METAL, INC.

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Request for Extension of SEP Completion Deadline Monday, November 28, 2016 1:04 PM
From: "Mary Gade" <mary.gade@yahoo.com>
To: "Kathleen Schnieders Kaki. EPA Region V" <schnieders.kathleen@epa.gov>
Cc: dickens.brian@epa.gov
"brad serlin" <bserlin@unitedscrap.com>
"Adam Wilk" <awilk@unitedscrap.com>

28 November 2016
Subject: Request for Extension of SEP Completion Deadline Consent Agreement and Final Order for United Scrap Metal, Inc. Docket #CAA-05-2016-0037

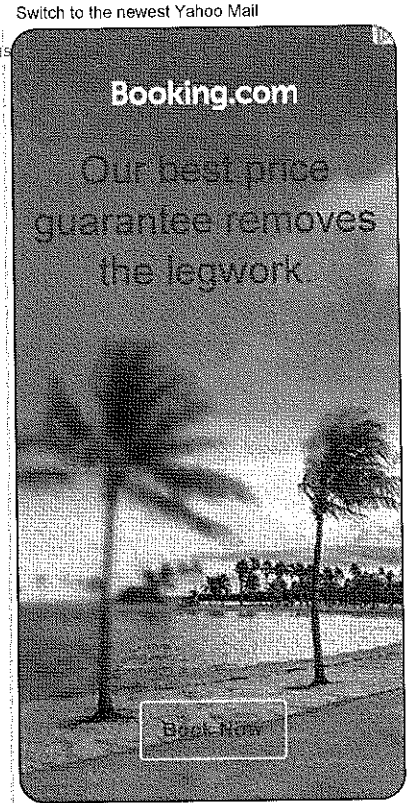
Kathleen Schnieders (C-14J)
Associate Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency
77 W. Jackson Boulevard
Chicago, Illinois 60604

Dear Kaki:
As I indicated in my November 18th voicemail, United Scrap Metal, Inc. ("USM") has just been informed, after making multiple inquiries regarding status, that the Supplemental Environmental Project ("SEP") associated with the above-captioned Consent Agreement and Final Order ("CAFO") will not be completed until May, 2017. The SEP requires USM to pay \$33,000.00 (Thirty-Three Thousand Dollars) to Cicero School District 99 for assisting in the replacement of an existing boiler with two new energy efficient boilers. USM is only responsible for supporting a portion of the cost of replacement and has no responsibility for the design, installation, or construction work associated with replacement of the old, existing boiler. On August 26, 2016, USM transmitted a check for \$33,000.00 to Cicero School District 99, in accordance with the provisions and timeframes in the CAFO.

Under Paragraph 29 of the CAFO, the SEP must be completed by December 31, 2016 followed by a Completion Report from USM to EPA within 60 days. Under Paragraph 43 of the CAFO, USM is obligated to inform EPA when an event occurs which causes or could cause a delay in execution of the SEP. USM was informed verbally by Mr. Dean Manasses, of FGM Architects, that the Project should be completed by no later than May 2017. FGM Architects has been working with Cicero School District 99 in preparing the Project Bid Proposal and Review of Applications. Cicero School District 99 issued a Request for Bids in the Chicago Tribune on or about October 14, 2016 requesting submittal of bids until November 1, 2016. The Review of the Bids and a Recommendation to the School District for selection of Voris Mechanical, Inc. was made by FGM Architects on November 3, 2016. Subsequently, it appears that various design work has been done and might be ongoing, by a variety of consultants, including a study or studies to assess whether there is any asbestos that will have to be addressed during the Project. USM has also been in contact with Robert Holmes of the School District multiple times since it submitted its SEP payment but has not been able to get a more definitive statement regarding when the actual boiler replacement will occur. Given, however, the School District's prior stated desire that the work take place in warmer weather when school is not in session, the new May date seems consistent.

Based on this information, USM believes that due to circumstances outside of its control, the SEP will not and cannot be completed by the December 31, 2016 deadline in the CAFO. Accordingly, we ask that the Agency grant an extension for the completion of the SEP until May 31, 2017, followed by 60 days for the submittal of USM's Completion Report on July 31, 2017. It might be prudent given the vagaries of construction schedules to revise the CAFO to include a SEP completion date of June 30, 2017 with a Completion Report due on August 31, 2017, but I leave that to your discretion.

Anticipating that this might be a problem, in email correspondence dated September 15, 2017, you advised me that if circumstances arose that



prevented completion of the SEP by the CAFO deadline, I should write you via email or letter seeking an extension. Please consider this such a request. I will also place a copy of this letter in First Class U.S. Mail for delivery to you, Brian Dickens, and the Regional Hearing Clerk at the above address.

Thank you for your assistance in making this modification to the CAFO. Please do not hesitate to call me with any questions.

Sincerely,

Mary Gade

cc: Brian Dickens  
Brad Serlin  
Adam Wilk

Mary A. Gade  
GADE ENVIRONMENTAL GROUP, LLC  
444 N. Michigan Ave., Suite 3600  
Chicago, IL 60611  
Mobile: 608.669.8040  
Office: 312.755.3533  
email: [mary.gade@yahoo.com](mailto:mary.gade@yahoo.com)

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