

7/19/2007

A-18J

Dennis J. Warchol
Veolia Environmental Services
7 Mobile Avenue
Sauget, Illinois 62201

SUBJECT: Federal Clean Air Act Title V Operating Permit For Veolia Environmental Services

Dear Mr. Warchol:

On September 29, 2006, the United States Environmental Protection Agency (U.S. EPA) sent you a letter announcing our intent to issue or deny a Part 71 permit for the Veolia facility located at 7 Mobile Avenue in Sauget, Illinois. Because we believe that de novo permitting is necessary in this case, we required Veolia to submit to U.S. EPA an application for a Clean Air Act (CAA) Title V federal operating permit for the facility. In response to that letter, you submitted a timely application on May 2, 2007. I am writing to inform you that U.S. EPA intends to issue or deny a Part 71 federal operating permit within 18 months of the date of our receipt of your application.

We also stated in the September 2006 letter that we may take steps to restore permitting authority for the Veolia facility to the Illinois Environmental Protection Agency (IEPA). However, after consideration of the current facts and circumstances surrounding the Veolia Title V permit action, we have decided that U.S. EPA will proceed to issue or deny the Title V permit for this source. We do not expect to take any steps to stop the Part 71 process or to restore IEPA's authority to issue a Part 70 permit to this facility prior to issuance of the Part 71 permit.¹

¹ U.S. EPA also stated in the September 2006 letter that we may rescind the Part 71 permit. At this time, U.S. EPA has not considered whether this is an appropriate action. U.S. EPA will not evaluate the idea of rescinding the Part 71 permit and restoring permitting authority to IEPA until after we have issued the Part 71 permit and have received from IEPA a draft Part 70 permit that we find both satisfies the objections in our February 1, 2006, petition response and otherwise complies with all requirements of the CAA. Any rescission-related action would be a separate administrative proceeding conducted pursuant to the CAA and its implementing regulations.

This letter does not represent final Agency action to issue or deny a permit to Veolia under Title V of the CAA, or any other kind of final agency action under section 307(b) of the CAA, 42 U.S.C. § 7607(b). If you have any questions about the Part 71 process or this letter, please do not hesitate to call Genevieve Damico of my staff at (312) 353-4761.

Sincerely yours,

/s/

Stephen Rothblatt, Director
Air and Radiation Division

Enclosure

cc: Laurel Kroack, Chief
Bureau of Air, Illinois Environmental Protection Agency