

To: Lott, Trent[trent.lott@squirepb.com]; Flynn, John[john.flynn@squirepb.com]
From: Jackson, Ryan
Sent: Wed 12/6/2017 10:08:26 PM
Subject: RE: Lott Follow up TOTE Permit

Gentlemen, what I can presently report is that when I originally meet with our Office of Air and Radiation, I requested updates to get back directly with you. However, the OAR having worked with the company on the prior permits have worked directly with TOTE. In any event, the week of November 27th Will Charmley from the Office of Transportation and Air Quality (OTAQ) spoke with Peter Keller, a Senior Vice President for TOTE. They discussed what steps EPA/Coast Guard, and also TOTE, would need to take over the next few weeks to draft a new permit. I say new permit only because the Coast Guard advised TOTE in October that it was terminating the existing permits for the Midnight Sun and North Star.

On December 1st, Chris Grundler, Director of OTAQ (which is located in Ann Arbor), advised headquarters that EPA and TOTE are making progress meaning extending the dates of the previous permit and the terms TOTE needs to meet.

EPA met with TOTE's, contractor (MAN, the engine company who will builds the conversion kits), and the Coast Guard to chart the path forward. This followed up on the June 2017 meeting where EPA hosted TOTE and MAN for a technical meeting in Ann Arbor. At that point in June, which I believe is still the case, MAN reported that they are developing a retrofit kit but development work was still necessary. However, TOTE presented a timeline where conversions would take place on the first vessel between mid-2019 and mid-2020 and on the second vessel between mid-2020 and mid-2021. TOTE was continuing to work to develop the detailed LNG conversion project milestones which could be captured in the permit.

So it seems like we are on track. I'm glad to get on a phone call but presently I'm preparing Pruitt for testimony before E&C tomorrow morning, a meeting with the President tomorrow, and an international trip. It may be worth a follow up to TOTE to ensure I have all the correct information.

Ryan.

From: Lott, Trent [mailto:trent.lott@squirepb.com]
Sent: Wednesday, November 29, 2017 11:48 AM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: Lott Follow up TOTE Permit

Ryan,

By all accounts, TOTE and I were very pleased and appreciated the attention that Administrator Pruitt and you afforded us in your offices on September 27, 2017. As you recall, one option raised during the meeting and one that TOTE desires is moving forward with an extension of the preexisting application approach

I also see merit in this approach and provided to your attention several documents to assist in moving forward in that direction in an email dated November 6, 2017 (provided below).

Recognizing that it has been two months since our initial meeting, I request to meet or conference with Administrator Pruitt and/or you at your earliest convenience.

Trent Lott

From: Lott, Trent
Sent: Monday, November 6, 2017 1:01 PM

To: Jackson.ryan@epa.gov
Subject: TOTE Permit

Ryan,

Thanks for your response last Friday and update that you are working through the TOTE permit situation.

TOTE prefers and I see merit with moving forward with an extension on the preexisting application approach that was discussed during the September 27, 2017 meeting with you and Administrator Pruitt.

In addition to the preexisting application and other documents previously advanced with EPA (attached), I thought it would be helpful to share the text below from the International Maritime Organization (IMO) which allows for the 5 year extension to the permit.

Please know that TOTE and I very much appreciate your attention and support of the LNG vessel permit issue.

Trent

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<http://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Marine-Environment-Protection-Committee-%28MEPC%29/Documents/MEPC.176%2858%29.pdf>

Trials for ship emission reduction and control technology research

2 The Administration of a Party may, in cooperation with other Administrations as

appropriate, issue an exemption from specific provisions of this Annex for a ship to conduct trials

for the development of ship emission reduction and control technologies and engine design

programmes. Such an exemption shall only be provided if the applications of specific provisions

of the Annex or the revised NOx Technical Code 2008 could impede research into the

development of such technologies or programmes. A permit for such an exemption shall only be

provided to the minimum number of ships necessary and be subject to the following provisions;

.1 for marine diesel engines with a per cylinder displacement up to 30 litres, the

duration of the sea trial shall not exceed 18 months. If additional time is required,

a permitting Administration or Administrations may permit a renewal for one

additional 18-month period; or

.2 for marine diesel engines with a per cylinder displacement at or above 30 litres,

the duration of the ship trial shall not exceed 5 years and shall require a progress

review by the permitting Administration or Administrations at each intermediate

survey. A permit may be withdrawn based on this review if the testing has not

adhered to the conditions of the permit or if it is determined that the technology or

programme is not likely to produce effective results in the reduction and control of

ship emissions. If the reviewing Administration or Administrations determine that

additional time is required to conduct a test of a particular technology or

programme, a permit may be renewed for an additional time period not to exceed

five years.

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