To: minnieg@utetribe.com[minnieg@utetribe.com]
Cc: miken@utetribe.com[miken@utetribe.com]; Sheila Vance[svance@utah.gov]; blebaron@utah.gov[blebaron@utah.gov]
From: Ostendorf, Jody
Sent: Tue 5/24/2016 3:08:31 PM
Subject: Ute tribe and FIP implementation

Hi Minnie!

Hope you are doing well. In follow up to our discussion a couple weeks ago, I wanted to share information that speaks to the tribe's opportunity to participate in the FIP implementation. This language is from the Ft. Berthoud FIP, and the U&O FIP will contain similar language.

http://www.ecfr.gov/cgi-bin/text-idx?SID=222a37e8bc017cde8f4091e489a7daa8&mc=true&node=sg40.1.49.k.sg6&rgn=div7

Please look at section 49.4162 "Delegation of authority of administration to the tribes."

As far as guidance goes in how to demonstrate capacity, you might want to look at what the Southern Ute Tribe submitted for approval of their Part 70 operating permits program. The full final approval is available at: https://www.epa.gov/sites/production/files/2015-08/documents/su_final_p70_frn15mar2012.pdf, and it is in the CFR at: http://www.ecfr.gov/cgi-bin/text-idx?SID=25caeacbd4f320658http://www.ecfr.gov/cgi-bin/text-idx?SID=1a934fc23caa6f16332721356575616d&mc=true&node=pt40.16.70&rgn=div5#ap40.16.70_1

Potentially Elyana Sutin, Alexas North, or Eric Wortman -- who were involved in the Southern Ute Part 70 approval -- could assist with general capacity demonstration questions. However, until we propose a FIP, it will be difficult to answer specific questions.

I would like to schedule a coordination call with you, your staff and Utah DAQ. Please let me know what date/time works for you.

Thanks,

Jody

Jody Ostendorf

State Implementation Plan Program Manager

Uinta Basin Project Coordinator

Air Quality Planning Unit (8P-AR)

U.S. Environmental Protection Agency, Region 8

1595 Wynkoop Street

Denver, CO 80202-1129

303.312.7814