All redactions: internal and deliberative, attorney-client

From: McKaughan, Colleen
To: Jordan, Deborah
Subject: FW: language from the TWG agreement regarding TAS
Date: Monday, July 21, 2014 9:53:41 AM

From: Siegal, Tod
Sent: Monday, July 21, 2014 8:17 AM
To: Saltman, Tamara; Vetter, Rick; Lorang, Phil
Cc: Anderson, Lea; Marks, Matthew; Mckelvey, Laura; McKaughan, Colleen
Subject: RE: language from the TWG agreement regarding TAS

[redacted]

Tod Siegal
Cross-Cutting Issues Law Office
Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-5552

From: Saltman, Tamara
Sent: Monday, July 21, 2014 11:02 AM
To: Siegal, Tod; Vetter, Rick; Lorang, Phil
Cc: Anderson, Lea; Marks, Matthew; Mckelvey, Laura; McKaughan, Colleen
Subject: language from the TWG agreement regarding TAS

This is the language from the TGW agreement signed by the Navajo Nation and SRP re: TAS. As Tod says, it's not clear how relevant this is.

The **Parties** recognize that the **Navajo Nation** wishes to seek Treatment as a State ("TAS") under section 301(d) of the **Clean Air Act**, 42 U.S.C. § 7601(d), and the Tribal Authority Rule, 40 C.F.R. Part 49. The **Navajo Nation** intends to seek treatment as a state for **Clean Air Act** provisions applicable to **NGS**, except for the Prevention of Significant Deterioration and Nonattainment New Source Review permitting programs. **SRP** agrees to work with the **Navajo Nation** to advocate to the **EPA** that the **VCA** provides sufficient jurisdictional authority for the **Navajo Nation** to be awarded TAS status under the **Clean Air Act** with respect to **NGS**. As provided in the **VCA**, the programs for which the **Navajo Nation** seeks

or accepts TAS status shall not contain requirements applicable to **NGS** that are more stringent than the corresponding federal requirements unless the **Navajo Nation** has obtained **SRP's** written consent to such more stringent requirements, and the **Navajo Nation** shall not promulgate a tribal implementation plan that contains requirements applicable to **NGS** that are more stringent than corresponding federal requirements without first obtaining **SRP's** express written consent to such requirements. The **Navajo Nation** agrees that the Navajo Nation Environmental Protection Agency shall provide **SRP** an opportunity to review and comment on the TAS application before its submittal to **EPA**.

From: Siegal, Tod
Sent: Monday, July 21, 2014 10:12 AM
To: Vetter, Rick; Lorang, Phil
Cc: Anderson, Lea; Marks, Matthew; Saltman, Tamara; Mckelvey, Laura
Subject: RE: NGS- Janet's comments and a question, that might come to one of you

[redacted]

[redacted]

[redacted]

Thanks.

Tod Siegal
Cross-Cutting Issues Law Office

Office of General Counsel
U.S. Environmental Protection Agency
(202) 564-5552

From: Vetter, Rick
Sent: Monday, July 21, 2014 9:45 AM
To: Lorang, Phil; Siegal, Tod
Subject: RE: NGS- Janet's comments and a question, that might come to one of you

[redacted]

[redacted]

Richard H. Vetter
Attorney Advisor
Air & Radiation Law Office
Office of General Counsel
U.S. Environmental Protection Agency
vetter.rick@epa.gov
919-541-2127

From: Lorang, Phil
Sent: Monday, July 21, 2014 9:30 AM
To: Vetter, Rick; Siegal, Tod
Subject: RE: NGS- Janet's comments and a question, that might come to one of you

[redacted]

From: Lorang, Phil
Sent: Monday, July 21, 2014 9:19 AM
To: Saltman, Tamara; Anderson, Lea; Marks, Matthew
Cc: Mckelvey, Laura; McKaughan, Colleen

Subject: RE: NGS- Janet's comments and a question, that might come to one of you

Tamara,

[redacted]

Phil

From: Saltman, Tamara
Sent: Monday, July 21, 2014 9:16 AM
To: Lorang, Phil; Anderson, Lea; Marks, Matthew
Cc: Mckelvey, Laura
Subject: RE: NGS- Janet's comments and a question, that might come to one of you

[redacted]

From: Lorang, Phil
Sent: Monday, July 21, 2014 8:57 AM
To: Anderson, Lea; Marks, Matthew; Saltman, Tamara
Cc: Mckelvey, Laura
Subject: NGS- Janet's comments and a question, that might come to one of you

[redacted]

[redacted]

[redacted]

Phil