From:	lallen@co.slo.ca.us
To:	Zimpfer, Amy
Cc:	Adams, Elizabeth; Drake, Kerry; Jordan, Deborah; Lakin, Matt; McKaughan, Colleen; Spiegelman, Nina; Steckel, Andrew
Subject:	RE: Request for EPA opinion on MOA vs Rule to acheive attainment
Date:	Monday, June 01, 2015 9:28:00 AM

Hi Amy - Yes, 11 am works great for us. Thank you very much. Do you have a call-in number or would you like me to set one up?

Larry

Larry Allen
Air Pollution Control Officer
San Luis Obispo County Air Pollution Control District
Phone: 805 781-5912
Fax: 805 781-1002
Web: http://www.slocleanair.org

P Please consider the environment before printing this e-mail

From: "Zimpfer, Amy" <Zimpfer.Amy@epa.gov>
To: "lallen@co.slo.ca.us" <lallen@co.slo.ca.us>
Cc: "Drake, Kerry" <Drake.Kerry@epa.gov>, "Adams, Elizabeth" <Adams.Elizabeth@epa.gov>, "Jordan, Deborah" <Jordan.Deborah@epa.gov>, "McKaughan, Colleen" <McKaughan.Colleen@epa.gov>, "Lakin, Matt" <Lakin.Matthew@epa.gov>, "Steckel, Andrew" <Steckel.Andrew@epa.gov>, "Spiegelman, Nina" <Spiegelman.Nina@epa.gov>
Date: 06/01/2015 08:52 AM
Subject: RE: Request for EPA opinion on MOA vs Rule to acheive attainment

HI Larry,

I have folks holding 11am this morning for a call. Does that work for you?
Thanks,
Amy

Amy Zimpfer, Associate Director
USEPA, Region 9, Air Division
75 Hawthorne Street, San Francisco, CA 94105
zimpfer.amy@epa.gov + 1.415.947.4146

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this communication in error, and delete the copy you received.

-----Original Message-----
From: lallen@co.slo.ca.us [mailto:lallen@co.slo.ca.us]
Sent: Thursday, May 28, 2015 3:41 PM
To: Zimpfer, Amy
Cc: Drake, Kerry; Adams, Elizabeth; Jordan, Deborah; McKaughan, Colleen;
Lakin, Matt; Steckel, Andrew; Spiegelman, Nina
Subject: RE: Request for EPA opinion on MOA vs Rule to acheive attainment

No, I can make any time work on Monday, so please pick a time that works
best for you all and let me know and I'll put it in my calendar.

Thanks so much, and I look forward to speaking with you on Monday.

Larry

Sent with Good (www.good.com)

-------- Original Message --------

From : "Zimpfer, Amy" <Zimpfer.Amy@epa.gov>
To : "lallen@co.slo.ca.us" <lallen@co.slo.ca.us>
Cc : "Drake, Kerry" <Drake.Kerry@epa.gov>, "Adams, Elizabeth"
<Adams.Elizabeth@epa.gov>, "Jordan, Deborah" <Jordan.Deborah@epa.gov>,
"McKaughan, Colleen" <McKaughan.Colleen@epa.gov>, "Lakin, Matt"
<Lakin.Matthew@epa.gov>, "Steckel, Andrew" <Steckel.Andrew@epa.gov>,
"Spiegelman, Nina" <Spiegelman.Nina@epa.gov> Sent on : 05/28 01:18:51 PM
PDT Subject : Re: Request for EPA opinion on MOA vs Rule to acheive
attainment

Monday would be good. Any time you are NOT available?

Amy Zimpfer, Associate Director, USEPA, Region 9
+1 415.947.4146
zimpfer.amy@epa.gov

> On May 28, 2015, at 12:48 PM, "lallen@co.slo.ca.us"
> <lallen@co.slo.ca.us>
wrote:
>
>
> Thanks Amy. I'm out of the office until Monday - would it be possible
> to set up a call with you and whoever else we need for Monday or Tues
> next week to discuss this? I'll make myself available at whatever time
> works
for
> you all.
>
> Thanks,

> Larry
>
>
>
> Sent with Good (www.good.com)
>
>
>
> -------- Original Message --------
>
> From : "Zimpfer, Amy" <Zimpfer.Amy@epa.gov>
> To : "lallen@co.slo.ca.us" <lallen@co.slo.ca.us>
> Cc : "Drake, Kerry" <Drake.Kerry@epa.gov>, "Adams, Elizabeth"
> <Adams.Elizabeth@epa.gov>, "Jordan, Deborah" <Jordan.Deborah@epa.gov>,
> "McKaughan, Colleen" <McKaughan.Colleen@epa.gov> Sent on : 05/27
> 07:35:45 PM PDT Subject : Re: Request for EPA opinion on MOA vs Rule
> to acheive
attainment
>
> Hi Larry,
> I was in Tijuana for a U.S./MX border meeting today and just now saw
> you tried to call. I will discuss this with Debbie and others
> tomorrow. Stay tuned.
>
> Amy Zimpfer, Associate Director, USEPA, Region 9
> +1 415.947.4146
> zimpfer.amy@epa.gov
>
>
>>> On May 27, 2015, at 6:31 PM, "lallen@co.slo.ca.us"
<lallen@co.slo.ca.us>
>> wrote:
>>
>>
>> Hi Debbie,
>>
>> I hope all is well with you. I realize you're about to leave for your
> D.C.
>> assignment, so I've cc'd your executive team on this in the hopes
>> that
> one
>> of you can provide a response to my request.
>>
>> At our Board hearing today, we asked the Board to amend Rule 1001
>> (the Oceano Dunes Dust Rule) to remove the permit requirement to
>> comply with
> the
>> recent Court of Appeals opinion that the facility is not a
>> contrivance
> and
>> therefore cannot be required to obtain an air permit. Yesterday at
>> 3:00
> pm,
>> Friends of the Oceano Dunes, who initiated and won the contrivance
>> case, delivered a 900 page comment package to APCD opposing our
>> proposed amendment and suggesting we implement other options instead,
>> most of

> which
>> involved vacating Rule 1001 and trying something different, including
>> an MOA instead of the rule. Quite a lengthy discussion ensued among
>> our
> Board
>> members, particularly regarding crafting an MOA to replace the rule.
>>
>> I responded that an MOA would not be acceptable to EPA as a
>> regulatory enforcement mechanism to ensure the emission reductions
>> required to come into attainment of federal PM standards would be
>> achieved in a timely manner. The Board asked me to request EPA to
>> provide an official letter stating your position on this matter;
>> specifically, whether or not substituting a negotiated MOA with State
>> Parks would be acceptable to
EPA
>> as a demonstration that we were on a path to attainment and thus
>> avoid federal intervention. In light of your April 15, 2015 letter to
>> the District, the Board's primary concern is the potential for a
> nonattainment
>> designation by EPA for the federal PM10 and/or PM 2.5 standards if
>> the
> rule
>> were to be rescinded and replaced with an MOA.
>>
>> The Board is hoping you can provide a response by or before our next
> Board
>> meeting on June 17. Please let me know if you can provide such a
>> letter
> and
>> the timeframe in which we might expect it, and please call me if if
>> you have any questions or need clarification on this request.
>>
>> Thank you, and I look forward to hearing from you.
>>
>> Larry
>>
>> Larry Allen
>> Air Pollution Control Officer
>> San Luis Obispo County Air Pollution Control District
>> Phone: 805 781-5912
>> Fax: 805 781-1002
>> Web: http://www.slocleanair.org
>>
>> P Please consider the environment before printing this e-mail
>>
>>
>>
>>
>>
>>
>>
>>
>>
>>
>> [Scanned @co.slo.ca.us]
>
>

>
>
>
>
>
>
>
>
> [Scanned @co.slo.ca.us]
>

[Scanned @co.slo.ca.us]

[Scanned @co.slo.ca.us]