To: Distler, Kenneth[DISTLER.KENNETH@EPA.GOV]; Daly, Carl[Daly.Carl@epa.gov]; Bohan, Suzanne[bohan.suzanne@epa.gov]
From: Russ, Timothy
Sent: Wed 4/3/2013 5:56:48 PM
Subject: FW: Latest Draft NPL Project NEPA General Conformity Comments - (VERSION 7 DATED 4/3/13)
EPA-BLM-NPL-General-Conformity-Concerns-Version6-with-SLL-and-OCG-edits-4-2-13 (2).docx
EPA-BLM-NPL-General-Conformity-Concerns-Version7-with-SLL-OCG-KD-TJR-edits-4-3-13.docx

.....
,,,,,,,,
Hi Ken, Carl, and Suzanne,

Ken and Suzanne – thanks for the comments and suggested edits! I went back and reworked the sections based on your input – please see Version 7 and see what you think. Hopefully the comments read better and are clarified Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

Right, please review and advise and then we should be approaching a version I can send back to OGC for review.

Thanks!

Tim

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e-mail: russ.tim@epa.gov

From: Distler, Kenneth
Sent: Wednesday, April 03, 2013 10:11 AM
To: Russ, Timothy
Cc: Daly, Carl; Bohan, Suzanne
Subject: RE: Latest Draft NPL Project NEPA General Conformity Comments - (B) (5) DP [redacted] (VERSION 6 DATED 4/2/13)

Tim, Suzanne's and my thoughts for your consideration… Ken

From: Russ, Timothy
Sent: Tuesday, April 02, 2013 3:37 PM
To: Daly, Carl; Distler, Kenneth
Subject: Latest Draft NPL Project NEPA General Conformity Comments - (B) (5) DP [redacted] (VERSION 6 DATED 4/2/13)

Hi Carl and Ken,

I've attached my latest re-write of the NPL project's Preliminary DEIS general conformity comments (see 2nd file above entitled "EPA-BLM-General-Conformity-Concerns-Version6-with-SLL-and-OGC-edits-4-2-13.docx). This Version 6 reflects the comments noted by OGC below and contained in Karen's file (see the 1st file attached above).

OGC is correct in that wherever possible, we should be referencing the State's federally-approved general conformity requirements as those are used rather than ours in 40 CFR 93, Subpart B. I also then needed to include language with regard to issues involved with our forthcoming NPR for approval of the State's Chapter 8, Section 3 general conformity SIP revision.

For your reference, the following weblinks take you to Wyoming's Chapter 6 (permitting), and Chapter 8 (general conformity) respectively;

http://soswy.state.wy.us/Rules/RULES/8973.pdf

http://soswy.state.wy.us/Rules/RULES/8890.pdf

I would suggest that you both take a look at this and let me know of needed edits. Once I have a "final" draft version from the three of us, I'll send it back to Karen (OGC) for her review. Based upon her suggested edits, we should then be able to arrive at a "Version 7" that Ken could then forward to Suzanne for editing before going to Kate for review.

Sound about right?

Thanks!

Tim

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From: Bennett, Karen
Sent: Tuesday, April 02, 2013 11:05 AM
To: Russ, Timothy
Cc: Laumann, Sara; schneeberg, sara
Subject: RE: Latest Draft NPL Project NEPA General Conformity Comments - (B) (5) DP [redacted] (Version 5 dated 3/27/13)

Hello Tim,

As I stated in my previous round of comments, I generally agree with the comments you have drafted to send to BLM on their general conformity analysis for the NPL project. I have added a few edits and comments on top of what Sara sent to you last week.

Ex. 5 - Attorney Client

Thanks to you and Sara for providing me with the opportunity to comment on this.

Karen

Karen Bennett | U.S. Environmental Protection Agency

Office of General Counsel | ARN 7409K | 202-564-3298

From: Laumann, Sara
Sent: Friday, March 29, 2013 3:10 PM
To: Russ, Timothy
Cc: Daly, Carl; Distler, Kenneth; Jackson, Scott; Perkins, Erin; Bennett, Karen
Subject: FW: Latest Draft NPL Project NEPA General Conformity Comments - (B) (5) DP [redacted] (Version 5 dated 3/27/13)

Internal and Deliberative – do not release under FOIA or Discovery

Tim

Thanks for the chance to look this over. A few edits/questions/comments in the attached. As I am

going to Ex. 6 - Personal Privacy I am going ahead and sending this to you, and also copying OGC's Karen Bennett (and including the various documents reviewed and cited for her) and letting her know this is being drafted in the event she wants to also look this over before it goes out (I suspect she will!). I'd normally coordinate with Karen before sending to the comments to you, but I know you are anxious to send these so I want to keep the process moving

Ex. 6 - Personal Privacy

Thanks,

Sara L. Laumann

Associate Regional Counsel

USEPA Region 8 - Office of Regional Counsel

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F: 303-312-6859

From: Laumann, Sara
Sent: Wednesday, March 27, 2013 5:00 PM
To: Russ, Timothy
Cc: Daly, Carl; Distler, Kenneth; Jackson, Scott; Perkins, Erin
Subject: RE: Latest Draft NPL Project NEPA General Conformity Comments - (B) (5) DP [redacted] (Version 5 dated 3/27/13)

Tim

Just to clarify/confirm, the comments you have drafted are regarding the following language from the attached document(s), if your draft comments are on other language, can you let me know what that is?

Thanks

Sara

Draft chapter 2, on page 2-5 and 2-6 (in case this format is too hard to read - as it is for me)

Referred to BLM

Referred to BLM

Referred to BLM

Referred to BLM

Sara L. Laumann

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F: 303-312-6859

From: Russ, Timothy
Sent: Wednesday, March 27, 2013 3:50 PM
To: Laumann, Sara
Cc: Daly, Carl; Distler, Kenneth; Jackson, Scott
Subject: FW: Latest Draft NPL Project NEPA General Conformity Comments - (B) (5) DP [redacted]
(Version 5 dated 3/27/13)

Hi Sara,

As we discussed just a bit ago, I have attached our latest version (#5) of draft general conformity comments related to two sections of the BLM's preliminary DEIS for the NPL project in Wyoming's UGRB 8-hour ozone nonattainment area.

It would help us much if you could give a short review to just draft comment number 1 in

the document (see language as in blue) as it relates to drill rig engines. We drew upon much of the information that Region 8 provided previously to Jeremy Nichols, on his issue of permitting drill rig engines in Colorado, from our letter of June 2, 2009 (please see the attached .pdf file).

Thanks much for your help!

Tim

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