Message

**From**: Bray, Dave [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D3581998CBDE488FA426F7A5227CB914-BRAY, DAVE]
**Sent**: 3/9/2016 7:19:37 PM
**To**: Owens, Katharine [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e13653d4e9b54eb6a4f31aa64162d180-KOwens02]
**Subject**: RE: AP: Portland; DDL: 3/9

Hi Katie,

Never mind.

I finally found the regulation.

And thanks again for tracking down the Oregon delegation

Dave

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From: Bray, Dave
Sent: Wednesday, March 9, 2016 11:07 AM
To: Owens, Katharine
Subject: RE: AP: Portland; DDL: 3/9

Hi Katie,

Thanks for getting back to the other Katie on the delegation question (even though you're not the Oregon lead).

For some reason I can't find where in Oregon's rules they adopt the NESHAP by reference. I can find the NSPS, but not the Part 61 and 63 rules.

Off the top of your head, do you know where those IBR provisions are located in Oregon's rules? (Don't spend much time on this, the delegation question was the important one and I can follow up later on the rule citation if needed).

Thanks

Dave

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From: McClintock, Katie
Sent: Wednesday, March 9, 2016 10:47 AM
To: Bray, Dave; Holsman, Marianne
Cc: Hastings, Janis; Davis, Matthew
Subject: RE: AP: Portland; DDL: 3/9

Looks good to me. I am not sure what they meant by "testing and management" which theoretically might not be covered below but it is seems like a good start. The second part might be some of what we talked to Wyden's staffers about regarding dual authority to enforce where the state has adopted the rule.

I asked katie owens to follow up on our wyden question:

ODEQ got delegation for 6S on 4/13/2009 (and has kept it since)
PSCAA got delegation for 6S on 3/10/2011 and since.

-----Original Message-----
From: Bray, Dave
Sent: Wednesday, March 09, 2016 9:48 AM
To: Holsman, Marianne <Holsman.Marianne@epa.gov>; McClintock, Katie <McClintock.Katie@epa.gov>
Cc: Hastings, Janis <Hastings.Janis@epa.gov>
Subject: RE: AP: Portland; DDL: 3/9

How about something along these lines?

EPA, States, and local air agencies all play a role in air quality management and all have the authority to regulate air pollution sources, monitor air quality, and enforce federal and State/local emission limitations for stationary and area sources. Importantly, State and local agencies have the authority to adopt regulations that are more stringent than, or in addition to, the EPA national emission standards and national ambient air quality standards.

In the Pacific Northwest, Oregon, Washington, and Idaho all have State environmental agencies with air quality programs that have been authorized by EPA to implement and enforce most of the federal Clean Air Act programs. In addition to the State agencies, Oregon has one local air agency (Lane Regional Air Protection Agency) and Washington has 7 local air agencies and one additional State agency that regulates energy facilities, all of which have also been authorized by EPA to implement and enforce most of the federal Clean Air Act programs. Idaho doesn't have any local air agencies. Many of these local agencies have adopted their own rules that supplement the State rules. All of these State and local air agencies have been approved by EPA to issue Clean Air Act permits, including the federal Title V operating permits, for stationary sources in their jurisdictions.

The federal Clean Air Act puts States (and locals) in the lead for protecting air quality and provides much flexibility to States so that their programs can reflect local situations and needs. As a result, State programs vary greatly across the country and even among the three Pacific Northwest States. The federal Clean Air Act requires EPA to review and approve (or delegate) State and local programs which implement federal Clean Air Act requirements and there are minimium requirements that State programs must meet in order to be approved.

In addition to EPA's National Emission Standards for Hazardous Air Pollutants, all three Pacific Northest States and some local air agencies (e.g., the Puget Sound Clean Air Agency) have adopted their own rules for air toxics that are in addition to EPA's National Emission Standards for Hazardous Air Pollutants. These State rules cover more pollutants than EPA's regulations as well as more categories of sources. These State and local air toxics rules are also quite different from each other and represent the various approaches that the States and local agencies have taken over the years to address air toxics concerns in their jurisdictions.

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From: Holsman, Marianne
Sent: Wednesday, March 9, 2016 8:26 AM
To: Bray, Dave; McClintock, Katie
Cc: Hastings, Janis
Subject: FW: AP: Portland; DDL: 3/9

Hi Dave and Katie:

We have an inquiry from Associated Press that HQ would like us to respond to in writing.

See the questions below. Deadline is today. I will call the reporter to find out more, but wondered if you could help craft a couple of paragraphs? I can call you after our 8:30 call to discuss.

Thanks!

Marianne

Follow us!

From: "Jones, Enesta" <Jones.Enesta@epa.gov<mailto:Jones.Enesta@epa.gov>>
Date: March 8, 2016 at 8:32:21 PM MST
To: "Smith, Judy" <Smith.Judy@epa.gov<mailto:Smith.Judy@epa.gov>>, "Holsman, Marianne" <Holsman.Marianne@epa.gov<mailto:Holsman.Marianne@epa.gov>>
Cc: "Jones, Enesta" <Jones.Enesta@epa.gov<mailto:Jones.Enesta@epa.gov>>
Subject: AP: Portland; DDL: 3/9
Hi Judy and Marianne: Can you help with this one? No taped interview. Written response.

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To recap, I'm looking to talk to someone who can shed some light on where the federal, state and local governments' roles play into air pollution regulation, testing and management and how those processes vary depending on the state/geographical area. Obviously someone with specific knowledge of the Pacific Northwest as it pertains to this is necessary for my purposes of this story.
Keep me posted on tomorrow's availability. My schedule is flexible.

Thanks!

Kristena Hansen
Reporter
The Associated Press

Enesta Jones
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