Action Items from June 2018 State Director's Meeting

1) **Self-Audits:** EPA has been working with Wyoming on an MOU that would define EPA's role in the review of Wyoming's implementation of its self-audit law. In the past there has been confusion between the level of EPA oversight and its statutory and regulatory authority. This MOU seeks to clarify roles for the benefit of state implementation and so that participants can better understand the process when they submit a self-audit to the state. **Please let Doug know if you would like to explore the development of a similar MOU with your state**
2) **Cooperative Federalism: EPA will draft a "roles document" to share with states for input and feedback.** I see this document as defining certain rules of the road between the states and EPA. We discussed several areas that would be potentially covered in the document, including:
    a. Rules for elevation of issues
    b. Principles for state oversight – we want to ensure the integrity of process in the state-federal relationship so that it is predictable and reliable without any surprises
        i. Proper notification to states before EPA conducts inspections in a state, whether as part of DI or oversight
        ii. Collaboration during and after inspections
        iii. Coordination of efforts to avoid duplication
        iv. Robust information sharing in the regulatory process should be done as early as practicable (e.g. SIP data)
        v. Can states better use and receive proper credit from EPA for innovative practices such as self-certification?
    c. focus on the present issues at hand and the bigger picture; collective effort on communications
    d. promote culture where elevation of disagreements is the norm (EPA)

3) **Measurements:** Agreement on what should be measured and what data is necessary to evaluate that measurement. Constant evaluation of data requirements from EPA to determine their usefulness. Incorporate this into the state/EPA PPA's (EPA)
4) **Tribal Relationships:** Explore enhanced State-EPA partnership on tribal relations. Consider opportunities for EPA-State-Tribal meetings on common issues. **My Tribal Advisor, Kim Varilek, will reach out to her counterparts in the states to identify next steps**
5) **Risk Communication**
        i. Ensure that when working together we collaborate and agree on who and how best to communicate risk to the public on issues such as PFOA/PFOS and other emerging contaminants
        ii. State, federal, and local agencies need to be aligned on who is communicating and what is being communicated to the public
        iii. Coordinate on development of risk communication approach to ensure messages are aligned (EPA)

6) **LEAN:** Greater collaboration in both directions on the LEAN processes between states and EPA. Each side would benefit from understanding what the other is working on. **Deb Thomas will lead an effort to increase collaboration on LEAN**

7) **Research Opportunities:** Follow up on research ideas presented at meeting (analytical method for produced water, PFAS/ PFOA, harmful algal blooms, NDMA, etc.); provide technical support to states. **My science advisor, Al Basile, will reach out to counterparts in the States**
8) **Budget:** the lack of a consistent and predictable budget process results in inefficiencies at the state level. EPA should examine if there are administrative mechanisms that could be deployed to address that issue (EPA)
9) **SIPs:** Address SIP backlog and requirements for removing outdated SIP provisions without burdensome analysis requirements (i.e. Conduct a streamlined backsliding (CAA110l) analysis (EPA)
10) **Sharing Rulemaking Documents:** EPA to work on developing a pilot for sharing rulemaking documents with state and tribal partners prior to formal proposal. The model suggested by WY was one of "cooperating agency" in the way BLM invites other agencies to participate in their NEPA process (EPA)
11) **T-NORM:** Convene discussion with states regarding standards and regional consistency (EPA)
12) **Superfund**: Evaluate opportunities for additional state-lead cleanups (MDEQ/ EPA)
13) **Lead:** Explore use of SRF for pipe replacement (MDEQ); share best practices and lessons learned re: lead in schools campaign (EPA to facilitate)
14) **Pipelines:** Convene discussion with PHMSA re: strengthening coordination on pipeline safety, spill response, compliance issues (EPA/ States)
15) **Produced Water**: EPA to put NDDH in touch with Lee Forsgren re: produced water disposal. CO will share a report on produced water regulations in all states.
16) **Drinking Water**: UDEQ-EPA coordination regarding UT updates to criteria for determining systems' compliance with SDWA
17) **CAA 179(b)**: Evaluate petition process and potential applicability to ozone issues and share results (CDPHE and EPA)
18) **Compliance**: Share information of CDPHE self-certification pilot and measures to demonstrate effectiveness of innovative approaches to achieving compliance; explore expanding data analytics efforts to involve states (EPA)
19) **PPAs:** Meet with interested states to discuss existing flexibility on PPAs and funding (EPA)
20) **Redesignation of non-attainment areas:** Emphasize as a high priority (EPA)