



MANE-VU

Mid-Atlantic/Northeast
Visibility Union

InterRPO Consultation Framework

Anna Garcia
MANE-VU

Overview

- Goals
- Requirements
- Types of consultations
- Principles
- Process

Goals

- Develop common technical basis and apportionment for state strategies
- Promote states working together to develop approaches to visibility
- Provide information in SIPs about areas of agreement and disagreement for EPA to consider in terms of reasonable progress



Inter RPO Framework

- Provide basic regional haze consultation requirements and process for states, tribes, RPOs and FLMs
- Applies to development of first SIPs due in 2008 and revisions every 10 years after
- Applies as states develop periodic reports on reasonable progress every 5 years



Requirements

- Applies to States reasonably anticipated to cause or contribute to visibility impairment in a Class I area
- Subpart P requires consultation on:
 - Developing the reasonable progress goal
 - Developing the long term strategy
 - On State and Federal Land Manager coordination



Types of consultations

- State/Tribal to State/Tribal Inter-RPO
 - On reasonable progress goals and long term strategy
- State/Tribal to Federal Land Manager
 - In person at least 60 days prior to any public hearing on the SIP
 - Continues to apply regarding SIP revisions and 5-yr progress reports, implementation of other programs with potential to contribute

Principles

- Commitment to the process and continuous documentation
- Facilitate communication, coordination and cooperation
- Covers formal (reasonable progress & long term strategy) and informal (components) consultations
- Transparency of analysis and information
- Class I states responsibility reasonable progress decision
- RPOs will be kept informed by States and Tribes
- May include precursors of PM/other pollutants as logical
- States and Tribes should work with FLMs as partners
- Consensus, where and if possible, means ability of all parties to live with outcome



State/Tribal to State/Tribal Process

- Applies to consultations across RPO lines – MANE-VU will follow for intra-RPO consultations
- Assumes consultation is a government-to-government transaction – stakeholders are not participants
- Assumes that Class I area States/Tribes will initiate most consultations
 - Designate contact for logistics & communications
 - Initiating State/Tribe is responsible for coordination
 - At request of State/Tribe RPO may facilitate consultation
- Involves in-person meetings and/or conference calls, other formats
- Coordinate timing with development of SIP components



S/T to S/T Process - Prep

- Initiating State/Tribe (or designated RPO) responsible for scheduling and notifying parties
- Who: State/Tribal Commissioners and Air Directors, RPO contacts, FLMs, EPA
- How: via email and certified mail
- Allows 30 days for review of materials prior to actual consultation



S/T to S/T Process - During

- Explain issue/proposal and supporting information
- Provide answers to clarifying questions
- Request outstanding concerns in writing
- State contact/RPO designee takes notes and prepares summary

S/T to S/T Process - After

- Distribute summary, notification email and letter, agenda, and list of participants to all parties for comment
 - Summary includes areas of agreement & disagreement
 - Provide in final to all participants
- State contact/RPO compiles record of consultation, including any additional meetings or calls on outstanding concerns
- Issues that cannot be further discussed or resolved can be taken through pertinent committees involving stakeholders to get feedback
- RPOs develop consultation page on their websites



State/Tribal to FLM Consultations

- State provides FLM with opportunity for consultation in person and at least 60 days prior to any public hearing on the SIP
- State may request RPO facilitate the consultation
- FLMs are invited to participate in formal S/T to S/T consultations, which occur prior to public hearings



Status

- Framework presented to other RPOs for comment
 - Revised via their comments to represent a process all RPOs can support
- RPOs are discussing and/or taking to their Boards for potential agreement
- General agreement to follow this process