InterRPO
Consultation Framework

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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