



June 5, 2002

Member States: Mr. Bill Harnett

ITPID

Alaska U. S. Environmental Protection Agency

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California

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Dear Mr. Harnett:

Hawaii

On behalf of the Western States Air Resources (WESTAR) Council, thank you for participating in our Spring Business Meeting at Incline Village. Your presentation was well received, and we were very pleased that you chose this opportunity to debut EPA's

Idaho

"New Futures for the Air Program." You asked for feedback on five questions, which we provide below. In summary, we generally agree with EPA's vision of how states and EPA

Montana

Nevada

can more effectively work together to meet our public health and clean air goals. We encourage EPA to continue working with the states to achieve a shared vision before presentations to other stakeholders, and strongly recommend the addition of training and capacity development into EPA's vision.

New Mexico

North Dakota

Oregon

Does this match your vision of the future?

The short answer is yes, we agree with a vision of the future where states and EPA support innovation, national control measures, collaboration, and national and regional partnerships as key strategies in managing air quality. We also agree that international emissions deserve more attention. We do wish to offer a note of caution, however. While we agree that innovative approaches will become increasingly important to reduce compliance costs for point sources and to address area and mobile sources, they should generally be viewed as complements to – and not substitutes for – base Clean Air Act programs until it has been demonstrated that they are achieving their intended environmental goals. In fact, the most effective innovative approaches often rely on a combination of command and control with innovative compliance options. For example, the Acid Rain trading program relies on market trading to achieve mandatory emission caps.

South Dakota

Utah

Washington

Wyoming

What are the implications for your programs?

EPA's vision of the future reinforces the importance of regional collaboration. Since the WESTAR Council's primary mission is to provide a forum for collaboration among its 15 member states, EPA's vision reinforces our commitment to maintaining a strong, multi-state organization. One important implication of regional collaboration is that EPA's Regional Offices will need to coordinate among themselves to ensure that responses to coordinated initiatives from states, such as regional haze SIP submittals, are consistent and timely. In addition, it is essential that EPA regional offices are fundamentally consistent in their

interpretation of law and EPA policy while taking into account the facts as they apply in individual cases. We understand that this represents a tremendous challenge for the Agency and are willing to participate in any effort by EPA to work toward this goal.

What are the obstacles and opportunities?

Consistent responses from EPA Regional Offices are essential, as discussed in the previous section, and we have seen important initiatives fail in the past due to a lack of follow-through by EPA management. The Administrator and her key managers, as well as staff within each Regional Office, must be committed to fulfilling the vision. If not, change is unlikely.

We see an increased need for training and capacity development as many first generation air quality professionals reach retirement age. Likewise, focused training will be needed as we shift to less traditional air quality management approaches. Yet funding for EPA and state/regional training providers has declined to a critical level. The absence of training and capacity development from EPA's vision of the future is conspicuous and short sighted. We strongly encourage EPA to address this in its "New Futures for the Air Program".

How do we know we are making progress? What measures should we use?

Timely approval of important state actions, such as *SIP amendments and program approvals*, is one effective method of measuring progress in the state/federal relationship. We understand and acknowledge EPA's oversight role, but as you mentioned in your presentation, the degree of oversight should be scaled down to reflect the fact that state air quality management programs are now fully established and mature. Accordingly, the state/federal partnership must evolve. We will know we are making progress when state submittals are approved on a more timely basis and with little need for revision.

What are the opportunities for presenting this to stakeholders and getting their feedback?

We strongly encourage EPA to continue on its current path, by first presenting EPA's vision to the state and local air agencies for feedback before seeking broad stakeholder feedback. Granted, we are all stakeholders, but the relationship between state and local agencies and EPA is much more than that – it is a partnership. Ideally, the vision EPA presents to stakeholders will be a shared state/federal vision. We encourage EPA to continue working with the states until a shared vision is achieved.

Once again, I want to thank you on behalf of the WESTAR Council for participation in our business meeting and the opportunity to comment on EPA's "New Futures for the Air Program." We look forward to working with you on these issues in future years.

Sincerely,

Lynn Terry
President, WESTAR Council