

Message

From: Macy, Jim [jim.macy@nebraska.gov]
Sent: 1/9/2018 8:25:11 PM
To: Wagner, Kenneth [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=048236ab99bc4d5ea16c139b1b67719c-Wagner, Ken]; darwin, [Henry@epa.gov]
Subject: FW: Postponing SRF

fyi

From: Bob Martineau [mailto:Bob.Martineau@tn.gov]
Sent: Tuesday, January 9, 2018 2:23 PM
To: Macy, Jim
Subject: RE: Postponing SRF

Excellent
!



Robert J. Martineau, Jr., Commissioner
Tennessee Department of Environment & Conservation
William R. Snodgrass TN Tower
312 Rosa L. Parks Ave., 2nd Floor
Nashville, TN 37243
(Office) 615-532-0106
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From: Macy, Jim [mailto:jim.macy@nebraska.gov]
Sent: Tuesday, January 9, 2018 2:19 PM
To: bodine;; Traylor, Patrick; todd.parfitt@wyo.gov; keogh@adeq.state.ar.us; john.stine@state.mn.us; Comer, Carol; Ed Galbraith
Cc: Bob Martineau; Macy, Jim; Carolyn Hanson
Subject: Postponing SRF

Dear Susan and Patrick:

U.S. EPA and States have a shared responsibility to protect human health and the environment. States recognize the importance of maintaining a strong environmental enforcement program working with our federal partners to meet this responsibility, to ensure that the regulated community complies with environmental laws and regulations, and to maintain a level

playing field. We appreciate U.S. EPA engaging the States as key partners in the development of the State Review Framework (SRF) to assess U.S. EPA and state enforcement of the Clean Water Act (CWA), the Clean Air Act (CAA), and Resource Conservation and Recovery Act (RCRA).

ECOS Resolution 98-9 "U.S. EPA Enforcement in Delegated States" encourages the U.S. EPA and the states to continue to evaluate SRF applicability for providing a consistent core enforcement program and enhancing compliance assistance and incentives. In the spirit of cooperative federalism, and to operationalize the concepts in the June 2017 document entitled "Cooperative Federalism 2.0: Achieving and Maintaining a Clean Environment and Protecting Public Health," ECOS is requesting that U.S. EPA engage in further discussions with state environmental directors prior to the release of the State Review Framework (SRF) Round 4 draft metrics and guidance. As EPA is between Rounds 3 and 4 of the SRF, and the SRF is under neither statutory nor regulatory deadlines, now is an opportune time to evaluate the SRF and confirm that its metrics will most effectively assess enforcement programs. We recognize that the SRF is based on existing program policies and any changes/additions to the metrics can impact the current schedule.

ECOS recommends a pause for 6 months for a new subgroup to form, evaluate, and agree upon the SRF metrics and approach, under the already established ECOS-EPA Workgroup on the State and Federal Collaboration in Compliance Assurance. Additional months would be needed perhaps to develop policy to implement any new metrics. It would be our expectation that SRF Round 4 could launch with the benefit of these conversations and activities in early 2019.

We greatly appreciate EPA's efforts on the SRF and look forward to having a meaningful dialogue on this important issue.

Sincerely,

Jim Macy
Director
Nebraska Department of Environmental Quality
1200 N Street, Suite 400
Lincoln, Nebraska 68509

Personal Matters / Ex. 6

Jim.macy@nebraska.gov