

Message

From: Davis, Patrick [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7FCA02D1EC544FBBD6FB2E7674E06B2-DAVIS, PATR]
Sent: 5/29/2018 2:52:40 PM
To: Travis Deti [tdeti@wyomingminning.org]
Subject: RE: Agenda Items for meeting between EPA, AQD and WMA

Thank you. This is helpful information.

Patrick Davis
U.S. Environmental Protection Agency
Senior Advisor to the Regional Administrator for Public Engagement
1595 Wynkoop Street
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Ex. 6 (cell)

From: Travis Deti [mailto:tdeti@wyomingminning.org]
Sent: Friday, May 25, 2018 9:14 AM
To: Davis, Patrick <davis.patrick@epa.gov>
Subject: FW: Agenda Items for meeting between EPA, AQD and WMA

Good morning, Patrick.

I have passed along your questions to the industry participants. For your planning information, please see below.

Cheers,
Travis D.

Travis Deti
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Wyoming Mining Association
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Ex. 6

tdeti@wyomingminning.org
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From: Dinsmoor, Phil <PDinsmoor@peabodyenergy.com>
Sent: Monday, May 21, 2018 10:53 AM
To: Travis Deti (tdeti@wyomingminning.org) <tdeti@wyomingminning.org>
Cc: Chartier, Kevin (kchartier@imlinc.com) <kchartier@imlinc.com>; Wanda Burget (wburget@accordresourcesolutions.com) <wburget@accordresourcesolutions.com>
Subject: Agenda Items for meeting between EPA, AQD and WMA

Travis

You have scheduled a 2 hour meeting at 1 PM on June 28. The meeting will be held at Little America in Cheyenne. This will be a follow-up to the February WMA Regulatory Affairs Committee meeting. As such it would be good to identify the agenda items with a few words intended to characterize the subjects. I envision two

separate WMA groups participating in these meetings. Air Quality Division should be a participant in the second part of the meeting.

1. For the first half of the meeting, the agenda item will be NEPA. This issue came from a request that Mr Benevento address the following topic in our February meeting. *For decades federal agencies such as the Forest Service and the Bureau of Land Management have increased the agency standards for implementing the provisions of the National Environmental Policy Act. Where it originally started as a process to inform the federal decision-making process of environmental impacts from proposed project. Each agency has taken liberties to require more and more data collection and broaden the scope of the review, increasing time frames and costs associated with implementation of the process. Recently, several of these agencies have solicited comment on ways to streamline their respective NEPA processes. Does Region 8 get involved in the required EPA NEPA reviews, and can Region 8 influence these efforts to streamline the process?*

In response to the question, Mr. Benevento explained that EPA Region 8 does get involved at a high level with various other federal agencies and may be in a position to help influence where they take their streamlining efforts. In return, Mr. Benevento asked the Wyoming mining industry to provide a description of our experiences with NEPA – what has worked well, and what has not. WMA established a subcommittee to develop an information paper in response to this question. The paper will be focused on NEPA as it relates to federal actions associated with mining. The subcommittee expects to complete the paper around the end of May and to have you forward it to Mr. Benevento so EPA may digest the information prior to our meeting at the end of June.

Break

2. For the second half of the meeting, two air issues will be the topics. Exceptional Events and the Part 58 Monitoring Rule. The following are brief descriptions of where the discussions led in the February conversations with Mr. Benevento.

2A. Exceptional Events. In February 2018, WMA asked Mr. Benevento address the situation where EPA has taken no ownership of the Exceptional Event program. The agency has required timely notification procedures when exceedances occur, and guidance on how to develop voluminous demonstrations that exceptional events have occurred. Yet EPA has not held themselves accountable with deadlines for their responses, actions or decisions. It was explained to Mr. Benevento that the program has ramifications to the mining industry beyond EPA's regulatory decisions, such as compliance demonstrations with NAAQS for other federal actions. Mr. Benevento indicated that EPA and AQD should engage in conversation about how to make this as much a state run program as possible, and would bring these issues to his staff.

2B. Part 58 Monitoring Rule. In February 2018, WMA asked Mr. Benevento to address the need for the 2016 revisions to the monitoring rules, the duplication that the revisions created between the State and EPA for programs involving Industrial Monitors, and the potential for assigning full authority for the program to the Air Quality Division. Mr. Benevento indicated that EPA and AQD should engage in conversation about how to make this as much a state run program as possible, and would bring these issues to his staff.

Please let me know if you need anything further.

Philip C. Dinsmoor

Director Environmental Services, PRB

Peabody

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