



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RESEARCH TRIANGLE PARK, NC 27711

November 10, 2011

OFFICE OF
AIR QUALITY PLANNING
AND STANDARDS

Dear Tribal Leader:

The purpose of this letter is to provide you with information about the U.S. Environmental Protection Agency's proposed amendments to the New Source Review (NSR) Prevention of Significant Deterioration (PSD) Program and invite you to consult, should you believe that your tribe could be affected by these amendments.

These amendments of the NSR PSD program would correct certain outdated language that currently limits EPA's ability to delegate the federal PSD program to interested Indian tribes. This action proposes changes that would provide consistency with the current federal PSD regulatory requirements by allowing the EPA to delegate the PSD program to interested tribes for their attainment areas. The regulations already authorize administrative delegation, and EPA has in the past delegated administration of the PSD program to states and local governments for their attainment areas. The EPA is proposing to delete the restriction of EPA's ability to delegate the PSD program to interested tribes. This deletion would enable interested tribes to request delegation of the federal PSD program in areas that are currently attaining the National Ambient Air Quality Standards (NAAQS). This proposed rule would not impose any new requirements.

To ensure that your lands and interests are protected, we are prepared to consult with you or your designee should you desire. If you would like to initiate government-to-government consultation with the EPA, please contact Laura McKelvey at (919) 541-5497, email: mckelvey.laura@epa.gov or Angel McCormack at (919) 541-3588, email: mccormack.angel@epa.gov. Please contact us by December 1, 2011 in order to request consultation.

We request your input to assure that we develop the best rule possible. We endeavor to conduct our efforts with sensitivity to the needs and culture of your tribe and with attention to the potential impact of our actions. We look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory H. Green".

Gregory Green
Director
Outreach and Information Division

cc: Tribal Environmental Director
Tribal Environmental Staff