



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RESEARCH TRIANGLE PARK, NC 27711

OFFICE OF
AIR QUALITY PLANNING
AND STANDARDS

August 12, 2011

Dear Tribal Leader:

The purpose of this letter is to provide you with information about the U.S. Environmental Protection Agency's review of new source performance standards (NSPS) and national emission standards for hazardous air pollutants (NESHAP) for the oil and natural gas sector and to invite you to consult, should you believe that your tribe could be affected by these standards.

The Clean Air Act (CAA) requires that every 8 years the EPA review existing standards, specifically, the NSPS (under CAA section 111(b)) that addresses emissions of criteria pollutants from oil and natural gas operations; and NESHAP (under CAA sections 112(d) and 112(f)) that address toxic air pollutants from oil and natural gas operations. We issued the existing NSPS in 1985 and the NESHAP in 1999.

It should be noted that EPA has entered into a consent decree – to address a lawsuit filed by WildEarth Guardians and San Juan Citizens Alliance – that requires proposed action based on our review by July 28, 2011, and final action by February 28, 2012. The proposed action was signed on July 28, 2011.

Because the standards apply to oil and natural gas production, processing, transmission and storage facilities located within or near Indian country, the Agency believes it is important to offer consultation with Federally-recognized tribes. The EPA expects the proposed rules to improve environmental protection within Indian country and nationwide. However, 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 Angel McCormack at (919) 541-3588, email: mccormack.angel@epa.gov or Laura McKelvey at (919) 541-5497, email: mckelvey.laura@epa.gov. Due to the court-imposed deadline, however, we kindly request that you notify the EPA of your request for consultation by September 9, 2011.

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 receiving your input.

Sincerely,

A handwritten signature in black ink that reads "P. Tsirigotis". The signature is written in a cursive style with a large initial "P" and a stylized "Tsirigotis".

Peter Tsirigotis
Director

Sector Policies and Programs Division

cc: Tribal Environmental Director
Tribal Environmental Staff