



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RESEARCH TRIANGLE PARK, NC 27711

OFFICE OF
AIR QUALITY PLANNING
AND STANDARDS

April 25, 2011

Dear Tribal Leader:

The purpose of this letter is to provide you with information about the U.S. Environmental Protection Agency's (EPA) review of new source performance standards (NSPS) and national emissions standards for hazardous air pollutants (NESHAP) air emissions from existing and new pulp and paper mills and to invite you to consult should you believe that your tribe could be affected by these standards.

The Clean Air Act requires that every eight years EPA review existing standards, specifically, the NSPS (under section 111(b)) that addresses emissions of criteria pollutants from pulp and paper mills; and NESHAP (under sections 112(d) and 112(f)) that address toxic air pollutants from pulp and paper mills. We completed the kraft pulp mills NSPS rules in 1978 and the two pulp and paper NESHAPs were completed in 1998 and 2001. We are beginning these reviews starting with subpart S NESHAP which covers the pulping, bleaching, wastewater treatment, and papermaking processes.

It should be noted that EPA has entered into a consent decree – to address a lawsuit filed by the Sierra Club – that requires proposal of the subpart S review by June 15, 2011, and final action by January 31, 2012.

Because the standards apply to all pulp and paper mills located within or near Indian country, the Agency believes it is important to offer consultation with federally-recognized tribes. The EPA expects the proposed rule 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 EPA, please contact Angel McCormack at (919) 541-3588 (mccormack.angel@epa.gov). Due to the court-imposed deadline, however, we kindly request that you notify EPA of your request for consultation by May 6, 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 "T".

Peter Tsirigotis
Director
Sector Policies and Programs Division

cc: Tribal Environmental Staff