

"King, Heidi R."
<Heidi_R_King@omb.eop.gov>
v>

01/07/2008 02:20 PM

To
Ron Evans/RTP/USEPA/US@EPA
cc
Janet Cakir/RTP/USEPA/US@EPA, Ken
Adler/DC/USEPA/US@EPA, Lydia Wegman/RTP/USEPA/US@EPA,
David Misenheimer/RTP/USEPA/US@EPA, Darryl
Weatherhead/RTP/USEPA/US@EPA, Kathy
Kaufman/RTP/USEPA/US@EPA, Allen
Basala/RTP/USEPA/US@EPA, Bryan
Hubbell/RTP/USEPA/US@EPA, Rosalina
Rodriguez/RTP/USEPA/US@EPA, "Johansson, Robert"
<Robert_C._Johansson@omb.eop.gov>
Subject
RE: follow-up to your phone call RESEND

Hi Ron,

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Ozone NAAQS RIA baseline for analysis:
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Let's have the meeting to review the analysis supporting the conclusion from the NPRM as soon as possible. Agenda: Let's review the requirements of the EO and make sure we are all reading from the same guidance. While we of course all read this language from the proposal, elements of the RIA would imply that OMB guidance might require further Energy EO analysis, and this meeting is the opportunity to gain alignment on requirements and expectations.

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Again, let's have the meeting, but let's include additional RIA topics in this meeting (we are due for another conversation on this RIA). I would like to make sure that all parties are on the same page with respect to OMB's guidance on implementing the requirements of this EO, and how it relates to this particular rulemaking, but I suspect this

will be a shorter conversation than the Ozone conversation.

Thanks, Ron --

Heidi

Heidi R. King
OMB/OIRA
(202) 395-4551

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BASELINE I presume this will be our opportunity to get Lydia and Art together to talk per our previous conversation that this issue was ready to raise up the management chain. The ideal time will be from 11:00 to 12:00 this Friday the 11th. I already have this time blocked on Lydia's calendar for another meeting so I have high confidence that she will be available. She is also available after 3:30 on Friday. Lydia is also available from 4 to 5 on Thursday; however, I personally would only be available until 4:45. I would suggest this as a 3rd fallback time. We will have control strategy people from OAQPS and OTAQ on the line to address any technical questions that Art may have during the discussions. Let me know if one of these times would work for you.

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9.8 Executive Order 13211: Actions that Significantly Affect Energy Supply, Distribution or Use (from page 9-4)

This proposed rule is not a "significant energy action" as defined in Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355 (May 22, 2001)) because in the Agency's judgment it is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The purpose of this rule is to establish revised NAAQS for ozone. The rule does not prescribe specific pollution control strategies by which these ambient standards will be met. Such strategies will be developed by States on a case-by-case basis, and EPA cannot predict whether the control options selected by States will include

regulations on energy suppliers, distributors, or users. Thus, EPA concludes that this rule is not likely to have any adverse energy effects and does not constitute a significant energy action as defined in Executive Order 13211.

-----Original Message-----

From: Evans.Ron@epamail.epa.gov [mailto:Evans.Ron@epamail.epa.gov]

Sent: Monday, January 07, 2008 1:48 PM

To: King, Heidi R.

Cc: Cakir.Janet@epamail.epa.gov; Adler.Ken@epamail.epa.gov;

Wegman.Lydia@epamail.epa.gov; Misenheimer.David@epamail.epa.gov;

Weatherhead.Darryl@epamail.epa.gov; Kaufman.Kathy@epamail.epa.gov;

Basala.Allen@epamail.epa.gov; Hubbell.Bryan@epamail.epa.gov;

Rodriguez.Rosalina@epamail.epa.gov

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Importance: High

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Ron Evans

Leader, Air Benefit & Cost Group

HEID/OAQPS/OAR/EPA

Mail Drop C-439-02

919-541-5488

919-541-0839 fax

----- Forwarded by Ron Evans/RTP/USEPA/US on 01/07/2008 01:43 PM -----

Ron

Evans/RTP/USEPA/

US

01/07/2008 01:42

PM

To

"King, Heidi R."

<Heidi_R._King@omb.eop.gov>

cc

Janet Cakir/RTP/USEPA/US@EPA, Ken

Adler/DC/USEPA/US@EPA, Lydia

Wegman, David

Misenheimer/RTP/USEPA/US@EPA,

darryl weatherhead, Kathy

Kaufman/RTP/USEPA/US@EPA, Allen

Basala, Bryan Hubbell, rosalina

rodriguez

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Ron Evans

----- Forwarded by Kathy Kaufman/RTP/USEPA/US on 04/28/2008 10:22 AM -----

"King, Heidi R."
<Heidi_R._King@omb.eop.go
v>

01/07/2008 03:13 PM

To

Ron Evans/RTP/USEPA/US@EPA

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Allen Basala/RTP/USEPA/US@EPA, Bryan
Hubbell/RTP/USEPA/US@EPA, Darryl
Weatherhead/RTP/USEPA/US@EPA, David
Misenheimer/RTP/USEPA/US@EPA, Janet
Cakir/RTP/USEPA/US@EPA, Kathy
Kaufman/RTP/USEPA/US@EPA, Ken Adler/DC/USEPA/US@EPA,
Lydia Wegman/RTP/USEPA/US@EPA, "Johansson, Robert"
<Robert_C._Johansson@omb.eop.gov>, Rosalina
Rodriguez/RTP/USEPA/US@EPA

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I will arrange for this baseline discussion to get on Lydia and our control strategy experts calendars; I will also arrange for a conference call line. Who else will be joining us?

>> Thanks, Ron, I've included Art and Rob.

As to the Energy EO discussion, it may be best for you and I to chat via phone so I can understand what your (or DOE) concerns are prior to setting up a meeting. As you can see from the writeup, the conclusion is not so much a function of economic analysis as applicable scope. Since this writeup was accepted during prior NAAQS RIA interagency reviews, I would like a clearer understand of what is different here prior to setting up a larger meeting. Please give me a call at your convenience.

>> That's a great idea! I'm not sure there are concerns so much as an opportunity to make sure we're on the same page. We'll need to have the interagency discussion anyway, as I want the group to be aligned on the guidance document available at the link below, but it will be a good chance for us to review EPA's thoughts reflected in the NPRM language. As you are probably aware, OIRA bears the responsibility of designating whether a regulation is a significant energy action, and the Statement of Energy Effects would follow similar guidance to the RIA so that there

is likely not a need for additional modeling above what satisfies the RIA.

<http://www.whitehouse.gov/omb/memoranda/m01-27.html>

As to the broader discussion about the Pb NAAQS RIA, I will check in with Kathy Kaufman tomorrow on when she will be ready. She is out at a conference this afternoon and will not be back until the morning. Have you discussed a specific list of pending topics with Kathy ?

>> I would like to begin to introduce the interagency group to the Pb RIA, in part to control expectations that this will not be as complex as the Ozone NAAQS RIA, and also to give other agencies a chance to suggest additional data which they might be able to contribute given the short timelines and derth of data available to support this analysis. I trust that your group has done a thorough review, but given the data and timeline constraints, I'd like to make sure we have as a group taken the opportunity to welcome additional information while there is still time to incorporate such contributions. It seems particularly important given the multi-media nature of Pb.

Thanks for your time Ron,

heidi

-----Original Message-----

From: Evans.Ron@epamail.epa.gov [mailto:Evans.Ron@epamail.epa.gov]
Sent: Monday, January 07, 2008 2:42 PM
To: King, Heidi R.
Cc: Basala.Allen@epamail.epa.gov; Hubbell.Bryan@epamail.epa.gov; Weatherhead.Darryl@epamail.epa.gov; Misenheimer.David@epamail.epa.gov; Cakir.Janet@epamail.epa.gov; Kaufman.Kathy@epamail.epa.gov; Adler.Ken@epamail.epa.gov; Wegman.Lydia@epamail.epa.gov; Johansson, Robert; Rodriguez.Rosalina@epamail.epa.gov
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Supply, Distribution or Use (from page 9-4)

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Sent: Monday, January 07, 2008 1:48 PM

To: King, Heidi R.

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Leader, Air Benefit & Cost Group

HEID/OAQPS/OAR/EPA

Mail Drop C-439-02

919-541-5488

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