

MEMORANDUM

SUBJECT: EPA Flexible Permit Implementation Review Initiative Report

FROM: Robert Brenner, Deputy Assistant Administrator
Office of Air and Radiation (6103A)

Jay Benforado, Deputy Associate Administrator
Office of Policy, Economics and Innovation (1804A)

TO: EPA Deputy Regional Administrators

Attached is the final report which contains our evaluation of six innovative air permits. We would like to thank you for providing comments on the draft report. Special thanks should also be extended to Regions 3, 4, 5, 6, and 10 for hosting the evaluations and for devoting considerable time and effort to the development of the actual permits. The final report, as well as the six individual permit reviews (which are also attached) will be posted for the public on the TTN Web at <http://www.epa.gov/ttn/oarpg/>.

As you know, EPA launched this Flexible Permit Implementation Review in April 2001, to evaluate the implementation of innovative permitting techniques developed under pilot permitting efforts. This effort was initiated both in response to concerns raised by environmental groups that EPA did not have an empirical basis for flexible permit guidance, as well as our own desire to evaluate the outcomes of flexible permitting efforts across the country in a way that would help inform future policy and guidance directions, including future innovation activities. We are very pleased with the positive findings that arose out of this effort. Namely, the report has produced clear objective evidence that flexible permits assure compliance with all applicable requirements, can produce valuable benefits to all parties (including, in many cases, significant emissions reductions), and are considered to be fully enforceable.

We believe that the findings from this evaluation highlight significant opportunities for the future of air permitting policy in the U.S., and we look forward to working with you further to build on these results. If you have any questions concerning this report, please contact Michael Trutna at (919) 541-5345, or Dave Dellarco at (206) 553-4978.

Attachments

cc: Bruce Buckheit, OECA
Lisa Friedman, OGC
EPA Regional Air Division Directors
EPA Permit Review Team

David Beck, OAQPS
David Bray, Region 10
Dave Dellarco, OPEI
Lisa Friedman, OGC
Craig Haas, OECA
Mario Jorquera, OECA
Patricia Mott, OECA
Barrett Parker, OAQPS

Roger Powell, OAQPS
Gary Rust, OAQPS
Mike Sewell, OAQPS
Michael Trutna, OAQPS
Shirin Venus, OECA
Anna Wood, OPAR