# SECTION XIII

# INTERGOVERNMENTAL COOPERATION

# XIII - INTERGOVERNMENTAL COOPERATION

## A. State and Local Agencies (Intrastate)

To accomplish the objectives of implementing, maintaining and enforcing air quality standards for the State, the Texas Air Control Board must assume the final authority and responsibility to the citizens of the State. Nothing in this section is proposed to relieve the State of its ultimate responsibility. However, there also must be a joint effort by the people, local governments and air pollution agencies, State air pollution authorities and Federal Environmental Agencies to accomplish the necessary activities. In this regard, the State has requested local agencies to participate in the air pollution control functions required to reach our goals.

1. Meetings were held in 1971 and agreements for carrying out the program were made with each of the local agencies listed below:

   Dallas City Health Department
   Lubbock City-County Health Department
   Houston City Health Department
   San Antonio Metropolitan Health Department
   Galveston County-Mainland Cities Health Department
   El Paso City-County Health Department
   Laredo-Webb County Health Department
   City of Fort Worth, Department of Public Health
   Jefferson County
   Corpus Christi-Nueces County Department of Health and Welfare
   Harris County Pollution Control Department

2. The establishment of air control agencies in the areas listed below is being encouraged. The operation of agencies will be incorporated into this Implementation Plan as funds become available:

   Austin-Travis County
   Wichita Falls-Wichita County
   Waco-McLennan County
   Hidalgo-Cameron Counties (Bi-County)
   Texarkana-Bowie County
   Midland-Ector Counties (Bi-County)
   Randall-Potter Counties (Bi-County)
   Abilene-Taylor County
   Dallas County
   Tarrant County

Orange County
Denison-Sherman-Grayson Counties (Tri-County)
City of Pasadena

3. Letters outlining agreements with each agency are on file. The accompanying table delineates the relationships and functional activities for the participants. Policy guidance and assistance will be given by the State to local agencies as required or requested. By delineating relationships in the table, there is no intent to prohibit any accomplishment or the establishment of capability for any function by any agency.

4. The coding used in the Table is as follows:

   A - Primary Action
   C - Coordination and/or Cooperation
   F - Federal Government may also participate
   G - Guidance and assistance furnished
   V - Coverage given when not furnished by others
   X - Secondary action or action at the option of the agency.

5. The Environmental Protection Agency has discontinued funding to the air control programs of these local agencies:

   Lubbock City-County Health Department
   Laredo-Webb County Health Department
   Jefferson County
   Corpus Christi-Nueces County Department of Health

   This reduction in funding will perhaps force local governments to reduce their local air pollution control efforts, depending on their ability to appropriate the local funds needed to carry on their full local air pollution control program.

B. State, Interstate and Federal (EPA)

Intergovernmental cooperation for air quality management with those states where interstate Regions exist (Louisiana, Arkansas, Oklahoma and New Mexico) has been developed. Exchange of data, specific plans, and standards is accomplished through periodic meetings. At these meetings, the requirements for the interstate region, exchange of air quality and source data, implementation of control strategies and other procedures are discussed.

Meetings between members of the Texas Air Control Board staff and representatives of interstate regions are held periodically. Copies of correspondence outlining agreements are included as Attachment 1 to this Section.

1. Air Quality Data - Plan development between Texas and the other contiguous states is continuing. As each state's air monitoring sites are activated data will be interchanged and sent to EPA as a routine matter.

2. Source Data - In those instances where source data is pertinent, the source lists and detail data on each source are exchanged with the appropriate states. Control strategy testing for appropriate regions will be a cooperative effort by the states involved. Any new or modified installations in an interstate region requiring issuance of permit and operating approval will be coordinated with the states involved. All necessary data will be furnished.

3. In addition to the plans for exchange of information between elements of interstate regions, Texas Air Control Board will cooperate in exchanging data with all other state and local agencies (both within Texas and in all states) having responsibility for implementing national standards. This program will continue where air quality is a common interest and where emission sources may effect others outside of a region.

STATE AND LOCAL AGENCIES

TABLE OF PARTICIPATION

| FUNCTION | LISTED LOCAL AGENCIES | TEXAS AIR CONTROL BOARD (Includes Regional Offices) |
|---|---|---|
| I. LEGAL AUTHORITY | | |
| Publish Regulations | | A |
| Enact Ordinances | A | C |
| Conduct Hearings | A | A |
| Enforcement (Initiate action) | A | C,G |
| Enforcement ( No local agency action or inadequate local enforcement) | | A |
| Grant Variances | C | A |
| I. CONTROL STRATEGIES | | |
| Set Standards | X | A |
| Establish Strategy | | A |
| I. COMPLIANCE SCHEDULE | | |
| Set Schedule | | A,F |
| Industry Review | | A |
| V. EMERGENCY | | |
| Emergency Plan | X | A |
| Set Criteria | X | A,F |
| Emergency Control Center | X | A |
| Notification and Announcements | A | A |
| Air Pollution Meteorological Data and Dissemination | X | A |
| Situation Evaluation and Control | X | A |
| Data Gathering | A | A |
| Inspection and Enforcement | A | A |
| V. COMPUTOR CAPABILITY | | |
| Data Bank Storage | | A,F |
| Routine Reports | | A |
| Special Studies | | A,F |

| FUNCTION | LOCAL AGENCIES | STATE |
|---|---|---|
| Data Reduction | | A |
| Analysis of Data | X | A |
| RESEARCH AND DEVELOPMENT | | |
| Equipment | | A,F |
| Methods and Techniques | X | A |
| System Analysis | X | A |
| Computor Studies and Investigations | | A,F |
| AIR QUALITY SURVEILLANCE* | | |
| Site Selection | A,C | A,G,V |
| Site Operation, Sampling and Monitoring | A | V |
| Site Maintenance and Calibration - Routine | A (Jefferson County monitoring stations will be operated by the State) | V |
| Purchase of Equipment and non-routine maintenance and calibration | X | A,V |
| Modulators/Demodulators | X | A |
| Laboratory Analysis | X | A |
| Monitoring Procedures Manual | C | A |
| *ALL ELEMENTS: State has primary responsibility in Harris County. | | |
| I. PERMIT SYSTEM | | |
| Forms and Questionnaires | C | A |
| Review of Forms | X,C | A |
| Approval Authority | | A |
| Variance | | A |
| Legal Action | X,C | A |
| Central File | | A |
| X. SOURCE SURVEILLANCE | | |
| Surveillance Control Center | | A |
| Listing of Sources | | A |
| Investigate, Survey, Inspect, and Report | A | V |
| Testing | X,C | A |

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| FUNCTION | LOCAL AGENCIES | STATE |
|---|---|---|
| Stack Sampling | C (A for El Paso, Galveston and Houston) | A (C for the annotated agencies) |
| Detect and Investigate Unlisted Sources | A | |
| X. COMPLAINTS | | |
| Central File | C | A |
| Investigation and Reporting | A | V,G |
| Compliance and Enforcement | A | V,G |
| Property Line Sampling | A | V,G |
| Laboratory and Chemical Analysis | X,C | A,G |
| Monitoring Procedures | C | A,G |
| Visible Emissions | A (For Harris County this will be a State function) | |
| I. STAFF TRAINING | X,C | A,G |
| I. FUNDING AND RESOURCES | A,F (Not including Harris County for F) | A,F |

ATTACHMENT I

# TEXAS AIR CONTROL BOARD

1100 WEST 49th STREET
AUSTIN, TEXAS – 78756

CHARLES R. BARDEN, P. E.
EXECUTIVE SECRETARY

HERBERT C. McKEE, PhD., P.E.
Chairman

HERBERT W. WHITNEY, P.E.
Vice-Chairman

WENDELL H. HAMRICK, M.D.
HENRY J. LOBLANC, SR.
CLINTON H. HOWARD
JAMES D. ABRAMS
FRED HARDMAN
WILLIE L. ULICH, PhD., P.E.

December 17, 1971

Mr. Robert V. Blanche, Director
Oklahoma Air Pollution Control Division
3400 North Eastern Avenue
Oklahoma City, Oklahoma 73105

Dear Mr. Blanche:

This is in response to the letter from Mr. John E. Trygg, Technical Secretary, Louisiana Air Control Commission concerning the agreements made between the Air Pollution Control Programs of Arkansas, Louisiana, Oklahoma, and Texas on November 4, 1971, in New Orleans, Louisiana.

I agree with the minutes of the meeting as received from Mr. Vernon C. Parker, Chairman, and I also concur with the agreements as stated in Mr. Trygg's letter.

At this time I would like to request that we conduct an interchange of emissions data so that the requirements as outlined in Paragraph 420.13 F (1) (ii) of the Federal Register No. 158, August 14, 1971, can be met. It would be of considerable assistance to my staff if this data could be received in this office by early January, 1972. The Texas data is being tabulated and will be transmitted to you this month.

We are looking forward to the April, 1972, meeting in Little Rock, Arkansas.

If I can be of further service, please let me know.

Sincerely yours,

Charles R. Barden, P.E.
Executive Secretary
Texas Air Control Board

ANDREW HEDMEG, M.D., M.P.H., CHAIRMAN
WM. T. HACKETT, VICE CHAIRMAN
CHARLES J. PASQUA
H. F. M. GARRETT, M.D.

(1) copy to each Prog Chief
(2) original to J. Salter for file

Dob

DAVE L. PEARCE
W. T. CASTAGNOS, JR.
EVERETT JACOB
JOHN L. TRYGG, TECHNICAL SECRETARY

LOUISIANA AIR CONTROL COMMISSION

Louisiana State Office Building
P.O. Box 60630
NEW ORLEANS 70160

November 19, 1971

RECEIVED
NOV 23 1971
AIR CONTROL SECTION

Mr. Charles R. Barden, Director
Texas Air Pollution Control Program
Texas State Department of Health
1100 W. 49th
Austin, Texas 78756

Dear Mr. Barden:

This will confirm the accomplishments of a meeting held on November 4, 1971, in New Orleans of representatives of the Air Control Programs for the states of Arkansas, Louisiana, Oklahoma, and Texas.

The meeting was very profitable and agreements were made which should more than adequately fulfill the requirements of Paragraph 420.21, Federal Register No. 158, August 14, 1971.

The representatives of the meeting agreed to form a sort of "ad hoc" committee composed of the Technical or Executive Secretaries of the Air Pollution Control Boards or Commissions in the respective states, or their representatives. The representatives present agreed that it would not be the intention of this "ad hoc" committee to establish policy, but merely to discuss mutual problems and attempt to solve these problems.

The representatives agreed on an exchange of data between the states affected in the interstate regions as follows:

1. Air quality data for interstate regions (SAROAD Forms) quarterly.

2. Emissions data as requested for interstate regions.

3. The semi-annual report required by Paragraph 420.7, Federal Register No. 158, August 14, 1971, for the applicable interstate regions.

4. Atmospheric Stagnation Advisories (Inversions) affecting interstate regions will be communicated to affected states. (Telephone numbers of key personnel were circulated during the meeting).

5. Copies of each state's sampling methods and the chemical analyses related thereto as the methods are developed and published.



NOV 24 1971

6. Copies of all regulations and standards as adopted.

7. Notification of public hearings on actions having an interstate impact. (It was generally agreed that whenever possible, a copy of the meeting agendas would be transmitted to the state being notified).

The representatives agreed that the "ad hoc" committee should meet at least every six months to discuss mutual problems. The next meeting of the group was set for April 1972 in Little Rock, Arkansas.

Very truly yours,

John E. Trygg
Technical Secretary

VCP:cc

ANDREW HEDMEG, M.D., M.P.H., CHAIRMAN
WM. T. HACKETT, VICE CHAIRMAN
CHARLES J. PASQUA
H. F. M. GARRETT, M.D.

DAVE L. PEARCE
LEE CASTAGNOS, JR.
EVERETT JACOB
JOHN E. TRYGG, TECHNICAL SECRETARY

**LOUISIANA AIR CONTROL COMMISSION**

Louisiana State Office Building
P.O. Box 60630
NEW ORLEANS 70160

November 16, 1971

Mr. Charles R. Barden, Director
Texas Air Pollution Control Program
Texas State Department of Health
1100 W. 49th
Austin, Texas 78756

Attention: Mr. Ken Ports

Re: Meeting of Air Control Representatives, New Orleans, LA
November 4, 1971.

Dear Mr. Barden:

We are enclosing a copy of the transcribed minutes from the meeting held on November 4, 1971 in New Orleans. The minutes were transcribed and edited, etc., and reflect the general topics being discussed. We would appreciate your making any corrections you deem pertinent and necessary and returning to us and we will try to up-date all of the corrections and come up with a finished set of minutes.

We are also enclosing a rough draft of a letter you might care to use to the other air control people in the states represented stating our intentions for the "ad hoc" committee and the agreements we reached at the November 4, 1971 meeting. Again, if you would make any changes or suggestions to the letter draft and return these to us, we will try to get out a completed and finished copy of this letter to each of the states represented.

Very truly yours,

Buck

Vernon C. Parker, P.E., Head
Div. of Air Control & Occupational Health
Louisiana State Department of Health

VCP:maz

RECEIVED
NOV 19 1971
AIR CONTROL SECTION

November 16, 1971

To: Appropriate Air Pollution Control
Agency Heads in Arkansas, Louisiana
Oklahoma and Texas.

Dear Mr. _____:

This will confirm the accomplishments of a meeting held on November 4, 1971, in New Orleans of representatives of the Air Control Programs for the states of Arkansas, Louisiana, Oklahoma, and Texas.

The meeting was very profitable and agreements were made which should more than adequately fulfill the requirements of Paragraph 420.21, Federal Register No. 158, August 14, 1971.

The representatives of the meeting agreed to form a sort of "ad hoc" committee composed of the Technical or Executive Secretaries of the Air Pollution Control Boards or Commissions in the respective states, or their representatives. The representatives present agreed that it would not be the intention of this "ad hoc" committee to establish policy, but merely to discuss mutual problems and attempt to solve these problems.

The representatives agreed on an exchange of data between the states affected in the interstate regions as follows:

1. Air quality data for interstate regions (SAROAD Forms) quarterly.
2. Emissions data as requested for interstate regions.
3. The semi-annual report required by Paragraph 420.7, Federal Register No. 158, August 14, 1971, for the applicable interstate regions.
4. Atmospheric Stagnation Advisories (Inversions) affecting interstate regions will be communicated to affected states. (Telephone numbers of key personnel were circulated during the meeting).
5. Copies of each state's sampling methods and the chemical analyses related thereto as the methods are developed and published.
6. Copies of all regulations and standards as adopted.
7. Notification of public hearings on actions having an interstate impact. (It was generally agreed that whenever possible, a copy of the meeting agendas would be transmitted to the state being notified).

The representatives agreed that the "ad hoc" committee should meet at least every six months to discuss mutual problems. The next meeting of the group was set for April 1972 in Little Rock, Arkansas.

Very truly yours,

Secretary
Air Control Commission or Board
Arkansas, Louisiana, Oklahoma, Texas

VCP:cc

# M I N U T E S

## NOVEMBER 4, 1971 MEETING IN NEW ORLEANS

## ARKANSAS, LOUISIANA, OKLAHOMA AND TEXAS

* * * *

List of Attendees

Jarrell E. Southall, Chemist
Arkansas Dept. of Pollution Control and Ecology

Robert V. Blanche, Director
Oklahoma Air Pollution Control Division

John H. Stallings
Oklahoma Air Pollution Control Division

H. Robert Black
Texas Air Pollution Control Program

Dave Jones
Texas Air Pollution Control Program

Ken Ports
Texas Air Pollution Control Program

John E. Trygg, Technical Secretary
Louisiana Air Control Commission

Vernon C. Parker, Acting Chairman of the Meeting,
Louisiana Air Control Commission

Gilmer W. Engelhardt, Chief
Louisiana Air Control Section

Raymond C. Von Bodungen, Assistant Chief
Louisiana Air Control Section

* * * *

1. Opening Remarks - John E. Trygg

2. Intergovernmental Cooperation - One of the main reasons for calling this meeting.

3. Texas Air Pollution Control supplied a draft of their Implementation Plan.

4. Discussion of the State's Programs, (rough transcription from tape).

   Louisiana - Vernon C. Parker

   In Louisiana the Commission takes all the action, both on the matter of the the adoption of regulations and on the issuance of permits. Louisiana's Air

Control Commission, like Arkansas, is the exclusive agency for the control of air contaminants in Louisiana and the staff is the health department staff. The staff does 99.44% of the work. As long as things are rolling along pretty smoothly, with the exception of the applications, a firm or individual would not come before the Commission. When the staff starts running into opposition or some "foot dragging", it is brought before the Commission and the entire case is presented. Generally the Commission will ask for the staff's recommendation. Usually the Commission accepts the staff's recommendation pretty well. Regarding new industries, generally that too, by the time it gets to the Commission, is pretty well ironed out. On new industries, generally that too, by the time it gets to the Commission is pretty well ironed out. Permits tend to go right on down the line with no problems. At times the Commission receives certicism from the outside public because the public thinks the Commission is just giving blanket approval. The applications are thoroughly reviewed and only the problem areas are brought before the Commission. Next, requests for variances and similar items are well documented and backed-up before they get to the Commission meeting. Usually the staff gets information to the Commission members before the meeting for the Commissioner's study. Again as in the case where the Commission takes action and in the permits, the Commission asks for the staff's recommendations. The staff has been very lucky in that the Commission has not been "burned" by taking the staff's recommendations except for a couple of minor exceptions. As a rule our word is accepted rather well, even to issuing formal complaints and cease and desist orders. In the case of municipalities not doing what the staff thinks should be done, the staff can bring the municipality before the Commission. After conferences, a formal complaint is issued in which the municpality is granted 30 days to answer the charges. If the municipality satisfies the staff at the hearing held at least 30 days after the formal complaint is issued then the case is sort of dropped. If the Commission is not satisfied or the municipality does nothing then the next step is a issuance of a cease and desist order, not for the operation but for the pollution or whatever they are being charged with. If they violate this, the attorney issues a suit in the district court wherever the polluter is located. The Commission has only had one of these such instances and it has been tied up in court for over a year. As a result most of Louisiana's operations have been done by conferences, anc conciliations, prior to even getting to the Commission. A few things have been done by Commission action, but as a rule, most of the good work is done outside of the Commission hearings. In Louisiana, most things are systematized so that the Air Control Commission is not required to put in that much time.

Arkansas - Jarrell Southall

Arkansas's program is similar to that of Louisiana. Arkansas has a Department of Pollution Control and Ecology. It is a separate agency that has air and water and environmental preservation, etc. The consolidation of all of these activities causes tremendous pressures on their Commissioners. The Commission does adopt and promulgate rules and has the power to vary or to modify those rules as needed. Very few variances are granted. In order to expedite the Commission meetings, all permit applications are approved as they come in by the staff. At least one week before the Commission meeting, Commissioners are sent a summary of each permit application with our recommendations. These summaries are sent out routinely. A "minute order" system is used at the Commission meetings. The Commissioners initial each applicatio

This is really considered a ratification because some Commissioners felt that they wanted their vote to be recorded on the permits as well as down in the general minutes. Usually the Commission is not bothered with show-cause hearings or anything like that unless it is an extremely involved process which might require many months or years to complete. If they run into a little trouble where their encouraging remarks and work with the industry fails, then they file charges with the prosecutor and let the judge settle it for them. The state of Arkansas has been using this procedure quite a bit. In air, Arkansas has about 12 people, not all engineers, only 4 are engineers. They have had real good action from the courts. Only one case was lost and that was because of a technicality. Arkansas does not go into court unless Arkansas has a real good case. The prosecutors in Arkansas have been extremely cooperative and willing to handle the cases. The Arkansas Air Pollution Control has two attorneys at their disposal. The Attorney General's office is not the one that brings the charges against a company. These court cases are handled by local prosecutors. The Commission members do not attend the meetings. If the Commission denies a variance, it is done in a public hearing and the company is given the opportunity to present their side to the Commission or to the staff. In their Commission meeting, Arkansas tries to keep all controversial items exclusive to the Commission meetings. Arkansas uses their local prosecutors about in the same manner that Louisiana uses its Commission meetings. Arkansas was requested to send Louisiana a copy of their minute order.

Oklahoma - Bob Blanche, John Stallings

Oklahoma has only been in operation a little over two years. Oklahoma's basic law places the administration of the Clean Air Act in the hands of the Health Department. Also the State Board of Health is authorized to adopt, after public hearing and approval of the Air Pollution Council, any laws and regulations. the Air Pollution Control Division is a part of the State Health Department. The working group or operating group is the State Department of Health. The power or duties are as follows: (1) to recommend rules and regulations, (2) recommend to the Board such rules and regulations, (3) hold hearings on codes, rules and regulations, (4) send recommendations to the Board and shall by write-in and approved by at least 4 members of the Council, and (5) to compel the necessary attendance of witnesses. This is the sum total of the Council's authority and they can consider complaints or variances. In their complaint system, If they receive a formal complaint, a member is immediately to suppose to investigate it and to determine if whether or not an air pollution condition does exist. If it does and the operation is not in compliance, we are directed by the laws through conciliation, conference, and persuasion and endeavor to bring this operation into compliance. If we should fail to do this, then we should immediately develop our evidence and issue an order over the Commissioner of Health's signature ordering a cease and desist order. If the individual or company the order is directed to fails to act within 15 days, the order becomes in full force and effect. If within 15 days, they disagree with the action, the company or individual can appeal to the Air Pollution Council for a hearing in regard to the complaint. That can be considered a quasi-judicial function of the Air Pollution Council. There are 7 members on the Oklahoma Air Pollution Council. The Council can decide either way. Any case presented to the council must be well presente

as the Council may not always agree with the order. The Council had to go to court only once. If the Council does not agree with either the State Department of Health or the individual the order is against, the case can be carried further up. The Council grants the variance, the Department of Health makes recommendations after investigation of complaint. A permit system is in the process of being adopted. Oklahoma's permit system will be one to construct and one to operate and particularly directed toward new sources and not shooting at existing sources. The Commissioner of Health will be the one to approve or issue a permit. The only course of relief offered to the person involved is directly through the courts. The permit system is going before the Board of Health for adoption in December. No attorney on their staff. The Council works with the Attorney General's office. A variance is good for as long as it demonstrates effectiveness. The maximum time for a variance is one year. Oklahoma's program has about 24 people.

Texas - Ken Ports, Bob Black, Dave Jones

Texas Air Control has a Deputy Commissioner of the Health Department. Texas' authority comes under the Texas Clean Air Act, and was passed in 1965. In 1967 and 1969 the Clean Air Act was strengthened. As far as filing suits on particular sources, they can take two routes. One is through the Board for their consideration and then it goes to the Attorney General. Second, Texas has a legal staff that can write up certain cases which can go directly to the Attorney General. Then there is a hearing on the case. This type of procedure is usually at the discretion of the Executive Secretary of the Air Control Board. The Executive Secretary is also the Deputy Commissioner of Health. On their legal staff there are three lawyers at the present time. The legal staff writes up certifications and helps him determine which problems should be going to the Board. The Agency Coordination Section is next and does exactly what is implied, that is to coordinate all the agency functions. Texas has a permits and inventories program which consists of emissions inventory and the issuance of permits to operate. The Technical Secretary issues those permits for Texas. No formal hearings are held on routine things. A hearing is held if the staff feels that there is a problem that they might not be able to answer. The Executive Secretary has the power to deny or accept the permit. The state of Texas has a compliance program which is really a simplization to keep in contact with what is compliance with most of the sources and tries to help coordinate all of the compliance functions within the state. This includes the variances which they have and other programs, primarily their stack sampling program. The stack sampling program is initiating a source surveillance program also. So far, Texas has about 22 people on their stack sampling program. It consists of one crew. Texas plans to do contract work in order to get help with the sampling throughout the state. By the end of the fiscal year the program should have about 232 people. It is the plan of the Texas Air Pollution Control to sample every stack, that is, new sources for different pollutants within a year. The job is going to be done on a priority basis. Texas plans to guarantee the federal government "nothing" in their Implementation Plan. Next they have Air Quality Evaluation Programs. In the Air Quality Evaluation Program they have close to 40 people. Next the Implementation Plan Training Program and the Regional Offices. Texas plans to have 12 regional offices by the end of this fiscal year. The regional offices are a part of air pollution control services. They have 12 Air Quality Control Regions in Texas. In the total program about 50% of the people are engineers. Texas will have a regional engineer in each office. Texas has 10 local programs along with the City of Houston and also Harris County.

5. Discussion of a letter initiated by Texas to New Mexico stating agreements made by the two states at the meeting in El Paso. Letter reiterates a discussion by the two states regarding interstate cooperation for Implementation Plan purposes.

Seven points agreed on as follows:

(1) Air quality data for interstate regions (SAROAD Forms) quarterly.
(2) Emissions data as requested for interstate regions.
(3) The semi-annual report required by paragraph 420.7, Federal Register No. 158, August 14, 1971, for the applicable interstate regions.
(4) Atmospheric Stagnation Advisories (inversions) affecting interstate regions will be communicated to affected states.
(5) Copies of our sampling methods and the chemical analyses attendant thereto as the methods are developed and published.
(6) Copies of all regulations as adopted.
(7) Notification of public hearings on actions having an interstate impact.

6. Discussion of Mr. Trygg's letter to Mr. Bob Blanche in reply to his letter. It was agreed that there should be no federal representation at this type of interstate meeting.

7. Committee talked about an "expression of intent", (statement of intent).

8. Organization of a committee. A representative from each state to meet semi-annually - mutual agreement for representatives to meet not less than semi-annually. This is not an Interstate Pact.

9. Statement was made and agreed to that it is not the intent of the Committee to set policy. We are not trying to set policy but to discuss mutual problems.

10. Other interstate committees cooperating are acceptable to the committee. It is acceptable in the proposing of this to New Mexico - no objections to the exchanges of information.

11. There was a discussion of the times the federal government came in "cold" and took over state programs.

12. Discussion of what is involved in the requirements and fulfillments of the Implementation Plan.

13. Discussion regarding "Resources" in the Federal Register in respect to a state's Implementation Plan. Who is going to furnish money for this expanded program? What if the state legislature cannot provide the necessary funds?

14. Discussion of "Classification of Regions". Plan to disagree by us with the Monroe-El Dorado Region II category on $SO_2$.

15. List circulated so that home phone numbers could be listed in the event that it would be necessary to get in touch with someone in another state during off duty hours.

16. Reports - STAPPA working to help establish some type of communication between our group and the federal government. STAPPA has got the federal government to reduce some of their positions on reports, duplication of effort, etc.

17. Legal Authority - Attorney General's letter.

18. Legal Authority in regard to motor vehicles, in legislature motor vehicle legal authority was not deemed necessary.

19. Discussion of effort to have sampling stations set up so that you can get good as well as bad. It is the intent to report air quality data that is representative of the area involved. Most of the present data is from bad locations and is misleading.

20. Mention made of hearing dates for Implementation Plans:

    Texas - December 9, 10, and 11, in Austin.
    Oklahoma - December 14 and 16, in Oklahoma City.
    Arkansas - December 10, in Little Rock.
    Louisiana - December 22 is only a tentative date, in New Orleans.

21. Next meeting of Texas, Louisiana, Oklahoma, and Arkansas Air Pollution Control representatives was set for April 1972, in Little Rock, Arkansas.

November 22, 1971

Mr. Larry J. Gordon, Director
New Mexico Environmental Improvement Agency
Post Office Box 2348
Santa Fe, New Mexico

Dear Mr. Gordon:

It was a pleasure to meet with Messrs. Cubia Clayton, Robert Harley, Richard Reidy, and Ken Hargis of your staff on October 28, in El Paso to discuss interstate cooperation.

I believe the meeting was very profitable and the agreements made should more than adequately fulfill the requirements of Paragraph 420.21, Federal Register No. 158, August 14, 1971.

There was detailed discussion on many aspects of both our plans and, as I am sure you are aware, we have many similar problems. In addition to the draft copy of our plan given to Mr. Clayton, my staff will send you the following information at the intervals specified:

1. Air quality data quarterly for Texas Regions 2, 6, and 11 (map attached).

2. Emissions data as requested for Regions 2, 6, and 11.

3. The semi-annual report required by Paragraph 420.7, Federal Register No. 158, August 14, 1971.

4. Atmospheric Stagnation Advisories originating from the Fort Worth weather office. It is assumed that those originating from Albuquerque will be routinely transmitted to us and the El Paso Program.

5. Copies of our sampling methods and the corresponding analysis. (As the methods are developed and published.)

6. Notification of public hearings on actions having an interstate impact. The Implementation Plan hearing notice is attached.

7. Copies of all Regulations as adopted.

We further agreed that if problems requiring cooperative action occurred in the El Paso-Las Cruces area, the local program director, Mr. John Morrison (915--543-3834) should be the first point of contact. If assistance is required from the Texas State level, Mr. Morrison will initiate the request. Action on problems occurring outside of these areas will be coordinated at the State level. Of course, there is nothing in any of these coordinating actions that should be interpreted as preventing either of us, or our staff members, from directly exchanging information at any time.

I was most impressed, as were members of my staff, in the professionalism, sincerity, and perception of your personnel. You are certainly fortunate to have such outstanding employees.

Sincerely yours,

Charles R. Barden, P. E.
Executive Secretary
Texas Air Control Board

Enclosures