UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
http://www.epa.gov/region08

MAR 19 2013

Ref: 8P-AR

Honorable Irene Cuch, Chairwoman
Ute Indian Tribe
Uintah and Ouray Indian Reservation
P.O. Box 190
Fort Duchesne, Utah 84026

Re: Notification of Consultation and Coordination on Issuance of a Title V Permit for the Deseret Power Electric Cooperative – Bonanza Power Plant on the Uintah and Ouray Indian Reservation

Dear Chairwoman Cuch,

The U.S. Environmental Protection Agency Region 8 (EPA Region 8) is initiating consultation and coordination with the Ute Indian Tribe on issuance of a proposed Title V operating permit for the Deseret Power Electric Cooperative – Bonanza Power Plant. The Bonanza facility is a 500 megawatt coal-fired electrical generating facility located in Indian country within the exterior boundaries of the Uintah and Ouray Indian Reservation. This facility is regulated by the major source air pollution control permitting requirements of the Prevention of Significant Deterioration (PSD) and Title V operating permit Clean Air Act permitting programs found at 40 CFR Parts 52 and 71, respectively. This facility holds a Federal PSD permit.

EPA Region 8 made available for public comment a draft Title V permit for this facility in August of 2002. The permit was not finalized. EPA is in the process of updating the draft permit and plans to make it available for public comment in the near future.

This consultation and coordination opportunity is being conducted based on the *EPA Policy on Consultation and Coordination with Indian Tribes* (www.epa.gov/tribal/consultation/consult-policy.htm). We invite you and your designated consultation representatives to participate in this process. We would like to complete this consultation and coordination in the next 30 days.

Whether or not you decide to accept this offer of government-to-government consultation, we plan to regularly coordinate and communicate with the Tribe's Energy, Minerals, and Air Office in connection with air pollution control permitting for facilities in Indian country within the Reservation. If you would prefer to designate an alternative representative for these communications, please notify us of that person's name and contact information. We will keep the Tribal government informed and will in any case seek your input on this permit.

The EPA Region 8 welcomes the opportunity to consult and coordinate with the Ute Indian Tribe. If you choose to consult about this permitting action, we will work with your tribal government to develop a consultation plan including a description of the process we would follow, opportunity for your input,

and timeline for the Region to provide feedback and to complete the consultation. We will send a draft consultation plan for your review as soon as practicable after we receive your reply to this letter. The Agency's goal will be to ensure that you have an opportunity to provide tribal input into these permit actions either through the formal consultation process or through communication from your staff related to the draft permit.

Please reply in writing to this letter within the next 30 days if the Ute Indian Tribe desires to consult on this permit action. The official EPA Region 8 contact person for this consultation and coordination process is Mike Owens, a permit engineer on my staff.

Thank you very much for your attention to this matter. Please contact me at (303) 312-6611, or your staff can contact Mike Owens at (303) 312-6440 or owens.mike@epa.gov, if you have any questions on this action. We look forward to hearing from you on this important matter.

Sincerely,

Derrith R. Watchman-Moore
Assistant Regional Administrator
Office of Partnerships and Regulatory Assistance

cc: Manuel Myore, Energy, Minerals, and Air Director, Ute Indian Tribe
Bruce Pargeets, Energy, Minerals, and Air Associate Director, Ute Indian Tribe
LeAllen Blackhair, Energy, Minerals, and Air, Ute Indian Tribe
Ronald Wopsock, Vice-Chairman, Ute Indian Tribe
Reannin Tapoof, Assistant, Ute Indian Tribe
Frances Poowegup, Councilwoman, Ute Indian Tribe
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