

October 23, 2000

Mamie Miller
U.S. Environmental Protection Agency
Office of Enforcement and Compliance
Assurance
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Mamie:

On behalf of the State and Territorial Air Pollution Program Administrators (STAPPA) and the Association of Local Air Pollution Control Officials (ALAPCO), thank you for attending our Fall 2000 Membership Meeting in Washington, DC to discuss EPA's draft Compliance Monitoring Strategy (CMS). Our members appreciated the opportunity to hear your perspective, as well as ask questions and provide feedback on the policy.

Pursuant to your request for alternative language to the stack testing provision in the October 16, 2000 draft CMS policy, we continue to voice our concern with the inappropriate use of the draft CMS policy to drive stack testing and, again, reaffirm that the permit process is the more appropriate vehicle for a stack testing initiative.

However, if you insist on including a stack testing provision in the final version of the policy, we strongly urge you to revert to the stack testing language in the September 22, 2000 draft CMS policy, with the inclusion that the applicability is for major emissions units after controls. It is this specific language that our members supported on the September 28, 2000 Enforcement and Compliance Committee CMS conference call, consequently, we are unclear why EPA feels the need to change the agreed upon language. While we appreciate EPA's efforts to continue to clarify the policy, our conference call notes reflect that there was no confusion regarding the stack testing language in the September 22, 2000 draft. Moreover, further consultation with our members indicates that they are adamantly opposed to the revised version of this language in the October 16, 2000 draft CMS. Finally, we believe that offering a new alternative on stack testing at this late date would reopen a process that was already brought to closure.

We look forward to the revised draft of the CMS policy. If you have any further questions or desire additional information, please contact either of us or Geri O'Sullivan of STAPPA and ALAPCO.

Sincerely,

Felicia Robinson
STAPPA Chair
Enforcement and
Compliance Committee

Curt Marshall
ALAPCO Chair
Enforcement and
Compliance Committee