

Appendix 10

Memorandum of Understanding

MOUs between agencies establishing how they will work together on SIP projects were signed in 2002. The following basic elements were included in these agreements.

- 1) Commitment to a cooperative, inter-agency approach to SIP development.
- 2) Commitment to provide resources and abide by the time lines as negotiated in the SIP project plans.
- 3) Commitment to establish a process by which a SIP Development Plan may be amended.
- 4) Commitment to abide by the dispute resolution process.
- 5) The dispute resolution contacts within each agency and their roles in the dispute resolution process.
- 6) Commitment to an on-going evaluation process to allow for continued process improvement.
- 7) Commitment for agencies to share cumulative workload information on SIP packages at least annually in order to allow for improved processing efficiency.
- 8) Process for updating the working agreement when needed for process improvement.

**EXAMPLE MEMORANDUM OF UNDERSTANDING
BETWEEN
<INSERT AGENCY NAME>
AND
ENVIRONMENTAL PROTECTION AGENCY REGION 10
FOR STATE IMPLEMENTATION PLAN DEVELOPMENT**

I. Purpose

This agreement between <Insert Agency Name> and the Environmental Protection Agency, Region 10 will serve to establish the basis for how the agencies will work together on State Implementation Plan (SIP) projects. Both agencies recognize the importance of developing quality SIPs and processing them in a timely manner. A SIP development process has been cooperatively developed within Region 10 to address concerns related to SIP processing and development. To assist in achieving the process objectives, these two parties enter into this basic working agreement.

II. Working Principles

1. <Insert Agency Name> and EPA Region 10 commit to a cooperative, inter-agency approach to SIP development.

2. <Insert Agency Name> and EPA Region 10 commit to provide resources and abide by the time lines as negotiated in the SIP project planning phase.
3. <Insert Agency Name> and EPA Region 10 commit to follow the basic procedures in the SIP-PIP Report.

III. SIP Development Plan

1. SIP Development Plans will be developed as defined within the mutually agreed to Region 10 SIP process. These development plans are working documents that guide the planning process for each SIP revision and submittal.

IV. Dispute Resolution

1. <Insert Agency Name> and EPA Region 10 commit to abide by a three-step dispute resolution process for the SIP development process as defined within the Region 10 SIP process.
2. <Insert Agency Name> and EPA Region 10 commit to resolving disputes at the lowest possible level within the respective organizations. However, disputes should be elevated when resolution is not forthcoming, in order to insure that the SIP development process continues to move forward.

V. On-Going Evaluation and Improvement

1. <Insert Agency Name> and EPA Region 10 commit to an on-going evaluation process to allow for continued process improvement.
2. <Insert Agency Name> and EPA Region 10 commit to share cumulative workload information on SIP packages at least annually in order to allow for improved processing efficiency. This will occur during the <Insert 1st, 2nd, 3rd, or 4th> calendar quarter each year.

VI. Execution/Modification and Duration of Agreement

This agreement will be in effect from the date signed by both parties and will remain in effect until amended or revoked. The agreement may be terminated immediately by either party. Amendments to this agreement may be made according to the process established in section V of this agreement.

VII. Disclaimer

This MOU is not intended to contravene any other agreements between EPA and the State, including any delegation of authority under the Clean Air Act to the State. The State and EPA recognize that each has and reserves all rights, powers, and remedies now or hereafter existing at law or in equity, or by statute, treaty or otherwise. The MOA is intended solely to facilitate inter-governmental coordination between the Parties, and

neither creates any rights in third parties nor gives rise to any right of judicial review.

<INSERT AGENCY NAME>

Environmental Protection Agency
Region 10

By _____
<Insert Name/Title>

Date _____

Date _____