

WRAP Board Meeting Minutes
Salt Lake City, UT
October 14-15, 2003

Attendees

States

Dianne Nielson, UT
Lenore Epstein, UT
Cheryl Heying, UT
Colleen Delaney, UT
Mike Edwards, ID
Sandra Ely, NM
Steve Welch, MT
Bob Habeck, MT
Margie Perkins, CO
Shirleen Tucker, CO
John Corra, WY
Dan Olson, WY
Dan Clark, WY
Lee Gribovicz, WY
Colleen Cripps, NV
Nancy Wrona, AZ
Corky Martinkovic, AZ
Ron King, AK
Dana Mount, ND
Annette Liebe, OR
Bob Saunders, WA

WGA/NTEC

Pat Cummins, WGA
Lee Alter, WGA
Tom Moore, WGA
Karen Dieke, WGA
Rich Halvey, WGA
Bill Grantham, NTEC
Bob Gruenig, NTEC
Pat Murdo, WRAP

Tribes

Governor Fred S. Vallo, Acoma Pueblo
Stanley Paytiamo, Acoma Pueblo
David Jones, Native Village of Shugnak AK
Lori Howell, Shoshone-Bannock Tribes
Kesner Flores, Cortina Indian Rancheria
Javier Silva, Cortina Indian Rancheria
Lisa Reiner, Quinault Nation
Julie Simpson, Nez Perce Tribe
Calvert Curley, Navajo Nation

Federal

Pete Lahm, Forest Service
Brian Bishof, Forest Service
Carl Bowman, Park Service
Judy Rocchio, Park Service
Chris Shaver, Park Service
Richard Long, EPA
Daryl Harmon, EPA
Barbara Roberts, EPA
Al Zemsky, EPA

Other

Dan Johnson, WESTAR
Don Arkell, WESTAR
Kathy Van Dame, Wasatch Clean Air Coalition
Duane Yantorno, ASARCO
Wayne Liepold, Phelps Dodge
Bob Neufeld, Wyoming Refining
Shawn Kendall, The Kendall Group

Tuesday October 14

1. Governor Fred S. Vallo of the Acoma Pueblo called the meeting to order at 1:10 p.m.
2. Kesner Flores gave the invocation.
3. Governor Mike Leavitt extended his welcome to the WRAP.

4. Chris Shaver, on behalf of the WRAP, recognized Gov. Vallo and Gov. Leavitt for their leadership and service to the WRAP. Both Governors expressed their thanks for the award. Governor Leavitt also announced that he was resigning as the co-chair of the WRAP and endorsed Janet Napolitano as the new state co-chair.
5. Tom Webb and Barbara Roberts from EPA provided an update on EPA activities. Tom discussed revision of the BART rule. EPA plans to re-propose the BART guidelines by April 15, 2004 and to have final guidelines in place a year later. He mentioned that a draft should be available by February.
6. Barbara discussed harmonizing all SIP submittal schedules within SAFETEA. She said that currently the bill is not moving, and will not be considered again for five months. She suggested that if states wanted to express their support for amendments that would harmonize all SIP submittal schedules they should contact the Administrator of EPA.

Tom mentioned that EPA was proceeding with the transport rule in parallel with the Clear Skies Initiative. EPA was targeting March 2004 for a draft rule proposal. Dana Mount asked how passage of Clear Skies would affect any proposal for the transport rule, and how it would affect the WRAP's technical and policy work. Tom responded that much of it will depend on the timing, but that it seemed most likely the transport rule could be promulgated before Clear Skies was passed. Annette Liebe asked which pollutants would be covered by the transport rule. Tom responded it would be primarily PM_{fine}. Chris Shaver asked how the possibility of lowering the fine particulate standard might affect rule changes and nonattainment status. Barbara and Tom both suggested any revision was so far off that it would not likely impact the more imminent rule changes, and that no formal analysis had been done to determine how a standard revision would specifically change attainment/nonattainment status. Bob Saunders noted that Washington state would be affected if the low end of the suggested revisions was adopted. Pat Cummins told the group that EPA was looking at holding a working meeting with the states and tribes to provide an update on EPA's strategy and discuss permitting, stationary source, and control technology issues. Lee Alter distributed a side by side comparison of the currently proposed multi-pollutant bills

7. Dianne Nielson moved, Kesner Flores seconded approval of the minutes. They were approved unanimously.
8. Dianne Nielson discussed the process for selecting a new state co-chair to the WRAP. She noted that a co-chair could be selected by consensus, or if there is no consensus, by a majority vote of a quorum of the voting members of the WRAP. She noted that Governor Leavitt was resigning as co-chair and had suggested Governor Napolitano of Arizona as a replacement. It was determined that a quorum of the WRAP voting members was in attendance and that there was a consensus for the selection of Governor Napolitano as the new state co-chair.
9. Bill Grantham discussed the IOC/TOC vacancies. He said that a nominating committee

would be formed and that anyone interested in being on the nominating committee should contact him. Bill also mentioned that the BART letter had been transmitted to EPA. Bill also said that he had accepted a one year appointment to go to EPA OAQPS in North Carolina. Bob Gruenig will be replacing Bill as NTEC Air Program Director, and temporarily as WRAP co-director. NTEC plans to make the WRAP Co-Director position a separate position by the middle of next year. NTEC will also back-fill Bob's position as tribal caucus coordinator later this year or early next year. More immediately, NTEC is on the verge of filling two air vacancies, a Communications Specialist and an Operations Coordinator for the National Tribal Air Association. The communication specialist will serve on the WRAP communications committee. Bill also mentioned that as of September 15 the NTEC had spent approximately \$195,000 out of a total of the \$305,000 grant for FY02, which covers March 03 to March 04.. Pat Cummins thanked Bill Grantham for his work as WRAP co-director as did Bob Saunders. The crowd went wild.

Pat reviewed the WRAP financial status report that had been distributed to all WRAP members. Pat mentioned the WRAP comments on the EPA's proposal to regulate nonroad diesel engines and fuel had been sent and a copy was included in the meeting packet. Pat also mentioned that the Federal Register notice on revisions to the Regional Haze Rule to correct Mobile Source provisions in Section 309 was available in the meeting packet. He noted that a direct final rule could not be issued because there was one adverse comment and a request to hold a public hearing. The public hearing was held in Denver and EPA will be responding to comments and hopefully issuing a final rule by the end of the year. Pat covered the Regional Planning Organization/EPA meeting held October 9 in North Carolina. He said a major discussion topic was the harmonization of SIP submittal deadlines. He said the WRAP would have to consider whether to send a letter to EPA stating a formal WRAP position. Pat mentioned the inter-RPO technical conference would be held in St. Louis November 4-6. Pat discussed the IOC meeting on NOx that was held in Denver. He said a number of recognized experts gave presentations that helped expand the knowledge base. Pat mentioned that CEED filed suit against EPA challenging the final Annex rulemaking as being inconsistent with the American Corn Growers case. He mentioned the possibility that some states would file *amicus* briefs in support of EPA's final rule on the Annex. It is likely New Mexico, Arizona, Oregon, Wyoming and Utah will support the filing of a brief. Sandra Ely asked if a draft letter had been prepared yet on harmonization of SIP deadlines. Pat said a draft letter had not yet been prepared. Sandra requested that such a letter be prepared and circulated. Dianne Nielson said she agreed with the need to prepare the letter and suggested putting a group together to draft such a letter and present it for consideration prior to the end of the WRAP meeting. Pat Cummins agreed to draft a letter and present it to the Board on October 14. Annette Liebe said the Oregon 309 SIP would be out for public comment on October 14.

10. Bob Saunders presented the WRAP 2003-2008 strategic plan. He mentioned that there were a number of comments on the plan that have been incorporated into the final document. Main highlights of the plan are setting up a timetable for all the tasks that have to be completed and the outlining how the Phase I and II technical analysis will be

completed. Incorporating the strategy development with the technical analysis is also an important element of the plan. He mentioned that the apportionment process should be closely coordinated by the IOC and TOC. Bob said that the final draft pays close attention to tribal roles and participation. He mentioned that the draft under consideration has been written as if it will be the final plan. The strategic plan lays out very well what needs to be done and the dates for completing those tasks. However, the plan does not really address how all the tasks will be accomplished. Bob finally mentioned that EPA was pleased with the WRAP effort to develop a five year strategic plan. David Jones asked about the deletion of the International Projects Forum. Bob indicated that the Forum never really developed an agenda and that much of the work of the Forum has been picked up by other Forums. David suggested that the WRAP needs to make sure one of the WRAP Forums or Committees are monitoring international issues. Pat Cummins said explicit direction would be given to the Oversight Committees to monitor international issues. Chris Shaver asked if the adoption of the Strategic Plan would include adoption of all the included recommendations, including revisions to the WRAP organizational structure. Bob indicated it would include all recommendations. Calvert Curley asked if the plan addressed classification of Tribal Class I areas. Bill Grantham and Lee Alter said that technical analyses should include Tribal Class I areas, and that the plan recognized existing tribal class I areas and also explained the overall legal framework for tribes under the haze rule. Annette Liebe moved, Bob Saunders seconded a motion to approve the plan. The motion passed unanimously.

11. Pat Cummins presented the 2004 WRAP Work Plan and Budget. Pat explained the process used to develop the work plan and budget, and the process used by EPA to award federal grant funds. The proposed budget includes \$403,000 to NTEC, of which \$75,000 is from the inter-RPO pool and is targeted for regional economic analysis; \$375,000 for National RPO projects, and the remainder to the WRAP for contractor work, staff, and travel. Tom Moore noted that a table had been prepared to show how the major activities in the work plan match with the Strategic Plan. Tom Moore and Lee Alter did slide a presentation, available on the WRAP web site, showing the major work plan tasks for 2004 and discussing the highlights in greater detail. The work plan and strategic plan are both available on the WRAP web site. Kesner Flores moved, Annette Liebe seconded approval of the work plan. The motion passed unanimously.
12. Pat Cummins presented recognition awards to the following WRAP Committee and Forum members: Rick Sprott, Julie Simpson, Chris Shaver, Tom Webb, Ernie Westman, Vickie Patton, Bob Saunders, Lewis McLeod, Ondrea Barber, Rich Fisher, Mark Comp, John Bartlitt, Mike Williams, C.V. Mathai, Pete Lahm, Colleen Delaney, Ira Domskey, Wayne Leipold, Jeff Burks, John Vimont, Marc Pitchford, Farshid Farsi, Bob Neufeld, John Bunyak, John Crouch, Fred Roach, Barry Aarons, Al Zemsky, Dan Clark, Jan Miller, Dan Olson, Kesner Flores, and Bill Grantham. Dianne Nielson and Stanley Paytiammo were presented with special recognition awards for their work on the WRAP.

Wednesday October 15

13. Nancy Wrona and Corky Martinkovic discussed the status of Arizona's 309 SIP effort. Jan Miller discussed the status of Utah's 309 SIP effort. Utah's SIP will include a Backstop Trading Rule based on the model rule, an inventory rule, and a revised smoke management rule. Public comment is open through October 31, with Board adoption targeted for November 17. If it is adopted, the SIP and the accompanying rules will be effective by December 31 with submittal to EPA by that date. Dan Olson discussed the status Wyoming's 309 SIP effort. Dan indicated that the Backstop Trading Rule, Inventory Rule, and revised smoke management rule are proceeding on parallel paths. Dan also discussed the process for SIP adoption in Wyoming. Wyoming is holding a series of public meetings to explain the 309 SIP process. The Air Quality Advisory Board held a hearing to detail the SIP content and the accompanying rules. The Board unanimously recommended the SIP be brought to the Environmental Quality Council. The SIP has been released for public comment and the Council hearing on the SIP will be held in December. The Smoke rules will be released in December and scheduled for hearing in January. Final promulgation is expected in March. Wyoming intends to meet the December 31 deadline for SIP submittal. Sandra Ely discussed the status New Mexico's 309 SIP effort. New Mexico did spend significant time developing a Smoke Management Plan. Currently, New Mexico is taking comments on the SIP and a hearing is scheduled for November. If the SIP is approved, it will be submitted to EPA in December. Sandra also mentioned that Albuquerque will be submitting a separate 309 SIP. Annette Liebe discussed the status Oregon's 309 SIP effort. Oregon has a smoke management committee working on a new smoke management plan. The SIP proposal has been released and public hearings will be held in November. The SIP will include the backstop trading rule, the inventory rule and the current state management plan. Annette mentioned that most of the opposition has come from agricultural groups who are concerned about the banning of agricultural burning. Oregon intends to submit the SIP to EPA by the December deadline. Chris Shaver asked if the states saved significant time because of the development of the model SIP and rules. Sandra Ely said the New Mexico would not have been able to meet the deadline without the model SIP and rules. Annette Liebe indicated the same thing for Oregon. Rick Sprott said that the WRAP was critical to the completion of work necessary to write the SIPs. Nancy Wrona said that the WRAP tools were also important in educating the states of what the requirements were.
14. Dan Arkell discussed formation of a 309 coordinating committee (a slide presentation is available on the WRAP web site). The committee has been formed as a standing committee with membership consisting of the 309 states and tribes, and provisions for adding any other members as appropriate. The committee will be concerned with helping the states and tribes implement the 309 SIPs and TIPS. Kesner Flores asked when it would be appropriate to add new members to the committee. Kesner indicated that some tribes might want to work with the committee to understand the process and potential options. Don said that the meetings were open and that any WRAP states and tribes could attend. Nancy Wrona said the previous process worked well but questioned the need for two co-chairs. Don said that it might be premature to select specific co-chairs, but that it might be needed in the future. Pat Cummins said that the process was intended

to encourage tribes that have made the decision to do a 309 SIP and tribes that are interested in understanding their options to participate. Nancy Wrona moved, Annette Liebe seconded approval of the new 309 Coordinating Committee. The motion passed unanimously.

15. Lee Alter and Colleen Delaney presented the WRAP Stationary Source NO_x and PM Report (a slide presentation is available on the WRAP web site). The report is a starting point for addressing stationary source NO_x and PM emissions, especially since stationary source emissions are expected to grow through 2018. The report concludes that the inventory is adequate for air quality modeling, but more work is necessary for control strategy development. The report presented the results of some sensitivity runs to assess control strategies and concluded the model performance needed to be improved. The report looked at 34 generally available technologies and quantified the percent reduction and cost per ton. David Jones asked if tribal data would significantly affect the modeling. Lee responded that stationary sources on tribal lands are already well catalogued in the inventory. Chris Shaver asked what the next steps were. Lee said that the WRAP should start looking more at source contributions and to continue work on stationary source NO_x and PM BART.
16. Pat Cummins presented a draft of the letter to be sent to Congressional representatives on harmonization of SIP deadlines. The Board agreed to consider the letter further before the end of the meeting.
17. Sandra Ely gave an update on the activities of the air managers committee. Model rule and STIP-II work is complete. The Committee will work on getting support for Alaska tribes and the state/tribal caucus staff. The will also be looking to form a 308 planning group, completing health and environmental assessment of haze related improvements, and considering tribal impacts from regional haze plans. Lee Gribovicz gave an update on the activities of the TOC. He mentioned that the 309 technical work is complete. He also reviewed a number of the planned activities for the Forums as shown in the work plan. He noted that the 2004 attribution of haze project was complete. The TSD has been distributed as a final draft with the final TSD expected in December 2003. He also said that there will be additional 309 technical analyses will be performed in 2004 based on comments received on the 309 SIPs. Rick Sprott introduced the update on the activities of the IOC. Lee Alter discussed the Stationary Source Forum. The Forum will undertake the Annex implementation. There will be a number of 2004 activities focused on meeting the BART requirements of the regional haze SIPs. The Forum has currently been busy determining the state and tribal needs for assistance on identifying BART eligible sources. Bob Neufeld discussed the activities of the Mobile Source Forum. The Forum will be focusing primarily on policy issues including developing guidance for western states and tribes to use when addressing emissions from existing mobile sources and implementing demonstration projects based on the guidance. Mobile source emissions inventory work will now be managed by the Emissions Forum. Lee Alter discussed the activities of the Economic Analysis Forum. The Forum has developed a common framework to provide direction and consistency in WRAP economic analyses. The Forum will apply the framework to potential or historical emission control strategies

and develop a screening tool for the routine assessment of control strategies. It is the intent of the Forum to coordinate closely with the other forums. Carl Bowman discussed the work of the In and Near Forum. The Forum is finalizing the micro-inventories for emissions in 8 national parks. The Forum is also finalizing characterization of emissions near all Western Class I areas. The Forum will identify areas for more in-depth analysis and for consideration in the gateway community project. Dan Clark discussed the activities of the Communications Committee. Key ongoing activities include web site maintenance and upgrade, development of publications such as the newsletter and fact sheets for public meetings, transitioning from 309 to 308 SIP development, providing any requested support for public meetings, and increasing involvement on tribal issues. Dan requested additional participation from a 308 state on the Committee. Pete Lahm discussed some of the activities of the Fire Emissions Joint Forum. The Forum is looking at how sensitive the modeling is to fire sources. He also said that the Forum would be forming a work group to consider *de minimis* levels for tracking fire. Pete also said that the Forum was working on expanding the membership of the Forum to include broader representation from tribes, industry and academia.

18. Jeff Burks provided an update on the renewable energy certificates project (a slide show is available on the WRAP web site). Renewable energy certificates represent power generation from renewable energy sources. The WRAP adopted a policy on RECs in April 2003. This policy included establishment of a single institution in the WRAP region to track and oversee trading of renewable energy certificates in the West. The WGA will partner with the California Energy Commission and the Air Pollution Prevention Forum to create the tracking system and the institution to manage the RECs. This will include broad stakeholder participation as well. The working group is preparing a work plan, and conducting a needs assessment survey. It is the intent of the working group to have the WREGIS operational by January 2005. Kesner Flores asked about the difficulties tribes might face in participating in such programs. He asked if the working group could examine what it would take to remove impediments and attain broader participation from the tribes. Jeff indicated the working group would be considering these issues. He also said the AP2 Forum could do some advocacy work with consultants. Kesner requested that NTEC help facilitate exchange of information between tribal groups such as CERT. Chris Shaver asked if it would be possible for the WRAP to become involved in the marketing of green power. Jeff added that it would be important for states to take credit for policies and programs that lead to more power generation from renewable sources.
19. Bill Grantham requested volunteers to serve on a nominating committee for IOC and TOC vacancies. It was agreed the WRAP co-chairs would recruit participants for the nominating committee. Pat Cummins suggested that the same group could also be responsible for reviewing the WRAP Operations with respect to the Charter and By-Laws.
20. The letter to the Congressional delegation regarding harmonization of the SIP submittal dates was approved. It will be signed by Governors Napolitano and Vallo and transmitted as soon as possible.

21. It was agreed to delay consideration of a Board meeting in the Spring until after submittal of the state 309 SIPs.
22. Stanley Paytiamo gave the benediction
23. The meeting was adjourned at 12:10.