

April 13, 2004, Stationary Sources Joint Forum (SSJF) Phone Call
Extending the IAQR to the West – Follow Up from Tempe Board Meeting

IAQR Letter to EPA, Principles, and Questions Discussion

Pat Cummins began the phone call with a discussion of where things currently stood with respect to the next steps letter that was recommended by the Board.

- Pat informed the group of the Board Meeting that occurred on April 7 and 8, 2004 in Tempe, Arizona, and explained that much of the meeting was spent discussing the Interstate Air Quality Rule (IAQR)
- Pat explained that he was trying to put together a letter to EPA that contained the principles developed by the SSJF, the changes recommended by the Board, a letter to EPA expressing the Board's current thinking, and a document containing questions for EPA regarding the IAQR. Pat also mentioned that he had sent this information to the Board late last week.
- Pat explained that he had received comments from the Board on the letter, questions, and principles, and indicated that he would be revising these documents for the Board over the next couple of days, with the hope of presenting this information to EPA before the end of the week.
- Pat explained that he would copy the SSJF on the draft documents that are being sent to the board, and if that the SSJF had any significant comments, to please inform Pat directly.

Pat then explained that he thought it was necessary to simplify the message that the WRAP was sending to EPA. He stated that where the WRAP has been is that the extension of the IAQR to the West is something that the WRAP is interested in, but that the WRAP needed more detail. He explained that the WRAP has no official position on this issue at this time, but that the partnership has questions and would like to work with EPA to see if extending the IAQR to the West is a good thing.

Pat also explained that if the IAQR is to be extended to the West, the WRAP would need to understand the cap that EPA is proposing for EGUs as well as the types of decreases in emissions from those types of emissions units. Pat explained that he hoped that the Supplemental Notice of Rule Making would include that information.

Pat also explained that there is a lot of work to be done on the Principles, and that he wanted them to be revised so that they were not perceived as presenting a position of support or dissent. He explained that it was important that these principles still be shared with EPA, however, as they do present key issues that need to be addressed by EPA before the WRAP can make an informed recommendation about the proposed expansion of the rule.

Pat also pointed out that whatever letter gets sent to EPA needs to urge them to pay attention to the individual tribes in the West, and make certain that they address all of the

tribal concerns about the rule. He emphasized that the EPA needs to do the government to government consultation with the tribes, and that while the WRAP encompasses all of the Western tribes, it does not represent all of these tribes.

Pat explained that his goal is to convey the WRAP's message, and to do so simply and directly. He explained that there might be a need to make some changes to the verbage, but that the basic message that has been presented remains the same.

Pat then explained that in the meantime, while we wait for the supplemental notice of rule making on the IAQR, the group should consider the following items:

- Be prepared to respond -
 - Pat explained that we are interested in basing the NOx cap on aggressive combustion controls, and that the group should think about putting together a subcommittee to assess the current level of technology and emissions levels in the West. He stated that some of this information is available in a very preliminary format through the NOx-PM10 report, but that more analysis can be undertaken on this issue.
 - Pat discussed his thoughts on Interim Sources (?)
 - Pat explained that the workgroup should begin thinking about questions on the Reasonably Attributable Visibility Impairment (RAVI) Best Available Retrofit Technology (BART), and how a source specific BART for visibility will work under a situation where there is a regional cap that already requires general emission reductions.
- Be prepared to meet –
 - Pat explained that he would send out an e-mail with these ideas, looking for volunteers for potential subcommittees.
 - Pat explained that this would be the basis for discussion at an upcoming meeting for the SSJF

Pat then allowed the group to discuss where it was going with the list of questions to EPA, and asked that we thinking about the cover letter and principles that would be transmitted to EPA. He explained that we need to refine our thoughts, and provide input to EPA in the form of these documents. He also explained that any changes that the group makes must percolate to the WRAP Board, as they are the only ones capable of presenting the WRAP's position on these issues. He also stated that all of these changes need to be done very soon, else the group's comments are at risk of becoming irrelevant to EPA.

Bonnie Turner with Westmooreland Coal then expressed some concerns that the principles, as they were drafted, did not touch on two points she thought to be very important.

- EPA should be mindful of keeping a supply of reasonably priced electricity
- There should be a statement that discusses protecting the economic bases of rural communities that rely on these EGUs for revenue

Pat thanked Bonnie for her concerns, and asked whether or not she had seen the information from the Denver meeting, or the WRAP Board meeting last week. He explained that EPA had already done some research into this issue, and their research showed that there would be no change in the cost of electricity due to the IAQR, and that there would not be a lot of fuel switching as a result of the rule. Pat also explained that EPA's presentation seemed to indicate that there would be more use of coal in the future, as a result of the IAQR.

Bonnie explained that she was aware of the analysis, but that her company disagreed with EPA's position on these issues.

Bob Palser of the Sierra Club then explained that Item 4 of the principles needed a little more work in his opinion. He explained that the principle talks about Non-Attainment Areas (NAAs), but that the term NAA did not go far enough in his opinion. He explained that he was concerned about areas that had sensitive meteorology, areas that are maintenance areas, and other areas that are impacted by sources outside of a local air pollution control authority's jurisdiction.

Pat asked if changing the term NAA to NAAQS compliance and maintenance areas would solve the issue. Bob indicated that this would help ease his concerns.

BART Eligible Sources Discussion

Pat then asked Lee Alter to provide the group with an update about the status of the project to identify BART eligible sources.

Lee explained that the subcommittee was working to identify BART eligible sources, and was looking into constructing a single database to track the status of these sources. He explained that the hope is to develop consistent procedures for determining BART, as well as perhaps an alternative to doing the Regional Haze BART on a case-by-case basis. He explained that the work group was up and running, and that a consultant, Eastern Resources Group (ERG), had been hired to assist the WRAP in this endeavor. He then explained that ERG is looking at California, and its unique situation, and is looking into what information each state might have regarding these issues.

Lee identified Stephanie Finn in ERG's North Carolina office as the manager of this project, and then identified the following work group members:

Lee Alter (WGA/WRAP), Eric Massey (SSJF co-chair/Arizona DEQ), Tina Suarez-M(?) (California Air Resources Board), Steve Fry (EPA Region IX), Chad Schlichtemeier (Wyoming), Al Newman (Washington), and Cathy Messerschmitt (NTEC).

Closing Comments

Pat then explained to the group that people anticipate that EPA will release the proposed revisions to the Regional Haze BART rule later this week. He stated that it was his assumption that the forum would want to recommend that the Board comment on this rule.

After some discussion (and a subsequent e-mail from Steve Fry at EPA Region IX), it was determined that the rule was to be proposed on April 15, 2004, and have a 60 day comment period.

Pat then asked for suggestions as to when and where the next SSJF meeting should occur. After much discussion, the probably date and location was determined to be Denver, Colorado, around June 2-3, 2004. Pat explained that he would follow up with an e-mail confirming final plans.