



# **WRAP**

## **TRIBAL NEWS**

November 2005

### **WRAP ACTIVITIES - TRIBAL SYNOPSIS**

#### **Mercury Session Set for December WRAP Board Meeting:**

The mercury session scheduled to take place during the morning of Thursday, Dec. 15, as part of the larger WRAP Board meeting has been finalized and is displayed below:

- 8:00           **Discussion of Mercury Issues**
- **An Overview of Mercury**
    - Mercury Transport, Fate and Health Impacts
      - Ellen Brown, Policy Analyst,  
Office of Policy, Analysis and Review,  
U.S. Environmental Protection Agency
    - Cost-Effective Strategies and Emerging State Regulations for Controlling Mercury Emissions from Western Coal-Fired Power Plants
      - Praveen Amar, Director, Science and Policy  
NESCAUM
    - Wet Deposition of Mercury Across the United States: Results from the Mercury Deposition Network
      - David Gay, Associate Research Scientist  
Mercury Deposition Network
    - Mercury Monitoring on the Fond du Lac Reservation
      - Joy Wiecks, Air Quality Technician  
Air Quality Program  
Fond du Lac Reservation
    - Questions and Answers
- 10:25           Break
- 10:40           **Western Perspectives on Mercury - Panel Discussion (15 min. each)**
- Leo Drozdoff, Administrator,  
State of Nevada, Division of Environmental Protection
  - Tribe Representative – TBD
  - Vickie Patton, Senior Attorney  
Environmental Defense

- Industry Representative – TBD
- Question and Answers

12:00      **Next Steps**  
 12:30      Adjourn Meeting

If you have any questions or comments regarding the mercury session agenda, please contact Bob Gruenig, WRAP Co-Director, via phone at 505-242-2175 ext. 103 or via e-mail at [bgruenig@ntec.org](mailto:bgruenig@ntec.org).

**News From Alaska:**

This (condensed) from Jerry Pardilla, Alaska Native Outreach Coordinator:

Stephen Hartsfield (National Tribal Air Association ) posted information about the new PM standards and that EPA was going to take a position to only look at urban PM issues and not rural. It seems the EPA rationale to only focus on urban issues was lack of evidence/studies for rural areas. I read the comments by Alaska DEC and am encouraged that the state commented on the urban vs. rural aspect of the EPA staff paper.

ADEC commented that "a clear showing of scientific evidence is demanded of EPA if it decides that an adequate margin of safety for all citizens is continued by rescinding the PM10 standard while not adopting a new PM coarse standard applicable to rural areas." ADEC cautioned EPA that its conclusion "urban coarse fraction is more toxic than the rural coarse fraction" may be due, in large part, to a lack of data from rural areas. ADEC also pointed out that the state and tribal monitoring in recent years has recorded exceptionally high PM10 exposure conditions in many rural Alaska communities. ADEC pointed out that its review of medical literature pertaining to rural Alaska locations and native Alaskan people suggested a higher incident rate of respiratory ailments in rural Alaska than expected. ADEC also commented that the change in the PM coarse standard would directly impact its ability to reduce rural PM exposures in many villages and rural hub communities.

**WRAP Schedule and Technical Analyses of Control Strategies Supporting Regional Haze Planning:**

The overall schedule and approach for technical analyses of control strategies through 2018 supporting regional haze planning in the WRAP region is summarized in the section below. The approach is intended to fulfill the following

- Consistent and comparable, and reproducible regional analyses of technical data;
- Interstate consultation of the emissions contributions of states and tribes to each Class I area; and
- Assessment of the visibility improvement from adopted and proposed control strategies at each Class I area within and downwind of the WRAP region.

<p>September through December 2005</p>	<p>2018 Base Case Definition</p> <ul style="list-style-type: none"> <li>• Known control programs, i.e., what emissions will be in 2018 if no additional controls are adopted</li> <li>• Projected from 2002 emissions (2000-04 in the case of fire emissions)</li> </ul>	<p><b>2018 Base Case Control Programs</b></p> <ul style="list-style-type: none"> <li>• Federal on-road and non-road mobile emissions</li> <li>• §309 SIPs (5-state SO<sub>2</sub> Annex)</li> <li>• Controllable fire emissions (use 2000-04 baseline for 2018)</li> <li>• Point and area sources:             <ol style="list-style-type: none"> <li>1) Statutes and rules “on the books” as of 12/2004 to be implemented before 2018</li> <li>2) Sources to be operational before 2018 (permitted and under construction as of 12/2004)</li> <li>3) Includes quantified SIP measures, NEAPs, EACs, MACT, etc.</li> <li>4) Accounts for economic and demographic factors</li> </ol> </li> </ul>
<p>August 2005 through September 2006</p>	<p><b>2018 Regional Control Options</b></p> <p>California PM<sub>2.5</sub> and ozone SIP measures          BART- individual eligible sources added up for regional analysis          Point Source backstop cap and trade for BART + other point sources, options for:</p> <ul style="list-style-type: none"> <li>• Regional NOx</li> <li>• Regional SO<sub>2</sub></li> <li>• Nested §309 SO<sub>2</sub></li> <li>• Others?</li> </ul> <p>Fire - greater application of Emissions Reduction Techniques for fire emissions to meet definition of regionally consistent enhanced smoke management programs – sensitivity evaluation          Dust - greater control levels and/or spatial extent of existing Dust Control programs – sensitivity evaluation</p>	
<p>Not for regional analysis</p>	<ul style="list-style-type: none"> <li>➤ Area sources in general</li> <li>➤ Dust sources in general</li> </ul>	

Additional information regarding the aforementioned control strategies is available in the 2005-07 WRAP Workplan and 2003-08 WRAP Strategic Plan at:  
<http://www.wrapair.org/WRAP/docs.html>.

**FEJF Fire Tracking Systems Project to Evaluate Existing Tracking Systems:**

As a complement to the Fire Tracking System (FTS) policy adopted by the WRAP Board in April 2003, the Fire Emissions Joint Forum (FEJF) is overseeing a project to evaluate existing fire tracking systems in order to meet the minimum spatial and temporal fire activity information needs, in accordance with the policy, to consistently calculate emissions and uniformly assess fire impacts to regional haze.

Both web-based and historical systems (e.g., wildfire systems) may be listed, however, the primary emphasis of the project will be on real-time data import and export capabilities. The FEJF project, at a minimum, will be looking at the Nez Perce Tribe Tracking System, New Mexico Smoke Management Database, Airshed Management System for Montana/Idaho, FASTRACS for Oregon, and systems currently being used in Florida and South Carolina. The project should ultimately provide the following deliverables:

- A feasibility assessment of existing systems;
- An analysis of modifying each system to include WRAP needs (e.g., what needs to be done to make the system fit our needs); and
- Estimate resources needed to modify the system to meet the required elements for tracking prescribed fires. The cost estimate should include development hours, any additional hardware costs, ongoing system costs, etc. The estimate should be itemized and should include some of the additional optional elements, provide for regional coordination, and transfer of data to the WRAP's Emissions Database Management System.

An emissions inventory and tracking system for fire is a specific requirement under Section 309 and a broader requisite under Section 308 of the Rule. The fire tracking system and WRAP emissions inventory system are regional approaches to the data gathering and tracking initiatives, which are specifically encouraged in the Regional Haze Rule. For further information concerning this project, contact Ken Cronin, Tribal Caucus Coordinator, via phone at 505-242-2175 ext. 115 or via e-mail at [kcronin@ntec.org](mailto:kcronin@ntec.org).

**TIP/FIP Framework Analysis Underway:**

Underlying many issues for tribes in the WRAP region has been an uncertainty about EPA's policy for implementation of the Regional Haze Rule on tribal lands. Although the Tribal Authority Rule provides an overall framework, there are a number of unresolved issues such as which elements under Section 308 and 309 are "reasonably severable" under a tribal implementation plan, or when is federal implementation of a Section 308 or 309 plan on tribal lands necessary or appropriate. NTEC is beginning to address such issues through development

of policies which could ultimately help streamline the development, submission and acceptance of tribal regional haze implementation plans by providing EPA regional offices with guidance regarding the appropriate severable elements under such plans, or help these same offices to understand when a federal regional haze implementation plan on tribal lands might be necessary or appropriate in lieu of a plan submitted by a tribe or tribes.

The TIP/FIP framework analysis and policy development work is currently underway, being conducted under the direction of Bill Grantham, Senior Air Policy Analyst at NTEC, with the assistance of a legal intern, Abby Wear. All questions and comments may be forwarded to Bill via phone at 505-242-2175 ext. 116 or via e-mail at [bgrantham@ntec.org](mailto:bgrantham@ntec.org).

**Communications Committee – Children’s Handout Available:**

The children’s handout developed by the Communications Committee has been printed and is available for distribution to tribes and tribal organizations at no cost. The handout has also been placed on a cd and may be printed at will. This cd is also available at no cost. If you would like hard copies and/or a cd, please contact Sandra Sac Parker at 505/242-2175 ext. 104 or [sparker@ntec.org](mailto:sparker@ntec.org).

The handout is also available in a downloadable format on the WRAP website at [www.wrapair.org/kids](http://www.wrapair.org/kids). The committee developed the handout “What Can You Do to Help Prevent Air Pollution?” as a fun and colorful method of making children aware of how their actions can affect the air we breathe.

**EPA Re-Opens Public Comment Periods on Mercury Emissions Regulations:**

The U.S Environmental Protection Agency has reopened for public comment two recent actions governing how the Agency regulates mercury emissions from utilities. The Agency is taking this action in response to petitions filed by several states, tribes, industry, and environmental groups.

The EPA will seek additional comment on [the March 15, 2005, Clean Air Mercury Rule](#) (CAMR) which established the cap-and-trade approach EPA is using to regulate mercury air emissions from utilities.

In a separate notice, EPA seeks additional comment on portions of its March 15, 2005, rule in which the Agency determined that it was not appropriate or necessary to regulate hazardous air emissions from utilities under Section 112 of the Clean Air Act. ([the Section 112 rule](#))

The EPA recently held a hearing on both actions on [November 17, 2005](#) in Research Triangle Park, North Carolina. The comment period for both actions will last until [December 19, 2005](#).

**EPA Also Extends Comment Periods for Two Other Issues:**

The EPA is granting the public additional time to comment on certain aspects of the Clean Air Interstate Rule (CAIR). CAIR requires 28 states and the District of Columbia to reduce emissions of nitrogen oxides and sulfur dioxide from power plants. The EPA issued the final CAIR on March 10, 2005, but will allow additional comments on the following four items:

1. analysis done by EPA to address claims regarding alleged inequities resulting from the method used to allocate SO<sub>2</sub> emissions allowances to sources for those states that participate in EPA's trading programs;
2. the method used to establish state NO<sub>x</sub> allocation budgets;
3. certain parts of the modeling EPA used to determine whether Minnesota's PM<sub>2.5</sub> emissions require inclusion in the CAIR region; and
4. EPA's determination that Florida should be included in the CAIR region for ozone.

EPA will hold a public hearing on these issues on Dec. 14 in Washington, D.C. and will accept public comments until Jan. 13, 2006. The agency expects to take final action by March 14, 2006. Information related to CAIR is available at [www.epa.gov/cair/rule.html](http://www.epa.gov/cair/rule.html).

The EPA is also extending until Jan. 31, 2006, the public comment period on the agency's proposed rule (PM<sub>2.5</sub> Implementation Rule) outlining steps that state, tribal and local governments must take to reduce fine particle pollution (PM<sub>2.5</sub>) in areas that do not meet EPA's air quality standards. EPA will hold a public hearing on the proposed rule from 9 a.m. to 5 p.m. Wednesday, Nov. 30, in Washington, D.C. For information on the proposed rule and the public hearing, visit [www.epa.gov/pmdesignations](http://www.epa.gov/pmdesignations).

*This monthly newssheet is a collaboration of the National Tribal Environmental Council's (NTEC's) air program staff assigned to work with the Western Regional Air Partnership (WRAP), and condenses for the reader the activities and issues of the various forums, committees, and workgroups of the WRAP as they pertain to the tribes within the WRAP region. WRAP - a partnership of the western states (including Alaska), tribes within those states and other stakeholders - is funded by the U.S. Environmental Protection Agency, with the purpose of developing data, tools, and policies needed to improve visibility in parks and wilderness areas across the West. More information on WRAP may be found on its website, [www.wrapair.org](http://www.wrapair.org), while NTEC's website is located at [www.ntec.org](http://www.ntec.org). If you have questions or suggestions regarding this newssheet, please contact Sandra Sac Parker, Editor and NTEC air program communications specialist, at 505/242-2175 ext. 104 or e-mail [sparker@ntec.org](mailto:sparker@ntec.org).*

