WESTAR PSD Reform Recommendations

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May 16, 2005

Topics

- Background
- Issues
- Recommendations
  - PSD Permitting
  - Increments
  - Air Quality Related Values
- Status and Next Steps

WESTAR PSD Reform Initiative Workgroup

- Workgroup membership
  - Western states
  - Federal land management agencies
  - EPA HQ and 3 Regional Offices in a consulting capacity

Technical Issues

- Meteorological issues
  - 12-km grid in complex terrain
  - Limited on-site met data
- Modeling issues
  - Conducting increment analyses on a fixed schedule cannot always be justified

Technical Issues (cont'd)

- Emission inventory issues
  - Including area, mobile, and temporary sources in an increment analysis can greatly complicate the analysis
  - Class I increment consumption analysis - interstate and state/tribal coordination

Technical Issues (cont'd)

- Cumulative Effects Issues
  - Increment and AQRV cumulative effects analyses are resource intensive

Policy Issues

- Policy issues include…
  - Return on resources invested
  - Relationship between regulated pollutant and impacts
  - Time allowed to respond
  - “The cliff”
- Policy resolution » technical focus

Recommendations Related to *Permitting*

It ain't broke – don't need to fix it

Recommendations Related to *Increments*

- Manner in which increment status is determined
  - Cumulative increment analysis
    - When permit would exceed SIL
    - Periodic (5 year benchmark)
  - Emissions to exclude
    - Portable, temporary, intermittent including prescribed fires for forest health
    - Some agricultural emissions

Recommendations Related to *Increments* (cont'd)

- Deny permit if increment exceeded unless:
  - Mitigation
  - Enforceable emission reduction plan
- Opportunity to re-evaluate using more rigorous analysis (tiered approach)
- Sufficient time to develop emission reduction plan (> 180 days)

Recommendations Related to *AQRVs*

- Explicit rule language is needed to:
  - Clarify when cumulative AQRV analysis is required, and the authority permitting agencies have to address an adverse finding
  - Acceptable range of options to conduct cumulative AQRV analysis
- Flexibility in responding to cumulative AQRV adverse impact finding, but the problem must be addressed

Recommendations Related to *AQRVs* (cont'd)

- Recognition of the FLAG guidance as an important tool, not a regulation
- Support for establishing "critical loads" to support AQRV decision-making

Status and Next Steps

- Recommendations will be forwarded to EPA
- Evaluate “new framework” approaches this summer

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