United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

TAKE PRIDE IN AMERICA

AUG 1 2008

Mr. Rick Sprott, Executive Director
Utah Department of Environmental Quality
P.O. Box 144810
Salt Lake City, UT 84144-4810

Dear Director Sprott:

On May 30, 2008, the State of Utah submitted a draft implementation plan describing its proposal to improve air quality regional haze impacts at mandatory Class I areas across your region. We appreciate the opportunity to work closely with the State through the initial evaluation, development, and, now, subsequent review of this plan. Cooperative efforts such as these ensure that, together, we will continue to make progress toward the Clean Air Act's goal of natural visibility conditions at all of our most pristine National Parks and Wilderness Areas for future generations.

This letter acknowledges that the U.S. Department of the Interior, National Park Service (NPS), in consultation with the U.S. Fish and Wildlife Service, has received and conducted a substantive review of your proposed Regional Haze Rule implementation plan in fulfillment of your requirements under the federal regulations 40 CFR 51.308(i)(2) and associated parts of 40 CFR 51.309. Please note, however, that only the U.S. Environmental Protection Agency (EPA) can make a final determination regarding the document's completeness and, therefore, ability to receive federal approval from EPA.

As outlined in a letter to each State dated August 1, 2006, our review focused on eight basic content areas. The content areas reflect priorities for the Federal Land Manager agencies, and we have enclosed comments associated with these priorities. Note that we have highlighted comments in bold face that we feel warrant additional consultation prior to public release. For further information, please contact Bruce Polkowsky, NPS, at (303) 987-6944.

Again, we appreciate the opportunity to work closely with the State of Utah and compliment you on your hard work and dedication to significant improvement in our nation's air quality values and visibility.

Sincerely,

Assistant Secretary for Fish and Wildlife and Parks

Enclosures

cc:
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National Park Service Comments on the Utah Regional Haze Plan, Received by email on May 30, 2008

We appreciate the State of Utah's leadership to build on its 2003 State Implementation Plan (SIP) which addressed the requirements of the Regional Haze Rule available to states in the transport region of the Grand Canyon Visibility Transport Commission (GCVTC) and detailed in 40 CFR 51.309. The National Park Service participated in the GCVTC and believes the goals of the GCVTC, as implemented in EPA's Regional Haze Regulations, represent reasonable progress for the 16 Class I areas on the Colorado Plateau. Our comments on the current draft to the Utah SIP focus on addressing best available retrofit technology (BART) requirements and addressing Utah's impact on visibility in Class I areas outside of the State as they pertain to requirements under 40 CFR 51.309 and related sections of 40 CFR 51.308.

Major Issues

Best Available Retrofit Technology (BART)

In Section D.1 on pages 20 through 24 of the draft, Utah addresses BART requirements for nitrogen oxides (NO_X) and direct particulate matter (PM) emissions. We agree with Utah's determination of sources subject to BART, since it is based on procedures developed by the Western Regional Air Partnership (WRAP). Table 4 indicates that many Class I areas are affected by emissions from Hunter Units 1&2 and Huntington Units 1&2 at levels above 0.5 deciview for the 98th percentile.

Except for Huntington Unit 2, the State has or is permitting the remaining three units (all owned by PacifiCorp) with specific control technologies listed on page 24, and compares those technologies with the Presumptive BART limits developed by EPA in 40 CFR 51 Appendix Y. These permitted and proposed emissions limits do not appear to be developed by examining the five BART factors for an appropriate array of alternative control options. A showing that permitted or proposed emissions rates are slightly below the presumptive rates established by EPA in its rulemaking is not sufficient since EPA's costs, a primary factor, were based on industry averages. In addition, there are multiple Class I areas (all those listed in Table 4) likely to see substantial improvement on worst days by controlling emissions from these units. Improvement at many Class I areas could warrant control costs higher than the average used by EPA in establishing the presumptive levels.

We request Utah to examine a full array of control technologies, the associated costs of these different levels of technology, as well as anticipated improvements in the visibility impacts for the Class I areas listed in Table 4 to fulfill the requirements of a BART determination. We recognize that Table 7 (on page 26) presents a "post control" assessment of visibility change based on the emission rates permitted or proposed and that there is little change in the modeled impact. This type of information provided for an array of technologies and their associated costs would

address the major regulatory and statutory factors regarding degree of visibility improvement to be expected and costs of controls.

In addition, Utah should elaborate on the reasons why the sources have such a large impact on the 98 percentile when assessing whether the source is subject to BART (Table 4), yet controlling emissions to approximately presumptive BART limits shows such a small amount of improvement. For example, does Table 7 only represent improvements from changes in NO_X and PM? Are the modeling systems used in Table 4 and Table 7 identical?

Long Term Strategy for Class I Areas in Utah

Section 51.309(d)(4)(vii) requires that the SIP contain provisions for a long term strategy for stationary source emissions of NO_X and PM. As noted above, the Utah SIP provides some assessment of BART for NO_X and PM but does not address whether additional emissions controls, beyond those considered for BART, are appropriate to provide for reasonable progress. Given the importance of nitrate to a substantial number of worst days at Utah's Class I areas, we believe that an examination of stationary source controls for nitrogen oxides is required in a regional haze SIP.

According to WRAP's Technical Support System (TSS), the twenty percent worst days at Capitol Reef National Park are calculated based on 106 monitored days between 2000 and 2004. Of those, 23 days are dominated by nitrate and an additional four days have nitrate being a close second to sulfate as the key pollutant contributing to haze. The TSS includes modeling for 2002, when four of the worst days are dominated by nitrate. That year Utah's sources are the major contributor to nitrate on all days, with Utah stationary sources being the overwhelming major contributor on one day. **While the SIP does not need to establish reasonable progress goals for Capitol Reef or the other Utah Class I Parks at this time, some decision and supporting assessments on additional NO_X controls must be included in this SIP.**

Long Term Strategy and Effects on Class I Areas Outside of Utah

We applaud the State of Utah's completeness with respect to addressing the components of the long term strategy. Utah has provided specifics on the components listed in 40 CFR 51.309 for the Class I areas on the Colorado Plateau. The specifics on programs related to the sulfur dioxide backstop trading program, mobile sources, fire programs, road dust emissions and renewable energy highlight Utah's commitment to assuring reasonable progress. We find the SIP language exemplary in the way it balances fire program permitting with appropriate assessment of air quality concerns.

One critical omission from the SIP is a discussion of how the programs contained in the SIP meet Utah's obligation to address the effects of its emissions on visibility in Class I areas outside of Utah.

In the Regional Haze rules, section 51.309(a) states, ". . .Except as provided in paragraph (g) of this section, each Transport Region State is also subject to the requirements of §51.308 with respect to any other Federal mandatory Class I areas within the State or affected by emissions from the State." Section 51.309(g) mainly refers to requirements regarding Class I areas within a Transport Region State that are not one of the16 Class I areas addressed by the GCVTC. We note that §51.309(g)(2) specifically requires that the SIP demonstrate measures for assuring reasonable progress at additional Class I areas in compliance with §51.308(d)(1) through (4). This requires some examination of Utah's role in having emissions reductions needed to meet the reasonable progress goals of the affected Class I areas.

We believe the regional haze rule requires the SIP to examine how Utah's SIP addresses the State's contribution to reasonable progress at Craters of the Moon National Monument (CRMO). The TSS, Source Apportionment Results, indicate that Utah significantly contributes on the twenty percent worst days at CRMO. These worst visibility days are dominated by high nitrate concentrations, and on some worst days (e.g., December 10, 2002) Utah is the single largest contributor to nitrate concentrations and total visibility impairment.

We recognize that the State of Idaho has not yet established its reasonable progress goals for CRMO. However, Utah could examine how emissions changes expected from implementation of its SIP would reduce Utah's impacts on CRMO between the baseline period and 2018. If Utah reduces its contribution by the same or greater percentage required to meet the uniform rate of progress target established by EPA, then the State would be clearly demonstrating that they are doing their fair share toward reasonable progress at CRMO. Otherwise, if the reduction is significantly less than the percentage needed to achieve the uniform rate of progress, Utah should establish a list of stationary sources and a geographic area for mobile sources that are most influencing CRMO. The State should also assess, using the four reasonable progress factors, what an appropriate long term strategy should be. In addition, Utah should consult directly with the State of Idaho in reviewing options.

Additional Comments

WRAP Responsibilities within the SIP

In many places the SIP references work that the WRAP will provide to implement the SIP, such as tracking and reporting on emissions for SO_2, administering the backstop trading program, and other functions. The SIP acknowledges that Utah will assume responsibility for many of these functions should the WRAP not be able to provide these services. We request to be consulted at the time when Utah assumes any responsibilities in the SIP assigned to WRAP.

Estimation of Visibility Improvement

The discussion on page 109 regarding the limited improvement seen in assessments of future visibility conditions is due to impacts from wildfire, international pollution and dust events. The discussion also indicates that Utah must use the total deciview metric for the 20 percent worst days under the regional haze rule. While the rule metric is based on the average deciviews of the 20 percent worst days over time, we request that Utah report additional information that better describes the interaction between extreme wildfire and dust events, and give a more illustrative description of how visibility changes over time.

For example at CRMO, the worst visibility days were dominated by organics (likely fire), coarse mass (likely dust) or some combination of those two components for 12 days, while sulfate, nitrate or some combination of those two pollutants dominated 9 days. In 2001, organics and dust dominated 10 days while sulfate and nitrate dominated 13. Tracking the progress by pollutant over time would indicate whether the pollutants and sources that can be addressed are making reasonable progress and are actually improving the majority of days that are not affected by extreme wildfire, international transport, or dust events.

Link with New Source Review and Prevention of Significant Deterioration Program

While the regional haze rule Section 309 does not require a SIP to contain a reference to a State's program to address new sources, we request that States note in their regional haze plans that new source review and prevention of significant deterioration permitting programs are part of the overall approach for protecting Class I area visibility. These programs, with full Federal Land Manager consultation, especially protect the least impaired days from degradation. The State should cross-reference its new source review requirements to the protection of the clearest days at the Class I areas under the regional haze rule. While the SIP presents data indicating improved visibility conditions in 2018 for the clearest days, we believe the SIP would benefit from some discussion about how the State will continue a strong source review program to assure that no Class I area experiences degradation from expansion or growth of a single new source or large scale regional development of stationary sources.