United States Department of the Interior

NATIONAL PARK SERVICE
Air Resources Division
P.O. Box 25287
Denver, CO 80225

IN REPLY REFER TO:

February 19, 2009

N3615 (2350)

Mr. Richard A. Valentinetti
Director, Air Pollution Control Division
Vermont Department of Environmental Conservation
103 South Main Street
Building 3 South
Waterbury, Vermont 05671-0402

Dear Mr. Valentinetti:

On December 22, 2008, the State of Vermont submitted a draft implementation plan describing your 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, U.S. Fish and Wildlife Service (FWS), and National Park Service (NPS) have 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). 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. We look forward to your response, as per section 40 CFR 51.308(i)(3). For further information, please contact Holly Salazer (NPS) or Tim Allen (FWS) at (814) 865-3100 and (303) 914-3802, respectively.

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

Sincerely,

Christine L. Shaver
Chief, Air Resources Division
National Park Service

Sincerely,

Sandra V. Silva
Chief, Branch of Air Quality
U.S. Fish & Wildlife Service

Enclosure

cc:
Rich Poirot
Vermont Department of Environmental Conservation
103 South Main Street
Building 3 South
Waterbury, Vermont 05671-0402

Anne McWilliams
U.S. EPA Region 1
1 Congress Street
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Mail Code: CAQ
Boston, Massachusetts 02114-2023

National Park Service and U.S. Fish and Wildlife Service Comments Regarding Vermont Draft Regional Haze Rule State Implementation Plan

On December 22, 2008, the State of Vermont submitted a draft Regional Haze Rule State implementation plan (SIP), pursuant to the requirements codified in federal rule at 40 CFR 51.308(i)(2), to the U.S. Department of the Interior, National Park Service (NPS) and the U.S. Fish and Wildlife Service (FWS). The NPS and FWS air programs have conducted a substantive review of the Vermont draft plan, and have provided the comments listed below. We look forward to the Vermont Department of Environmental Conservation (VDEC) response as per section 40 CFR 51.308(i)(3). For further information regarding these comments, please contact Holly Salazer (NPS) at (814) 865-3100 or Tim Allen (FWS) at (303) 914-3802.

OVERALL COMMENTS

We would like to commend the State of Vermont on a well-written draft SIP. With the uncertainty of Clean Air Interstate Rules (CAIR) implementation, the State did an excellent job outlining the importance of CAIR to the MANE-VU regional strategy as well as the impacts to regional success (in terms of inventories, modeling and control strategies) due to its vacatur. The draft SIP dated December 18, 2008,dedicates a whole section to discussing CAIR and its vacatur. We also understand the State submitted a revised version to EPA on January 15, 2009, to reflect the most recent court decision to stay the vacatur of CAIR and remand the rule back to EPA. We support the State's effort to include the most recent information. To ensure clarity, we would like to emphasize the following comments are based on the December 15, 2008,draft submitted to us.

The draft SIP directly deals with the uncertainties associated with emission inventory development and best/final modeling runs completed by MANE-VU. It clearly states the intentions of the MANE-VU Ask and how the Ask was used in modeling runs. The draft SIP fully adopts the MANE-VU Ask and clearly notes the reality that many states, MANE-VU or otherwise, have not or will not accept the Ask. The draft SIP commits to reviewing this issue in the 2013 mid-review report.

The draft SIP also includes discussion of international emissions and their impact on regional success. Vermont along with other New England states met with eastern Canadian provinces to discuss MANE-VU findings and potential areas where Canada can take actions to improve visibility in the MANE-VU region. A summary of this consultation is included in the draft SIP.

We acknowledge and support Vermont's effort to protect the clean visibility days through the inclusion of the existing secondary standard for sulfate ion within the regional haze protection plan, as outlined in Section 11.10. We also note that the reduction in single-source significance levels will better identify sources contributing to current and future impairment through the permitting process. As noted in your discussion, most of the impairment from such sources comes from outside of your State. We request that the final SIP clarify whether the inclusion of these impact thresholds under the Long-Term

Strategy for Regional Haze protection, if approved by EPA, are intended to apply to sources in other States.

SPECIFIC COMMENTS

The remaining comments, below, are organized according to the priorities that we presented in our August 1, 2006, letter, which outlined the Regional Haze concepts that are of importance to the NPS and FWS. Many of the following comments will also provide direction towards building the narrative of the draft SIP to address the documentation and content area comments noted above.

Baseline, Natural Condition, and Uniform Rate

In general the draft SIP addresses the topic of the default vs. alternative methodology for visibility calculation. Baseline and natural condition calculations are also included in detail. The uniform rate of progress is outlined for each MANE-VU Class I area in Table 10.1 on page 86.

Emission Inventories

The draft SIP provides a good overview of how the State and MANE-VU created emission inventories for each source sectors. The draft SIP also addresses the uncertainties between MANE-VU, MRPO and VISTAS emission inventories and the ramifications of these uncertainties on the comparability of modeling results among RPOs. The draft SIP also deals with the fact that MRPO and VISTAS did not include the Ask in future inventories and final modeling runs.

Page 56: Recommend changing title of Table 6.4 to "Updated Scenario" from "Most Recent Inventory" to reflect narrative of emission scenarios on page 50.

Also, we would like the State to explain why there is only a minimal difference in Vermont's inventories for 2018 OTB/OTW and 2018 BOTW (25 tons decline in VOCs and 1 ton increase in PM2.5, respectively). The assumption could be the small difference is due to the minimal efforts the State has to do in regards to ozone regulations. Nonetheless, the draft SIP could better explain these data.

Area of Influence

The State does a sufficient job summarizing the Contribution Assessment in regards to impairment in Vermont. The situation is easier, considering almost all of the impairment is from outside sources. In-state sources account for less than 1% of contribution. The draft SIP also has a nice description of how Canadian sources impact the region, as well as the consultation that occurred with the Canadian provinces that were identified as contributors to visibility impairment at Lye Brook.

The draft SIP also includes discussion on how Vermont's emissions impacts other Class I areas in the MANE-VU (also less than 1% for all areas, including Dolly Sods Wilderness and Shenandoah National Park.)

In Section 8, Vermont includes a more in-depth discussion of the Contribution Assessment and how contributing states ranked in terms of visibility impact. We wanted to note that earlier in the draft SIP, Vermont identifies Wisconsin as a contributor to visibility impairment and invites Wisconsin to consult in the regional haze process. However, in terms of the Contribution Assessment, Wisconsin is never identified as a top contributor based on the three ranking criteria adopted by MANE-VU. Under the reasonable progress goal (RPG) discussion, the draft SIP does mention that there is only one source identified in Wisconsin (as part of the "167 Stacks" strategy). We would like to encourage the State to include language that clarifies Wisconsin was identified to consult with not through the Contribution Assessment but through the development of the "167 Stack" strategy.

Reasonable Progress Goals and Long Term Strategy

The draft SIP does a good job outlining the process by which MANE-VU developed RPGs for the individual Class I areas. As stated by FLMs in previous reviews, because we have issues with inventory development and the best/final model run for MANE-VU due to its inclusion of the Ask, we inherently have issues with RPGs developed for the Class I areas. However, beyond this, the draft SIP does address these uncertainties directly and appropriately acknowledges the criticism that the Ask includes unenforceable emission limits.

Because Vermont does not have any BART-eligible sources, Vermont's Long Term Strategy includes the MANE-VU/Vermont Ask (as well as other state programs). Four-factor analyses are performed for each element of the Ask.

A reasonable progress goal for Lye Brook was determined based on baseline and natural conditions calculations. A uniform rate of progress was determined based on existing control strategies required by the Clean Air Act, including CAIR.

Page 109, Section 10.4: This section is somewhat misleading and we suggest clarifying more explicitly the terms of "2018 glideslope" and "2018 projected progress." It is important to make clear that the 2018 Projected Progress bars are based on inclusion of the MANE-VU/Vermont Ask in the May 2008 modeling results, strategies that are not necessarily adopted by all states (which the draft SIP does acknowledge throughout, but not so clear here). Better clarification within the text could help interpret the tables or another option would be to change the title of yellow bars to "2018 Additional Progress" or "2018 Ask Progress." Also, referencing Section 11.8 may help, because there is a better description of projected visibility for 2018 under this section entitled "Estimated Effects on Visibility from LTS."

Fire

The SIP narrative indicates wild fires are a significant part of the extinction on the worst 20 percent days. However the State notes that such fires a part of natural background conditions, therefore no regulations possible (references Quebec 2002 fire). No information is given within the regional haze portion of the SIP on current State regulations dealing with agricultural or wild land prescribed burns. The SIP should indicate that the State will continue to review the impacts from agricultural use of fire and prescribed fire for forest or ecosystem management. If those impacts become important for maintaining reasonable progress in the future, revisions to the regional haze SIP should contain a smoke management plan. We did not see any commitment for further work or coordination in terms of prescribed fire regulations in the current draft. Vermont does have regulations on the books for outdoor wood smoke, which is a larger contributor to haze at this time.

Regional Consistency

This draft SIP is consistent with the regional strategy reviewed in other MANE-VU states.

Verification and Contingencies

The draft SIP provides verification measures of Regional Haze planning through the commitment of continuing established monitoring programs. It also provides a good summary of IMPROVE program objectives as well as other monitoring networks available to the State (e.g., RAIN, CASTNET). We would like to see a commitment to work with Federal agencies as a team if economic challenges are faced by the monitoring program.

We appreciate the State's effort in linking regional haze to other permit programs. We support Vermont's intention to revise particulate matter (PM) standards in regards to New Sources with the goal of improving poor visibility days, as well as protecting clean visibility days, at Lye Brook (see pages 135-136). In addition, we acknowledge and support the language to include the PSD program as an integral part of the State's long term strategy (Section 11.13).

Coordination and Consultation

Page 31-32: The text includes follow-up MRPO coordination but does not include how the consultation with VISTAS was resolved.

Page 33: Vermont indicates that it will be meeting the terms of the MANE-VU Ask by adopting the low Sulfur fuel strategy. There is no mention that the State also has other control programs on the books, e.g., new standards for outdoor wood boilers. We therefore recommend the State include a reference to Section 11.2, which outlines the State's regulations regarding outdoor wood boilers. We also recommend that the State commit to investigating sources of cleaner energy, which is also highlighted in the Ask.

The draft SIP delineates the items on which Vermont will consult with FLMs in the future.

BART

There are no BART-eligible sources in Vermont.

EDITORIAL COMMENTS

Page 3, last paragraph, first sentence: "must include" not "must including"

Page 27, Table 3.1: "MANE-VU Members" not "MANE-VIEW Members"

Page 59, first paragraph, last sentence: "(Attachment F)."

Page 64, Section 8.2., second paragraph: "Table 8.1 displays the result of **one** just one of the methods used…"

Page 78, first sentence: "While there are occasionally large Canadian fire impacts at Lye Brook, these infrequent natural sources **and** not subject to regulatory controls."

Page 109, last sentence: Suggest including national parks in addition to wilderness areas to achieve natural conditions by 2064.