

Meeting Summary

WESTAR Fall 2011 Business Meeting
Tempe, Arizona
October 31-November 1, 2011

Attendees:

Members/Delegates:

Terry O'Clair, ND	toclair@nd.gov	William Allison, CO	william.allison@state.co.us
Robert Boyd, BLM	rboyd@blm.gov	Don Arkell, WESTAR	darkell@westar.org
Martin Bauer, ID	martin.bauer@deq.idaho.gov	Diane Arnst, AZ	arnst.diane@azdeq.gov
David Collier, OR	collier.david@deq.state.or.us	Trevor Baggione, AZ	baggiore.trevor@azdeq.gov
Greg Remer, NV	gremer@ndep.nv.gov	Robert Bamford, NV	rbamford@ndep.nv.gov
Alice Edwards, AK	alice.edwards@alaska.gov	Rita Bates, NM	rita.bates@state.nm.us
Pete Lahm, USFS	plahm@fs.fed.us	Steven Dietrich, WY	sdietr@wyo.gov
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Gordon Pierce, CO	gordon.pierce@state.co.us	Brock LeBaron, UT	blebaron@utah.gov
Dave McNeill, UT	dmcneill@utah.gov	Corky Martinkovic, AZ	Martinkovic.Deborrah@azdeq.gov
Tina Anderson, WY	tander@wyo.gov	Julie Oliver, WA	joli461@ecy.wa.gov
Bryan Paris, AZ	bryan.paris@azdeq.gov	Theresa Rigney, AZ	rigney.theresa@azdeq.gov
Bryce Bird, UT	bbird@utah.gov	Patricia Brewer, NPS	patricia_f_brewer@nps.gov

Guests:

Michael Ling, EPA-OAQPS	ling.michael@epa.gov
Tom Moore, WRAP	mooreT@cira.colostate.edu
Pat Cummins, WRAP	pat@westgov.org
Colleen McKaughan, USEPA	mckaughan.colleen@epa.gov

WESTAR Staff:

Dan Johnson	djohnson@westar.org
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Via Telephone:

Scott Mathias, EPA/OAQPS mathias.scott@epa.gov
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Bill Houck, EPA HQ Houck.bill@epa.gov

1. Introductions and welcome

David Collier opened the meeting with a review of the agenda and introductions.

Eric Massey provided an overview of air quality in Arizona and some of the programs underway to address some of the state's most significant challenges. He took credit for the good weather that all of the members enjoyed and his efforts in this regard were appreciated by all of the meeting participants. [Click here](#) for a copy of Eric's presentation.

2. Business

a. Review/approval of previous business meeting summary.

The directors were asked if there were any updates, additions or corrections to the summary of the previous business meeting. There were none and the summary was approved as drafted. [Click here](#) for a copy of the summary.

b. Action items from previous meeting

Dan Johnson noted that all of the action items from the previous business meeting were completed. Bob Lebens suggested that, based on his assessment of the viability of the Mobile Sources Committee, that the committee should be "retired" until such a time as an issue arises that warrants pulling the committee together on an ad hoc basis. The directors agreed. [Click here](#) for a copy of the action item status report.

c. Staff summaries.

Jeff Gabler, Bob Lebens, and Don Arkell provided an overview of their activities over the past six months. Bob described his past work with the WESTAR Committees and ad hoc Work Groups and future activities with the Work Groups. Jeff highlighted WESTAR's Training Program's 2011 training activities which included offering 17 training courses to over 430 air staff, and discussed WESTAR's involvement on the national level in NACAA's National Training Strategy Project and the Learning Management System Project. He provided an overview of projections for CY2012 including the number of courses expected to be offered as well as courses likely to be offered. [Click here](#) for a copy of the staff report.

d. Financial report

Treasurer Alice Edwards presented a status report on WESTAR's finances. She noted that WESTAR's current grant is over 98% expended and that cash flow will be a problem if EPA fails to award our grant in the next few weeks. Aside from that, WESTAR's finances are in good shape. [Click here](#) for a copy of WESTAR's 9/30/11 financial report.

e. Committee Chair and National Monitoring Steering Committee Representative reports

Committee reports were presented by Tina Anderson (Planning Committee), Dave Klemp (Sources Committee), and Gordon Pierce (Technical Committee). Gordon also presented the Monitoring Steering Committee report. [Click here](#) for a copy of the Planning Committee report; [click here](#) for a copy of the Sources Committee report; [click here](#) for a copy of the Technical Committee report; and [click here](#) for a copy of the Monitoring Steering Committee report.

3. The road ahead on regional planning

a. Session overview and objectives

Dan Johnson outlined the sessions spanning the remainder of the day and the executive session the following morning. He noted that the sessions are linked by a common theme - the need to work together on a regional basis to address several important issues in the coming years, and the choices we could make on how to accomplish this work.

b. Regional technical projects underway at WRAP and WGA

Tom Moore presented information on several projects he is working on and how they relate to air quality management issues important to state agencies. The projects are funded by different entities, including WESTAR. [Click here](#) for a copy of Tom's presentation.

c. Ozone implementation

Tina Anderson and Tom Moore provided an overview of the challenges ahead related to implementing the current ozone standard. They reported on the discussions earlier in October of the WESTAR Planning Committee in Sacramento, including assistance WRAP could provide to help states with the transport provisions of CAA section 110. This action item was later approved by the directors. [Click here](#) for a copy of Tina's and Tom's presentation.

d. Regional haze 5-year reviews

Tina Anderson and Tom Moore summarized the Planning Committee discussions on the regional haze 5-year reviews, noting the importance of a common technical basis for the reports from the western states. Tom touched on several WRAP projects that could assist the states in this effort and Tina presented suggested action items from the Planning Committee for

director consideration. The directors subsequently approved the recommended action items. [Click here](#) for a copy the Tina's and Tom's presentation.

e. SO2 maintenance SIPs

Tina Anderson gave an overview of the Planning Committee's discussion on SO2 implementation requirements, especially the section 110(a) requirements that will affect all states. Based on the Committee's concerns, WESTAR sent a letter to EPA requesting additional time to review the draft implementation guidance, which resulted in EPA extending the comment period until December 2. The Committee recommended sending a letter to EPA commenting on the draft guidance, a recommendation that was subsequently approved.

f. Other regional planning initiatives

Dan Johnson noted that while the regional initiatives described by Tom and Tina - ozone implementation, regional haze 5-year reviews and SO2 transport/maintenance SIP are on the immediate horizon, it is also instructive to look further ahead to a likely more stringent PM and ozone standard, and to the 2018 regional haze SIP planning requirement, for example, as we think about the most efficient approach to completing the work that is ahead of us.

g. Status of WRAP funding/EPA report on RPOs

Patrick Cummins reiterated the projects summarized by Tom Moore earlier, and outlined the funding WGA has received from various federal agencies, private entities and WESTAR for the projects that will span the coming two years. He indicated that administrative support for these projects will provide enough funding to keep the WRAP basic infrastructure operational well into next year. He summarized the findings of the recently completed EPA evaluation of regional planning organizations (RPOs), including the conclusion that RPO's provide valuable and cost effective support to states. He also expressed doubt that the past funding model for WRAP operations would be re-established, and that alternate funding mechanisms would be needed from now on if WRAP is to continue as an entity.

4. Report of from the Executive Session

a. Staff was directed to conduct the 2012 spring business meeting in Seattle and the 2012 fall business meeting in Salt Lake City.

b. The directors approved several recommendations from the WESTAR Planning Committee:

Ozone

Situation: All Western states are looking at addressing transport of ozone from their states into other states under the CAA requirements in 110(a)(2)(D)(i). EPA must set a new date for meeting this requirement, and it will likely be set for them by the courts. Should WRAP move

forward with a preliminary Western Analysis for state review only? The planning committee can work with Tom Moore to determine specific objectives.

State commitment:

- 1.) State technical staff will be asked to review emissions data from their state.
- 2.) 2-3 months later, state technical staff will be asked to review source apportionment data.

WESTAR Director Motion: That the WRAP should move forward with a preliminary Western Analysis for state review only. Moved (Rita Bates), Second (Brian Gustafson), unanimously passed.

Regional Haze

Situation: 308 and 309 states must submit five year progress reports in the form of a regional haze SIP revisions. These are due somewhere between 2013 and 2017. There are many issues, for example: appropriate time period to focus on; relevant emissions comparisons; how to interpret the data; how to complete an adequacy review with the least amount of SIP revision.

- 1) Should WRAP create a Regional Technical Report that can be used by all states to determine changes in emissions and changes in visibility required by the rule? The Report will focus on the 2005 -2009 time period and will be available by the end of 2012.
- 2) Should WRAP create a non-technical summary of successes achieved during the first planning period?

WESTAR Director Motion: That the WRAP should create a Regional Technical Report that can be used by all states to determine changes in emissions and changes in visibility required by the rule, and that WRAP create a non-technical summary of successes achieved during the first planning period, provided that this work be done under existing funding already provided to WRAP. Some in-kind staff assistance from states would be acceptable to review data, but no additional funding contributions. Moved (Greg Remer), Second (Eric Massey), unanimously passed.

Related issue: EPA has indicated that it will be making revisions to the Regional Haze Rule. Should the WESTAR Planning committee form a work group to determine what needs to be changed in the RH rule and prepare comments for upcoming rule changes?

WESTAR Director Motion: That the WESTAR Planning committee should form a work group to determine what changes are needed in the regional haze rule and prepare comments for consideration by the WESTAR directors. Moved (Greg Remer), Second (Eric Massey), unanimously passed.

SO2 1 hour NAAQS

Situation: EPA is asking for comments on the draft guidance for the 1 hour SO2 NAAQS. Comment period closes Dec. 2, 2011. Should the Planning Committee draft a letter for Air Directors to sign commenting on the draft SO2 guidance?

WESTAR Director Motion: That the WESTAR Planning committee should draft a letter for Air Directors to sign commenting on the draft SO2 guidance. Moved (Alice Edwards), Second (Martin Bauer), unanimously passed.

Related issue: Infrastructure SIPS in general have become increasingly complicated and burdensome to states with very little associated environmental benefit. Should the Planning Committee draft a separate letter for Air Directors to sign commenting on issues with Infrastructure SIP requirements?

WESTAR Director Motion: That the WESTAR Planning committee should draft a separate letter for Air Directors to sign commenting on issues with Infrastructure SIP requirements. Moved (Eric Massey), Second (Julie Oliver), unanimously passed.

5. Panel Discussion: Exceptional Events Rule and Fire Policy

Don Arkell moderated a panel discussion on implementation of the exceptional events rule. Colleen McKaughan began by summarizing EPA's efforts to develop implementation guidance, including a status report on their current efforts. [Click here](#) for a copy of Colleen's presentation. Following Colleen, panel members Julie Oliver (WA), Bryan Paris (AZ), Rita Bates (NM) and Bryce Bird (UT) presented information about recent exceptional events, the evidence they compiled to support the EE request, and the status of their requests. [Click here](#) for a copy of Julie's presentation. [Click here](#) for a copy of Bryan's presentation. [Click here](#) for a copy of Rita's presentation. [Click here](#) for a copy of Bryce's presentation.

6. Program Funding

Bill Houck (EPA - HQ) joined by phone to brief WESTAR on three topics:

a. Maintenance of effort/match

EPA understands the difficulty many states are having meeting their maintenance of effort obligations given the economic problems many states are facing. States that are seeking to lower their MOE obligation must show that funding for all executive branch agencies has been cut in order to qualify. EPA is implementing a new policy that interprets this "across the board cut" provision differently. The policy was recently used to lower Idaho's MOE obligation.

b. Allocation formula

Bill summarized the recent history of the allocation formula, describing how the funding distribution between regions has gotten out of line with the original intended approach whereby funding was allocated based in large part on the severity of problems. At the time the formula was revised, it was expected that there would be budget increases and that the impact of the reallocation on those states whose funding would decrease would be minimized so as not to severely disrupt a state's ability to implement core programs. Implementation has been deferred until 2013 at the earliest.

c. Priorities and areas for disinvestments – Update on ECOS/NACAA/EPA initiative

Bill summarized the status of this effort, noting that he is not directly involved in the project and directing people to Jim Jones if they have suggestions or comments.

7. Report from EPA Headquarters

Michael Ling, one of three managers in Anna Woods' group at EPA/OAQPS, presented information on a number of topics, including NAAQS reviews and implementation schedules, status reports on regional haze, the exceptional events rule guidance, and greenhouse gas permitting. [Click here](#) for a copy of Michael's presentation.

8. Roundtable discussion: NO₂ permitting

Jeff Gabler moderated a discussion that centered on how states are responding to the recently promulgated NO₂ permitting requirements (roundtable discussion questions were disseminated prior to the meeting to create a framework for discussion). While most states are finding ways to permit sources, collectively there was frustration over the fact that these permits have become so difficult and that we should investigate ways to make it simpler. The Directors asked that WESTAR compile a compendium of state comments to these roundtable questions and forward these to WESTAR's Technical Committee. The Directors approved the recommendation that WESTAR's Technical Committee be tasked with identifying and clarifying the NO₂ permitting issues that cause difficulties and delays in permitting sources, exploring in greater depth how various agencies are handling these issues, prioritizing the findings, identifying possible solutions, and forwarding recommendations to the Directors.

9. SO₂ NAAQS Implementation

Michael Ling provided an overview of the guidance and rulemaking underway to implement the new 1 hour SO₂ NAAQS. This was followed by a broad ranging discussion of the use of modeling in area designations and the appropriate requirements for 110 SIP infrastructure submissions. [Click here](#) for a copy of Michael's presentation.

10. Hot topics

a. Oil and gas

Bob Lebens gave a brief presentation on the recently proposed Oil and Gas NSPS/NESHAPS. In the presentation, Bob highlighted the proposed requirements relative to existing state level controls and the potential air quality impact of the regulations on Western oil and gas basins. [Click here](#) for a copy of Bob's presentation.

b. Update on training tools and services

Jeff Gabler provided updates on various national training projects. He provided a status report on the Learning Management System (LMS), explaining that in order to streamline the education process and reduce cost for Clean Air Act training, the EPA is creating a single LMS that will maintain a schedule of training events/courses, allow students to search and register for classroom courses, allow learners to search and take self-instructional (web-based) courses, maintain student transcripts, issue course completion certificates, and allow for evaluation of courses and instructors, and allow system administrators to compile annual statistics on the training taken by learners. He provided an update on the work being accomplished by the Employee Skills Development which is charged with the development of curricula that meets the full range of needs to enable air quality professionals to quickly learn new job responsibilities and to maintain, enhance and update skills in their existing areas of responsibilities. Jeff also discussed work being accomplished in updating numerous APTI self-instructional courses. These three areas received the bulk of the \$1M in additional FY2010 funds for training activities as approved by the NACAA board the NACAA Board and Committee Chairs.

c. Overview of 3 Oregon initiatives: low carbon fuel standard; Portland air toxics reduction plan; Heat Smart woodstove program

[Click here](#) for David's summary of the Oregon initiatives.

d. Biogenics EI project

Don Arkell presented an overview of the project tasks and work products. These include: Analysis of current status of biogenic emission inventories; Updated and more resolved biogenic EI, using latest models and emission factors more representative of western vegetation land use; Model-ready data sets for additional modeling, as needed; Final report. The technical work is expected to be complete by December, with final report in January. [Click here](#) for Don's summary.

11. Summary of action items

- Schedule the 2012 spring business meeting in Seattle, and the fall meeting in Salt Lake City.
- The Planning and Technical Committees will work with WRAP to perform a preliminary analysis of ozone in the west, in support of state obligations under CAA 110(a)(2)(D) (transport).
- The Planning and Technical Committees will work with WRAP to create two reports, one that will form the basis for regional haze 5-year progress reports and the other to describe progress on regional haze in non-technical terms; to be completed by the end of 2012.
- Form a workgroup to comment on, and suggest changes to the regional haze rule, for consideration by the WESTAR directors.
- The Planning Committee will draft a comment letter on EPA's draft SO₂ implementation guidance for consideration by the WESTAR directors (comment deadline 12/2/11).
- The Planning Committee will draft a letter for WESTAR director consideration on the increasingly burdensome requirements under CAA section 110 (infrastructure SIP requirements).
- WESTAR staff will compile responses to the questions posed in the NO₂ permitting roundtable. Compendium of responses forwarded to WESTAR's Technical Committee. The Technical Committee will review responses to identify issues, craft problem statement, identify and prioritize solutions, and forward recommended solutions to the problem of permitting new or modified NO₂ sources to the Directors.
- WESTAR will coordinate a meeting with EPA on how to move forward on regional planning (target date January 2012).