

# Summary of Feedback and EPA Responses:

## Exceptional Events High Wind Dust Event Guidance and Clarification Memo on Data Modification

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# Exceptional Events Implementation Update

## COMPLETED

- Concurred on 25 demonstration submitted since finalizing the 2016 Exceptional Events Rule
- Completed event-specific guidance documents on wildfires, stratospheric ozone intrusions, and high wind dust events
- Released updated FAQs, Clarification Memo on Data Modification, Best Practices for Multi-State Events, and improved exceptional events website

## IN PROGRESS

- Prescribed Fire Guidance
- SPeCS for Exceptional Events
- Mitigation Plan area identification process
- Continue improving national consistency, process efficiency

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# Discussion Objectives and Background

## OBJECTIVES

- To share information about EPA's process and rationale for addressing key comments on two guidance documents and gather feedback to inform the development of future guidance

## BACKGROUND

- Organized a national call for air agencies in February 2018 to gather input on the “alternate paths” concept, which ultimately became the Clarification Memo
- Solicited air agency comments on the draft High Winds Guidance and draft Clarification Memo during October – December 2018
- Conducted a national webinar for air agencies to review the two drafts on October 23, 2018
- Reviewed comments received and deliberated with key staff and management to determine how to address/incorporate feedback
- Released High Winds Guidance and Clarification Memo on April 4

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# “Guidance on the Preparation of Demonstrations in Support of Requests to Exclude Ambient Air Quality Data Influenced by High Wind Dust Events Under the 2016 Exceptional Events Rule”

- Intended to assist air agencies in developing successful demonstrations based on the Exceptional Events Rule for high wind dust (*i.e.*, PM<sub>10</sub> and PM<sub>2.5</sub>) events

# Summary of Changes

- Substantial editorial revisions – added clarifying explanations, reordered sections, eliminated redundancies, tightened language
- Increased emphasis of key flexibilities where available (*e.g.*, monitoring limitations)
- Updated the process flowchart to be clearer and more complete
- Expanded explanation of criteria for large-scale high-energy high wind dust events
- Added appendices on high-wind thresholds
- Four additional topics are discussed in forthcoming slides

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# 1) Hourly vs minute averages to establish “sustained” wind speed

- **Comment:** Requested that we accept 1-5 minute averages rather than a 1-hour average
- **Response:** Clarified that EPA “will consider a sustained wind speed based on shorter averaging times (*e.g.*, 1 to 5 minutes) on a case-by-case basis”
- **Rationale:**
  - Technical staff agreed that 1 to 5 minute averages (but not gusts) may be acceptable to establish an observed “sustained” wind speed

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## 2) Geographical reach of LS/HE/HWDE impacts and Tier 1 reasonable controls presumption

- **Comment:** Requested that the LS/HE HWDE / Tier 1 presumption apply when the event occurs far (*e.g.*, intercontinental) from the affected area and carries dust to the affected area where winds fall below the 40-mph threshold
- **Response:** Added clarifying language, paraphrased below
- **Rationale:**
  - The streamlined LS/HE/HWDE controls analysis is based on a presumption that control measures for sources in the affected area were overwhelmed due to the strength and scale of the event
  - If conditions in the area affected by elevated PM concentrations do not satisfy the LS/HE/HWDE criteria, then such a presumption is no longer appropriate
  - Air agencies are not required to develop a case-specific justification to satisfy the ‘not reasonably controllable or preventable’ criterion for sources located outside the air agency’s jurisdictional boundaries

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### 3) Scope of what Tier 1 reasonable controls presumption

- **Comment:** Requested that thunderstorm warnings and smaller-scale haboobs be accepted for Tier 1
- **Response:** More fully explained Tier 1 criteria and rationale
- **Rationale:**
  - The Exceptional Events Rule defines the criteria (Dust Storm Warning, > 40-mph winds, < 0.5-mile visibility) for what constitutes a “large-scale high-energy high wind dust event” (LS/HE/HWDE), and events that satisfy the criteria do not require reasonable controls analysis
  - Tier 1 is a logical extension of the rule-supported bounds around LS/HE/HWDEs
  - The concept of “large-scale” is a key reason why the Exceptional Events Rule reserves the streamlined LS/HE/HWDE controls presumption for Dust Storm Warnings, and not other types of advisories, which can apply to events that are more localized in nature and more complicated to assess

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## 4) List of western states with high wind threshold of 25 mph

- **Comment:** Inquired why certain states not included in the list of western states with default high wind threshold of 25 mph
- **Response:**
  - Added background appendices on (1) studies used to determine initial list of states and (2) how to establish high wind thresholds elsewhere
  - R10 is engaging with Idaho on possibility of establishing a threshold for certain areas
- **Rationale:**
  - The list in the guidance is taken from the rule, which was based on scientific studies in Nevada and went through the rule proposal process without challenge
  - General criteria for including states was that they be meteorologically and topographically similar to the area in the Nevada study

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# “Clarification Memo on Additional Methods, Determinations, and Analyses to Modify Air Quality Data Beyond Exceptional Events”

- Clarifies for which regulatory determinations a request to exclude monitoring data must satisfy the requirements of the Exceptional Events Rule
- Identifies other determinations, actions, and analyses not covered by the scope of the Exceptional Events Rule, but for which the exclusion, selection, or adjustment of monitoring data may be appropriate and allowable under other sections of the Clean Air Act and EPA rules or guidance

# Summary of Changes

- Refined language on scope of Memo and clarified that it does not create any new regulatory authority
- Revised description of modeling analyses for future-year SIP attainment demonstrations
- Added reference and link to the recently finalized *Technical Guidance on Tracking Visibility Progress for the Second Implementation Period of the Regional Haze Program*
- Two additional topics are discussed in forthcoming slides

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# 1) Scope of “other actions” under the Exceptional Events Rule

- **Comment:** Requested we not limit the scope of “other actions on a case-by-case basis” in the list of determinations considered to be regulatorily significant under the Exceptional Events Rule
- **Response:** Maintained scope consistent with the Exceptional Events Rule
- **Rationale:**
  - Scope (EPA regulatory determinations influenced by exceedances or violations of the NAAQS) is consistent with the rule language and neither reduces nor expands available flexibility in this regard

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## 2) Broaden scope of the Memo to allow data exclusion in other situations

- **Comment:** Requested that we broaden the scope of the Memo to allow data exclusion for the following situations
  1. Future *possible* regulatory determinations and non-regulatory situations: Health studies, NGO and other public realm uses, reporting for State Performance Partnership Agreements
  2. International and long-range transport (including routine emissions)
  3. Other types of modeling analyses
  4. Monitoring requirements and network assessment analyses
- **Response:** Maintained scope consistent with existing mechanisms and authorities
- **Rationale:**
  - The Memo's scope is limited to known regulatory determinations
  - *International* transport (of routine anthropogenic emissions) will be covered in forthcoming 179B Guidance
  - The Memo's scope for modeling analyses is limited to those that may allow for data exclusion to model background and otherwise modify associated ambient impacts. We list the applicable types of analyses.
  - There is no existing mechanism or authority to exclude data for the purpose of monitoring requirements or assessments

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# Conclusion

- EPA reviewed comments received and made many changes where consistent with the Exceptional Events Rule, existing CAA authorities, or other EPA rules and guidance
- Where EPA did not incorporate suggested changes, we endeavored to more fully explain the rationale for our approach
- **We sincerely appreciate your thoughtful review and valuable feedback to help strengthen these and other guidance documents**

Questions?

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