

The monthly WESTAR Council call began at 1:00 pm PDT/2:00 pm MST/3:00 pm CDT. Council members and delegates present included:

AK-Alice Edwards, Paul Cassell  
AZ-  
CA-Tina Suarez-Murias  
CO-Gordon Pierce  
HI-Marianne Rossio  
ID-Mary Anderson  
MT-Dave Klemp, Liz Ullrich  
NV-Sig Jaunarajs  
NM-  
ND-  
OR-Ali Mirzakhilili  
SD-Kyrik Rombaugh  
UT-Bryce Bird  
WA-Kathy Taylor  
WY-Nancy Vehr  
WESTAR-Mary Uhl, Tom Moore, Jeff Gabler, Bob Lebens, Jackie Gadret

Agenda:

1. Council vote on fall 2020 business meeting agenda items attached (Mary Uhl)
2. Residential Wood Heating NSPS update (Bob Lebens)
3. Online training courses update (Jeff Gabler)
4. Regional Haze Update (Tom Moore)
5. Other items as time and interest permit

Minutes:

1. Council vote on fall 2020 business meeting agenda items attached (Mary Uhl)  
Council members voted for fall business meeting agenda topics. The following topics had the most votes:
  - OAQPS update
  - PM/Ozone standards review
  - National trends in air quality
  - EPA's proposal on use of scientific data for rulemaking
  - Training initiatives
  - Satellite methane measurement
  - Citizen and community monitoring

2. Residential Wood Heating NSPS update (Bob Lebens)  
WESTAR submitted a comment letter to EPA on the most recent RWH NSPS NPRM. Our comments (found at [www.westar.org](http://www.westar.org)) focused on public health elements. Litigation continues on the 2015 rule; the focus of the litigation is the rule's audit procedure. HPBA has already filed their brief; EPA has til 8.24.2020 to file. Ali noted that in Oregon, retailers have asked DEQ to support an extension of the sell-through date. There are about 100-150 step 1 units at retailers in Oregon. Ali asked about the sale of used step 1 appliances. Alice responded that in Fairbanks, AK, installation of used uncertified devices is illegal. ADEC enforces this by watching Craig's List and working with realtors. Ali asked if the NSPS covers used stoves. ADEC considers used stoves to be separate from the NSPS. Bob mentioned that the NSPS does not allow sales of used appliances, but EPA is not actively monitoring. Mary Anderson said that Idaho has regulations that do not allow the installation of used appliances in nonattainment areas and Kathy said that Washington has a similar rule. Both states adopted the rule because they do not believe the NSPS covers used appliances. Bob said he would check into this; later, Bob confirmed that the NSPS only applies to new appliances.
3. Online training courses update (Jeff Gabler)  
Jeff Gabler said that the 424 permitting online course conducted in late June had 38 total attendees for four 2-hour sessions. Some course participants were auditors with experience. The feedback was good, and comments were positive. Generally, participants found the course to be valuable. The MJOs will work together on a common platform for future online courses. Repackaging existing classroom training for online is more difficult. There are plans for more online training courses. WESTAR will have online courses for permitting. EPA sees online training development as a positive experience.
4. Regional Haze Update (Tom Moore)  
Tom Moore noted that WRAP meetings and committees will dial back and meet once every 4-6 months as RH SIPs are developed and submitted. Currently, states are participating in RH coordination calls once per month. WESTAR/WRAP is working at a rapid pace to get states RH modeling results.
5. Other items as time and interest permit  
Bryce Bird brought up the recent 10<sup>th</sup> circuit decision where the court agreed with Sierra Club that any part of the CAA could be challenged for Title V permits and remanded a Utah permit back to EPA. UT DEQ believes Title V permits could be re-opened on renewal and that the decision conflicts with a recent 5<sup>th</sup> circuit decision. Ali asked if the argument is around "What is an applicable requirement" which concerns regulatory decision making. Bryce

responded that the state's application of Title I is at question, according to the court. Dave Klemp asked if the decision is overturned, could states go back and look at prior permitting errors. Bryce noted that there is a question of which standards to correct for (current or past), and there is a resource and workload issue, as well as certainty for industry at stake. Nancy Vehr agreed that there are resource implications for state permitting programs. Dave noted that for some states, there may be more opportunities with Title V for corrections that state minor source permitting programs don't provide authority for.

The call duration was 48 minutes.