

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  
AZ-Daniel Czecholinski  
CA-  
CO-  
HI-Marianne Rossio  
ID-Mary Anderson  
MT-Liz Ullrich  
NV-Danilo Dragoni  
NM-  
ND-Jim Semerad  
OR-  
SD-Kyrik Rombough  
UT-Bryce Bird  
WA-  
WY-Nancy Vehr  
WESTAR-Mary Uhl, Tom Moore, Jay Baker

Agenda:

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1. Fall business meeting topics vote (Mary Uhl, see attached)
2. Letter to EPA on AERR follow-up (Mary Uhl and Jay Baker)
3. Draft MJOs letter to EPA on emissions inventory decisions for national modeling (Mary Uhl, see attached)
4. EPA Clarification Memo on Regional Haze SIPs of July 8, 2021: [https://www.epa.gov/sites/production/files/2021-07/documents/final\\_signed\\_7-8-21\\_regional\\_haze\\_clarifications\\_memo.pdf](https://www.epa.gov/sites/production/files/2021-07/documents/final_signed_7-8-21_regional_haze_clarifications_memo.pdf) (Tom Moore and Jay Baker)
5. Other items as time and interest permit

Minutes:

Agenda:

1. Fall business meeting topics vote

1. OAQPS update
2. Environmental Justice
  - Can satellite data help inform EJ analysis?
  - Innovative state EJ programs
  - Integrating EJ and sustainability goals
3. NAAQS review
4. PM<sub>2.5</sub> nonattainment areas in the west, source sector and fuel contribution analyses, health impacts
5. Training
6. EPA ORD's research on wildfire smoke—comparative assessment of wildfire vs prescribed fire impacts
7. Improving air quality forecasts during wildfire events
8. Differentiating the health impacts of persistent and/or extreme wildfire events
9. Satellite data mapping tools
  - Carbon mapper for quantifying and tracking methane and CO<sub>2</sub>
  - Analysis of high pollution events
10. Citizen and community monitoring/ purple air and other sensors
11. Climate Change hazards and vulnerabilities (Wildfire, Drought, etc.)
12. FLAG revisions and analyses/FLM modeling tools update
13. Using health impacts assessments to inform policy decisions
14. Improving emissions inventories
15. Professional development (mentoring leaders, improving public participation processes, etc.)

2. Letter to EPA on AERR follow-up

EPA sent an email thanking WESTAR for our input. Jay Baker mentioned there may be an opportunity for WESTAR to follow up with another letter on the use of emissions inventory data soon.

3. Draft MJOs letter to EPA on emissions inventory decisions for national modeling

Mary introduced the draft letter from the MJOs to EPA. The letter will be reviewed by MJOs and hopefully finalized to send to EPA early next week. Mary asked that any input, edits, comments be sent by the end of this week. Nancy commented that the letter was good; Bryce commented that it is important for EPA to get state input on national modeling. Alice noted that while Alaska is often not included in national modeling, she agrees with the spirit of the letter.

4. EPA Clarification Memo on Regional Haze SIPs of July 8,

2021: [https://www.epa.gov/sites/production/files/2021-07/documents/final\\_signed\\_7-8-21\\_regional\\_haze\\_clarifications\\_memo.pdf](https://www.epa.gov/sites/production/files/2021-07/documents/final_signed_7-8-21_regional_haze_clarifications_memo.pdf)

1. Background - how did we get to this point?

- a. EPA RHR revision promulgated for Round 2 planning - Jan. 2017
- b. Extensive coordination with states, EPA, FLMs to shape Round 2 analysis needs - lessons learned discussed at Teach-Ins during 2017 and National Workshop in Dec. 2017 - no EPA guidance available
- c. **WESTAR States generously agreed to fund regional analysis for entire WESTAR-WRAP footprint - 118 Class I areas**
- d. Regional Haze workplan and Principles of Engagement for Regional Haze adopted April 2018
- e. EPA technical guidance for using monitoring data to track visibility progress and modeling results to set Reasonable Progress Goals finalized Dec. 2018
- f. EPA Regional Haze planning guidance finalized August 2019
- g. EPA national scale Regional Haze 2028 demonstration modeling results Sept. 2019
- h. Now last min., "Clarifications".

2. Intensive collaborative regional work among WESTAR-WRAP members, led by the states, on monitoring and emissions data from 2018 to early 2020 and modeling from late 2018 to early 2021.

- a. States - coordination/collaboration on key RH SIP aspects - Planning, Source Selection, Source Control, Control Measures and Strategies, Reasonable Progress demonstration
- b. Regional working groups / Results meetings on data and interpreting regional results toward:
  - i. Calculated 2028 visibility predictions (called Reasonable Progress Goals) at each Class I area from modeling
  - ii. Various weight-of-evidence analyses for emissions transport and source impacts
- c. All regional data and results ready to use on TSS website in SIP approval processes and can be mined for numerous other western regional air quality analysis purposes.

3. What hasn't changed from Round 1:

- a. EPA is mixing the separate planning requirements for:

- i. Reasonable Progress for which the SIPs must show with verifiable emissions reductions for sources in the state and upwind states, and
      - ii. A 2028 projection of a visibility Reasonable Progress Goal at an individual Class I area in deciviews
      - iii. One is emissions control and the other an elaborately calculated prediction of future visibility conditions.
    - b. EPA wants all emissions reductions in rule or permit, enforceable to their standards, up front in the SIP, even as the purpose of determining a long-term strategy and setting an RPG is to (continue to) gradually reduce emissions between now and 2028, or in a future planning cycle.
      - i. Four factor analysis does not identify the visibility benefits of controlling any specific source given how all other sources are changing. Most sources categories are trending downward (some quite significantly), but fire, O&G, a few others, upward – regional modeling has to be used to integrate all that information in modeling scenarios
      - ii. Much of the regional modeling effort has to focus on estimating and including all the uncontrollable and highly uncertain emissions such as wildfire/dust/international sources which cause most of the visibility impairment, as well as how to include the states’ assumptions about existing controls on the states’ sources even as they are being analyzed for the 4 factors – meaning there are not enough resources or time to dynamically test states’ control scenarios, as a state comes up with controls to be evaluated.
    - c. Setting aside the last min. nature and scope of the so-called clarifications, implementing the clarifications means that all the regional analysis would need to be re-done and every SIP would have to change.
4. EPA is drastically changing course through the past three administrations. One of the stated reasons for delaying the start of the second planning period was to allow states to use Federal programs to demonstrate reasonable progress. This change occurred under the Obama administration. The statements in this letter are a reversal of that course.
- a. “There exist many opportunities for states to leverage both ongoing and upcoming emission reductions under other CAA programs; however, we also expect states to undertake rigorous reasonable progress analyses that identify further opportunities to advance the national visibility goal consistent with the statutory and regulatory requirements.” (page 2)
5. Section 2 addresses source selection: States went through the source selection process two or more years ago. To reconcile that process with the clarification letter most, if not all, states would need to redo that process.
- a. “Thus, while states have discretion to reasonably select sources, this analysis should be designed and conducted to ensure that *source selection results in a set of pollutants and sources the evaluation of which has the potential to meaningfully reduce their contributions to visibility impairment* (page 3).” This implies that states know beforehand that sources will have reasonable controls that they can install.
  - b. EPA says that even sources that are “effectively controlled” may be subject to additional controls if they’ve been operating at a lower emission rate. This would make it effectively impossible to remove a source from consideration for controls and a 4-factor analysis (page 5).
  - c. EPA explicitly states that efficiency improvements should be considered as a potentially reasonable control. However, the guidance says, “States have the flexibility to reasonably determine which control measures to evaluate, and the following is a list of example types

of control measures that states may consider: Emission reductions through improved work practices (page 29)."

- d. ". . . the reasonableness of grouping sources in any particular instance will depend on the circumstances and the manner in which grouping is conducted. If it is feasible to establish and enforce different requirements for sources or subgroups of sources, and if relevant factors can be quantified for those sources or subgroups, then states should make a separate reasonable progress determination for each source or subgroup (page 7)." This seems to indicate that states can group sources for 4-factor analysis, but they may also need to conduct individual analyses for each source.
6. EPA says that states now must evaluate whether *existing* controls are necessary for reasonable progress. Further, those existing controls must be included in the SIP so that they are federally enforceable. EPA concludes that if states use existing controls as a basis for excluding a source from 4-factor analysis, then those controls are likely necessary for reasonable progress (page 10).
    - a. "Therefore, on-the-way measures, including anticipated shutdowns that are relied on to forgo a four-factor analysis or to shorten the remaining useful life of a source, are necessary to make reasonable progress and must be included in a SIP (page 10)."
    - b. "A state's determination that an existing measure is not necessary to make reasonable progress depends on a well-supported demonstration about the future implementation of that measure (page 11)."
  7. EPA implies that they already know what reasonable controls are without defining it. If states reject controls based on statutory factors, other than the four, it is using visibility and the other factors wrong.
    - a. "By contrast, a state that has identified cost effective controls for its sources but rejects most (or all) such cost-effective controls across those sources based on visibility benefits is likely to be improperly using visibility as an additional factor (page 13)."
    - b. "We are aware that some states are using the five additional regulatory factors, in particular 40 CFR 51.308(f)(2)(iv)(A) and (E), to reject *controls that are otherwise reasonable based on the four statutory factors* (page 13).
  8. EPA encourages states to address environmental justice in their Regional Haze SIPs. While this is something that should be considered, if states don't already have it in their plans, it is unfair to ask for it at this stage. **23 days before the SIPs are due!!**

Nancy asked if there was any request to the MJOs for input into the memo; WESTAR had no opportunity for input.

Liz said that EPA Region 8 mentioned there would be a clarification memo a couple of weeks ago. They didn't have a good answer as to why the memo would be published so close to the SIP deadline.

Nancy asked if other MJOs are also concerned; Mary will be talking about this with other MJOs. What about the memo from WESTAR on the modeling delays? The memo may be useful for states to use to support RH SIPs.

Tom noted that there was a sensitivity analysis run that indicated additional controls didn't result in visibility improvements—emissions from international and uncontrollable sources dominate the visibility and any reductions to 4-factor eligible sources' emission rates do not have an effect.

Letter to EPA should include note of the long-standing collaboration with FLMs and EPA on regional haze. There was support for the letter; no one opposed. WESTAR will draft the letter for review.

5. Other items as time and interest permit

There were no additional items brought forth as the call approached one hour in duration.

The call duration was 1 hour.