

1 **West Silver Valley**

Non Attainment Plan - Draft Plan Discussions

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Kellogg Idaho

2 **Federal Requirements for SIP
Permits and Due Date**

• Sections 189(a), (c), and (e) of the CAA require that Moderate area attainment plans contain the following:

• (i) an approved permit program for construction of new and modified major stationary sources (CAA section 189(a)(1)(A)); DEQ has a "delegated" program. This element is achieved. It will be described in the SIP.

• (ii) a demonstration that the plan provides for attainment by no later than the applicable Moderate area attainment date or a demonstration that attainment by that date is impracticable CAA (section 189(a)(1)(B)); The "attainment date" is no later than December 31, 2021. The work so far suggests attainment by December 2019. SIP will identify 2019. Therefore 2017-2018-2019 data will be used to demonstrate

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3 **Federal Requirements for SIP
Control Measures and other analyses**

• (iii) provisions for the implementation of RACM and RACT no later than 4 years after designation (CAA section 189(a)(1)(C)); assurances that RACM will be implemented must be completed. For the WSV NAA the RACM permanent and enforceable methods are woodstove replacements. Federal 2017 automobile emission standards will be "over control" half used for attainment and half held out of future year to be used as contingency measure. The SIP will demonstrate that there is no appropriate RACT (stationary source reductions) in this NAA nor is it necessary

• (iv) quantitative milestones that will be used to evaluate compliance with the requirement to demonstrate reasonable further progress (RFP) (CAA section 189(c)); Since the attainment date is 2019 it is as expeditious as possible, milestone will be attainment date.

• (v) evaluation and regulation of PM2.5 precursors (in general to meet RACM and RACT and other attainment planning requirements, and as specifically provided for major stationary sources under CAA section 189(e)). The technical evaluation has addressed precursors and will demonstrate controlling precursors are not applicable in this case

4 **Federal Requirements for SIP
Other Reductions and Inventory**

• In addition, subpart 1 requirements for attainment plans continue to apply to PM2.5 nonattainment areas unless they are superseded by subpart 4 provisions and include the following:

• (i) a description of the expected annual incremental reductions in emissions that will demonstrate RFP (CAA section 172(c)(2)); Will be addressed in the modeling demonstration. Simply means what reductions occur each year

• (ii) emissions inventories, as necessary (CAA section 172(c)(3)); two inventories have been developed as required

• (iii) other control measures (besides RACM and RACT) needed for attainment (CAA section 172(c)(6)); no other control measures will be required per preliminary results, although DEQ and the community are counting voluntary programs and leveraging the maximum

reduction allowed under this category (0.02ug) DEQ is also including all the grant efforts that will result in reductions, however since these are not "permanent and enforceable" they cannot be added to the reduction demonstration.

5 **Federal Requirements for SIP**

Contingency Measures

- (iv) contingency measures (CAA section 172(c)(9)). These are SIP requirements and MUST be included in the SIP. Federal rules set to begin (i.e., transportation emission reductions) are available for contingency measures per implementation rule. We plan to use these for our contingency, although there is some hesitation to do this (acceptance by EPA concerns). Some other examples are: ordinances that are already written but only kick in if the monitoring data does not report attainment. Currently county and city leadership have no desire to address the problem through local ordinance efforts.

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6 **Control Measures for WSV NAA SIP (1)**

- DEQ identified 21 stoves had been replaced since 2013 and prior to this year. Reductions from these 21 stoves will be taken in the SIP analysis. This is a standard SIP practice therefore DEQ is confident this is an acceptable reduction component of the SIP.

7 **Control Measures for WSV NAA SIP (2)**

- DEQ's technical analysis indicated an additional 35 wood stove replacements occurring in the City of Pinehurst, along with the Federal vehicle standards being phased in through 2017, would provide enough reductions for the SIP to demonstrate attainment of the 2012 Annual PM2.5 Standard.

8 **Control Measures for WSV NAA SIP (3)**

- The last reduction technique used by DEQ for this SIP is the voluntary allowances for SIP. The EPA will allow the use of these reductions but only up to 6% of the total reductions needed for the SIP attainment demonstration (The WSV NAA needs 0.36ug reductions to demonstrate attainment, therefore DEQ can claim 0.02ug reductions from voluntary measures).

9 **Contingency Measures**

- DEQ's technical analysis identified "over control" by combining additional Federal vehicle standards with 5 more wood stove replacements in 2019 would be an appropriate "Contingency Measure" (a contingency measure is a permanent and enforceable reduction technique that is identified and established in the SIP so that it can be enacted within 60 days of the area failing to meet the attainment deadline. Basically another reduction effort set and ready to go if needed).

10 **Disclaimer**

- DEQ believes the control measures identified above are appropriate and do conform to SIP Implementation Rule Requirements as DEQ has interpreted them, however changes in law continue to occur and the plan will still need to be approved by the EPA based on the rules in place at the time of submittal.

11 **Control Measure Consequences**

- The reductions available and supported by the community that could meet "permanent and enforceable" SIP requirements were limited to woodstoves replacements and federal vehicle emission reductions. Because the community would not establish local open burning and woodstove reduction ordinances in support of this SIP DEQ and the community have effectively "picked clean" the low hanging fruit for reduction techniques in order to demonstrate attainment for the 2012 PM2.5 Annual Standard.

12 **Future Available Control Measures**

- If the community fails to achieve/maintain the annual standard or, if the community fails to achieve/maintain the 24 hour daily standard in the future, the community and DEQ will have no low hanging fruit available and will be left with woodstove and open burning restrictions as some of the only viable “permanent and enforceable” reductions available if another SIP is required.

13 **Key Control Measure Concerns**

- Failure to establish “permanent and enforceable” reductions in a future SIP will require the EPA to reject a state’s efforts and unless the State steps up the EPA will be forced to develop a Federal Implementation Plan (FIP) effectively instituting Federal regulatory oversight in the community.

14 **Community Efforts**

- The community has done a great job in engaging the issue, supporting outreach and education efforts, and highlighting burn condition notifications in the local media. The community must continue to be proactive in getting the word out to the public about proper wood burning practices and best smoke management practices in order to maintain the current momentum and avoid future non-attainment designations. As stated above there is little to no easy fixes left on the table at this time for future SIPs if needed.

15 **Pinehurst Monitor**16 **Near Future Considerations**

- The EPA recently issued their *Treatment of Data Influenced by Exceptional Events* final rule. This rule requires areas that identify wildfire smoke impacts or are prone to wildfire impacts (recurring events) MUST have a mitigation plan in place within 2 years of notification by EPA that the area is subject to a mitigation plan to provide the possibility that any wildfire smoke impacts would be available for treatment as an Exceptional Event (EE).