



IDAHO SOLID WASTE ASSOCIATION

PO Box 159
BURLEY, ID 83318

May 18, 2018

VIA EMAIL: paula.wilson@deq.idaho.gov

Paula J. Wilson
Hearing Coordinator
Department of Environmental Quality
1410 North Hilton
Boise, Idaho 83706-0481

Re: Idaho DEQ Negotiated Rulemaking Docket No. 58-0101-1801

Dear Ms. Wilson:

The Idaho Solid Waste Association (ISWA) is providing the following comments related to DEQ's proposed regulatory changes in Docket 58.01.01.1801.

Simplified permitting pathway for PSD Minor Sources

One of ISWA's primary concerns to DEQ's Docket 58.01.01.1801, is that more comprehensive rulemaking is recommended to address changes in the scope of which regulated sources can (or cannot) be exempted from permitting in IDAPA 58.01.01.220-223. As part of any such additional rulemaking, ISWA recommends that the following issues also be included to streamline the permitting process for minor sources:

- a. Exclusions for further permitting of TAPs sources that are already subject to NESHAPS These sources that are regulated by NSPS or NESHAP do not require duplicative regulation in Idaho's New Source Review permitting. ISWA believes that this permitting logic is sound, easy to understand and implement in its present form, and should not be changed.
- b. More realistic facility-wide screening levels Many facilities emit TAPs at facility-wide levels that, although single-source screening emissions levels (ELs), are may be exceeded, facility-wide impacts upon modeling, are well below the applicable AACs and AACCs. ISWA recommends that in such cases, any source that emits TAPs where facility-wide impacts of the TAP are less than AACs and AACCs, should be exempt from modeling, irrespective of the single source emissions vs EL. ISWA requests that DEQ include this alternative in any future rulemaking that involves new minor source permitting.

- c. Modeling Guidelines – Level 1 and Level 2 Modeling thresholds. ISWA members have noted that DEQ consistently does not approve applicant’s use of Level 2 modeling thresholds for justifying non-applicability of project modeling, even when a solid basis exists for use of the Level 2 threshold. ISWA requests that DEQ retain, and use, the Level 2 threshold in the Modeling Guideline in any future rulemaking that involves new minor source permitting.
- d. Usefulness of 1-D screening models as tools for determining impacts of proposed new minor sources Because of the large conservatism that is built into approved EPA screening models, they may provide, for new point sources, an economic alternative to full-facility-wide, refined modeling where a minor new source is proposed. ISWA requests that DEQ include this alternative in any future rulemaking that involves new minor source permitting.
- e. Adopt EPA’s modeling requirements for non-PSD sources. ISWA understands that PSD minor-source New Source Review is required by Section 110(a)(2)(C) of Part A of CAA Title I. The CAA requires that these sources be regulated, and compliance be assured with respect to the NAAQS, via Idaho’s SIP. ISWA understands that PSD-level modeling is not required by EPA, unless as part of a facility where a PSD source is being permitted. ISWA requests that DEQ sponsor a forum in which the regulated community can show that, for most of Idaho industry’s minor sources, NAAQS compliance as a function of their location (airshed, and proximity to other sources) can be assured via simple emissions inventories and screening modeling for the proposed new minor source -- without requiring a full-facility-wide, refined model, simulation.

Thank you for the opportunity to provide comments on this matter and if you have any questions or need any additional information related to our comments feel free to contact me at (208) 921-8491, or Rachelle Klein, our Legislative Awareness Committee Chair.

Sincerely,

Stephen F. Freiburger, PE
President.