

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

DATE:

96 JAN 1987

SUBJECT:

Ambient Air

FROM:

Steve Rothblatt, Chief
Air and Radiation Branch

TO:

Tom Helms, Chief
Control Programs Operations Branch

The purpose of this memo is to request comments from the Control Programs Development Division (CPDD) on five ambient air cases that we are facing in Region V. Cases 1-4 are presented in the attached memo that was sent in December 1986 to the Model Clearinghouse. Because of the policy nature of these questions, we believe that CPDD, and not the Model Clearinghouse, is the appropriate group to respond to the cases. We, thus, request your comments.

Case 5 concerns the placement of receptors on another source's fenced property. Although a strict interpretation of the ambient air policy would not allow one source to pollute another source, this imposes a burden in modeling multi-source areas. That is, a bookkeeping system would have to be developed so receptors on Plant A's fenced property would consider the impact from all sources, except Plant A. Region V has previously not asked States to perform this extra step and, instead, have excluded receptors from all fenced plant property (with two exceptions: (1) if there is a monitor located on a plant's property, and (2) if the plant is not in the modeled emission inventory). We request your comments on this approach.

Please understand that an expeditious answer is necessary since these questions pertain to State Implementation Plan (SIP) revisions undergoing Regional Office review or development. The most pressing situation is for Case 4 (Cuyahoga County). As a result of litigation over the SO₂ SIP for Cuyahoga County dating back to 1976, USEPA recently informed the U.S. Court of Appeals for the Sixth Circuit that it will initiate rulemaking to revise the SIP. In its status report to the Court dated July 1, 1986, USEPA estimated that a Notice of Proposed Rulemaking (NPR) could be published in the spring of 1987. Region V and the State of Ohio having been working together on this project. We must start modeling by February 1987 in order to meet our commitment to the Court. Thus, we need an answer on this ambient air question by mid-February 1987.

Please call Mike Koerber at FTS 886-6061 to discuss these questions further.

Attachment

cc: J. Tikvart
D. Wilson
S. Reinders

Jan



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Office of Air Quality Planning and Standards
Research Triangle Park, North Carolina 27711

JUL 5 1988

MEMORANDUM

Subject: Air Quality Analysis for Prevention of Significant Deterioration (PSD)

From: Gerald A. Emison, Director *[Signature]*
Office of Air Quality Planning and Standards (MD-10)

To: Thomas J. Maslany, Director
Air Management Division (3AM00)

Your memorandum of May 9, 1988, pointed out that two different procedures are currently being used by the Regional Offices in certain PSD permit analyses. The inconsistency involves the question of how to interpret dispersion modeling results to determine whether a source will cause or contribute to a new or existing violation of a national ambient air quality standard (NAAQS) or PSD increment. This memorandum serves to resolve the inconsistency by reaffirming previous Office of Air Quality Planning and Standards guidance provided in a December 1980 policy memorandum (attached).

As you know, the regulations for PSD stipulate that approval to construct cannot be granted to a proposed new major source or major modification if it would cause or contribute to a NAAQS or increment violation. Historically, the Environmental Protection Agency's (EPA's) position has been that a PSD source will not be considered to cause or contribute to a predicted NAAQS or increment violation if the source's estimated air quality impact is insignificant (i.e., at or below defined de minimis levels). In recent years, two approaches have been used to determine if a source would "significantly" (40 CFR 51.165(b) defines significant) cause or contribute to a violation. The first is where a proposed source would automatically be considered to cause or contribute to any modeled violation that would occur within its impact area. In this approach, the source's impact is modeled and a closed circle is drawn around the source, with a radius equal to the farthest distance from the source at which a significant impact is projected. If, upon consideration of both proposed and existing emissions contributions, modeling predicts a violation of either a NAAQS or an increment anywhere within this impact area, the source (as proposed) would not be granted a permit. The permit would be denied, even if the source's impact was not significant at the predicted site of the violation during the violation period. You have indicated that this is the approach you currently use.

The second approach similarly projects air quality concentrations throughout the proposed source's impact area, but does not automatically assume that the proposed source would cause or contribute to a predicted NAAQS or increment violation. Instead, the analysis is carried one step further in the event that a modeled violation is predicted. The additional step determines whether the emissions from the proposed source will have a significant ambient impact at the point of the modeled NAAQS or increment violation when the violation is predicted to occur. If it can be demonstrated that the proposed source's impact is not "significant" in a spatial and temporal sense, then the source may receive a PSD permit. This approach is currently being used by Region V and several other Regional Offices, and is the approach that you recommend as the standard approach for completing the PSD air quality analysis.

In discussing this matter with members of my staff from the Source Receptor Analysis Branch (SRAB) and the Noncriteria Pollutant Programs Branch (NPPB), it appears that different guidance has been provided, resulting in the two separate approaches just summarized. We have examined the history and precedents which have been set concerning this issue. I also understand that this issue was discussed extensively at the May 17-20, 1988 Regional Office/State Modelers Workshop, and that a consensus favored the approach being used by Region V and several other Regions. Based on this input, as well as your own recommendation, I believe the most appropriate course of action to follow is the second approach which considers the significant impact of the source in a way that is spatially and temporally consistent with the predicted violations.

By following the second approach, three possible outcomes could occur:

(a) First, dispersion modeling may show that no violation of a NAAQS or PSD increment will occur in the impact area of the proposed source. In this case, a permit may be issued and no further action is required.

(b) Second, a modeled violation of a NAAQS or PSD increment may be predicted within the impact area, but, upon further analysis, it is determined that the proposed source will not have a significant impact (i.e., will not be above de minimis levels) at the point and time of the modeled violation. When this occurs, the proposed source may be issued a permit (even when a new violation would result from its insignificant impact), but the State must also take the appropriate steps to substantiate the NAAQS or increment violation and begin to correct it through the State implementation plan (SIP). The EPA Regional Offices' role in this process should be to establish with the State agency a timetable for further analysis and/or corrective action leading to a SIP revision, where necessary. Additionally, the Regional Office should seriously consider a notice of SIP deficiency, especially if the State does not provide a schedule in a timely manner.

(c) Finally, the analysis may predict that a NAAQS or increment violation will occur in the impact area and that the proposed source will have a significant impact on the violation. Accordingly, the proposed source is considered to cause, or contribute to, the violation and cannot be issued a permit without further control or offsets. For a new or existing NAAQS

violation, offsets sufficient to compensate for the source's significant impact must be obtained pursuant to an approved State offset program consistent with SIP requirements under 40 CFR 51.165(b). Where the source is contributing to an existing violation, the required offsets may not correct the violation. Such existing violations must be addressed in the same manner as described in (b) above. However, for any increment violation (new or existing) for which the proposed source has a significant impact, the permit should not be approved unless the increment violation is corrected prior to operation of the proposed source (see 43 FR p.26401, June 19, 1978; and 45 FR p.52678, August 7, 1980).

Your memorandum also states that other air quality analysis issues exist within the NSR program which need consistent national guidance. You recommend a more coordinated effort between SRAB and NPPB to review outstanding NSR issues. We agree; however, rather than establishing a formal work group as you propose, we are optimistic that the formal participation of representatives of the NSR program in the Modeling Clearinghouse will help resolve coordination problems. Earlier in the year, the Modeling Clearinghouse was officially expanded to include representation from the NPPB to coordinate PSD/NSR issues which have a modeling component.

I trust that this is responsive to the concerns which you have raised. By copy of this memorandum, we are also responding to a Region V request for clarification on the same issue (memorandum from Steve Rothblatt to Joe Tikvart/Ed Lillis, dated February 18, 1988).

Should you have any further questions concerning this response, please feel free to contact Gary McCutchen, Chief, New Source Review Section, at FTS 629-5592.

Attachment

cc: Air Division Directors, Regions I-X
Air Branch Chiefs, Regions I-X
D. Clay
J. Calcagni
J. Tikvart
E. Lillis
G. McCutchen
D. deRoeck