INFRASTRUCTURE SIPS Focus on Elements 110 (a)(2)(D)-(G)

01	Recap of Session 1
02	Introductions
03	ISIP Elements 110(a)(2)(D)-(G)
04	Open Discussion

AGENDA

- Submittal timeline and process
- 110(a)(2)(A) Enforceable emission limitations/other measures + compliance schedules
- 110(a)(2)(B) Monitoring, data analyses, and data availability
- 110(a)(2)(C) Enforcement of emission limitations/measures/compliance schedules
- Examples from Nevada, Utah, and Washington

RECAP - Session 1 Topics

- Locating past ISIP submittals
- Locating "certification" example
- Reviewing current ISIP elements i.e. what do we look at?
- Using the LEAN Process for SIP Develop
- Approaches to address the transport element

RECAP - Session 1 Discussion

INTRODUCTIONS

- State/Agency
- Name of your EPA regional contact person
- When did you last talk to your EPA Regional Office about ISIPs?
- What ISIP topics did you talk about?



2012 PM2.5 NAAQS

SPECS for SIPS Public Dashboard

Idaho

https://www.regulations.gov/document/EPA-R10-OAR-2018-0509-0003

New Mexico

https://www.regulations.gov/document/EPA-R06-OAR-2015-0850-0003

Wyoming

https://www.regulations.gov/document/EPA-R08-OAR-2012-0933-0005

Required State Implementation Plan Elements Dashboard



The Required State Implementation Plan Elements Dashboard provides details about individual states' Clean Air Act and regulatory planning requirements associated with implementing, attaining, and maintaining the National Ambient Air Quality Standards (NAAQS) through SIPs. The dashboard includes information for nonattainment and maintenance areas for current and revoked NAAQS. Information in the dashboard can be filtered by state, NAAQS, area, plan category, and specific SIP element. When viewing information about the required SIP elements visit: Air Quality Implementation Plans.

Notice: EPA makes its best effort to ensure that the data displayed here are updated promptly and accurately. However, please note that these data are for general information, please contact the EPA team.

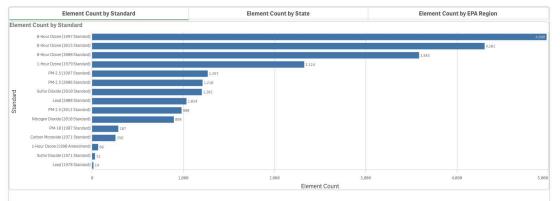
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State Plan Category Standard Area Required Elements

Charts & Graphs





Required Elements Details

Export Data

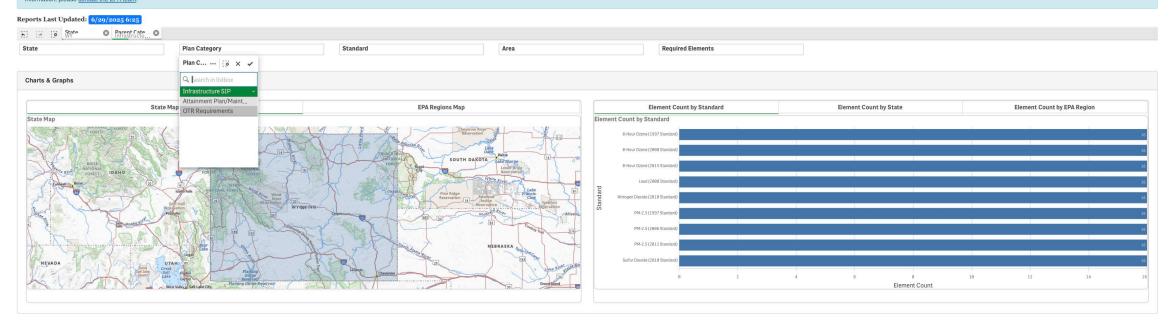
Ro F	Re	Q C	Area	A C	NAAQS Standard	Plan Category ¹	Required Elements ²	Q Due Q	Subm Q	Latest Q Completeness Date	Latest Proposed C	Latest Proposed Q Action Date	Latest Proposed Action FR	Q Final C	Latest Final Action		Latest Final Action FR Citation	Q FDMS Docket ID ³	Q Latest Final Are
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2																			
1		1 ME	Aroostock County; City of Pre	View	PM-10 (1987 Standard)	Attainment Plan/Mainte	PM-10 contingency measures	11/15/	6/7/1994	7/22/1994	Approval	8/30/1995	60 FR 45113	Direct Final	Approval	10/30/1995	60 FR 45056		Redesignation t
2		1 ME	Aroostock County; City of Pre	View	PM-10 (1987 Standard)	Attainment Plan/Mainte	PM-10 Nonattainment NSR	6/30/1	10/14/19	1/14/1992	Approval	2/14/1996	61 FR 5724	Direct Final	Approval	4/14/1996	61 FR 5690		Redesignation t
3		1 ME	Aroostock County; City of Pre	View	PM-10 (1987 Standard)	Attainment Plan/Mainte	PM-10 SIP	11/15/	10/14/19	1/14/1992	Approval	5/10/1994	59 FR 24096	Final	Approval	2/13/1995	60 FR 2885		Redesignation t
4		1 MA	Boston Area	View	Carbon Monoxide (1971 S	Attainment Plan/Mainte	CO contingency measures	11/15/	12/23/19	1/13/1995	Approval	1/30/1996	61 FR 2981	Direct Final	Approval	4/1/1996	61 FR 2918		Redesignation t
5		1 MA	Boston Area	View	Carbon Monoxide (1971 S	Attainment Plan/Mainte	CO Emissions Inventory	11/15/	11/25/19	2/24/1993	Approval	1/30/1996	61 FR 2981	Direct Final	Approval	4/1/1996	61 FR 2918		Redesignation t
6		1 MA	Boston Area	View	Carbon Monoxide (1971 S	Attainment Plan/Mainte	CO Nonattainment NSR	11/15/	7/15/1994	7/15/1994	Approval	1/30/1996	61 FR 2981	Direct Final	Approval	4/1/1996	61 FR 2918		Redesignation t
7		1 MA	Boston Area	View	Carbon Monoxide (1971 S	Attainment Plan/Mainte	Oxygenated fuels	11/15/	10/29/19	12/21/1993	Approval	1/30/1996	61 FR 2981	Direct Final	Approval	4/1/1996	61 FR 2918		Redesignation t
8		1 MA	Boston-Lawrence-Worcester (View	8-Hour Ozone (1997 Stan	Attainment Plan/Mainte	Emission Statement	6/15/2	7/15/1994	7/15/1994	Approval	3/21/1996	61 FR 11597	Direct Final	Approval	5/20/1996	61 FR 11556		Clean Data Dete

Required State Implementation Plan Elements Dashboard



The Required State Implementation Plan Elements Dashboard provides details about individual states' Clean Air Act and regulatory planning requirements associated with implementing, attaining, and maintaining the National Ambient Air Quality Standards (NAAQS) through SIPs. The dashboard includes information for nonattainment and maintenance areas for current and revoked NAAQS. Information in the dashboard can be filtered by state, NAAQS, area, plan category, and specific SIP element. When viewing information about a specific SIP element, the history of EPA actions on the element is displayed at the bottom of the page. For more information about the required SIP elements visit: Air Quality Implementation Plans.

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Required Elements Details

Export	

₹о	Re	State	Q Area	Q A Q	NAAQS Standard	Plan Category ¹	Q Required Elements ²	SIP Due Q Date	Subm Q Date	Latest Q Completeness Date	Latest Proposed Q Action	Latest Proposed C Action Date	Latest Proposed Action FR	Q Final Action	Q Latest Final Action	Q Final (Action	Latest Final Action FR Citation	Q Q FDMS Docket ID ³	Latest Final Are
16																			
1	8	3 WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(D)(i) - I Prong	12/14/	6/24/2016	12/24/2016	Approval	5/9/2018	83 FR 21226	Final	Approval	8/6/201	8 83 FR 31328	EPA-R08-OAR-2018-0	41
2	8	3 WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(D)(i) - I Prong	12/14/	6/24/2016	12/24/2016	Approval	5/9/2018	83 FR 21226	Final	Approval	8/6/201	8 83 FR 31328	EPA-R08-OAR-2018-0	40
3	8	3 WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(A) Emission Ii	12/14/	6/24/2016	12/24/2016	Approval	11/8/2016	81 FR 78529	Final	Approval	5/25/201	7 <u>82 FR 18992</u>	https://www.regulatio	20
4	8	3 WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(B) Ambient air	12/14/	6/24/2016	12/24/2016	Approval	11/8/2016	81 FR 78529	Final	Approval	5/25/201	7 <u>82 FR 18992</u>	https://www.regulatio	~
5	8	3 WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(C) Program for	12/14/	6/24/2016	12/24/2016	Approval	11/8/2016	81 FR 78529	Final	Approval	5/25/201	7 82 FR 18992	https://www.regulatio	*
6	8	3 WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(D)(i) - II Prong	12/14/	6/24/2016	12/24/2016	Approval	11/8/2016	81 FR 78529	Final	Approval	5/25/201	7 82 FR 18992	https://www.regulatio	-
7	8	B WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(D)(i) - II Prong	12/14/	6/24/2016	12/24/2016	Disapproval	11/18/2016	81 FR 81712	Final	Disapproval	3/6/201	7 82 FR 9142	https://www.regulatio	-
8	8	B WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(D)(ii) Interstat	12/14/	6/24/2016	12/24/2016	Approval	11/8/2016	81 FR 78529	Final	Approval	5/25/201	7 82 FR 18992	https://www.regulatio	
9	8	3 WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(E) Adequate re	12/14/	6/24/2016	12/24/2016	Approval	11/8/2016	81 FR 78529	Final	Approval	5/25/201	7 82 FR 18992	https://www.regulatio	9
10	8	3 WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(F) Stationary s	12/14/	6/24/2016	12/24/2016	Approval	11/8/2016	81 FR 78529	Final	Approval	5/25/201	7 82 FR 18992	https://www.regulatio	21
11	8	3 WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(G) Emergency	12/14/	6/24/2016	12/24/2016	Approval	11/8/2016	81 FR 78529	Final	Approval	5/25/201	7 <u>82 FR 18992</u>	https://www.regulatio	Δ:
12	8	B WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(H) Future SIP r	12/14/	6/24/2016	12/24/2016	Approval	11/8/2016	81 FR 78529	Final	Approval	5/25/201	7 82 FR 18992	https://www.regulatio	21
13	3	3 WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(J) Consultatio	12/14/	6/24/2016	12/24/2016	Approval	11/8/2016	81 FR 78529	Final	Approval	5/25/201	7 82 FR 18992	https://www.regulatio	-
14	3	3 WY	Statewide	View	PM-2.5 (2012 Standard)	Infrastructure SIP	Section 110(a)(2)(K) Air quality	12/14/	6/24/2016	12/24/2016	Approval	11/8/2016	81 FR 78529	Final	Approval	5/25/201	7 82 FR 18992	https://www.regulatio	-
4.7	,	3 3807	Or a second de	V II access	DM 2 F /2012 04	T-6	0	101111	010410010	10/04/0010	A	111010010	01 50 70500	Plant.	A	F /0 F /0 0 4	7 00 50 10000	base of the contract of	

110(a)(2)(D)(i)

prohibiting, consistent with the provisions of this subchapter, any source or other type of emissions activity within the State from emitting any air pollutant in amounts which will—

- (I) contribute significantly to nonattainment in, or interfere with maintenance by, any other State with respect to any such national primary or secondary ambient air quality standard, or
- (II) interfere with measures required to be included in the applicable implementation plan for any other State under part C of this subchapter to prevent significant deterioration of air quality or to protect visibility.

Prong 1 – Contribution to Nonattainment & Prong 2 – Interference with Maintenance

--- Framework for addressing interstate transport ---

- 1) Identify downwind receptors expected to have problems attaining or maintaining the NAAQS
- 2) Identify which upwind states contribute to these identified problems in amounts that warrant further review and analysis
- 3) For states identified as contributing to downwind air quality problems, identify upwind emissions reductions necessary to prevent an upwind state from significantly contributing to nonattainment or interfering with maintenance of the NAAQS in a downwind state
- 4) For states found to significantly contribute to nonattainment or interfere with maintenance in downwind states, reduce the identified upwind emissions through adoption of permanent and enforceable measures.

--- Weight of Evidence Approach ---

Emissions data | Meteorology | Monitoring data | Distance(s) to nearest nonattainment area(s) | Modeling

Prong 3 – Interference with PSD

- Include provisions prohibiting emissions of regulated pollutants that would interfere with PSD measures described in Part C of any other agency's SIP
- Confirmation that new major sources/major modifications are subject to PSD permitting program
- Description of permitting program for sources in designated nonattainment areas
- Description of relevant physical conditions or other SIP provisions

Prong 4 – Interference with Visibility Protection

 Confirmation of an EPA-approved Regional Haze SIP that includes all measures needed to achieve emissions reduction obligations agreed upon through the RH planning process.

New Mexico 2012 PM2.5 NAAQS – Prong 1 and Prong 2

Technical Demonstration – Appendix to Submittal Document

- Background
- Monitoring data and attainment status based on regulatory monitors in the state
- Designations for 2012 PM2.5 NAAQS and future projections based on on-the-books controls (EPA)
- Analysis of DV trends in New Mexico and other states
- Discussion of meteorology and other factors that contribute to observed trends
- Geographic proximity to nonattainment areas
- Control strategy overview with summary programs targeting PM, SO₂, and NOx emissions
- Narrative description of emission trends resulting from existing control strategies

New Mexico 2012 PM2.5 NAAQS – Prong 1 and Prong 2



Figure 2-1: Areas Designated by the EPA as Nonattainment of the Annual PM_{2.5} NAAQS (EPA, 2014a) http://www.epa.gov/pmdesignations/2012standards/final/20150331map.jpg

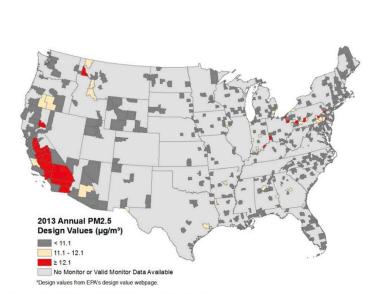


Figure 2-2: 2013 Annual PM2.5 Design Values by County

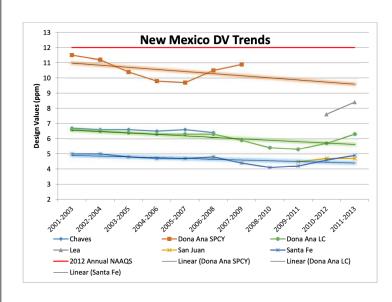


Figure 2-3a: Annual PM_{2.5} Design Value Trends by County in New Mexico* ** ***

^{*}Includes only Valid Design Values

^{**}SPCY site did not meet siting criteria beginning in Nov 2010 resulting in invalid design values. Las Cruces site used from 2008-2013.

^{***}Data from EPA's Design Values webpage http://www.epa.gov/airtrends/values.html

New Mexico 2012 PM2.5 NAAQS – Prong 1 and Prong 2

Table 2-1: Percent Change in Annual PM_{2.5} Design Values

EPA Designated Nonattainment Area	Percent Change 2003-2013
Los Angeles-South Coast Air Basin, CA	-46
Allegheny County, PA	-37
Cleveland, OH	-32
Canton-Massillon, OH	-30
Louisville, IN-KY	-25
Cincinnati-Hamilton, OH-KY	-24
Johnstown, PA	-22
Delaware County, PA	-19
Allentown, PA	-16
San Joaquin Valley, CA	-15
West Silver Valley, ID	1
Imperial County, CA	57
Plumas County, CA*	8
Lebanon County, PA**	

^{*}Indicates that the area did not have data in 2003; therefore, percent change was calculated from the first year of data (2005) through 2013.

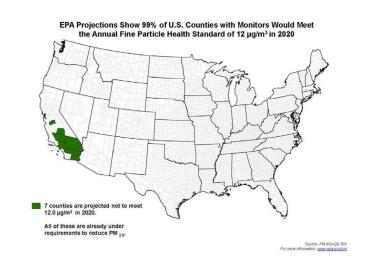


Figure 2-7: Annual PM_{2.5} Design Values Projected for 2020 (EPA, 2014b) http://www.epa.gov/airquality/particlepollution/2012/2020map.pdf

Table 2-2: PM_{2.5} Monitor Sites and Annual PM_{2.5} Design Values in EPA Region 6

State	County/Parish Name	AIRS Number	Site Name	2013 Annual Design Value (μg/m3)
Arkansas	Arkansas	50010011	Stuttgart	10.1
Arkansas	Ashley	50030005	Crossett	10.1
Arkansas	Crittenden	50350005	Marion	10.6
Arkansas	Faulkner	50450002	Conway	
Arkansas	Garland	50510003	Hot Springs	10.5
Arkansas	Jackson	50670001	Newport	9.6
Arkansas	Phillips	51070001	Helena	
Arkansas	Polk	51130002	Mena	10.5
Arkansas	Pope	51150003	Russellville	
Arkansas	Pulaski	51190007	Parr	11.2
Arkansas	Pulaski	51191004	Adams Field	11.1
Arkansas	Pulaski	51191008	Doyle Springs Road	11.7
Arkansas	Sebastian	51310008	Ft. Smith	
Arkansas	Union	51390006	El Dorado	10.7
Arkansas	Washington	51430005	Springdale	10.2
Arkansas	White	51450001	Searcy	
Louisiana	Caddo	220170008	Shreveport / Calumet	11.6
Louisiana	Calcasieu	220190009	Vinton	8.1
Louisiana	Calcasieu	220190010	McNesse	8.4
Louisiana	East Baton Rouge	220330009	Capitol	9.4

^{**}Indicates that the area only had data in 2013; therefore, no percent change could be calculated.

New Mexico 2012 PM2.5 NAAQS – Prong 3 and Prong 4

With respect to the prevention of significant deterioration element of Section110 (a)(2)(D)(i)(II), as stated above in Element 110(a)(2)(C) of this Infrastructure SIP certification, the New Mexico PSD program has been approved by EPA into the SIP. New Mexico's PSD program contains the necessary provisions to implement the PM_{2.5} standard.

Narrative description of timeline and associated events including

- September 2007: ISIP submittal in response to 1997 Ozone and PM2.5 NAAQS
- December 2003 and July 2011: Regional Haze Submittals
- August 2011: Disapproval of visibility portion of 2007 ISIP submittal
- Promulgation of FIP
- November 2012 EPA approval of Regional Haze SIP submittals
- Description and status of legal challenges to relevant aspects of the above actions

Wyoming 2012 PM2.5 NAAQS

110(a)(2)(D) Non-regulatory Documents:

- 1. Original Wyoming Interstate Transport SIP [Non-Regulatory] (per Section 110(a)(2)(D)(i) of the CAA) submitted to EPA on 5/3/07, and consisting of:
 - a. Memorandum dated 5/3/07 from David A. Finley, AQD Administrator, to John V. Corra, DEQ Director
 - b. Letter dated 5/3/07 from John V. Corra, DEQ Director, to Robbie Roberts, EPA Region 8 Regional Administrator
 - c. Certification Page For State Implementation Plans For The Air Quality Division Of The Department Of Environmental Quality; SIP adopted by DEQ on 3/15/07; DEQ adoption of SIP approved by Governor Dave Freudenthal on 4/15/07
 - d. Memorandum dated 4/9/07 from John V. Corra, DEQ Director, to Governor Freudenthal
 - e. Letter dated 4/24/07 from Nancy Vehr of the Office of the Attorney General to Dave Finley, AQD Administrator
 - f. Public Notice of Air Quality Advisory Board Meeting of December 11, 2006
 - g. Dates of publication of Public Notice in five Wyoming newspapers
 - h. Sign-in sheet for attendees of 12/11/06 Air Quality Advisory Board Meeting
 - i. Air Quality Advisory Board Meeting Agenda
 - j. Negative Declaration Demonstration
 - k. Approved by EPA 5/8/2008; 73 FR 26019
- 2. Revised 309 Regional Haze SIP; SO₂ Backstop Trading Program
 - a. Submitted to EPA on 1/12/11
 - b. EPA final Federal Register 12/12/12; 77 FR 73926

110(a)(2)(D) Regulatory Documents, Wyoming Air Quality Standards and Regulations (WAQSR):

- 1. Chapter 6, Section 2, Permit requirements for construction, modification, and operation
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA final Federal Register 7/28/2004; 69 FR 44965
- 2. Chapter 6, Section 4, Prevention of significant deterioration
 - a. Most recent State regulatory SIP document submitted to EPA 5/24/12 and 3/8/13
 - b. EPA final Federal Register 12/6/13; 78 FR 73445
 - c. EPA final Federal Register 11/22/13; 78 FR 69998
 - d. Preceding WAQSR, Section 24, Prevention of significant deterioration
 - i. Original State regulations submitted 1/25/79
 - ii. EPA approved 7/2/79; 44 FR 38473
- 3. Chapter 6, Section 13, Nonattainment permit requirements
 - a. Most recent State regulatory SIP document submitted to EPA 11/6/2015
 - b. EPA approval pending
 - c. Preceding State regulatory SIP document submitted to EPA 5/10/11
 - d. EPA disapproval final Federal Register 2/20/2015; 80 FR 9194
- 4. Chapter 9, Section 2, Visibility
 - a. Revised WAQSR format EPA approved 7/28/2004, 69 FR 44965
 - b. Preceding WAQSR, Section 28, Visibility
 - i. Submitted as part of the SIP for Class I Visibility Protection
 - ii. Approved by EPA on 2/15/1989, 54 FR 6912
- 5. Wyoming Environmental Quality Act, Section 35-11-207, Notification to the environmental protection agency and contiguous states

Wyoming 2012 PM2.5 NAAQS – Technical Demonstration – Appendix to Submittal Document

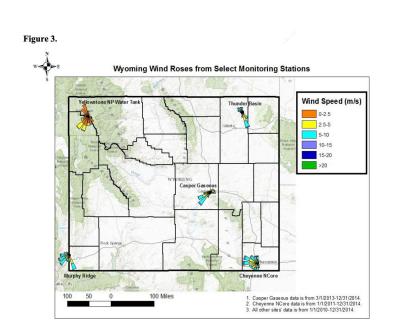
Prong 1 and Prong 2

- Timeline of previous (2006) PM2.5 ISIP submittal and summary of EPA's comments in the approval
- Monitoring data from SLAMS, SPM, NCore, and mobile sites
- Analyses of monitoring data i.e. attainment status, trends, sources of elevated concentrations
- Discussion of nonattainment area in closest proximity to the state, prevailing meteorological conditions and terrain
- Summary of relevant information from EPA's Technical Support Document for Area Designations

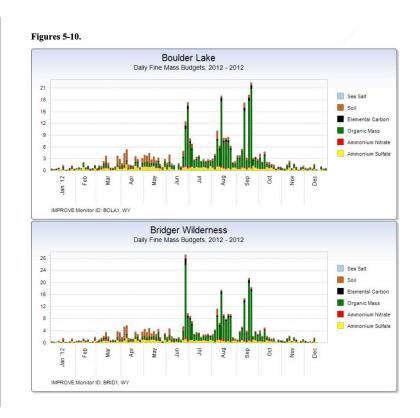
Prong 3 and Prong 4

- Status of previous (2006) PM2.5 ISIP submittal
- Overview of PM2.5 concentrations in the state and reference to conclusions presented by EPA in their proposed rule – regarding nature of PM2.5 challenges in the western US
- Status of most recent Regional Haze SIP submittal including ongoing litigation
- Analyses of prevailing winds and geography, discussion of PM2.5 composition (IMPROVE data)

Wyoming 2012 PM2.5 NAAQS – Technical Demonstration addressing Prong 3 and Prong 4







110(a)(2)(D)(ii)

contain adequate provisions -

insuring compliance with the applicable requirements of sections 7426 and 7415 of this title (relating to interstate and international pollution abatement);

Section 4726/CAA Section 126 - Interstate Pollution Abatement

- Provisions requiring new/modified major sources subject to PSD to provide notification of potential impacts
- Reference EPA-approved PSD permitting program
- Statement noting that no sources are the subject of an active finding under CAA section 126

Section 7415/CAA Section 115 - International Air Pollution

Statement noting that there are no findings under CAA section 115 against this state

Idaho 2012 PM2.5 NAAQS

DEQ received delegation of the PSD program on November 28, 1986, from Gary L. O'Neal, Region 10 air and toxics division director. DEQ's PSD program is federally approved and covers all regulated pollutants. The regulations for 40 CFR 52.683 are available at www.gpo.gov/fdsys/granule/CFR-2011-title40-vol3/CFR-2011-title40-vol3-sec52-683/content-detail.

IDAPA 58.01.01.209 provides the procedures for issuing permits to construct including notice and comment procedures for new or modified sources with regard to the public and to appropriate federal, state, international, and local agencies.

Idaho has no pending obligations under CAA Sections 115 or 126(b).

110(a)(2)(E)

provide

- (i) necessary assurances that the State (or, except where the Administrator deems inappropriate, the general purpose local government or governments, or a regional agency designated by the State or general purpose local governments for such purpose) will have adequate personnel, funding, and authority under State (and, as appropriate, local) law to carry out such implementation plan (and is not prohibited by any provision of Federal or State law from carrying out such implementation plan or portion thereof),
- (ii) requirements that the State comply with the requirements respecting State boards under section 128, and
- (iii) necessary assurances that, where the State has relied on a local or regional government, agency, or instrumentality for the implementation of any plan provision, the State has responsibility for ensuring adequate implementation of such plan provision.

(i) Adequate personnel and funding to implement the relevant NAAQS

- Identify organizations participating in the development, implementation, and enforcement of the SIP provisions related to the new NAAQS
 - Specific responsibilities of each organization
 - Reference to relevant agreements
- Statement that adequate resources are available
- Description of resources available to carry out the SIP
 - Those available as of date of ISIP submission.
 - Those necessary during the five years following the submission
 - Projections of acquisition of the described resources
- Statement of assurance that the responsible organizations have adequate legal authority under statutes, rules, and regulations to carry out SIP obligations
 - o Identify specific statutes, rules, and regulations
 - o Provide copy of reference to text of these statutes, rules, and regulations

(ii) State Boards

- Relevant provisions that impose the requirements in CAA Section 128 which apply to certain boards or governing bodies that are involved in the approval of permits or enforcement orders.
 - o Specific (existing) rule or self-executing law regarding conflict of interest and disclosure
 - Negative declaration if the air agency does not have a board or body authorized to approve permits or enforcement orders.

(iii) States Retain Responsibility for Implementation of SIP Obligations

- Assurance that states will retain oversight for ensuring that SIP implementation is adequate –
 even if local or regional agencies are tasked with carrying out specific elements of the SIP
 - Narrative
 - Reference to relevant rules, statutes, regulations, and agreements

Wyoming 2012 PM2.5 NAAQS

110(a)(2)(E) Non-regulatory Documents:

- 1. Resources Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
- 2. Legal Authority Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
- 3. Executive Order (EO) 1981-12
 - a. Enacted and signed by Governor Herschler in 1981
 - b. The EO represents the obligation of the agency to guard against ex parte contacts and biased decision making.
 - c. Officers appointed by the Governor will comply with requirements set forth in Sections 1. 2 and 3 (Attachment C)
- 4. Executive Order (EO) 1997-4
 - a. Enacted and signed by Governor Geringer in 1997
 - b. The EO represents the code of ethics all public officials, elected officials, appointees, and employees of the Executive Branch of the State of Wyoming must adhere to. (Attachment C)
- 5. State of Wyoming Personnel Rules
 - a. Chapter 1: General Provisions; Section 15, Conflicts of Interest (Attachment C)

110(a)(2)(E) Regulatory Documents, Wyoming Air Quality Standards and Regulations (WAQSR):

- 1. Chapter 1, Section 2, Authority
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA final Federal Register 7/28/2004; 69 FR 44965
- 2. Chapter 6, Section 2(g), Permit requirements for construction, modification, and operation
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA final Federal Register 7/28/2004; 69 FR 44965
- 3. Wyoming Ethics and Disclosure Act
 - a. Section 9-13-106, Official decisions and votes
 - b. Section 9-13-109, Penalties
- 4. Wyoming City, County, State and Local Powers Administrative Procedure
 - a. Section 16-3-112(a), Contested cases; presiding officers; qualifications; powers; outside personnel, hearing officers
- 5. Wyoming Environmental Quality Act
 - a. Section 35-11-102, Policy and purpose
 - b. Section 35-11-109, Powers and duties of director
 - c. Section 35-11-901, Violations of provisions; penalties

Narrative Comment

- Description of Performance Partnership Agreement grants
- Description of state statutes that detail conflict of interest requirements for decision makers
- Description of correspondence with EPA regarding Section 128 SIP
- Negative declaration regarding reliance on other local or regional bodies for implementation

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require, as may be prescribed by the Administrator –

- (i) The installation, maintenance, and replacement of equipment, and the implementation of other necessary steps, by owners or operators of stationary sources to monitor emissions from such sources,
- (ii) periodic reports on the nature and amounts of emissions and emissions-related data from such sources, and
- (iii) correlation of such reports by the State agency with any emission limitations or standards established pursuant to this Chapter, which reports shall be available at reasonable times for public inspection.

(i) Stationary Source Monitoring

- Describe agency's program for source testing
- Reference statutory authority for the program
- Certify that there is not a provision to prevent the use of credible evidence of noncompliance

(ii) Periodic Reporting

 Describe agency requirements for sources to provide periodic reporting of emissions and emissions-related data

(iii) Data Correlation and Availability

 Describe agency requirements for sources to correlate data with applicable emissions limitations or standards

New Mexico 2012 PM2.5 NAAQS

New Mexico's Requirements

New Mexico's regulations at 20.2 NMAC Parts 5, 7–8, 10–20, 30–34, 40–41, and 72–74 require source monitoring for compliance, recordkeeping and reporting, and provide for enforcement with respect to all the NAAQS and their precursors. These source monitoring program requirements generate data for PM_{2.5}.

The New Mexico SIP, applicable laws and regulations do not contain any provisions that prevent the use of any credible evidence (including continuous emission monitoring data) to establish violations of applicable requirements. (See 20.2.72.218 NMAC, *Enforcement*).

Under the New Mexico regulations at 20.2 NMAC Parts 7-8, 65, 70, 72-74, 79, and 81, NMED is required to analyze the emissions data from point, area and biogenic sources. The NMED uses this data to track progress towards maintaining the NAAQS, develop control and maintenance strategies, identify sources and general emission levels, and determine compliance with New Mexico and EPA requirements.

The NMED is current with submittals to the National Emissions Inventory (NEI) database. The 2013 Major Source Point Inventory data was submitted to EPA on November 6, 2014, and the Facility Inventory data was submitted on October 29, 2014. EI data becomes available to the public through the NEI.

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provide for authority comparable to that in section 303 and adequate contingency plans to implement such authority.

Emergency Powers

- The statutory or regulatory provisions that provide authority comparable to that of the EPA Administrator under CAA Section 303
- Narrative explanation of how provisions meet this requirement
- Reference or citation to the authority provisions

Contingency Plans

- Adequate contingency plan to implement agency's emergency episode authority (if required see 40 CFR part 52 subparts B through DDD, sections titled "Classification of Regions")
- Continency Plan requirements are in 40 CFR 51.151 and 51.152
- Areas Classified as Priority I, IA, or II
- Demonstration that the existing EPA-approved SIP already contains an adequate contingency plan or the include the necessary revisions
- If Contingency Plan is not needed include narrative explanation of reasoning

Idaho 2012 PM2.5 NAAQS

- Idaho Code 39-112 provides the DEQ director with broad authorities to reduce or discontinue air pollution activities that create imminent and substantial endangerment to the public welfare and is comparable to CAA section 303.
- IDAPA 58.01.01.550–562 contains air pollution emergency rules.

These statutes and rules identify air pollution emergency episode contingency plans and abatement strategies.

Discussion

Next Time

- Introductions & Homework
- ISIP Elements 110(a)(2)(H)-(M)
- Open Discussion

Full text of 110(a)

https://www.govinfo.gov/content/pkg/USCODE-2013-title42/html/USCODE-2013-title42-chap85-subchapl-partA-sec7410.htm

US EPA September 2013 Guidance for ISIPs

https://www3.epa.gov/airquality/urbanair/sipstatus/docs/Guidance_on_Infrastructure_SIP_Elements_Multipollutant_FINAL_Sept_2013.pdf

SPECS for SIPS Public Dashboard

https://awsedap.epa.gov/public/extensions/specs-element-dashboard/index.html

Approved Air Quality Implementation Plans

https://www.epa.gov/air-quality-implementation-plans/approved-air-quality-implementation-plans

National Infrastructure Reports for the 2012 PM2.5 NAAQS

https://www3.epa.gov/airquality/urbanair/sipstatus/reports/x110 a 2 pm-2.5 2012 in.html