

# *Appendix O.1*

## **FWS and NPS Comments on Draft Prehearing SIP**



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

National Wildlife Refuge System

Branch of Air Quality

7333 W. Jefferson Ave., Suite 375

Lakewood, CO 80235-2017

IN REPLY REFER TO:

FWS/ANWS-NR-AQ

February 11, 2009



Mr. James P. Johnston, Program Manager  
Georgia Department of Natural Resources  
Environmental Protection Division  
Air Protection Branch, Planning and Support Program  
4244 International Parkway, Suite 120  
Atlanta, Georgia 30354

Dear Mr. Johnston:

On December 22, 2008, the State of Georgia submitted for comment proposed revisions to the Georgia State Implementation Plan, describing its proposal to improve air quality regional haze impacts at mandatory Class I areas across your region. We appreciate the opportunity to work closely with the State through the initial evaluation, development, and, now, subsequent review of this plan. Cooperative efforts such as these ensure that, together, we will continue to make progress toward the Clean Air Act's goal of natural visibility conditions at all of our most pristine National Parks and Wilderness Areas for future generations.

This letter acknowledges that the Department of the Interior, U.S. Fish and Wildlife Service (FWS), in coordination with the National Park Service (NPS), have received and conducted a substantive review of your proposed Regional Haze Rule implementation plan in fulfillment of your requirements under the federal regulations 40 CFR 51.308(i)(2). Please note, however, that only the U.S. Environmental Protection Agency (EPA) can make a final determination regarding the document's completeness and, therefore, ability to receive federal approval from EPA. In addition, this letter acknowledges the productive conference call on January 22, 2009, during which all of the comments presented in the enclosure to this letter were discussed.

As outlined in a letter to each State dated August 1, 2006, our review focused on eight basic content areas. The content areas reflect priorities for the Federal Land Manager agencies, and we have enclosed comments associated with these priorities. We look forward to your response, as per section 40 CFR 51.308(i)(3). For further information, please contact Tim Allen (FWS) (303) 914-3802.



The State of Georgia should be commended for the high quality of work and clear and concise writing of proposed Regional Haze SIP. Again, we appreciate the opportunity to work closely with the State of Georgia and compliment you on your hard work and dedication to significant improvement in our nation's air quality values and visibility.

Sincerely,



Sandra V. Silva, Chief  
Branch of Air Quality  
Fish and Wildlife Service



Christine L. Shaver, Chief  
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Enclosure

cc:

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## **U.S. Fish and Wildlife Service and National Park Service (NPS) Comments Regarding Georgia Draft Regional Haze Rule State Implementation Plan**

On December 22, 2008, the State of Georgia submitted a draft Georgia State Implementation Plan (SIP) Revision for the Regional Haze Program, pursuant to the requirements codified in Federal rule at 40 CFR 51.308(i)(2), to the U.S. Department of the Interior, U.S. Fish and Wildlife Service (FWS) and the National Park Service (NPS).

The air program staff of the FWS has conducted a substantive review of the Georgia draft plan and provides the comments listed below.

We are providing these comments to the State and wish them to be placed in the official public record. We look forward to your response as per section 40 CFR 51.308(i)(3), and we are willing to work with the Georgia Environmental Protection Division (Georgia EPD) staff towards addressing any of the issues discussed in this letter. For further information, please contact Tim Allen with FWS at (303) 914-3802.

### **Overall Comments**

Overall the Georgia draft Regional Haze State Implementation Plan (SIP) is comprehensive and well written. This SIP is a good example for other states to follow.

### **International Impairment**

On page 58, a modified glide slope is presented. This glide slope is based on removing the international emissions. However, the international component was not removed from the natural conditions. The result effect is minor, but should be corrected in the final version of the SIP.

### **Best Available Retrofit Technology (BART) and Reasonable Progress (RP)**

On page 78, the draft SIP states, "In accordance with Environmental Protection Agency guidance, emission units subject to BART review are not subject to reasonable progress goal review." The State does have the option of requiring additional controls, if BART is not sufficient enough to reach reasonable progress goals.

### **Smoke Management Plan**

On page 103, the Smoke Management Plan (SMP) should be referenced in a summary paragraph and the SMP should be included as an Appendix to the SIP. The summary paragraph should include whether the SMP is voluntary or mandatory and whether the SMP includes Class I areas as a sensitive receptor. Additionally, some basic statements should be included as to whether emissions from fire are anticipated to shrink, stay the same, or increase over the ten year planning period. It is recommended that the SMP should be referenced in a manner that does not require SIP updates each time the SMP is updated.

### **Construction Activity**

The draft SIP does not contain a discussion on State limits on emissions resulting from construction activity. This is a required element of the Regional Haze SIP.

### **Impact on out-of-State Class I areas**

The draft SIP should contain a few statements on Georgia's impact on out-of-State Class I areas.

### **Best Available Retrofit Technology (BART) Provisions of the Georgia Regional Haze SIP**

Appendix H of the Georgia Regional Haze State Implementation Plan – Draft (RH SIP) contains BART Exemption Modeling Reports for a number of facilities, but such reports are not included for eight BART-eligible sources. They are: DSM Chemicals North America, Georgia Pacific-Brunswick Cellulose, Owens Corning, PCA, PCS Nitrogen, Prayon, Inc., Rayonier and Tronox/Kerr-McGee. Please provide these reports in the record as evidence to confirm that none of the above facilities impact any Class I area by 0.5 deciviews or greater.

It is important that the RH SIP be clear that the Georgia EPD is the entity that accepts and adopts required emission controls, because the EPA BART Guidelines require that permit conditions be finalized and included in the RH SIP.<sup>1</sup> Section 7.7.3 implies that Interstate Paper in Riceboro developed the BART determination in the reference, "Their BART determination results . . ." However, on a January 22, 2009 conference call Georgia EPD stated that the BART determination was developed by the State. Thus, the wording should be clear that the Required Control Options displayed in Table 7.7.3-1 are the conclusions of Georgia EPD, rather than merely results presented by Interstate Paper. In the next-to-last paragraph of Section 7.7.2, relating to Georgia Pacific - Cedar Springs, Georgia EPD should make it clear that the stated emission limits are accepted and adopted by the State.

The "model plant" criteria for International Paper – Savannah and Lafarge Building Materials – Atlanta should be documented. Table 7.7.2-2 makes reference to exempting these facilities from BART based on "Model Plant Criteria", but the term has not been defined in the RH SIP. The EPA BART Guidelines define what could be accepted by a state as a model plant criteria<sup>2</sup>, but allows a state to develop its own criteria. The RH SIP should state or reference the State's definition of "Model Plant Criteria" and it should also show the definitive distance and emission characteristics of the above two facilities so as to confirm their meeting the "Model Plant Criteria".

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<sup>1</sup> See 40 CFR Part 51, Appendix Y. The U.S. Environmental Protection Agency finalized its BART Guidelines on June 15, 2005, and published the preamble and final rule text in the Federal Register on July 6, 2005. The rulemaking action added Appendix Y to Part 51, titled "Guidelines for BART Determinations Under the Regional Haze Rule." See Section V.

<sup>2</sup> Ibid, Section III.A.3.Option 2.



Regarding the BART determination for Interstate Paper-Riceboro, Table 7.7.3-1, under the heading "Required Control Option" for the Lime Kiln states, "No cost effective control options Available." As discussed below there *are* cost-effective (i.e., cost per ton) control options available for the lime kiln, but as you clarified on a January 22, 2009, conference call, the lack of cost-effectiveness was on the basis of excessive cost of visibility improvement. Please clarify this in Section 7.7.3. For the record it should be noted that cost-effective (i.e., cost per ton) control options are available for the lime kiln. The control alternatives of SNCR-NH<sub>3</sub> based, SNCR-Urea based and Low NO<sub>x</sub> burner are all under \$1,500 per ton of NO<sub>x</sub> reduced. It should be noted that only summary cost data were presented. More detailed cost information should be included in BART determinations so that third-party reviewers can more thoroughly review the costs and methodologies that were used.