

Questions for EPA on PM_{2.5} Implementation Rule

1. It is difficult to comment on the NSR portions of this proposal without knowing others parts of the NSR program. Can a representative of EPA please inform us regarding the following?

- What is the current status of Part 51 Appendix S? When was the last time Appendix S was updated? If a state defers to Appendix S for its governing rule for NSR in a PM_{2.5} nonattainment area, is that approvable?
- What are EPA's plans and schedule for updating Appendix S? Is this scheduled to be a proposed or final action? What reforms will be included in the Appendix S update?
- How are we to view EGU modifications for PM_{2.5}? Are we to assume this will be an hourly test or a TPY test?
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2. How can we protect the annual increment if EGUs are allowed to increase annual emissions without review?

3. What is EPA's definition of direct emissions of PM_{2.5}?

4. Are we to assume that all particulates caught in the method 5 test (both the front half and back half of the train) are counted as direct emissions?

5. How are we to apportion the impacts of precursor emissions? For instance, with SO₂ emissions, these can consume increment both for SO₂ and PM_{2.5}. How do we distinguish which increment is consumed and by how much?

6. What is the typical mixture of condensibles from various industry emission streams?

7. What is EPA's preference with regard to preconstruction monitoring in rural areas around CAFOs?

8. The proposed rule has lots and lots of RACT discussion with so many options and suboptions that you need an organizational chart to keep it all clear; however, I didn't see anything (could be there and I just missed it) that would help us determine what the difference is between RACT and BACT. We know how to do a BACT analysis, but if our facilities are being required to do a case-by-case RACT, we don't know how to distinguish that from what is required for BACT. So, the question is this, in the absence of CTGs and ACTs, what is the criteria for determining what is RACT and how is this different from BACT?

9. With respect to contingency measures, page 66016 of the proposed rule says that these, "must be fully adopted rules or control measures that are ready to be implemented quickly upon failure to meet RFP or failure of the area to meet the standard by its attainment date. The SIP should contain trigger mechanisms for the contingency

measures, specify a schedule for implementation, and indicate that the measure will be implemented without significant further action by the State or EPA." I don't see how this requirement fits with the reality of rule development. We either promulgate rules or we don't. We don't promulgate rules that can go into effect if we find that we need them. There is always going to be a significant delay. EPA needs to clarify their intent with respect to the adoption of contingency measures.

10. With respect to the RACM analysis, the language on page 66027 is very strong. It states that, "EPA emphasizes the importance for States to provide credible and thorough RACM analyses as part of their SIP demonstrations, complete with adequate supporting information and rationale supporting the State's inclusion or rejection of control measures. Recent experience with other SIP programs has shown that members of the public may bring legal challenges against the State if the State fails to provide an adequate technical analysis and supporting information for RACM." We are new to the nonattainment arena and haven't done RACM before. Not being familiar with what is involved, we'd like to request that EPA define what control measures we need to do RACM for. Perhaps this is already defined somewhere, but we are not familiar with it.