



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

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SEP 30 2013

OFFICE OF
AIR, WASTE AND TOXICS

Mr. Mark Asmundson
Executive Director
Northwest Clean Air Agency
1600 South Second Street
Mount Vernon, Washington 98273-5202

Dear Mr. Asmundson:

I am pleased to enclose the final Northwest Clean Air Agency (NWCAA) Title V Program Review Report, which conveys the results of the U.S. Environmental Protection Agency (EPA) Region 10's second review of NWCAA's Title V operating permit program. We hope that the findings will result in program improvements as you continue to issue Title V permits in your jurisdiction.

The Title V program review is part of the EPA's national effort to periodically revisit "large" (those with 20 or more Title V sources) permitting agencies. We focused this review on concerns identified in previous reviews as well as new rules, compliance assurance monitoring, resources and permit issuance progress. We plan to post the final report on Region 10's website.

Please provide us with your response by November 15, 2013, explaining how you plan to resolve the concerns identified in the report. It is the EPA's expectation that NWCAA and the EPA will work together to finalize a path forward for resolving the concerns identified by the EPA in the final report. The EPA is, of course, willing to work with NWCAA on any issues where EPA assistance would be helpful. If you would like to arrange discussions regarding any aspect of the report, please contact Don Dossett at (206) 553-1783.

I would like to acknowledge and express our appreciation for the cooperation of NWCAA management and staff throughout all stages of our review.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kate Kelly".

Kate Kelly, Director
Office of Air, Waste, and Toxics

Enclosure

cc: Mark Buford
NWCAA



**FINAL Report:
Northwest Clean Air Agency
Title V Operating Permit Program Review
(2nd Round)**

U. S. EPA Region 10
September 30, 2013

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- 1 EPA’s Program Review Kickoff Letter and Information Request
- 2 NWCAA Response to EPA’s Program Review Information Request
- 3 Onsite Interview Agenda

I. Introduction

This report documents the second review of the Northwest Clean Air Agency's (NWCAA) Title V permitting program. The first Title V program review for NWCAA was completed in September 2006.

NWCAA's Title V Program

NWCAA is a local air pollution control agency with jurisdiction in three counties located in western Washington: Island, Skagit and Whatcom. Within NWCAA's three-county area, U.S. Environmental Protection Agency (EPA) is the Title V permitting authority in Indian country, and the Washington Energy Facility Site Evaluation Council (EFSEC) is the permitting authority for all thermal electric energy projects that are at least 350 megawatts in size.

NWCAA has its own Title V fee regulation but requires sources to comply with the Washington Department of Ecology Title V regulation found in Washington Administrative Code (WAC) 173-401. EPA granted NWCAA, along with Washington state, six other local agencies and EFSEC, interim approval of its Title V program effective December 9, 1994, and full approval effective September 12, 2001. See 66 FR 42439 (August 13, 2001).

NWCAA issues Title V permits to approximately 24 sources. Approximately 22 people work at NWCAA with about 10.5 full-time employees focused on the Title V program. NWCAA refers to their Title V operating permits as air operating permits or AOPs.

Program Review Objective and Overview

EPA's Title V program reviews were first initiated in response to recommendations in a 2002 Office of Inspector General audit. The objective of the broader program reviews (as opposed to individual permit reviews) is to identify good practices that other agencies can learn from, document areas needing improvement, and learn how EPA can help improve state and local Title V programs and expedite permitting. EPA set an aggressive national goal of reviewing all state and local Title V programs with 10 or more Title V sources. NWCAA was one of 10 Title V programs reviewed by EPA Region 10 from 2004 through 2007. Here is the list of agencies reviewed in the first round along with the final report date and the current number of Title V sources they regulate:

<u>Permitting Authority (State)</u>	<u>Report Date</u>	<u>Permits</u>
Idaho Department of Environmental Quality	January 2004	53
Oregon Department of Environmental Quality	June 2006	117
Lane Regional Air Protection Agency (OR)	June 2006	19
Spokane Regional Clean Air Agency (WA)	August 2006	10
Alaska Department of Environmental Conservation	September 2006	151
Northwest Clean Air Agency (WA)	September 2006	24
Puget Sound Clean Air Agency (WA)	September 2006	32
Washington Department of Ecology	September 2006	31
Olympic Regional Clean Air Agency (WA)	September 2007	14
Southwest Clean Air Agency (WA)	September 2007	13

Beginning in 2007, EPA committed to repeat the reviews of all Title V programs with 20 or more Title V sources every four years. The second round will cover each of the four states in Region 10 (Alaska, Idaho, Oregon and Washington) as well as two local agencies: Puget Sound Clean Air Agency (PSCAA) and NWCAA. EPA Region 10 has completed two second-round program reviews: Idaho in 2007 and PSCAA in 2008.

The first Title V program review looked at virtually all major elements of a Title V program. With this second-round review, EPA has elected to focus on issues specific to NWCAA's implementation of their permitting program. Of particular interest is how NWCAA has addressed the recommendations and concerns raised by EPA in the first review. EPA is also interested in permit issuance progress, compliance assurance monitoring (which is required to be added during permit renewal for most sources) and how NWCAA is integrating new requirements and rules into its Title V permits and program.

In preparation for this second-round review, EPA requested specific information from NWCAA (Attachment 1). EPA reviewed NWCAA's response (Attachment 2) as well as a sampling of NWCAA's rules, reports and permits to confirm that previously identified issues were being addressed. EPA also reviewed permit issuance data NWCAA reported to the Title V Operating Permits System (TOPS). Permits selected for review were generally those issued within the last few years to provide a more accurate depiction of how NWCAA permits changed since the first program review. The permits reviewed include:

<u>Permit No.</u>	<u>Company Name (Location)</u>	<u>Date Issued</u>
015R1	BP West Coast Products (Blaine)	January 15, 2013
022	Lehigh Northwest Cement (Bellingham)	July 12, 2012
006R2M1	Puget Sound Energy Ferndale (Ferndale)	January 7, 2013
003R2M1	Puget Sound Energy Fredonia (Mount Vernon)	February 5, 2013
019	Sierra-Pacific Industries (Mount Vernon)	June 10, 2010

While on site at the NWCAA office, August 20 and 21, 2013, EPA interviewed permit writing staff, accounting staff and the Assistant Director. The purpose of the interviews was to clarify and discuss what was learned from the review of their permits and other information. EPA and NWCAA discussed permit issuance progress, program resources (and fee program), general program implementation topics, and specific issues identified during our latest review of their permits, focusing particularly on previously flagged concerns and compliance assurance monitoring. The onsite agenda is included as Attachment 3.

During the onsite interviews, EPA and NWCAA discussed whether or not the Lehigh facility is subject to the NSPS and whether fugitive emissions must be counted towards Title V applicability. As follow up, Dan Meyer sent some NSPS background information to NWCAA to help them sort out the Lehigh applicability questions. Also discussed was whether annual (long term) limits can be subject to compliance assurance monitoring (CAM). As follow up, Doug Hardesty researched the question and sent NWCAA an email explaining that while annual limits can be subject to CAM, plant-wide limits that involve many emission units are not subject to CAM. So, annual limits that involve many emission units are not subject to CAM.

Program Review Report

This program review report is presented in four sections:

- I. Introduction
- II. Follow-up to 2006 Program Review Concerns
- III. Permit Review
- IV. Summary of Concerns and Recommendations

The introductory section, Section I, presents some background regarding NWCAA's Title V program as well as an overview and history of EPA's program review efforts. Section II presents EPA's "Round 2 Evaluation" of each of the concerns identified in the 2006 program review. Section III presents general observations from EPA's new review of five of NWCAA's permits, including specific comments about compliance assurance monitoring. Finally, Section IV summarizes EPA's second-round concerns and

presents EPA's recommendations for resolving any outstanding issues.

II. Follow-up to 2006 Program Review Concerns

In the initial Title V program review, finalized in October 2006, EPA provided observations delineated into nine separate topic areas labeled A thru I. In each section, EPA identified good practices, concerns and other observations. Following that initial report, EPA asked NWCAA to respond to the concerns identified. In December 2006, NWCAA provided responses to EPA's concerns, committing to address some concerns and consider others.

This section of the second-round review report presents EPA's evaluation of the progress NWCAA has made in addressing the concerns identified in the initial program review. Each of EPA's original concerns is listed below, followed by NWCAA's December 2006 response, and followed yet again by EPA's second-round (Round 2) evaluation.

Section A. Title V Permit Preparation and Content

A.1 2006 EPA Concern: Some of NWCAA's permits contained high-level (subpart or section level) references to applicable Maximum Achievable Control Technology (MACT) requirements, effectively omitting the details necessary to describe what must be done to comply. Similarly, some of NWCAA's permits failed to clarify which emission units, equipment and affected components are subject to a particular standard. For example, the list of components subject to leak detection and repair in New Source Performance Standard (NSPS) Subpart VV can be very long. If it is not practical to list the affected components in the permit, then the permit should clarify how the list is created and maintained and where the list is kept. The Title V permit provides NWCAA an opportunity to clarify how a standard applies to the source which, in this case, assists inspectors and helps to assure compliance. NWCAA should include a sufficient level of detail when incorporating and citing applicable requirements in Title V permits.

2006 NWCAA Response: The "high-level" references to applicable MACT requirements without details are a remnant of older permits that were issued years prior to a regulation's effective date (particularly MACT standards) and, in some cases, the regulation had recently been proposed at the time of AOP issuance. NWCAA included the reference as a placeholder to remind the source that the regulation would be applicable at some point in the future and that the permit would need to be reopened to populate the section with the specific citations once the regulation became final and effective. NWCAA disagrees that affected equipment subject to particular standards is not listed clearly. Each facility with NSPS Subpart W applicability has the standard applied to the listed regulated component types on a unit basis (as allowed by the regulation). A discussion is included in the statement of basis (SoB) to clarify these groupings. NWCAA agrees that the permits could be improved with regard to maintaining the list of regulated components under these provisions.

Round 2 Evaluation: The permits reviewed indicate that NWCAA has done a nice job of ensuring an adequate level of detail has been included for applicable requirements. NWCAA's current permits also do a good job of describing the sources and emission units. EPA considers this concern resolved.

A.2 2006 EPA Concern: While NWCAA's statements of basis (SoBs) have some good features, they could be improved. A permitting history would be helpful; the potential to emit should be presented to support any major/minor source claims or applicability determinations that rely on it; the applicability of requirements (CAM, NSPS, National Emission Standard for Hazardous Air Pollutants, etc) could have been explained better in many cases; and streamlining of requirements should always be fully explained. NWCAA should continue to look for ways to improve the SoBs.

2006 NWCAA Response: In writing a SoB there is an optimal balance between providing an appropriate level of detail and including so much detail that it detracts from the important information needed to address complex regulatory issues. We do include NSR and AOP permit histories, and federal regulation interpretations in many of our SoBs. With regard to potential to emit calculations and minor/major NSR determination, these support documents are found in the associated new source review file within our office and it would be time consuming and a duplication of effort to reconstruct this information in a SoB.

Round 2 Evaluation: NWCAA's SoBs are very well written with only a few exceptions. The SoBs include excellent descriptions and provide explanations for nearly every aspect of the Title V permits. NWCAA rarely includes potential to emit (PTE) totals and never includes emission inventories. PTE forms the basis for applicability for Title V, MACT and CAM. In some cases, the SoB asserts major or minor source status without any documentation. In some, the SoB includes a table of actual emissions, though it is not always labeled as actuals. While it is not critical to document PTE for sources that are clearly major for all programs, the SoB should document the PTE for any sources that are being treated as minor sources for any program. SoB concerns related to CAM applicability documentation are discussed in Concern C.2.

- A.3 2006 EPA Concern: The table format used by NWCAA, and other permitting authorities in Washington, can lead to difficulties for permit engineers. Some permit engineers tend to abbreviate necessary wording of rules and requirements in order to fit lengthy text into the narrow columns, which can lead to unclear or incomplete requirements. Often substantial portions of pages are blank because all of the text is in a single column, which unnecessarily lengthens the permit without adding value. Formats that do not limit the space for writing a requirement help to ensure the requirement is written with the necessary details and formatting to make the requirement clear. See permits written by states such as Oregon or Idaho for examples. While it would likely take a considerable effort to change all of the permits to a text format, NWCAA should consider the benefits of making the changes during future permit renewals.

2006 NWCAA Response: The NWCAA feels that the table format, although having known challenges, is an effective format for writing the generally and specifically applicable sections of our permits. During EPA's review, we were informed that the "Test Method" column was confusing and was not needed in most for the permit terms. Shortly thereafter, the NWCAA dropped this column, thereby making room available in the more critical and enforceable "Monitoring, Recordkeeping and Reporting" column. As we open up each permit for renewal or modification, we tend to improve upon the use of tables as an effective and efficient format for the presentation of generally and specifically applicable permit terms.

Round 2 Evaluation: It is worth noting that NWCAA's latest version of their tabular permit format is much better than it was in 2006. While the tabular format still causes some confusion in recently issued permits (see Concern C.1), NWCAA's tabular format can be constructed in a way that is clear and functional. EPA considers this concern resolved as long as NWCAA addresses the confusion described in Concern C.1.

- A.4 2006 EPA Concern: NWCAA's permit format separates individual emission units (which is good) but includes in the emission unit-specific applicable requirements table a mix of requirements including emission and operational limits; testing; monitoring & recordkeeping; and reporting. Organizing the permit by emission unit first and then by requirement type makes the permit much more "user-friendly" for finding specific requirements. For example, an inspector can easily extract a list of monitoring and recordkeeping requirements to review during an inspection if those type requirements are grouped. Similarly, grouped reporting requirements can

easily be extracted for reviewing periodic Title V reports. NWCAA should consider further grouping of emission unit-specific requirements.

2006 NWCAA Response: This preference for format is an interesting and intriguing suggestion. We will consider trying this on a future AOP opening, if it doesn't create an onerous rewrite of the permit.

Round 2 Evaluation: NWCAA's permits now group requirements in a way that makes it easy to locate the requirements that apply to a given emission unit. EPA considers this concern resolved.

- A.5 2006 EPA Concern: It was common to find operation and maintenance requirements mixed in with monitoring requirements. Monitoring is generally used to identify problems (or assure there are no problems) while maintenance is used to avoid problems or to address identified problems. Finally, operation and maintenance requirements do not necessarily satisfy the need to have monitoring; in fact, monitoring should be specified to assure compliance with any operation and maintenance requirements.

2006 NWCAA Response: In general, the NWCAA has operation and maintenance (O&M) requirements in permit terms that are separate from monitoring requirements, with the exception of permit terms where a continuous emission monitor (CEM) is used to demonstrate ongoing compliance. In this case, we specify that the CEM be used to determine continuous compliance and that the CEM be operated and maintained under the applicable underlying O&M provisions for the CEM. This seems like a logical place for the CEM's O&M requirements because these quality assurance/data acquisition type provisions are required because of the CEM.

Round 2 Evaluation: EPA's review of recently-issued permits indicates that NWCAA is keeping O&M requirements separate from monitoring and recordkeeping requirements. This helps to clarify which requirements ensure good operation and which verify it. EPA considers this concern resolved.

- A.6 2006 EPA Concern: Some permits included a narrative in the permit which seems to explain certain applicable requirements. While helpful, these types of explanations are best placed in the SoB.

2006 NWCAA Response: Agreed! If we find these unnecessary narratives we will move them to the SoB upon the next AOP opening.

Round 2 Evaluation: It appears that NWCAA has removed the narratives that were a concern. EPA considers this concern resolved.

Section C. Monitoring

- C.1 2006 EPA Concern: Monitoring, recordkeeping, and reporting (MR&R) in NWCAA's permits can be improved in several ways. Monitoring for several generally applicable requirements seems unduly vague, thus raising enforcement concerns. In addition, NWCAA permits did not always identify the authority for adding monitoring, recordkeeping, and reporting that was not in the underlying applicable requirement. As another example, NWCAA should clarify in permits where NSPS and National Emission Standards for Hazardous Air Pollutants (NESHAPs) reports should be submitted, particularly when the standard has been delegated to NWCAA and reporting to EPA has been waived.

2006 NWCAA Response: NWCAA references gap filling authority in each permit term where it is used by the addition of the words "Directly Enforceable" in the MR&R section with the definition of what this term means at the beginning of the section: *"Periodic or continuous monitoring requirements (including testing) are specified in the Monitoring/Recordkeeping/Reporting" column, which identifies monitoring, recordkeeping and reporting (MR&R) obligations the source must perform as required by WAC 173-401-605(1) and 615(1) and (2) or the underlying requirements. The requirements in the MR&R column labeled "directly enforceable" are legally enforceable requirements added under the NWCAA's "gap-filling" authority. Other requirements not labeled "directly enforceable" are brief descriptions of the regulatory requirements for information purposes and are not enforceable, unless they are identical to the cited requirement. Unless the text of the MR&R column is specifically identified to be directly enforceable, the language of the cited regulation takes precedence over a paraphrased requirement.*" The concern noted regarding submission of reports under NSPS and NESHAP clarification in the generally applicable requirements is duly noted. Section 3 of the AOP requires that all correspondence be submitted to both EPA and NWCAA under these programs based on responses from EPA personnel when our agency has requested clarification of what reports EPA wishes to receive.

Round 2 Evaluation: NWCAA is doing a good job in labeling the gap-filling MR&R that has been added to the permit. NWCAA's response regarding NSPS and NESHAP reports is also adequate. See Concern C.4 for EPA's concern regarding permit condition authority citations. EPA considers this concern resolved.

- C.2 2006 EPA Concern: CAM, under 40 CFR 64, must be applied to each applicable requirement that applies to each pollutant-specific emission unit (PSEU). Some NWCAA permits seemed to be missing CAM requirements for emission units that appear to meet the CAM criteria. There rarely was any explanation in the SoB as to whether CAM applied. Establishing CAM is an important purpose of Title V permits. NWCAA should be sure CAM has been correctly applied throughout their Title V permits and thoroughly document their CAM decisions.

2006 NWCAA Response: Permits reviewed had not undergone renewal. CAM incorporation into the AOP applies at the time of AOP renewal [40 CFR §64.5(a)(2)] for facilities with existing Title V permits. NWCAA has incorporated CAM into the renewed permits to date with SoB narratives to document exemptions from CAM.

Round 2 Evaluation: NWCAA has done a nice job of including CAM explanations in their SoBs; however, based on EPA's permit reviews, some of the explanations are inaccurate or incomplete and some sources subject to CAM may not have been adequately addressed. Consistent with Concern A.2, CAM applicability explanations should include a discussion about pre- and post-control emissions for each PSEU. See the Permit Review section of this report for more details regarding EPA's review of CAM in NWCAA's permits.

- C.3 2006 EPA Concern: NWCAA relies on EPA's January 22, 2004 "umbrella monitoring" guidance *Revisions To Clarify the Scope of Certain Monitoring Requirements for Federal and State Operating Permits Programs* in establishing monitoring in permits. NWCAA should note that this guidance was vacated by the courts in October 2005, and EPA repropose the policy in June 2006. In any case, NWCAA should determine whether monitoring in underlying requirements exists and is sufficient, and when not, use their authority to create adequate monitoring in the permit or address the deficiency in the underlying requirement to assure compliance.

2006 NWCAA Response: The EPA guidance regarding the umbrella monitoring in existing AOPs was referenced in permits issued during the period that the guidance was active. Permits

containing the reference that have been opened have removed the language and used the appropriate authority to shore up inadequate monitoring.

Round 2 Evaluation: Based on EPA's review of NWCAA's permits, it appears that NWCAA has addressed this concern. EPA considers this concern resolved.

- C.4 2006 EPA Concern: Operating permits must specify the authority for each term or condition in the permit. When adding "gap-filling" monitoring in permits, the appropriate citation should be the gap-filling authority in NWCAA's rule.

2006 NWCAA Response: Same as Concern C.1 above.

Round 2 Evaluation: As mentioned in Concern C.1, NWCAA is doing a good job labeling gap-filling in permits. EPA is, however, still concerned regarding how authority citations are included in the applicable requirement tables in permits. When multiple citations, emission and operational requirements and MR&R requirements are grouped within a single permit term, the authority for each is not clear. Where the monitoring is the same for each of the terms, but the authority citations for each of the terms are different, it is unclear which authority term applies to each monitoring requirement. Other examples discussed during the onsite interviews reflect unclear authority citations for terms which include multiple emission limits. When CAM is being applied, the citation column simply lists the term "(CAM)" but the actual rule citation for CAM is not listed. NWCAA should consider rearranging their terms such that the authority for each requirement is clear. This may require a greater level of sorting the requirements or adding citations to each of the emission and monitoring requirements. NWCAA should also add the correct CAM authority citation from their rules.

Section D. Public Participation and Affected State Review

- D.1 2006 EPA Concern: Like many of the permitting authorities across the country, NWCAA provides the permittee with a pre-draft permit for review and comment before the draft permit goes out for public comment. Soliciting the permittee's input on the factual aspects of the permit can help to reduce errors in the permit and help educate the permittee on its obligations under the permit. Working with the permittee on developing the substantive requirements of the permit, however, can create the impression that the permit issuance process is not an open process. NWCAA should carefully balance these interests as it works with permittees during the development and issuance of Title V permits.

2006 NWCAA Response: The NWCAA agrees with the EPA that the Title V process benefits from and must be open to public involvement. As one component of our outreach program, the NWCAA solicits and welcomes public comment on each and every draft Title V permit issued by the Agency. In order to encourage public involvement, the NWCAA strives to provide draft documents that are error-free. To that end, the NWCAA finds it to be in the public interest to provide the permittee an opportunity to review a pre-draft document so that areas lacking clarity can be improved. The EPA suggests that the NWCAA should "carefully balance" the permit development process so that the public does not get the mistaken impression that the process is not open to public involvement. The NWCAA fully agrees with this comment and plans to continue to provide such balance.

Round 2 Evaluation: EPA has had the opportunity to discuss this concern with several permitting authorities. The advantage of reconciling some issues with the source prior to going to public comment can be beneficial to the source and EPA; it can also be beneficial to the public in that they are seeing a better example of what the agency is planning to approve. In fact, where an

agency makes changes to a permit after the public comment period and an interested party has concerns about the changes, the only recourse is formal challenge the permit. EPA's primary concern with pre-public notice permit negotiations has been whether those negotiations and comments are documented and transparent. If so, then other interested parties will be aware of all the information upon which the agency based their decisions and will have the opportunity to comment during the public comment period. As long as NWCAA is careful to minimize the types of changes (as they currently do) or to document changes made in response to comments made by sources, revisions as a result of negotiations prior to the public comment period are appropriate and this concern is no longer an issue. EPA considers this concern resolved.

Section E. Permit Issuance / Revision / Renewal

E.1 2006 EPA Concern: At the time of the on-site interviews, NWCAA had a significant backlog of permit modifications and renewals. NWCAA admitted that some of the permit issuance delays were intentional to more efficiently address anticipated changing regulations. In a follow-up communication in September 2005, NWCAA reported that their backlog still existed, so they were pursuing adding additional permit writing staff. NWCAA will need to manage their workload such that permit modifications and renewals meet regulatory deadlines. EPA's new focus on tracking permit issuance nationally will require NWCAA to track and report their progress.

2006 NWCAA Response: The NWCAA has added permanent full time staff to work on permits including writing new permits and assisting in the backlog of permit renewals and modifications. NWCAA has made substantial progress on the renewals and modification backlog. Eight permits have been modified or renewed since the review. NWCAA anticipates that the additional resources will continue to result in improved performance. A permit tracking system is being added to our database that will assist the agency in tracking permit deadlines. This permit tracking system is scheduled for implementation in early 2007. A spreadsheet will be utilized to track permit issuance until such time as the database is fully functional.

Round 2 Evaluation: At one time during the last 5 years, NWCAA had as many as eight active sources with extended permits and one outstanding initial permit. According to data in TOPS, NWCAA now has no outstanding initial permits and only three extended permits. During our interview, NWCAA indicated that all three of those permits are close to being issued. NWCAA uses a simple spreadsheet to track permit issuance progress internally; however, a more sophisticated tracking database is being developed. NWCAA's focus on permit issuance has resulted in a substantial reduction in the permit backlog. EPA considers this concern resolved.

E.2 2006 EPA Concern: NWCAA's permits contain conditions that include the ability to have alternative test methods or monitoring methods approved by NWCAA (e.g. "procedures approved by the Control Officer"). Significant changes to test methods or monitoring methods in Title V can be made only through the significant permit revision procedure. In addition, NWCAA cannot approve an alternative to the test method that is approved as part of the state implementation plan (SIP). See 40 CFR 51.212. NWCAA should appropriately limit the authority to approve alternative test methods or monitoring methods in future permits.

2006 NWCAA Response: The NWCAA is aware of the limits on our ability to approve alternate test methods. In cases where the Control Officer cannot or should not approve a request, you'll find that the NWCAA Control Officer has not and will not do so. The issue is one of semantics and is not an attempt by the NWCAA to intrude upon EPA's authority. The NWCAA will revise the language for clarity as the opportunity arises. In the meantime, please be assured that EPA will be involved, as appropriate, in the rare instances in which alternate monitoring is discussed.

Round 2 Evaluation: During our interview, NWCAA explained that while they may occasionally approve minor changes to test methods off permit, they avoid approving alternative test methods without permit revision. EPA re-explained the concern that the test method is an important element of an emission limit and that substantive changes to a test method should be done through a permit revision with opportunity for public input. It does not appear that this concern has been raised by NWCAA's permitted sources or the public. While it would be good to remove the alternative test method language from permits, NWCAA can appropriately implement permits, consistent with EPA's policy, without permit revisions. EPA considers this concern resolved.

- E.3 2006 EPA Concern: NWCAA does not have a central permit tracking system. Each individual permit engineer tracks activities, including the permitting actions, associated with the sources assigned to them and discusses their work during technical staff meetings. When agencies have significant permitting workloads, tracking systems can help focus an adequate level of attention on the work. Given their current backlog of permits, NWCAA should consider a central tracking system for permitting actions.

2006 NWCAA Response: The NWCAA currently tracks permitting actions in a spreadsheet. As mentioned above, a tracking system is being added to the database.

Round 2 Evaluation: During the interview, NWCAA indicated that the spreadsheet tracking system has allowed them to stay on top of their workload, as evidenced by the progress in reducing their permit backlog. NWCAA is also very close to rolling out the more sophisticated tracking database. EPA considers this concern resolved.

Section F. Compliance

- F.1 2006 EPA Concern: Compliance schedules in permits should include sufficient details to make the schedule enforceable; this may require NWCAA to more routinely write detailed compliance schedules as part of their enforcement program, so they do not need to be enhanced in the Title V permit.

2006 NWCAA Response: It is difficult to provide a specific response without a reference to the compliance schedule that EPA finds deficient. In general, however, the NWCAA agrees with EPA's preference for clearly written compliance schedules.

Round 2 Evaluation: None of the permits reviewed had compliance schedules addressing non-compliance issues. During the onsite interview, NWCAA indicated that they hadn't issued very many permits with compliance schedules. EPA considers this concern resolved.

Section G. Resources and Internal Management Support

- G.1 2006 EPA Concern: Information provided by NWCAA indicates that NWCAA has a backlog of 1 new permit, 3 permit renewals and 9 permit modifications and reopenings. Permit renewals and modifications have regulatory deadlines for issuance. With the initial round of permit issuance coming to a close, EPA will be shifting our attention to tracking permit modifications and renewals to ensure that the permits are being issued on time. NWCAA will need to be sure they have adequate resources to meet the regulatory deadlines for these permit actions.

2006 NWCAA Response: The NWCAA has added permanent full time staff to work on permits including writing new permits and assisting in the backlog of permit renewals and modifications.

NWCAA has made substantial progress on the renewals and modification backlog. Eight permits have been modified or renewed since the review. NWCAA anticipates that the additional resources will continue to result in improved performance. A permit tracking system is being added to our database that will assist the agency in tracking permit deadlines. This permit tracking system is scheduled for implementation in early 2007. A spreadsheet will be utilized to track permit issuance until such time as the database is fully functional.

Round 2 Evaluation: At one time during the last 5 years, NWCAA had eight active sources with extended permits and one outstanding initial permit. According to data in TOPS, NWCAA now has no outstanding initial permits and only three extended permits. During our interview, NWCAA indicated that all three of those extended permits are close to being issued. NWCAA's focus on permit issuance has allowed them to successfully eliminate their backlog. EPA considers this concern resolved.

G.2 2006 EPA Concern: Title V requires all aspects of the Title V program be funded by Title V fees. That requires tracking of Title V costs, including staff labor. It is efficient for permitting authorities to proportion (using representative factors) labor costs for certain positions that generally cut across Title V and other funding mechanism such as Section 105 grants. For instance, personnel management, human resources, safety and other similar positions can be effectively proportioned for cost tracking purposes. However, tracking work on specific and identifiable Title V projects and for specific Title V sources helps to ensure accurate accounting of the Title V costs and is appropriate when practical to do so. The NWCAA records reviewed indicate that two positions may not be tracking their actual time spent on Title V activities. All NWCAA employees should record their time when working on identifiable Title V projects to the extent that it is practical. NWCAA should confirm that all employees charge their Title V work to the Title V account.

2006 NWCAA Response: NWCAA employees that are direct providers of Title V services track their time to specific programs. All other employee salaries and benefits are apportioned to overhead and allocated to programs using representative factors. Some employees were initially thought to provide direct services but later were determined not to. They were instructed to stop tracking their time. Their time is now considered overhead and proportioned using representative factors. It is the policy of the NWCAA for all direct providers to track time for all fee-based activities. In addition, they provide detailed notes on their work that would include enough information on the source or other activity that could be charged to the Title V program. The time tracking is reviewed by the Engineering Manager, the Director, and the Fiscal Manager for completeness and accuracy.

Round 2 Evaluation: NWCAA provided EPA with a copy of the *2012 Independent Accountant's Report on Applying Agreed Upon Procedures*, an independent review of NWCAA's Title V fee program (see Attachment 2). The report verified that NWCAA is following their procedures for collecting Title V fees and tracking Title V expenses. During the onsite interview, NWCAA explained their timekeeping and accounting practices that are designed to ensure Title V revenues and expenses are accurately tracked and managed. Staff working with Title V sources charge their labor hours to the Title V fee account. NWCAA has several other accounts that are managed separately from the Title V fee account. Some administrative support staff and managers charge their labor hours to the Title V fee account on a proportional basis, which is an efficient approach. One of the separate accounts is for asbestos work. Asbestos work at a Title V source, subject to the requirements incorporated into the Title V permit, should be charged to the Title V fee program. Overall, EPA feels confident that NWCAA is adequately managing their Title V fee program.

G.3 2006 EPA Concern: Travel and training that support the development and implementation of Title V permits must be charged to Title V. While very little Title V travel and training results in additional recordable expenses, based on the records reviewed, it is not apparent that travel and training have been charged to Title V. NWCAA should confirm that travel and training that supports the Title V program are charged to Title V.

2006 NWCAA Response: The salaries of all direct providers are attributed to Title V program costs when the employee(s) are traveling and attending training relevant to Title V permit implementation. The actual costs of transportation, lodging, meals, etc. are apportioned to overhead and charged to programs using representative factors.

Round 2 Evaluation: During the onsite interview, NWCAA indicated that they have very little travel that is specific to Title V. They still apportion actual travel costs to overhead and programs using representative factors. While the chances that Title V travel is not being charged to the Title V program are small, EPA reminded NWCAA that when travel is specific to Title V, it should be charged to the Title V account.

G.4 2006 EPA Concern: It was apparent during the on-site interviews that there is some confusion about which aspects of minor new source review (a non-Title V permitting program) can be charged to Title V. While Title V requires all aspects of the Title V program be funded by Title V fees, it also prohibits charging non-Title V work to the program. The implementation (i.e. tracking, enforcement) of non-Title V permitting programs can be charged to Title V once the non-Title V permit requirements are incorporated into the Title V permit as applicable requirements. The development and issuance of non-Title V permits is not a Title V activity and cannot be funded by Title V fees. State law, RCW 70.94.162(2)(a)(iii), specifically prohibits charging best available control technology analyses to Title V, and RCW 70.94.152(2) requires local agencies to deposit all NSR fees in the dedicated account of such agency, not the Title V account. NWCAA should confirm that non-Title V permit development and issuance is not charged to Title V.

2006 NWCAA Response: The development of new source review (NSR) permits for Title V sources includes a Best Available Control Technology analysis that has never been charged to the Title V program, as specifically prohibited in the state WAC. However, many of the conditions of the Title V source NSR permits are written and documented so they can be easily incorporated into the Title V permit. This is where the questions of apportioning Title V fees for permit development arose. The permit writers have received definitive guidance from management to specifically distinguish between any time spent on the NSR permitting versus Title V permitting when compiling their time tracking.

Round 2 Evaluation: During the onsite interview, NWCAA explained that NSR expenses have been walled off from Title V. This required a small adjustment to NSR fees to supplement that program. Based on NWCAA's current practices, EPA considers this concern resolved.

Section I. Document Review (Rules/Forms/Guidance)

I.1 2006 EPA Concern: NWCAA has updated their rules for fee rate adjustments and other reasons since their program was approved by EPA. EPA should be apprised of rule revisions. All rule revisions should be routinely submitted to EPA for review and approval, even the periodic fee adjustments.

2006 NWCAA Response: The recent NWCAA Regulation revisions have dealt with the minor new source review program elements and new requirements for ambient and CEM monitoring.

The portion of the NWCAA Regulation that covers AOP permit fees (NWCAA 322.4 has not been amended since 1999). The fees are apportioned to the Title V sources based on a participation component and an emission component. Each year the agency reviews the previous year's emission inventory and the list of eligible Title V sources to determine the current fiscal year fees. In addition, the State Implementation Plan Process Improvement Project Final Report (April 15, 2002) Appendix 2 specifically calls out inappropriate items for the SIPs and Tribal Implementation Plans that include Title V (Federal Operating Permit) programs and rules as required by part 70. If we are in error we will gladly alert EPA to any relevant changes to our Regulation.

Round 2 Evaluation: NWCAA's fee rules are written such that fee adjustments are handled by reassessing and invoicing Title V expenses each year without a rule change; in this manner, fee adjustments do not require submittal to EPA as a program update. NWCAA's program was last submitted to EPA for approval in January 2005. Since then, two rule revisions related to Title V have been processed by NWCAA: the CO2 bioenergy deferral in November 2011, and the tailoring rule revision in June 2011. NWCAA should submit both rule revisions as Title V updates so EPA can include those rules in the next program approval update.

Related to rule updates, NWCAA appropriately includes, in their permits, citations for their rules approved in the current SIP as well as new rules that have not yet been approved in the SIP (which are also labeled as "state only" enforceable). NWCAA could explore adding a condition that makes the new rules federally enforceable when they are approved in the SIP. NWCAA could also add a sunset clause that allows the old version of the rule to no longer be applicable once the new rules are approved in the SIP.

III. Permit Review

For this review, EPA reviewed five permits that were issued by NWCAA within the last three years. The focus of the permit reviews was generally on previously identified concerns and specifically on compliance assurance monitoring (CAM) requirements. Conclusions regarding past concerns have been documented in Section II of this report, specific to each concern. Concerns regarding CAM or any new concerns identified during the permit reviews are documented in this section.

The permits reviewed include:

<u>Permit No.</u>	<u>Company Name (Location)</u>	<u>Date Issued</u>
015R1	BP West Coast Products (Blaine)	January 15, 2013
022	Lehigh Northwest Cement (Bellingham)	July 12, 2012
006R2M1	Puget Sound Energy Ferndale (Ferndale)	January 7, 2013
003R2M1	Puget Sound Energy Fredonia (Mount Vernon)	February 5, 2013
019	Sierra-Pacific Industries (Mount Vernon)	June 10, 2010

Compliance Assurance Monitoring Background

CAM has been a particular focus for EPA's oversight work this year for several reasons. CAM is required to be applied in the initial permit for sources with "large" PSEUs and in the first renewal for all other sources. Most PSEUs are not large, so CAM has been primarily implemented during the renewal phase of the Title V program. Region 10 had a rigorous permit oversight program in the early years of Title V. By the time state and local agencies were issuing renewal permits, Region 10 had scaled back its oversight program substantially and, in fact, reviewed very few permits that addressed CAM.

Beginning in fiscal year 2013, Region 10 began to review a small percentage of state/local renewal permits to see how CAM was being addressed. A consistent lack of documentation regarding CAM applicability and monitoring decisions in SoBs was uncovered. Logically, Region 10 decided to specifically review how CAM was being addressed in the permits being reviewed as part of this program review.

CAM, found in 40 CFR Part 64, 173-401-615(4) in the Washington Department of Ecology's rules and Section 322 in NWCAA's rules, applies to PSEUs at major Title V facilities. CAM applicability is based on three factors:

1. The PSEU must be subject to an emission limitation or standard;
2. The PSEU must utilize a control device to achieve compliance with the standard; and
3. Pre-control PTE from the PSEU (on a PTE basis not counting controls) must be greater than the major source threshold for that pollutant.

Compliance Assurance Monitoring Comments

1. CAM applicability to each emission unit in a facility should be fully documented in the SoB. Documentation was incomplete in all SoBs for reasons explained in the following comments.
2. CAM applicability should address whether the source is a major source, because minor sources are not subject to CAM. In one reviewed permit, the source is described as a minor source subject to Title V because a MACT standard requires it; however, the SoB does not present the PTE to support that the source is minor. When documenting PTE, NWCAA should be sure to include fugitive emissions when required.
3. CAM applicability should address the applicability factors listed above.

- a. Some SoBs did not identify all of the emission units with controls (e.g. flares, fume incinerators, and vapor recovery).
 - b. Some SoBs appeared to not include all of the applicable requirements (e.g. general opacity and particulate limits). The 2006 program review report noted the need to apply CAM to opacity limits.
 - c. None of the SoBs included PTE.
4. CAM applicability should address whether the applicable requirement is exempt from CAM. Many SoBs misapplied the exemptions.
- a. Acid rain applicable requirements are exempt from CAM; however, PSEUs subject to acid rain regulations as well as other applicable requirements may still be subject to CAM for the other requirements because CAM applies on a requirement-specific basis.
 - b. PSEUs with CEMS are exempt only if the CEMS is a continuous compliance determination method. That is the case for only a handful of NSPS requirements. CEMS subject to the monitoring requirements in Appendix A to NWCAA's regulations have rigorous quality assurance requirements but are not necessarily the compliance determination method. NWCAA should confirm and document which CEMS are in fact required by permit or rule to be the compliance determination method, rather than just a compliance indicator.
 - c. NSPS proposed after November 15, 1990, are exempt from CAM. Where this exemption is being applied, the date of the NSPS should be documented. NWCAA could accomplish this by ensuring each SoB includes an applicability discussion for all potentially applicable NSPS.
5. CAM applicability should address whether the post-control emissions make the unit a large PSEU. Whether a PSEU is large dictates the timing for application of CAM and the frequency of monitoring in a CAM plan. None of the SoBs included PTE.
6. Documentation of CAM decisions should be included in SoBs. Some CAM plans were attached to the SoB which is a good way to document the analysis details. SoBs that did not attach the plan appeared to omit necessary discussion about the CAM analysis.
7. While including CAM plans in the SoB is a good way to document CAM decisions, the key aspects of the plan that must be enforceable must be included in the permit. Along that line, most permits were missing the general recordkeeping, response and reporting requirements in Part 64. NWCAA should review the following sections to determine whether the requirement should be included in the permit: 64.1, 64.3(b), 64.6(c), 64.7(c-e), 64.8(a) and 64.9(b).
8. Permits should include the CAM thresholds which define excursions and exceedances for each PSEU subject to CAM. Some permits included thresholds for some CAM parameters; others did not. CAM thresholds are normally written as monitoring requirements; however, some thresholds in some permits were written as limits rather than monitoring thresholds. If these limits were not originally written as limits in another permit, NWCAA could re-write the thresholds as monitoring requirements. This only impacts how the threshold is implemented and enforced, but can be effectively written either way.
9. Documentation of the CAM applicability analysis, if done thoroughly, should help ensure all PSEUs have been considered and all PSEUs subject to CAM have been addressed in the permit.

New Permit Comments

1. Nearly all of the permits reviewed had long term limits (ton/year, tons/month, etc). To be enforceable, permits should be very clear about how to determine compliance with long term requirements. The specific operational information, in the appropriate units and averaging times, needed to calculate emissions should be specified along with the calculation steps and necessary monitoring, recordkeeping and reporting requirements. This appears to be a common issue in NWCAA permits. For confirming compliance with long term limits using CEMS, some permits rely on the procedures in RM19 (in 40 CFR 60, Appendix A). RM19 is designed to convert

source test concentration data into units of specific emission limits. Permits need to include the necessary additional steps and considerations for using RM19 with CEMS data on an ongoing basis. At least two permits were missing this information.

2. If NWCAA is going to allow the development and use of new emission factors, replicable procedures should be written into the permit that detail how new data is developed, how new factors are calculated and when new factors can be used. Alternatively, NWCAA can restrict new emission factors to those approved and incorporated into the permit (during reopening or at renewal). Either approach is acceptable to EPA as opposed to approving new emission factors off permit which is not an acceptable approach.
3. Applicable NSPS and NESHAP requirements must be incorporated into permits without unauthorized edits. While this does not appear to be a prolific problem, NWCAA should confirm that these federal requirements have not been changed in their permits and, where they have been, revise the permits to be consistent with the original requirement. Furthermore, where NWCAA has incorporated NSPS and NESHAP monitoring requirements verbatim, those requirements must be complied with until NWCAA or EPA approves an alternative.

IV. Summary of Concerns and Recommendations

Concerns

During the first-round Title V program review, EPA identified several concerns. NWCAA responded by addressing nearly all of the concerns to EPA's satisfaction. During this second-round program review, EPA considered NWCAA's progress in addressing the previously identified concerns and, in the process, identified some new concerns. The key concerns identified during this program review are summarized below.

EPA is confident in NWCAA's management of their Title V program, but minor improvements can be made.

- NWCAA has made very few revisions to their Title V regulations; however, any revisions made should be submitted to EPA for approval as program updates. See Concern I.1.
- NWCAA should instruct staff to charge labor hours to the Title V fee program account when performing asbestos work at Title V facilities when that work is covered by applicable requirements in the Title V permit. Similarly, when travel or training is solely for Title V purposes, those expenses should be charged to the Title V fee program. See Concerns G.2 and G.3.

NWCAA has made some improvements to their permits, but more improvements are needed.

- NWCAA can still improve the way authority citations in permits are aligned with individual emission and operational requirements as well as monitoring, recordkeeping and reporting requirements. See Concerns C.4.
- NWCAA should ensure long-term emission limits are clearly written and enforceable. Changes to the limits would remove any confusion regarding how compliance is determined. See New Permit Comments #1.
- NWCAA appropriately adds emission factors to their permits as part of the emission limits and for monitoring purposes, but allows new factors to be approved off permit. NWCAA should either add procedures to permits for revising emission factors or generally require permits to be revised before allowing new emissions factors to be used, rather than approving emission factors off permit. See New Permit Comment #2.

NWCAA writes excellent SoBs, but important improvements can still be made.

- NWCAA can further improve their SoBs by more thoroughly documenting potential to emit as well as CAM, NSPS and NESHAP applicability. See Concerns A.2, C.2, the CAM Comments and New Permit Comment #3.
- NWCAA can also improve their SoBs by ensuring CAM decisions are thoroughly documented. See Concern C.2 and the CAM Comments.

Recommendations

NWCAA should provide to EPA a response that explains what they plan to do to resolve the concerns identified in this program review. Between the previous report and the on-site interview during this second-round review, EPA hopes that NWCAA will be familiar enough with these issues to respond within 30 days of receiving the final report. If NWCAA prefers to discuss the concerns before responding, EPA will accommodate that.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

JUN 11 2013

OFFICE OF
AIR, WASTE AND TOXICS

Mr. Mark Asmundson
Executive Director
Northwest Clean Air Agency
1600 South Second Street
Mount Vernon, Washington 98273-5202

Dear Mr. Asmundson:

This letter is to notify you that the U. S. Environmental Protection Agency (EPA) Region 10 plans to perform a second review of Northwest Clean Air Agency's (NWCAA's) Title V operating permit program. This letter kicks off the effort by describing the review process and our proposed schedule and requesting information that will assist us in our program review. Your agency will be our third of six second-round program reviews that we have undertaken.

This program review will focus primarily on the following four areas: (1) follow-up on concerns identified during our 2006 review of your program; (2) permit issuance progress and resources; (3) compliance assurance monitoring; and (4) new applicable requirements and rules. Note that the program review may require involvement of staff and managers from your permitting, technical, finance and compliance groups. It would be very helpful if a single person from your agency is assigned to coordinate the participation of each of your offices that are involved with Title V. Our tentative schedule is as follows:

Task	Date
EPA sends kickoff letter with request	June 6, 2013
NWCAA sends requested information	June 25, 2013
EPA interviews NWCAA	July 8-19, 2013
EPA sends final report	August 30, 2013

The enclosure describes the information we would like to receive in advance so we can be efficient during the interviews. Please return the information (preferably in electronic form) as early as possible, but no later than the date in the table above, to Doug Hardesty (hardesty.doug@epa.gov) who will be leading the review. We will contact you if we need any additional information that is not available to us.

If our travel budget allows it, EPA staff will come to your office to conduct the interviews; if not, we will have to conduct the interviews using conference calls. During the interviews, we may want to talk to a number of your staff and managers, so we hope you will agree to make them available as needed. As described in the schedule, we plan to send the final report to you within 45 days after the on-site interviews.

We look forward to working with you and your staff. If you have any questions about the program review, please do not hesitate to call me at 206/553-1271 or Doug, in our Boise office, at 208/378-5759.

Sincerely,



Kate Kelly, Director
Office of Air, Waste, and Toxics

Enclosure

cc: Mark Buford
NWCAA

Title V Program Review – Round 2
Northwest Clean Air Agency

Information Needed

Please send the following information (preferably in electronic form) to Doug Hardesty (U.S. EPA, Suite 900, 950 West Bannock Street, Boise, Idaho 83702; hardesty.doug@epa.gov) as soon as it is available, but no later than June 25, 2013.

1. A list and description of any rule changes that have been made to NWCAA's Title V regulations (e.g. those that affect applicability, implementation, or fees) since January 2005. If any of the rule changes have been submitted to EPA for review, note the date of submittal.
2. Financial records (preferably from your last complete fiscal year reflecting revenues and expenses) that document NWCAA's ability to fund the operating permit program with Title V fees and NWCAA's ability to ensure that Title V fees are used only for Title V authorized expenses.
3. The permittee names of the last 6 renewal or initial operating permits issued by NWCAA
4. A list of all permits and statements of basis that have been reopened and/or revised since December 2006 to address any of the concerns listed in the 2006 program review report.
5. Any issues or requests that NWCAA would like to raise to EPA regarding any aspect of the Title V program?



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June 24, 2013

Doug Hardesty
US EPA Idaho Operations Office
950 W Bannock
Suite 900
Boise, ID 83702

Title V Program Review – Round 2 Response to Information Request

Dear Mr. Hardesty:

The NWCAA has received notification of the upcoming Round 2 Title V Program Review and looks forward to a constructive review process. As requested, we are providing responses to the list of questions included in the notification. I will be the primary contact for the review.

1. *A list and description of any rule changes that have been made to NWCAA's Title V regulations (e.g. those that affect applicability, implementation, or fees) since January 2005. If any of the rule changes have been submitted to EPA for review, note the date of submittal.*

The NWCAA regulation has been updated several times since 2005. Among those actions were two updates to Section 322 (Air Operating Permit Program), seven updates to Section 104 (Adoption of State and Federal Laws and Rules), one update to Section 132 (Criminal Penalty), two updates to Section 133 (Civil Penalty), one update that touched on several sections related to the issuance of orders, and a number of other rule updates that appear not to be responsive to your request. For those updates that appear responsive, I have attached documents indicating the nature of the changes.

2. *Financial records (preferably from your last complete fiscal year reflecting revenues and expenses) that document NWCAA's ability to fund the operating permit program with Title V fees and NWCAA's ability to ensure that Title V fees are used only for Title V authorized expenses.*

Records attached

3. *The permittee names of the last 6 renewal or initial operating permits issued by NWCAA.*

Air Liquide Large Industries U.S. LP, Anacortes
BP West Coast Products LLC, Blaine
Lehigh Northwest Cement Company, Bellingham
Northwest Pipeline, Mount Vernon
Northwest Pipeline, Sumas
Puget Sound Energy, Ferndale

4. *A list of all permits and statements of basis that have been reopened and/or revised since December 2006 to address any of the concerns listed in the 2006 program review report.*

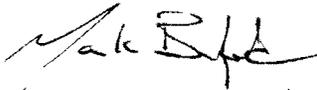
With the exception of the permits for Shell Puget Sound Refinery, the related March Point Cogeneration facility, and Naval Air Station Whidbey Island (which is currently draft), all of the permits and statements of basis have been reopened or revised since December, 2006. You can find details on the NWCAA website http://www.nwcleanair.org/aqPrograms/airPermits_pg2.htm

5. *Any issues or requests that NWCAA would like to raise to EPA regarding any aspect of the Title V program?*

None at this time.

Please don't hesitate to contact me at (360) 419-6837 or mark@nwcleanair.org with any questions.

Sincerely,



Mark Buford
Assistant Director



**Washington State Auditor
Brian Sonntag**

February 21, 2012

INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED UPON PROCEDURES

To the Board and Management of Northwest Clean Air Agency:

We have performed the procedures described below, which were agreed to by the management of Northwest Clean Air Agency, solely to assist you in evaluating the authority's Air Operating Permit (AOP) program for the *fiscal years 2010 and 2011*. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the specified users of the report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or any other purpose.

Agreed Upon Procedures

In relation to the authority's Air Operating Permit (AOP) program:

Results of Procedures

- | | |
|--|--|
| 1. Determine how much AOP fee revenue was collected each fiscal year | 1. The AOP program collected \$1,820,000 in fiscal year 2010 and \$2,070,000 in fiscal year 2011. |
| 2. Determine whether AOP fees were computed correctly | 2. Based on our review of fee calculation method and the invoices we tested, we determined AOP fees were computed correctly. |
| 3. Determine whether invoices were sent out in a timely manner | 3. Based on our review of invoices, we determined the Agency's invoices were sent out in a timely fashion. |
| 4. Determine whether billed fees were actually collected | 4. The Agency receipted 100% of the amounts billed for the AOP program in both fiscal year 2010 and 2011. |
| 5. Determine how the local air authority | 5. The Agency uses one fund, the |



accounted for AOP fee revenues

General Fund. AOP revenues are recorded in the General Fund and are identified with separate accounting codes ending in .92.

6. Determine how the local air authority accounted for AOP fee expenses

6. The majority of AOP expenses are payroll costs. These costs are not charged to unique AOP accounts. They are commingled in the accounting system. However, the Authority is able to isolate AOP labor costs through a time-tracking system.

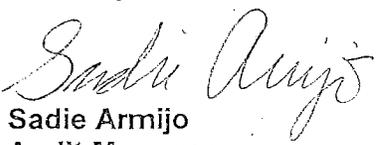
7. Determine whether AOP fee revenues were used only for authorized activities

7. The fees collected were used to reimburse labor and overhead attributable to the program. We noted no inappropriate expenditures charged to the AOP program.

These agreed-upon procedures do not constitute an audit of financial statements or any part thereof, the objective of which is the expression of an opinion on the financial statements or a part thereof. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Board and Management of the authority and the Department of Ecology and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

Sincerely,



Sadie Armijo
Audit Manager



Concise Explanatory Statement March 2013 Rulemaking

Agencies completing a rulemaking are mandated by the Administrative Procedures Act (RCW 34.05.325(6)) to prepare a Concise Explanatory Statement of the rule prior to filing an adopted rule with the code reviser. The purpose of a Concise Explanatory Statement is to identify the agency's reason for adopting the rule; describe the differences between the text of the proposed rule as published in the *Washington State Register* and the text of the rule as adopted; and summarize all comments received regarding the proposed rule and respond to the comments, indicating how the final rule reflects agency consideration of the comments, or why it fails to do so. The NWCAA must provide the concise explanatory statement to any person upon request or who commented on the rule.

On March 14, 2013, the Northwest Clean Air Agency (NWCAA) adopted a rule-change which amended Sections 104, 121, 122, 123, 131, 200, 309, 324, and 350 of the Regulation of the NWCAA. The effective date of these rule changes is April 14, 2013.

Reasons for Adopting the Rule

As a matter of administrative housekeeping, the Northwest Clean Air Agency is revising its regulations to more clearly address the Reasonably Available Control Technology, or RACT, program.

In the process of revising the RACT language, we found that our rules were unclear about our ability to issue orders beyond compliance actions. As a result, we also are clarifying our ability to issue orders for a variety of purposes, including RACT, and establishing a fee schedule for orders. The revised rules will be consistent with state statutes.

Many of the rule changes replace references to sections of Washington state laws with the text of the referenced rules, making the NWCAA's regulations easier to understand and apply.

In addition, this rule-change will adopt by reference one new New Source Performance Standard (NSPS) and six new National Emissions Standards for Hazardous Air Pollutants (NESHAPs) under NWCAA 104. Also, the effectiveness dates under NWCAA 104 are updated to ensure the most recent versions of the referenced regulations are adopted.

RCW 70.94 provides the statutory authority for adopting this rule revision.

Differences Between the Proposed Rule and Adopted Rule

RCW 34.05.325(6)(b)(ii) requires the NWCAA to describe the differences between the text of the proposed rule as published in the *Washington State Register* and the text of the rule as adopted, other than editing changes, stating the reasons for the differences.

March 14, 2013

There are no differences between the proposed rule published in the *Washington State Register* on February 20, 2013 and the adopted rule filed on March 14, 2013.

Response to Comments

NWCAA accepted comments between February 20, 2013 and 11:00am on March 13, 2013. A public hearing was conducted on March 13, 2013 at the NWCAA office in Mount Vernon, WA. No comments on this rule-making were received.

Concise Explanatory Statement Distribution

The NWCAA did not receive any requests from the public to view the concise explanatory statement, nor did anyone comment on the rule. As such, no mailing of the concise explanatory state was completed or required. However, the concise explanatory statement is included in the official Rule-Making File available for public review.



November 17, 2011

Concise Explanatory Statement November 2011 Rulemaking

Agencies completing a rulemaking are mandated by the Administrative Procedures Act (RCW 34.05.325(6)) to prepare a Concise Explanatory Statement of the rule prior to filing an adopted rule with the code reviser. The purpose of a Concise Explanatory Statement is to identify the agency's reason for adopting the rule; describe the differences between the text of the proposed rule as published in the *Washington State Register* and the text of the rule as adopted; and summarize all comments received regarding the proposed rule and respond to the comments, indicating how the final rule reflects agency consideration of the comments, or why it fails to do so.

On November 17, 2011, the Northwest Clean Air Agency (NWCAA) adopted a rule-change which amended Sections 104, 200, 300, 301, 305, 321, and 322 of the Regulation of the NWCAA. The effective date of these rule changes is December 17, 2011.

Reasons for Adopting the Rule

The NWCAA Regulation references many rules written by other agencies (e.g., EPA, Washington Department of Ecology). When external rules are referenced, the version that is incorporated is that as of the date of adoption of the NWCAA Regulation. If an external rule is modified, by Ecology for instance, the version of the state rule referenced in the NWCAA Regulation remains that as of the date of NWCAA adoption. This causes confusion because both the previous version as referenced in the NWCAA Regulation and the new version both apply. As such, the NWCAA is updating the references in various sections of the Regulation (i.e., NWCAA Sections 104, 200, 300, 301, 305, 321, and 322) to the most recent versions of the external rules. Specifically, sections of chapters 173-400 and 173-401 WAC were updated by Ecology as part of the rule adoption on August 10, 2011 to bring the rule into compliance with EPA regulations which defer for a period of three years the consideration of CO₂ emissions from bioenergy and other biogenic sources when determining whether a stationary source meets the PSD and Title V applicability thresholds.

In addition, the NWCAA adopted the General Order provisions under WAC 173-400-560 by reference to allow the NWCAA to issue General Orders.

RCW 70.94 provides the statutory authority for adopting this rule revision.

Differences Between the Proposed Rule and Adopted Rule

RCW 34.05.325(6)(b)(ii) requires the NWCAA to describe the differences between the text of the proposed rule as published in the *Washington State Register* and the text of the rule as adopted, other than editing changes, stating the reasons for the differences.

November 17, 2011

There are no differences between the proposed rule published in the *Washington State Register* on October 19, 2011 and the adopted rule filed on November 17, 2011.

Response to Comments

NWCAA accepted comments between October 19, 2011 and 11:00am on November 15, 2011. A public hearing was conducted on November 15, 2011 at the NWCAA office in Mount Vernon, WA. No comments on this rule making were received.



Concise Explanatory Statement June 2011 Rulemaking

Agencies completing a rulemaking are mandated by the Administrative Procedures Act (RCW 34.05.325(6)) to prepare a Concise Explanatory Statement of the rule prior to filing an adopted rule with the code reviser. The purpose of a Concise Explanatory Statement is to identify the agency's reason for adopting the rule; describe the differences between the text of the proposed rule as published in the *Washington State Register* and the text of the rule as adopted; and summarize all comments received regarding the proposed rule and respond to the comments, indicating how the final rule reflects agency consideration of the comments, or why it fails to do so.

On June 9, 2011, the Northwest Clean Air Agency (NWCAA) adopted a rule-change which amended Sections 104, 300, 305, 320, 321, and 322 of the Regulations of the NWCAA. The effective date of these rule changes is July 10, 2011.

Reasons for Adopting the Rule

NWCAA Section 104 contains many references to external rules. To clarify that these citations are referring to the most recent versions of the external rules, this section was updated and readopted. Similarly, NWCAA Section 300.14 was updated and readopted to be consistent with the update to NWCAA Section 104.

Ecology modified the operating permit regulations in chapter 173-401 WAC, which was effective on January 1, 2011. This modification was undertaken to align Ecology's air operating permit rule with the federal Tailoring Rule.¹ To clarify that these revisions are incorporated into the NWCAA Regulation, the sections of the NWCAA Regulations that reference chapter 173-401 WAC (i.e., NWCAA Sections 300, 305, 320, 321, and 322) were readopted.

RCW 70.94 provides the statutory authority for adopting this rule revision.

Differences Between the Proposed Rule and Adopted Rule

RCW 34.05.325(6)(b)(ii) requires the NWCAA to describe the differences between the text of the proposed rule as published in the *Washington State Register* and the text of the rule as adopted, other than editing changes, stating the reasons for the differences.

There are no differences between the proposed rule filed on April 19, 2011 and the adopted rule filed on June 9, 2011.

¹ Further information regarding Ecology's rule change can be found at <http://www.ecy.wa.gov/laws-rules/wac173401/1013.html>.

Response to Comments

NWCAA accepted comments between May 18, 2011 and June 7, 2011. A public hearing was conducted on June 7, 2011 at the NWCAA office in Mount Vernon, WA. No comments on this rule making were received.

2007 NWCAA Regulation Revision Summary

As adopted by the NWCAA Board of Directors on November 8, 2007

Amendatory Section

SECTION 104 - ADOPTION OF STATE AND FEDERAL LAWS AND RULES

- Update to accommodate new or revised rules
- Replace July 1, 2005 with October 29, 2007 date.

Amendatory Section

SECTION 106 - PUBLIC RECORDS

- Clarifications

Amendatory Section

SECTION 113 - SERVICE OF NOTICE

- Clarifications

Amendatory Section

SECTION 114 - CONFIDENTIAL INFORMATION

- Clarifications

Amendatory Section

SECTION 120 - HEARINGS

- Clarifications

Amendatory Section

SECTION 121 - ORDERS

- Clarifications

Amendatory Section

SECTION 122 - APPEALS FROM ORDERS OR FORMAL ENFORCEMENT ACTION

- Rename title
- Clarifications

Amendatory Section

SECTION 123 - STATUS OF ORDERS ON APPEAL

- Clarifications

Amendatory Section

SECTION 131 - NOTICE TO VIOLATORS

- Rename title
- Clarify enforcement procedures and authority

2007 NWCAA Regulation Revision Summary

Amendatory Section

SECTION 132 - CRIMINAL PENALTY

- Clarifications

Amendatory Section

SECTION 133 - CIVIL PENALTY

- Clarifications

Amendatory Section

SECTION 135 - ASSURANCE OF DISCONTINUANCE

- Rename Title
- Clarifications

Amendatory Section

SECTION 150 - POLLUTANT DISCLOSURE - REPORTING BY AIR CONTAMINANT SOURCES

- Clarifications

Amendatory Section

SECTION 200 - DEFINITIONS

- Add definitions for "WASHINGTON ADMINISTRATIVE CODE (WAC)" and "HAZARDOUS AIR POLLUTANT (HAP)"
- Delete the following definitions related to agricultural burning; "AGRICULTURAL OPERATION", "FIELD GRASSES", "TURF GRASSES"
- Amend for clarification definitions of "CONTROL OFFICER", "STATE ACT" and "PREVENTION OF SIGNIFICANT DETERIORATION (PSD)"

Amendatory Section

SECTION 300 - NEW SOURCE REVIEW

- Clarifications
- Provide exemptions for some non-road engines and coffee roasters

Amendatory Section

SECTION 301 - TEMPORARY SOURCES

- Correct PSD regulatory citation

Amendatory Section

SECTION 305 - PUBLIC INVOLVEMENT

- Correct reference to a state regulation citation

2007 NWCAA Regulation Revision Summary

Amendatory Section

SECTION 324 – FEES

- Provide for the establishment of fee categories and fee schedules by Resolution adopted by the Board of Directors of the NWCAA.

Amendatory Section

SECTION 325 – TRANSFER OR PERMANENT SHUTDOWN

- Clarify

Amendatory Section

SECTION 340 – REPORT OF BREAKDOWN AND UPSET

- Clarify

Amendatory Section

SECTION 428 – HAZARDOUS AIR POLLUTANTS

- Add a 24-hour averaging period to the ambient formaldehyde limit

Amendatory Section

SECTION 451 – EMISSION OF AIR CONTAMINANT - VISUAL STANDARD

- Remove 40% opacity limit for existing petroleum catalytic cracking units
- Remove opacity exemptions for wood waste burners

Amendatory Section

SECTION 502 – OUTDOOR BURNING

- Delete provision allowing for the recouping of fire suppression costs on behalf of fire departments

Amendatory Section

SECTION 504 – AGRICULTURAL BURNING

- Update provisions to be consistent with WAC 173-430
- Revise fee schedule

Amendatory Section

SECTION 506 – SOLID FUEL BURNING DEVICES

- Clarifications
- Update provision for curtailing woodstove use during air quality forecasts and episodes

Amendatory Section

SECTION 570 – ASBESTOS CONTROL STANDARDS

- Rewrite alternative means of compliance provisions

2007 NWCAA Regulation Revision Summary

Amendatory Section

SECTION 590 – PERCHLOROETHYLENE DRY CLEANERS

- Rewrite to be consistent with MACT 40 CFR 63 Subpart M and WAC 173-400-075(7)

AMENDATORY SECTION

SECTION 100 – NAME OF AGENCY ((AUTHORITY))

100.1 The multi-county agency, consisting of Island, Skagit and Whatcom Counties, having been formed pursuant to the Washington State Clean Air Act RCW 70.94, shall be known and cited as the "Northwest ~~((Air Pollution Authority))~~ Clean Air Agency", and hereinafter may be cited as ~~((“NWAPA”))~~ the “NWCAA” or the “Authority”.

100.2 Any reference to the Northwest Air Pollution Authority, the Authority or the NWAPA in any document previously issued by the agency, including without limitation orders, permits, judgments, letters and the like shall be deemed reference to the Northwest Clean Air Agency or the NWCAA.

Amended: July 14, 2005

AMENDATORY SECTION

SECTION 102 – POLICY

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~~((102.7 Where the safety of individuals may be compromised by carrying out the requirements of the Authority, alternative methods of meeting emission standards or other requirements of this Regulation may be approved by the Control Officer.))~~

Passed: January 8, 1969 Amended: February 14, 1973, August 9, 1978, February 10, 1993, May 11, 1995, July 14, 2005

AMENDATORY SECTION

SECTION 104 - ADOPTION OF STATE AND FEDERAL LAWS AND RULES

104.1 All provisions of State Law as it now exists or may be hereafter amended, which is pertinent to the operation of the NWCAA ((Authority)), is hereby adopted by reference and made part of the Regulation of the NWCAA ((Authority)). Specifically, there is adopted by reference the Washington State Clean Air Act (RCW 70.94), the Administrative Procedures Act (RCW 34.05) and RCW 43.21A and 43.21B and the following state rules: WAC 173-400, (except – 035, ~~-070(8)~~, -099, -100, -101, -102, -104, -110, -114, -116, ~~-171~~), WAC 173-401, WAC 173-407, WAC 173-420, WAC 173-421, WAC 173-422, WAC 173-425, WAC 173-430, WAC 173-433, WAC 173-434, WAC 173-435, WAC 173-450, WAC 173-460, WAC 173-470, WAC 173-474, WAC 173-475, WAC 173-480, WAC 173-481, WAC 173-490, WAC 173-491, WAC 173-492, WAC 173-495, ((and)) WAC 173-802, and WAC 197-11.

104.2 All provisions of the following federal rules that are in effect as of July 1, ~~((2003))~~ 2005 are hereby adopted by reference and made part of the Regulation of the NWCAA ((Authority)): 40 CFR Part 60 (Standards of Performance For New Stationary Sources)

subparts A, B, C, Cb, Cc, Cd, Ce, D, Da, Db, Dc, E, Ea, Eb, Ec, F, G, H, I, J, K, Ka, Kb, L, M, N, Na, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AAA((a)), BB, CC, DD, EE, GG, HH, KK, LL, MM, NN, PP, QQ, RR, SS, TT, UU, VV, WW, XX, AAA, BBB, DDD, FFF, GGG, HHH, III, JJJ, KKK, LLL, NNN, OOO, PPP, QQQ, RRR, SSS, TTT, UUU, VVV, WWW, AAAA, BBBB, CCCC, DDDD; and 40 CFR Part 61 (National Emission Standards For Hazardous Air Pollutants) Subparts A, B, C, D, E, F, H, J, L, M, N, O, P, V, Y, BB, FF and 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories) Subparts A, B, C, D, F, G, H, I, J, L, M, N, O, Q, R, T, U, W, X, Y, AA, BB, CC, DD, EE, GG, HH, II, JJ, KK, OO, PP, QQ, RR, SS, TT, UU, VV, WW, YY, CCC, DDD, EEE, GGG, HHH, III, JJJ, LLL, MMM, NNN, OOO, PPP, QQQ, TTT, UUU, VVV, XXX, AAAA, CCCC, DDDD, EEEE, FFFF, GGGG, HHHH, IIII, JJJJ, KKKK, MMMM, NNNN, OOOO, PPPP, QQQQ, RRRR, SSSS, TTTT, UUUU, VVVV, XXXX, YYYY, ZZZZ, AAAAA, BBBBB, CCCCC, DDDDD, EEEEE, GGGGG, HHHHH, IIIII, JJJJJ, KKKKK, LLLLL, MMMMM, NNNNN, PPPPP QQQQQ, RRRRR, SSSSS, TTTTT; and 40 CFR 72, 73, 74, 75, 76, 77 and 78 (Acid Rain Program).

Amended: April 14, 1993, September 8, 1993, December 8, 1993, October 13, 1994, May 11, 1995, February 8, 1996, May 9, 1996, March 13, 1997, May 14, 1998, November 12, 1998, November 12, 1999, June 14, 2001, July 10, 2003, July 14, 2005

REPEALER

SECTION 130 - CITATIONS – NOTICES

AMENDATORY SECTION

SECTION 131 - VIOLATION - NOTICES

- 131.1 If the Board or Control Officer has reason to believe that a violation of this Regulation has occurred or is occurring, the Board, ~~((or))~~ Control Officer, or duly authorized representative may ~~((with or without notice as specified in Section 130,))~~ cause written notice of violation to be served upon the alleged violator and the facts alleged to constitute a violation thereof. Written notice shall be served at least thirty days prior to the commencement of the imposition of a penalty ~~((any formal enforcement action))~~ under RCW 70.94.430 and 70.94.431.
- 131.2 The Board, ~~((or))~~ Control Officer, or duly authorized representative upon issuance of notice of violation may do any or all of the following:
- 131.21 Require that the alleged violator respond in writing or in person within thirty (30) ~~((ten (10) business))~~ days of the notice and specify the corrective action being taken.
- 131.22 Issue an order pursuant to Section 121 of this Regulation.
- 131.23 Initiate action pursuant to Sections 132, 133, 134 and 135 of this Regulation.
- 131.24 Hold a hearing pursuant to Section 120 of this Regulation.

- 131.25 Require the alleged violator or violators appear before the Board.
- 131.26 Avail itself of any other remedy provided by law.
- 131.3 Failure to respond as required in Section 131.21 shall constitute a prima facie violation of this Regulation and the Board or Control Officer may initiate action pursuant to Section 132, 133, 134, 135 of this Regulation.
- 131.4 Any suspended civil penalty, issued under Section 133 of this Regulation, which is issued as part of a violation shall be applicable in future penalties against the same person for not more than five years from the date of the same suspension. After five years the suspended portion of the Penalty shall be considered void and of no force or effect, appeals notwithstanding.

Amended: April 14, 1993, March 13, 1997, July 14, 2005

AMENDATORY SECTION

SECTION 133 – CIVIL PENALTY

- 133.1 In addition to or as an alternate to any other penalty provided by law, any person who violates any of the provisions of Chapter 70.94 RCW, Chapter 70.120 RCW, any of the rules in force under such chapters, including the Regulation of the Northwest Clean Air Agency shall be liable for a civil penalty in an amount of not more than fourteen thousand five hundred dollars (~~(\$14,000)~~) (\$14,500) per day per violation. Each violation shall be a separate and distinct offense, and in the case of a continuing violation, each day's continuance shall be a separate and distinct violation. Any person who fails to take action as specified by an order shall be liable for a civil penalty of not more than fourteen thousand five hundred dollars (~~(\$14,000)~~) (\$14,500) for each day of continued noncompliance.
- 133.2 Each act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this Section and subject to the same penalty. The penalty shall become due and payable when the person incurring the same receives a notice in writing from the Control Officer of the NWCAA (~~(Authority)~~) describing the violation with reasonable particularity and advising such person that the penalty is due unless a request is made for a hearing to the Pollution Control Hearings Board (PCHB). Within (~~fifteen days~~) thirty days after the notice is received, the person incurring the penalty may apply in writing to the Control Officer for the remission or mitigation of the penalty. Upon receipt of the application the Control Officer shall remit or mitigate the penalty only upon a demonstration of extraordinary circumstance such as the presence of information or factors not considered in setting the original penalty. If the amount of such penalty is not paid to the NWCAA (~~(Authority)~~) within thirty (30) days after receipt of notice imposing the same and request for a hearing has not been made, the attorney for the NWCAA (~~(Authority)~~), upon the request of the Control Officer, shall bring an action to recover such penalty in the Superior Court of Skagit County or of the County in which the violation occurred. All penalties recovered under this Section by the Board shall be paid unto the treasury of the NWCAA (~~(Authority)~~) and credited to its funds.

To secure the penalty incurred under this Section, the NWCAA (~~(Authority)~~) shall have a lien on any vessel used or operated in violation of this act which shall be enforced as provided in RCW 60.36.050.

133.3 Penalties incurred but not paid shall accrue interest, beginning on the ninety-first day following the date that the penalty becomes due and payable, at the highest rate allowed by RCW 19.52.020 on the date that the penalty becomes due and payable. If violations or penalties are appealed, interest shall not begin to accrue until the thirty-first day following final resolution of the appeal.

The maximum penalty amounts established in this Section may be increased annually to account for inflation as determined by the state office of the Economic and Revenue Forecast Council.

In addition to other penalties provided, persons knowingly under reporting emissions or other information used to set fees, or persons required to pay emission or permit fees who are more than ninety days late with such payments, may be subject to a penalty equal to three times the amount of the original fee owed.

AMENDED: November 14, 1984, April 14, 1993, September 8, 1993, October 13, 1994, February 8, 1996, November 12, 1998, November 12, 1999, June 14, 2001, July 10, 2003, July 14, 2005

REPEALER

SECTION 180 - SAMPLING AND ANALYTICAL METHODS – REFERENCES

AMENDATORY SECTION

SECTION 200 – DEFINITIONS

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~~((AUTHORITY – Northwest Clean Air Agency (NWCAA). With regard to new source review, Authority shall include any other designated permitting agency.))~~

HEAT INPUT ((HEAT)) CAPACITY - Is the maximum actual or design heat capacity, whichever is greater, stated in British thermal units per hour (BTU/hr) generated by the stationary source and shall be expressed using the higher heating value of the fuel unless otherwise specified.

NEW SOURCE – means one or more of the following:

a) The construction or modification of a stationary source that increases the amount of any air contaminant emitted by such stationary source or that results in the emission of any air contaminant not previously emitted, ~~((; and))~~

b) the restart of a stationary source after permanent shutdown

~~((b))~~ c) any other project that constitutes a new stationary source under the Federal Clean Air Act.

PERMANENT SHUTDOWN – Permanently stopping or terminating all processes at a “stationary source” or “emissions unit.” Except as provided in subsections a) and b), whether a shutdown is

Northwest Clean Air Agency Title V Program Review #2
August 20-21, 2013

Agenda

EPA Staff: Doug Hardesty, Dan Meyer, Lucita Valiere

Tuesday, August 20, 2013*

10:30 - 11:00 am	Introductions, Background, Future Reviews & Agenda
11:00 – 11:45 noon	Permit Issuance Progress (TOPS)
11:45 - 12:30 pm	Resources (Previous Concerns E.1, G.1, G.2, G.3 & G.4)
12:30 – 1:00 pm	Lunch (ordered in)
1:00 - 1:45 pm	General Program Discussion (Previous Concerns D.1, E.2, E.3 & I.1)
1:45 – 3:30 pm	Permit & Statement of Basis Content (Previous Concerns A.1-6, C.1-4 & F.1)

Wednesday, August 21, 2013*

10:30 - 12:30 pm	Permit & Statement of Basis Content (continued) (Previous Concerns A.1-6, C.1-4 & F.1)
12:30 – 1:00 pm	Lunch (ordered in)
1:00 - 2:30 pm	Permit & Statement of Basis Content (continued) (Previous Concerns A.1-6, C.1-4 & F.1)
2:30 – 3:00 pm	Wrap Up & Next Steps

Permits Reviewed:

- BP West Coast Products, Blaine
- Lehigh Northwest Cement, Bellingham
- Puget Sound Energy Fredonia, Mount Vernon
- Sierra Pacific, Burlington

*Breaks can be taken as needed.