Notice of Intent to Issue Clean Air Act
Minor New Source Review Permit
United States Environmental Protection Agency
Region 8, Air and Radiation Program

Take notice that the United States Environmental Protection Agency (U.S. EPA) has received an application for a minor new source review (MNSR) permit that regulates air pollution emissions from the following source located within the Uintah and Ouray Indian Reservation, Uintah County, Utah:

Deseret Power Electric Cooperative
Bonanza Power Plant
12500 East 25500 South
Vernal, UT 84078

The U.S. EPA issues Clean Air Act (CAA) minor new source review permits in Indian country under Part 49 of Title 40 of the Code of Federal Regulations (40 CFR Part 49), where EPA has not approved a tribe to implement a new source review program.

The purpose of this proposed permit action is to implement the terms of a recent proposed settlement agreement between Deseret Power, the Sierra Club, Wild Earth Guardians, and the EPA, related to air emissions at the Bonanza power plant, that was published in the Federal Register on October 22,2015 (80 FR 63993). This permit incorporates the nitrogen oxide ($NO_x$) control requirements and emission limits, as well as a coal consumption cap, as required by the proposed settlement agreement. To achieve the $NO_x$ requirements, this proposed permit authorizes the replacement of the existing low-$NO_x$ burners (LNBs) with new LNBs, along with installation of overfire air (OFA). This proposed permit does not authorize the construction of any new emission sources, nor emission increases from existing units.

Members of the public may review a copy of the proposed permit prepared by the EPA, the technical support document for the proposed permit, the application, and all supporting materials, at the U.S. EPA Region 8 Technical Library, at 1595 Wynkoop Street, 2nd floor, Denver, Colorado 80202-1129. All documents will be available for review Monday through Thursday from 8:00 am to 4:00 p.m. (excluding federal holidays). To obtain information, please contact Michael B. Owens at 303-312-6440. Please be aware that government identification with a picture, such as a driver's license, is required to enter the EPA building.

The proposed permit, technical support document, and supporting materials are also available for review in hardcopy and electronically at the following locations: Uintah County Clerk's Office, 147 East Main Street, Suite 2300, Vernal, Utah 84078, Phone: 435-781-5361; and the Ute Indian Tribe, Energy and Minerals Office, Air Quality, 988 South 7500 East, Fort Duchesne, Utah 84026, Phone: 435-725-4950.

Electronic copies of the proposed permit, technical support document, and all supporting materials are also available for review on EPA Region 8 website at: http://www2.epa.gov/caa-permitting/caa-permit-public-comment-opportunities-region-8.

The public comment period on this proposed permit action will begin on **December 22, 2015** and will end on **January 21, 2016**. All comments should be addressed to Michael B. Owens, Air Program (8P-AR), U.S. EPA, Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129, or submitted electronically following the instructions provided at: http://www2.epa.gov/caa-permitting/caa-permit-public-comment-opportunities-region-8.

All comments received on or before the end of the public comment period will be considered in arriving at a final decision on the permit. The final permit is a public record that can be obtained upon request. A statement of reasons for changes made to the proposed permit and responses to all significant comments received will be sent to all persons who submitted comments and contact information on the proposed permit, or who requested notice of the final permit decision.

If you believe any conditions in the proposed permit are inappropriate, or that our initial decision to prepare a permit is inappropriate, you must raise all reasonably ascertainable issues and submit all reasonably ascertainable arguments supporting your position by the end of the public comment period. Any supporting materials that you submit must be included in full and may not be incorporated by reference, unless they are already part of the administrative docket for this permit proceeding or consist of State, Tribal, or Federal statutes and regulations, EPA documents of general availability, or other generally available referenced materials.

All comments received will be included in the public docket without change and will be available to the public, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that is considered to be CBI or otherwise protected should be clearly identified as such and should not be submitted through e-mail. If a commenter sends e-mail directly to the EPA, the e-mail address will be automatically captured and included as part of the public comment. Please note that an e-mail or postal address must be provided with comments if the commenter wishes to receive direct notification of EPA's final decision regarding the proposed permit.

Any interested person may request a public hearing on the proposed permit. The request must be submitted in writing and must state the nature of the issues proposed to be raised at the hearing. The request should be addressed to Michael B. Owens, Air Program (8P-AR), U.S. EPA, Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. Public hearing requests must be received by the EPA on or before the end of the public comment period. The EPA will hold a hearing whenever there is, on the basis of requests, a significant degree of public interest in a proposed MNSR permit. The EPA may also hold a public hearing at its discretion, whenever, for instance, such a hearing might clarify one or more issues involved in the MNSR permit decision.

The EPA will proceed with final permit issuance consistent with the proposed settlement agreement. In accordance with 40 CFR §49.159, the final permit becomes effective 30 days after permit issuance, unless: (1) a later effective date is specified in the permit; or (2) the permit decision is appealed to EPA's Environmental Appeals Board pursuant to 40 CFR §124.19; or (3) no comments resulted in a change to the proposed permit or a denial of the permit, in which case the EPA may make the final permit effective immediately upon issuance. The EPA plans to withdraw the proposed PSD permit for the Bonanza power plant (PSD-UO-000004-2014.003) which was made available for public comment on December 3, 2014, ten days after the MNSR permit becomes final and effective.

The EPA will add the final MNSR permit to a list of final MNSR permit actions which is posted on the EPA Region 8 website at http://www.epa.gov/caa-permitting/caa-permits-issued-epa-region-8. Anyone may request a copy of the final MNSR permit at any time by contacting the Region 8 Tribal Air Permit Program at (800) 227-8917 or sending an email to R8AirPermitting@epa.gov

If you would like to be added to our mailing list to be informed of future actions on this or other CAA permits issued in Indian country, please send your name and address to Tribal Air Permitting Contact, Air Program (8P-AR), U.S. EPA Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129, or by e-mail to R8AirPermitting@epa.gov.