



State of Utah

Department of
Environmental Quality

Dianne R. Nielson, Ph.D.
Executive Director

DIVISION OF AIR QUALITY
Richard W. Sprott
Director

Air Quality Board
John M. Veranth, *Chair*
Ernest E. Wessman, *Vice-Chair*
Nan Bunker
Stead Burwell
Jerry D. Grover
James R. Horrocks
Scott Lawson
Dianne R. Nielson
Wayne M. Samuelson
JoAnn B. Seghini
Don Sorensen
Richard W. Sprott,
Executive Secretary

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

DAQ-048-06

UTAH AIR QUALITY BOARD MEETING

FINAL AGENDA

Wednesday, August 2, 2006
1:30 p.m.

168 North 1950 West (Bldg #2) Room 101

- I. Call-to-Order.
- II. Date of the Next Air Quality Board Meeting: September 6, 2006.
- III. Approval of the Minutes for June's Board Meeting.
- IV. Approval of "Findings and Conclusions and Order" in the matter of Sevier Power Company Power Plant, DAQE-AN2529001-04. Presented by Fred Nelson.
- V. Request for Revisions in R307-202, *Emission Standards: General Burning*. Presented by Ted Black, Weber County Fire Marshal.
- VI. Informational Items
 - A. Air Quality Complaints in West Bountiful from Syro Steel Plant. Presented by Mayor Jim Buhunin.
 - B. Ozone 8-hour Maintenance Plan, Status Report, Report on Stakeholder Meeting held July 26. Presented by Bob Clark.
 - C. Open Meetings Act Presentation: Presented by Fred Nelson.
 - D. Upcoming Presentations to the Board on Integrated Gasification Combined Cycle (IGCC) Power Generation Technology. Presented by Rick Sprott.
 - E. Holcim Permit Status Report. Presented by John Jenks.
 - F. Compliance. Presented by Jeff Dean.
 - G. HAPS. Presented by Robert Ford.
 - H. Monitoring. Presented by Bob Dalley.

In compliance with the American with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Charlene Lamph, Office of Human Resources at (801) 536-4413 (TDD 536-4414).

UTAH AIR QUALITY BOARD MEETING
June 15, 2006

DRAFT MINUTES

I. Call to Order

John Veranth called the meeting to order at 1:34 p.m.

Board members present:

| | | | |
|----------------|------------------------|--------------|---------------|
| Ernest Wessman | Dianne Nielson | Don Sorensen | Jerry Grover |
| Jim Horrocks | John Veranth | Nan Bunker | JoAnn Seghini |
| Stead Burwell | Scott Lawson via phone | | |

Executive Secretary: Richard W. Sprott

II. Date of the Next Air Quality Board Meetings

July 12, 2006 is set as tentative date for the next Board meeting.

III. Approval of the Minutes for April 6, 2006 Board Meeting

- Mr. Horrocks made the motion to approve April's minutes. Ms. Bunker seconded and the Board approved unanimously.

IV. Election of New Chairman and Vice Chairman.

- Ms. Seghini proposed a resolution to recognize the outstanding service of John Vernath as the Air Quality Board Chairman. Ms. Bunker seconded and the Board approved unanimously.
- Ms. Bunker proposed a resolution to recognize the outstanding service of Ernest Wessman as the Air Quality Board Vice-Chairman. Mr. Burwell seconded and the Board approved unanimously.
- Mr. Horrocks made a motion for John Veranth to be elected for a second term as Chairman. Ms. Seghini seconded and the Board approved unanimously.
- Mr. Veranth made a motion for Ernest Wessman to be elected for a second term as Vice Chairman. Ms. Seghini seconded and the Board approved unanimously.

V. Final Adoption: Amend R307-210, Amend R307-210-1. Standards of Performance for New Stationary Sources (NSPS). Presented by Rusty Ruby.

Mr. Ruby stated that on April 6, 2006, the Air Quality Board proposed for comment amendments to R307-210-1, Standards of Performance for New Stationary Sources (NSPS). Changes in R307-210 were proposed for comment to update the incorporation of NSPS standards by reference in the rule and to excluded specific subparts of Part 60 that are incorporated in other rules. A public hearing was held on May 18, 2006. No oral or written comments were received about this proposal. Mr. Ruby then stated that the staff recommends that the Board adopt R307-210-1 as proposed at the April Board meeting.

- Mr. Wessman made a motion to adopt Amend R307-210, Amend R307-210-1; Standards of Performance for New Stationary Sources (NSPS). Ms. Bunker seconded. The Board approved unanimously.

VI. Propose for Public Comment: Amend R307-415-4(2), Operating Permits - Source Category Exemptions - Addition of Five Area Source Exemptions. Presented by Robert Grandy.

Mr. Grandy stated that on December 19, 2005, notice was published in the Federal Register (70 FR 75319) granting an exemption to certain area sources from Title V Operating Permit Programs. The exemptions were promulgated in each individual Part 63 Subpart. The area sources that were granted exemption are those subject to the following Federal requirements: 1. National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities (40 CFR Part 63, Subpart M); 2. National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 CFR Part 63, Subpart N); 3. Ethylene Oxide Emissions Standards for Sterilization Facilities (40 CFR Part 63, Subpart O); 4. National Emission Standards for Halogenated Solvent Cleaning (40 CFR Part 63, Subpart T); 5. National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production (40 CFR Part 63, Subpart RRR).

Mr. Grandy stated that the staff recommends that the revisions to R307-415-4 (2), be proposed for public comment.

- Mr. Wessman made a motion to Propose for Public Comment: Amend R307-415-4(2), Operating Permits - Source Category Exemptions - Addition of Five Area Source Exemptions. Ms. Bunker seconded. The Board approved unanimously.

**VII. Five Year Reviews: Presented by Jan Miller and Mat Carlile.
R307-101, General Requirements;
R307-110, General Requirements: State Implementation Plan; R307-401, Permits: Notice of Intent and Approval Order; R307-405, Permits: Major Sources in Attainment or Unclassified Areas (PSD);
R307-410 Permits: Emission Impact Analysis;
R307-210, Standards of Performance for New Stationary Sources (NSPS);
R307-223, Emission Standards: Existing Small Municipal Waste Combustors;
R307-801, Asbestos**

Mr. Carlile stated that all state agencies are required by the Utah Administrative Rulemaking Act to review each of their rules every five years. The responsibility to complete the review falls to the Air Quality Board.

Mr. Carlile stated that the staff recommends that the Board continue R307-101, R307-110, R307-210, R307-223, R304-401, R307-405, R307-410, and R307-801 by approving the forms to be filed with the Division of Administrative Rules.

- Ms. Bunker made a motion that the Board continue R307-101, R307-110, R307-210, R307-223, R304-401, R307-405, R307-410, and R307-801 by approving the forms to be filed with the Division of Administrative Rules. Mr. Horrocks seconded. The Board approved unanimously.

VIII. Final Adoption: Delete R307-413, Permits: Exemptions and Special Provisions; Amend R307-101-2, Definitions; and Amend R307-325, Davis and Salt Lake Counties and Ozone Nonattainment Areas: Ozone Provisions. Presented by Colleen Delaney and Jim Schubach.

Ms. Delaney stated that on March 8, 2006, the Air Quality Board proposed for public comment these three rules that were part of the New Source Review reform package. These rules already had been through the comment process with the other NSR rules, but, under Utah's rulemaking statute (Title 63, Chapter 46a), they were in danger of expiring before the new rules could be made effective, leaving a gap in coverage. A second public comment period was held April 1-May 2, 2006 and no comments were received.

Ms. Delaney stated that the staff recommends that R307-413, R307-101-2, and R307-325 be adopted as proposed.

- Mr. Wessman made a motion to adopt to delete R307-413, Permits: Exemptions and Special Provisions; Amend R307-101-2, Definitions; and Amend R307-325, Davis and Salt Lake Counties and Ozone Nonattainment Areas: Ozone Provisions. Ms. Seghini seconded. The Board approved unanimously.

IX. Final Adoption: Amendments to R307-801, Asbestos. Presented by Robert Ford.

Mr. Ford stated that on February 1, 2006, the Board proposed for public comment amendments to R307-801 that allow contractors that remove asbestos from buildings to notify DAQ of their plans through an electronic notification system, as well as the current in-person and mailed system. A public hearing was held on March 23, 2006 and no comments were received. During the comment period, one written comment was received and the Division responded to that comment.

Mr. Ford stated that the staff recommends that the rule changes be adopted as they were proposed.

- Ms. Seghini made a motion to adopt Amendments to R307-801, Asbestos. Mr. Horrocks seconded. The Board approved unanimously.

X. In the Matter of Sevier Power Company Power Plant, DAQE-AN2529001-04: Presented by Fred Nelson.

On May 10, 2006 a hearing was held in Richfield, Utah at the request of Sevier County Citizens for Clean Air and Water. The purpose of the hearing was to determine if the Executive Secretary had appropriately evaluated the air pollution control equipment necessary to operate the plant according to state and federal air quality regulations. The proceeding was for the purpose of hearing the appeal by the Sevier Citizens of the issuance of the approval order dated October 12th, 2004, authorizing the construction and operation of the Sevier Power Company's, 270 megawatt coal fired power plant in Sigurd, Utah.

Mr. Veranth stated that he thought that the petitioner had not met the requirement to demonstrate through a preponderance of evidence that the Executive Secretary had failed to issue the approval order according to state rules. Therefore, he thought that the petition could not be granted. However, he was concerned that the statements in the proposed motion were too broad.

Mr. Grover stated that he would have liked more evidence put forward by the petitioners during the hearing.

Mr. Burwell asked if the Board should discuss integrated gasification combined cycle (IGCC) as the best available control technology (BACT). Mr. Veranth stated that the issue was not fully explored since it was not a balanced hearing, due to the citizen's limited expertise. Mr. Burwell stated that even if the petition was dismissed, isn't IGCC as BACT a relevant issue? Ms. Nielson asked if IGCC BACT was used as a type of control equipment or different process. She stated that she didn't hear any testimony that ICGG should be alternate technology. Ms. Nielson added that there may be other ways for the board to implement IGCC through rulemaking. Mr. Horrocks suggested that the DAQ staff to investigate new technology. Mr. Sprott stated that he would provide the Board with an outline for further informing the Board on IGCC at the next meeting.

Mr. Horrocks stated that Sevier County Citizens' (SCC) issues were valid, but reflected more of what they wished the law said, not what the law actually is. There was not enough evidence to support findings on IGCC as BACT. Ms. Bunker agreed with Mr. Horrocks.

Ms. Nielson stated she had not heard any legal and factual evidence or any compelling legal arguments.

- Ms. Horrocks made a motion that SCC failed to submit adequate evidence. DAQ did provide significant testimony to support the issuance of the approval order, therefore SCC's request should be denied. Ms. Seghini seconded. All voted in favor except Mr. Burwell who abstained.

Ms. Seghini applauded SCC and their determination to serve the citizens. She also stated that they have pointed this board into new directions.

XI. In the matter of Pine Factory – DAQC-1471-2005 – Decision on Recommendation of Hearing Officer: Presented by Ernest Wessman.

- Mr. Wessman made a motion to uphold the enforcement action. Ms. Seghini seconded. The Board approved unanimously.

XII. Informational Items

A. Compliance. Presented by Jeff Dean.

B. HAPS. Presented by Robert Ford.

C. Monitoring. Presented by Bob Dalley.

Meeting was adjourned at 2:47 p.m.

BEFORE THE
UTAH AIR QUALITY BOARD

| | | |
|----------------------------------|---|--------------------------|
| In the Matter of: | * | |
| | * | Findings and Conclusions |
| Sevier Power Company Power Plant | * | and Order |
| Sevier County, Utah | * | |
| DAQE-AN2529001-04 | * | |

On June 15, 2006, parties and participants appeared before the Utah Air Quality Board in the above-entitled matter for final hearing on a Request for Agency Action by Sevier County Citizens for Clean Air and Water (“Sevier Citizens”) appealing an Approval Order granting a permit to Sevier Power Company (“SPC”) to construct and operate a coal-fired power plant in Sevier County, Utah, issued on October 12, 2004. James O. Kennon and Cindy Roberts appeared for Sevier Citizens, Fred W. Finlinson appeared for SPC, Michael Jenkins appeared for PacifiCorp, and Paul McConkie and Christian Stephens appeared for the Executive Secretary. Utah Air Quality Board members present were John Veranth, Dianne Nielson, Jerry Grover, James Horrocks, Nan Bunker, Stead Burwell, JoAnn Seghini, and Ernest Wessman, and Scott Lawson was connected telephonically. Mr. Wessman recused himself because of his employment relationship with PacifiCorp. Fred Nelson acted as counsel for the Board. The Board voted seven in favor (John Veranth, Dianne Nielson, Jerry Grover, James Horrocks, Nan Bunker, JoAnn Seghini, and Scott Lawson) and one opposed (Stead Burwell) to issue these Findings and Conclusions and Order.

By pleading dated November 1, 2004, the Sevier Citizens filed a Request for Agency Action appealing the Approval Order granting a permit to SPC to construct and operate a coal-

fired power plant in Sevier County, Utah, and petitioned to intervene in the proceeding. Sevier Citizens filed a more specific Request for Agency Action on March 14, 2005. The Board granted Sevier Citizens' intervention petition.

Sierra Club and PacifiCorp were denied intervention in the proceedings (see previous order of Board dated May 12, 2005). However, the Board granted Sierra Club and PacifiCorp amicus status. Sierra Club declined to participate as amicus.

Discovery concluded on January 30, 2006. On April 6, 2006, the Board heard argument on (1) the Executive Secretary's motion to dismiss the general allegations in Sevier Citizens' November 1, 2004, Request for Agency Action, and (2) the Executive Secretary's motion for judgment on the pleadings on claims 1-3, 6-7, and 10-13 of the fourteen claims in Sevier Citizens' March 16, 2005, Request for Agency Action. Upon agreement by Sevier Citizens that the fourteen claims in the March 16, 2005 were the totality of the claims it was alleging, the Executive Secretary withdrew the motion to dismiss. At the April 6, 2006, hearing, the Board dismissed claims 2, 6, and 10, for the reasons stated below. The Board deferred judgment on claims 1, 3, 7, and 11-13 until after a hearing on those claims and claims 4, 8-9, and 14. The formal adjudicative hearing was held in Richfield on May 10, 2006, testimony and other evidence was received, and the Board heard closing arguments. Parties, and PacifiCorp, submitted post-hearing briefs on May 22, 2006.

The underlying issue before the Board is whether the Executive Secretary complied with State statutes and the Utah Air Quality Board rules in issuing the October 14, 2004, Approval Order to Sevier Power Company. To prevail, Sevier Citizens have the burden of proving that the Executive Secretary failed to comply with State air quality requirements.

Having heard the evidence and after reviewing the post-hearing briefs, this matter came before the Board on June 15, 2006, for decision. The Board makes the following findings and conclusions, and issues an order as follows:

1. Claim 1 is that the Executive Secretary “failed to evaluate the combined emissions of the three proposed coal-fired power plants currently under application in the state of Utah and the effects it would have upon nearby National Parks.”

Utah Administrative Code R307-405-6(2) requires that the determination of whether the source will cause or contribute to a violation of the Prevention of Significant Deterioration (“PSD”) maximum allowable increases or the National Ambient Air Quality Standards (“NAAQS”) in any area take into account all allowable emissions of approved sources whether constructed or not, and, to the extent practicable, the cumulative effect on air quality of all sources and growth in the affected area.

John Jenks, engineer of the Division of Air Quality (DAQ) and George Wilkerson, expert witness for SPC, testified that the proposed Hunter Four plant was not included because it was not approved, its application having been put on hold. They also testified that projected emissions from the IPP expansion and other approved sources had been factored into the NAAQS analysis. Mr. Jenks testified that the alleged violation of a 24 hr average for PM10 from existing sources was determined to be caused by modeled emissions from two gypsum plants and that it was determined through the near field modeling that the exceedences were not contributed to significantly by the proposed SPC power plant.

Sevier Citizens did not present contrary evidence to support its claim. Therefore, because Sevier Citizens failed to meet its burden of proof, Claim No. 1 is hereby denied.

2. Claim 2 was dismissed by the Board. The allegation addressed the issue of standing that was mooted by the granting of standing to Sevier Citizens.

3. Claim 3 is that the Executive Secretary “failed to adequately consider the use of IGCC both as a viable method of achieving BACT and as a cost effective way to minimize emissions.

Colin Campbell, Senior Project Manager for RTP Environmental Associates in Raleigh, North Carolina, testified as an expert witness for the Executive Secretary. Mr. Campbell had been hired by the UDAQ as a consultant for the purpose of reviewing the New Source Review Plan and Recommended Approval Order to ensure thoroughness and consistency with federal NSR requirements. Mr. Campbell testified that he agreed with the opinion of the Executive Secretary, as well as the letter issued by EPA dated December 13, 2005, that IGCC should not be considered as an available control technology for more conventional coal-fired power plants because it would redefine the basic design of the source.

Sevier Citizens did not present expert testimony that IGCC should be BACT but relied on third party statements that did not meet its burden of proof. Claim 3 is therefore, hereby denied.

4. Claim 4 is that the Executive Secretary “failed to determine that the ambient air within the Sevier Valley airshed is in compliance with the Clean Air Act and, in fact, has no base line data with which to evaluate the additions requested by SPC.”

Tom Orth testified for the Executive Secretary and George Wilkerson testified for SPC regarding the use of ambient monitors for a one year period and the use of the derived data to determine the area was in attainment and in compliance with the Clean Air and Utah Air Conservation Acts. DAQ witnesses testified regarding how additional emissions, to include emissions from mobile sources, agricultural emissions, and imported pollution, were accounted

for.

Sevier Citizens did not present expert testimony or otherwise present evidence sufficient to meet its burden of proof, therefore, Claim 4 is hereby denied.

5. Claim 5 is that the Executive Secretary “failed to model the air flows and currents as they actually exist within the enclosed Sevier Valley, but rather assumed uniform distribution of emissions from the proposed SPC plant.”

Tom Orth, on behalf of the Executive Secretary, and George Wilkerson, on behalf of SPC, testified concerning meteorological monitoring data and the use of upper air data supplied by the US Weather Service. They also testified concerning the appropriateness of the models used as prescribed by Board rules and that the results demonstrated that exceedances of the NAAQS and PSD limits would not occur.

Sevier Citizens provided no expert testimony or other evidence sufficient to meet its burden of proof, therefore, Claim 5 is hereby denied.

6. Claim 6 is encompassed in Claim 5 and is dismissed on that basis.

7. Claim 7 is that “Fish Lake National Forest and Dixie National Forest are each in the process of implementing a “schedule burn” program to improve the quality of the natural forests. During the next ten years, each jurisdiction will potentially expel many tons of ash and pollutant into the local atmosphere which by themselves may potentially make Sevier Valley a non attainment area. The potential is not noted in the NOI and is a major omission in modeling the airshed of Sevier Valley.”

John Jenks, the engineer at DAQ, testified that the draft scheduled burns were not factored into the air quality modeling because (1) scheduled prescribed burns do not meet the

definition of stationary source as defined in R307-405-6(2); (2) scheduled prescribed burns are otherwise provided for under the Smoke Management Program under its own rule; and (3) the prescribed burns were only at the draft stage, in any event, and would not have been considered.

Sevier Citizens elected not to present evidence on this claim. Having not met its burden of proof that the Executive Secretary erred, Sevier Citizens Claim 7 is hereby denied.

8. Claim 8 is that the Executive Secretary erred in that the “AO for SPC would permit the use of dry bag house filters only for removal of the pollutants produced by the combustion operation. Many authorities site the superior value of water scrubbers for achieving MACT of these pollutants.”

DAQ engineer, John Jenks, testified that wet scrubbing was evaluated but it was determined that dry bag house filters would be more appropriate for this particular plant. Specifically, while wet scrubbing is a technology that is traditionally used primarily for removal of acid gases, dry bag house is more efficient at removing particulate matter as well as controlling mercury and non-metallic hazardous air pollutant (HAP) emissions.

In support of its claim, Sevier Citizens offered no expert testimony, relied on third party information, and did not present evidence sufficient to meet its burden of proof that the Executive Secretary erred in the BACT determination. Claim 8 is therefore, hereby denied.

9. Claim 9 is that the Executive Secretary “did not require sufficient analysis of the impacts of the Sevier Power Company coal-fired power plant on soil, vegetation, wildlife, and animals.”

The evidence indicates that the SPC did submit a soils and vegetation study and that a demonstration, as testified to by George Wilkerson and David Prey, that the secondary NAAQS

will be met does provide protection of wildlife and animals in that the secondary standards for PM10, NO2, and SO2 are set to protect public welfare, including protection against decreased visibility, damage to animals, crops, vegetation, and buildings.

Sevier Citizens presented no expert testimony. Testimony of Scott Chamberlain on selenium levels did not relate to the testimony of DAQ on projected selenium emissions and third party references to need for wildlife studies did not meet the burden of proof demonstrating that the Executive Secretary erred in issuing the Approval Order to SPC. Claim 9 is therefore, hereby, denied.

10. Claim 10 is encompassed by Claim 9 and is dismissed on that basis.

11. Claim 11 is that the Executive Secretary “did not thoroughly analyze the impact of health issues on citizens living in the shadow of the (SPC) power plant.”

In addition to the evidence in the record and testimony presented as to of the validity of the modeling demonstrating that the NAAQS would be met, Dr. Steven Packham, DAQ toxicologist, testified that the purpose of the NAAQS is health-based and designed to protect even sensitive populations.

Sevier Citizens did not present expert testimony, relying on third party articles that did not meet its burden of proof to present sufficient evidence that the Executive Secretary erred in issuing the Approval Order to SPC. Claim 11, is therefore, hereby denied.

12. Claim 12 is that the Executive Secretary failed to consider the financial impact of the property values, job loss, and additional medical expenses that the people of Sevier County will suffer from the AO of the Sevier Power Company permit.”

Sevier Citizens did not state how the Executive Secretary did not comply with the law or

rules. The rules do not provide for review of impact of a source on property values or job loss. The Executive Secretary presented evidence that the review did take into consideration the impacts of growth in demonstrating that the NAAQS would be met. The NAAQS are standards that are designed to protect public health and the environment. Similarly, the Executive Secretary presented evidence of compliance with PSD increment values, which UDAQ included in the modeling, and which exist to protect local air from degrading to the point where violations of these health-based standards would occur.

Sevier Citizens failed to meet its burden of proof of demonstrating the Executive Secretary did not comply with the law, therefore, Claim 12 is hereby denied.

13. Claim 13 is that the Executive Secretary “did not consider the detrimental effects of the Sevier Power Company plant on the surrounding ‘natural attractions of this state’ [Utah Air Conservation Act Chap. 19-2-101(2)].”

George Wilkerson, on behalf of SPC, and David Prey, from DAQ, testified that the modeling demonstrated compliance with Board rules governing Class I areas to include visibility in the National Parks. Further, other than a reference to UCA Section 19-2-101(2) which does not include operative requirements, Sevier Citizens did not identify a specific rule that is alleged to have been violated.

Sevier Citizens relied on third party information and did not meet its burden of proof to demonstrate that the Executive Secretary did not comply with law in issuing the Approval Order, therefore, Claim 12 is hereby denied.

14. Claim 14 is that the Executive Secretary failed to reevaluate the “downwash” modeling in view of the fact that SPC is now going to cover the coal pile with a building.

George Wilkerson testified for SPC that even if the coal pile is uncovered, it would meet the NAAQS and by covering the coal pile, the PM10 concentrations would be decreased. Tom Orth, on behalf of DEQ, testified that even if the coal pile building were 50 feet high, downwash effect would not occur.

Sevier Citizens did not present evidence to rebut these conclusions, and did not meet its burden of proof, therefore, Claim 14 is hereby denied.

Order

Based on the above, Sevier Citizens failed to meet its burden of proof to establish that the Executive Secretary did not comply with State statutes or rules of this Board in issuing the Approval Order to Sevier Power Company to construct and operate a coal-fired steam electric generating facility near Sigurd in Sevier County, Utah. The Sevier Citizens Request for Agency Action is denied. The Approval Order issued by the Executive Secretary to SPC is affirmed.

DATED this _____ day of August, 2006.

Utah Air Quality Board

Notice of the Right to Apply for Reconsideration or Review

Within 20 days after the date this final order is signed in this matter by the Utah Air Quality Board, any party shall have the right to apply for reconsideration with the Board, pursuant to Utah Code Ann. § 63-46b-13. The request for reconsideration should state the specific grounds upon which relief is requested and should be submitted in writing to the Board at 168 North 1950 West, Salt Lake City, Utah, 84114. A copy of the request must be mailed to each party by the person making the request. The filing of a request for reconsideration is not a prerequisite for seeking judicial review of this Order.

Notice of the Right to Petition for Judicial Review

Judicial review of this Order may be sought in the Utah Court of Appeals under Utah Code Ann. § 63-46b-16 and the Utah Rules of Appellate Procedure by the filing of a proper petition within thirty days after the date of this Order.

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of August, 2006, I caused a copy of the forgoing Findings and Conclusions, and Order to be mailed by United States Mail, postage prepaid, to the following:

Joro Walker
Sean Phelan
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1473 S 1100 E Suite F
Salt Lake City, Utah 84105

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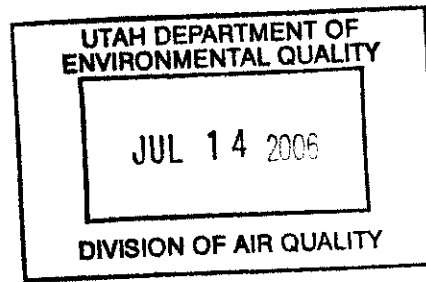
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Board of Trustees
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July 13, 2006
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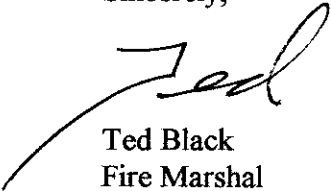
Attn: Rick Sprott

Re: R307-202

Dear Rick:

Please consider this letter a formal request to be put on the agenda of the next DEQ Board meeting Aug 2, 2006. I have three requests of the board: First, I am requesting that the board formally define "horticultural or agricultural operations" as used in R307-202-1 (see attachment). Second I am requesting that the board revise R307-202-5,3,e,i. (See attachment) Third, I am requesting clarification from the board on section 19-2-114 and why rule has been written when the law exempts this activity from rule. (See DEQ pamphlet, "Intentional Burning of Structures for Fire Training")

Sincerely,



Ted Black
Fire Marshal

cc: File
Cheryl Heying, DEQ
Ron Morris, Utah State Fire Marshal

Section 19-2-114. Burning of Fire Code.

As provided in Section 19-2-114, the provisions of R307-202 are not applicable to:

- (1) burning incident to horticultural or agricultural operations of:
 - (a) prunings from trees, bushes, and plants; or
 - (b) dead or diseased trees, bushes, and plants, including stubble;
- (2) burning of weed growth along ditch banks incident to clearing these ditches for irrigation purposes;
- (3) controlled heating of orchards or other crops to lessen the chances of their being frozen so long as the emissions from this heating do not violate minimum standards set by the board; and
- (4) the controlled burning of not more than two structures per year by an organized and operating fire department for the purpose of training fire service personnel when the United States Weather Service clearing index is above 500.

See also Section 11-7-1(2)(a).

Section 76-10-803. Open Burning.

- (1) Open burning is authorized by the issuance of a permit as specified in (3) below when not prohibited by other laws or other officials having jurisdiction, and when a nuisance as defined in Section 76-10-803 is not created.
- (2) Individual permits for the types of burning listed in (3) below may be issued by an authorized local authority under the "clearing index" system approved and coordinated by the Department of Environmental Quality.
- (3) Types of burning for which a permit may be granted are:
 - (a) open burning of tree cuttings and slash in forest areas where the cuttings accrue from pulping, lumbering, and similar operations, but excluding waste from sawmill operations such as sawdust and scrap lumber;
 - (b) open burning of trees and brush within railroad rights-of-way provided that dirt is removed from stumps before burning, and that tires, oil more dense than #2 fuel oil or other materials which can cause severe air pollution are not used to start fires or keep fires burning;
 - (c) open burning of solid or liquid fuels or structures for removal of hazards or eyesores;
 - (d) open burning, in remote areas, of highly explosive or other hazardous materials, for which there is no other known practical method of disposal;
 - (e) open burning of clippings, bushes, plants and prunings from trees incident to property clean-up activities provided that the following conditions have been met:
 - (i) in any area of the state, the local county fire marshal has established a 30-day burn period between March 1 and May 30 for such burning to occur and notified the executive secretary of the open burning period prior to the commencement of the 30-day burn period, or, in areas which are located outside of Salt

Lake, Davis, Weber, and Utah Counties, the local county fire marshal has established, if allowed by the state forester under Section 65A-8-9, a 30-day burn period between September 15 and October 30 for such burning to occur and has notified the executive secretary of the opening burning period prior to the commencement of the 30-day burn period;

(ii) such burning occurs during the period established by the local county fire marshal;

(iii) materials to be burned are thoroughly dry;

(iv) no trash, rubbish, tires, or oil are used to start fires or included in the material to be burned.

(4) The Board may grant a permit for types of open burning not specified in (3) above on written application if the Board finds that the burning is not inconsistent with the State Implementation Plan.

An index of 500+ is required before burning can be done. (R307-202-1(4)).

To access the current clearing index, please check the Utah clearing index website at: www.wrh.noaa.gov/Saltlake/climate/clearingIndex.html or call the Division of Air Quality at (801) 536-4000.

■ Following the burning of the structure for training, the fugitive dust and dust control requirements of R307-205 and R307-309 apply to the loading of the remaining building debris and to clearing and leveling activities at the site of the structure.

■ The Statewide rule R307-205 requires dust control when clearing land over ¼ acre in size.

■ The NonAttainment Area Dust Control Rule R307-309 requires the submission of a dust control plan to the Executive Secretary for any activity which has the potential to produce fugitive dust. (NonAttainment Area includes: Utah, Salt Lake, Davis Counties, Ogden City.)

■ The Division of Air Quality also recommends that before intentional burning notification of nearby residents be made to alleviate any undue concerns. This will allow the residents to close windows, and make arrangements to leave the area, especially those who are sensitive to smoke and dust, those who have asthma, or those with respiratory or heart problems.

Questions?

Contact the Utah Division of Air Quality at: (801) 536-4000 for asbestos inspector and contractor lists, forms, and information about rules, or see our web page:

<http://www.deq.state.ut.us/eqair/haps/asbestos/index.htm>

Intentional Burning of Structures for Fire Training

Utah Division of Air Quality



150 North 1950 West
PO Box 144820
Salt Lake City, Utah 84114-4820

Phone (801) 536-4000
Fax (801) 536-4099

Intentional burning of structures for fire training is allowed by the Division of Air Quality, however there are certain Air Quality regulations that apply.

The burning of two structures per year by organized and operating fire departments for the purpose of training fire service personnel are exempt from the General Burning requirements contained in the Utah Administrative Code (UAC) R307-202, but other regulations still apply.(UAC R307-202-1)

Requirements Prior to Intentional Burning

Asbestos

Asbestos is known for its unique properties of being resistant to abrasion, inert to acid and alkaline solutions, and stable at high temperatures. Because of these attributes, asbestos was widely used in construction and industry.

When Asbestos Containing Material (ACM) is damaged or disturbed, as in burning, it releases fibers into the air.

Once inhaled, the small, inert asbestos fibers can easily penetrate the body's defenses. They are deposited and retained in the airways and tissues of the lungs and cause lung scarring and lung cancer.

Asbestos requirements

- Inspect the structure for the presence of asbestos-containing materials (ACM) (40 CFR 61.145(a) and UAC R307-801-9))

- The inspection must be conducted by a Utah certified asbestos inspector (UAC R307-801-10)

- An inspection survey report must be generated (UAC R308-10(6))

- The inspection survey report must remain on site throughout the demolition (UAC R307-801-9).

- All asbestos-containing materials must be removed prior to intentionally burning a structure. This includes asbestos-containing materials that can remain in place during normal demolition operations (40 CFR 61.145(c)(3)(B)(10) and UAC R307-801-11(1)(d)).

This includes: asbestos containing insulation, duct tape, textured ceilings, and resilient floor coverings, roofing materials, packings, gaskets, etc., asbestos-cement shingles, and siding.

Removal of Regulated ACM must be performed by a Utah certified asbestos contractor and certified asbestos workers (UAC R307-801) This information is available on the [Asbestos website at: www.deq.state.ut.us/eqair/haps/asbestos/index.htm](http://www.deq.state.ut.us/eqair/haps/asbestos/index.htm)

- A notification must be submitted to the Executive Secretary of the Utah Air Quality Board 10 working-days prior to demolishing the structure (40 CFR 61.145(b) and UAC R307-801-11).

- If the preparation of the structure for burning requires the removal of greater than 160 square feet of ACM or 260 linear feet of ACM pipe insulation, notification is required 10 working days prior to removing the ACM (40 CFR 61.145(b) and UAC R307-801-11).

- If there are less than 160 square feet or 260 linear feet of ACM in the structure, then notification of asbestos removal is required 24 hours prior to removing the ACM. (UAC R307-801-11(1)(b)).

- The burning of structures for fire training is an institutional use of the structure and falls under the commercial notification fees established for the Department of Environmental Quality.

Prior to burning, it is required that you check the Utah Clearing Index

The Clearing Index is an Air Quality/Smoke Dispersal Index used to regulate open burning and as input for other air quality decisions throughout Utah. The Clearing Index is defined as the Mixing Depth (depth of the mixed layer in 100s of feet above ground level) multiplied by the Transport Wind (average wind in the mixed layer in knots). Clearing Index values below 500 are considered poor ventilation and open burning is restricted under these conditions.



State of Utah

Department of
Environmental Quality

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Executive Director

DIVISION OF AIR QUALITY
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JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

MEMORANDUM

TO: Air Quality Board

THROUGH: Richard W. Sprott, Executive Secretary

FROM: Robert Clark, Environmental Scientist

DATE: August 2, 2006

SUBJECT: Status of the 8-hour Ozone Maintenance Plan

Background

In July 1997, the EPA established a new national ambient air quality standard (NAAQS) for ozone. The new standard was set at a level of 0.08 ppm (parts per million) averaged over an eight-hour period. It replaced the old 1-hour standard of 0.120 ppm effective June 15, 2005. Under the new standard, Salt Lake and Davis Counties were designated as “attainment,” and the remainder of the State was designated as “attainment/unclassifiable.”

In response to this new 8-hour standard, and with the guidance of EPA, the Division of Air Quality (DAQ) has developed a draft ozone maintenance plan under Section 110(a)(1) of the Clean Air Act (CAA). This draft maintenance plan is based on an emission inventory maintenance demonstration as is the currently approved 1-hr maintenance plan. It shows that emissions of the precursors of ozone, VOC and NO_x, will continue to decrease between 2002 and 2014. It addresses all required EPA plan components including an attainment inventory, a maintenance demonstration, an air quality monitoring program, a contingency plan, and a plan to verify continued attainment of the 8-hour NAAQS.

Status of 8-hr ozone maintenance plan:

- A draft of the ozone 8-hr maintenance plan has been prepared. Draft changes of ozone-related rules have also been prepared.
- An ozone web site has been set up for the public to view the draft 8-hour maintenance plan and the ozone rules. It can be found at http://www.airquality.utah.gov/Public-Interest/Current-Issues/ozone_maintenance/index.htm.
- The 8-hour ozone Technical Support Document (TSD) is on file in the DAQ offices.
- The draft maintenance plan and a copy of the TSD were forwarded to EPA on July 13, 2006 for comments.
- A Stakeholder meeting was held on July 26, 2006 to gather public input on the 8-hr ozone maintenance plan and proposed rule changes prior to their presentation to the Air Quality Board.

The 8-hr ozone maintenance plan and rules will be on the agenda for the September Air Quality Board meeting. If proposed for public comment by the Air Quality Board, the comment period will be in October 2006. Following any revisions generated by comments, DAQ staff will present it to the Air Quality Board for final approval in November or December 2006. Following adoption by the Air Quality Board, this maintenance plan will be forwarded to EPA in early 2007 for federal approval. It will remain in effect until it is revised by the State, and contingency measures included in the plan could be triggered if the area subsequently violates the 8-hour standard.

DEQ - Meetings Subject to the Requirements of the Open and Public Meetings Act

If the meeting is:

- 1) of a "public body" (administrative, advisory, or executive body created by statute or rule that consists of two or more persons and is vested with authority to make decisions regarding the public's business),
- 2) with a quorum present,
- 3) a convening of the body to include a workshop or an executive session held in person or by means of electronic communications or a site visit or traveling tour, and
- 4) for the purpose of the public body discussing or acting upon a matter over which it has jurisdiction or advisory power.

If the meeting is:

A chance or social meeting of a public body

Closed meeting:

- 1) if approved by two-thirds of a quorum, and
- 2) if the matters discussed are the
 - a) character, professional competence, or physical or mental health of an individual
 - b) pending or reasonably imminent litigation
 - c) deployment of security personnel, devices, or systems
 - d) investigative proceedings regarding alleged criminal misconduct
 - e) adjudicative deliberation (see Common Cause of Utah v. Utah Public Service Commission (1979), 598 P2d 1312)

(Other purposes justifying closing a meeting but which are usually not applicable to DEQ are listed in UCA Section 52-4-205)

A resolution, rule, contract or appointment may not be approved at a closed meeting.

Subject to Open and Public Meetings Act?

Yes

Yes

No

Yes

DEQ – Open Mtgs Act – Public Notice Requirements

For each open meeting the following requirements must be met:

- 1) At least 24 hours prior public notice of each meeting.
- 2) Public notice includes:
 - a. the meeting date, time, and place (for electronic meetings the anchor location where the public may attend), and
 - b. the agenda listing each topic and item to be considered at the meeting with reasonable specificity (a topic not listed that is raised during an open meeting may be discussed but no final action may be taken).
- 3) Written notice posted at the principal office of the public body, or if no principal office exists, at the building where the meeting is to be held, and for electronic meetings at the anchor location.
- 4) Notice provided to at least one newspaper of general circulation within the geographic jurisdiction of the public body and (statute states “or”, rule states “and”) a local media correspondent.

In addition, yearly, the following must be met:

- 1) Public notice given at least once a year for a public body which holds regular meetings that are scheduled in advance over the course of a year.
- 2) Notice includes the date, time and place of the scheduled meetings
- 3) Notice is posted and provided to media as described above for individual meetings.

Encouraged, but not required:

- 1) Use electronic means to provide notice to media
- 2) Provide public notice to all media that make a periodic written request to receive notice
- 3) Post public notice on the Internet

Emergency Meeting (requires approval of majority of members based on unforeseen circumstances making it necessary):

- 1) If public notice requirements can't be met, the best practicable notice shall be given which at a minimum shall include:
 - a. posting the agenda and notice of the meeting at agency office,
 - b. if meeting is electronic, specify the anchor location where public can attend, and
 - c. electronic or telephonic notice to at least one newspaper of general circulation and one local media correspondent.
- 2) Attempt to notify all members of a public body, and if meeting is electronic advise how members may appear electronically.

Closed Meeting

Requires same public notice for open meeting

Checklist

DEQ - Recording and Minutes Requirements under the Open and Public Meetings Act

Open Meetings:

Written minutes and recording, both, are required of all meetings covered by the Act except either minutes or recording is required for site visits or a traveling tour but only if no vote or action is taken, otherwise both are required.

Recording shall be a complete and unedited record of all portions of the open and closed meeting (except as discussed below for some closed meetings) from the commencement through the adjournment.

Minutes and recording shall include:

- 1) date, time and place of the meeting,
- 2) names of members present and absent,
- 3) the substance of all matters proposed, discussed or decided,
- 4) a record, by individual member, of votes taken,
- 5) the name of each person who provided testimony and the substance in brief of their testimony, and
- 6) any other information that any member requests be entered in the minutes or recording
- 7) for emergency meetings, statement of unforeseen circumstances that made meeting necessary
- 8) the reasons for closing all or any portion of a meeting, location of closed meeting, and the vote by name, of each member, either for or against closing a meeting.

Closed Meetings:

- 1) public body shall make a recording, and may keep written minutes (except if meeting is closed exclusively for the purpose of discussing character, professional competence, or physical or mental health of an individual, or deployment of security personnel, devices, or systems and the presiding officer signs a sworn statement affirming the purpose for closed meeting)
- 2) recording and minutes shall include:
 - a) Date, time, and place of meeting
 - b) Names of members present and absent
 - c) Names of all others present except where disclosure would infringe on confidentiality necessary to fulfill purpose of closing meeting

Checklist



State of Utah

Department of
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GARY HERBERT
Lieutenant Governor

DAQC-763-2006

MEMORANDUM

TO: Air Quality Board
FROM: Richard W. Sprott, Executive Secretary
DATE: June 5, 2006
SUBJECT: Compliance Activities – May 2006

Annual Inspections Conducted:

A 12
SM 10
B..... 11

Initial Compliance Inspections Conducted:

A 0
SM 2
B..... 2

On-Site stack test audits conducted: 4
Stack test report reviews: 12

On-site CEM audits conducted: 0
Emission reports reviewed: 0

¹Miscellaneous inspections conducted 24
Complaints received: 29

VOC inspections:

Tanker trucks 1
Degreasers 4
Paint Booths 4

| | |
|---|-------------|
| Source Compliance Action Notice issued..... | 2 |
| Notices of Violation issued..... | 0 |
| Compliance Advisories issued..... | 3 |
| Settlement Agreements resolved..... | 8 |
| Penalties Collected..... | \$32,838.60 |

Notices of Violations issued:

None

Compliance Advisories issued:

DC Transport & Excavating, Inc.
Granite Construction Co.
Precision Body & Paint

Settlement Agreements Reached:

| | |
|--------------------------------|------------|
| Lehi Logg LLC | \$239.20 |
| Utah Metal Works..... | \$3,614.00 |
| Unlimited Design..... | \$5,715.00 |
| Pepperidge Farm | \$5,499.20 |
| Harborlite Corp | \$8,160.00 |
| University of Utah..... | \$2,718.40 |
| University of Utah..... | \$3,749.60 |
| Tom Randall Distributing | \$3,143.20 |

¹Miscellaneous inspections include, e.g., surveillance, level I inspections, complaints, on-site training, dust patrol, smoke patrol, open burning, etc.



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DAQC-897-2006

MEMORANDUM

TO: Air Quality Board
FROM: Richard W. Sprott, Executive Secretary
DATE: July 7, 2006
SUBJECT: Compliance Activities – June 2006

Annual Inspections Conducted:

A 11
SM 9
B..... 10

Initial Compliance Inspections Conducted:

A 1
SM 0
B..... 2

On-Site stack test audits conducted: 2

Stack test report reviews: 13

On-site CEM audits conducted: 2

Emission reports reviewed: 1

¹Miscellaneous inspections conducted 24

Complaints received: 41

VOC inspections:

Tanker trucks 0
Degreasers 1
Paint Booths 1

| | |
|---|------------|
| Source Compliance Action Notice issued..... | 1 |
| Notices of Violation issued..... | 1 |
| Compliance Advisories issued..... | 8 |
| Settlement Agreements resolved..... | 1 |
| Penalties Collected..... | \$1,166.40 |

Notices of Violations issued:

Quality Excavation

Compliance Advisories issued:

- Progressive Contracting, Inc.
- Circle C Construction
- Asphalt Materials Inc.
- Flying J Transportation
- Smithfield Bio Energy, LLC
- Lisbon Valley Mining Co., LLC
- Pentalon Construction
- Nephi Sandstone Corp.

Settlement Agreements Reached:

| | |
|-------------------|------------|
| Desert Power..... | \$1,166.40 |
|-------------------|------------|

¹Miscellaneous inspections include, e.g., surveillance, level I inspections, complaints, on-site training, dust patrol, smoke patrol, open burning, etc.



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MEMORANDUM

DAQH-0457-06

TO: Utah Air Quality Board

FROM: Richard W. Sprott, Executive Secretary

DATE: June 15, 2006

SUBJECT: Hazardous Air Pollutant Section Compliance Activities – May 2006

| | |
|---|------|
| Asbestos Demolition/Renovation Inspections | 9 |
| Asbestos in School Inspections | 5 |
| MACT Compliance Inspections | 16 |
| Other NESHAP Inspections | 1 |
| State Rules (Only) Inspections | 1 |
| Asbestos Notifications Accepted | 132 |
| Asbestos Phone Calls Answered | 391 |
| Asbestos Individuals Certifications: Approved/Disapproved | 83/0 |
| Company Certifications/Re-certifications | 1/0 |
| Alternate Asbestos Work Practices: Approved/Disapproved | 2/0 |
| Lead Based Paint (LBP) Inspections | 2 |
| LBP Notifications Approved | 3 |
| LBP Phone Calls Answered | 97 |

| | |
|---|---------|
| LBP Letters prepared and mailed | 21 |
| LBP Courses Reviewed/Approved | 0/0 |
| LBP Course Audits | 2 |
| LBP Certifications Approved/Disapproved | 12/0 |
| LBP Company Certifications | 0 |
| Small Business Phone Calls Answered | 8 |
| Notices of Violation Issued | 0 |
| Notices of Noncompliance (NON) | 0 |
| Compliance Advisories Issued | 5 |
| Baymont Inns | |
| Topp Construction | |
| Benchmark Renovation | |
| National Quality Built Corporation | |
| Markim Construction | |
| SCANS or Warning Letters Issued | 6 |
| Settlement Agreements Finalized | 2 |
| Penalties Agree to | \$5,335 |
| Shaw Homes | \$2,816 |
| Deseret Chemical Depot | \$2,519 |



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MEMORANDUM

DAQH-0527-06

TO: Utah Air Quality Board

FROM: Richard W. Sprott, Executive Secretary

DATE: July 17, 2006

SUBJECT: Hazardous Air Pollutant Section Compliance Activities – June 2006

| | |
|---|-------|
| Asbestos Demolition/Renovation Inspections | 1 |
| Asbestos in School Inspections | 10 |
| MACT Compliance Inspections | 6 |
| Other NESHAP Inspections | 1 |
| State Rules (Only) Inspections | 2 |
| Asbestos Notifications Accepted | 136 |
| Asbestos Phone Calls Answered | 473 |
| Asbestos Individuals Certifications: Approved/Disapproved | 112/0 |
| Company Certifications/Re-certifications | 1/0 |
| Alternate Asbestos Work Practices: Approved/Disapproved | 2/0 |
| Lead Based Paint (LBP) Inspections | 0 |
| LBP Notifications Approved | 0 |
| LBP Phone Calls Answered | 127 |

| | |
|---|-----|
| LBP Letters prepared and mailed | 11 |
| LBP Courses Reviewed/Approved | 0/0 |
| LBP Course Audits | 1 |
| LBP Certifications Approved/Disapproved | 5/0 |
| LBP Company Certifications | 2 |
| Small Business Phone Calls Answered | 9 |
| Notices of Violation Issued | 1 |
| Notices of Noncompliance (NON) | 0 |
| Compliance Advisories Issued | 1 |
| Boardwalk Remodeling | |
| SCANS or Warning Letters Issued | 1 |
| Settlement Agreements Finalized | 0 |
| Penalties Agree to | 0 |



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MEMORANDUM

DAQH-0527-06

TO: Utah Air Quality Board

FROM: Richard W. Sprott, Executive Secretary

DATE: July 17, 2006

SUBJECT: Hazardous Air Pollutant Section Compliance Activities – June 2006

| | |
|---|-------|
| Asbestos Demolition/Renovation Inspections | 1 |
| Asbestos in School Inspections | 10 |
| MACT Compliance Inspections | 6 |
| Other NESHAP Inspections | 1 |
| State Rules (Only) Inspections | 2 |
| Asbestos Notifications Accepted | 136 |
| Asbestos Phone Calls Answered | 473 |
| Asbestos Individuals Certifications: Approved/Disapproved | 112/0 |
| Company Certifications/Re-certifications | 1/0 |
| Alternate Asbestos Work Practices: Approved/Disapproved | 2/0 |
| Lead Based Paint (LBP) Inspections | 0 |
| LBP Notifications Approved | 0 |
| LBP Phone Calls Answered | 127 |

| | |
|---|-----|
| LBP Letters prepared and mailed | 11 |
| LBP Courses Reviewed/Approved | 0/0 |
| LBP Course Audits | 1 |
| LBP Certifications Approved/Disapproved | 5/0 |
| LBP Company Certifications | 2 |
| Small Business Phone Calls Answered | 9 |
| Notices of Violation Issued | 1 |
| Notices of Noncompliance (NON) | 0 |
| Compliance Advisories Issued | 1 |
| Boardwalk Remodeling | |
| SCANS or Warning Letters Issued | 1 |
| Settlement Agreements Finalized | 0 |
| Penalties Agree to | 0 |

UTAH STATE DIVISION OF AIR QUALITY

47mm Partisol: PM10 Concentration Adjusted to Sea Level (24-hr average) in Micrograms per Cubic Meter

2006 July

| Date | Cottonwood | Hawthorn | Lindon | Logan 4 | Magna(W) | StGeorge2 | NProvo | NProvo-X | NSL | NSL-X | Ogden2 |
|-------|------------|----------|--------|---------|----------|-----------|--------|----------|-----|-------|--------|
| 07/01 | 21 | 21 | 24 | | 25 | | 25 | | 40 | | 27 |
| 07/02 | | 21 | 27 | | | | | | 32 | | |
| 07/03 | | 25 | 43 | | | | | | 53 | | 28 |
| 07/04 | 45 | 37 | 59 | | 32 | | 29 | 26 | 188 | 212 | 47 |
| 07/05 | | | 30 | | | | | | 46 | | 24 |
| 07/06 | | | 23 | | | | | | 32 | | 20 |
| 07/07 | 21 | | 16 | | 13 | | 17 | | 29 | | 15 |
| 07/08 | | | 22 | | | | | | 36 | | 23 |
| 07/09 | | | 19 | | | | | | 75 | | 17 |
| 07/10 | 22 | | 22 | | | | | | | 44 | 23 |
| 07/11 | | | | | | | | | | | 28 |
| 07/12 | | | | | | | | | | | 41 |
| 07/13 | | | | | | | | | | | |
| 07/14 | | | | | | | | | | | |
| 07/15 | | | | | | | | | | | |
| 07/16 | | | | | | | | | | | |
| 07/17 | | | | | | | | | | | |
| 07/18 | | | | | | | | | | | |
| 07/19 | | | | | | | | | | | |
| 07/20 | | | | | | | | | | | |
| 07/21 | | | | | | | | | | | |
| 07/22 | | | | | | | | | | | |
| 07/23 | | | | | | | | | | | |
| 07/24 | | | | | | | | | | | |
| 07/25 | | | | | | | | | | | |
| 07/26 | | | | | | | | | | | |
| 07/27 | | | | | | | | | | | |
| 07/28 | | | | | | | | | | | |
| 07/29 | | | | | | | | | | | |
| 07/30 | | | | | | | | | | | |
| 07/31 | | | | | | | | | | | |

| | | | | | | | | | | | |
|---------------|----|----|----|----|----|----|----|----|-----|-----|----|
| Arith Mean | 27 | 26 | 28 | | 23 | | 24 | 26 | 59 | 128 | 27 |
| Max 24-hr Avg | 45 | 37 | 59 | | 32 | | 29 | 26 | 188 | 212 | 47 |
| Std. Dev | 12 | 8 | 13 | | 9 | | 6 | | 51 | 119 | 10 |
| Days of Data | 4 | 4 | 10 | | 3 | | 3 | 1 | 9 | 2 | 11 |
| Days > 150 | | | | | | | | | 1 | 1 | |
| Yearly Avg | 24 | 24 | 23 | 19 | 18 | 32 | 21 | 19 | 39 | 38 | 22 |

UTAH STATE DIVISION OF AIR QUALITY

47mm Partisol: PM10 Concentration Adjusted to Sea Level (24-hr average) in Micrograms per Cubic Meter

2006 June

| Date | Cottonwood | Hawthorn | Lindon | Logan 4 | Magna(W) | StGeorge2 | NProvo | NProvo-X | NSL | NSL-X | Ogden2 |
|-------|------------|----------|--------|---------|----------|-----------|--------|----------|-----|-------|--------|
| 06/01 | 23 | 31 | 28 | 14 | 26 | | 15 | | 69 | | 29 |
| 06/02 | | 32 | 26 | | | 38 | | | 70 | | 32 |
| 06/03 | | 25 | 32 | | | | | | 34 | | 24 |
| 06/04 | 24 | 18 | 27 | 15 | 15 | | 18 | 18 | 30 | 26 | 18 |
| 06/05 | | 22 | 28 | | | | | | 33 | | 22 |
| 06/06 | | 30 | 37 | | | | | | 98 | | 40 |
| 06/07 | 47 | 42 | 38 | 42 | 43 | 46 | 36 | | 89 | | 57 |
| 06/08 | | 23 | | | | | | | 40 | | 23 |
| 06/09 | | 11 | 14 | | | | | | 21 | | 12 |
| 06/10 | 13 | 16 | 16 | 10 | 8 | 29 | 15 | | 30 | 28 | 13 |
| 06/11 | | 17 | 11 | | | | | | 29 | | 20 |
| 06/12 | | 20 | 22 | | | | | 22 | 32 | | 28 |
| 06/13 | 37 | 31 | 29 | 35 | 40 | | 31 | | 69 | | 41 |
| 06/14 | | 20 | 26 | | | | | | 57 | | 15 |
| 06/15 | | 13 | 21 | | | | | | 43 | | 12 |
| 06/16 | 17 | 7 | 14 | 12 | 6 | | 17 | 16 | 26 | 30 | 13 |
| 06/17 | | 13 | 21 | | | | | | 23 | | 15 |
| 06/18 | | 17 | 15 | | | | | | 21 | | 16 |
| 06/19 | 36 | 23 | 28 | 23 | 24 | | 33 | | 58 | | 39 |
| 06/20 | | 21 | 33 | | | | | | 28 | | 21 |
| 06/21 | | 19 | 32 | | | | | | 49 | | 20 |
| 06/22 | 26 | 18 | 27 | 17 | 15 | | 27 | 28 | 45 | 49 | 27 |
| 06/23 | | 16 | 33 | | | | | | | | 27 |
| 06/24 | | 17 | 29 | | | | | | 50 | | 23 |
| 06/25 | 18 | 18 | 26 | 16 | | | 21 | | | | 23 |
| 06/26 | | 17 | 25 | | | | | | | | |
| 06/27 | | 19 | 64 | | | | | | 68 | | |
| 06/28 | 39 | 28 | 39 | | 35 | | 37 | 37 | 62 | | |
| 06/29 | | 32 | 45 | | | | | | 69 | | |
| 06/30 | | 33 | 35 | | | | | | 75 | | 38 |

| | | | | | | | | | | | |
|---------------|----|----|----|----|----|----|----|----|----|----|----|
| Arith Mean | 28 | 22 | 28 | 21 | 24 | 38 | 25 | 24 | 49 | 33 | 25 |
| Max 24-hr Avg | 47 | 42 | 64 | 42 | 43 | 46 | 37 | 37 | 98 | 49 | 57 |
| Std. Dev | 11 | 8 | 11 | 11 | 13 | 8 | 9 | 9 | 22 | 11 | 11 |
| Days of Data | 10 | 30 | 29 | 9 | 9 | 3 | 10 | 5 | 27 | 4 | 26 |
| Days >150 | | | | | | | | | | | |
| Yearly Avg | 24 | 24 | 23 | 19 | 18 | 32 | 21 | 19 | 39 | 38 | 22 |

UTAH STATE DIVISION OF AIR QUALITY

PM2.5 Actual Concentration (24-hr average) in Micrograms per Cubic Meter
2006 July

| Date | AG | BR | BV | CW | HE | HG | HV | HW | HY | L4 | X4 | LN | LX | MG | N2 | NP | O2 | SF | SW | T3 | WT | WX | WV | VX |
|-------|----|----|------|------|-----|------|----|------|----|------|------|------|------|------|------|------|------|----|----|-----|------|----|------|------|
| 07/01 | | | 11.0 | 9.0 | 8.2 | | | 32.5 | | 8.5 | 9.7 | 8.5 | | 10.2 | 15.4 | | 12.8 | | | 9.0 | 11.3 | | 14.2 | |
| 07/02 | | | | | | | | 8.7 | | 10.0 | 12.1 | 8.8 | | | 11.8 | | | | | | | | | |
| 07/03 | | | | | | | | 8.9 | | 9.2 | | 18.6 | | | | | | | | | | | | |
| 07/04 | | | 16.4 | 23.7 | 3.5 | 16.4 | | 17.3 | | 12.1 | | 13.1 | 12.4 | 12.7 | | 11.9 | | | | 9.4 | | | 24.4 | 23.0 |
| 07/05 | | | | | | | | | | | | 13.9 | | | | | | | | | | | | |
| 07/06 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/07 | | | | | | | | | | | | | | 5.2 | | 8.9 | | | | | | | | |
| 07/08 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/09 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/10 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/11 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/12 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/13 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/14 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/15 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/16 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/17 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/18 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/19 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/20 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/21 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/22 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/23 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/24 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/25 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/26 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/27 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/28 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/29 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/30 | | | | | | | | | | | | | | | | | | | | | | | | |
| 07/31 | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | | | | | | | | | | | | | | | | | | | | | | |
|---------------|-----|-----|------|------|-----|------|-----|------|-----|------|------|------|------|------|------|------|------|-----|-----|-----|------|-----|------|------|
| Arith Mean | | | 13.7 | 16.4 | 5.9 | 16.4 | | 16.8 | | 9.9 | 10.9 | 12.6 | 12.4 | 9.4 | 13.6 | 10.4 | 12.8 | | | 9.2 | 11.3 | | 19.3 | 23.0 |
| Max 24-hr Avg | | | 16.4 | 23.7 | 8.2 | 16.4 | | 32.5 | | 12.1 | 12.1 | 18.6 | 12.4 | 12.7 | 15.4 | 11.9 | 12.8 | | | 9.4 | 11.3 | | 24.4 | 23.0 |
| Std.Dev | | | 3.8 | 10.4 | 3.3 | | | 11.2 | | 1.6 | 1.7 | 4.2 | | 3.8 | 2.5 | 2.1 | | 0.3 | | | | | 7.2 | |
| Days Data | | | 2 | 2 | 2 | 1 | | 4 | | 4 | 2 | 5 | 1 | 3 | 2 | 2 | 1 | | | 2 | 1 | | 2 | 1 |
| Yearly Mean | 9.3 | 7.7 | 9.7 | 11.5 | 7.1 | 8.4 | 8.7 | 11.5 | 8.0 | 9.8 | 9.8 | 10.1 | 9.8 | 8.9 | 13.9 | 9.5 | 10.2 | 7.6 | 8.8 | 8.1 | 8.1 | 7.8 | 11.8 | 10.8 |

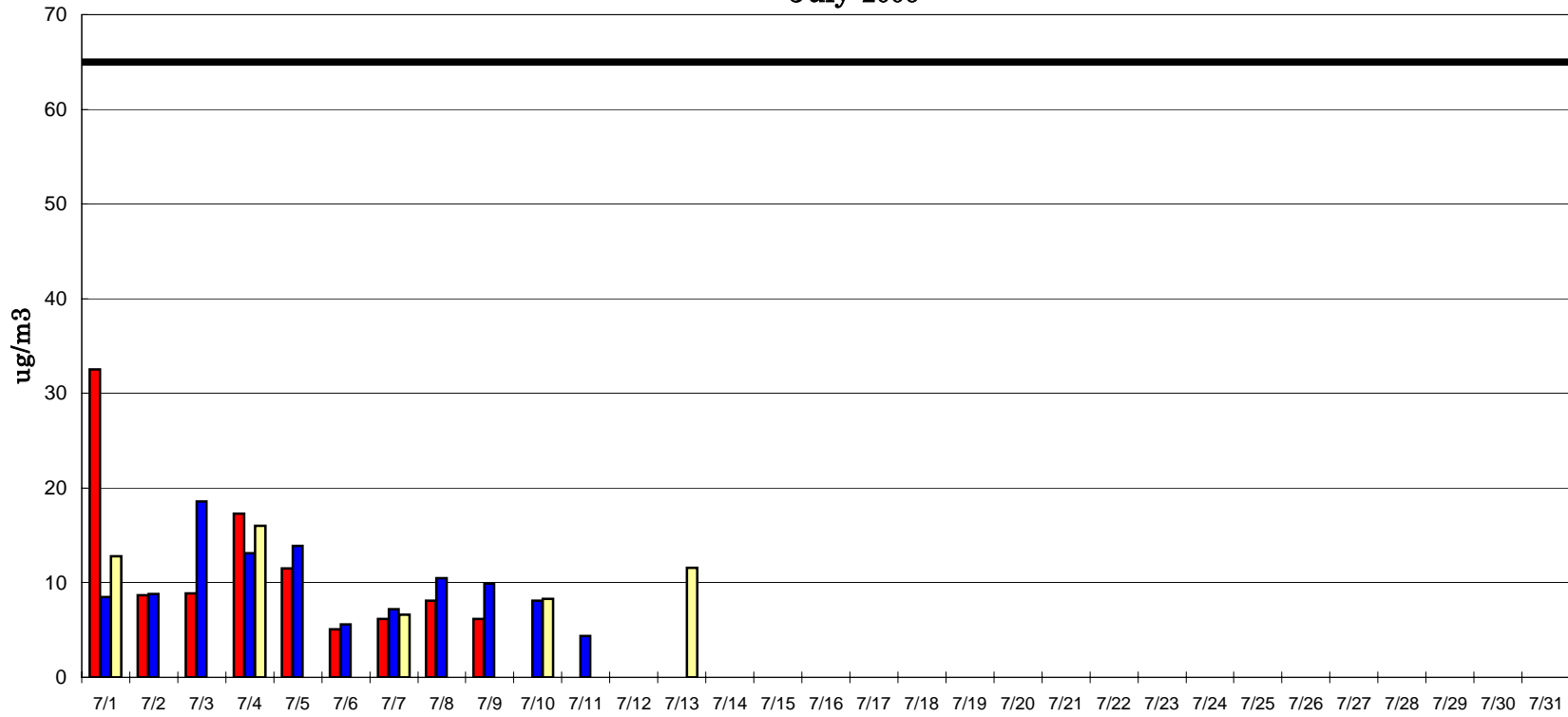
UTAH STATE DIVISION OF AIR QUALITY

PM2.5 Actual Concentration (24-hr average) in Micrograms per Cubic Meter
2006 June

| Date | AG | BR | BV | CW | HE | HG | HV | HW | HY | L4 | X4 | LN | LX | MG | N2 | NP | O2 | SF | SW | T3 | WT | WX | WV | VX |
|-------|----|-----|------|------|------|------|-----|------|----|------|------|------|------|-----|------|------|------|------|------|------|-----|------|------|------|
| 06/01 | | 7.2 | | 7.6 | 7.5 | 9.2 | 6.1 | 11.0 | | 6.5 | 8.1 | 6.9 | | 7.8 | 13.8 | 7.0 | 8.5 | 6.0 | | 5.4 | 6.3 | | 11.3 | |
| 06/02 | | | | | | | | 14.9 | | 8.6 | 9.5 | 6.0 | | | 17.3 | | | | 9.7 | | | | | |
| 06/03 | | | | | | | | 14.7 | | 4.6 | 7.6 | 8.8 | | | 9.5 | | | | | | | | | |
| 06/04 | | 6.7 | 7.7 | 8.8 | 7.0 | 7.3 | 5.2 | 9.7 | | | 7.2 | 8.5 | 9.8 | 5.3 | 9.1 | 8.0 | 6.8 | 8.8 | | 5.5 | 6.6 | | 10.7 | 9.1 |
| 06/05 | | | | | | | | 8.7 | | 6.8 | 6.8 | 6.6 | | | 8.4 | | | | | | | | | |
| 06/06 | | | | | | | | 9.7 | | 11.0 | | 8.5 | | | 18.7 | | | | | | | | | |
| 06/07 | | 9.9 | | 13.3 | 13.2 | 11.6 | 9.1 | 11.7 | | 3.4 | 12.1 | 19.1 | | 9.2 | 14.3 | 8.7 | 13.4 | 19.1 | 10.3 | 10.2 | 9.1 | | 11.1 | |
| 06/08 | | | | | | | | 9.9 | | 6.0 | 6.9 | 7.0 | | | | | | | | | | | | |
| 06/09 | | | | | | | | 4.4 | | 7.5 | 3.0 | 3.7 | | | | | | | | | | | | |
| 06/10 | | 5.2 | 4.7 | 7.0 | 8.8 | 5.7 | 4.9 | 8.5 | | 9.8 | 5.8 | 6.3 | 7.0 | 4.6 | | 6.8 | 6.7 | 8.6 | 9.9 | 5.6 | 6.5 | 6.0 | 5.2 | 7.4 |
| 06/11 | | | | | | | | 7.1 | | | 8.4 | 5.3 | | | 11.8 | | | | | | | | | |
| 06/12 | | | | | | | | 7.4 | | | 11.7 | 8.1 | | | 15.1 | | | | | | | | | |
| 06/13 | | 9.5 | 7.5 | 8.1 | 12.3 | 8.9 | 6.3 | 7.4 | | 8.2 | 10.2 | 7.9 | | 7.7 | 13.6 | 7.4 | 8.7 | 9.2 | | 8.2 | 7.1 | | 7.5 | |
| 06/14 | | | | | | | | 7.3 | | 5.4 | 6.0 | 17.4 | | | 11.0 | | | | | | | | | |
| 06/15 | | | | | | | | 5.2 | | 4.8 | 5.1 | 5.3 | | | 8.2 | | | | | | | | | |
| 06/16 | | 3.6 | 4.8 | 4.5 | 4.3 | 4.5 | 4.0 | 4.7 | | 4.3 | | 4.2 | 4.3 | 3.5 | 8.6 | 4.8 | 6.0 | 5.3 | | 3.5 | 5.8 | 4.5 | 5.0 | 5.5 |
| 06/17 | | | | | | | | 7.0 | | 4.4 | 5.4 | 7.3 | | | 7.9 | | | | | | | | | |
| 06/18 | | | | | | | | 7.9 | | 5.7 | 6.3 | 11.4 | | | 11.2 | | | | | | | | | |
| 06/19 | | 7.5 | | | 8.0 | 13.3 | 6.8 | 7.4 | | 7.4 | 8.6 | 7.2 | | 5.4 | 10.8 | 8.4 | 8.6 | 8.7 | | | 8.7 | | 9.3 | |
| 06/20 | | | | | | | | 5.5 | | 4.8 | 5.2 | 7.0 | | | 11.9 | | | | | 4.9 | | | | |
| 06/21 | | | | | | | | 8.2 | | 5.7 | 6.1 | 7.0 | | | 10.9 | | | | | | | | | |
| 06/22 | | 6.1 | | | 7.2 | 6.1 | 6.7 | 6.3 | | 8.1 | 8.1 | 6.5 | 7.0 | 5.0 | 17.2 | 8.3 | 10.3 | 6.8 | | 4.0 | 5.8 | 5.8 | 5.1 | 6.8 |
| 06/23 | | | | | | | | 6.2 | | 7.3 | 8.6 | 5.7 | | | 24.9 | | | | | | | | | |
| 06/24 | | | | | | | | 6.3 | | 7.1 | | 7.5 | | | 20.7 | | | | | | | | | |
| 06/25 | | 6.5 | | 7.9 | 5.8 | 7.4 | 6.3 | 7.5 | | 6.3 | | 9.5 | | 5.9 | | | 11.3 | 6.0 | | 5.1 | 7.0 | | 10.5 | |
| 06/26 | | | | | | | | 6.2 | | 6.7 | | 8.6 | | | 22.9 | | | | | | | | | |
| 06/27 | | | | | | | | 7.6 | | 6.2 | 8.5 | 12.7 | | | 30.7 | | | | | | | | | |
| 06/28 | | | 10.8 | 11.6 | 9.6 | 11.2 | | 10.3 | | 6.5 | 10.9 | 11.3 | 10.7 | 9.3 | 20.8 | 10.8 | 11.4 | | | 9.1 | 9.6 | 10.6 | 10.2 | 10.8 |
| 06/29 | | | | | | | | 13.6 | | 11.7 | 12.6 | 13.4 | | | 24.9 | | | | | | | | | |
| 06/30 | | | | | | | | 12.6 | | 10.9 | 13.6 | 12.1 | | | 21.1 | | | | | | | | | |

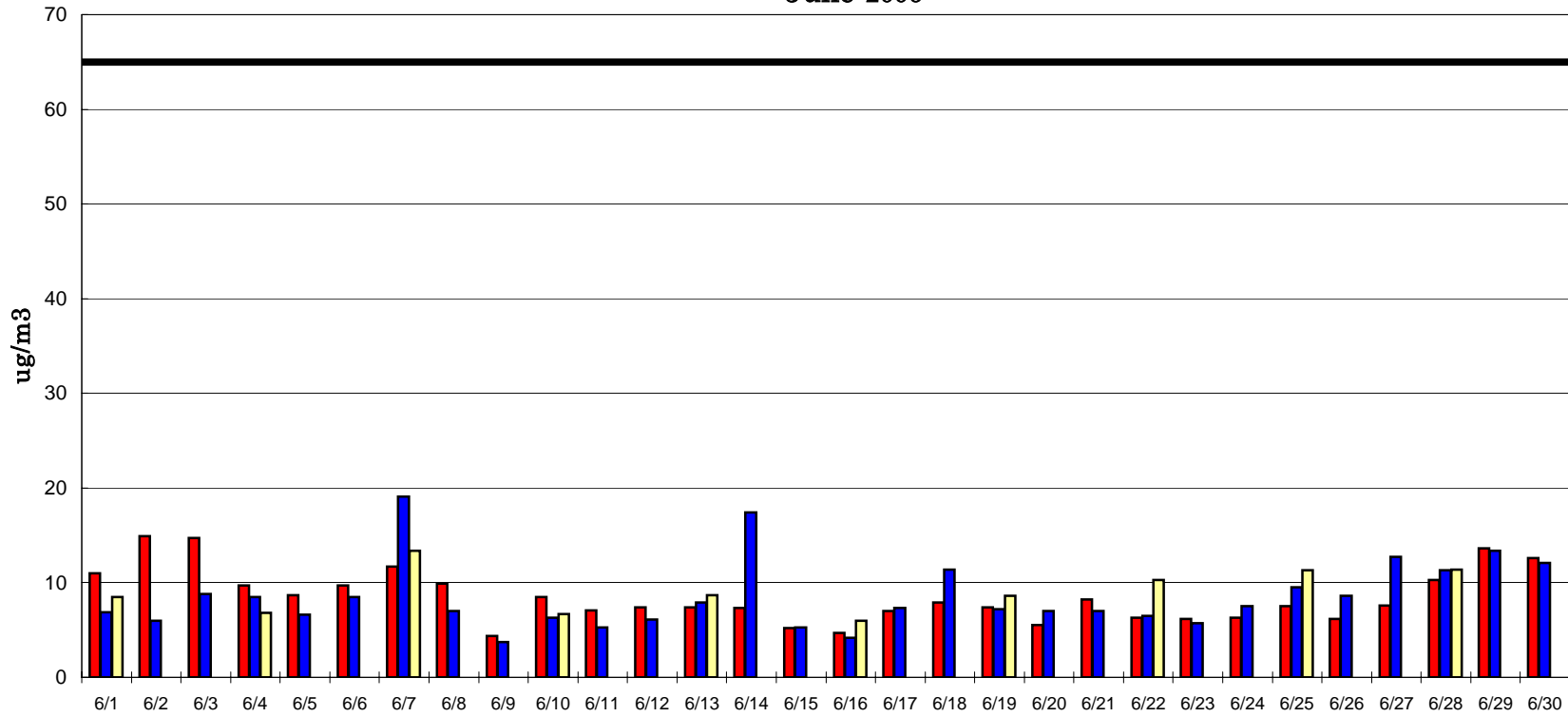
| | | | | | | | | | | | | | | | | | | | | | | | | |
|---------------|-----|-----|------|------|------|------|-----|------|-----|------|------|------|------|-----|------|------|------|------|------|------|-----|------|------|------|
| Arith Mean | | 6.9 | 7.1 | 8.6 | 8.4 | 8.5 | 6.1 | 8.5 | | 6.8 | 8.1 | 8.6 | 7.8 | 6.4 | 15.2 | 7.8 | 9.2 | 8.7 | 10.0 | 6.2 | 7.2 | 6.7 | 8.6 | 7.7 |
| Max 24-hr Avg | | 9.9 | 10.8 | 13.3 | 13.2 | 13.3 | 9.1 | 14.9 | | 11.7 | 13.6 | 19.1 | 10.7 | 9.3 | 30.7 | 10.8 | 13.4 | 19.1 | 10.3 | 10.2 | 9.6 | 10.6 | 11.3 | 10.8 |
| Std.Dev | | 2.0 | 2.5 | 2.7 | 2.7 | 2.9 | 1.4 | 2.8 | | 2.1 | 2.6 | 3.6 | 2.5 | 2.0 | 6.2 | 1.6 | 2.4 | 2.2 | 1.4 | 0.3 | 1.4 | 2.7 | 2.6 | 1.9 |
| Days Data | | 9 | 5 | 8 | 10 | 10 | 9 | 30 | | 28 | 25 | 30 | 5 | 10 | 26 | 9 | 10 | 9 | 3.0 | 10 | 10 | 4 | 10 | 6 |
| Yearly Mean | 9.3 | 7.7 | 9.6 | 11.3 | 7.2 | 8.3 | 8.7 | 11.4 | 8.0 | 9.8 | 9.8 | 10.1 | 9.8 | 8.9 | 13.9 | 9.4 | 10.2 | 7.6 | 8.8 | 8.0 | 8.0 | 7.8 | 11.6 | 10.5 |

Daily PM_{2.5} Filter at Hawthorne, Lindon, & Ogden July 2006



Legend: Hawthorne (red), Lindon (blue), Ogden (yellow), PM_{2.5} Standard is 65 ug/m³ (black line)

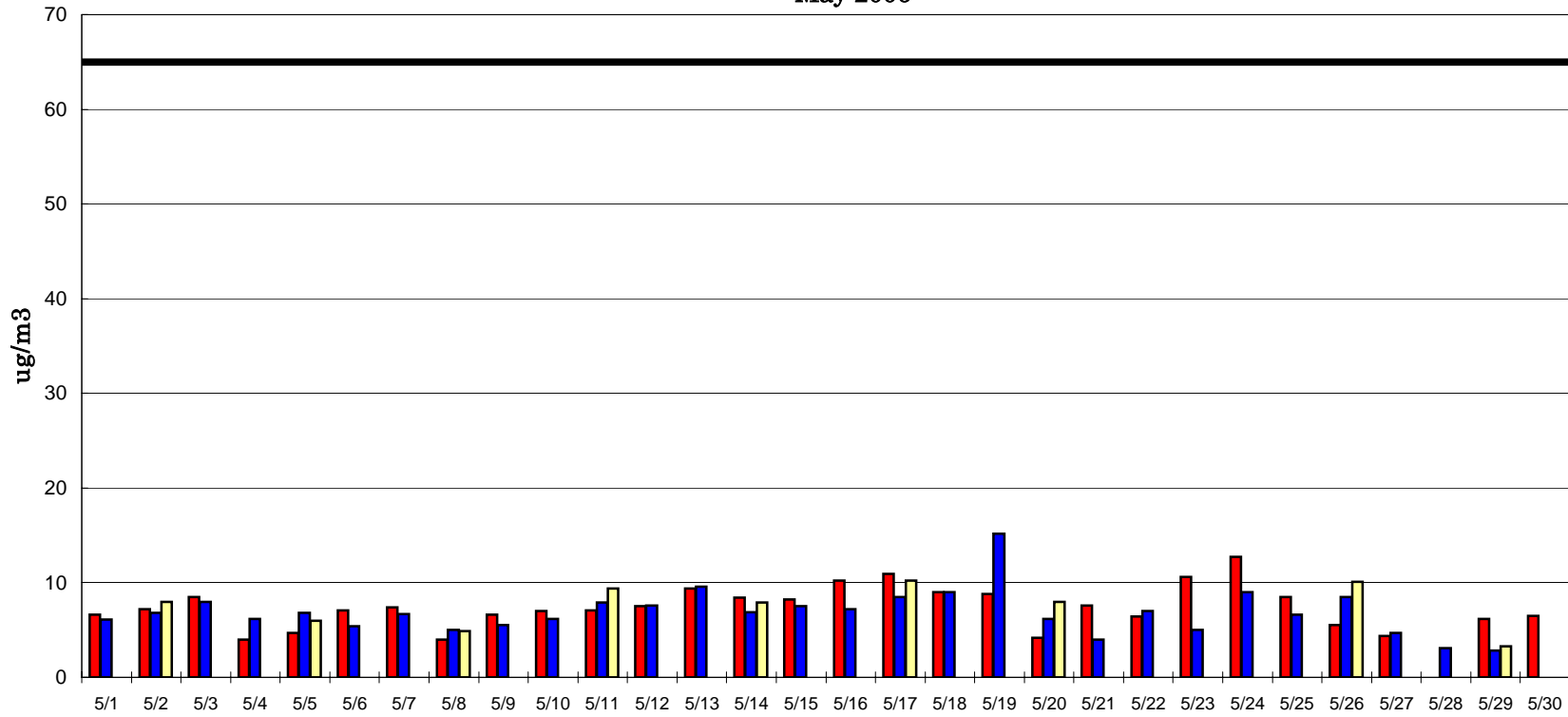
Daily PM_{2.5} Filter at Hawthorne, Lindon, & Ogden June 2006



■ Hawthorne ■ Lindon ■ Ogden — PM_{2.5} Standard is 65 ug/m³

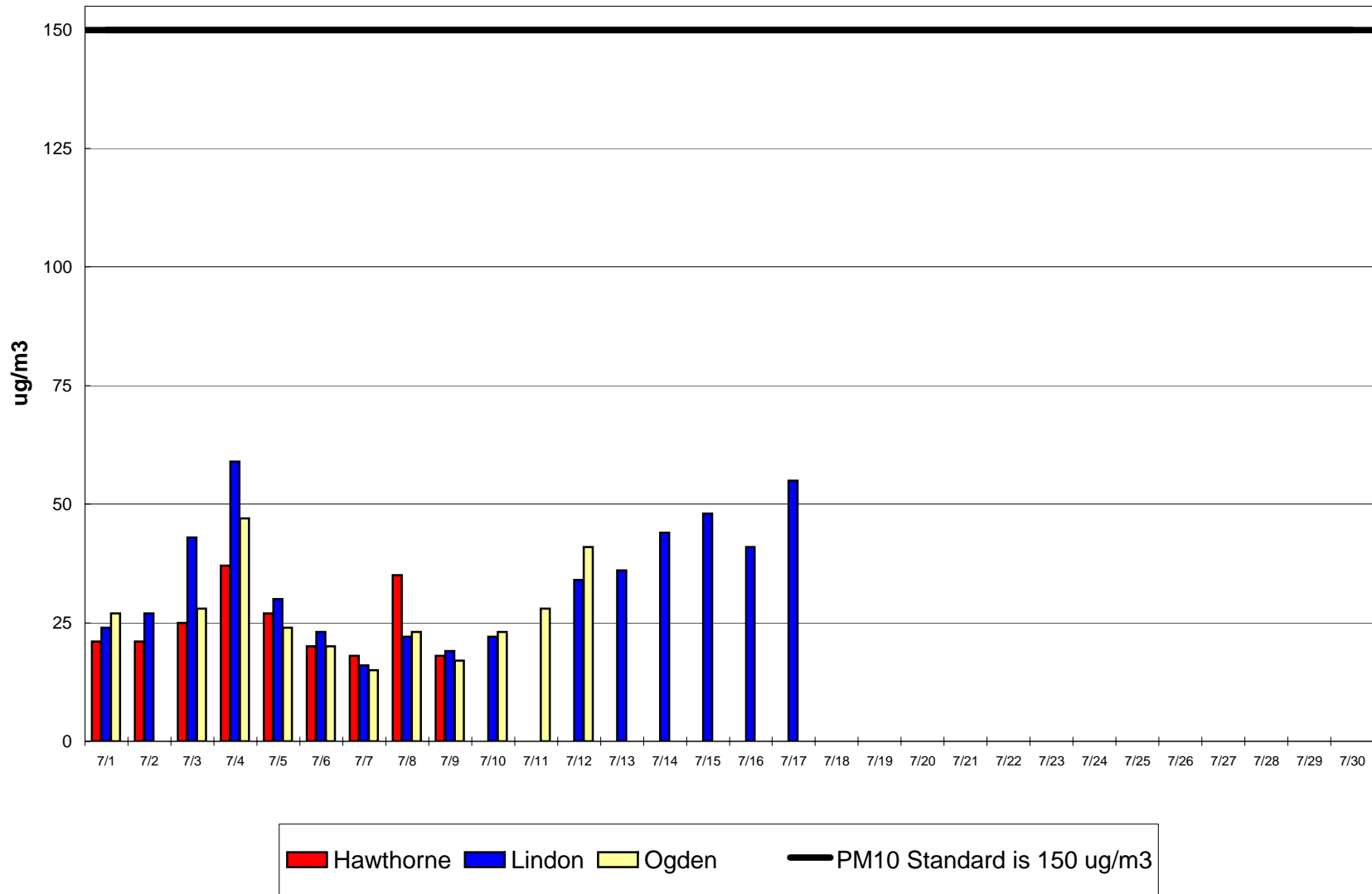
Daily PM_{2.5} Filter at Hawthorne, Lindon, & Ogden

May 2006

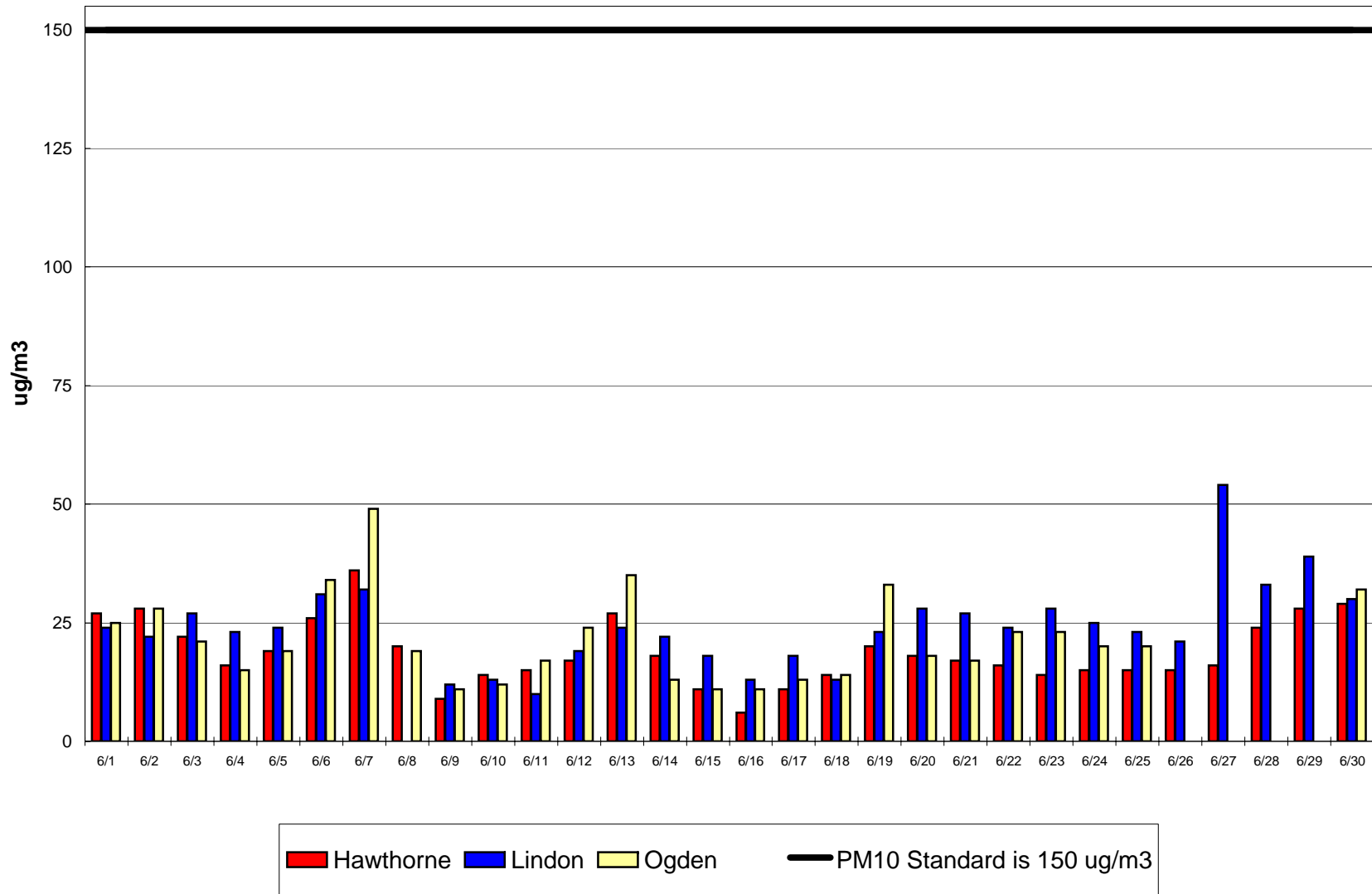


Legend: Hawthorne (red), Lindon (blue), Ogden (yellow), PM_{2.5} Standard is 65 ug/m³ (black line)

Daily PM₁₀ Filter at Hawthorne, Lindon, & Ogden July 2006

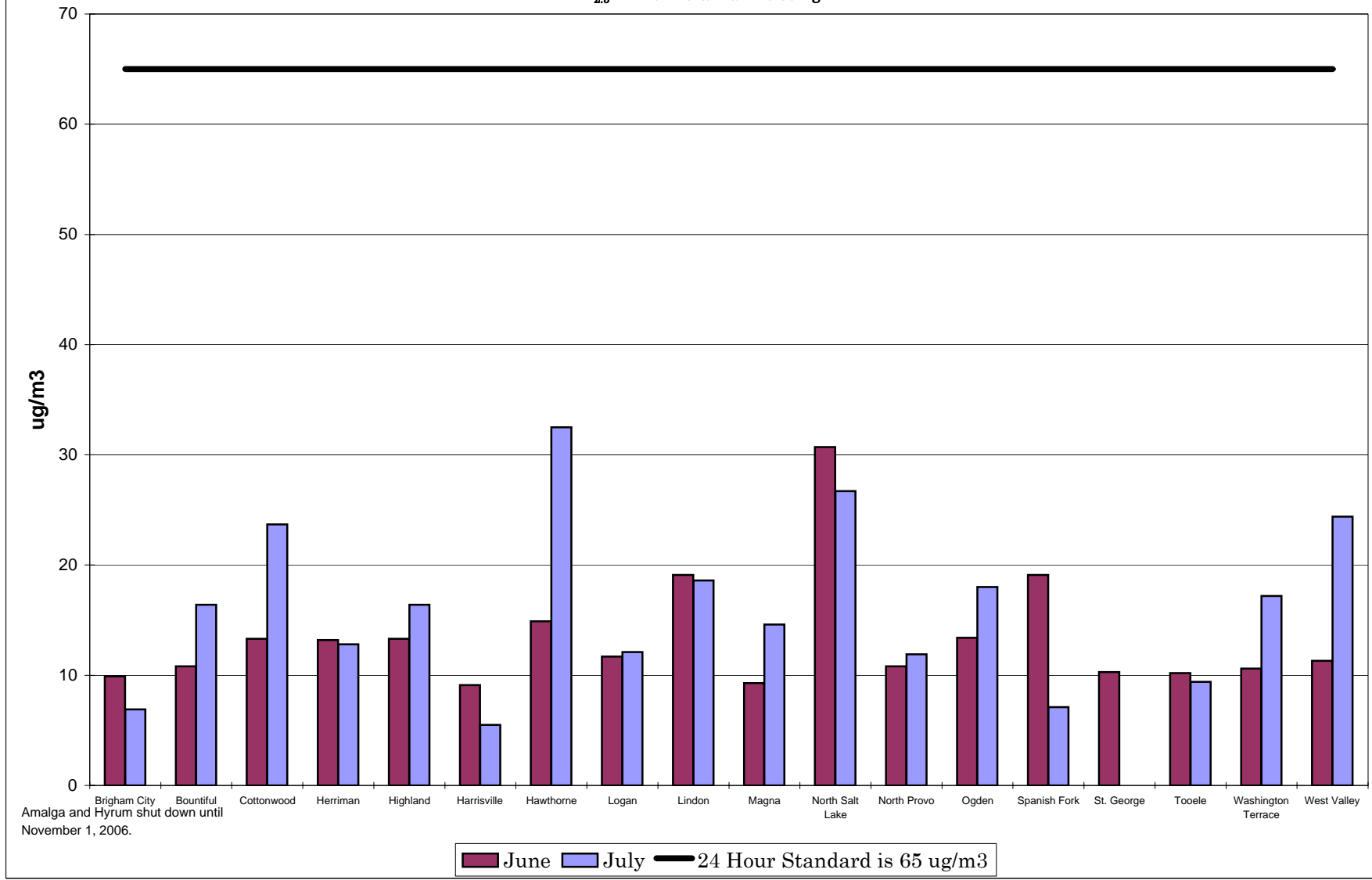


Daily PM₁₀ Filter at Hawthorne, Lindon, & Ogden June 2006



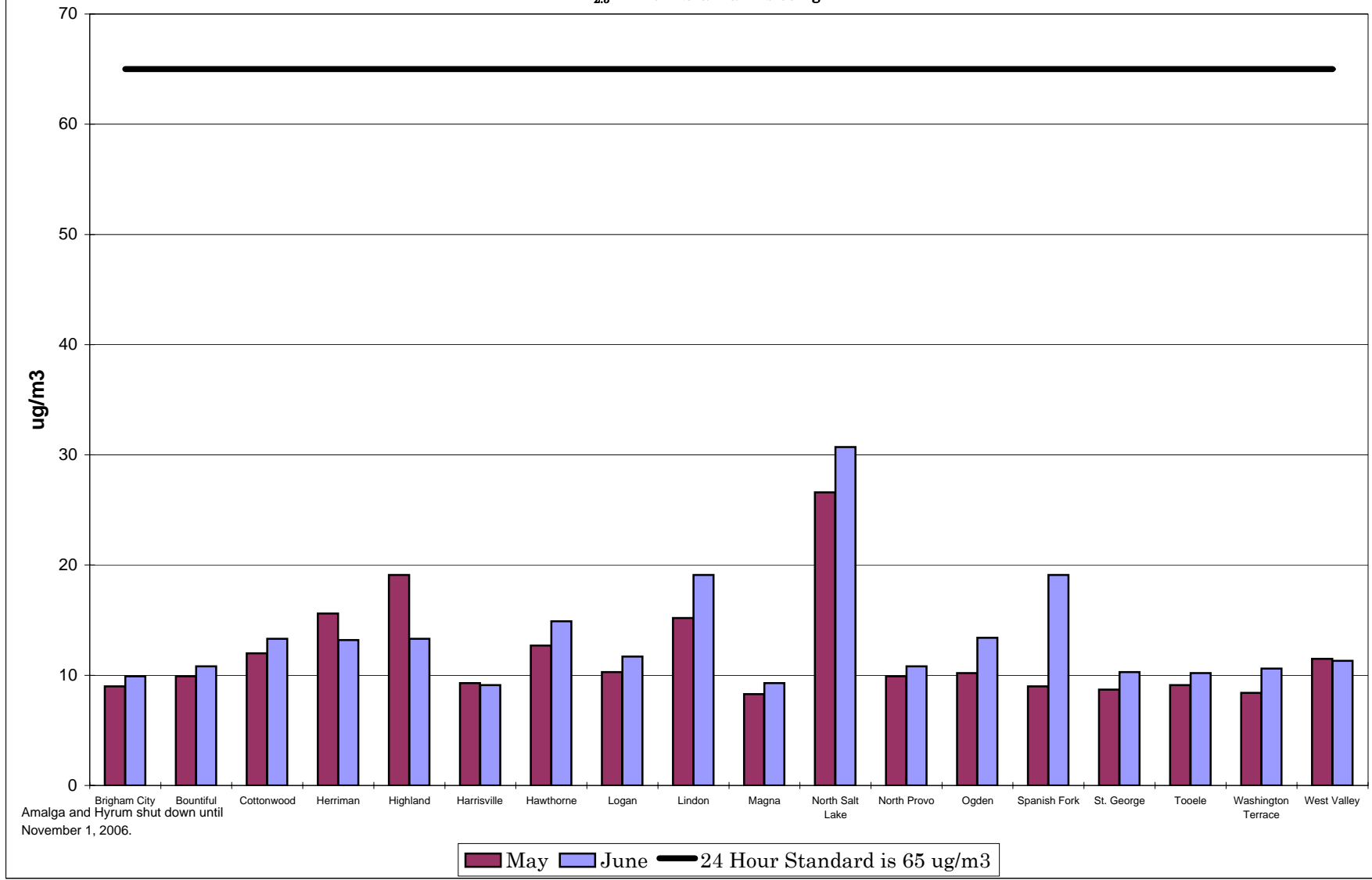
Highest PM_{2.5} Concentration for June-July 2006

PM_{2.5} 24 Hour Standard is 65 ug/m³



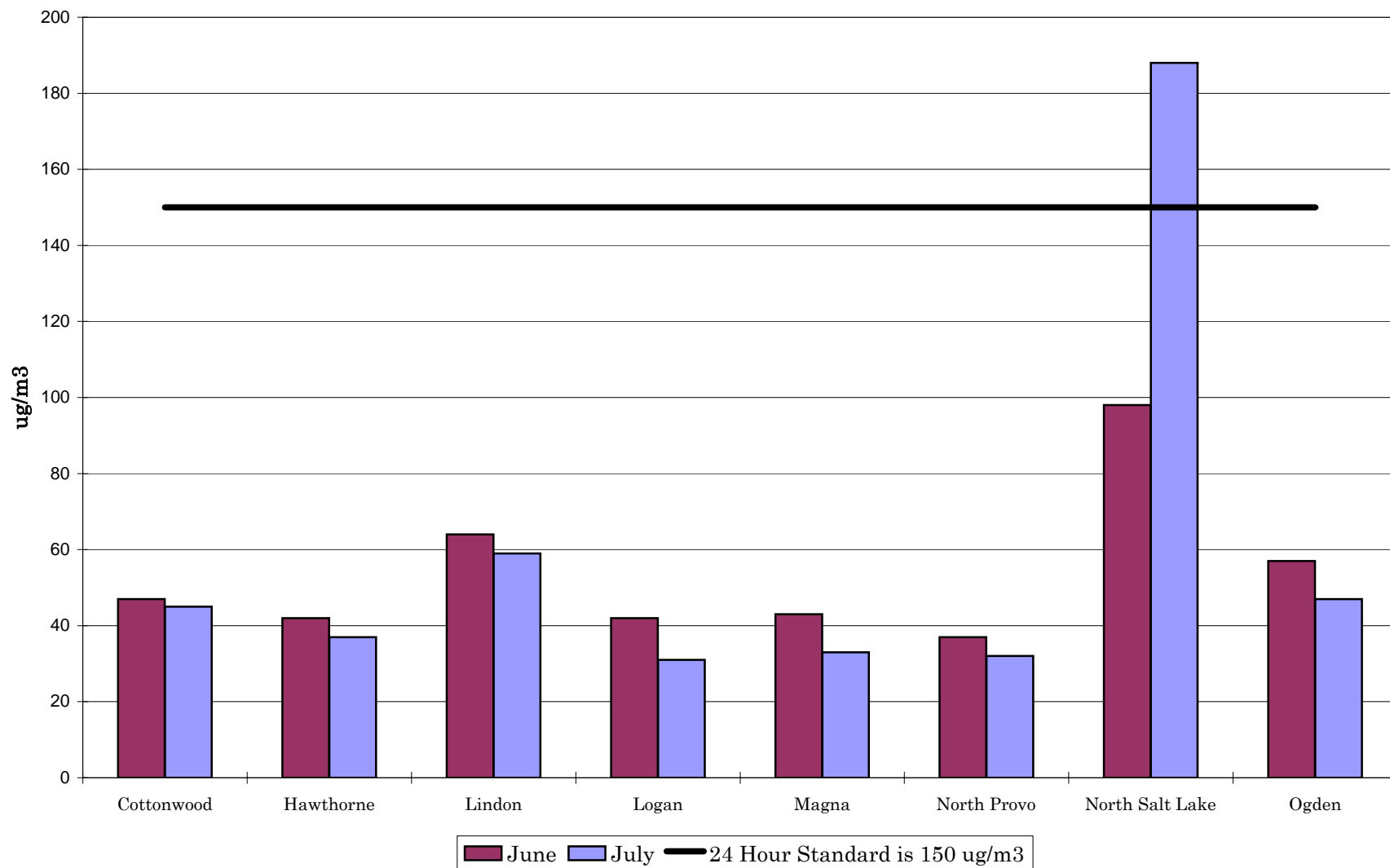
Highest PM_{2.5} Concentration for May-June 2006

PM_{2.5} 24 Hour Standard is 65 ug/m³



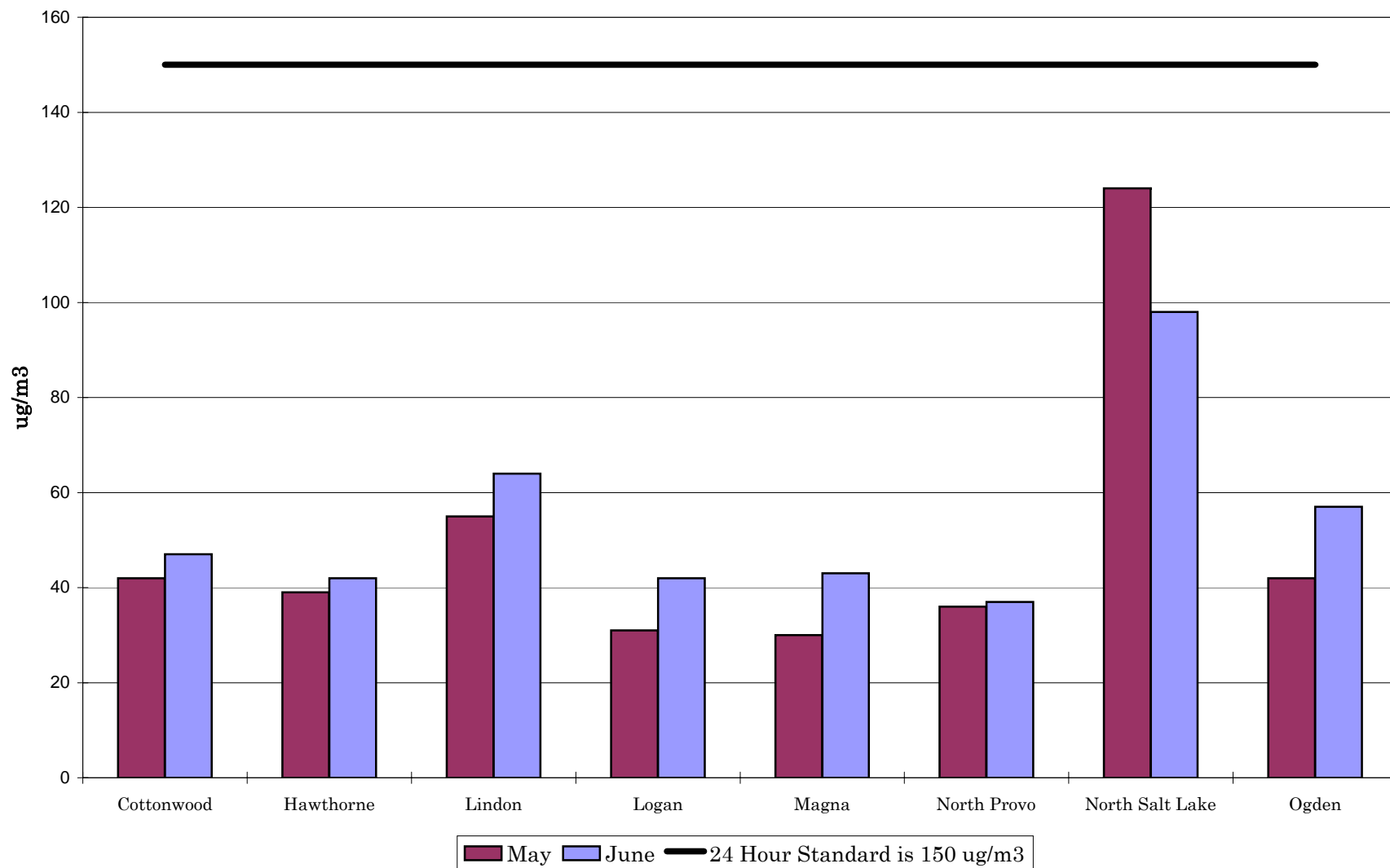
Highest PM₁₀ Concentration for June-July 2006

PM₁₀ 24 Hour Standard is 150 ug/m³

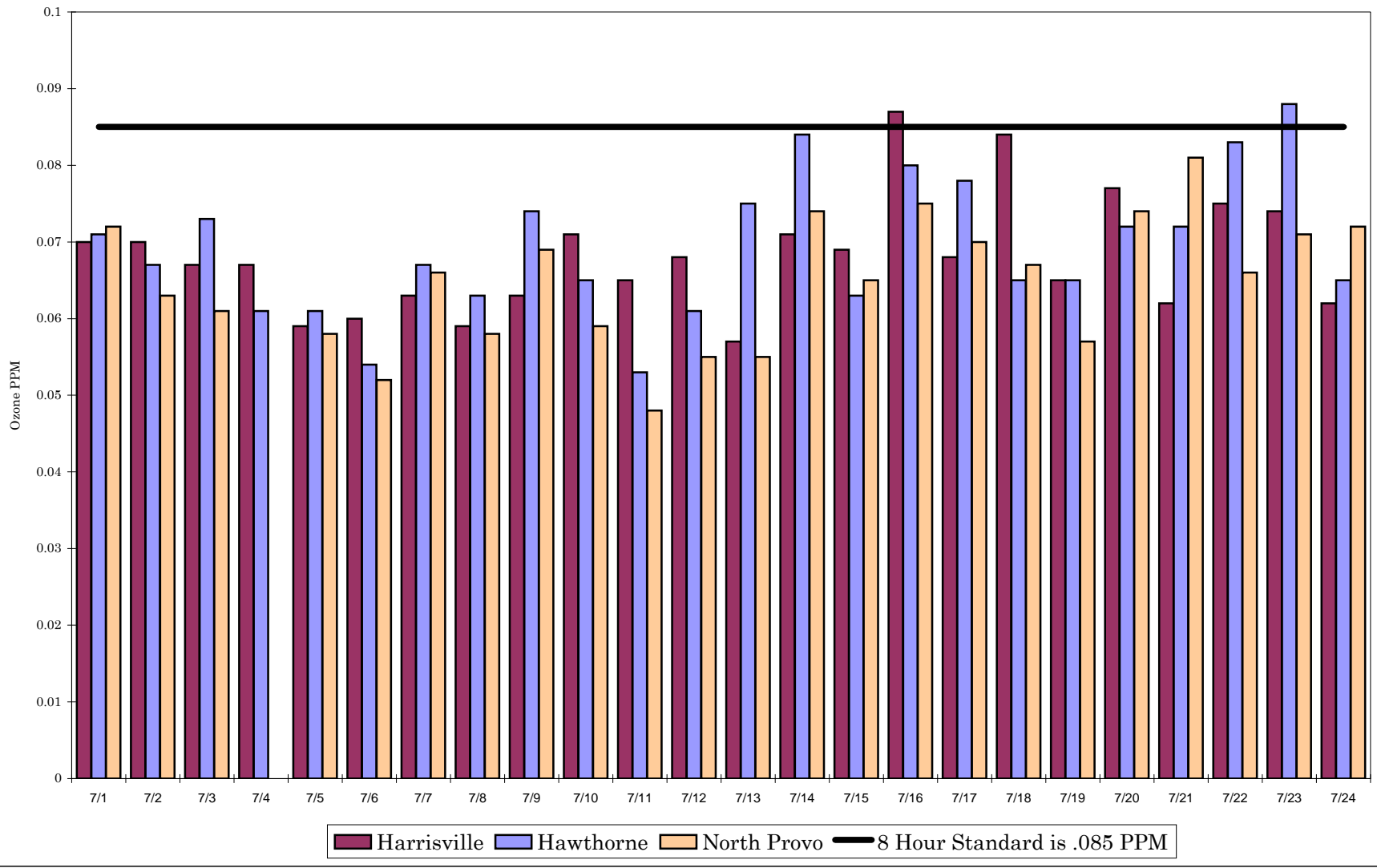


Highest PM₁₀ Concentration for May-June 2006

PM₁₀ 24 Hour Standard is 150 ug/m³



8 Hour Daily Maximum Ozone Values July 1st - July 24 2006



8 Hour Ozone Highest Daily Maximum Values June-July 2006

