

UTAH AIR QUALITY BOARD MEETING
April 13, 2005
MINUTES

I. Call to Order.

John Veranth called the meeting to order at 1:35 p.m.

Board members present:

Jerry Grover	Richard Olson	John Veranth
Jim Horrocks	Marcelle Shoop	Jeff Utley
Dianne Nielson		Ernest Wessman
Executive Secretary:	Richard W. Sprott	

II. Next Meeting.

After discussion, Board members would be polled on whether May 4, or May 11, would be best for the next Board meeting. Tentatively the Board would set June 1 and July 6 for future meetings.

III. Approval of the Minutes of March 9, 2005, Board Meeting.

Correction on page 3, third paragraph beginning with Jim Horrocks: change the sentence to read: One alternative vs. two alternatives would create confusion. Ernie Wessmen moved for approval and Richard Olson seconded. The Board approved unanimously.

IV. Final Adoption: R307-210. Incorporation by Reference, 40 CFR Part 60, Standards of Performance for New Stationary Sources (NSPS.) Presented by: Rusty Ruby.

No one attended the public hearing and there were no public comments received. Therefore staff recommends approval of the proposed adoption. Jerry Grover moved for approval and Jeff Utley seconded. The Board approved unanimously.

V. Propose for Public Comment: Amend R307-101-2 to Update the Definition of Volatile Organic Compounds. Presented by: Jan Miller.

Ms. Miller explained that the federal definition for volatile organic compounds had been amended, and following those guidelines, Utah was following suit. Last November, EPA published two notices exempting five compounds from the definition of VOC. Staff recommends that the revision of Utah's definition of VOC be proposed for public comment.

There was a lengthy discussion concerning TBAC emissions as a separate reporting category referred to in paragraph five of EPA's notice. Paragraph five states in 40 CFR 51.100(s)(5): The following compounds are VOC for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements

which apply to VOC and shall be uniquely identified in emission reports, but are not VOC for purposes of VOC emissions limitations or VOC content requirements: t-butyl acetate.

Staff had decided to incorporate the change in definition, but not change how the inventory was being done.

- Ernie Wessmen moved that the Board Propose for Public Comment: Amend R307-101-2 to Update the Definition of Volatile Organic Compounds and that staff address the reporting issue by requesting that when the proposal is posted, there will be no reference to paragraph 5 and that staff proceed to develop another proposal for public comment to submit to the Board at a later date.

Marcelle Shoop seconded the motion and amend it to clarify that the notice include the fact that paragraph 5 will be addressed in a subsequent rule making. The Board approved unanimously.

VI. Appeal Of Sevier Power Company Permit And Appeal Of IPP Unit 3 Permit.

Presented by: Fred Nelson.

John Veranth introduced Fred Nelson from the Attorney General's office. Mr. Nelson introduced the parties who were petitioning for standing on the two power plants permit actions. Mr. Wessman recused himself from the entire agenda item. Transcript of this action item is attached. The motions for this item are included below.

- Dianne Nielson moved that the Board consider the Sevier Citizens petition first and then address the Sierra Club and Grand Canyon Trust petition.

Richard Olson seconded. Those in favor: Jim Horrocks, Richard Olson, Dianne Nielson, Marcelle Shoop, and Jeff Utley. Opposed: Jerry Grover. John Veranth did not vote. The motion carried.

- Dianne Nielson moved that the Board grant standing to the Sevier County Citizens for Clean Air and Water with regard to the Sevier Power Plant permit appeal.

Richard Olson seconded. Those of the Board voting for: Jeff Utley, Jim Horrocks, Dianne Nielson, Richard Olson, and Marcelle Shoop. Opposed: Jerry Grover. John Veranth did not vote. The motion carried.

- Dianne Nielson moved that Sierra Club and Grand Canyon Trust not be granted standing with regard to the Sevier Power Plant permit appeal.

Richard Olson seconded. Those of the Board voting for: Jerry Grover, Jim Horrocks, Dianne Nielson, Richard Olson, and Jeff Utley. Opposed: Marcelle Shoop. John Veranth did not vote. The motion carried.

- Marcelle Shoop moved that the Sierra Club and Grand Canyon Trust not be granted standing in the matter of IPP Unit 3.

Richard Olson seconded. Those of the Board voting for: Jerry Grover, Jim Horrocks, Richard Olson, and Marcelle Shoop. Opposed: Dianne Nielson, Jeff Utley. John Veranth did not vote. The motion carried.

- Mr. Nelson stated that the issues that IPP and PacifiCorp had concerning the IPP Unit 3 would not be heard due to the fact that the Sierra Club and Grand Canyon Trust had been denied standing.
- Dianne Nielson moved that PacifiCorp be granted standing to intervene in regard to the Sevier Power Plant.

Jeff Utley seconded. Those of the Board voting for: Jerry Grover, Jim Horrocks, and Jeff Utley. Opposed: Dianne Nielson, Richard Olson and Marcelle Shoop. John Veranth voted opposed to break the tie.

- Ms. Shoop moved that PacifiCorp be allowed the opportunity to file an amicus in this matter.

Jerry Grover second. The Board approved unanimously. Motion carried.

- Dianne Nielson moved that the Sierra Club and Grand Canyon Trust be granted to file an amicus in the Sevier Power Plant matter.

Marcelle Shoop seconded. Those of the Board voting for: Jerry Grover, Jim Horrocks, Dianne Nielson, Marcelle Shoop, and Jeff Utley. Abstain: Richard Olson. John Veranth did not vote. Motion carried.

Complete transcript of Item VI. Can be purchased from:
Intermountain Court Reporters, (Att: Linda Smurthwaite) 5885 Holstein Way, Murray,
Utah 84107, (801) 263-1396.

VII. Informational items.

Due to time restraints, the informational items were not discussed.

Meeting adjourned 4:07 pm.