“Background Pollutants” Standards Provision –

An Update for the Rulemaking Workgroup

DEQ is recommending that the workgroup leave this topic after the June 4 meeting and move on to discuss other implementation tools on the meeting topics “matrix” distributed at our first meeting. We are hopeful that after some other issues are resolved, we can revisit this option and be better able to evaluate the need, objective and scope for this provision.

The responses to the questions and draft problem statement /desired outcomes paper that DEQ circulated to the workgroup as well as interim conversations with members and with EPA revealed that there are a range of views on the idea of allowing a *de minimis* increase for facilities that concentrate a background pollutant or uncertainty about the need for such a provision.

A summary of where we are:

1. There is support for an intake credit provision modeled after the GLI provision, which provides an intake credit through the permitting process if a facility does not increase the mass or concentration of a pollutant.

2. Revisions to the arsenic, iron and manganese criteria will reduce the number of permittees that will have a background pollutants problem.

3. We are not aware of examples where this problem is currently occurring, at least in the narrow circumstance described in DEQ’s paper, for a pollutant other than arsenic, iron or manganese. If workgroup members can provide this information, that would be helpful.

4. If this problem is limited to a handful of facilities, perhaps it could be addressed through other implementation tools or site specific solutions. These are topics the workgroup has not yet had a chance to discuss.