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| **Commissioner** | **Armstrong** | **Eden** | **Johnson** | **O’Keeffe** | **Rider** |
| Hardcopy | Yes |  | No |  | Yes |
| Individual Meeting | Yes  Week of 3/15 or 3/29? | Re-ask by 02/10 | Yes  1st week of April | Re-ask by 02/10 | Yes  Week of 3/15 or 3/29? |
| David C, Jeffrey, George, Jill to meet with commissioners | | | | | |

Outstanding Questions:

1. **Is it necessary to keep Net Air Quality Benefit if it isn’t workable?**

*DEQ staff spoke with EPA on 01/22/15 regarding net air quality benefit. Region 10 staff is still waiting for an answer from EPA headquarters on the question of eliminating net air quality benefit from DEQ’s rules. Region 10 said that DEQ’s original New Source Review rules adopted in 1981 point to the 40 CFR Appendix S Emission Offset Interpretive Ruling, requiring modeling to show a net air quality benefit. The modeling requirement was not included in EPA’s Permit Requirement rules in 40 CFR §51.165. Therefore, Region 10 needs an interpretation from headquarters before allowing such a change.*

*DEQ made net air quality benefit a requirement for facilities building or expanding in nonattainment or maintenance areas so as not to make air quality in these areas even worse. The Clean Air Act has a General Savings Clause in section 193 that states:*

*Each regulation, standard, rule, notice, order and guidance promulgated or issued by the Administrator under this chapter, as in effect before November 15, 1990, shall remain in effect according to its terms, except to the extent otherwise provided under this chapter, inconsistent with any provision of this chapter, or revised by the Administrator. No control requirement in effect, or required to be adopted by an order, settlement agreement, or plan in effect before November 15, 1990, in any area which is a nonattainment area for any air pollutant may be modified after November 15, 1990, in any manner unless the modification insures equivalent or greater emission reductions of such air pollutant.*

*In order for DEQ to remove net air quality benefit from our rules, we would have to make a showing that this removal would not be considered a relaxation, which would be a high hurdle according to EPA Region 10 staff. EPA staff agrees that the current rule language is unworkable in most cases because of the shift toward PM2.5 nonattainment areas. Back when the rule language was adopted, ozone and total particulate were the pollutants of concern and showing a net air quality benefit was doable. EPA is willing to work with DEQ to improve the language, making it workable for PM2.5 nonattainment areas. DEQ agrees that this is the correct approach to take in order to protect air quality in nonattainment and maintenance areas.*

1. **Designating Priority Sources**

*DEQ would have a detailed analysis in the source’s review report saying that they have to get XX amount of tons of offsets from XX amount of woodstove changeouts. There are two possible methods that could be used to track the woodstove offsets:*

1. *Officially identify a government or quasi-government agency or other entity to serve as the “Bank” and develop procedures to meet the intent of the rule.*
2. *Issue an Emission Reduction Credit (ERC) permit to a government entity or other entity with the requirements to address woodstove offsets.*

*In either case, a government agency or entity needs to be the “Bank” to hold the credits. There will be an accounting of each stove replaced and an emission assigned to each stove removed.  DEQ will approve each stove removed and replaced and will track the following information that was gathered in a similar woodstove changeout program:*

* *name, address and phone number of the homeowner (renter) receiving the installation;*
* *type of the old stove removed;*
* *affidavit (receipt) of the stove being destroyed;*
* *installer;*
* *type of stove or heating device installed;*
* *cost of the stove and installation;*
* *energy reduction or savings; and*
* *emissions reduction from each replacement.*

*In the similar woodstove changeout program, DEQ also had the local agency keep records of building permits, any lead paint removal, State Historic Preservation Office requirements, and pictures of the destroyed stove and the replacement heating device. Inspection reports and permits were attached and program audit were performed each year.  All that is the responsibility of the “Bank” to satisfy both the purchaser of the offsets and DEQ that the stoves are removed and the installation of the new device is legally installed. The source would be required to get some kind of documentation from the “Bank” to verify the amount of woodstoves and offset emissions.*

1. One of the questions that has been forming in my mind is how do each of the rules such as Clean Fuels, etc. work together to support overall air quality and looking to the future do these rules provide protection for population growth in our urban areas which are beginning to have new air quality challenges?