



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



FILE COPY

Dave Freudenthal, Governor

John Corra, Director

March 26, 2008

Mr. Robbie Roberts
Regional Administrator
USEPA Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

RE: 110 Infrastructure SIP for PM_{2.5}

Dear Mr. Roberts:

On May 3, 2007, the State of Wyoming submitted a 110(a)(2)(D)(i) Transport State Implementation Plan (SIP) to EPA Region 8. The purpose of this SIP was to address emissions that affect other states through interstate transport. In preparing this SIP, the State followed the August 15, 2006 EPA guidance as well as the supplement issued on September 11, 2006. On October 2, 2007, William Harnett, Director of the Air Quality Policy Division for EPA, issued further instruction on a matter related to these 110 Transport SIPs, that States must certify that they have the basic SIP "infrastructure" elements in place for the 1997 8-hour ozone and fine particulate matter (PM_{2.5}) National Ambient Air Quality Standards (NAAQS). The State submitted a letter on December 7, 2007 to EPA Region 8 regarding the adequacy of the existing SIP with respect to the 1997 ozone standards. Now the State of Wyoming is making an additional determination that the existing SIP contains all of the necessary provisions to address requirements for the 1997 PM_{2.5} NAAQS and hereby certifies that the existing Wyoming SIP is adequate. The State is also providing a narrative identifying how the existing EPA-approved SIP includes the fourteen basic elements identified in the October 2, 2007 guidance.

If you have any questions concerning this letter, please feel free to contact Mr. David A. Finley at (307) 777-7391.

Sincerely,

John V. Corra
Director
Wyoming Department of Environmental Quality

Enclosure

cc: David A. Finley, AQD Administrator
Christine Anderson, AQD
✓ Kathy Dolan, EPA w/enc.

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STATE OF WYOMING
110 SIP INFRASTRUCTURE ELEMENTS
(Reviewed March 2008)

Emission limits and other control measures: Section 110(a)(2)(A) requires SIPs to include enforceable emission limits and other control measures, means or techniques, schedules for compliance and other related matters. EPA notes that the specific nonattainment area plan requirements of section 110(a)(2)(I) are subject to the timing requirement of section 172, not the timing requirement of section 110(a)(1), and also that SIPs to meet this section are not covered by the Consent Decree.

Non-regulatory Documents

1. Control Strategy Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
2. Source Surveillance Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
3. Compliance Schedule Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842

Regulatory Documents

1. Wyoming Air Quality Standards and Regulations, Section 2, Definitions
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
2. Wyoming Air Quality Standards and Regulations, Section 18, Diluting and concealing emissions
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
3. Wyoming Air Quality Standards and Regulations, Section 19, Abnormal conditions and equipment malfunction
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
4. Wyoming Air Quality Standards and Regulations, Section 14, Control of particulate emissions
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
5. Wyoming Air Quality Standards and Regulations, Section 10, Nitrogen oxides
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
6. Wyoming Air Quality Standards and Regulations, Section 4, Sulfur oxides
 - a. Original State regulations submitted 7/22/74, resubmitted 8/7/74
 - b. EPA approved via FR date of 6/10/75

7. Wyoming Air Quality Standards and Regulations, Section 12, Carbon monoxide
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
8. Wyoming Air Quality Standards and Regulations, Section 9, Hydrocarbons
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
9. Wyoming Air Quality Standards and Regulations, Section 4, Sulfur oxides
 - a. Original State regulations submitted 7/22/74, resubmitted 8/7/74
 - b. EPA approved via FR date of 6/10/75
10. Wyoming Air Quality Standards and Regulations, Section 5, Sulfuric acid mist
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
11. Wyoming Air Quality Standards and Regulations, Section 10, Nitrogen oxides
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
12. Wyoming Air Quality Standards and Regulations, Section 25, Sweetwater County non-attainment area particulate matter regulations
 - a. Original State regulations submitted 1/25/79
 - b. Approved by EPA 7/2/79; 44 FR 38473
13. Wyoming Air Quality Standards and Regulations, Section 13, Open burning restrictions
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
14. Wyoming Air Quality Standards and Regulations, Section 15, Wood waste burners
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
15. Wyoming Air Quality Standards and Regulations, Section 17, Motor vehicle pollution control
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
16. Chapter 1, Section 3, Definitions
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
17. Chapter 1, Section 4, Diluting and concealing emissions
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
18. Chapter 1, Section 5, Abnormal conditions and equipment malfunction
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
19. Chapter 3, Section 2, Emission standards for particulate matter
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
20. Chapter 3, Section 3, Emission standards for nitrogen oxides
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965

21. Chapter 3, Section 4, Emission standards for sulfur oxides
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
22. Chapter 3, Section 5, Emission standards for carbon monoxide
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
23. Chapter 3, Section 6, Emission standards for volatile organic compounds
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
24. Chapter 4, Section 2, Existing sulfuric acid production units
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
25. Chapter 4, Section 3, Existing nitric acid manufacturing plants
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
26. Chapter 8, Section 2, Sweetwater County particulate matter regulations
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
27. Chapter 8, Section 3, Conformity of general federal actions to state implementation plans
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
28. Chapter 10, Section 2, Open burning restrictions
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
29. Chapter 10, Section 3, Wood waste burners
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
30. Chapter 13, Section 2, Motor vehicle pollution control
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965

Ambient air quality monitoring/data system: Section 110(a)(2)(B) requires SIPs to include provisions to provide for establishment and operation of ambient air quality monitors, collecting and analyzing ambient air quality data, and making these data available to EPA upon request.

Non-regulatory Documents

1. Air Quality Surveillance Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
2. Air Quality Surveillance Network Document
 - a. State non-regulatory SIP document submitted to EPA on 8/26/81
 - b. Approved by EPA 2/9/82; 47 FR 5892
3. Implementation Plan for Lead
 - a. Original State non-regulatory SIP document submitted to EPA on 8/29/84
 - b. Approved by EPA 10/11/84; 49 FR 39843

Regulatory Documents

1. Wyoming Air Quality Standards and Regulations, Section 3, Particulates
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
2. Wyoming Air Quality Standards and Regulations, Section 10, Nitrogen oxides
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
3. Wyoming Air Quality Standards and Regulations, Section 4, Sulfur oxides
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
4. Wyoming Air Quality Standards and Regulations, Section 12, Carbon monoxide
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
5. Wyoming Air Quality Standards and Regulations, Section 8, Photochemical oxidants
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
6. Wyoming Air Quality Standards and Regulations, Section 6, Sulfation
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
7. Wyoming Air Quality Standards and Regulations, Section 26, Ambient air quality standard for lead
 - a. Original State regulations submitted 8/29/84
 - b. Approved by EPA 10/11/84; 49 FR 39843
8. Chapter 2, Section 2, Ambient standards for particulate matter
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
9. Chapter 2, Section 3, Ambient standards for nitrogen oxides
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
10. Chapter 2, Section 4, Ambient standards for sulfur oxides
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
11. Chapter 2, Section 5, Ambient standards for carbon monoxide
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
12. Chapter 2, Section 6, Ambient standards for ozone
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
13. Chapter 2, Section 8, Ambient standards for suspended sulfates
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
14. Chapter 2, Section 10, Ambient standards for lead
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965

Program for enforcement of control measures: Section 110(a)(2)(C) requires States to include a program providing for enforcement of all SIP measures and the regulation of construction of new or modified stationary sources to meet prevention of significant deterioration (PSD) and nonattainment NSR requirements.

Non-regulatory Documents

1. Legal Authority Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
2. Source Surveillance Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
3. Review of New Sources and Modifications Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
4. 3/3/08 Memorandum From Cynthia Cody, EPA Region 8, clarifications regarding SIP 110 infrastructure submissions for PM_{2.5}, specifically addressing the current unavailability of EPA rules or guidance on PM_{2.5} implementation through the PSD program

Regulatory Documents

1. 1974 Wyoming Air Quality Standards and Regulations, Section 21, Permit requirements for construction, modification and operation
 - a. Original State regulations submitted 7/22/74, resubmitted 8/7/74
 - b. EPA approved via FR date of 6/10/75
2. 1979 Wyoming Air Quality Standards and Regulations, Section 24, Prevention of significant deterioration
 - a. Original State regulations submitted 1/25/79
 - b. EPA approved 7/2/79; 44 FR 38473
3. Chapter 6, Section 2, Permit requirements for construction, modification, and operation
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
4. Chapter 6, Section 4, Prevention of significant deterioration
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965

Interstate transport: Section 110(a)(2)(D) requires SIPs to include provisions prohibiting any source or other type of emissions activity in one State from contributing significantly to nonattainment, or interfering with maintenance, of the NAAQS in another State, or from interfering with measures required to prevent significant deterioration of air quality or to protect visibility in another State. EPA has already issued CAIR to assist States in developing SIPs to meet this requirement for purposes of the 8-hour Ozone and PM_{2.5} NAAQS, and has issued separate guidance to all States on how to comply with each prong of this statutory provision.

Non-regulatory Document

1. Original Wyoming Interstate Transport SIP [Non-Regulatory] (per Section 110(a)(2)(D)(i) of the CAA) submitted to EPA on 5/3/07, and consisting of:
 - a. Memorandum dated 5/3/07 from David A. Finley, AQD Administrator, to John V. Corra, DEQ Director
 - b. Letter dated 5/3/07 from John V. Corra, DEQ Director, to Robbie Roberts, EPA Region 8 Regional Administrator
 - c. Certification Page For State Implementation Plans For The Air Quality Division Of The Department Of Environmental Quality; SIP Adopted by DEQ on 3/15/07; DEQ Adoption of SIP Approved by Governor Dave Freudenthal on 4/15/07
 - d. Memorandum dated 4/9/07 from John V. Corra, DEQ Director, to Governor Freudenthal
 - e. Letter dated 4/24/07 from Nancy Vehr of the Office of the Attorney General to Dave Finley, AQD Administrator
 - f. Public Notice of Air Quality Advisory Board Meeting of December 11, 2006
 - g. Dates of publication of Public Notice in five Wyoming newspapers
 - h. Sign-in sheet for attendees of 12/11/06 Air Quality Advisory Board Meeting
 - i. Air Quality Advisory Board Meeting Agenda
 - j. Negative Declaration Demonstration

Adequate resources: Section 110(a)(2)(E) requires States to provide for adequate personnel, funding, and legal authority under State law to carry out its SIP, and related issues.

Non-regulatory Documents

1. Resources Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
2. Legal Authority Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842

Regulatory Document

1. Chapter 1, Section 2, Authority
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965

Stationary source monitoring system: Section 110(a)(2)(F) requires States to establish a system to monitor emissions from stationary sources and to submit periodic emissions reports.

Regulatory Documents

1. 1979 Wyoming Air Quality Standards and Regulations, Section 23, Continuous monitoring requirements for existing sources
 - a. Original State regulations submitted 1/25/79
 - b. EPA approved 7/2/79; 44 FR 38473

2. Chapter 7, Section 2, Continuous monitoring requirements for existing sources
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965

Emergency power: Section 110(a)(2)(G) requires States to provide for authority to address activities causing imminent and substantial endangerment to public health, including contingency plans to implement the emergency episode provisions in their SIPs.

Non-regulatory Documents

1. Emergency Episode Plan Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
2. Emergency Episode Contingency Plan Document
 - a. Original State non-regulatory SIP document submitted to EPA on 8/26/81
 - b. Approved by EPA 2/9/82; 47 FR 5892
3. 3/3/08 Memorandum From Cynthia Cody, EPA Region 8, clarifications regarding SIP 110 infrastructure submissions for PM_{2.5}, specifically addressing the current unavailability of EPA rules or guidance on PM_{2.5} implementation through emergency episode plans

Regulatory Documents

1. 1972 Wyoming Air Quality Standards and Regulations, Section 20, Air pollution emergency episodes
 - a. Original State regulations submitted 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842
2. Chapter 12, Section 2, Air pollution emergency episodes
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965

Future SIP revisions: Section 110(a)(2)(H) requires States to have the authority to revise their SIPs in response to changes in the NAAQS, availability of improved methods for attaining the NAAQS, or in response to an EPA finding that the SIP is substantially inadequate.

Non-regulatory Document

1. Implementation Plan Reviews Document
 - a. Original State non-regulatory SIP document submitted to EPA on 4/30/81
 - b. Approved by EPA 4/19/83; 48 FR 16682

Consultation with government officials: Section 110(a)(2)(J) requires States to provide a process for consultation with local governments and Federal Land Managers carrying out NAAQS implementation requirements pursuant to section 121 relating to consultation.

Non-regulatory Document

1. Consultation Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/25/79
 - b. Approved by EPA 7/2/79; 44 FR 38473

Public notification: Section 110(a)(2)(J) further requires States to notify the public if NAAQS are exceeded in an area and to enhance public awareness of measures that can be taken to prevent exceedances.

Non-regulatory Document

1. Public Notification of Air Quality Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/25/79
 - b. Approved by EPA 7/2/79; 44 FR 38473

PSD and visibility protection: Section 110(a)(2)(J) also requires States to meet applicable requirements of part C related to prevention of significant deterioration and visibility protection.

Non-regulatory Documents

1. Wyoming State Implementation Plan For Class I Visibility Protection Document
 - a. Original State non-regulatory SIP document submitted to EPA on 9/6/88
 - b. Approved by EPA 2/15/89; 54 FR 6912
2. 3/3/08 Memorandum From Cynthia Cody, EPA Region 8, clarifications regarding SIP 110 infrastructure submissions for PM_{2.5}, specifically addressing the current unavailability of EPA rules or guidance on PM_{2.5} implementation through the PSD program

Regulatory Documents

1. 1979 Wyoming Air Quality Standards and Regulations, Section 24, Prevention of significant deterioration
 - a. Original State regulations submitted 1/25/79
 - b. EPA approved 7/2/79; 44 FR 38473
2. Chapter 6, Section 4, Prevention of significant deterioration
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965

Air Quality modeling/data: Section 110(a)(2)(K) requires that SIPs provide for performing air quality modeling for predicting effects on air quality of emissions from any NAAQS pollutant and submission of such data to EPA upon request.

Regulatory Documents

1. 1974 Wyoming Air Quality Standards and Regulations, Section 21, Permit requirements for construction, modification and operation
 - a. Original State regulations submitted 7/22/74, resubmitted 8/7/74
 - b. EPA approved via FR date of 6/10/75

2. 1979 Wyoming Air Quality Standards and Regulations, Section 24, Prevention of significant deterioration
 - a. Original State regulations submitted 1/25/79
 - b. EPA approved 7/2/79; 44 FR 38473
3. Chapter 6, Section 2, Permit requirements for construction, modification, and operation
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965
4. Chapter 6, Section 4, Prevention of significant deterioration
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965

Permitting fees: Section 110(a)(2)(L) requires SIPs to require each major stationary source to pay permitting fees to cover the cost of reviewing, approving, implementing and enforcing a permit.

Regulatory Documents

1. 1993 Wyoming Air Quality Standards and Regulations, Section 21, Permit requirements for construction, modification, and operation
 - a. State regulations submitted 11/12/93
 - b. EPA approved 11/29/94; 59 FR 60905
2. Chapter 6, Section 2, Permit requirements for construction, modification, and operation
 - a. Most recent State regulatory SIP document submitted to EPA 9/12/2003
 - b. EPA Final Federal Register 7/28/2004; 69 FR 44965

Consultation/participation by affected local entities: Section 110(a)(2)(M) requires States to provide for consultation and participation in SIP development by local political subdivisions affected by the SIP.

Non-regulatory Document

1. Intergovernmental Cooperation Document
 - a. Original State non-regulatory SIP document submitted to EPA on 1/28/72
 - b. Approved by EPA 5/31/72; 37 FR 10842