

Comment Submission 7

Makarow, Irina (OCD)

From: Rose, Donald L - KEC-4 [dlrose@bpa.gov]
Sent: Wednesday, March 27, 2002 1:04 PM
To: Judith Hillis (E-mail); Irina Makarow (E-mail)
Subject: FW: Clean Air Act General Conformity Rule

Comment below submitted by DOE Office of Environmental Policy and Guidance.

-----Original Message-----

From: McKinney, Thomas - KEC-4
Sent: Friday, March 15, 2002 12:15 PM
To: Trottier, Jennifer M - LC-7; Key, Philip S - LC-7; Adams, Herbert V - LC-7; Gleason, John M - LC-7; Rose, Donald L - KEC-4
Subject: FW: Clean Air Act General Conformity Rule and Schultz-Hanford Transmission Line Project DEIS

FYI...

-----Original Message-----

From: Theodore.Koss@eh.doe.gov [mailto:Theodore.Koss@eh.doe.gov]
Sent: Friday, March 15, 2002 11:56 AM
To: tcmckinney@bpa.gov
Cc: Katherine.Nakata@eh.doe.gov; Carolyn.Osborne@eh.doe.gov; Andrew.Wallo@eh.doe.gov; nawittpen@bpa.gov
Subject: Clean Air Act General Conformity Rule and Schultz-Hanford Transmission Line Project DEIS

Mr. Mckinney:

I had a discussion with Katherine Nakata of EH-42 today on this issue, and she suggested that I send an e-mail to you with my comments on this. I'm an air quality specialist with DOE's Office of Environmental Policy and Guidance (EH-41), and I've reviewed the Schultz-Hanford Transmission Line DEIS from the perspective of the Clean Air Act (CAA) General Conformity Rule. Section 176(c) of the CAA and implementing EPA regulations (at 40 CFR Part 93) and State rules prohibit Federal agencies from initiating actions in air quality nonattainment and maintenance areas if the action does not conform with State efforts to attain and maintain the National Ambient Air Quality Standards. The Schultz-Hanford Transmission Line DEIS indicates that the transmission line will be constructed in four counties in Washington that are in attainment with ambient air quality standards. If this is true, then the project would be exempt from conformity, because conformity only applies to projects that cause criteria pollutant emissions to increase in nonattainment and maintenance areas. However, EPA's "Greenbook" Web Site of nonattainment areas (at: <http://www.epa.gov/oar/oagps/greenbk/>) indicates that part of Yakima County is a moderate nonattainment area for particulate matter. This discrepancy should be examined.

If the project causes particulate emissions to occur in the nonattainment area, then a conformity review should be carried out and reported in the EIS. The conformity review should be conducted out in accordance with the EH-42/EH-41 General Conformity Guidance (available at: <http://tis.eh.doe.gov/nepa/tools/guidance/caaguidance.pdf>). Briefly, the conformity review entails carefully quantifying air emissions in the nonattainment area and comparing the estimated emissions with de minimis emission levels in the regulations, in order to determine if a more detailed conformity determination is needed. If air emissions occur in the nonattainment area for this project, highest particulate matter emissions would probably occur during the construction phase.

I've also examined the Wallula-McNary Transmission Line Project and Wallula Power Plant Draft EIS from the standpoint of conformity. It appears that this project is exempt from conformity requirements because it is subject to the New Source Review Program and the Prevention of Significant Deterioration Program. However, as our guidance indicates, there should be a statement in the EIS as to why this project is exempt.

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Please feel free to contact me if you have any questions on this e-mail, or on General Conformity.

Ted Koss
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**Responses to Comment Submission 7,
Email from Ted Koss, DOE Office of Environmental Policy and Guidance**

- 7-1. Section 3.2 has been revised to describe issues related to General Conformity. Please see Chapter 3 of this Final EIS for updated text. The power plant site is not subject to General Conformity, but the portions of Bonneville's transmission line inside the Wallula PM10 nonattainment area are subject to it. The revised discussion concludes that construction inside the nonattainment area would be unlikely to generate 70 tons/year of fugitive dust, which is the de minimis threshold for application of the conformity analysis requirement, so a full conformity analysis is not required.