



State of Utah

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Environmental Quality

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DIVISION OF AIR QUALITY  
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Tammie G. Lucero  
Robert Paine III  
Amanda Smith  
Michael Smith  
Karma M. Thomson  
Kathy Van Dame  
Bryce C. Bird,  
*Executive Secretary*

**UTAH AIR QUALITY BOARD MEETING**  
**December 3, 2014 – 1:30 p.m.**  
**195 North 1950 West, Room 1015**  
**Salt Lake City, Utah 84116**

**FINAL MINUTES**

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**I. Call-to-Order**

Steve Sands called the meeting to order at 1:31 p.m.

Board members present: Kathy Van Dame, Steve Sands, Robert Paine, Tammie Lucero, Erin Mendenhall, Amanda Smith, and Kerry Kelly

Excused: Michael Smith and Karma Thomson

Executive Secretary: Bryce Bird

**II. Date of the Next Air Quality Board Meeting:** February 4, 2015

Currently there are no action items to be presented to the Board in January. The next Board meeting will be February 4, 2015.

**III. Approval of the Minutes for October 1, 2014, Board Meeting.**

Mr. Sands made a correction on page 5. In the bolded agenda title “Best Available Control Technology” should be corrected to “Best Available Retrofit Technology.”

- Erin Mendenhall motioned the Board approve the minutes as amended. Tammie Lucero seconded. The Board approved unanimously.

**IV. Final Adoption: Amend R307-121. General Requirements: Clean Air and Efficient Vehicle Tax Credit. Presented by Mark Berger.**

Mark Berger, Environmental Planning Consultant at DAQ, stated this proposal to align R307-121 with revisions made to the statutes that govern the clean fuel tax credit has gone through a 30-day public comment period, during which no comments were received and no hearing was requested. Staff recommends the Board adopt R307-121 as proposed.

- Robert Paine moved for final adoption to amend R307-121, General Requirements, Clean Air and Efficient Vehicle Tax Credit. Erin Mendenhall seconded. The Board approved unanimously.

**V. Final Adoption: New Rule R307-125. Clean Air Retrofit, Replacement, and Off-Road Technology Program. Presented by Mark Berger.**

Mark Berger, Environmental Planning Consultant at DAQ, stated this proposal which specifies the requirements and procedures for the Clean Air Retrofit, Replacement, and Off-Road Technology (CARROT) Program has gone through a 30-day public comment period. During the public comment period one comment was received in support of the rule and no hearing was requested. Staff recommends the Board adopt R307-125, Clean Air Retrofit, Replacement, and Off-Road Technology Program, as proposed.

- Kerry Kelly moved that the Board adopt new rule R307-125, Clean Air Retrofit, Replacement, and Off-Road Technology Program. Tammie Lucero seconded. The Board approved unanimously.

**VI. Final Adoption: Amend R307-302. Solid Fuel Burning Devices in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah, and Weber Counties. Presented by Mark Berger.**

Mark Berger, Environmental Planning Consultant at DAQ, stated the public comment period to receive comments to expand the rule to include all solid fuel burning sources and re-open the sole source registry was held from October 1 to October 31, 2014. During the public comment period several comments were received. As a result of those comments, staff is recommending further changes to what was originally proposed. Those changes include modifying the definition of “solid fuel burning device” to clarify that the rule applies to solid fuel burning in fireplaces, wood stoves and boilers; clarifying that the rule does not apply to sources subject to an approval order issued under permitting rule R307-401; clarifying that the rule applies to solid fuel burning devices used in residential, commercial, institutional and industrial facilities and associated outbuildings used to provide comfort heating; including a wood burning exemption for elevations above 7,000 feet; and including an exemption for firefighting training equipment. Staff recommends the Board adopt R307-302, Solid Fuel Burning Devices in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah, and Weber Counties, as amended.

In discussion, staff explained that initially in the rule was the option for the transfer of a residential phase 2 certified stoves could remain intact as long as they weren’t removed or were part of a real estate transaction; this provision was not included for industrial and institutional sources. In reference to a study done by Whiteman and Horel at the University of Utah on persistent cold-air pool, it is suggested that it would be a good idea for staff to see if the pollutants from above 7,000 feet, as is mentioned in the study, are contributing to air pollution as an inversion sets up. It is also suggested that whatever DAQ can do to get the word out that when there is a ban on wood burning that it covers all wood burning sources, as there seems to be confusion by the public on what is allowed.

With regards to discussion on reopening the sole source registry and how the marketing will be handled and the availability of any funding , staff explained that currently one-time funding was granted by the Legislature at the last session and any funding not expended this year will lapse. One of the reasons of reopening the registry is that should the Legislature fund additional resources for home conversions that then other people would be able to take advantage of that program. The end goal would be to make sure we capture all of the people that could be eligible and not to get

more people on the registry so they are allowed to burn on no burn days. The focus is making sure we use a resource that has been granted by the Legislature to its best ability to address the situation of wood burning.

- Kathy Van Dame moved that the Board approve final adoption to amend R307-302, Solid Fuel Burning Devices in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah, and Weber Counties. Erin Mendenhall seconded. The Board approved unanimously.

**VII. Final Adoption: Repeal and Replace SIP Subsection IX.A.21: Control Measures for Area and Point Sources. Fine Particulate Matter. PM<sub>2.5</sub> SIP for the Salt Lake City, UT Nonattainment Area. Presented by Bill Reiss.**

Bill Reiss, Environmental Engineer at DAQ, stated that the three State Implementation Plans (SIPs) for the Board's consideration address the particulate matter (PM) specific planning requirements of Subpart 4 as well as the more general nonattainment planning requirements of Subpart 1. The Logan SIP shows attainment of the 24 hour standard in 2015 and the Salt Lake and Provo SIPs show that attainment by 2015 is impracticable. The Salt Lake and Provo SIPs also include a quick cleanup regarding the emission limits section. Even with the revisions, these three SIPs are fundamentally no different than what was previously adopted, especially with regard to the control strategies. The comment period ran through the month of October 2014 and the summaries and responses to the comments were made available. As a result of the comments some changes were made. Mr. Reiss commented that some changes involved changes to the mobile source emissions numbers, tables were corrected due to a reporting errors where emissions for reasonable further progress (RFP) were reported, RFP numbers were revised to consider some of the reasonable available control technology (RACT) implementation dates for the point sources, clarifying language was added in some spots, under the contingency measures in Section 9.2 some trigger language was added at the request of EPA, and changes made to the emissions limit section in Part H were also addressed.

In response to questions, Mr. Reiss explained that for moderate nonattainment areas such as ours the planning requirements allow for two types of SIPs to be constructed. The Logan SIP is a plan that demonstrates attainment whereas the Salt Lake and Provo SIPs are of the other construction. In EPA's comments he believes EPA looked at the Clean Air Act (CAA) as saying that for plans that demonstrate attainment the RFP requirement in the general section of Section 172 Subpart 1 is linked to some more specific milestone requirements of Section 189 in Subpart 4. DAQ does not agree with EPA and have found another instance where another region came up against this rather unique moderate area planning requirement. This other region read the CAA the same as DAQ on this issue, where they said you need to go back to Subpart 1 to address the RFP criteria. Staff is comfortable in saying the plan meets the requirements of Subpart 4, is approvable, and it indicates continued progress towards attaining the National Ambient Air Quality Standards. Mr. Reiss continued that the change in mobile source emissions for direct PM<sub>2.5</sub> on Table 4 was due to an addition error in adding up all the various pieces that collectively make up the category called direct PM. Furthermore, EPA does allow states to pre-implement contingency measures, such as the seasonal solid fuel burning ban being proposed to the Board, and they would give credit for such measures. In closing, it was explained that if there was a modification in an approval order for a point source it would not come before the Board but if the item was in the SIP it would come before the Board as a SIP revision.

- Kathy Van Dame motioned for final adoption to repeal and replace SIP Subsection IX.A.21, Control Measures for Area and Point Sources, Fine Particulate Matter, PM<sub>2.5</sub>

SIP for the Salt Lake City, UT Nonattainment Area. Robert Paine seconded. The Board approved unanimously.

**VIII. Final Adoption: Repeal and Replace SIP Subsection IX.A.22: Control Measures for Area and Point Sources, Fine Particulate Matter, PM2.5 SIP for the Provo, UT Nonattainment Area. Presented by Bill Reiss.**

Bill Reiss, Environmental Engineer at DAQ, previously combined the introduction on what is common to the three SIPs being presented to the Board today. For this item Mr. Reiss pointed out three revisions specific to the Provo SIP. A typographical error was corrected in Table 4.2 and on pages 52 and 62 the Salt Lake SIP was incorrectly referenced where it should have been referenced for Utah County.

- Kerry Kelly moved that the Board adopt the repeal and replace of SIP Subsection IX.A.22, Control Measures for Area and Point Sources, Fine Particulate Matter, PM2.5 SIP for the Provo, Utah Nonattainment Area as amended today. Kathy Van Dame seconded. The Board approved unanimously.

**IX. Final Adoption: Repeal and Replace SIP Subsection IX.A.23: Control Measures for Area and Point Sources, Fine Particulate Matter, PM2.5 SIP for Logan, UT-ID Nonattainment Area. Presented by Bill Reiss.**

Bill Reiss, Environmental Engineer at DAQ, previously combined the introduction on what is common to the three SIPs being presented to the Board today. For this item Mr. Reiss pointed out two revisions specific to the Logan SIP. On page 60 a digit was added to the report for better clarification and on Table 7.1 page 64 an additional note regarding the calculation of mobile source emissions was included.

- Kathy Van Dame moved for final adoption to repeal and replace SIP Subsection IX.A.23, Control Measures for Area and Point Sources, Fine Particulate Matter, PM2.5 SIP for Logan, UT-ID Nonattainment Area. Erin Mendenhall seconded. The Board approved unanimously.

**X. Final Adoption: Amend SIP Subsections IX.H.11, 12, and 13. Control Measures for Area and Point Sources, Emission Limits and Operating Practices, PM2.5 Requirements. Presented by Bill Reiss.**

Bill Reiss, Environmental Engineer at DAQ, stated that Part H of the SIP includes the emissions limits, operating practices, and the schedules for implementation. Subsection 11 applies generally to all of the listed sources, Subsection 12 applies to the listed sources in the Salt Lake nonattainment area, and Subsection 13 applies to the listed sources in the Provo nonattainment area. There were no sources for the Logan area. Part H as proposed is substantially the same as what had previously been adopted by the Board in January 2014 with two notable exceptions. First, staff revisited the schedules for RACT implementation by the point sources to make sure that the measures are implemented as expeditiously as practicable. Second, staff evaluated the startup and shut down situation for all of the RACT sources and revised Part H accordingly. The SIP was proposed in September 2014 with comments collected through October 2014. Any changes that were made in Part H is a result of comments received.

- Erin Mendenhall moved for final adoption to amend SIP Subsections IX.H.11, 12, and 13, Control Measures for Area and Point Sources, Emission Limits and Operating Practices, PM2.5 Requirements. Tammie Lucero seconded. The Board approved unanimously.

**XI. Final Adoption: Amend R307-110-10. Section IX, Control Measures for Area and Point Sources, Part A, Fine Particulate Matter; and Amend R307-110-17. Section IX, Control Measures for Area and Point Sources, Part H, Emissions Limits. Presented by Mark Berger.**

Mark Berger, Environmental Planning Consultant at DAQ, stated that since the SIPs were adopted by the Board, R307-110-10 and R307-110-17 need to be incorporated into the administrative rules so that a complete SIP package can be submitted. These rules went out for public comment simultaneously with SIPs. No comments were received during the comment period or during the hearing regarding incorporating the new SIP sections into the rules. Staff recommends the Board adopt R307-110-10 and R307-110-17 as proposed.

- Robert Paine moved for final adoption to amend R307-110-10, Section IX, Control Measures for Area and Point Sources, Part A, Fine Particulate Matter; and amend R307-110-17, Section IX, Control Measures for Area and Point Sources, Part H, Emissions Limits. Kathy Van Dame seconded. The Board approved unanimously.

**XII. Stericycle, Incorporated Administrative Settlement Order. Presented by Harold Burge.**

Harold Burge, Major Source Compliance Section Manager at DAQ, explained that under Utah Code annotated 19.2.104 any settlement exceeding \$25,000 requires Board approval. This administrative settlement order would avoid further legal delays in resolving Stericycle Incorporated's (Stericycle) notice of violation (NOV) and ensure that operations at the North Salt Lake facility cease as quickly as possible. Stericycle operates a medical waste incinerator in North Salt Lake. On May 28, 2013, DAQ issued them a NOV and then issued an amended NOV on August 28, 2013, which superseded the original NOV. All of this was done after Stericycle had demonstrated a return to compliance with all of their emission limits. In response to the NOV, Stericycle made a request for agency action on September 27, 2013, requesting an evidentiary hearing challenging the amended NOV. On April 24, 2014, DEQ's Executive Director appointed an administrative law judge to conduct a hearing to adjudicate the merits of the amended NOV and request for agency action. DAQ and Stericycle engaged in a series of settlement negotiations. Today's administrative settlement order is a result of those negotiations with the major provision being a total penalty of \$2,322,536.00. Stericycle would pay \$1,161,268.00 within 30 days of the effective date of the administrative settlement order. In lieu of paying the remaining half of the total penalty Stericycle would receive a supplement environmental project credit of \$1,161,268.00 for relocating voluntarily to Tooele County and permanently ceasing its operations of its North Salt Lake facility within three years of obtaining all necessary permits and approvals for the new facility. Stericycle's Title V permits and approval orders for the current North Salt Lake facility would be voided. The new facility will have better control technology and will be located away from population centers. Staff recommends the Board approve the penalty amount and the administrative settlement order.

In discussion, Mr. Burge explained that the first half of the penalty goes into the State's general fund to which the Legislature will decide how the funds are dispersed. An explanation was given on the penalty policy and how the dollar amount was calculated. Under the Title V permit they have to submit an annual compliance certification which identifies each and every required condition and whether or not they were in compliance with those requirements. Semi-annually they submit a monitoring report which states any deviations they may have had in the past six

months with any of their permit conditions. Their emission limits are taken straight from the federal rule for medical waste incinerators, Subpart C.E. In order for Stericycle to construct, they will need to obtain an approval order and Title V permit from DAQ. They will also need permits from the Division of Solid and Hazardous Waste, local permits for planning and zoning purposes, conditional use permits, and the Governor must sign off on their request to relocate. There are a lot of variables involved in their relocation to Tooele County. In regards to the reporting dates the company must follow as listed in the settlement order and any other updates, DAQ will maintain a Stericycle specific web page on the DEQ source page for status updates. It was also recommended that a Listserv be created for subscription by interested parties.

Public comment was introduced.

Alicia Connell commented that the Utah Physicians for Healthy Environment, Utah Moms for Clean Air, and Communities for Clean Air are some organizations that have come together in an effort to eliminate Stericycle's medical waste incinerator. While they are relieved to finally see a definitive action taken against Stericycle by the state they are disappointed that the company will still be allowed to operate for at least three more years and perhaps up to five years or more in North Salt Lake. They believe the DAQ has made the best of a bad situation and they urge the DAQ to remain diligent to making this transition period as short as possible and to continue enhanced monitoring of the company's ongoing emissions in order to protect the health of North Salt Lake residences. The evidence is overwhelming that incineration of medical waste is unnecessary and the worst possible way to manage this waste stream and that approving a new medical waste incinerator in a more remote location is still a setback for public health protection. They will continue work in opposing these types of facilities and urging medical facilities to find new and better ways of addressing their waste stream. Furthermore, they believe there is a recent emergence of stronger evidence that criminal activity was tolerated if not mandated by Stericycle management that is not addressed by this agreement. They expect to see the Attorney General's Office to continue to pursue this evidence and take the action that is appropriate upon confirmation of these allegations which could very well be the immediate shuttering of the Stericycle incinerator.

Cindy King representing the Utah Chapter of the Sierra Club commented that the settlement agreement is the largest that the division has sought and questions whether Stericycle considers this part of a normal operation expenses or as a turn of wrongdoing. In either case Stericycle admits no culpability. She does not understand why DAQ did not request alternative technologies to incineration from the company but is instead allowing Stericycle to move to a community which has more hazardous facilities than any other community in the state of Utah. DAQ only requested best available technology or newer technology to an antiquated technology that causes harm to both the environment and human health. Ms. King encourages a full public participation in any and all permits for Stericycle and that public hearings be required. She encourages the DAQ to ensure that the Title V permits address startup, shut down, and malfunction plans, which the current Title V permit does not have. Such a section might have helped in preventing the concerns that are addressed in the settlement agreement as well as preventing numerous fires and the bypass stack shown by the various media outlets this past summer. She also mentioned there is a regulation to require a Tooele facility to have an environmental and public risk assessment completed, which the settlement agreement does not list, and Ms. King encourages all DEQ Divisions to work together to assure that this requirement be included.

- Kathy Van Dame motioned the Board approved the Stericycle, Incorporated Administrative Settlement Order. Kerry Kelly seconded. The Board approved unanimously.

**XIII. Propose for Public Comment: Amend R307-120. General Requirements: Tax Exemption for Air Pollution Control Equipment. Presented by Mark Berger.**

Mark Berger, Environmental Planning Consultant at DAQ, stated in the 2014 legislative session the statutes that govern the tax exemption for pollution control equipment was amended. The proposed changes to R107-120 align the rule with the new statute. Staff recommends the Board propose R307-120 for public comment.

Alan Humpherys, Minor New Source Review Section Manager at DAQ, explained that as defined in statute, a pollution control facility and a pollution control property are eligible for this credit. An example would be a bag house. Within 120 days of receipt of a completed application at DAQ, the permitting section at DAQ issues the certificate. If the application is not complete, the source is notified and any additional information is requested. After certification by DAQ is issued, it would be the Utah State Tax Commission that grants the tax credit.

- Robert Paine moved to propose for public comment to amend R307-120, General Requirements, Tax Exemption for Air Pollution Control Equipment. Kerry Kelly seconded. The Board approved unanimously.

**XIV. Propose for Public Comment: Amend R307-302. Solid Fuel Burning Devices in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah, and Weber Counties. Presented by Mark Berger.**

Mark Berger, Environmental Planning Consultant at DAQ, explained that the Governor's office requested staff to prepare a proposed rule that would implement a seasonal solid fuel burning ban within the PM<sub>2.5</sub> nonattainment areas to help attain the PM<sub>2.5</sub> standard. As currently proposed the seasonal ban would begin November 1 and extend through March 15. Staff is asking the Board to seek comment on 1) the appropriateness of having a single ban period applicable in all areas or if each area could have a different ban period, 2) the start and stop dates for the ban, and 3) if it would be appropriate to exempt a county from the seasonal ban. To facilitate public review and comment DAQ will hold seven public hearings, one in each nonattainment county. At each county hearing information will be provided that is applicable to that specific county to help facilitate public comment. Staff recommends the Board propose for public comment to amend R307-302, Solid Fuel Burning Devices in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah, and Weber Counties.

In discussion, it was commented from the Board of the need for a robust discussion on this issue and hopefully there will be creative ways to approach households that are not sole source where tickets and fines would be an undue burden. As DAQ interacts with individuals through the enforcement process that they will be advocates in connecting individuals with resources if they don't qualify for sole source state funding. Education will be a big part of this issue as we move forward to be more aggressive with restricting wood burning. Also, staff responded that with a total seasonal wood burning ban enforcement would be easier. The 100% compliance listed in the memorandum simulates a total ban for wood smoke. It does not include restaurants which are too small for the model to register.

Public comment was introduced.

Ingrid Griffiee from Utah Moms for Clean Air commented they fully support a wood burning ban and they look forward to conversation from the community on this issue. She suggested that wood burning fireplaces might be included into a program such as the CARROT program which allows

incentives for individuals to upgrade small equipment such as snow blowers to cleaner burning models. In addition, it might be helpful with compliance and enforcement if fuel for wood burning was not available for purchase in areas where the ban is being enforced, or at a minimum post signage near the products to educate the public about the ban.

Brian Moench from Utah Physicians for Healthy Environment commented that historically wood smoke has been looked at in terms of its harm to public health in how it affects the overall community PM<sub>2.5</sub> levels which he feels is an inappropriate way of looking at the issue. There are unique chemical, mechanical, and biologic properties to wood smoke that make it probably the most toxic form of community air pollution there is because wood smoke in residential areas does not disperse well. We need to start thinking in terms of regulating wood smoke the same way we now regulate secondhand smoke.

John Mortensen representing Energy Distribution Systems commented on concerns on the proposal for an all-out ban on wood burning and to be asked to give 100% compliance to a complete burn ban is not reasonable. The wood stove industry has for many years invested a lot of time, money, and energy into building stoves that are a lot more efficient, cleaner burning, and meet or exceed EPA standards. Instead of an all-out ban, he feels that if there was an allowance for people who have invested in the newer technology to burn on non-red days that would encourage others to upgrade their appliances thereby achieving the goal in reducing particulate emissions.

- Erin Mendenhall motioned the Board propose for public comment to amend R307-302, Solid Fuel Burning Devices in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah, and Weber Counties. Robert Paine seconded. The Board approved unanimously.

Board members were asked for volunteers who would act as hearing officers at each of scheduled public hearings. Kerry Kelly will be the hearing officer on January 14, 2015, at 4:00 p.m. in Tooele and on January 15, 2015, at 6:00 p.m. in Salt Lake City. Kathy Van Dame will be the hearing officer on January 20, 2015, at 11:30 a.m. in Brigham City and at 5:00 p.m. in Ogden; and on January 21, 2015, at 4:00 p.m. in Logan. Erin Mendenhall will be the hearing officer on January 28, 2015, at 10:00 a.m. in Farmington. Tammie Lucero will be the hearing officer on January 29, 2015, at 11:00 a.m. in Provo.

**XV. Propose for Public Comment: New Rule R307-311. Utah County: Trading of Emission Budgets for Transportation Conformity. Presented by Mark Berger.**

Mark Berger, Environmental Planning Consultant at DAQ, stated this rule is being proposed as a means to alleviate a problem of demonstrating conformity to the NO<sub>x</sub> budget brought on by EPA's release of their new motor vehicle emissions simulator (MOVES) model. The new model replaces the previous model which was originally used to develop the NO<sub>x</sub> budget in the 2002 PM<sub>10</sub> SIP. Metropolitan Planning Organizations (MPOs) must use the model as they prepare conformity demonstrations. The new MOVES model predicts much more NO<sub>x</sub> from tailpipes than the previous version. This rule allows MPOs to apply a potential surplus from its budget for direct PM<sub>10</sub> to a commensurate shortfall in its budget for NO<sub>x</sub> at a ratio of one to one. After taking comment and in discussion with EPA Region 8, staff has determined this rule is a better solution than the previous proposed amendments to the Utah County PM<sub>10</sub> SIP made in September 2014 by the Board. With the proposal of this new rule the proposed changes to the PM<sub>10</sub> SIP would no longer be needed. Staff recommends the Board propose new rule R307-311 for public comment.

Susan Hardy from the Utah County MPO encouraged the Board to propose this new rule for public comment and later for adoption. This will allow them to deal with the problem of the disparity

between the previous model and EPA's latest version which they are required to use for conformity.

- Robert Paine motion the Board propose for public comment the new rule R307-311, Utah County, Trading of Emission Budgets for Transportation Conformity. Kerry Kelly seconded. The Board approved unanimously.

## **XVI. Informational Items.**

### **A. Environmental Protection Agency Clean Power Plan Briefing. Presented by Glade Sowards.**

Glade Sowards, Environmental Scientist at DAQ, gave a brief summary of EPA's Clean Power Plan, or 111(d). Under Section 111 of the Clean Air Act, which is the new source performance standards, it lays out two distinct approaches for both new and existing sources. Section 111(b) is a federal program to address new sources by establishment of standards, whereas section 111(d) is a state-based program for existing sources. Under section 111(d) the EPA establishes guidelines and states then design programs and plans to fit into those guidelines to achieve the required reductions. Section 111(b) was initially proposed in April 2012 and was re-proposed in September 2013 which set separate standards for both coal and natural gas fired power plants. Section 111(d) was proposed in June 2014 and after including a supplemental to address plants located in Indian Country and in U.S. Territories it was proposed again in October 2014 and is projected to be finalized in June 2015. EPA identified best system of emission reduction (BSER) and states will make plans under 111(d) to achieve those reductions. Under 111(d) states can develop state-only or multi-state plans to meet their goals and also have the option to convert the rate-based goal to a mass-based goal. Also, states do not have to use EPA's BSER building blocks if they can identify other ways to meet the goals. The comment period was extended to December 1, 2014, with the Office of Energy Development office coordinating comments from Utah with input from several state agencies. Finally, the next steps will be to continue to communicate with EPA, other western states, and stakeholders. It is also clear that should the plan move forward we will have a stakeholder process to assist in plan development.

### **B. Air Toxics. Presented by Robert Ford.**

### **C. Compliance. Presented by Jay Morris and Harold Burge.**

### **D. Monitoring. Presented by Bo Call.**

Bo Call, Air Monitoring Section Manager at DAQ, updated the Board on the monitoring graphs. He also updated the Board on the ozone standard that EPA recently proposed. As expected, a single level for the standard was not proposed but a range of 65 parts per billion (ppb) up to 70 ppb was proposed. It is proposed that Utah change from a seasonal operating state to a statewide year round state and also changes to the photochemical assessment monitoring system (PAMS) network requirements, which are currently required for only serious nonattainment ozone areas. Mr. Call also talked about the secondary standard, or the W126 standard, and what the levels should be. Once the new standard is published in the Federal Register, EPA will accept comments for 90 days with a proposal to be finalized October 2015.

**E. Other Items to be Brought Before the Board.**

Ms. Kelly announced to the Board there will be a joint workshop, Air Quality in Utah: Science for Solutions, on Tuesday, January 13, 2015, at the University of Utah Guesthouse from 8:00 a.m. to 2:00 p.m. The morning will be devoted to technical presentations and the afternoon to panel discussion with business leaders, health experts, DAQ staff, and Legislators.

Public comment was introduced.

John Woolsey addressed the Board on the Utah Department of Transportation's (UDOT) proposed speed limit increase along Wasatch Front urban corridors from 65 miles per hour to 70 miles per hour. House Bill 80 essentially gives UDOT permission to change a speed limit if they can show it can be efficiently done. In his research he does not find that air quality was taken into consideration and EPA's website suggests the faster we go the more emissions we are emitting. Mr. Woolsey would like to know if DAQ spoke with UDOT about mobile source emissions on this issue. Mr. Bird responded that DAQ has the opportunity to weigh in on legislative proposals and did so in this case by providing modeling looking at impacts of speed and emissions. In looking at several factors and the current fleet DAQ was able to adjust speed and found when a catalytic converter of a vehicle is up to operating temperature there is very little difference in the grams per mile of emissions of pollutants. The Legislature had this information as they made their deliberations and they ultimately decided to pass House Bill 80. At that point it becomes state law and our ability to interact on it is limited at that point. MPO's will also have to account for those speed limit changes as they make their plans. In closing, Mr. Woolsey stated that where you get the most mileage as far as combustion of a gallon of fuel is to slow down regardless of the speed limit.

Ms. Van Dame announced that the Chamber of Commerce is having their third annual Clean Air Summit on December 4, 2014, beginning at 8:00 a.m. at the Chamber offices in Salt Lake City. Alan Matheson and a number of panels will be discussion Utah's air quality plans.

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Meeting adjourned at 4:03 p.m.

Minutes approved: February 4, 2015