

# Utah Division of Air Quality 2015 Annual Report



## Division of Air Quality – 2015 Annual Report

### Table of Contents

Introduction .....	1
2015 Synopsis .....	1
Air Quality Standards .....	2
Ambient Air Quality in Utah .....	5
Utah’s Air Monitoring Network .....	5
NAAQS Nonattainment & Maintenance Areas .....	6
Criteria Air Pollutants .....	8
Carbon Monoxide (CO) .....	8
Nitrogen Dioxide (NO <sub>2</sub> ) .....	9
Ozone (O <sub>3</sub> ) .....	11
Particulate Matter (PM) .....	13
Sulfur Dioxide (SO <sub>2</sub> ) .....	17
Lead (Pb) .....	18
Emissions Inventories .....	20
Sources of Air Contaminants .....	20
Division Organization .....	26
Planning Branch .....	27
Status of Projects and Initiatives .....	27
Ancillary Programs .....	35
Permitting Branch .....	37
New Source Review .....	38
Operating Permits .....	39
Compliance Branch .....	39
Major and Minor Source Compliance .....	39
Air Toxics, Lead-Based Paint, and Asbestos Section (ATLAS) .....	40
Small Business Environmental Assistance Program (SBEAP) .....	42
Enforcement Actions .....	42

### List of Tables

Table 1. EPA Designated Criteria Pollutants .....	3
Table 2. Ambient Air Quality Standards for Criteria Air Pollutants .....	4
Table 3. Utah Monitoring Network Stations .....	5
Table 4. 2011 Triennial Inventory (tons/year) .....	22
Table 5. Major and Minor Source Compliance Summary .....	40
Table 6. ATLAS Activity Summary .....	41

### List of Figures

Figure 1. Utah Nonattainment Areas .....	6
Figure 2. Utah Maintenance Areas .....	7
Figure 3. Carbon Monoxide Second Highest 1-Hour Concentration .....	9
Figure 4. Carbon Monoxide Second Highest 8-Hour Concentration .....	9
Figure 5. Three-Year Average Nitrogen Dioxide Hourly Averages (PPB) .....	10
Figure 6. Nitrogen Dioxide Annual Averages .....	11
Figure 7. Ozone 4th Highest 8-Hour Concentration .....	12
Figure 8. Three-Year Average 4th Highest 8-Hour Ozone Concentration .....	13
Figure 9. PM <sub>10</sub> Second Highest 24-Hour Concentration .....	14
Figure 10. PM <sub>10</sub> Second Highest 24-Hour Excluding Exceptional Events .....	15
Figure 11. PM <sub>2.5</sub> Three-Year Average 98th Percentile 24-Hour Concentration .....	16
Figure 12. PM <sub>2.5</sub> Annual Mean Concentration .....	16
Figure 13. PM <sub>2.5</sub> Three-Year Average of the Annual Mean Concentration .....	17
Figure 14. Sulfur Dioxide Three-Year Average of 99th Percentile of Daily Max. One-Hour Averages .....	18
Figure 15. Lead Max Three-Month Average 24-Hour Concentration .....	19
Figure 16. 2011 Triennial Emissions Inventory by Source Category – Statewide, Annual (tons/year) .....	23

## Acronyms

AO	Approval Order
AHERA	Asbestos Hazard Emergency Response Act
ATLAS	Air Toxics, Lead-Based Paint, and Asbestos Section
AMS	Air Monitoring Section
BACT	Best Available Control Technology
CAA	Clean Air Act
CAP	Compliance Advisory Panel
CFR	Code of Federal Regulations
CO	Carbon Monoxide
CNG	Compressed Natural Gas
DAQ	Division of Air Quality
DEQ	Department of Environmental Quality
EPA	Environmental Protection Agency
GHG	Green House Gas
HAPs	Hazardous Air Pollutants
MACT	Maximum Available Control Technology
$\mu\text{g}/\text{m}^3$	Micrograms Per Cubic Meter
Micron	One Millionth of a Meter
NAAQS	National Ambient Air Quality Standards
NESHAP	National Emissions Standards for Hazardous Air Pollutants
NOI	Notice of Intent
NO <sub>2</sub>	Nitrogen Dioxide
NOV	Notice of Violation
NO <sub>x</sub>	Nitrogen Oxides
NSPS	New Source Performance Standard
NSR	New Source Review
O <sub>3</sub>	Ozone
PB	Lead
PM	Particulate Matter
PM <sub>10</sub>	Particulate Matter Smaller Than 10 Microns in Diameter
PM <sub>2.5</sub>	Particulate Matter Smaller Than 2.5 Microns in Diameter
PPB	Parts Per Billion
PPM	Parts Per Million
SBEAP	Small Business Environmental Assistance Program
SCAN	Source Compliance Action Notice
SIP	State Implementation Plan
SO <sub>2</sub>	Sulfur Dioxide
SO <sub>x</sub>	Sulfur Oxides
TSCA	Toxic Substances Control Act
TSP	Total Suspended Particles
UCAIR	Utah Clean Air Initiative
UAC	Utah Administrative Code
UBWOS	Uinta Basin Wintertime Ozone Study
VOC	Volatile Organic Compounds

## NOTE

THIS REPORT IS INTENDED TO PROVIDE AN OVERVIEW OF UTAH'S AIR QUALITY. THIS REPORT IS PUBLISHED BEFORE END-OF-YEAR DATA CAN BE AUDITED AND MAY BE SUBJECT TO CHANGE.

## Introduction

The mission of the Utah Division of Air Quality (DAQ) is to protect public health and the environment from the harmful effects of air pollution. It is the responsibility of the DAQ to ensure that the air in Utah meets health and visibility standards established under the federal Clean Air Act (CAA). To fulfill this responsibility, the DAQ is required by the federal government to ensure compliance with the U.S. Environmental Protection Agency's (EPA) National Ambient Air Quality Standards (NAAQS) statewide and visibility standards at national parks. The DAQ enacts rules pertaining to air quality standards, develops plans to meet the federal standards when necessary, issues preconstruction and operating permits to stationary sources, and ensures compliance with state and federal air quality rules.

The DAQ allocates a large portion of its resources to implementing the CAA. The Utah Air Conservation Act empowers the Utah Air Quality Board (Board) to adopt rules pertaining to air quality issues. The DAQ staff supports the Board in its policy-making role. Board membership provides representation from industry, local government, environmental groups, the public, and includes the Executive Director of the Department of Environmental Quality. The Board members have diverse interests, are knowledgeable in air pollution matters, and are appointed by the Governor with consent of the Senate. The Director of the DAQ is the Board's Executive Secretary.

The Utah air quality rules define the Utah air quality program. Implementation of the rules requires the DAQs interaction with industry, other government agencies and the public. The state air quality program is responsible for the implementation of the federal standards under the CAA, as well as state rules for pollution sources not regulated by the CAA.

## 2015 Synopsis

Generally speaking, emissions for criteria air pollutants either stayed the same or continued their downward trends in 2015.

The DAQ accomplished much in 2015 towards fulfilling our mission to safeguard human health and quality of life through improving the air quality throughout the state. With an increasing population, industrial base, and more stringent federal air quality standards, it has been a challenge to meet air quality objectives; however, 2015 proved to be a year in which we made great strides to ensure cleaner air in the years to come.

The following is a brief list of notable air quality achievements from 2015:

- The Board adopted a new maintenance plan for PM<sub>10</sub>. The maintenance plan demonstrates that Utah will continue to attain the PM<sub>10</sub> standard through the year 2030, which allows Utah to request that the EPA change Utah's nonattainment areas back to attainment.

- The DAQ's Lawn Mower Discount and Exchange event helped reduce emissions between 3.6 and 11.25 tons per year. That is the equivalent of removing 120 passenger cars from Utah roads. The event provided 388 electric lawn mowers at a discounted price of \$175 from the retail price of \$399. If the participant turned in a gasoline mower to scrap, they were able to purchase the new electric lawn mower for \$100.
- On a recommendation from the DAQ, the Board adopted new State Implementation Plan (SIP) revisions to the Regional Haze SIP. The SIP revisions will improve visibility in Utah's national and state parks.

## **Air Quality Standards**

The CAA requires the EPA to set NAAQS for pollutants considered harmful to public health and the environment. The CAA establishes two types of air quality standards: primary and secondary. Primary standards are set to protect public health, including the health of sensitive populations such as asthmatics, children, and the elderly. Secondary standards are set to protect public welfare, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings.

Standards are composed of a numerical value and a form (see Table 2). The form may be a statistical value, such as the 98<sup>th</sup> percentile calculation or a rolling average over a designated period of time that is then compared against the numerical value.

The EPA has established health-based NAAQS for six pollutants known as criteria pollutants. These are carbon monoxide, nitrogen dioxide, ozone, particulate matter, sulfur dioxide, and lead. Each of these pollutants is addressed in greater detail later in this chapter. Table 1 provides a brief description of each criteria pollutant and Table 2 provides a brief description of each criteria pollutant's primary and secondary NAAQS. The EPA establishes the primary health standards after considering both the concentration level and the duration of exposure that can cause adverse health effects. Pollutant concentrations that exceed the NAAQS are considered unhealthy for some portion of the population. At concentrations between 1.0 and 1.5 times the standard, while the general public is not expected to be affected by the pollutant, the most sensitive portion of the population may be adversely affected. However, at levels above 1.5 times the standard, even healthy people will see adverse effects.

The DAQ monitors each of these criteria pollutants, as well as several non-criteria pollutants for special studies at various monitoring sites throughout the state.

## Division of Air Quality – 2015 Annual Report

### Table 1. EPA Designated Criteria Pollutants

Name	Sources	Health Effects	Welfare Effects
<b>Carbon Monoxide (CO)</b> ; a clear, colorless, odorless gas	Burning of gasoline, wood, natural gas, coal, oil, etc.	Reduces the ability of blood to transport oxygen to body cells and tissues. May be particularly hazardous to people who have heart or circulatory (blood vessel) problems and people who have damaged lungs or breathing passages.	
<b>Nitrogen Dioxide (NO<sub>2</sub>)</b> (one component of NO <sub>x</sub> ); smog-forming chemical	Burning of gasoline, natural gas, coal, oil, and other fuels; Cars are also an important source of NO <sub>2</sub> .	Can cause lung damage, illnesses of breathing passages and lungs (respiratory system).	Ingredient of acid rain (acid aerosols), which can damage trees, lakes, flora and fauna. Acid aerosols can also reduce visibility.
<b>Ozone (O<sub>3</sub>)</b> (ground-level ozone is the principal component of smog)	Chemical reaction of pollutants; Volatile Organic Compounds (VOCs) and NO <sub>x</sub> .	Can cause breathing problems, reduced lung function, asthma, irritated eyes, stuffy noses, and reduced resistance to colds and other infections. It may also speed up aging of lung tissue.	Can damage plants and trees; smog can cause reduced visibility.
<b>Particulate Matter (PM<sub>10</sub>, PM<sub>2.5</sub>)</b> ; dust, smoke, soot	Burning of gasoline, natural gas, coal, oil and other fuels; industrial plants; agriculture (plowing or burning fields); unpaved roads, mining, construction activities. Particles are also formed from the reaction of VOCs, NO <sub>x</sub> , SO <sub>x</sub> and other pollutants in the air.	Can cause nose and throat irritation, lung damage, bronchitis, and early death.	Main source of haze that reduces visibility.
<b>Sulfur Dioxide (SO<sub>2</sub>)</b>	Burning of coal and oil (including diesel and gasoline); industrial processes.	Can cause breathing problems and may cause permanent damage to lungs.	Ingredient in acid rain (acid aerosols), which can damage trees, lakes, flora and fauna. Acid aerosols can also reduce visibility.
<b>Lead (Pb)</b>	Paint (houses, cars), smelters (metal refineries); manufacture of lead storage batteries; note: burning leaded gasoline was the primary source of lead pollution in the U.S. until the federal government mandated unleaded gasoline.	Damages nervous systems, including brains, and causes digestive system damage. Children are at special risk. Some lead-containing chemicals cause cancer in animals.	Can harm wildlife.

Table 2. Ambient Air Quality Standards for Criteria Air Pollutants

<b>Ambient Air Quality Standards</b>				
<b>Pollutant</b>	<b>Averaging Time</b>	<b>Primary/Secondary</b>	<b>Standard</b>	<b>Form</b>
Ozone (O <sub>3</sub> )	8 Hour	Primary and Secondary	0.070 ppm	Annual fourth-highest daily maximum 8-hr concentration, averaged over three years
Respirable Particulate Matter (PM <sub>10</sub> )	24 Hour	Primary and Secondary	150 µg/m <sup>3</sup>	Not to be exceeded more than once per year on average over three years
Fine Particulate Matter (PM <sub>2.5</sub> )	24 Hour	Primary and Secondary	35 µg/m <sup>3</sup>	98th percentile, averaged over three years
	Annual	Primary	12 µg/m <sup>3</sup>	Annual mean, averaged over three years
		Secondary	15 µg/m <sup>3</sup>	Annual mean, averaged over three years
Carbon Monoxide (CO)	1 Hour	Primary	35 ppm	Not to be exceeded more than once per year
	8 Hour	Primary	9 ppm	Not to be exceeded more than once per year
Nitrogen Dioxide (NO <sub>2</sub> )	1 Hour	Primary and Secondary	0.1 ppm	98th percentile, averaged over three years
	Annual	Primary and Secondary	0.053 ppm	Annual Mean
Sulfur Dioxide (SO <sub>2</sub> )	1 Hour	Primary	75 ppb	99th percentile of 1-hour daily maximum concentrations, averaged over three years
	3 Hour	Secondary	0.5 ppm	Not to be exceeded more than once per year
Lead (Pb)	Rolling 3 month average	Primary and Secondary	0.15 µg/m <sup>3</sup>	Not to be exceeded

## Ambient Air Quality in Utah

### Utah’s Air Monitoring Network

The Air Monitoring Section (AMS) operates a network of monitoring stations throughout Utah. The monitors are situated to measure air quality in both neighborhoods and industrial areas. Table 3 shows the monitoring station locations and monitored constituents for stations operated in 2015.

**Table 3. Utah Monitoring Network Stations**

Station	City	Address	CO	NO <sub>2</sub>	Hg	O <sub>3</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	Pb	Met.
Air Monitoring Center	SLC	2861 W. Parkway Blvd.			X						
Antelope Island	None	North end of island									X
Badger Island	None	On Island									X
Beach	Lake Point	1200 S. 12100 W.				X			X		X
Bountiful	Bountiful	200 W. 1380 N.		X		X	X	X			X
Brigham City	Brigham City	140 W. Fishburn				X		X			X
Harrisville	Harrisville	425 W. 2250 N.				X					X
Hawthorne	SLC	1675 S. 600 E.	X	X		X	X	X	X	X	X
Herriman	Riverton	14058 Mirabella Dr.		X		X					X
Hurricane	Hurricane	150 N. 870 W.		X		X	X	X			X
Lindon	Lindon	30 N. Main St.					X	X			X
Logan	Logan	125 W. Center St.		X		X	X	X			X
Magna	Magna	2935 S. 8560 W.					X	X	X	X	X
North Provo	Provo	1355 N. 200 W.	X	X		X	X	X			X
Ogden #2	Ogden	228 E. 32nd St.	X	X		X	X	X			X
Price #2	Price	351 S. Weasel Run Rd.		X		X					X
Roosevelt	Roosevelt	290 S. 1000 W.		X		X		X			X
Rose Park	SLC	1354 W. Goodwin Ave.						X			
Saltaire	None	6640 W. 1680 N.									X
Spanish Fork	Spanish Fork	312 W. 2050 N.				X		X			X
Syracuse	Syracuse	4700 W. 1700 S.									X
Tooele	Tooele	434 N. 50 W.				X		X			X
Vernal	Vernal	6200 S. 4500 W.		X		X		X			X
West Jordan	West Jordan	4540 W. 8700 S.									X

## NAAQS Nonattainment & Maintenance Areas

Areas that are not in compliance with the NAAQS are referred to as nonattainment areas. Figure 1 contains maps of the current nonattainment areas within the state. A maintenance area (Figure 2) is an area that was once designated as nonattainment, and which subsequently demonstrated to the EPA statistically that it would attain and maintain a particular standard for a period of 10 years. The EPA must approve the demonstration.

Figure 1. Utah Nonattainment Areas

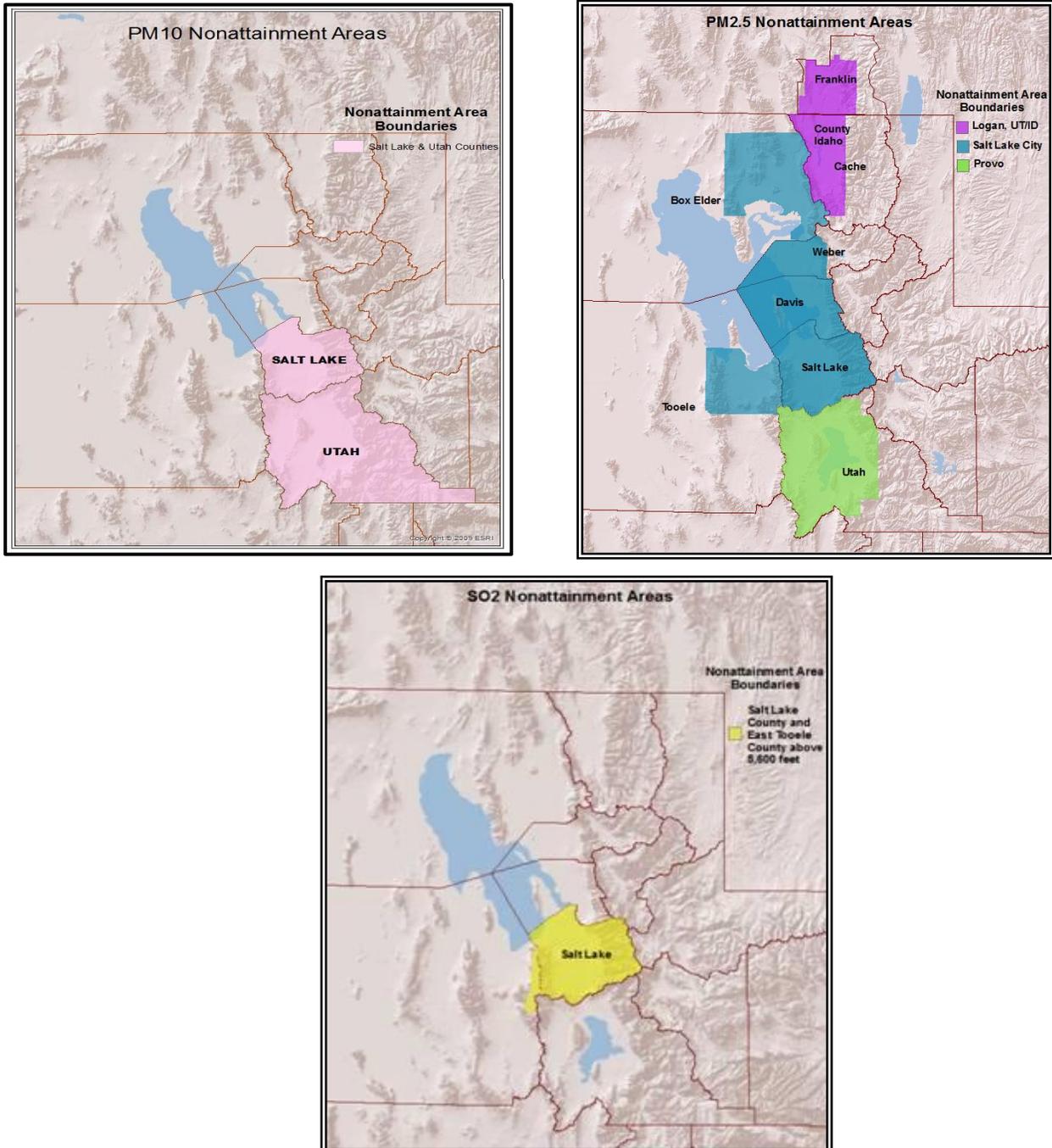
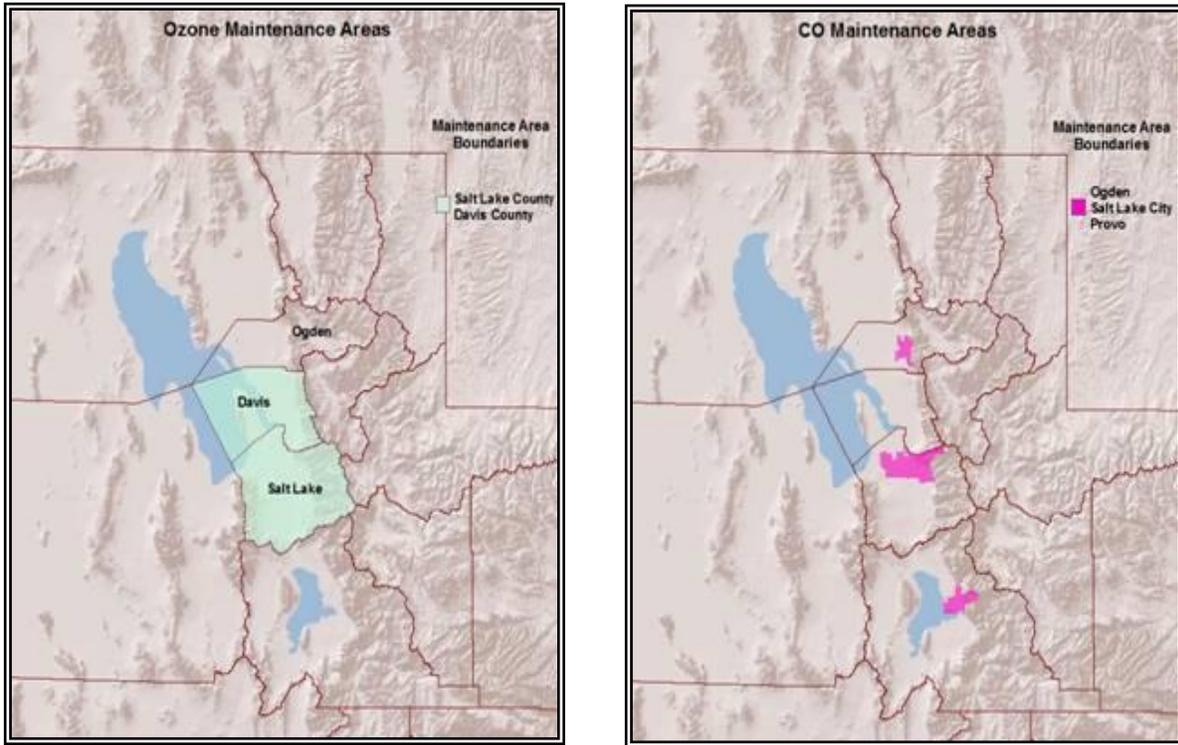


Figure 2. Utah Maintenance Areas



## Criteria Air Pollutants

### Carbon Monoxide (CO)

Carbon monoxide is a colorless and odorless gas formed by the incomplete combustion of carbon-based fuel. Carbon monoxide is primarily produced from on-road motor vehicle emissions. Other significant sources of carbon monoxide emissions are wood burning stoves and fireplaces. The remaining emissions come from industrial facilities, construction equipment, miscellaneous mobile sources and other types of space heating.

Because motor vehicle emissions are the major source of carbon monoxide, the highest concentrations occur during morning and evening rush hours near high-traffic areas. The worst problems occur when there are large numbers of slow-moving vehicles in large parking lots, busy intersections, and traffic jams. Historically, as exhibited in the CAA, it was the EPA's presumption that all elevated carbon monoxide levels were the result of mobile source emissions, and a state had to go through a rigorous demonstration to prove otherwise. In Utah, areas of elevated carbon monoxide concentrations were always found near roadways. Carbon monoxide problems are greater in winter due to several factors: cold weather makes motor vehicles run less efficiently, wood burning and other space heating take place, and temperature inversions trap carbon monoxide near the ground.

### Standards

The EPA has developed two national standards for carbon monoxide. They are 35 ppm of CO averaged over a one-hour period, and 9 ppm of CO averaged over an eight-hour period. A violation of the NAAQS occurs with the second exceedance of either standard at a single location in a calendar year. Once a location is in violation, it is designated as a "nonattainment area." Three cities in Utah (Salt Lake City, Ogden, and Provo) were at one time designated as nonattainment areas for carbon monoxide. Due primarily to improvements in motor vehicle technology, Utah has been in compliance with the carbon monoxide standards since 1994 (see Figure 3 and Figure 4). Salt Lake City, Ogden, and Provo were successfully re-designated to attainment status in 1999, 2001, and 2006, respectively.

Figure 3. Carbon Monoxide Second Highest 1-Hour Concentration

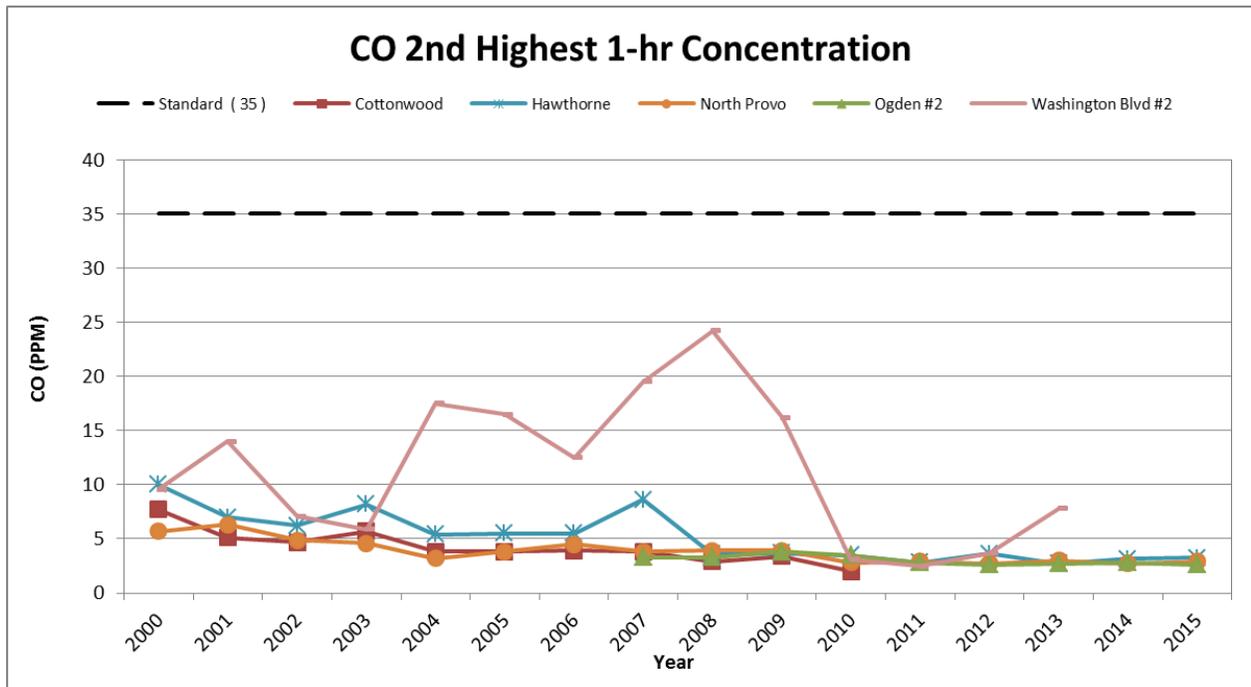
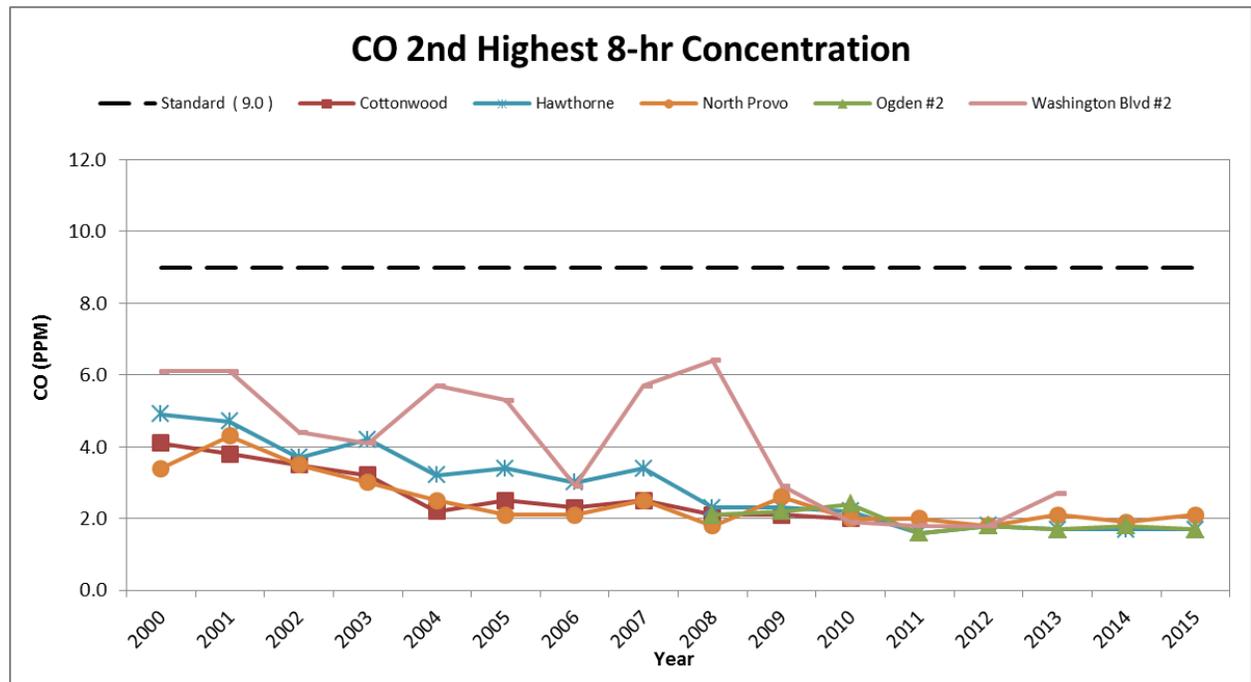


Figure 4. Carbon Monoxide Second Highest 8-Hour Concentration



**Nitrogen Dioxide (NO<sub>2</sub>)**

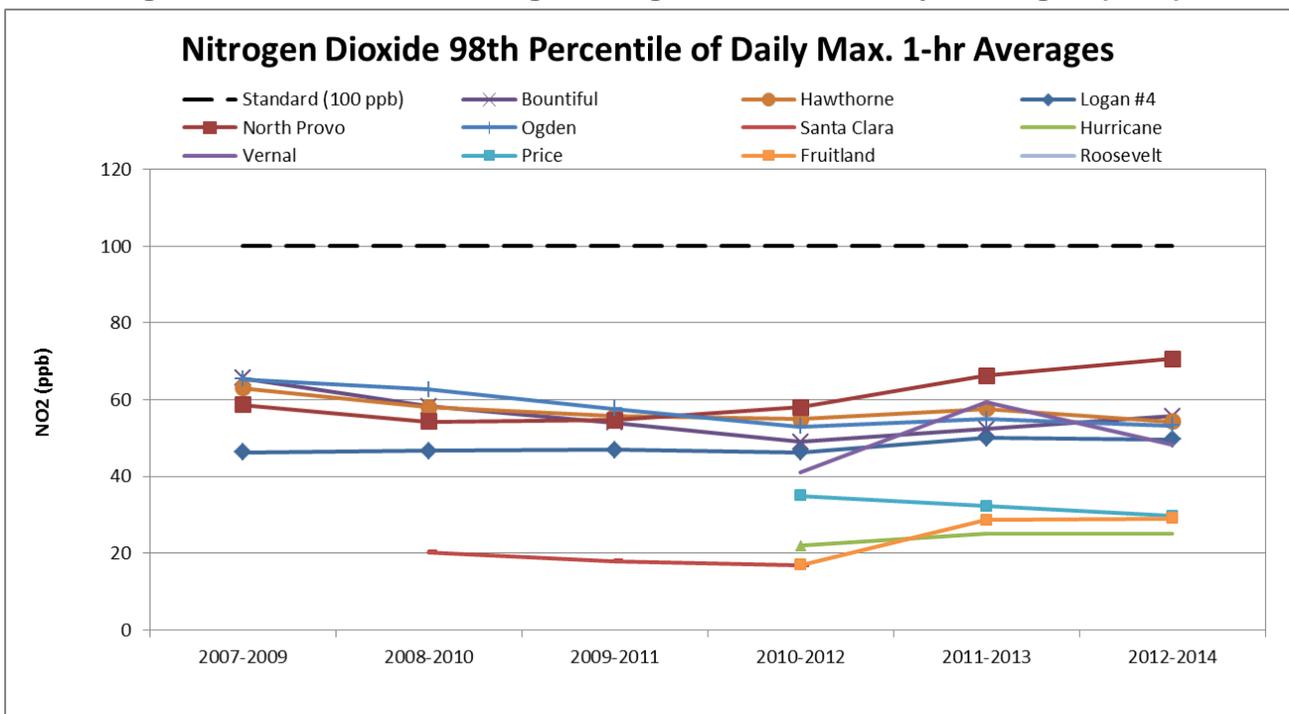
During high temperature combustion, nitrogen in the air reacts with oxygen to produce various oxides of nitrogen, or NO<sub>x</sub>, a reddish-brown gas. One of the oxides of nitrogen, NO<sub>2</sub>, is a criteria pollutant.

Oxides of nitrogen react with other air contaminants to form other criteria pollutants. In the summer along the Wasatch Front, and in the winter in the Uinta Basin, photochemical reactions between NO<sub>2</sub> and VOCs lead to the formation of ground-level ozone. In the winter, NO<sub>2</sub> reacts with ammonia to form fine particulate matter (PM<sub>2.5</sub>). Both of these seasonal scenarios can result in increased pollution. Utah continues to struggle with both the ozone and particulate matter standards; and because of this, the DAQ is mindful of the trend in NO<sub>2</sub> emissions illustrated in Figure 5.

Standards

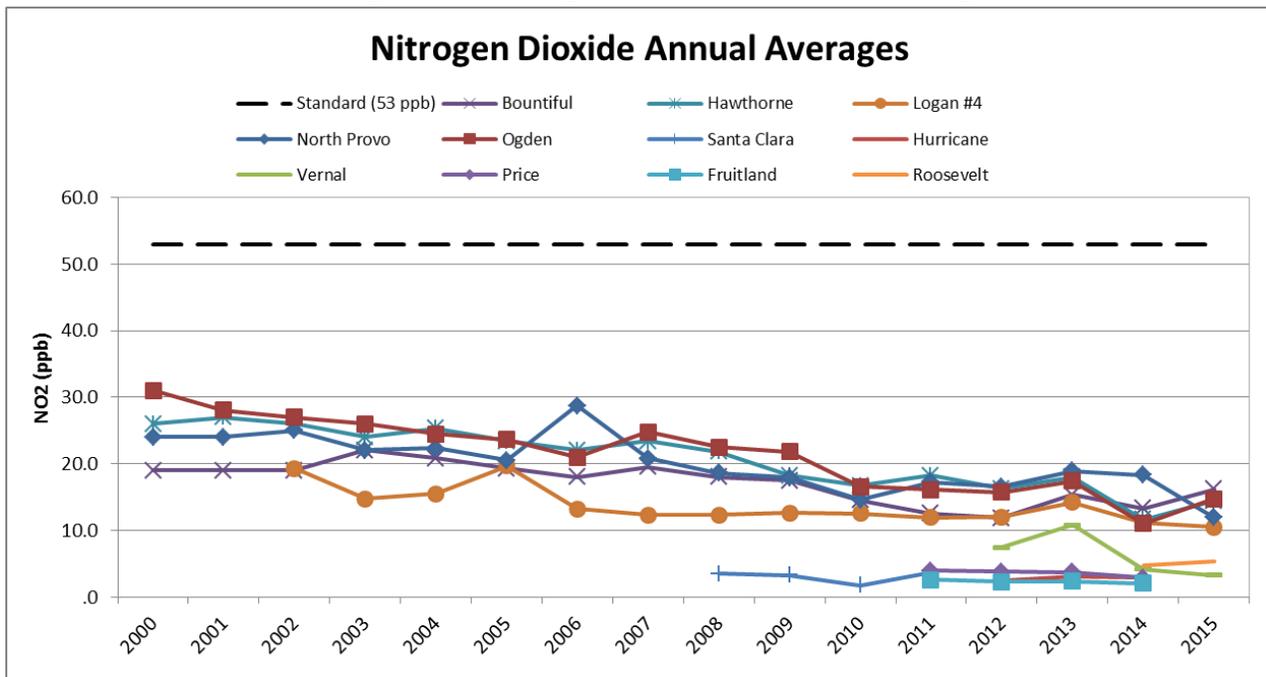
The EPA has developed two national standards for NO<sub>2</sub> – an hourly standard and an annual standard. The hourly standard is set at 0.1 ppm measured as the three-year average of the 98th percentile of the annual distribution of daily maximum one-hour average concentrations. Utah has never exceeded this standard.

**Figure 5. Three-Year Average Nitrogen Dioxide Hourly Averages (PPB)**



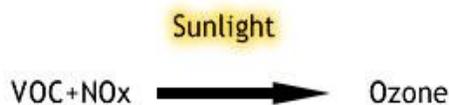
The annual NO<sub>2</sub> standard of 0.053 ppm is expressed as an annual arithmetic mean (average) as seen on Figure 6. The DAQ monitors the concentrations of NO<sub>2</sub> at various locations throughout the state and has never observed a violation of the annual standard.

Figure 6. Nitrogen Dioxide Annual Averages



### Ozone (O<sub>3</sub>)

Ozone is a clear, colorless gas composed of molecules of three oxygen atoms. Ground level ozone can be inhaled and is considered a pollutant. Ground-level ozone should not be confused with the stratospheric ozone layer that is located approximately 15 miles above the earth's surface. It is this layer that shields the earth from cancer-causing ultraviolet radiation. Ground level ozone is formed by a complex chemical reaction involving VOCs and oxides of nitrogen in the presence of sunlight.



Ozone production is a year-round phenomenon. However, the highest ozone levels generally occur during the summer when strong sunlight, high temperatures, and stagnant meteorological conditions combine to drive chemical reactions and trap the air within a region for several days. There are unique circumstances where high ozone levels can occur during the wintertime. In Utah, wintertime ozone is associated with temperature inversions and snow cover. Research is on-going to better understand the chemical processes that lead to wintertime ozone production.

Some major sources for VOCs and NO<sub>x</sub> are vehicle engine exhaust, emissions from industrial facilities, gasoline vapors, chemical solvents, oil and gas production and biogenic emissions from natural sources, such as vegetative growth.

## Division of Air Quality – 2015 Annual Report

### Standards

In October, the EPA strengthened the ozone NAAQS from 75 ppb to 70 ppb, based on a three-year average of the annual 4<sup>th</sup> highest daily eight-hour average concentration.

Figure 7 shows the annual 4<sup>th</sup> highest eight-hour ozone concentrations, and Figure 8 shows how each area compares to the NAAQS with the three-year average of the 4<sup>th</sup> highest eight-hour ozone concentration. The heavy red dashed lines indicate the previous standard of 75 ppb. Ozone monitors operated by the DAQ along the Wasatch Front show exceedances of the new standard in Weber, Davis, Salt Lake, and Utah Counties. There were also exceedances in Uintah County and Duchesne County during the winter.

**Figure 7. Ozone 4th Highest 8-Hour Concentration**

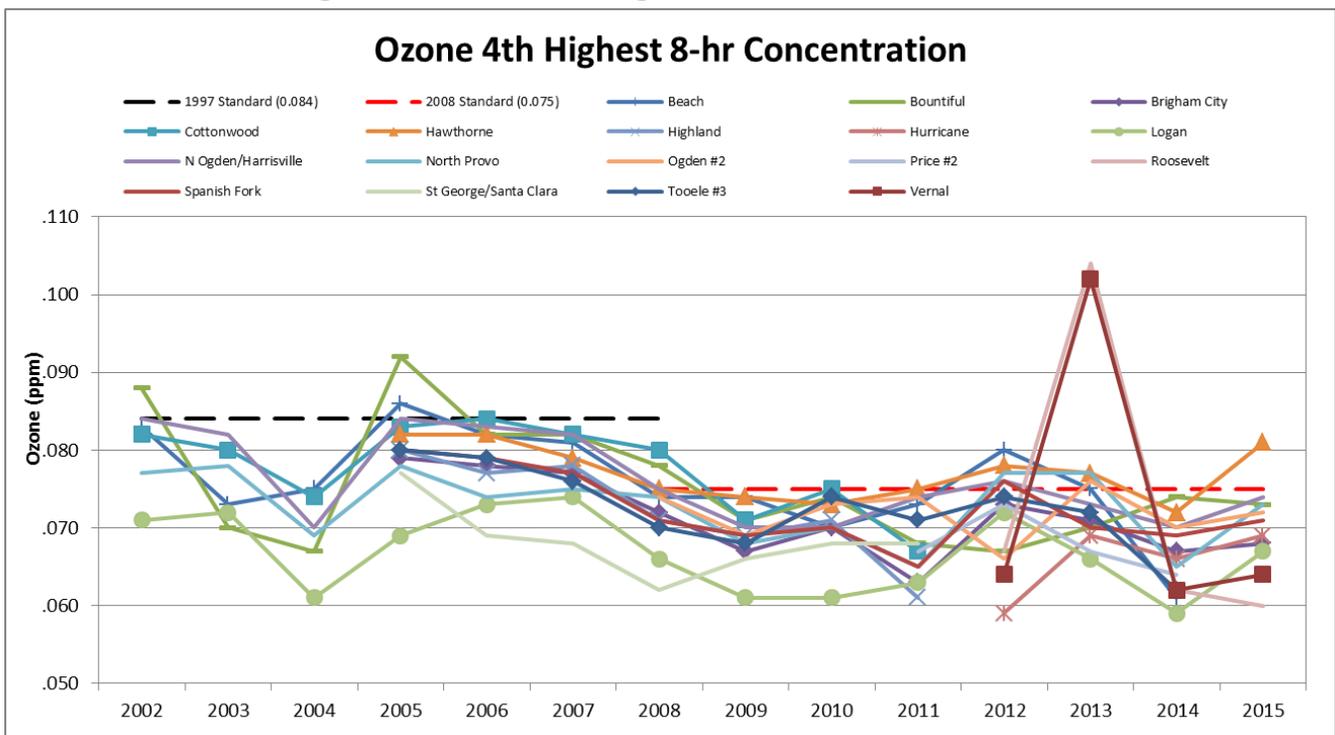
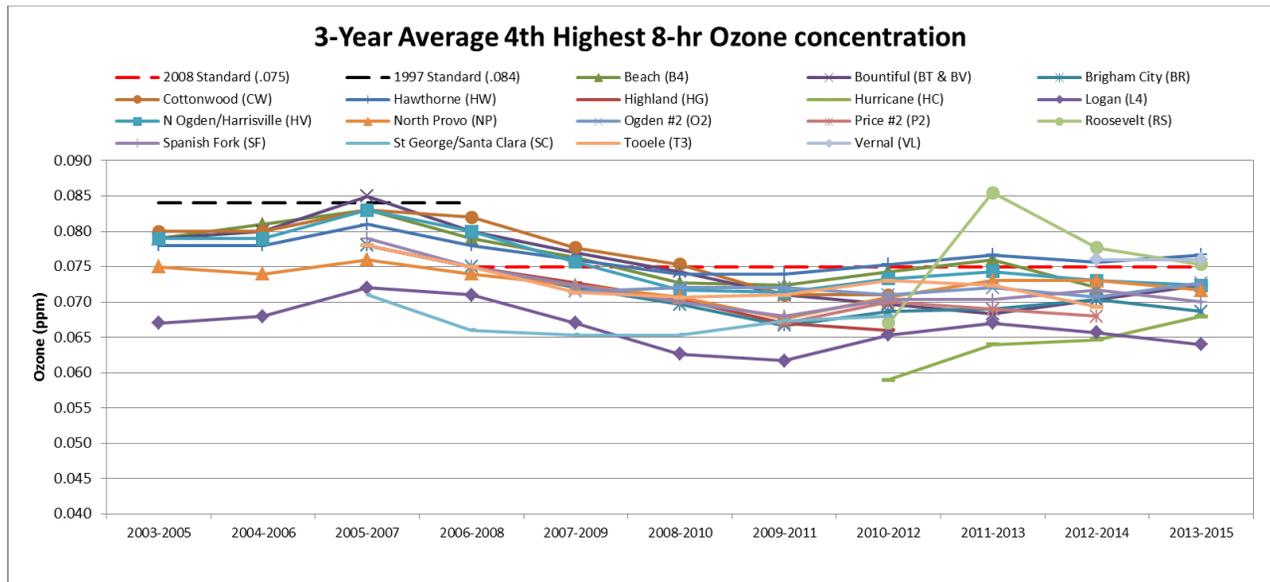


Figure 8. Three-Year Average 4th Highest 8-Hour Ozone Concentration



### Particulate Matter (PM)

Regulated particulate matter is a complex mixture of extremely tiny particles of solid or semi-solid material suspended in the atmosphere and is divided into two categories: PM<sub>10</sub> and PM<sub>2.5</sub>.

PM<sub>10</sub> is a particulate less than ten micrometers in diameter, which is about one-seventh the width of a strand of human hair. PM<sub>2.5</sub>, or fine particulate, is a subset of PM<sub>10</sub> that measures 2.5 micrometers in diameter or less. The coarse fraction of PM<sub>10</sub>, that which is larger than 2.5 microns, is typically made up of “fugitive dust” (sand and dirt blown by winds from roadways, fields, and construction sites) and contains large amounts of silicate (sand-like) material. Primary PM<sub>2.5</sub> is directly emitted into the atmosphere from combustion sources such as fly ash from power plants, carbon black from cars and trucks, and soot from fireplaces and woodstoves. These particles are so small that they can become imbedded in human lung tissue, exacerbating respiratory diseases and cardiovascular problems. Other negative effects are reduced visibility and accelerated deterioration of buildings.

The majority of Utah’s PM<sub>2.5</sub> is called secondary aerosol, meaning that it is not emitted directly as a particle, but is produced when gasses such as Sulfur Dioxide (SO<sub>2</sub>), NO<sub>x</sub>, and VOCs react with other gasses in the atmosphere, such as ammonia, to become tiny particles. Wintertime temperature inversions not only provide ideal conditions for the creation of secondary aerosols, they also act to trap air in valleys long enough for concentrations of PM<sub>2.5</sub> to build up to levels that can be unhealthy. The smallest of particles that make up PM<sub>2.5</sub> are major contributors to visibility impairment in both urban and rural areas. Along the Wasatch Front, the effects can be seen as the thick, brownish haze that lingers in our northern valleys, particularly in the winter. The DAQ currently operates PM<sub>10</sub> and PM<sub>2.5</sub> monitors throughout the state to assess the ambient air quality with respect to the standards for both PM<sub>10</sub> and PM<sub>2.5</sub>.

Standards – PM<sub>10</sub>

The 24-hour air quality standard for PM<sub>10</sub> was established by the EPA in July 1987, and was set at 150 µg/m<sup>3</sup>. The standard is met when the probability of exceeding the standard is no greater than once per year for a three-year averaging period. In other words, four exceedances within a three-year period would constitute a violation. Utah and Salt Lake counties are officially designated as PM<sub>10</sub> nonattainment areas because of past difficulty with the 24-hour standard. Control strategies contained in the SIP promulgated in 1991 are responsible for the marked decrease in concentrations observed in the early 1990s. Ogden was also designated as a nonattainment area due to one year of high concentrations (1992), but was determined to be attaining the standard in January, 2013.

High values of monitored PM<sub>10</sub> sometimes result from exceptional events, such as high winds from dust storms and wildfires, as was the case in 2010, when Utah experienced an exceptional dust storm on March 30<sup>th</sup>, resulting in very high PM<sub>10</sub> values across the network. The DAQ has flagged data collected during exceptional events incurred from 2008 through 2011 and in 2015 and is currently under review for exclusion per the EPA Exceptional Event Rule. There were no exceptional events for high-wind or fire in 2012, 2013, or 2014. Figure 9 shows the second highest 24-hour PM<sub>10</sub> concentrations recorded at each station since 2000. The heavy dashed line indicates the NAAQS

**Figure 9. PM<sub>10</sub> Second Highest 24-Hour Concentration**

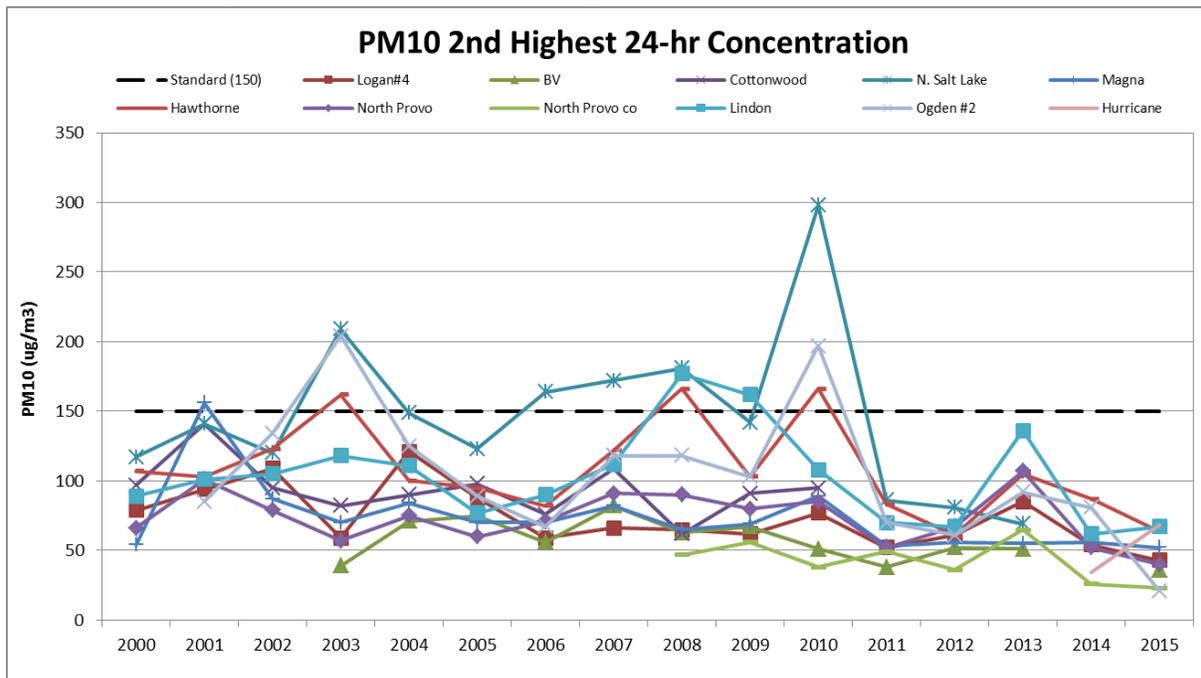
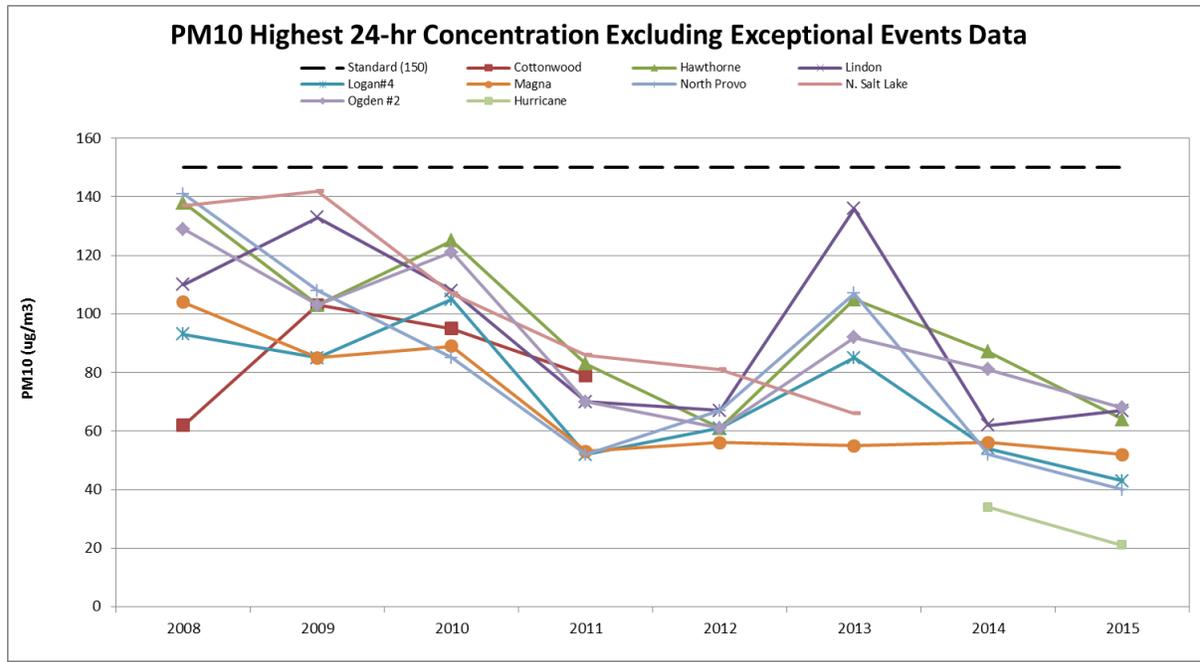


Figure 10 excludes the values influenced by exceptional events. Utah has been in compliance with the PM<sub>10</sub> NAAQS since 2008.

**Figure 10. PM<sub>10</sub> Second Highest 24-Hour Excluding Exceptional Events**

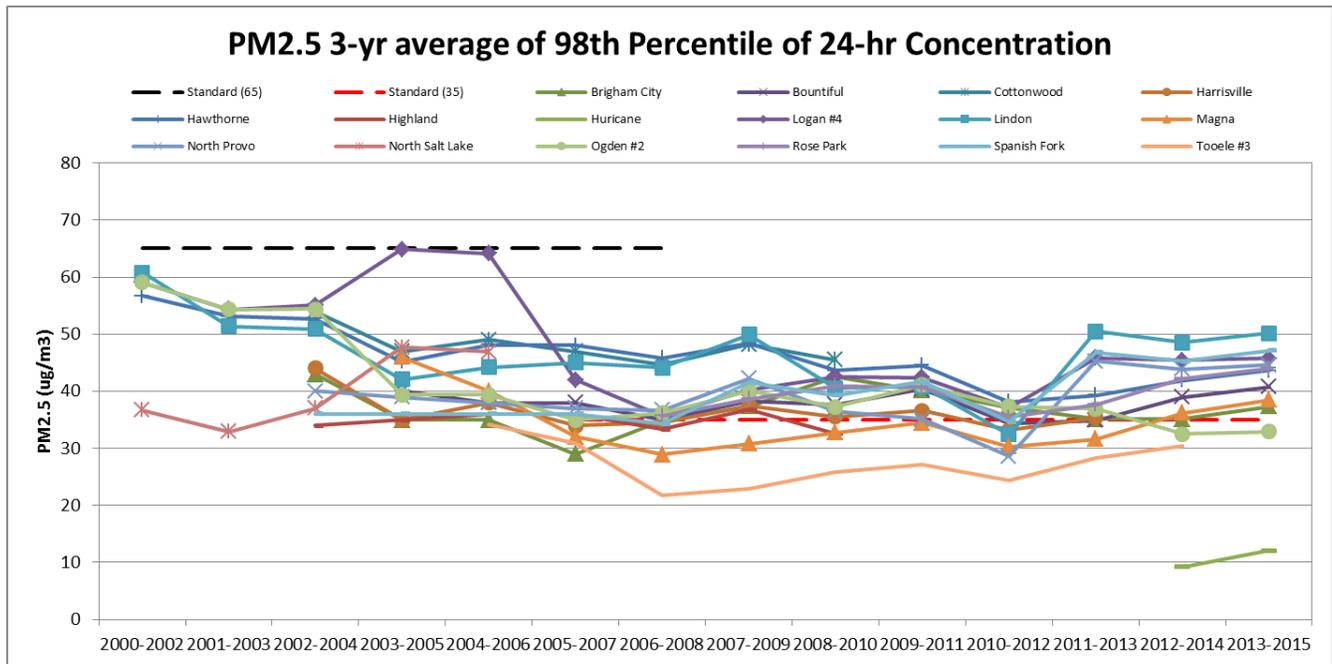


Standards – PM<sub>2.5</sub>

The EPA first established standards for PM<sub>2.5</sub> in 1997, revised those standards in December of 2006 and again in December of 2012. In 2006, the EPA lowered the 24-hour PM<sub>2.5</sub> standard from 65 µg/m<sup>3</sup> to 35 µg/m<sup>3</sup>. In 2012, the EPA lowered the annual standard from 15 µg/m<sup>3</sup> to 12 µg/m<sup>3</sup>. Both standards are evaluated by considering monitored data collected during a three-year period. This minimizes the effects of meteorological variability.

The 24-hour standard is met when the average of 98th percentile values collected for each of the three years is less than or equal to 35 µg/m<sup>3</sup>. The 98th percentile concentration for each year is selected from all of the data recorded at a given monitor, such that the values of at least 98 percent of all that data are of a lower concentration. Figure 11 shows the three-year averages of the 98th percentile concentrations recorded at monitors along the Wasatch Front. It shows that Utah was in compliance with the 1997 standard but is not in compliance with the revised standards.

Figure 11. PM<sub>2.5</sub> Three-Year Average 98th Percentile 24-Hour Concentration



Figures 12 and 13 show that all locations are within the annual standard of 12 µg/m<sup>3</sup>.

Figure 12. PM<sub>2.5</sub> Annual Mean Concentration

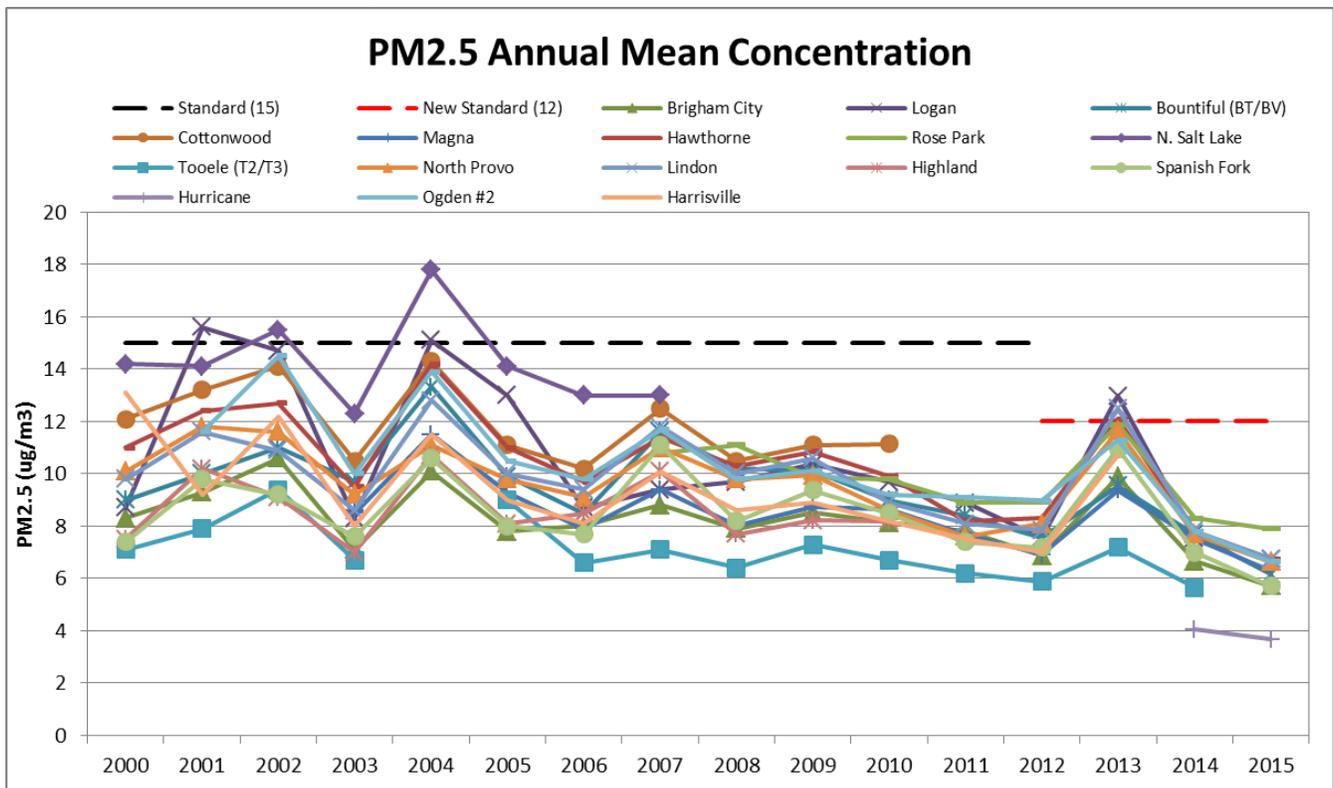
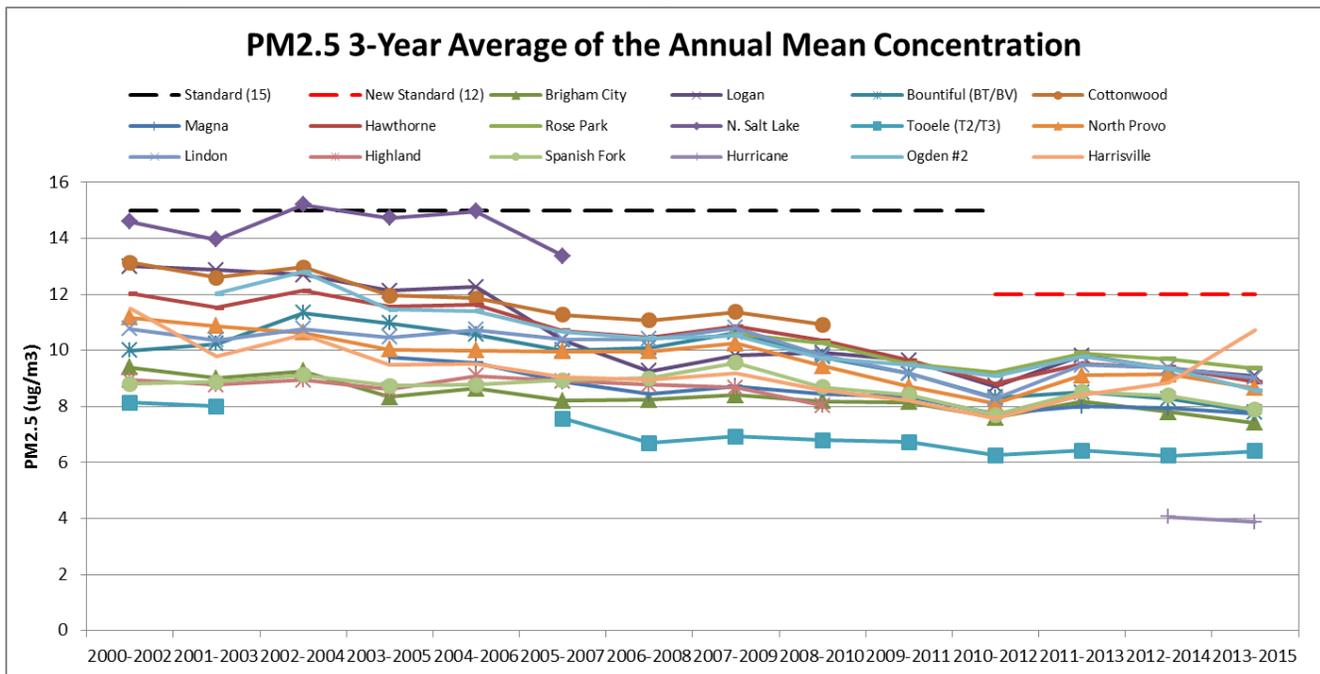


Figure 13. PM<sub>2.5</sub> Three-Year Average of the Annual Mean Concentration



### Sulfur Dioxide (SO<sub>2</sub>)

Sulfur dioxide is a colorless gas with a pungent odor. In the atmosphere, sulfur dioxide is easily converted into sulfates, which are detected as particulates. It is also converted into sulfuric acid, the major acidic component of acid rain. It is emitted primarily from stationary sources that burn fossil fuels (mainly coal and oil) such as power plants and refineries. SO<sub>2</sub> is also a byproduct of copper smelting. Diesel fuel and, to a lesser extent, gasoline contain sulfur and are considered contributors to sulfur dioxide in the atmosphere.

#### Standards

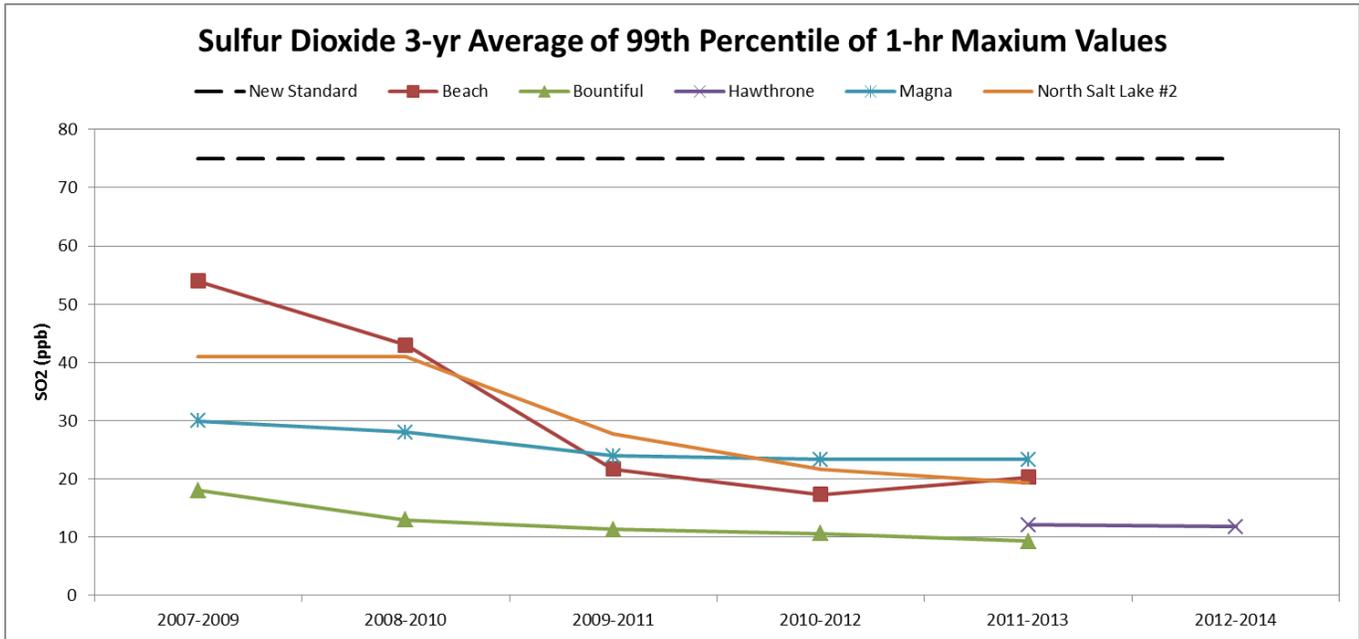
The primary standard for SO<sub>2</sub> is a three-year average of the 99th percentile of the annual distribution of daily maximum one-hour average concentrations for SO<sub>2</sub> at a level of 75 ppb. The secondary standard is a three-hour standard of 0.5 ppm and is not to be exceeded more than once per year.

Throughout the 1970s, the Magna monitor routinely measured violations of the former 24-hour standard. Consequently, all of Salt Lake County and parts of eastern Tooele County above 5600 feet were designated as nonattainment for SO<sub>2</sub>. Two significant technological upgrades at the Kennecott smelter resulted in continued compliance with the SO<sub>2</sub> standard since 1981. In the mid-1990s, Kennecott, Geneva Steel, the five refineries in Salt Lake City, and several other large sources of SO<sub>2</sub> made dramatic reductions in emissions as part of an effort to curb concentrations of secondary particulates (sulfates) that were contributing to PM<sub>10</sub> violations. Utah submitted an SO<sub>2</sub> Maintenance Plan and re-designation request for Salt Lake and Tooele Counties to the EPA in April of 2005. Measurements of SO<sub>2</sub> under the former standards and

the new standard indicate that Utah’s ambient air has been well within the federal health standards for decades.

Figure 14 shows the most current measurements to compare against the primary SO<sub>2</sub> NAAQS of 75 ppb.

**Figure 14. Sulfur Dioxide Three-Year Average of 99th Percentile of Daily Max. One-Hour Averages**



### Lead (Pb)

Lead in the ambient air exists primarily as particulate matter in the respirable size range. Historically, the major source of lead emissions came from the burning of gasoline. However, because leaded gasoline for automobiles was completely phased out in the U.S. by the end of 1995, lead from gasoline is no longer a significant problem. Currently, the primary source of lead emissions in Utah is the extraction and processing of metallic ores. Exhaust from small aircraft is another source of lead emissions in the state.

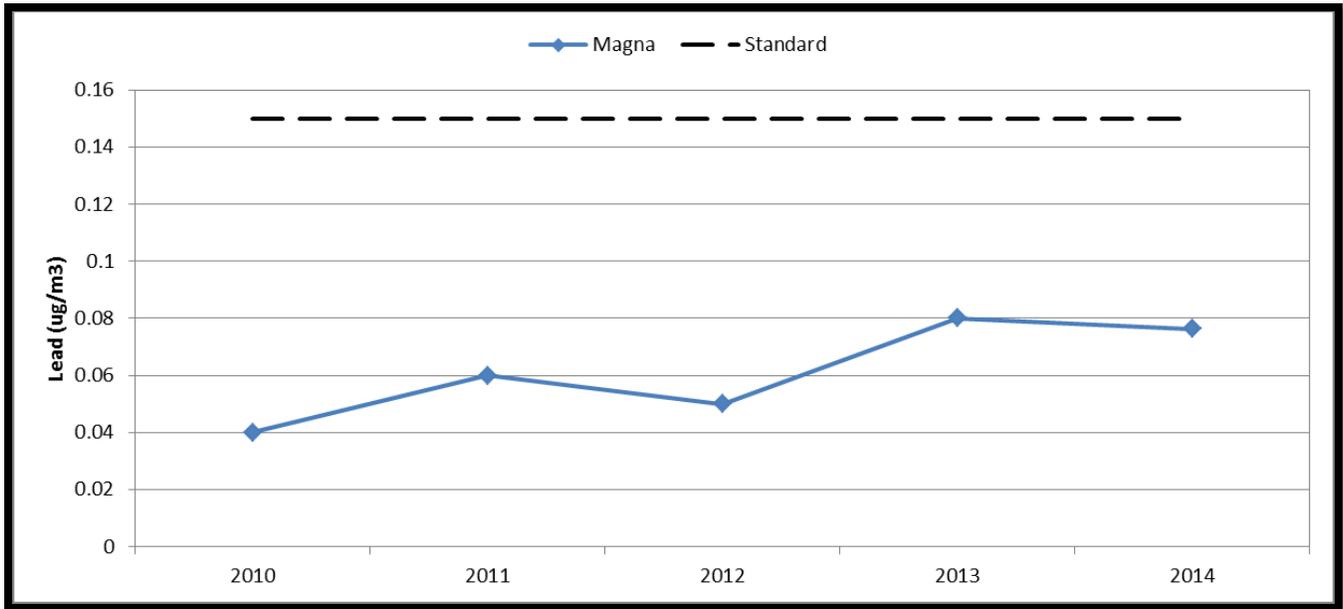
Utah has not exceeded the health standard for lead since the late 1970s, and the EPA authorized the discontinuation of lead monitoring in Utah in 2005; however, in both 2008 and 2010, the EPA set new monitoring requirements for lead. The DAQ now monitors for lead at one point source site and one urban non-source monitoring location. Figure 15 shows a downward trend of lead emissions. The 2015 data was not available at the time of the publication of this report.

### Standards

On November 12, 2008, the EPA strengthened the NAAQS for lead. The previous standard was a calendar quarter (three-month) average concentration not to exceed 1.5 µg/m<sup>3</sup>. The new standard is 0.15 µg/m<sup>3</sup> as total suspended particles (TSP), measured as a three-month

rolling average. The new standard included a new monitoring requirement, so the DAQ began lead monitoring again at the Magna station near the Kennecott copper smelter (See Figure 15). Additional monitoring requirements established by the EPA in December 2010 required monitoring for lead starting in 2011 at the Hawthorne station.

Figure 15. Lead Max Three-Month Average 24-Hour Concentration



## **Emissions Inventories**

Every three years, the DAQ collects information about the quantity and characteristics of the various air pollutants released by all emission sources in the state. In addition to these triennial inventories, emissions information is also collected annually from the largest industrial sources. Finally, additional detailed inventories are prepared, as needed, for special projects to quantify emissions during specific seasonal air pollution episodes.

Once collected, the inventory information is reviewed, quality assured, analyzed, stored in the DAQ data system, and made available to the public. The DAQ uses this emissions information to review trends over time, as input data for air quality modeling analysis and as an indicator of the effectiveness of existing control strategies. The emissions information is also compiled according to source type to provide billing information for the Title V operating permits program of the CAA. Both triennial and annual emissions inventory data is uploaded to the EPA's National Emissions Inventory (NEI) data system.

## **Sources of Air Contaminants**

Emission inventories are typically organized into three types of sources: Point, Area, and Mobile.

Point sources are large stationary industrial or commercial facilities such as power plants, steel mills, and manufacturing facilities that emit more than 100 tons per year of a regulated pollutant or are on a list of sources the EPA has determined need to be tracked closely. Air pollutants released from these stationary sources are accounted for on a facility-by-facility basis.

Area sources are generally much smaller stationary sources, and due to their greater number, are generally accounted for as a group. However, as the federal air quality standards become more restrictive, it is becoming necessary to start tracking emissions more closely from smaller industrial sources. In the future, pollution from sources of less than 100 tons per year will be tracked similarly to the large point sources. Home heating, agricultural burning and harvesting, construction, residential and commercial energy generation, wildfires, and biogenics (emissions from vegetation) are examples of other area source categories.

Mobile sources consist of emissions from non-stationary sources such as cars, trains, and aircraft. Mobile emissions are further broken down into on-road mobile and off-road mobile categories. On-road mobile sources primarily consist of personal and commercial cars and trucks, and contribute by far the largest part of the mobile source emissions. Off-Road Mobile sources consist of a diverse group of heavy construction equipment, small engines (lawnmowers and snow blowers), trains, and aircraft. Estimating emissions from mobile sources requires an understanding of the various emission characteristics of the many types of vehicles and model years that make up the fleet, an understanding of how and where they are driven, and the distances they travel.

## Division of Air Quality – 2015 Annual Report

---

The 2011 triennial inventory is the most recent statewide inventory available. The 2014 triennial inventory will be compiled and made available in early 2016. The triennial inventory covers over 550 individual point sources, 133 area sources, and 12 mobile on-road and off-road sources. Table 4 shows total emissions, by county, of the criteria pollutants, CO, NO<sub>x</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>x</sub>, and VOCs. Figure 16 shows the updated 2011 triennial emissions inventory in six pie charts, displaying the relative portion of emissions generated within source categories. The figures in the charts are statewide annual figures and should not be compared to the inventories used in the PM<sub>2.5</sub> or other SIPs, which are seasonal and area specific. Biogenic and wildfire emissions produced from non-anthropogenic (non-human) natural activity of vegetation and wildfires are usually estimated as segments within the area source category but have been listed separately due to their unique nature and impact.

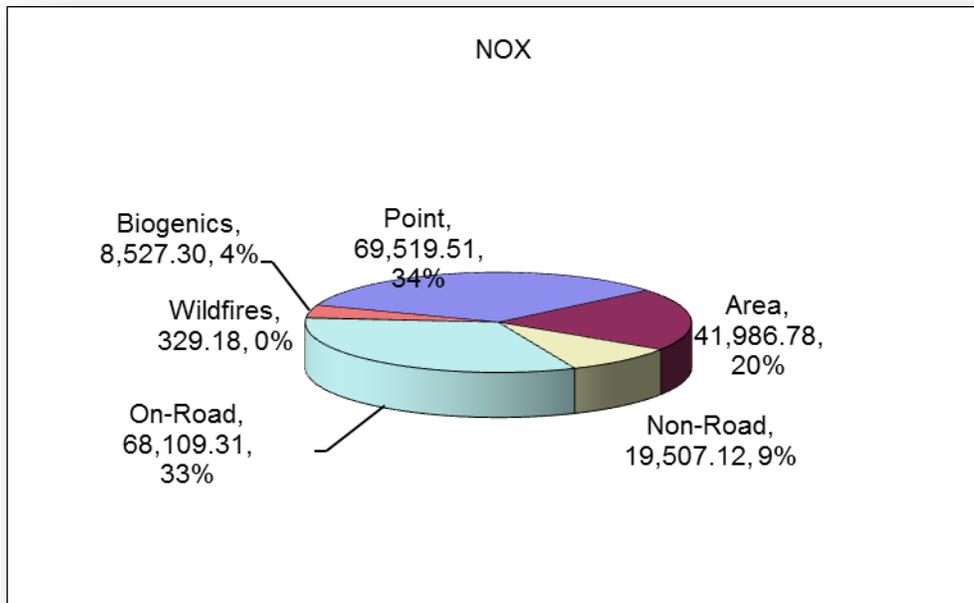
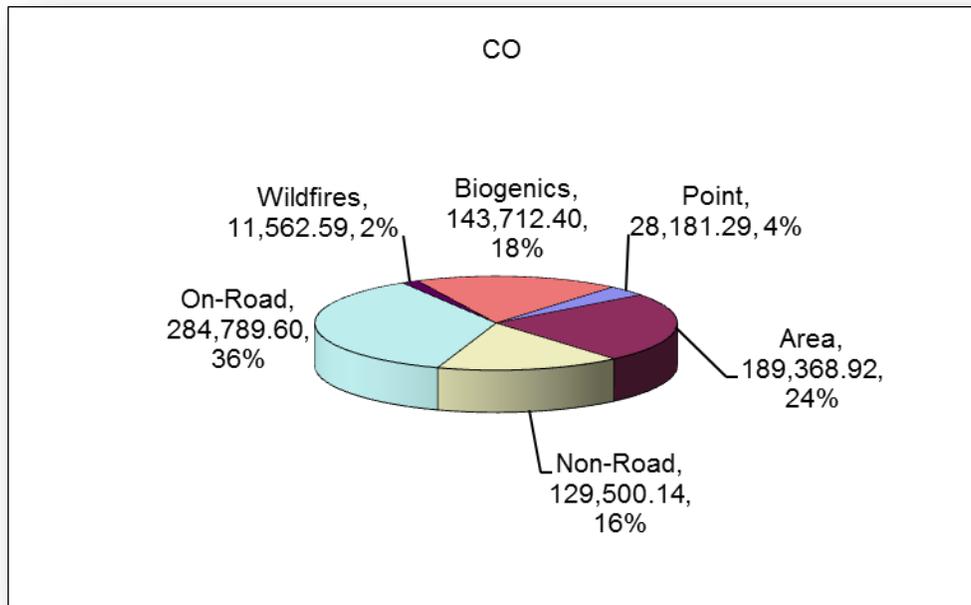
The triennial inventory for 2011 was collected and compiled in 2012. The inventory as described in this report differs from that of the 2013 report because many of the 2011 area source calculations were re-done using new calculations provided by the EPA.

**Division of Air Quality – 2015 Annual Report**

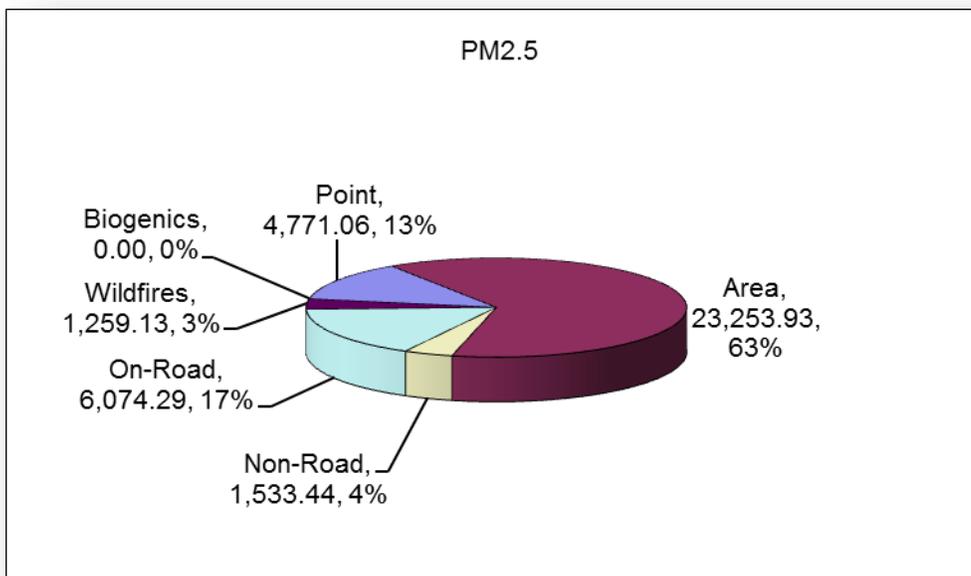
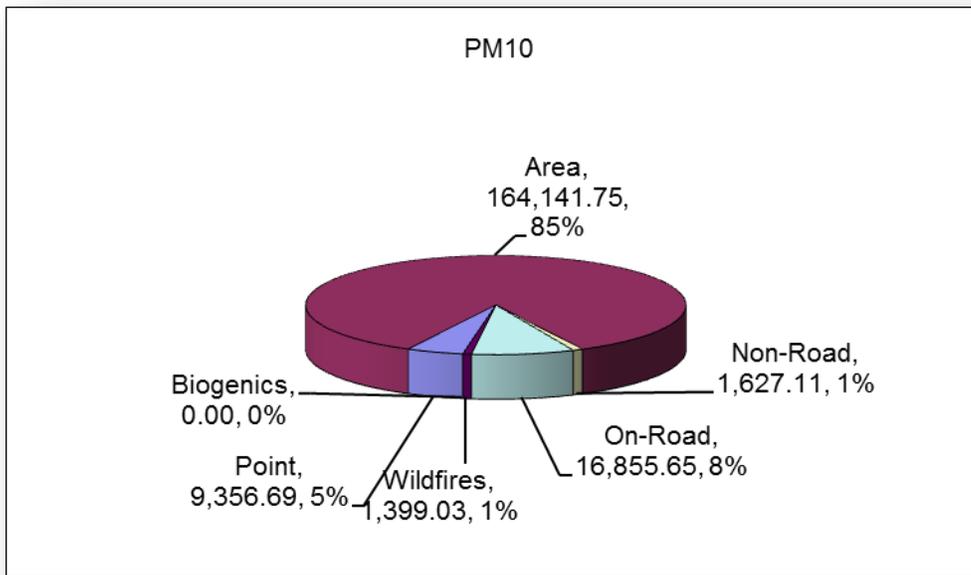
**Table 4. 2011 Triennial Inventory (tons/year)**

<b>County</b>	<b>CO</b>	<b>NO<sub>x</sub></b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>	<b>SO<sub>x</sub></b>	<b>VOC</b>
Beaver	13,876.11	2,078.78	2,654.91	435.75	75.43	26,490.32
Box Elder	40,011.70	7,365.61	10,313.27	2,121.20	163.36	38,770.82
Cache	22,510.87	3,842.06	10,853.50	1,646.53	171.90	13,437.44
Carbon	11,115.87	7,152.88	4,676.13	1,151.84	8,381.46	17,875.37
Daggett	3,858.12	1,324.00	604.13	94.49	2.42	8,386.19
Davis	38,461.71	9,368.20	7,601.20	1,806.84	474.24	12,718.38
Duchesne	19,793.48	11,934.27	6,911.63	1,081.65	144.44	57,798.47
Emery	30,834.95	22,211.84	5,390.12	1,133.08	7,245.87	36,804.91
Garfield	23,180.30	1,056.79	2,717.87	506.42	16.81	44,847.92
Grand	22,148.98	3,124.67	1,831.09	445.87	26.76	37,252.92
Iron	26,642.81	4,254.25	6,178.28	1,177.85	166.82	37,643.98
Juab	18,322.63	3,319.29	2,845.94	567.19	94.11	26,898.15
Kane	22,008.49	1,264.25	2,226.77	358.35	22.42	43,727.23
Millard	35,525.31	33,160.33	7,269.87	1,889.21	5,084.95	51,878.47
Morgan	5,963.71	2,581.89	2,898.26	377.24	385.47	7,401.38
Piute	6,527.57	309.09	838.20	145.77	6.43	8,931.86
Rich	7,018.27	547.32	1,421.66	274.58	8.66	8,961.72
Salt Lake	145,225.46	31,940.71	31,873.80	6,747.42	4,207.51	35,626.08
San Juan	36,430.76	3,051.58	6,673.49	952.28	53.40	85,753.34
Sanpete	10,699.55	1,515.50	5,847.13	790.96	85.02	15,801.64
Sevier	12,780.24	2,092.08	6,756.62	916.45	91.36	18,106.24
Summit	15,065.71	4,465.99	7,736.40	1,144.95	215.35	18,903.71
Tooele	37,605.71	8,243.43	8,057.50	2,359.79	223.87	45,444.17
Uinta	26,282.06	12,347.51	9,546.65	1,419.76	228.44	109,809.23
Utah	63,420.55	14,612.66	12,551.21	3,045.32	426.02	30,939.27
Wasatch	8,704.82	1,448.23	3,688.95	596.57	16.39	12,590.25
Washington	39,317.60	6,026.07	11,644.41	1,697.22	91.64	44,442.68
Wayne	10,747.14	528.52	1,439.57	192.13	25.56	22,362.52
Weber	33,034.45	6,811.43	10,331.65	1,815.10	221.75	12,085.62
<b>Statewide County Totals</b>	<b>787,114.94</b>	<b>207,979.20</b>	<b>193,380.23</b>	<b>36,891.84</b>	<b>28,357.85</b>	<b>931,690.27</b>
<i>Point Source Portables</i>	<i>162.73</i>	<i>393.93</i>	<i>86.06</i>	<i>37.50</i>	<i>60.39</i>	<i>39.19</i>
<b>Total</b>	<b>787,277.67</b>	<b>208,373.14</b>	<b>193,466.28</b>	<b>36,929.34</b>	<b>28,418.24</b>	<b>931,729.46</b>

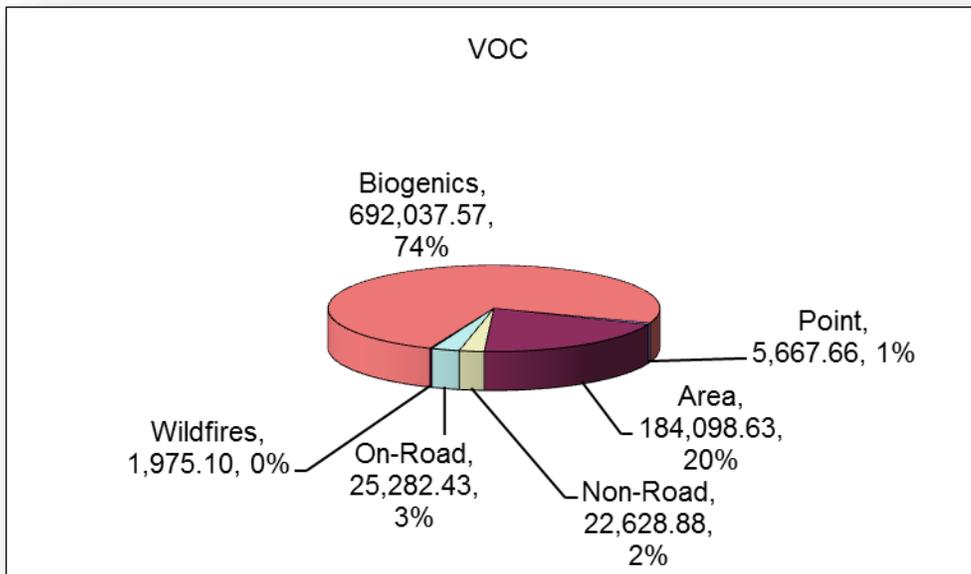
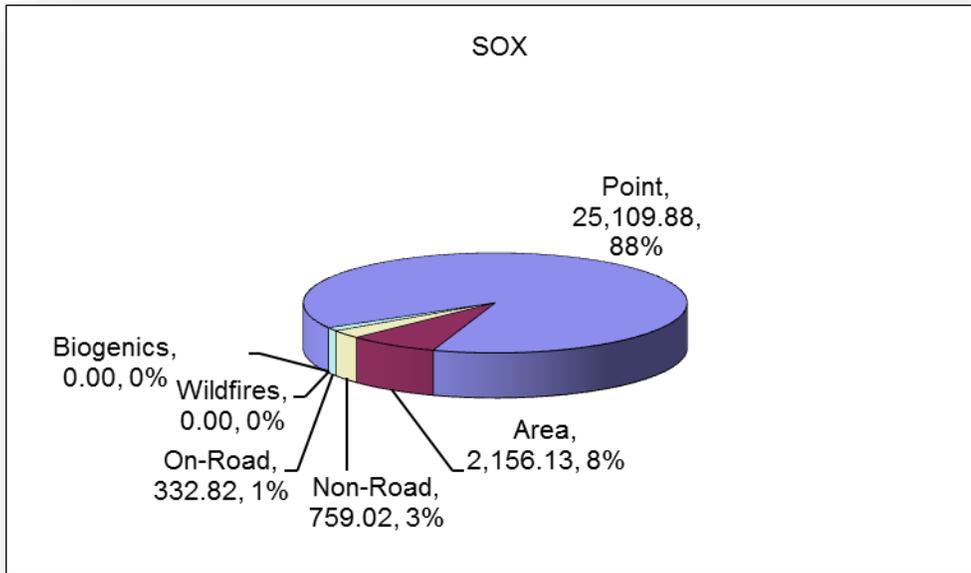
Figure 16. 2011 Triennial Emissions Inventory by Source Category – Statewide, Annual (tons/year)



Division of Air Quality – 2015 Annual Report



Division of Air Quality – 2015 Annual Report



## Division Organization

The DAQ is divided into three branches: Planning, Compliance, and Permitting. The *Planning Branch* is responsible for developing comprehensive plans to reduce air pollution. In 2015, the Planning Branch was reorganized by function. These functions make up the following sections of the Planning Branch: Inventory, Technical Analysis, Air Quality Policy, and Air Monitoring. The Air Monitoring section is responsible for establishing and operating the monitoring network to gather and analyze data used to determine concentrations of ambient air pollutants. Planning staff in the Inventory and Technical Analysis sections routinely compile emissions inventories in order to understand the origins of the various contaminants detected in the air. They also use computer models to evaluate the impacts of new and existing sources of air pollution and to understand the relationship between the emissions, meteorology, and pollutant concentrations measured in the air. The Planning Branch is also involved in identifying the air quality impacts of transportation issues, which include vehicle inspection and maintenance, clean fuels, and highway construction. The Air Quality Policy section uses this information to develop SIPs in order to ensure that Utah's ambient air remains in compliance with the federal health standards. Additionally, the Air Quality Policy section coordinates all of the rule-making activities of the Division.

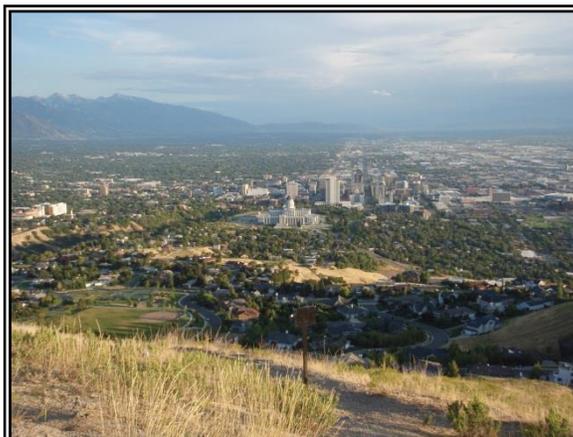
The *Compliance Branch* is responsible for ensuring that industries and residents comply with Utah's air quality rules and is comprised of three sections: Major Source Compliance, Minor Source Compliance, and Air Toxics, Lead-Based Paint, and Asbestos Section (ATLAS). The Major and Minor Source Compliance Sections are responsible for ensuring that all Utah air quality regulatory requirements are met. This is done through inspections and enforcement actions. The ATLAS is responsible for the regulation, under various EPA programs, of toxic air pollutants, also known as Hazardous Air Pollutants (HAPs). HAPs are those pollutants listed in the Federal Register that are known or suspected to cause cancer or other serious health problems. The ATLAS is also responsible for the enforcement of federal and state regulations for preconstruction asbestos removal and a number of outreach and enforcement programs designed to reduce exposure to lead-based paint.

Through the Small Business Environmental Assistance Program (SBEAP), the Compliance Branch also assists small businesses in complying with state and federal regulations, including New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), New Source Review (NSR), and Utah's air quality rules. The SBEAP can advise small businesses on permitting requirements, emission calculations, technical issues, and pollution prevention techniques.

The *Permitting Branch* is responsible for issuing construction and operating permits to stationary sources that emit air pollutants, and is comprised of three sections: Minor Source NSR, Major Source NSR, and Operating Permits. Construction permits are issued to new or modified stationary sources of air pollution through the NSR program. Operating permits are issued on an ongoing basis through Title V of the CAA to "major" stationary sources.

## Planning Branch

The *Planning Branch* is responsible for developing SIPs and administrative rules in order to ensure that Utah’s ambient air meets the federal health standards, even as our population and our economy continue to grow. These plans address a variety of air quality issues, but most often focus on areas of the state where the monitoring identifies air quality that is unhealthy because of one or more of the criteria pollutants.



In addition, the federal CAA requires transportation planning organizations to prepare information detailing the air quality impacts associated with improvements in the transportation infrastructure. These transportation plans must conform to the mobile source emission budgets used by the DAQ to develop the SIPs.

## Status of Projects and Initiatives

### 2015 PM<sub>10</sub> Maintenance Plans

In 1987, the EPA defined a size “indicator” of the suspended particles that were of concern to public health. These were “fine” particles with an aerodynamic diameter of ten microns or less, and this regulated subset of total suspended particles was called PM<sub>10</sub>. Both Salt Lake and Utah Counties were out of compliance with the EPA’s new 24-hour health standard for PM<sub>10</sub>. In 1991, the Board developed a SIP for each area. Both SIPs were successful, and by 1996 both areas were found to be attaining the standard.

In 1997, the EPA replaced PM<sub>10</sub> as the indicator of fine particulate matter with a sub-set of particles having an aerodynamic diameter of only 2.5 microns or less. This would be known as PM<sub>2.5</sub>. Both PM<sub>10</sub> and PM<sub>2.5</sub> include a complex mixture of extremely small particles and liquid droplets that can be emitted directly, as in smoke from a fire, or can form in the atmosphere from reactions of “precursor” gases such as SO<sub>2</sub>, NO<sub>x</sub>, VOCs, and ammonia. Both become prominent during Utah’s winter inversions. While the PM<sub>2.5</sub> is more restrictive than the PM<sub>10</sub> standard for controlling fine particulate in Utah, during 2015, the DAQ spent considerable effort developing what are called Maintenance Plans for Utah’s three PM<sub>10</sub> nonattainment areas: Salt Lake County, Utah County, and Ogden City (see Figure 1). These plans use air modeling to demonstrate at least ten years of continued compliance with the PM<sub>10</sub> health standard. Ultimately, these plans will allow Utah to petition the EPA to de-list these areas as “nonattainment.”

No additional emission controls were needed to demonstrate the ten years of compliance. Certainly though, the emission controls recently adopted by the Board to address PM<sub>2.5</sub>, will have a positive effect on PM<sub>10</sub> levels.

The Maintenance Plans were completed in December of 2015, and they have been forwarded to the EPA.

### Four-State Pilot Project Inter-mountain West Data Warehouse (IWDW)

The EPA, under the National Environmental Policy Act, is mandated to document current air pollution levels and lessen current and projected adverse impacts through mitigation strategies. Localized monitoring in the inter-mountain area (western Colorado, eastern Utah, southwestern Wyoming, and northwestern New Mexico) has revealed degraded air quality in regard to ozone and NO<sub>x</sub>, leading federal and state agencies to realize more information is needed as energy development in the region is considered. Because of a common need for a comprehensive set of air quality assessment tools, the stakeholders—EPA Region 8, the Bureau of Land Management, the USDA Forest Service, the National Park Service and the states of Utah, Colorado, Wyoming, and New Mexico are cooperating on the following activities:

- ❖ Expanding air quality monitoring in the study area to establish baseline conditions, track air quality trends, and evaluate the performance of air quality modeling systems;
- ❖ Creating and operating a robust, centralized data warehouse to store, manage and share data among state and federal agencies and industry to support air quality modeling and analysis; and
- ❖ Performing regional scale baseline air quality modeling of current conditions, which the impacts from proposed future projects can be evaluated against.

Utah has completed three years of air quality data collection at the Price and Fruitland monitoring sites, both funded by the IWDW. Utah is currently under contract to the IWDW to perform quarterly equipment audits at the Fruitland station and Bureau of Land Management's (BLM's) new monitoring station at Escalante. In addition, air quality data from the Vernal and Roosevelt monitoring sites have been provided to the project. Other activities on the project this year include providing support to the development of emissions inventories, review of the project work plan, and participating in the project Oversight Committee meetings. Work conducted under the IWDW will be directly applicable to the ozone studies currently underway in the Uinta Basin.

### Uinta Basin Ozone

Since 2005, the National Park Service has been measuring summertime ozone at the Dinosaur National Monument located near Vernal and, beginning in 2006, at the Colorado National Monument located near Grand Junction, CO. In 2009, the EPA began measuring year-round ozone at two sites on the Ute Indian Reservation, located near Redwash and Ouray. Data collected from the two tribal sites during the winter of 2010 indicated that high ozone levels are occurring in the Basin during the middle of winter. This finding was unexpected since ozone is normally an air pollutant that is formed during the summertime when there are high temperatures and bright sunshine.

In the winter of 2010/11, the Uinta Basin Impact Mitigation Special Services District (BIMSSD) funded a study conducted by Utah State University's Energy Dynamics Lab and the DAQ. Using data collected from 18 permanent and temporary air monitoring stations placed

throughout the basin, researchers found elevated wintertime ozone concentrations throughout the basin during temperature inversion events when snow covered the ground. The highest values were found in the central basin area, with many exceeding the ozone NAAQS.

In the winter of 2011/2012, cooperating agencies, including the BLM, the EPA, Western Energy Alliance, and the UBIMSSD, coordinated by the DAQ, embarked on a multi-winter effort to study and address ozone levels in the Uinta Basin. The first year's study was called the Uinta Basin Winter Ozone Study 2012 (UBWOS 2012). The goal was to understand how ozone is formed in the Basin during wintertime inversion conditions and to implement appropriate and effective strategies for mitigating high ozone levels in order to avoid nonattainment. Researchers from the National Oceanic and Atmospheric Administration (NOAA), several university research groups, the EPA, and the DAQ worked together to study ozone formation in the basin during wintertime inversion conditions. Although no temperature inversion/snow events occurred and ozone levels remained low, much valuable information was collected on emissions, inventories, and sources. The first year's study concluded that:

- Ozone formation is associated with stable meteorological conditions, snow cover, and sunshine.
- Chemical precursors to ozone formation are NO<sub>x</sub> and VOCs.
- NO<sub>x</sub> comes from hot combustion sources, and the highest levels are in the oil production areas and population centers.
- VOC comes from oil and gas production with the highest levels in the gas production areas.
- Methanol was measured at concentrations that could significantly enhance ozone formation.
- There is very high year-to-year variation in ozone levels due to variation in meteorological conditions.
- Analysis of historical climatology for meteorological conditions conducive to ozone formation suggests about one in two winters would produce ozone levels higher than the federal standard.

In the winter of 2012/13 ozone concentrations in excess of the current NAAQS were measured in the Uinta Basin during winter inversion periods when the ground was covered by snow. The Uinta Basin Winter Ozone Study 2013 (UBWOS 2013) was conducted and involved the same researchers as the prior year's study, and it concluded the following:

- Maximum 8-hour average ozone concentrations measured at Ouray reached 142 ppb during the study, exceeding the NAAQS (75 ppb) by 89%. Monitored values in the major population centers were greater than the NAAQS on a total of 22 days at Vernal, and 29 days at Roosevelt. These observations are in sharp contrast to the 2012 winter study, when 8-hour average ozone levels did not exceed 63 ppb.
- Elevated ozone coincided with elevated levels of VOCs and NO<sub>x</sub>, which are the primary chemical precursors of ozone formation.
- Reflection of sunlight from the snow surface significantly increases the total solar radiation in the atmosphere and thus, the rate of ozone formation.

## Division of Air Quality – 2015 Annual Report

---

- Complex patterns of light winds within the Basin appear to produce an east-west “sloshing” of air that contributes to intra-basin mixing of ozone and ozone precursors.
- Chemical reactions during these winter episodes differ greatly from summer ozone formation in urban areas.
- Aromatic VOCs such as toluene and xylene contribute in secondary formation of wintertime ozone pollution in the Basin; therefore, VOC control measures focused on these types of VOCs will be particularly effective.

In the winter of 2013/14, the DAQ coordinated the Uinta Basin Winter Ozone Study 2014 (UBWOS 2014). The study focused on quantifying the contribution of nitrous acid (HONO) and formaldehyde (HCHO) to the chemical reactions responsible for ozone formation. Prior studies in the basin showed that HONO and HCHO dominate the radical chemistry that drives ozone production. HONO and HCHO are unconventional sources for ozone formation compared to the conventional sources (ozone photolysis) in typical summer urban ozone episodes.

The study confirmed the following:

- HONO, based on an improved suite of measurements, does not appear to be a major source of the chemical radicals needed to form ozone during the winter episodes, as previously suspected.
- HCHO and other aldehydes are the dominant radical sources needed for ozone formation. These compounds are both directly released from various emission sources and form in the atmosphere from directly emitted VOCs such as those contained in oil and raw natural gas. Aromatic VOCs, including toluene and xylene, while less abundant than other VOC species in the basin, are also particularly important sources of radicals.
- New “box model” simulations of ozone formation chemistry, based on data collected at the Horsepool study site, confirmed earlier analysis indicating that ozone formation at this location is sensitive to VOC reductions (i.e., VOC reductions would result in ozone reductions). The modeling results also suggest that NO<sub>x</sub> reductions would lead to ozone reductions at Horsepool. These modeling results are pertinent to the Horsepool location and may not be applicable across the basin as a whole.

The UBWOS work is broadly supported financially by numerous agencies, including the UBIMSSD, Western Energy Alliance, Bureau of Land Management - Utah Office, and NOAA. All of the research organizations have also made significant in-kind equipment contributions to this study.

Further information on the UBWOS and wintertime ozone in the Uinta Basin can be found on the DAQ web site at: <http://www.deq.utah.gov/locations/U/uintahbasin/index.htm>.

Work on Uinta Basin air quality during 2015 focused on the development of an improved emissions inventory for oil and gas production. A series of stakeholder meetings were conducted with the Western Energy Alliance, oil and gas operators, Ute Tribe, the EPA, and the BLM to agree on an inventory process. The goal is an emissions inventory that is spatially, temporally, and chemically characterized for the entire Basin. This inventory is needed to

---

## Division of Air Quality – 2015 Annual Report

---

develop appropriate and effective mitigation strategies for ozone and other air pollutants that can form as a result of the Basin's unique wintertime chemistry. The oil and gas emissions data requests were due by the end of 2015 and the initial inventory compilation is expected in the first quarter of 2016.

### Utah Clean Diesel Program

The Utah Clean Diesel Program, a clean air initiative that started in 2008, has been a successful collaboration between state and federal agencies, county and municipal governments, community and non-profit organizations, and industry groups. Nearly \$11 million in state and federal grants have helped 53 small businesses, 35 school districts, two government entities, and one university, purchase cleaner and more fuel efficient equipment for their operations. This has resulted in over 44,590 tons of emissions reductions.

In the fall of 2015, the EPA awarded \$685,918 to the Utah Clean Diesel Program. This award helped replace 18 school buses in Davis, Granite, Provo, Tooele, and Weber school districts, along with two Utah Department of Transportation maintenance trucks.



### The Clean Air Retrofit, Replacement, and Off-Road Technology (CARROT) Program

The CARROT Program was enacted during the 2014 legislative session as a means to provide incentives for reducing emissions from vehicles, engines, and equipment that are significant sources of air pollution.

The \$200,000 that was appropriated the first year was divided into two segments: the CARROT Grant Program and the CARROT Lawn Mower Discount and Exchange Program.

### The CARROT Grant Program:

In the seven counties designated as non-attainment for PM<sub>2.5</sub> in Utah, heavy-duty diesel vehicles, class 5 and higher, travel over 1.4 billion vehicle miles annually, resulting in over 20,500 tons of annual emissions. In January 2015, the CARROT Grant Program made the following awards, totaling \$100,000, to reduce emissions from this group of vehicles:

**Division of Air Quality – 2015 Annual Report**

<b>2015 CARROT Grant Program Awards</b>			
<b>Awards</b>	<b>Project</b>	<b>Amount of Award</b>	<b>Emissions Reductions in Tons (Lifetime)</b>
<b>Jordan School District</b>	School bus replacement	\$30,642	466
<b>Logan City</b>	Retrofit 19 city vehicles with diesel oxidation catalyts (DOC) and diesel particulate filters (DPF)	\$40,000	10.2858
<b>Nibley City</b>	Retrofit three city vehicles with DOCs	\$10,500	0.174
<b>Uintah City</b>	Retrofit one city vehicle with a DOC	\$4,006	0.263
<b>Utah State University</b>	Retrofit a piece of equipment with a DPF	\$14,852	0.09
<b>Total</b>			<b>477</b>

*The CARROT Lawn Mower Discount and Exchange Program:*

Because annual emissions from one gasoline lawn mower are estimated to be equivalent to 4,236 vehicle miles traveled, the DEQ encouraged the use of electric-powered lawn mowers by holding its inaugural Lawn Mower Discount and Exchange event on May 2, 2015. The event provided 388 electric lawn mowers at a discounted price of \$175 from the retail price of \$399. If the participant turned in a gasoline lawn mower to scrap, they were able to purchase the new electric lawn mower for \$100.



Utah residents who wanted to participate pre-registered online to reserve one of the 388 available lawn mowers. Approximately 80% of the participants took advantage of the added discount by scrapping a gasoline lawn mower. The outcomes of the program reduced emissions between 3.6 and 11.25 tons per year, depending on variables such as horsepower, load, hours of operation, temperature, and population. This is equivalent to removing 120 passenger cars from Utah roads.

*FY 2015 CARROT Appropriation*

As a result of the 2015 legislative session, \$700,000 was appropriated to the CARROT Program for fiscal year 2016. Funds will be divided similarly to the previous year's

---

## Division of Air Quality – 2015 Annual Report

---

disbursement with a portion going toward grants to reduce emissions from school buses and other heavy-duty diesel equipment, as well as lawn and garden equipment.

### Sole-Source Heat Conversion Program

In order to improve air quality along the Wasatch Front and in Cache Valley, the 2014 Utah State Legislature provided funding to the DAQ to install central heating systems in homes that are currently heated solely by burning wood or coal and are registered with the DAQ as a “sole source residence.” Using this funding (\$500,000), the State will pay the entire cost to install a natural gas, propane or electric central heating system. The homes that qualify for a new central heating system are typically older homes, which results in challenging installation conditions. The DAQ has completed 27 conversions to date, and anticipates completing 30 total conversions by June 2016.

### Transportation Conformity

Several Metropolitan Planning Organizations (MPOs) are responsible for developing, producing, and adopting Metropolitan (or Regional) Transportation Plans (MTP or RTP) and Transportation Improvement Programs (TIP) within the state. The MPOs include Cache MPO (CMPO), Dixie MPO, Mountainland Association of Governments (MAG), and the Wasatch Front Regional Council (WFRC). MPOs located in nonattainment and/or maintenance areas have the responsibility to ensure that the current MTP and TIP conform to the Utah SIP through a process known as transportation conformity. The Federal Highway Administration and Federal Transit Administration review the conformity determinations along with the MTP and TIP in consultation with the EPA to ensure that the relevant planning and air quality regulations have been adequately addressed.

CMPO, MAG, and WFRC demonstrated conformity to the SIP for the Plans and TIPs for their respective areas.

The CMPO established conformity for the 2040 RTP in June 2015 and the 2016-2021 TIP in July 2015 for the conformity demonstration completed for Cache County, Utah, and Franklin County, Idaho, PM<sub>2.5</sub> nonattainment area.

MAG established conformity for the 2040 RTP and the 2015-2019 TIP in July 2015 for the Provo\Orem City CO maintenance area and for the Utah County PM<sub>10</sub> and PM<sub>2.5</sub> nonattainment area.

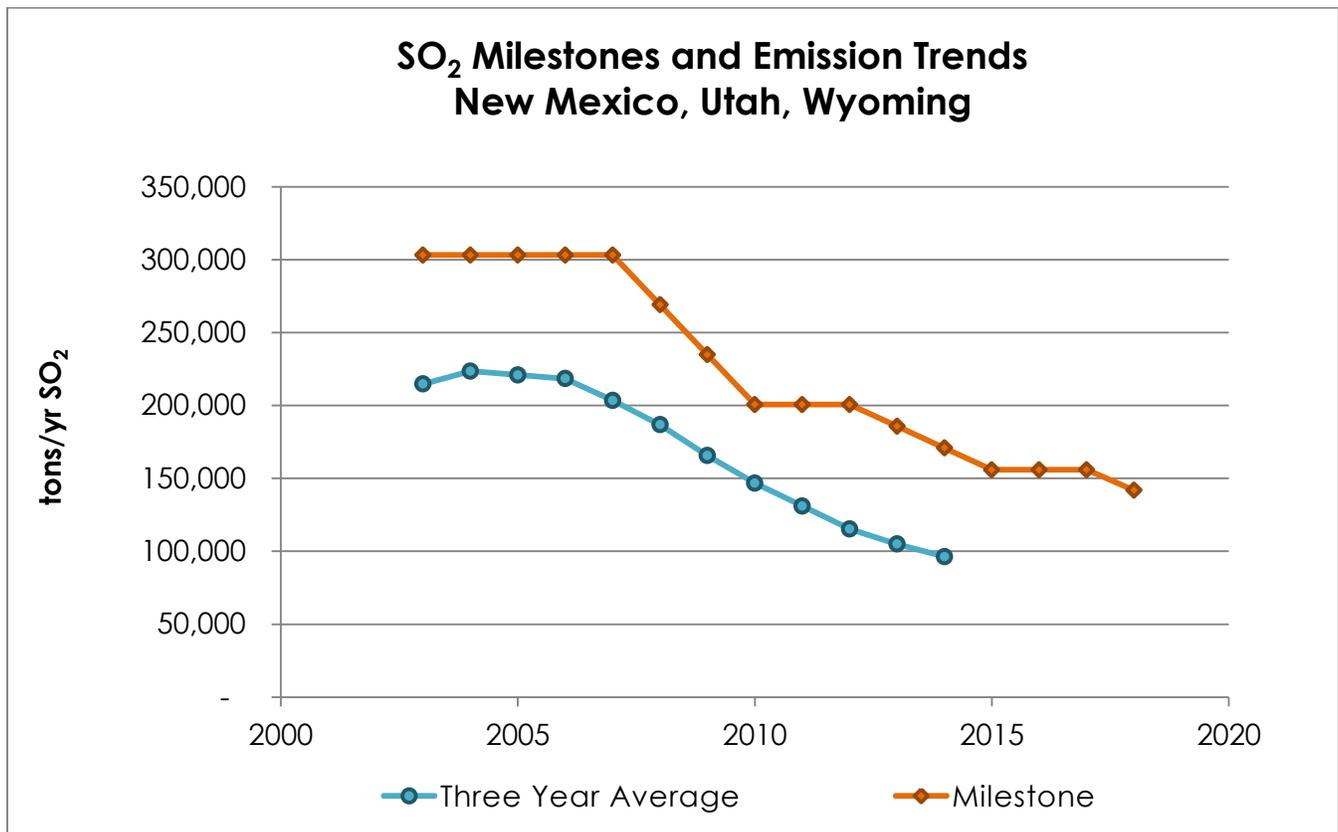
The WFRC established conformity for the amended 2015-2040 RTP in May 2015 and again in October 2015 for another amended RTP, as well as the 2016-2021 TIP in June 2015. This last TIP was for the Salt Lake City and Ogden City CO maintenance areas, the Salt Lake County and Ogden City PM<sub>10</sub> nonattainment areas, and the Salt Lake PM<sub>2.5</sub> moderate non-attainment area including all or portions of Box Elder, Davis, Salt Lake, Weber, and Tooele Counties.

### Regional Haze SIP

Utah's Regional Haze Plan includes regional targets for SO<sub>2</sub> emissions, with a backstop-trading program to ensure that the emission reduction goals are achieved. Each

## Division of Air Quality – 2015 Annual Report

year, the states participating in the program compile an inventory of SO<sub>2</sub> emissions and then compare the emissions to the milestones established in the plan. The regional three year average emissions for 2012, 2013, and 2014 were 96,392 tons, 44% below the milestone. The emissions are far below the milestone due to the early installation of emission controls at power plants and other emission sources. The region has been well below the milestone every year of the Regional Haze program as shown below. The 2014 milestone report will be submitted to the EPA in the spring of 2016.



The Regional Haze Plan also includes a section addressing long-term strategies for reducing haze-causing emissions from stationary sources. This year, the Board approved an updated version of the stationary sources section. The plan is currently under review by the EPA.

### Utah Smoke Management Program

In 2012, the EPA approved Utah's Smoke Management Program, which is a key element of the Regional Haze SIP that was required under the CAA. Utah is required, under the approved plan, to manage planned burning in a manner that protects air quality and ascertains air quality impacts locally and regionally. Currently, state and federal land managers must complete multiple forms, depending on the type of planned burn, that require manual processing and approval. That information and subsequent planned burn data must then be transformed into a form suitable for modeling to ascertain air quality.

A project to automate the permitting process through a web-based permitting system has been funded by the DAQ and state and federal land agencies that conduct planned burns in Utah. Automating the permitting process will eliminate the physical application handling process and the burn data will be in the system in a format that is compatible with the regional fire emissions tracking system and electronically delivered to the modelers for analysis.

#### Utah Asthma Task Force

The Utah Asthma Task Force is a multi-agency task force to address the problem of asthma in Utah. The task force meets quarterly and has a number of projects currently underway in addition to the programs initiated under the State Asthma Plan.

### **Ancillary Programs**

#### Utah Air Quality Public Notifications

The DAQ provides air quality forecasting on its webpage for the current and next two days. The Air Monitoring Section (AMS) provides air pollution information based on the daily air quality status. The AMS data is used to determine the relationship of existing pollutant concentrations to the NAAQS. There is a three-tiered air quality alert system: unrestricted, voluntary action and mandatory action. This system is used to implement winter and summer controls on the use of solid fuel burning devices, fire places, and motor vehicles. The forecast call determines which restrictions are in place for a given county. In addition, the webpage advises the public as to current air quality conditions using the standard Air Quality Index (AQI) categories: good, moderate, unhealthy for sensitive groups, unhealthy and very unhealthy. Each advisory category listed on the webpage is accompanied by a health protection message that recommends actions affected groups can take to mitigate the effects of pollution on them and links to the AQI web site for further information. The AMS advisory is calculated for five major pollutants: ground-level ozone, particulate pollution (particulate matter), carbon monoxide, sulfur dioxide, and nitrogen dioxide. The outreach program information consolidated in the three-day forecast includes the Summer and Winter Control Programs and Choose Clean Air information.

The DEQ is also sponsoring an electronic mail server (Listserv). Subscribers are automatically notified by e-mail when unhealthy air pollution levels are forecast throughout Utah and when action alerts are issued.

The Center for Automotive Sciences and Technology at Weber State University developed the mobile app called Utah Air for the DAQ. It provides similar information directly on smart phones and other mobile devices. The application is free and can be downloaded from both the Android and Apple app stores. As of January 2016, the application has been downloaded onto over 30,000 mobile devices.

#### Choose Clean Air

DEQ continues to emphasize the Choose Clean Air program and has developed an interactive website containing information about ways individuals can help improve air quality by making

## Division of Air Quality – 2015 Annual Report

---

smart choices in their personal lives. The website can be found at <http://www.cleanair.utah.gov/>.

### Winter Control Program (unrestricted, voluntary action, mandatory action)

This program originated with the PM<sub>10</sub> SIP, but was significantly strengthened in December 2012 to be much more proactive and less reactive. Now, action alerts are called when the DAQ meteorologists see that we are in the building stages of an inversion that will likely lead to unhealthy air. The program runs annually from November through early March. In addition to the burning restrictions, residents are encouraged to drive less and are directed to information on other ways they can reduce pollution.

### Summer Control Program (unrestricted, voluntary action, mandatory action)

Action days are announced whenever the probability of exceeding the ozone standard is forecasted to be high. High temperature and stagnant air masses contribute to this probability. Residents are encouraged to minimize driving whenever the ozone or PM standards are approached.

### Vehicle Inspection/Maintenance Programs

Inspection/Maintenance (I/M) programs were adopted in the early 1980s as a required strategy to attain the ozone and carbon monoxide NAAQS. These programs were very effective in improving air quality. They have played an important role in reducing emissions that contribute to ozone and carbon monoxide. Their continued operation is necessary for the Wasatch Front to remain in attainment of these standards. The county health departments administer these programs.

The most recent I/M program to be implemented in Utah is in Cache County. The program was fully implemented on January 1, 2014, and is running smoothly.

### Smoking Vehicles

Vehicles emitting excessive smoke contribute to poor air quality. To promote clean air, several local health departments operate smoking vehicle education and notification programs. There were two bills passed during the 2015 General Legislative Session that will help enhance the smoking vehicle programs in the State:

- HB17 clarified that visible emissions from gas or certain diesel powered vehicles are not allowed on Utah roads.
- HB110 gave the Utah Division of Motor Vehicles the authority to suspend a vehicle's registration if the vehicle does not meet air emissions standards.

The DAQ worked with the local health departments, Utah Division of Motor Vehicles, and Utah Highway Patrol to develop a method of enforcing these new laws. People who spot a vehicle producing excessive smoke can report it through their respective county health departments:

Cache County        435-792-6611  
Davis County        801-546-8860

## Division of Air Quality – 2015 Annual Report

---

Salt Lake County 385-468-SMOG(7664)  
Utah County 801-851-SMOG(7664)  
Weber County 801-399-7140

### Heavy Duty Natural Gas Vehicle Tax Credit

During the 2015 General Session, the Utah Legislature approved a new tax credit for the purchase of a heavy duty natural gas vehicle. Heavy duty is defined in the Utah Code as a commercial category 7 or 8 vehicle. The credit is limited to an aggregate annual amount of \$500,000.

The credit for tax year 2015, 2016, and 2017 is \$25,000 per qualified purchase; the credit for tax year 2018 is \$20,000 per qualified purchase; the credit for tax year 2019 is \$18,000 per qualified purchase; and the credit for tax year 2020 is \$15,000 per qualified purchase.

The credit went into effect retroactively on January 1, 2015. As of January 20, 2016 there have been 14 vehicles that have been approved for this tax credit, totaling \$350,000.

### Alternative Fuel Grant Program

During the 2015 General Session, the Utah legislature established a new grant program that would enable installers to seek a grant that would lower the price of a conversion to alternative fuel technology. Previously, the grant had been available only to the individual seeking the tax credit. The bill passed, but it did not include funding. A bill (HB 87) has been introduced for the 2016 General Session that provides \$500,000 to help fund the program. DAQ staff worked with stakeholders to develop rules and they are prepared to start the rulemaking process as soon as funding for the program is secured.

### Utah Clean Fuel Tax Credit

The Utah Clean Fuel Tax Credit was established in 1992. The intent of this program is to provide an incentive for taxpayers to buy a clean fuel vehicle or convert their vehicles to run on electricity, natural gas, or propane. In order for a taxpayer to claim this nonrefundable credit, they must completely fill out tax form TC-40V and provide required documentation to the DAQ. The DAQ approved the most clean fuel tax credits for tax year 2008, with 1,523 approved credits. Since then, the number has decreased to 517 approved for tax year 2009, 520 for tax year 2010, 640 for tax year 2011, 849 for tax year 2012, 804 for tax year 2013, and 902 for tax year 2014. As of January 7, 2016, there have been 18 for tax year 2015.

## **Permitting Branch**

The DAQ Permitting Branch is responsible for implementing state and federal air permitting programs that are intended to regulate air emissions from new and modified stationary sources that emit air contaminants. Permits are legally enforceable documents that specify construction limitations, emission limits, and how the emissions source must be operated. Permit limits can be emission limitations or surrogate limits such as production rates, hours of operation, fuel consumption, or a combination thereof. Opacity, the measure of opaqueness or transparency

of emission plumes, is also a common metric used to both limit and measure source emissions.

The branch issues two types of permits. New Source Review (NSR) permits, also known as Approval Orders (AOs), are pre-construction-type permits for new and modified sources of air emissions. These are issued by the New Source Review Sections and have been required in Utah since 1969. An Operating Permits Section issues the Title V Operating Permits to the “major” stationary sources in the state, as required in Title V of the federal CAA. There are approximately 100 of these sources. Operating permits consolidate all air quality related requirements from numerous state and federal air quality programs into a single regulatory document. The purpose of an operating permit is to clarify for the permit holder, as well as DAQ compliance inspectors, the wide range of requirements applicable to any regulated source by placing those requirements into one consolidated document.



In addition, the branch processes a number of smaller actions such as de minimus determinations for NSR, name changes, tax exemption certificates for pollution control equipment purchases, and soil aeration approvals.

### **New Source Review**

Any new or modified source of air pollution in Utah is required to obtain an AO before it is allowed to begin construction. For areas that are not in compliance with the NAAQS, an NSR assures that air quality is not further degraded from the existing levels by new emission sources. In areas that are in compliance with the NAAQS, an NSR assures that new emissions do not significantly worsen air quality. These processes are outlined in both state and federal rules.

The application for an AO, called a notice of intent (NOI), is reviewed to make sure that the source installs appropriate state-of-the-art emission controls. For nonattainment areas, state-of-the-art technology is known as lowest achievable emissions rate (LAER). For areas in attainment of the NAAQS, state-of-the-art controls are known as the best available control technology (BACT). Both LAER and BACT are case-by-case determinations of control technology for a specific source. BACT takes into account both the cost and environmental benefits of the control equipment, while LAER technology takes into account only environmental benefits.

The general public and the EPA are given an opportunity to review the proposed approval order before it is issued. The Utah Air Quality Rules specify the criteria indicating which sources must obtain an AO. Potential applicants are encouraged to contact the DAQ prior to submitting the necessary paperwork.

## Operating Permits

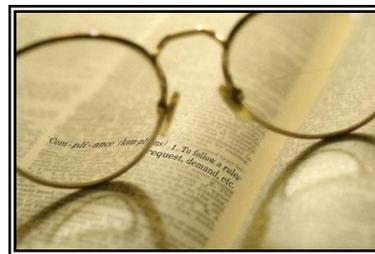
Congress created Title V of the CAA in 1990. This Title requires states to issue an operating permit to the larger or “major” sources of air pollution within the state. Utah developed and submitted a program in 1994 and received approval from the EPA in 1995. Operating permits are legally enforceable documents issued to air pollution sources after the source has begun to operate. A primary purpose of the permit is to consolidate the applicable requirements from the many and varied air quality programs such as the NSR, federal New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP), and Maximum Available Control Technology (MACT). Like the AOs, the general public is given an opportunity to review the draft operating permits before they are issued. In addition, the EPA has up to 45 days to review the proposed operating permit. The criteria indicating which sources must obtain an operating permit are specified in R307-415 of the Utah Administrative Code (UAC). As with the NSR permit or AOs, potential applicants are encouraged to contact the DAQ prior to submitting the necessary paperwork.

Another significant objective of the Title V program is to shift the compliance liability from the regulating agency to the permitted source. Each year, the source must certify that it is in compliance with all permit terms and conditions, or indicate non-compliance issues. False reports have criminal implications beyond the civil liabilities of other violations. In addition, sources must report the results of monitoring at least every six months. Permit provisions for monitoring, record keeping, and reporting are added or enhanced to assure compliance with the permit conditions and limits.

During the 2015 fiscal year (July 1, 2014-June 30, 2015), the Operating Permits Section issued two initial permits and 16 permit modifications, coordinating extensively with the NSR Section. An operating permit has a life of only five years (as opposed to the AO that does not expire). During 2015, the section issued 18 permit renewals. These renewal permits are complex, and care must be taken to ensure that new federal requirements for the Compliance Assurance Monitoring Rule (CAM) and any other new requirements (such as new MACT Standards) are included.

## Compliance Branch

The Compliance Branch is comprised of three sections: Major Source Compliance, Minor Source Compliance, and the ATLAS. These sections are responsible for ensuring compliance with all air pollution orders, permits, rules, and standards. This is accomplished through inspections, audits of stack tests and continuous emission monitoring systems (CEMS), plan and report reviews, accreditation and certification programs, compliance assistance/outreach activities, and, when necessary, enforcement actions.



### Major and Minor Source Compliance

The Major and Minor Source Compliance sections are responsible for ensuring compliance at more than 2,000 facilities within the state. The Major Source Compliance Section is

## Division of Air Quality – 2015 Annual Report

---

responsible for inspections and report/plan reviews for the large facilities, audits of stack tests and continuous emission monitoring systems, and any associated enforcement. The Minor Source Compliance Section is responsible for inspections and report/plan reviews at small to medium-sized facilities, audits, stack tests, fugitive dust control, abrasive blasting, residential solid fuel burning, gasoline transport/filling station vapor recovery, open burning, and any associated enforcement.

**Table 5. Major and Minor Source Compliance Summary**

<b>TASK</b>	<b>2015</b>
Source Inspections	480
On-site Stack Test/CEM Audits	191
Stack Test/CEM Reviews	428
Temporary Relocations Accepted	102
Fugitive Dust Control Plans Accepted	1171
Miscellaneous Inspections	417
Complaints Received	381
VOC Inspections	0
Warning Letters	21
Notices of Violations	1
Compliance Advisories	76
Settlements	28
Total Inspections	1088
Penalties Assessed	\$124,695.00

### **Air Toxics, Lead-Based Paint, and Asbestos Section (ATLAS)**

ATLAS determines compliance with specific regulations involving asbestos, lead-based paint, and area sources of air pollutants that are not required to have DAQ AOs, but are subject to MACT requirements of Title 40 Code of Federal Regulations (40 CFR) Part 63 [See R307-214-2 of the Utah Administrative Code (UAC)]. ATLAS is responsible for the following programs:

#### *National Emission Standards for Area Source Categories*

Sources that are required to comply with 40 CFR Part 63 Subpart M *National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities MACT*, or the 40 CFR Part 63 Subpart N *National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks MACT*, and are not required to have DAQ AOs, are inspected by ATLAS.

#### *Lead-Based Paint*

Toxic Substances Control Act (TSCA) Title IV, 40 CFR Part 745 (R307-840, 841, and 842 of the UAC). Under this program, ATLAS deals with the accreditation of training programs,

## Division of Air Quality – 2015 Annual Report

---

certification of individuals and firms, work practices for lead-based paint activities, and lead-based paint outreach activities.

### Asbestos in Schools

TSCA Title II Asbestos Hazard Emergency Response Act (AHERA), 40 CFR Part 763 (R307-801-4 of the UAC). Under this program, ATLAS deals with the approval of training providers, certification of individuals and companies, inspections of school buildings, and inspections of asbestos abatement in schools.

### Asbestos NESHAP and State Asbestos Work Practices

40 CFR Part 61, Subpart M (R307-214-1 and R307-801 of the UAC). Under this program, ATLAS deals with the certification of individuals and companies, review of asbestos project notification forms, review of demolition notification forms for structures, review of alternate work practices, inspection of asbestos abatement projects, demolition of structures, and asbestos outreach activities.

**Table 6. ATLAS Activity Summary**

TASK	2015
MACT Inspections	8
Asbestos NESHAP Inspections	439
Asbestos AHERA (School) Inspections	433
Asbestos State Rules (Only) Inspections	79
Asbestos Notifications Accepted	1950
Asbestos Telephone Calls	4920
Asbestos Individuals Certifications	820
Asbestos Company Certifications	121
Asbestos Alternate Work Practices	162
Lead-Based Paint Inspections	68
Lead-Based Paint Abatement Notifications	27
Lead-Based Paint Telephone Calls	793
Lead-Based Paint Letters Prepared & Mailed	591
Lead-Based Paint Courses Reviewed	1
Lead-Based Paint Individual Certifications	277
Lead-Based Paint Firm Certifications	148
Notices of Violations	0
Compliance Advisories	182
Warning Letters	140
Settlement Agreements	8
Penalties Collected	\$19,954.52

### **Small Business Environmental Assistance Program (SBEAP)**

SBEAP helps small businesses understand and comply with state air quality rules. SBEAP provides “plain language” educational information to help small sources learn about the many air quality requirements. SBEAP also provides on-site assistance with process evaluation, compliance assistance, and pollution prevention techniques. A toll-free telephone hotline number (1-800-270-4440) provides access to SBEAP services.

### **Enforcement Actions**

The following enforcement actions may be taken depending on the magnitude of the alleged violation(s), prior compliance history, and degree of cooperation of an alleged violator:

- A. Compliance Advisory – a notification describing the alleged violation(s). The recipient is given opportunity to refute and/or provide further details regarding the alleged violation(s) prior to any further enforcement action. A Compliance Advisory is a discovery document and not a declaration of actual violation(s).
- B. Warning Letter – a notification sent to violators to resolve minor, first-time violations.
- C. Early Settlement Agreement – a less formal resolution of an alleged violation(s) in which the DAQ and the recipient agree in writing to specific actions taken to correct the alleged violation(s). Any stipulated penalties are discounted by 20% to encourage quick resolution. Supplemental Environmental Projects may be agreed to, to offset a portion of any cash payments for stipulated penalties. All collected penalties become part of the State General Fund.
- D. Notice of Violation and Order for Compliance – a formal, traditional declaration of a violation(s) which involves the Attorney General’s Office. The cited violation(s) become final after 30-days, unless formal appeal procedures are followed.
- E. Settlement Agreement - a resolution of a potential violation(s) in which the DAQ and the recipient agree to specific actions taken to correct the potential violation(s). No discounts of stipulated penalties are offered. The DAQ legal costs may also be included. Supplemental Environmental Projects may be agreed to, to offset a portion of any cash payments for stipulated penalties. All collected penalties become part of the State General Fund.

Most enforcement actions are resolved through Warning Letters or Early Settlement Agreements. In rare instances, Notices of Violations and Orders for Compliance are used. In the extremely rare instance where the aforementioned enforcement actions fail to resolve a compliance issue, procedures are in place for Board hearings/administrative law judge review or formal judicial action. Environmental criminal cases are referred to the appropriate law enforcement agency.