UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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January 30, 2014

MEMORANDUM

SUBJECT: Record of Communication – meeting with Deseret

FROM: Deirdre Rothery

TO: Deseret Title V permit docket

This memorandum is to serve as a record of communication for a meeting that occurred in Region 8's conference center on 1/30/2014 from 11:00 a.m. – 12:30 p.m.

Attendees:

EPA
Mike Owens - Air Program
Aaron Worstell – Air Program
Carl Daly – Air Program, Director
Deirdre Rothery - Air Program, Unit Chief
Sara Laumann - Office of Regional Counsel
Elyana Sutin - Office of Regional Counsel

Deseret
David Crabtree – Vice President and General Counsel
Eric Olsen - Environmental Compliance and Process Superintendent

Summary of meeting

Background
EPA provided background on permitting for Deseret including a general update on the recent Wild Earth Guardians (WEG) lawsuit regarding EPA's delay in issuance of Deseret's Title V permit. EPA also noted we intend to address adverse comments received on the proposed Title V permit regarding PSD analysis for the ruggedized rotor project during the Title V permitting process. Deseret noted they obtained the needed permits for the project otherwise they would not have moved forward with the project.

Timing
EPA noted that we will be negotiating a deadline with WEG soon for issuance of a Title V permit. EPA also noted our preferred approach would be to issue the Title V permit and at the same time address the PSD analysis.

Facility Information
EPA noted that it would be helpful to the permitting process if we had additional information from Deseret regarding the facility, in particular information that would help inform a control technology PSD analysis. Deseret indicated they were taking into consideration the new effective and applicable rules, potential applicable rules being promulgated and potential nonattainment designation for the

basin, all of which created future uncertainty, making long term planning for the facility difficult. Deseret noted the NOx burner barrels were showing their age and the company was discussing options for upgrades, including low NOx burners with over-fire air. Deseret noted they were in the initial stages of analysis for this potential upgrade.

Next Steps

It was agreed that Aaron and Mike would request specific facility information needed for permit development and currently available to Deseret as needed from Eric. Deseret noted they would need to meet with their board regarding the development of additional facility permitting information EPA seeks. Deseret's next board meeting is mid-February and Deseret would be in contact with EPA after that meeting.