UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
http://www.epa.gov/region08

MAR 26 2014

Ref: 8P-AR

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kimball Rasmussen
President and CEO
Deseret Power Electric Cooperative
10714 South Jordan Gateway
South Jordan, UT 80495

Re: Request for Information Pursuant to Section 114 of the Clean Air Act

Dear Mr. Rasmussen:

Pursuant to Section 114 of the Clean Air Act (CAA), 42 U.S.C. § 7414, and under the authority delegated to the undersigned, you are required to provide the information listed below. This information will be used by EPA in carrying out the CAA. We are requesting this information to further inform our permitting process for the Bonanza power plant, including issues regarding Prevention of Significant Deterioration (PSD) applicable requirements and analysis that may be necessary to resolve those issues. Specifically, EPA is planning to address potentially applicable PSD requirements that may have been triggered by Deseret's ruggedized rotor project completed in 2000.

1. Information on the existing Bonanza power plant:

   A. A facility plot plan, boiler schematics and other diagrams as necessary to show the physical orientation of the boiler as it relates to other structures, buildings, process equipment, duct work, and existing air pollution controls.

   B. The gross and net rated megawatt capacity of the Unit 1 boiler between 1995 and 2014.

   C. The maximum hourly heat input capacity of the Unit 1 boiler between 1995 and 2014.

   D. The annual heat rate (Btu/kWh) of the Unit 1 boiler between 1995 and 2014.

   E. The temperature profile of the upper furnace. This relates to the performance of Selective Non-Catalytic Reduction (SNCR) which can be degraded at higher temperatures.

F. Coal characteristics, including heat content (Btu/lb) and sulfur content, of the coal burned in the Unit 1 boiler between 1995 and 2014, expressed as annual averages.

G. The annual consumption of coal and other fuels between 1995 and 2014 for the Unit 1 boiler.

H. Any NO_x control technology engineering analyses, proposals, budget estimates, bids, or similar information for the Unit 1 boiler provided by control technology vendors or consultants to Deseret between 1995 and 2014.

2. Information on available NO_x control technology options for the Unit 1 boiler at the Bonanza power plant:

A. Estimated capital cost, annual operating costs, potential NO_x control effectiveness in terms of anticipated emission rate in pounds per million Btu (lb/MMBtu), and estimated length of time necessary to install and begin operating new emission control equipment, for each of the following available NO_x control options for the Unit 1 boiler:

(i) New low-NO_x burners and overfire air (LNB+OFA)
(ii) Option (i) plus Selective Non-Catalytic Reduction (SNCR)
(iii) Option (i) plus Selective Catalytic Reduction (SCR)
(iv) Option (i) plus fuel switch to alternative source of coal that might yield a lower NO_x emission rate, such as subbituminous coal

B. Discussion of technical feasibility of any other available NO_x control options. For any such options that are technically feasible, provide the same information as listed in item 2.A above.

The information on available NO_x control technology options may be based on technology currently available, or may be based on what was available at approximately the time that EPA proposed to issue the 2001 PSD permit (September of 2000). Information on all options should be presented using the same time frame.

You must submit the information requested in this letter within thirty (30) calendar days after your receipt of this letter. This information should be submitted to:

Carl Daly, Director
Air Program
U.S. EPA Region 8
1595 Wynkoop Street
Denver, CO 80202-1129
Attn: Mike Owens

If any of the information in item 1 above has been previously submitted to EPA in its entirety, Deseret Power has the option of resubmitting the information or identifying where the information has been provided in a previous submission.

If you anticipate being unable to respond fully to this request within the time period specified, you must submit a sworn declaration by a responsible corporate official within twenty (20) calendar days after your receipt of this letter, specifying what information will be provided within the time period specified, describing what efforts have been made or are being made to obtain other responsive information and providing a detailed schedule of when such other responsive information can be provided. Upon receipt and based upon such declaration, EPA may extend the time in which responsive information must be provided.

A duly authorized officer or agent of Deseret Power must certify as true, accurate and complete Deseret Power's response to this information request, by signing the enclosed Statement of Certification (Enclosure 1) and returning it with the response. Such officer or agent must have sufficient knowledge and authority to make such representations on behalf of Deseret Power.

Pursuant to Section 114(c) of the CAA, 42 U.S.C. §7414(c), and 40 C.F.R. Part 2, Subpart B, Deseret Power is entitled to assert a business confidentiality claim covering any part of the submitted information. Enclosure 2 specifies the assertion and substantiation requirements for business confidentiality claims. Failure to assert such a claim makes the submitted information subject to public disclosure upon request and without further notice to you, pursuant to the Freedom of Information Act, 5 U.S.C. Section 552. Information subject to a business confidentiality claim may only be made available to the public in accordance with 40 C.F.R. Part 2, Subpart B.

Emissions data provided under Section 114 of the Act, 42 U.S.C. §7414, is not entitled to confidential treatment under 40 C.F.R. Part 2. If you do claim confidentiality, we request that you submit that portion of the response (only that specific portion for which you are claiming confidential treatment) separately from all other information.

The EPA has the authority to use any of the information required by this letter in carrying out our responsibilities or actions under the CAA as described in Section 114(a) of the CAA.

A knowing submittal of false information in response to this request may be actionable under Section 113(a)(2) of the CAA, as well as 18 U.S.C. §§ 1001 and 1341. Failure to comply with the terms of this request may subject Deseret Power to enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

The requirements of this letter are not subject to the Paperwork Reduction Act of 980, 44 U.S.C. §3501 *et seq.*

We appreciate your cooperation in this matter. If you have any questions, please call Mike Owens of my staff at 303-312-6440.

Sincerely,

Debra H. Thomas, Acting Assistant Regional Administrator
Office of Partnerships and Regulatory Assistance

Enclosures:

1. Statement of Certification
2. CBI Assertion and Substantiation Requirements

cc: David Crabtree, Deseret Power
Eric Olsen, Deseret Power
Minnie Grant, Air Coordinator, Ute Indian Tribe

ENCLOSURE 1

Statement of Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

_____
(Signature)

_____
(Title)

_____
(Date)

ENCLOSURE 2

Confidential Business Information (CBI)
Assertion and Substantiation Requirements

1. Assertion Requirements

You may assert a business confidentiality claim covering all or part of the information requested in the attached letter, as provided in 40 CFR §2.203(b). If portions of a document have CBI claims, then please provide a redacted version that would remove any CBI information. To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document over which you make a claim of confidentiality should be marked by placing on or attaching to the information, at the time it is submitted to United States Environmental Protection Agency (U.S. EPA), a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret" or "proprietary" or "company confidential" and a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by the U.S. EPA only to the extent permitted and by means of the procedures set forth by Section 114(c) of the Clean Air Act (the Act), and 40 CFR Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. U.S. EPA will construe the failure to furnish a confidentiality claim with your response to the attached letter as a waiver of that claim, and the information may be made available to the public without further notice to you.

Please segregate personnel, medical and similar files from your responses and include that information on separate sheet(s) marked as "Personal Privacy Information" given that disclosure of such information to the general public may constitute an invasion of privacy.

2. Substantiation Requirements

All confidentiality claims are subject to U.S. EPA verification and must be made in accordance with 40 CFR §2.208 which provides in part that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; and that the information is not and has not been reasonably obtainable by legitimate means without your consent.

As explained above, if you assert a CBI claim in responding to the attached letter, please specify which portions of the information you consider confidential. **You must be specific by page, paragraph, and sentence when identifying the information subject to your claim**. Any information not specifically identified as subject to confidentiality claim may be disclosed to the public and a requestor without further notice to you. For each item or class of information that you identify as being subject to CBI, please answer the following questions, giving as much detail as possible:

a. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will create the need for confidentiality, please specify that event.

b. Information submitted to U.S. EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #a?

c. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?

d. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?

e. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.

f. For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

g. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to U.S. EPA of similar information in the future.

h. Any other issue you deem relevant (including, if pertinent, reasons why you believe that the information you claim to be CBI is not emission or effluent data.)

Please note that emission data, provided under Section 114 of the Act, 42 USC § 7414, is not entitled to confidential treatment under 40 CFR Part 2. "Emission data" means, with reference to any source of emission of any substance into the air:

a. Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

b. Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

c. A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source). 40 CFR §§ 2.301(a)(2)(i)(A), (B) and (C).

Emission data includes, but is not limited to, service records stating the amount of refrigerant added to a unit or reclaimed from a unit.

You bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), U.S. EPA requires that you bracket all text so claimed and mark it "CBI". Information so designated will be disclosed by U.S. EPA only to the extent allowed by, and by means of the procedures set forth in 40 CFR Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

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