

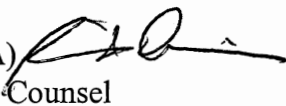


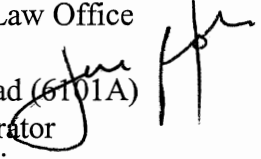
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUN 24 2005

MEMORANDUM

SUBJECT: Inadvertent Errors in the Regional Haze Best Available Retrofit Technology Regulations and Guidelines Preamble and Regulatory Text

FROM: Richard B. Ossias (2344A)   
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Air and Radiation Law Office

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TO: Steven L. Johnson (1101A)  
Administrator

The Regional Haze Best Available Retrofit Technology Rule and Guidelines (“the BART Guidelines”) were signed on June 15, 2005. A review of the preamble and regulatory text identified a number of technical and relatively minor errors in addition to typographical and other errors in form. The typographical and other errors in form throughout the document have been corrected. Technical and relatively minor errors were found in sections II and III of the preamble and in sections II, III, and IV of Appendix Y. The corrections for these errors are listed below. Most of these corrections reflect changes agreed to during the interagency review process but which were not reflected in the version of the BART Guidelines signed on June 15<sup>th</sup>. You may indicate your approval of these corrections at the bottom of this memorandum. With your approval, these corrections will be made in the version of the BART Guidelines to be published in the Federal Register.

Preamble

Section II

1. Section II.F, p. 18. Correct “The first two of these approaches . . .” to read “Certain of these approaches . . .”

This change corrects an error and makes the introduction consistent with other parts of the preamble and Appendix Y.



2. Section II.F, p. 20. Delete the phrase “without further analysis at that stage in the process”

This change corrects an error and makes the introduction consistent with other parts of the preamble and Appendix Y.

3. Section II.F, p. 22. Add the following sentence at the end of the section “Finally, States may use cumulative modeling to show that no sources in a State are subject to BART.”

This change provides clarity and makes this paragraph consistent with other parts of the preamble and Appendix Y.

### Section III

1. Section III.D, p. 110. Delete “and such use has been approved by the appropriate EPA regional offices”

This change corrects an error and makes this discussion consistent with other parts of the preamble and Appendix Y.

2. Section III.D, p. 114. Delete “Congress used sweeping terms (cause *or contribute to any* impairment at *any* Class I area) to describe the low triggering threshold for BART review.”

This corrects language that was erroneously included in the final preamble.

3. Section III.D p. 114. Delete “would be fundamentally at odds with the low triggering threshold for BART review, because it”

This corrects language that was erroneously included in the final preamble.

4. Section III.D, p. 114. Correct “. . . the following untenable paradox: the dirtier the existing air, the less likely it would be that any control is required from any one source.” to read “the following paradox: the dirtier the existing air, the less likely it would be that any control is required.”

This corrects language that was erroneously included in the final preamble.

5. Section III.E, p. 121. Correct “protocol approval” to read “protocol development”

This change corrects an error and makes this language consistent with other parts of the preamble and Appendix Y.

6. Section III.E, p. 122. Correct “has been approved” to read “has been finalized”

This change corrects an error and makes this language consistent with other parts of the preamble and Appendix Y.

7. Section III.E, p. 123. Delete “and approval” in two sentences

This change corrects an error and makes these sentences consistent with other parts of the preamble and Appendix Y.

8. Section III.E, p. 123. Correct “track single source impacts, demonstrate acceptable model performance, and are approved by us for use” to read “track single source impacts and demonstrate acceptable model performance.”

This change corrects errors and makes this language consistent with other parts of the preamble and Appendix Y.

## Appendix Y

### Section II

1. Section II.A, p. 283. Correct “is a part of” to read “is an integral part of”

This change corrects an error and makes Appendix Y consistent with the preamble.

2. Section II.A, p. 299. Correct “SO<sub>2</sub>, NO<sub>x</sub>, and VOC” to read “SO<sub>2</sub> and NO<sub>x</sub>”

This change corrects an error and makes Appendix Y consistent with the preamble and the regulatory text.

### Section III

1. Section III.A, p.302. Correct, “In addition, you may use PM<sub>10</sub> or PM<sub>2.5</sub> as an indicator for PM<sub>2.5</sub> in determining whether a source is subject to BART. In determining whether a source contributes to visibility impairment, however, you . . .” to read “In addition, although as explained in Section II, you may use PM<sub>10</sub> as an indicator for particulate matter in determining whether a source is BART-eligible, in determining whether a source contributes to visibility impairment, you . . .”

This change corrects an error and makes Appendix Y consistent with the preamble.

2. Section III.A, p. 304. Correct “. . ., or another EPA approved model,” to read “or other appropriate model”

This change corrects an error and makes this language consistent the preamble and other

parts of Appendix Y.

3. Section III.A, pp. 306 and 311. Correct “other EPA- approved” to read “other appropriate”

This change corrects an error and makes this language consistent with the preamble and other parts of Appendix Y.

4. Section III.A, p. 307. Add the sentence “We recommend that States use the 24 hour average actual emission rate from the highest emitting day of the meteorological period modeled, unless this rate reflects periods of start-up, shutdown, or malfunction.”

This change adds clarity and is consistent with the preamble and other parts of Appendix Y.

#### Section IV

1. Section IV.D, p. 355. Correct “For the Source analysis: . . .
  - Modeling protocol” to read “There are several steps for determining the visibility impacts from an individual source using a dispersion model:
  - Develop a Modeling Protocol”

This change adds clarity to Appendix Y.

2. Section IV.D, p. 357. Correct “. . . run CALPUFF, or other EPA approved model,” to read “run the model”

This change corrects an error and makes this language consistent with the preamble and other parts of Appendix Y.

3. Section IV.D, p. 357. Correct “Use the 24-hr emission rate. . .” to read “Use the 24 hour actual emission rate”


This change makes this language consistent with the preamble and other parts of Appendix Y.

#### Section V

1. Section V, p. 369. Correct “. . . subject to BART review.” to read “. . . subject to BART regulation.”

This change corrects an error.

We recommend that you correct these inadvertent errors and approve these changes by signing and dating below.

  
\_\_\_\_\_  
Stephen L. Johnson  
Administrator

JUN 24 2005  
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Date