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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region IX  
215 Fremont Street  
San Francisco, Ca. 94105  
September 10, 1986

Mr. R.J. Sommerville  
Air Pollution Control Officer  
San Diego County Air Pollution  
Control District  
9150 Chesapeake Drive  
San Diego, CA 92123

Dear Mr. Sommerville:

This is a follow-up to our June 27, 1986 letter to you regarding the June 3, 1986 remand of the North County Resource Recovery Associates PSD permit in San Marcos, California.

It is the initial opinion of EPA that PSD permits should not be issued to new sources by any permitting agency unless the project's proposed BACT represents the greatest degree of control currently achievable for unregulated pollutants emitted by that category of source. EPA suggests the following:

- \* If the project's proposed BACT does not consider the control of unregulated pollutants, then the PSD permit should be placed on hold pending guidance from EPA Headquarters on the implementation of the remand decision.
- \* If the project's proposed BACT considers the control of unregulated pollutants, then permitting can proceed provided a condition is added to the PSD permit as suggested in the attachment. This condition may be deleted from the affected permit at a future date when all issues related to the remand have been addressed by the applicant and the permitting agency.

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Further guidance regarding this matter will be forthcoming. If you have any questions, please call Wayne Blackard, Chief of our New Source Section, at (415) 974-8249.

Sincerely,

David P. Howekamp  
Director  
Air Management Division

Enclosure

Suggested Permit Condition  
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Control of Unregulated Pollutants  
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Should additional guidance relating to the June 3, 1986 PSD remand,

applicable to this permitting action, be developed, (company name) shall provide to (agency name) any such analysis, data or demonstration of compliance with other requirements within the time required by such guidance.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

JUN 27 1986

Mr. David J. Minedew  
Director  
Washoe County Air Pollution  
Control District  
1001 E. Ninth  
Reno, NV 89520

Dear Mr. Minedew,

On June 3, 1986, the Administrator issued a remand of the North County Resource Recovery Associates PSD Permit to the Region 9 office. On June 24, all Regional offices of EPA were notified by the Office of General Counsel that the decision embodied in this remand should, at a minimum, be applied to all PSD applications currently in process (i.e. at least those projects that have not yet received a final permit). This requirement also applies to PSD programs delegated to State or local agencies.

Guidance on how to implement this decision should be forthcoming from EPA headquarters in approximately two weeks. Since BACT determinations for all permits are potentially impacted, you are requested to not issue any proposed or final permit until this guidance is provided to your agency.

Please call me if you have any questions.

Sincerely,

ORIGINAL  
SIGNED BY:

David Howekamp  
Director  
Air Management Division

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