

EPA Report for October 14, 2014

Water Division

Proper Function Condition Workshop

The Chemehuevi Indian Tribe will be hosting a Proper Function Condition Workshop, sponsored by the US Environmental Protection Agency Region IX, Water Division. This workshop is designed for tribal staff involved in, or has future plans for, natural resource and/or water quality monitoring programs.

Proper Function Condition (PFC) is a methodology for assessing the physical functioning of riparian and wetland areas. The term PFC is used to describe both the assessment process, and a defined, on-the-ground condition of a riparian-wetland area. Stream function is determined by assessing the hydrology, vegetation, and soil/landform attributes. PFC protocol is designed to yield information on the biology of the plants and animals dependent on the riparian-wetland area. PFC provides information indicating whether a riparian-wetland area is physically functioning in a manner allowing for the maintenance or recovery of desired attributes. For example, fish habitat, birds, forage, or water quality over time.

This free workshop will be held **Tuesday, October 21, 2014 – Thursday, October 23, 2014** at the Chemehuevi Indian Reservation, in Havasu Lake, CA. The Chemehuevi Indian Reservation is located approximately 155 miles south of Las Vegas, NV, and 315 miles northeast of San Diego, CA.

To register please contact Nancy Sockabasin at sockabasin.nancy@epa.gov or 415-972-3772. Provide the following information to register: Name, title, tribe/organization, email address, and phone number.

Lodging options can be found in Needles, CA (approximately 40 miles) or in Lake Havasu City, AZ (passenger ferry ride required).

Superfund Division

Need Help With Targeted Brownfields Assessments?

The EPA Brownfields Office offers technical assistance on Targeted Brownfields Assessments year round. An EPA contractor can assist you (no funding and no match, non-competitive) with Phase I and Phase II environmental assessments, land reuse planning, evaluate clean-up options and provide cost estimates based on future use. Contact Glen Kistner for more details, at 415-972-3004 or Kistner.glen@epa.gov.

Air Division

Note: as of September 24, 2014 the position of tribal co-chair of the RTOC Air Workgroup is vacant, as Jacquelyn Gonzales from Cabazon stepped down.

Tribal Air Funding

The funding announcement for FY16 tribal Clean Air Act funding will be available next month, November, 2014. Please contact Roy Ford, ford.roy@epa.gov or 415-972-3997 with questions.

PM2.5 Designations

In December 2013, state recommendations and tribal recommendations (if they chose to provide them), were due to EPA regarding which areas should be designated as attaining or not attaining the 2012 fine particulate matter (PM2.5) standards, including the revised annual standard of 12 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$). The Pala Band submitted a recommendation. In May 2014, Region 9 sent letters to affected tribes offering consultation on the designation process. To date, no tribe has requested consultation. On August 19, 2014, EPA sent letters to 20 tribes regarding this designation.

More information on the designation process for tribes can be found at:

<http://www.epa.gov/air/tribal/pdfs/DevelopingaDesignationRecommendationforIndianCountry.pdf>. Please contact John Kelly at Kelly.johnj@epa.gov or 415-947-4151 with questions.

Final Action for Best Available Retrofit Technology for Navajo Generating Station, Navajo Nation

On February 5, 2013, EPA proposed a best available retrofit technology (BART) determination for Navajo Generating Station, an Alternative to BART, and a framework for evaluating Alternatives to BART. On July 26, 2013, a group of stakeholders known as the Technical Work Group (TWG) submitted to EPA an additional Alternative to BART for consideration. EPA did not participate in the TWG and has independently evaluated the TWG Alternative to determine if it meets the requirements of the Clean Air Act and Regional Haze Rule. Based on our evaluation, on September 25, 2013, EPA supplemented our February 25, 2013 proposed rule, with an additional proposal to approve the TWG Alternative. The comment period on the proposed rule ended January 6, 2014, and EPA finalized the BART FIP in August 2014.

More information can be found here: <http://www.epa.gov/region9/air/navajo/index.html#station>.

Tribal New Source Review (NSR) Rule Updates

NSR permits are legal documents that the facility owners/operators must abide by. The permit specifies what construction is allowed, what emission limits must be met, and often how the emissions source must be operated.

In December, EPA proposed a rule to simplify the Clean Air Act permitting process for certain smaller sources of air pollution commonly found in Indian country. The action proposed: (1) general permits and permits by rule for certain source categories, (2) an extension of the minor source permitting deadline for true minor sources within the oil and gas source category, and (3) to change the policy in the Indian Country Minor NSR Rule to allow for the use of general permits (and permits by rule) to create synthetic minor sources. This action will ensure that air quality in Indian country is protected by implementing the Tribal Minor Source New Source Review Rule issued by EPA in July 2011.

The phased in regulation dates and phased in deadlines have all passed, and the rule is in effect in all of Indian Country. Tribes need to contact EPA Region 9 to get a permit for new construction or modification of major sources of air pollution, and register any minor sources.

EPA has proposed general permits for eleven categories of emission sources: (1) hot mix asphalt plants; (2) stone quarrying, crushing, and screening facilities; (3) gasoline dispensing facilities; (4) petroleum dry cleaners; (5) auto body repair and miscellaneous surface coating operations; (6) spark ignition engines; (7) compression ignition engines; (8) sawmills; (9) concrete batch plants; (10) boilers; and (11) graphic arts and printing operations. This will streamline the existing process and minimize the burden on reviewing authorities and sources

Along with the permits themselves, EPA is making available, on its website, several implementation documents and tools to assist applicants in completing the permit application forms on which we are requesting comment. For more information, please go to: <http://epa.gov/air/tribal/tribalnsr.html>.

New Source Performance Standards (NSPS) for Woodstoves

On January 3, 2014, EPA proposed to update and expand the new source performance standards (NSPS) for residential wood heaters. EPA proposed to strengthen the emission limits that apply to newly manufactured wood stoves, and to expand applicability of the rule to new pellet stoves, hydronic heaters (also called wood heaters and wood boilers), forced-air furnaces and masonry heaters, and single burn-rate stoves. The rules propose implementation through a two phase process over a five-year period.

The rules would not apply to residential heating units that burn solely oil, coal or natural gas. Nor would the rules apply to existing units in use in people's homes, outdoor fireplaces, pizza ovens, barbecues or chimineas. The rule would not restrict use of wood-burning appliances for residential heating. The rule would not apply to new indoor fireplaces, however EPA is taking comment on whether to regulate these. The effectiveness of the final regulation will depend on the proper operation of these appliances by the owners. When the proposal is published in the Federal Register, EPA will hold a 90-day public comment period. EPA held a public hearing on the proposal on February 26, 2014 in Boston, MA, and on webinars to provide additional information. On June 24, 2014, EPA issued a Notice of Data Availability seeking public comment on data on residential wood heater testing. EPA plans to finalize the rule a year after publication. More information can be found at: <http://www2.epa.gov/residential-wood-heaters>

Climate Champion Competition

On October 1st the Administration announced a new Climate Action Champions competition that will identify, showcase, and invest in up to 15 local and tribal governments across the country that demonstrate an ongoing commitment to cutting carbon pollution and preparing for the impacts of a changing climate. The competition will be administered by the U.S. Department of Energy (DOE), and will be implemented in collaboration with a broad range of Federal agencies.

Tribal communities designated as Champions will be offered the chance to participate in the Strategic Technical Assistance Response Team (START) program, which is an in-depth technical assistance program designed to help develop renewable energy projects. This year, the START program will emphasize working with tribes on energy system resilience.

The application for the Competition will be open until October 27, 2014. For more information contact Sara Bartholomew at 415-947-4100 or Bartholomew.sara@epa.gov

Upcoming classes at the Institute for Environmental Professionals (ITEP) classes:

Nov 4-7 – Tribal Participation in the State Implementation Plan (SIP) Process	Dallas, TX
Nov 18-21 – Indoor Air Quality (IAQ) Diagnostic Tools	Las Vegas, NV
2015	
Jan 13-16 – Air Quality Computations	Las Vegas, NV
Feb 3-6 – Clean Air Act and Permitting	Las Vegas, NV
Mar 2-6 – Air Pollution Technology	Flagstaff, AZ
Apr 7-9 – GIS for Air Quality	Las Vegas, NV
Apr 14-16 – Indoor Air Quality in Tribal Communities	TBD
Apr 28-30 – Air Pollution Modeling	Las Vegas, NV
June 2-5 – Introduction to Tribal Air Quality	TBD
Spring 2015 – Treatment As a State (TAS)	TBD