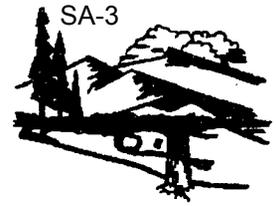




Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

February 12, 2008

Mr. Caleb Hiner, Project Lead
Bureau of Land Management
Pinedale Field Office
1625 West Pine St.
P.O. Box 768
Pinedale, Wyoming 82941

RE: Air Quality Division Comments on the Pinedale Anticline Production Area Revised Draft Supplemental Environmental Impact Statement (PAPA DSEIS)

Dear Mr. Hiner:

The Air Quality Division (AQD) would like to take this opportunity to make comments and suggestions on the PAPA DSEIS. Comments and suggestions are presented in the order the relevant text appears in the DSEIS.

Chapter 4, Section 4.9.3.5

Discussion on the top of page 4-85 regarding the creation of a mitigation plan to achieve the goal of zero days of visibility impairment over 1.0 dv at the Bridger Wilderness provides for the EPA to jointly agree to this mitigation plan in conjunction with the BLM, Operators and WDEQ-AQD. I object to any language which purports to place EPA in a decision making role concerning selection of an ultimate set of emission control measures to achieve this goal. In previous comments to you, we have agreed that a collaborative group including operators, BLM and AQD would select these emission control measures. This is entirely proper, since AQD must ultimately consent to any such measures, thus maintaining its primacy regarding the air quality within the State of Wyoming. We have not consented to abrogate that responsibility to EPA. EPA's role is defined in the Clean Air Act: it approves Wyoming's State Implementation Plan (which it has done), and it oversees AQD's actions to meet the requirements of the Plan (which it continues to do). The AQD does not consent to placing EPA in a role of selecting emission control options or strategies to be implemented in Wyoming. The language in Chapter 4, page 4-85 must be modified to reflect the AQD's language previously provided to you.

SA-3-1

AQ-1

Implementation

No. 1 - In order to create certainty around the submission of the Operators "10-year rolling forecast or development plan," I recommend that a specific calendar date be associated with this submission. Submission could be tied to the anniversary date of the issuance of the Record of Decision for this project or a specific month of the year. This will provide clear direction concerning when the annual forecasts are to be submitted, and planning sessions held.

AP-1

SA-3-2



MF-1 SA-3-3 No. 6 – In order to be clear about allowable uses for the Mitigation and Monitoring fund proposed in Appendix 11 and included as part of Alternative D, the introductory language for implementation commitment No. 6 should be changed to read: “The mitigation and monitoring fund proposed in Appendix 11 would be used to pay for the following additional activities, to be carried out by WDEQ-AQD.”

Appendix 11 Alternative D Mitigation

MF-2 SA-3-4 In order to ensure that the air quality compliance activities proposed for funding under Section 4.9.3.5 are eligible for funding through the mitigation fund and not inadvertently precluded by the language existing in the current version of this Appendix, I suggest that changes be made to two identical paragraphs. These paragraphs are found on pages 11-2 and 11-5. The following changes shown in strike and underline should be made:

“The funds referenced in this correspondence are aimed at mitigation and monitoring activities. It is impossible to accurately predict what types of actions would warrant the use of these monies, but ~~compliance activities~~ costs Proponents will incur to implement the Proponents’ committed mitigation and comply with regulatory requirements do not fit the intended purpose of the fund.”

MF-3 SA-3-5 The first sentence in the last paragraph in this Appendix (page 11-6) refers to “*any other Decision Record*,” with regard to commitments this PAPA DSEIS would supersede. However, the italicized phrase appears to not only refer to past Decision Records (which are itemized in this paragraph), but could also be interpreted to refer to any future Decision Records. As this is probably not the intent of this phrase, I would recommend that the phrase “previously approved” be inserted after “other.”

Air Quality Impact Analysis Technical Support Document

Table 3.5: The AQD notes that the modeled NO₂ impacts in one or more scenarios for proposed drill rigs and proposed compressor stations show that the annual NO₂ increment of 25 ug/m³ will be exceeded. These impact analyses conducted for the PAPA DSEIS compare future predicted NO₂ impacts to the Prevention of Significant Deterioration (PSD) Class II NO₂ increment; however, these analyses and results as reported in the PAPA DSEIS do not constitute a regulatory increment consumption analysis. The proposed compressor stations will require permits under the New Source Review (NSR) program prior to constructing these sources. Depending on the emissions associated with the proposed compression, the ensuing NSR permit applications will either be reviewed under the PSD program as major PSD sources, or as non-PSD minor sources. In either case, the AQD does not grant permits to sources with modeled impacts above the allowable increment(s). With regard to the modeled NO₂ levels which result from other emission sources, the AQD is responsible for ensuring that impacts will remain below the Class II increment.

SA-3-6 In addition, footnote #3 states that “drilling rigs are temporary and do not consume NO₂ PSD increment and are excluded from increment consumption comparison.” Under 40 CFR 51.166(f)(v), temporary emissions from stationary sources are excluded from increment consumption. However, drilling rigs do not fall under the stationary source category. Therefore, drilling rig emissions are

AG-2
SA-3-6 | considered to be increment consuming sources, as was reflected in the Division's Southwest Wyoming NO₂ increment consumption analysis (DEQ/AQD-2007). Please remove this footnote and associated references from this Table and text as appropriate.

Appendix H: Regional Ozone Assessment of the PAPA and Other New Sources in the Region

The CAMx modeling analysis performed for this project predicts the formation of ozone levels within the general location of the PAPA to be in the 80 to 85 ppb range for the Case 1 analysis and in the 70-75 ppb range for the Case 2 analysis. The AQD notes that the Case 2 analysis roughly incorporates operator committed mitigation measures to aggressively reduce NOx emissions from drill rig engines (and other sources as required). Given that the model performance evaluations comparing predicted values to monitored values indicated an under prediction of peak ozone values throughout the year and in particular during late June through November, it is imperative that mitigation of drill rig engine emissions begin as soon as possible.

The CALGRID ozone modeling previously run for the PAPA also predicted elevated ozone values in the PAPA area. AQD notes that the CALGRID ozone modeling also predicted 8-hour ozone values in the range of 70 to 75 ppb, but the model assumptions for this CALGRID modeling are unclear. Nevertheless, the AQD concludes from these analyses, as well as, from review of actual ozone monitoring data in the Upper Green River Basin, that elevated ozone levels in the area of the PAPA are a concern and this situation will require close and continued attention.

The AQD has embarked on further evaluation of ozone formation in the Upper Green River Basin, including the PAPA, through two consecutive years of field study, as well as, planned model development, to better understand previously monitored elevated ozone events and gather additional information. The results of these efforts will form the basis for the AQD to develop effective strategies to manage ozone formation in the Upper Green River Basin to ensure that the area remains in compliance with Wyoming and National Ambient Air Quality Standards.

To fulfill our obligation under the Clean Air Act, and with full knowledge that EPA will likely lower the National Ambient Air Quality Standard for 8-hour ozone, AQD is initiating discussions with the PAPA Operators to develop emission control strategies to maintain the quality of air in compliance with the current or any new National Ambient Air Quality Standard. Implementing any needed control strategies will be accomplished via the AQD's existing regulatory authority.

Additional Issues

MT-1
SA-3-7 | In order to manage and minimize impacts to air resources in the Upper Green River Basin, the AQD requests that the Alternative ultimately chosen contain the requirement for construction of a full-field liquids gathering system along with the mitigation strategies presented under Alternative D (including the requisite funding allowances).

MF-4
SA-3-8 | The AQD also recognizes the importance of proper management of the proposed monitoring and mitigation fund described in Appendix 11, and requests that we be given the opportunity to participate in any upcoming discussions and planning regarding management and implementation of the fund.

Mr. Caleb Hiner
February 12, 2008
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Thank you for the opportunity to comment. Please contact me if you have questions regarding these comments.

Best regards,

A handwritten signature in black ink, appearing to read "D. Finley", with a long horizontal flourish extending to the right.

David A. Finley
Administrator
Air Quality Division

kb

cc: John Corra
Todd Parfitt
Paige Smith
Ken Rairigh
Kelly Bott
Ryan Lance
Vern Stelter