

8/9/2007

AR-18J

Edwin Bakowski, P.E.
1021 North Grand Avenue East
P.O. Box 19506
Springfield, Illinois 62794-9506

Dear Mr. Bakowski:

This letter is in response to your May 24, 2007, letter requesting the United States Environmental Protection Agency (U.S. EPA) provide the Illinois Environmental Protection Agency (IEPA) with guidance on whether the fugitive emissions of particulate matter from haul roads should be included in the potential-to-emit (PTE) calculations for prevention of significant deterioration (PSD) applicability for a source that has both a coal mine and a coal preparation plant.

As you noted in your letter, 40 C.F.R. 52.21(b)(1)(c)(iii)(aa) requires the inclusion of fugitives in the PTE calculations for any other source category regulated under sections 111 or 112 of the Clean Air Act (CAA). Since the coal preparation plant source category is regulated under section 111, the fugitive emissions from a coal preparation plant would be included in the PTE calculations. Therefore, U.S. EPA agrees with IEPA. Fugitive emissions of particulate matter from coal preparation plants regulated under section 111 of the CAA, including emissions from haul roads, are to be considered for purposes of PSD applicability.

U.S. EPA has written many letters and memoranda clarifying when fugitive emissions are considering in PTE calculations. The most recent guidance letter that specifically addresses fugitive emissions at co-located coal mines and coal preparation plants is a March 6, 2003 letter from Cheryl L. Newton, Acting Director of the Air and Radiation Division to Janet McCabe, Assistant Commissioner of the Office of Air Quality, Indiana Department of Environmental Management. On page three of the attachment to this letter, U.S. EPA clearly states that "you include fugitive emissions only from the coal cleaning plant to determine if the source is a major stationary source." Since the letter doesn't exclude any specific type of fugitive emissions from the PTE calculations, we interpret this guidance to mean that all fugitive emissions including those from the relevant haul roads must be included.

In your letter you also expressed some concern that the West Virginia Department of the Environmental Protection (WV DEP) does not consider fugitive emissions from haul roads at coal preparation plant when calculating PTE. The WV DEP, unlike IEPA, runs a PSD program that is approved in its state implementation plan (SIP). West Virginia's PSD SIP specifically excludes fugitive emissions from haul roads at coal preparation plants from the determination of PSD applicability in certain circumstances (i.e. coal preparation plants with thermal dryers). Therefore,

fugitive emissions from haul roads at coal preparation plants are not considered in the PTE calculations in West Virginia under its approved SIP, but they are included in the PTE calculation under the delegated PSD program that is implemented in Illinois.

If you have any questions please feel free to contact Genevieve Damico, of my staff, at (312) 353-4761.

Sincerely Yours,

/s/

Pamela Blakley, Chief
Air Permits Section