MEMORANDUM OF UNDERSTANDING BETWEEN
ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
and
U.S. ENVIRONMENTAL PROTECTION AGENCY
for
PSD/NSPS PROGRAMS

By this agreement, the Alaska Department of Environmental Conservation (ADEC) and the United States Environmental Protection Agency, Region X, (EPA-X) establish the procedural basis for the State of Alaska to implement certain aspects of the Federal Clean Air Act. In this agreement, the respective areas of responsibility of the ADEC and EPA-X are defined during full delegation of the Prevention of Significant Deterioration (PSD) program to the State. The State's requirements for technical assistance from EPA-X are defined. These responsibilities and the need for technical assistance during full delegation are contained in Appendices 1 and 2. A list of both agencies' appropriate staffs and functions is provided in Appendix 3. Each agency will notify the other in writing when staff changes occur.

The signatories will review this document annually by June. Amendments or additional appendices may be developed and implemented by mutual agreement at any time, without renegotiating the entire Memorandum of Understanding (MOU).

Contact for initiating any of the activities defined in the agreement will be the ADEC Air Quality Control Program Supervisor and the EPA-X Alaska Office Air and Waste Coordinator. Once initial contact is made, the technical staffs of the two agencies will communicate directly. The ADEC contact will be Leonard D. Verrelli and the EPA contact will be Steve Torok. Ray Nye has been designated as the Seattle coordinator for EPA-X during PSD permit actions.

Ernesta B. Barnes

Ernesta B. Barnes, Regional Administrator
Region X Environmental Protection Agency

SEP 30 1983
Date

Richard A. Nevé

Richard A. Nevé, Commissioner
Alaska Department of Environmental Conservation

9/19/83
Date

INFORMATION AND TRAINING NEEDS

1. Data Requirements

Requests for data and information will be initiated by the contacts specified in the MOU. Requests will normally be in writing, as specific as possible and should specify the desired response time.

ADEC may request EPA-X assistance in acquiring environmental analyses and/or impact statements for projects similar to those proposed for Alaska. The PSD issues would be specified in the request.

ADEC may require data bases, such as meterological data, to enhance its modeling capability. ADEC will specify the type of data needed. After ADEC has exhausted other options for obtaining the data, ADEC may request that EPA-X obtain such data either from EPA or other Federal sources and provide it to ADEC. ADEC will copy the data bases or purchase them outright, as appropriate.

2. New Models

EPA-X will pursue the established regulatory process for approving appriopriate new models for use on a national level. EPA-X will keep ADEC informed of the status of proposed models and the technical merits or disadvantages of each model. Other models, not approved by EPA-headquarters, but which have special applicability for use in Alaska are to be reviewed and assessed for use jointly by EPA-X and ADEC. Utilization of any non-guideline model must be approved by both the Commissioner of ADEC and the Regional Administrator of EPA-X.

3. EPA-X Permit Files

ADEC may require access to EPA-X permits and other associated technical files pertaining to Alaska PSD sources. EPA-X's technical information concerning those PSD sources would enhance the State's ability to implement the program. EPA-X will allow access to these files at any time and provide copies of specified materials upon request.

ADEC may request that EPA-X obtain EPA technical evaluations of projects in other parts of the United States which are similar to projects proposed for Alaska. This would enhance ADEC's ability to prepare technically sound determinations in a timely manner. The response time will be specified in accordance with the needs of the particular project review.

4. ADEC Permit Files

EPA-X may require access to State Air Quality Contol Permit files of facilities affected by State adoption of EPA programs. ADEC will allow access to and provide copies of specified materials upon request.

5. Guidance Documents

ADEC may request copies of internal EPA-X guidance or EPA national guidance on NSPS determinations, processing PSD permit applications and Best Available Control Technology (BACT) determinations. Guidance may relate to PSD applicability and completeness determinations, BACT determinations, air quality monitoring network design, modeling procedures, etc. This guidance may consist of internal EPA-X memos, background documents, manuals, staff aids or other similar material. Such guidance may have been prepared for EPA staff use in processing applications, for the permittee's use in completing applications, or for general dissemination. EPA-X will give such information to ADEC upon request; the requests may be for specific documents or for generic subjects.

6. Training

In SFY'83, potential PSD projects have not gone beyond the preliminary determination stage and the State has not had adequate training opportunities. ADEC will request additional training from EPA in modeling, ambient air monitoring, BACT reviews and economic analyses for uncommon or unusual technologies or locations. Should additional persons be approved for the ADEC PSD program, ADEC may request familiarization training from EPA-X for those persons. This training would be similar to the aid provided by EPA-X during the interim delegation period. Training will be arranged through the State and federal coordinators on a case-by-case basis

DELEGATION

1. EPA-X delegated full responsibility of the Alaskan PSD program to the State on July 5, 1983. However, ADEC has insufficient resources to assume full responsiblity for the program without substantial EPA-X assistance. ADEC anticipates correction of the manpower shortfall in SFY'85.

2. EPA technical assistance and training also is needed since no PSD permit actions were carried through to completion during SFY'83. Continued EPA-X technical assistance will ensure a smooth transfer of responsibility for implementation of the PSD program. ADEC may request that EPA-X attend meetings related to our request for assistance. When ADEC has sufficient notice, ADEC will make such requests to EPA-X at least 2 weeks prior to such meetings. ADEC will provide schedules for relevant meetings and written documentation or relevant aspects of the meetings EPA-X is unable to attend. The types of technical assistance include, but are not limited to, the following:

   - Meteorological evaluations and ambient air monitoring network design may require technical assistance from EPA-X's modeling group. ADEC may request a site visit by EPA-X's technical modeling staff. ADEC will pay the travel and per diem of the EPA-X technical staff for such a site visit.

   - Modeling assistance would also be requested, particularly when ADEC's computer capabilities can't operate a highly complex or unique model.

   - If an applicant proposes unusual or controversial BACT, ADEC may request assistance from EPA-X in evaluating such proposals.

   - ADEC will need assistance in the economic analyses of industry's proposed BACT controls.

   If EPA-X staff can not provide the technical assistance, ADEC and EPA-X will develop an approach to satisfy the identified needs without delaying the project review.

3. The State will request EPA-X's assistance when more PSD applications are submitted than the State can process in a timely manner. ADEC and EPA-X will agree in the division of workload in such instances. The need for assistance is based on ADEC's PSD staffing pattern.

4. If applicants propose to use hybrid versions of guideline models, non-guideline models or very new or unusual BACT's, ADEC will require extensive participation if EPA-X during the permit application review process. This type of project is unpredictable and the amount of time required by either staff cannot be projected. Should such a project occur, ADEC and EPA-X will establish a mutually agreed-upon staffing approach to review the proposal.

5. ADEC will issue State Air Quality Control Permits based on PSD review criteria and requirements for all PSD projects. A facility may have an existing EPA-X PSD permit and a State Air Quality Control Permit; ADEC will revise the State permit at the next expiration date to include the appropriate PSD requirements of the State regulations.

6. Any changes or alterations requested by a permittee regarding an existing PSD EPA-X permit will be evaluated jointly by ADEC and EPA-X. ADEC will not take action on existing federal PSD permits or on issues which affect only the existing federal PSD permits. If necessary, and to the extent possible, ADEC will revise the State permit.

7. The State agrees to inform EPA-X of the inspections and surveillances for sources with an EPA-X PSD permit and a State Air Quality Control permit. ADEC will inspect for compliance with both permits. If ADEC observes a violation of the conditions in the EPA-X PSD permit, EPA will be notified by ADEC promptly. Existing EPA-X PSD permits will be enforced by the State to the extent that existing State permits include requirements equivalent to those of EPA-X PSD permits. Existing EPA-X PSD permits that are more stringent than existing State permits will be enforced by EPA-X until such time as the State permits include requirements equivalent to those of EPA-X PSD permits. A list of existing sources with PSD permits is included; it indicates areas of ADEC and EPA-X's enforcement responsibility on a case-by-case basis. (Attachment 1)

Attachment 1

PSD PERMITS ISSUED IN ALASKA

Name	Location	Date	Permit Number
U.S. Coast Guard Kodiak	17th Coast Guard District P. O. Box 3-5000 Juneau, AK 99802	08/20/79	PSD-X79-10
Phillips Petroleum Odeco Platform	1600 Canal Street P. O. Box 61780 New Orleans, LA 70161	05/18/79	PSD-X79-04
ARCO/SOHIO Prudhoe Bay Oilfield	ARCO P. O. Box 360 Anchorage, AK 99510 SOHIO Pouch 6-612 Anchorage, AK 99502	05/17/79 06/13/80 12/17/80 09/29/81 03/12/82	PSD-X79-03 PSD-X80-09 PSD-X81-01 PSD-X81-15 PSD-X82-03
ARCO Kuparuk Oilfield		12/29/81	PSD-X82-01
Aleyska Pipeline Service Co. (Pumps #7, #2, & #5)	P. O. Box 4-2 Anchorage, AK 99509	01/24/80 07/30/80	PSD-X80-04 PSD-X80-19
Tesora Alaska Petroleum Co. Kenai	8700 Tesoro Drive San Antonia, TX 99509	03/24/80	PSD-X82-07
Pacific Alaska LNG Assoc. Nikiski	700 S. Flower St. Los Angeles, CA 90017	08/28/80	PSD-X80-10
Northwest Alaskan Pipeline Co.	3333 Michelson Dr. Irvine, CA 92730	02/23/81	PSD-X81-02 Thru -08 SALES GAS X82-
Chugach Electric Assoc., Inc. Bernice Lake	P. O. Box 351B Anchorage, AK 99501	08/06/82 12/30/82	PSD-X82-07 PSD-X83-02

Appendix 3

ADEC	POSITION	FUNCTION
Verrelli	Air Programs Supervisor	Coordination/Turbine Reviews
Chapple	Environmental Engineer	Monitoring/Modeling/Fuel-Burning Reviews
Estes	Environmental Engineer	Processes/Controls/BACT
Kirk	Ecologist	BACT Impact Analysis/ Baseline Information
Vacant (Jy 83)		

EPA	POSITION	FUNCTION
Torok/Pazera	Air Waste Coordinator	Coordination
Johnston	Chief, Air Operations Section	Administration/Coordination
Nye	Environmental Protection Specialist	Region X Contact
Wilson	Regional Meteorologist	Modeling & Monitoring
Boys	Senior Engineer	BACT & Applicability
Tetta	Environmental Engineer	BACT & Applicability
Schweiss	Air Quality Assurance Officer	Monitoring - QA