

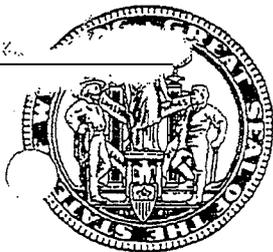
BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

IN THE MATTER OF:)
BASIN ELECTRICAL POWER COOPERATIVE)
DRY FORK STATION,) Docket No. 07-2801
AIR PERMIT CT-4631)

**RESPONDENT DEPARTMENT OF ENVIRONMENTAL QUALITY'S
MEMORANDUM IN SUPPORT OF MOTION FOR PARTIAL SUMMARY
JUDGMENT**

Schlichtemeir Affidavit

EXHIBIT H



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

May 3, 2006

Mr. Jerry Menge
Air Quality Program Coordinator
Basin Electric Power Cooperative
1717 East Interstate Avenue
Bismark, ND 58503

Re: Completeness Review
Permit Application No. AP-3546

Dear Mr. Menge:

The Division has reviewed your March 10, 2006 response to the Division's December 21, 2005 request for additional information for the application referenced above to construct a 422 MW (gross) pulverized coal fired electrical generating facility to be known as Dry Fork Station located in Section 24, T51N, R72W, approximately 7 miles north northeast of Gillette, in Campbell County, Wyoming. The following are issues that need to be addressed in order for the application to be complete:

BACT for 134 MMBtu/hr Auxiliary Boiler

The Division's December 21, 2005 letter requested a top down BACT analysis including an evaluation of a 0.03 lb/MMBtu NO_x emission level for the 134 MMBtu/hr Auxiliary Boiler. In response, Basin Electric evaluated Selective Catalytic Reduction, Low NO_x Burners, and Low NO_x Burners with Flue Gas Recirculation (LNB/FGR). Basin Electric only evaluated LNB/FGR at an emission level of 0.04 lb/MMBtu and proposed this level as BACT. A BACT analysis including emission levels of 0.03 lb/MMBtu and 0.035 lb/MMBtu is required.

BACT analysis for Mercury

A BACT analysis for mercury is required by WAQSR Chapter 6, Section 2(c)(v) including emission levels of 10×10^{-6} , 20×10^{-6} , and 30×10^{-6} lb/MW-hr. The BACT analysis should include control efficiencies associated with proposed emission levels and provide cost effectiveness numbers.

The application currently estimates uncontrolled mercury emissions at 60.4 to 90.6×10^{-6} lb/MW-hr and controlled mercury emissions at approximately 30×10^{-6} lb/MW-hr. For reference, the Utah Department of Environmental Quality recently issued a permit for the Intermountain Power Generating Station with a mercury emission limit of 20×10^{-6} lb/MW-hr for sub-bituminous coal and EPA estimates that halogenated PAC injection can typically achieve at least 90% mercury control.

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Completeness Review
Permit Application No. AP-3546
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If you have any questions, you may contact this office at (307) 777-7340.

Sincerely,



Bernard J. Dailey
NSR Program Manager
Air Quality Division

cc: Mike Warren
File: AP-3546