



Black Hills Corporation



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Wyoming Air Quality Advisory Board
Wyoming DEQ
Herschler Building
122 West 25th Street
Cheyenne, Wyoming 82002

RE: Proposed WAQSR Chapter 10 - Regional Haze – Wyoming Smoke Management

Dear Counsel Members,

My name is Tim Rogers and I am a representative from Black Hills Corporation (BHC). Black Hill's corporate office is located in Rapid City, South Dakota. We have electrical generating facilities in Wyoming, South Dakota, Colorado, Idaho, Nevada, and California.

Introduction

We have two main concerns about the rules you are proposing today.

First, we have concerns that raising the threshold between SMP-I and SMP-II (2 tons/day to 5 tons/day) as adopted by the Environmental Quality Council on December 16, 2003 for the Chapter 10 emergency rulemaking for prescribed burning will not allow for governmental and non-governmental entities to adequately assess and evaluate air pollution/visibility impacts from prescribed fire.

Secondly, we believe that wildfire, prescribed wildfire, and prescribed burning have a significant impact on visibility to National Parks (Class I Areas). The higher threshold will also eliminate the implementation of common sense prescribed burning practices designed to reduce air pollution/visibility impacts from these activities.

Equity in Implementing the Regional Haze Rule

Our new power plants, listed below, have already undergone visibility review under the PSD permitting program and will have to comply with extensive emission inventory reporting under the Regional Haze rule for the SO2 Market Trading Backstop Program and the ramifications of the trading program if it is implemented:

- Wyoming**
- NSII Combustion Turbines
- Neil Simpson II – coal-fire power plant
- Wygen I – coal-fired power plant
- Wygen II coal-fired power plant
- South Dakota**
- Lange Combustion Turbines

The visibility permit reviews included: air pollution control evaluation, ambient air quality impact analysis (air dispersion modeling), visibility modeling impact analysis (Calpuff), acid deposition analysis, and emission

inventories that relate to assessing our air quality impacts to the Class I Areas in South Dakota (Badlands and Wind Cave National Parks). These requirements were dictated partly by law/regulation (Clean Air Act/40 CFR Part 52.21) and mostly by policy (Federal Land Manager FLAG document).

Our coal fire power plants will emit, on an average, of 5 to 6 tons/year of PM10. The natural gas-fire combustion turbines will emit, on an average, 1 to 2 tons/year of PM10 (please refer to WDEQ emission inventories). The threshold adopted by the Environmental Quality Council on December 16, 2003 for the Chapter 10 emergency rulemaking is 5 tons/day of PM10. The daily emission rate from one of our coal-fire units is approximately 0.016 tons/day. If the analysis we conducted for these facilities indicate that there is a visibility impact at a emission rate of 0.016 tons/day, then the counsel should be concerned about visibility impacts from sources (prescribed fires) that are emitting 1 to 5 tons/day of PM10.

If the Regional Haze rule is to be complied with to improve visibility at the Class I areas, all sources impacting visibility need to be assessed and regulated accordingly.

Assessing Wildfire and Prescribed Fire Visibility Impacts

As a member of the South Dakota DENR Air Quality Program, prior to joining BHC, my position was to develop South Dakota's Regional Haze Program. In this position, I served on the WRAP's Fire Emission Forum and other Regional Haze development programs under WESTAR.

One of my last duties was to identify sources impacting South Dakota's Class I Areas. The Regional Haze rule focuses on improving the 20 percent worst days and maintaining the 20 percent best days of visibility. In one analysis, I reviewed surface wind patterns to try to determine where visibility impacts were occurring on the 20 percent worse days. Conversely, I studied wind patterns on the 20 percent best days to try to determine clean air situations or patterns. My hypothesis was that I would detect high concentrations when wind patterns came from industrial centers such as Denver, Rapid City or the coal burning utilities in Wyoming. The results of this exercise were inconclusive.

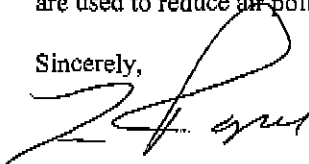
My next approach was to plot documented prescribed and wildfires in the Black Hills. I was fortunate enough to find out that a member of the South Dakota Forestry Department maintained these records. He had fire data for wildfire and prescribed fire dating back to the 1989 which was the date in which the IMPROVE Station was installed at the Badlands National Park. This exercise was rather conclusive that there was distinct relationship between prescribed/wildfire burn days and the 20 percent worst days at the park.

In Concluding

We believe that prescribed fire burning is a beneficial use to maintain and sustain a healthy forest. Regardless, Congress and the EPA have implemented laws and regulations to maintain and improve visibility in our National Parks (Class I Areas). Fire has an impact on visibility to our National Parks, as does our industry, and both need to be addressed in the development of the Regional Haze rule.

Respectfully, we request that you lower the threshold in the proposed regulation to a level at or below 1 ton that will ensure that visibility impacts from prescribed fire are adequately assessed and that common sense control measures are used to reduce air pollution and visibility impacts.

Sincerely,



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Cc: Fred Carl, Black Hills Corporation
Tom Ohlmacher, Black Hills Corporation
Dan Olsen, Wyoming DEQ