



United States Department of the Interior

NATIONAL PARK SERVICE

Air Resources Division

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IN REPLY REFER TO:

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November 25, 2002

N3615 (2350)

Ms. Wendy Hutchinson, Chair
Wyoming Environmental Quality Council
122 W. 25th St., Herschler Building 4-W
Cheyenne, Wyoming 82002

Mr. Dennis Hemmer, Director
Wyoming Department of Environmental Quality
122 W. 25th St., Herschler Building 4-W
Cheyenne, Wyoming 82002

Dear Ms. Hutchinson and Mr. Hemmer:

On September 25, 2002, the Wyoming Department of Environmental Quality (hereinafter "the WDEQ") issued a permit for the construction and operation of a 500 Megawatt pulverized coal-fired electric generating facility known as "WYGEN 2". The proposed facility would be located about five miles east of Gillette, Wyoming, and about 168 km WNW of Wind Cave National Park (NP) and 213 km NW of Badlands NP. Under the Clean Air Act (CAA), both of these units of the National Park System are designated as "Class I" air quality areas, where federal land managers have "an affirmative responsibility" to protect air quality related values (including visibility), and to consider whether any major emitting facilities will have an adverse impact on such values. 42USC 7475(d)(2)(B).

As proposed, WYGEN 2 will be a major source of sulfur dioxide (SO₂ @ 2254 tons per year (tpy)) nitrogen oxides (NO_x @ 1578 tpy), particulate matter (PM @ 270 tpy), sulfuric acid mist (H₂SO₄ @ 104 tpy) and other pollutants of concern. Based on the National Park Service's (NPS's) technical review and analysis of the permit application and its supporting documents, the NPS is concerned that these proposed emissions -- when analyzed alone or in combination with existing emissions in the area, could have an adverse impact on visibility at the two Class I areas (Badlands and Wind Cave NPs), as well as other NPS units in the region (i.e., Devil's Tower National Monument, Jewel Cave National Monument, Mount Rushmore National Memorial).

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Terri A. Lorenzon, Director
Environmental Quality Council


We note that there are technical differences among the analyses of visibility impacts submitted by WYGEN 2, and those performed by WDEQ and the NPS (e.g., emission rates and averaging periods, modeling assumptions). We did not have the opportunity to reconcile these differences before issuance of the permit because we received WDEQ's updated analyses a week *after* the permit was issued. Because different approaches to analyzing data yield different levels of impact, it is important - for the purposes of fulfilling our respective authorities under the CAA and for assuring the public that our decisions are based on good science - that we resolve these differences. We are therefore appealing the final issuance of the WYGEN 2 permit to give us the opportunity to resolve outstanding technical issues and address any concerns. This will then allow the NPS to determine whether the proposed facility would actually cause an adverse impact to air quality and visibility in the parks.

Generally, we prefer to resolve technical issues before a permit is issued. In this case, the NPS received early notice of the permit application, but did not receive the modeling analysis relied on in the proposed permit decision until after public notice of the permit was published. Additionally, proposed emissions data were received a number of times.

We respectfully request a hearing, and perhaps an informal prehearing conference to discuss, and hopefully resolve - in the spirit of Secretary Norton's "Four C's" process of "consultation, cooperation, communication, all in the service of conservation" - the technical issues regarding the visibility impact analysis for the WYGEN 2 permit. After we reach technical agreement on model input and output, we can then work cooperatively with the WDEQ and the permit applicant to explore a full range of options for resolving remaining concerns about adverse impacts, if any.

Please do not hesitate to contact me at (303) 969-2074, or Shelly Hall at the Office of the Solicitor at (202) 208-6172.

Sincerely,


Christine L. Shaver
Chief, Air Resources Division

cc: Dan Olson, Administrator
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