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**FILED**

**AUG 06 2010**

**Jim Ruby, Executive Secretary  
Environmental Quality Council**

Attorney for the State of Wyoming,  
Department of Environmental Quality

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL  
STATE OF WYOMING

In the Matter of the Appeal )  
And Petition for Review of: )  
BART Permit No. MD-6040 ) Docket No. 10-2801  
(Jim Bridger Power Plant); and )  
BART Permit No. MD-6042 )  
(Naughton Power Plant). )

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**AFFIDAVIT OF CHRISTINE ANDERSON IN RESPONSE TO  
PACIFICORP'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

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STATE OF WYOMING )  
 ) ss.  
County of Sheridan )

I, Christine Anderson, being first duly sworn, deposes and says as follows:

1. I am over the age of 21 and am competent to make this affidavit.
2. The facts and matters stated herein are within my personal knowledge, and are true and correct.
3. I have a Bachelor of Arts degree in English which I received from Grinnell College in 1978. I also have a Bachelor of Science degree in Civil Engineering which I received from the University of Wyoming in 1985.

4. In 1988, I began working for the Wyoming Department of Environmental Quality, Air Quality Division (DEQ/AQD) as an Environmental Engineer. I was promoted to the position of Environmental Senior Engineer in 1991; Program Principal in 1998, and Environmental Manager in 2008.

5. In relation to visibility or Best Available Retrofit Technology (BART) matters, I have: served as Co-chair of the Implementation Work Group of the Western Regional Air Partnership, a thirteen state organization, from 2007 through 2009; served as Co-chair of the planning committee of the Western States Air Resource Council, a sixteen state organization, from 2003 through 2005; prepared Regional Haze (RH) State Implementation Plans (SIP) for the State of Wyoming; restructured the entire set of Wyoming Air Quality Standards and Regulations (WAQSR) to a more user friendly edition; completed 22 rulemaking revisions to the WAQSR; prepared Ozone Interstate Transport State Plans for Wyoming; and created a State Mercury Budget Plan for Air Emissions.

6. I also have received specialized training in: Baseline Inspection Techniques; Fundamentals of Dispersion Modeling; Combustion Evaluation; Control of Gaseous Emissions; New Source Review – Prevention of Significant Deterioration (PSD) Programs; Non-Attainment Redesignation; Conformity Workshop; Visible Emissions Evaluator Training; and Systematic Development of Informed Consent (Bleiker).

7. I have prepared over twenty four SIP submittals to the EPA. The SIP submittals dealing specifically with Regional Haze that I have prepared include: the

original 40 C.F.R. § 51.309 submittal (12/29/03) with Addendums (5/26/04; 6/2/04; 6/9/05); and a revised 40 C.F.R. § 51.309 submittal (11/21/08). I am currently preparing a 40 C.F.R. § 51.309(g) SIP submittal.

8. My role in the SIP submittal process is to oversee the entire SIP process. I am involved in: preparing any rules that are necessary for the SIP, taking those rules through the rulemaking process; working with staff to compile information necessary for preparing the SIP; drafting language of the SIP; working with sources that are affected by the SIP; discussions with other states that are working on similar SIPs; taking the SIP through public process; working with the EPA and understanding EPA's expectations for the SIP; responding to comments during the public process; getting the SIP to EPA in a timely manner; and responding to requests for additional information during the EPA SIP review process.

9. My role in the 309(g) SIP is to oversee the development of the SIP, involving all of the responsibilities described in the above paragraph. The DEQ/AQD is currently reviewing public comments and making revisions to the 309(g) SIP based on those comments. The DEQ/AQD is also reviewing the 309(g) SIP for possible modification to a 308 submittal, if needed, relating to the 309 sulfur dioxide (SO<sub>2</sub>) trading program issues.

10. The Federal Regional Haze Rule (RHR) is the driver for the entire RH SIP process. The RHR requires that states, including Wyoming, prepare a RH SIP. The RHR specifically requires the RH SIP include BART determinations for BART sources. The

DEQ/AQD made BART determinations through the BART process set forth in the WAQSR.

11. A Reasonably Attributable (RA) SIP is different from a RH SIP. The RA SIP focuses on a specific source's impact on visibility in specific class one areas. An RH SIP focuses on "regional haze," looking at all potential sources impacts on visibility in all class one areas.

12. In 2009, I was involved in a number of telephone calls and meetings with PacifiCorp and DEQ/AQD in discussions about Regional Haze. My recollection regarding the DEQ/AQD's BART and LTS determinations was that PacifiCorp understood that a higher degree of NOx control was an inevitable requirement under the RHR, that SCR would be required on a certain number of PacifiCorp sources over time.

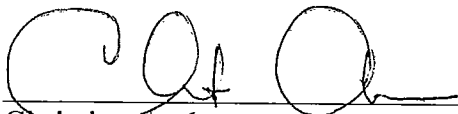
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PacifiCorp's main concern appeared to be that DEQ/AQD not require SCR on all sources as soon as possible. PacifiCorp appeared to be agreeable to spreading SCR installations out over time and even recommended dates to the DEQ/AQD. PacifiCorp also appeared agreeable to putting installations that went beyond the BART time frame into a LTS time frame and including those commitments in the BART permits.

13. Around June of 2009, I received information from the NSR staff on proposed BART and LTS controls which were included in the proposed permits for the Jim Bridger Power Plant. I took those proposed levels and incorporated those into the BART and LTS respective sections of the RH SIP. Nothing was included in the RH SIP for the Jim Bridger Power Plant that didn't come from those proposed permits. That

information needed to be included in the SIP because the Federal Regional Haze rule requires it. The RH SIP draft (Dated 8/25/2009) included that permit information and that is what went out for public notice.

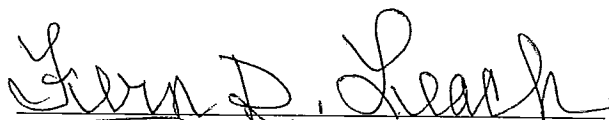
DATED this 29 day of July, 2010.

  
Christine Anderson  
SIP Coordinator, State of Wyoming  
DEQ/AQD

State of Wyoming            )  
  ) ss.  
County of Sheridan         )

Subscribed and sworn before me by Christine Anderson on this 29<sup>th</sup> day of July, 2010.

Witness my hand and official seal.

  
Notary Public

My commission expires on: 10-3-2011.