

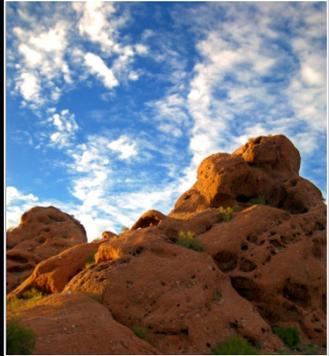
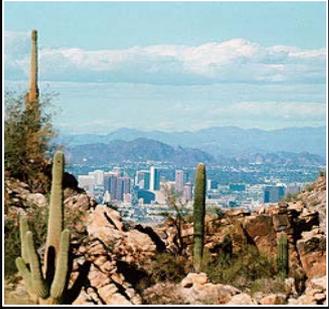
Review of EPA Interim Guidance to Implement Requirements for the Treatment of Air Quality Monitoring Data Influenced by Exceptional Events



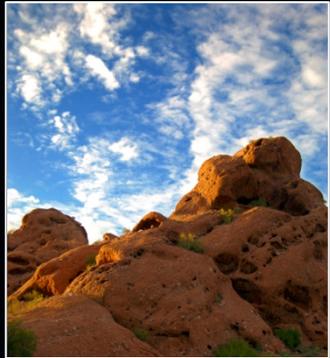
MAG Air Quality Technical Advisory Committee
May 23, 2013

Interim Exceptional Events Guidance

- On May 10, 2013, EPA released interim guidance related to implementation of the Exceptional Events Rule
 - “Interim Guidance to Implement Requirements for the Treatment of Air Quality Monitoring Data Influenced by Exceptional Events” Memorandum and Fact Sheet
 - “Interim Exceptional Events Rule Frequently Asked Questions”
 - “Interim Guidance on the Preparation of Demonstrations in Support of Requests to Exclude Ambient Air Quality Data Affected by High Winds Under the Exceptional Events Rule”



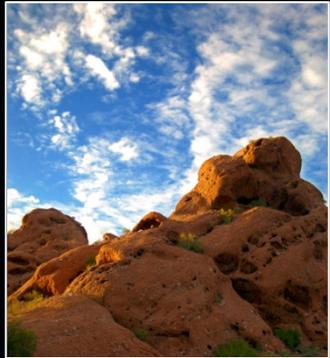
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Interim Exceptional Events Guidance

- With the release of the interim guidance, EPA states that “Our intent is to streamline processes and reduce costs for air agencies preparing requests”
- EPA also states that “this interim guidance is intended to provide recommendations and to indicate EPA’s current thinking on exceptional events issues, rather than conveying requirements not already stated in the Clean Air Act (CAA) and the EER”

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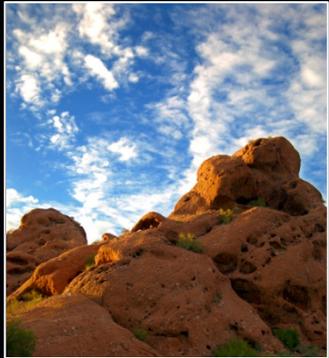
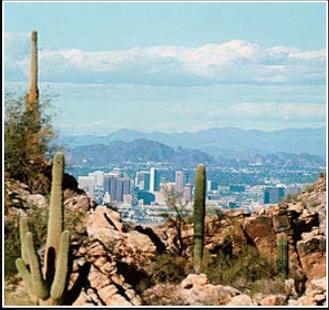


Interim Exceptional Events Guidance

- In the interim guidance memorandum, EPA announced its intent to pursue rulemaking revisions to the Exceptional Events Rule
- EPA anticipates proposing rule revisions in late 2013 or early 2014, and finalizing the revisions in late 2014 or early 2015. There will be opportunity to comment on the revisions during the notice and comment period of the rulemaking process
- EPA indicates that the regional offices should use the interim guidance during the rulemaking process

Changes Between 2012 Draft Guidance and 2013 Interim Guidance

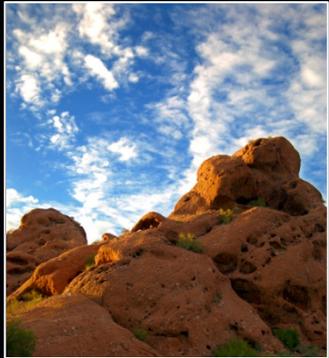
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- **New disclaimer explaining the role of the interim guidance documents**
 - **“This interim document provides guidance and interpretation of the EER rather than imposing any new requirements and shall not be considered binding on any party. If and when the EPA takes a regulatory action that relies on a decision to exclude data under the EER, the EPA will consider and appropriately respond to public comments received on any aspect of a supporting exceptional events demonstration submittal”**
- **Interim guidance includes language to provide some flexibility for the submission and evaluation of the documentation**

Changes Between 2012 Draft Guidance and 2013 Interim Guidance

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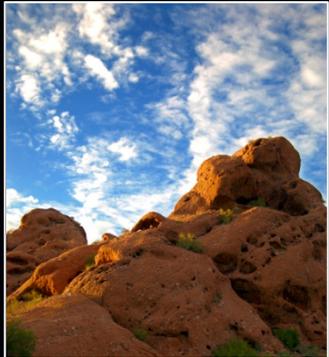


- Overall, the types and levels of information requested in the interim guidance has not been modified from draft guidance
 - Consideration of RACM/BACM as a starting point remains, EPA may still require additional controls if they are deemed “reasonable”
 - Default 25 mph wind speed threshold or EPA-approved local threshold is unchanged
 - The requirements for and components of a basic or comprehensive controls analysis, Prospective Controls Analysis, or High Wind Action Plan are essentially similar
 - Timeframe for EPA action can still take up to 18 months

Changes Between 2012 Draft Guidance and 2013 Interim Guidance

- **Type and level of documentation submitted under the interim guidance for future high wind exceptional events likely to be similar to the most recent Arizona Department of Environmental Quality demonstrations submitted to EPA in 2013**

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