I. What Is the Purpose of This Document?

The purpose of this document is to inform the public of the commitments made by the North Dakota Department of Health regarding draft modeling studies that have shown violations of the PSD increment for SO\textsubscript{2} in four Class I areas. Those Class I areas include Theodore Roosevelt National Park, the Lostwood Wilderness Area, the Medicine Lakes Wilderness Area, and the Fort Peck Class I Indian Reservation. In a March 13, 2001 letter to EPA, the North Dakota Department of Health has committed to refine this modeling analysis and to subsequently adopt revisions to the SIP as necessary to address the increment violations that may be shown by the revised analysis. The purpose of this document is to inform the public of potential increment violations and of the commitments made by the North Dakota Department of Health to address the potential violations.

II. What Are the PSD Increments?

The purpose of the PSD program of the Clean Air Act (Act), 42 U.S.C. 7470–7479, is to ensure that the air quality in clean air areas remains clean and does not deteriorate to the level of the national ambient air quality standards (NAAQS). The mechanism created by Congress to meet this goal is the establishment of “PSD increments.” These increments define the maximum allowable increases over baseline concentrations that are allowed in a clean air area for a particular pollutant. Any increase above this level indicates that significant deterioration of air quality has occurred. Because only emissions increases above the baseline concentration are considered in determining how much increment has been consumed, the amount of increment consumed can only be determined through air quality dispersion modeling, not through direct monitoring of ambient concentrations.

The Act provides for three different classes of air quality protection, to reflect varying levels of protection from significant deterioration in air quality. In the 1977 Clean Air Act Amendments, Congress designated all international parks, national wilderness areas and national memorial parks which exceed 5000 acres in size, and all national parks
which exceed 6000 acres in size as mandatory Class I areas. Congress also allowed States or Tribes to request redesignation of any area to Class I air quality protection status. Class I areas are to receive special protection from degradation of air quality, and the most stringent PSD increments apply in these areas.

The Class I increments for SO₂ are defined in section 163(b)(1) of the Act, 42 U.S.C. 7473(b)(1), as follows:

- Annual arithmetic mean .......... 2 ug/m³
- Twenty-four hour maximum ...... 5 ug/m³
- Three-hour maximum ............. 25ug/m³

These increments are also promulgated in EPA’s PSD regulations at 40 CFR 52.21(c). North Dakota has adopted these increments as state regulation in section 33-15-15-01.2.b. of the North Dakota Administrative Code, which EPA approved as part of the SIP on November 2, 1979 (44 FR 63102).

For any averaging period other than an annual averaging period, section 163(a) of the Act allows the increment to be exceeded during one such period per year. Otherwise, section 163 of the Act provides that the increments are not to be exceeded and that the SIP must contain measures assuring that the increments will not be exceeded. Section 110(a)(2)(D)(i)(II) of the Act, 42 U.S.C. 7410(a)(2)(D)(i)(II), further requires the SIP to include provisions prohibiting any source or other emitting activity within the State from emitting air pollution in amounts that will interfere with measures to be included in any other State’s implementation plan to prevent significant deterioration of air quality. EPA’s PSD regulations also provide that the SIP must be revised whenever EPA or the State determines that an applicable PSD increment is being violated. (See 40 CFR 51.166(a)(3)).

III. How Can I Obtain More Information on This Matter?

Copies of the State’s March 13, 2001 letter and EPA’s March 28, 2001 response can be obtained from the contact person listed above. A Background Document is also available, which discusses in greater detail what was not described in the text. The下載份文件及其他相關文件也可以從EPA的網站上取得。