

Appendix H. SIP Adoption Order and Transmittal Letter to EPA

Appendix H includes copies of the SIP Adoption Order and Transmittal Letter to EPA

1. Agreed Order #21310
2. Letter to EPA Region 10



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

In the matter of adopting, on November 29, 2022, the
Intalco Sulfur Dioxide Attainment Plan and Agreed Order #21310
as a revision to the State Implementation Plan

Adoption Order

The Washington State Department of Ecology and the Northwest Clean Air Agency developed the Intalco Sulfur Dioxide Attainment Plan (Plan) to permanently reduce the amount of sulfur dioxide (SO₂) pollution in the Intalco Sulfur Dioxide Nonattainment Area. In support of the Plan, Ecology finalized Agreed Order # 21310 on November 29, 2022. It requires the Intalco smelter to install and operate a new SO₂ wet scrubber, merge existing stacks and increase the height of the merged stacks, and limit facility-wide and unit-specific SO₂ emissions in association with restart of facility operations.

The Intalco SO₂ Nonattainment Area is located in Whatcom County and encompasses the site of an aluminum smelter, Intalco Aluminum LLC (Intalco), and adjacent areas. The U.S. Environmental Protection Agency (EPA) designated it as a nonattainment area in December 2020, after the air quality monitoring results showed it failed to meet the 2010 1-hour SO₂ National Ambient Air Quality Standard. The area designation became effective April 30, 2021, requiring the state to submit a plan to EPA by October 30, 2022.

This Plan is a federally required revision to the Washington State Implementation Plan (SIP) and provides for attainment of the 2010 SO₂ standard in the area by April 30, 2026. Ecology complied with public notification requirements for SIP revisions and solicited public review from September 7 through October 15, 2022. We held a hearing on October 11, 2022.

IT IS HEREBY ORDERED that the referenced documents, constituting the revision, are approved and adopted by the Director of the Department of Ecology, on behalf of Governor Inslee, as part of the Washington SIP. All provisions of the Washington SIP inconsistent with the attached documents are superseded.

Laura Watson, Director

Date: November 29, 2022





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

December 2, 2022

Casey Sixkiller, Regional Administrator
U.S. EPA Region 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101

RE: Request to approve Intalco Sulfur Dioxide Attainment Plan as a revision to the Washington State Implementation Plan for air quality

Dear Regional Administrator Sixkiller:

The Washington State Department of Ecology and the Northwest Clean Air Agency developed the Intalco Sulfur Dioxide Attainment Plan (Plan) to permanently reduce the amount of sulfur dioxide (SO₂) pollution in the Intalco Sulfur Dioxide Nonattainment Area. In support of the Plan, Ecology finalized Agreed Order # 21310 on November 29, 2022. It requires the facility to install and operate a new SO₂ wet scrubber, merge existing stacks and increase the height of the merged stacks, and limit facility-wide and unit-specific SO₂ emissions in association with restart of facility operations.

This Plan is a federally required revision to the Washington State Implementation Plan (SIP) and provides for attainment of the 2010 SO₂ national ambient air quality standard by April 30, 2026. Ecology adopted the revision on November 29, 2022. On behalf of Governor Inslee, as a designee for Washington SIP matters, I submit this Plan for your review and approval.

Ecology fulfilled all state and federal procedural requirements for providing opportunities for public participation. We published notices for public comment and hearing, as required. Ecology accepted public comments on the proposal from September 7, 2022, through October 15, 2022. Ecology held an online hearing on October 11, 2022, at 6 p.m. (Pacific Time). Ecology carefully considered the comments received and made no substantive changes to the proposal as a result of the comments.

Ecology is submitting this SIP revision electronically via EPA's Central Data Exchange. Ecology will also post the SIP revision on our website. If you have any questions on this submittal,

Regional Administrator Sixkiller
December 2, 2022
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please contact Anya Caudill, Environmental Planner, at anya.caudill@ecy.wa.gov or (360) 791-5499.

Yours Truly,

A handwritten signature in black ink, appearing to read 'Laura Watson', written in a cursive style.

Laura Watson
Director

Enclosures

cc: Mark Buford, Northwest Clean Air Agency
Jeff Hunt, EPA Region 10
Anya Caudill, Ecology