

WRAP Policy

Enhanced Smoke Management Programs for Visibility

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Executive Summary

The Western Regional Air Partnership (WRAP) is charged with developing technical and policy tools to assist states (or the delegated regulatory authority) and tribes with implementing the Regional Haze Rule (Rule).

The WRAP Policy on Enhanced Smoke Management Programs for Visibility (WRAP ESMP Policy) has been developed over an eleven-month period through a stakeholder-based consensus process to assist the WRAP region states and tribes in addressing emissions from fire sources. In this Policy, the WRAP seeks to provide a consistent framework that states and tribes can use to efficiently develop their individual implementation plans. The WRAP recognizes states' and tribes' authority and responsibility to develop, adopt and implement their regional haze implementation plans, and recognizes the Rule as the principal document on which states and tribes should rely.

The Rule requires states to develop implementation plans (SIPs) for addressing regional haze in the Nation's 156 mandatory Class I areas.¹ Additionally, the Rule requires effective management of fire sources. The Rule provides two pathways for western states to follow as they implement the requirements of the Rule: 1) develop their regional haze implementation plans per the nationally applicable provisions of Section 308, or 2) Transport Region states may choose to incorporate the Grand Canyon Visibility Transport Commission (GCVTC) recommendations into their regional haze implementation plans under Section 309 of the Rule.

Enhanced smoke management programs are specifically required in Section 309 of the Rule. However, if a state, under Section 308, has determined that fire emissions are contributing to visibility impairment and that smoke needs to be addressed in its SIP, then an enhanced smoke management program is a viable tool to accomplish this goal. Therefore, the WRAP is advancing the WRAP ESMP Policy for states under both Section 308 and 309 to meet the requirements of the Rule.

Tribes are not subject to the same requirements of the Rule as states, but tribes wishing to assume the regional haze requirements outlined in the Rule may, according to the Tribal Authority Rule (TAR), seek approval under 40 CFR 49 to be "treated as States." The intent of this Policy is to assist both states and tribes with the development of their

¹ The Rule is only applicable to mandatory Class I areas (see Appendix A & Appendix B for additional information on mandatory Class I areas). States/tribes in the WRAP region may utilize the WRAP ESMP Policy to protect visibility in non-mandatory Class I areas.

regional haze implementation plans (SIPs/TIPs), and therefore, tribes are included in all references to states, except where specific requirements and/or deadlines of the Rule are cited.

The WRAP ESMP Policy defines the enhanced smoke management program as smoke management efforts that specifically address visibility. It is the position of the WRAP ESMP Policy that there are nine elements of an enhanced smoke management program that are necessary to meet the requirements of the Rule. According to the Rule, enhanced smoke management programs are to be included in implementation plans based on the criteria of efficiency, economics, law, emissions reduction opportunities, land management objectives, and reduction of visibility impacts.

Smoke management efforts/programs currently in place (sometimes referred to as “basic smoke management programs”) may not specifically address visibility effects in mandatory Class I areas. The WRAP ESMP Policy explicitly addresses visibility effects from fire that contribute to visibility impairment in mandatory Class I areas. Fortunately, smoke management efforts/programs, regardless of the purpose (e.g., visibility protection, avoidance of National Ambient Air Quality Standards [NAAQS] violations, or prevention of nuisance smoke impacts), have many common elements. It is anticipated that the enhanced smoke management program elements outlined here will integrate well with current and future smoke management efforts/programs.

The WRAP ESMP Policy document is comprised of four major sections. Section 1 is the eight WRAP ESMP Policy statements. Section 2 provides overall background for the WRAP ESMP Policy, including a discussion of the regulatory environment, the current context of smoke management in the WRAP region, and details of the Rule that are germane to the WRAP ESMP Policy. Section 3 is an annotation of each of the eight policy statements, further explaining and defining them, and including a description of the nine enhanced smoke management program elements. Finally, Section 4, the Appendices, include (A) a glossary of terms, (B) a related documents listing, and (C) specific examples for states/tribes on the implementation of the nine enhanced smoke management program elements.

1. The WRAP Policy on Enhanced Smoke Management Programs for Visibility: Policy Statements

Policy Statement A. Enhanced smoke management programs under this Policy are defined as those smoke management efforts that specifically address visibility effects, and therefore, may need to be augmented to address public health and welfare issues.

Policy Statement B. Enhanced smoke management programs apply to all fire sources.

Policy Statement C. Enhanced smoke management programs are required for states under Section 309 of the Regional Haze Rule.²

Policy Statement D. Enhanced smoke management programs are a viable tool for all other states and tribes in the WRAP region to use in the development of their implementation plans.

Policy Statement E. Enhanced smoke management programs include nine elements that are necessary to meet the requirements of the Regional Haze Rule, as follow:

Element 1. Actions to Minimize Emissions from Fire

Any burning techniques that reduce the actual amount of emissions produced.

Element 2. Evaluation of Smoke Dispersion

Using meteorological conditions to assess the ability to minimize smoke impacts.

Element 3. Alternatives to Fire

Any method of removing or reducing fuels by mechanical, biological or chemical treatments.

Element 4. Public Notification of Burning

Any method that communicates burn information to the burn community, to air regulators and to the general public. Also includes public education and media relations.

Element 5. Air Quality Monitoring

Observations and/or equipment that enable an assessment of air quality impacts of smoke from fires.

Element 6. Surveillance and Enforcement

An oversight mechanism that assures adherence to smoke management efforts as defined by the regional haze implementation plan.

² Published in the Federal Register on July 1, 1999, 64 FR 35714.

Element 7. Program Evaluation

A mechanism to assess the adequacy of the enhanced smoke management program in meeting the requirements of the Rule.

Element 8. Burn Authorization

The management approach used to facilitate burn decision-making.

Element 9. Regional Coordination

Communication and information sharing across state/tribe jurisdictional lines.

Policy Statement F. Enhanced smoke management programs will be based on the criteria of efficiency, economics, law, emission reduction opportunities, land management objectives, and reduction of visibility impact,³ which will determine the rigor applied to the nine elements.

Policy Statement G. Enhanced smoke management programs may be applied uniformly to source sectors throughout a state's or tribe's jurisdiction or they may be tailored to source sectors and/or geographic areas to address presumed or confirmed visibility impairment.

Policy Statement H. The development and application of enhanced smoke management programs, including the consideration of the criteria (F), will be done collaboratively with state, tribal, local and federal agencies, and private parties.

³ 64 FR 35771, § 51.309 (d) (6) (iv).