

June 14, 1993

Mr. Charles W. Whitmore
Principal, Whitmore Associates
7315 Frontage Road
Suite 123
Shawnee Mission, Kansas 66204

Dear Mr. Whitmore:

This is in response to your April 29, 1993 letter in which you point out that some Environmental Protection Agency (EPA) documents have incorrectly used the term "total suspended particulates" (TSP) interchangeably with "particulate emissions" and "particulate matter emissions" (PM). As noted in your letter, TSP is a measure of the particulate content of ambient air, is not regulated by any of the new source performance standards (NSPS), and is not a regulated air pollutant as defined in 40 CFR 70.2. On the other hand, PM (which is regulated by NSPS) comes within the definition of regulated air pollutant. We agree that the terminology related to this definition should be clarified as guidance and other documents are updated and revised.

Your letter contains two incorrect assumptions about EPA policy. First, there is the assumption that program applicability determinations (presumably for major source thresholds) will be invariably based on particulate emissions. This is not always the case. For example, the major source threshold is based on emissions of PM-10 (particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers) in PM-10 nonattainment areas classified as "serious."

Second, EPA policy does not require that fees which States charge sources be based on actual emissions of PM-10. States have considerable discretion in designing their fee collection schedules, including the discretion to collect fees for any set of pollutants they wish, provided the resulting aggregate fees are sufficient to fund the permits program.

I appreciate the opportunity to be of service and trust that this information will be helpful to you. If you have any questions, please contact Kirt Cox or Candace Carraway of my staff at (919) 541-5399 and (919) 541-3189, respectively.

Sincerely,

John S. Seitz /s/
Director
Office of Air Quality Planning
and Standards

cc: W. Spratlin, EPA Region II