

EPA Repeals Grandfather Provision of PSD Program for PM_{2.5}

The EPA issued a final rule on May 18, 2011, that repeals the “grandfather” provision for particulate matter less than 2.5 micrometers (PM_{2.5}) under the Federal Prevention of

Significant Deterioration (PSD) permit program, which is administered by EPA in states that lack a PSD permit program in their approved state implementation plan (SIP). The grandfather provision allowed certain facilities under certain circumstances to satisfy the PSD permit program requirements for PM_{2.5} by meeting the requirements for controlling particulate matter less than 10 micrometers (PM₁₀) and analyzing impacts on PM₁₀ air quality as a surrogate approach based on an EPA policy known as the “1997 PM₁₀ Surrogate Policy.” In its February 11, 2010, notice of proposed rulemaking, EPA also proposed to end early the 1997 PM₁₀ Surrogate Policy in EPA-approved state PSD programs during the remainder of the SIP development period, which ends on May 16, 2011. EPA is taking no final action on that aspect of the proposal.

This final rule is effective on July 18, 2011.

Entities potentially affected by this action include those proposed new and modified major stationary sources subject to the Federal PSD program that submitted a complete application for a PSD permit before the July 15, 2008, effective date of the final PM_{2.5} New Source Review (NSR) Implementation Rule (73 FR 28321), but have not yet received a final and effective permit authorizing the source to commence construction.