

AIR/COMPLIANCE NEWS UPDATE

August 2011 Issue 22



Boiler MACT and CISWI NSPS/EG Reconsideration of Air Toxics Standards

On May 18, 2011 [76 FR 28662], the EPA delayed the effective dates for the final rules titled “National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters” and “Standards of Performance for New Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units” under the authority of the Administrative Procedure Act (APA) until the proceedings for judicial review of these rules are completed or the EPA completes its reconsideration of the rules, whichever is earlier. These rules were finalized on March 21, 2011 [76 FR 15608 and 76 FR 15704].

The EPA found that “justice requires postponing the effectiveness of these rules.” As explained in the March 21, 2011 notice, EPA identified several issues in the final rules which it believed that the public did not have a sufficient opportunity to comment on certain revisions EPA made to the proposed rules. These issues include revisions to the proposed subcategories and revisions to some of the proposed emissions limits.

In addition, EPA received data before finalizing both rules but was unable to incorporate the new data into the final rules given the court deadline for issuing the rules. EPA also noted that thousands of facilities across multiple, diverse industries will need to begin to make major compliance investments soon, in light of the pressing compliance deadlines. These investments may not be reversible if the standards are in fact revised following reconsideration and full evaluation of all relevant data. The EPA also allowed the consideration of additional data submitted by the public until July 15, 2011.

The EPA will publish the new effective dates in the Federal Register once the judicial review of these rules are completed or the EPA completes its reconsideration of the rules, whichever is earlier. The agency will propose standards to be reconsidered by the end of October 2011 and issue final standards by the end of April 2012.



e-GGRT Testing Opportunity

EPA has opened a "sandbox" test environment to stakeholders who are interested in an early look at the reporting features of the electronic Greenhouse Gas Reporting Tool (e-GGRT). Please visit the [sandbox Registration](#) or [FAQs](#) for more information. Training materials related to this testing opportunity are posted at <http://www.epa.gov/climatechange/emissions/training.html>

For other updates on GHG reporting, check out the RSS Feed at this web site: <http://www.ccdsupport.com/confluence/display/help/Home>

NOTIFICATIONS REQUIRED FOR AREA SOURCE BOILER NESHAP (40 CFR 63, Subpart JJJJJ)

REMINDER: Initial notifications for facilities to report affected sources subject to 40 CFR 63, Subpart JJJJJ, are due by September 17, 2011, to both State/Local Agencies and to USEPA. Although under reconsideration right now, the Area Source Boiler NESHAP was not delayed by the USEPA. An example Initial Notification Form can be obtained at:

<http://www.epa.gov/ttn/atw/boiler/boilerpg.html> under Implementation Tools.



In This Issue . .

Boiler MACT and CISWI NSPS/EG Reconsideration	1
e-GGRT Testing Opportunity.....	1
Notifications Required for Area Source Boiler NESHAP	1
CSAPR Replaces CAIR	1
EPA Proposes Approval of PA SIP Rev for Portland Cement Kilns .2	
PADEP Releases Latest Air Sampling Results Near Marcellus Shale Operations	2
EPA Improves Chemical Database Access	2
EPA Repeals Grandfather Provision of PSD Program for PM2.5	3
Cross-State Air Pollution Rule (CSAPR)	3
EPA Approval of Pennsylvania’s Adoption of Control Techniques Guidelines for Paper, Film, and Foil Surface Coating Processes.....	3

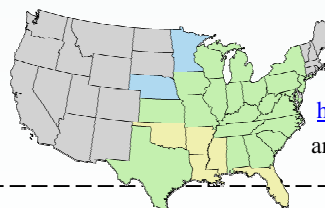
CSAPR Replaces CAIR!

On July 6, 2011, the US Environmental Protection Agency (EPA) finalized a rule that protects the health of millions of Americans by helping states reduce air pollution and attain clean air standards. This rule, known as the Cross-State Air Pollution Rule (CSAPR), requires 27 states to significantly improve air quality by reducing power plant emissions that contribute to ozone and/or fine particle pollution in other states.

EPA is proposing to finalize the CSAPR by late fall 2011.

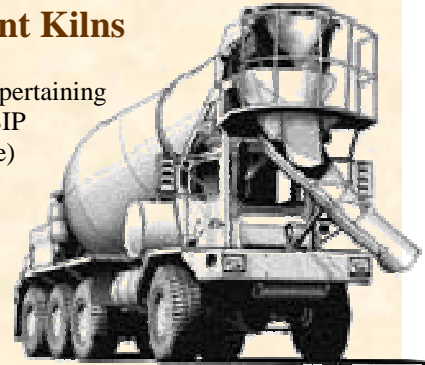
For more information:

<http://www.epa.gov/crossstaterule/> and Page 3 of this newsletter.



EPA Proposes Approval of PA SIP Revision for Portland Cement Kilns

On July 19, 2011, EPA approved a SIP revision submitted by the Commonwealth of Pennsylvania pertaining to the control of nitrogen oxide (NO_x) emissions from Portland cement kilns [76 FR 42558]. The SIP revision amends the NO_x emission standards in the Title 25 of the Pennsylvania Code (25 Pa. Code) Chapter 145, Subchapter C (Emissions of NO_x from Cement Manufacturing), for Portland cement kilns during the ozone season, from May 1 through September 30, 2011, and for each year thereafter. The SIP revision added new definitions and terms and revised the following: standard requirements which include emission requirements; compliance determination by operating and maintaining continuous emissions monitoring systems (CEMS) for NO_x emissions; compliance demonstration on a kiln-by-kiln basis; a facility-wide emissions averaging basis or a system-wide averaging basis; and reporting and recordkeeping requirements by reporting CEMS emissions data and maintaining an operating log for each Portland cement kiln on a monthly basis that is maintained onsite for 5 years.



This regulation will reduce emissions of NO_x from cement kilns and to reduce levels of ozone. The reduction of NO_x emissions will also help protect the public health from high levels of fine particulate matter (PM_{2.5}), of which NO_x is a precursor component. The reduction of NO_x emissions also reduces visibility impairment and acid deposition.

PADEP RELEASES LATEST AIR SAMPLING RESULTS NEAR MARCELLUS SHALE OPERATIONS

The Pennsylvania Department of Environmental Protection (PADEP) recently released a report summarizing the short-term, ambient air sampling program conducted near Marcellus natural gas operations in north central Pennsylvania. This is the third such report as the PADEP conducted similar sampling in southwest and northeast Pennsylvania. For this study, PADEP conducted ambient air sampling in Bradford, Lycoming and Tioga counties and background air sampling in Sullivan County. The PADEP used two Mobile Analytical Unit sampling vehicles in addition to sampling canisters to measure concentrations of pollutants associated with natural gas development activities. Sampling was conducted from August through December 2010 near two compressor stations, a well site during flaring operations and an active well-drilling site as well as a background site. Goals of the sampling effort include short-term screening of target air pollutants, assessing preliminary air quality impacts and determining if there are any immediate health risks associated with measured pollutant levels to nearby residents.

The sampling program detected certain constituents of natural gas, including methane, in the air near Marcellus Shale operations. Also, certain compounds, mainly methyl mercaptan, were detected at levels which generally produce odors. However, the sampling program did not identify concentrations of any compounds that would be of concern to the health of residents living and working near these operations. PADEP plans to compare the results from the regional sampling programs and determine whether additional, longer-term sampling is warranted. The report can be viewed at:

http://files.dep.state.pa.us/RegionalResources/NCRO/NCROPortalFiles/NCMarcellusAirSamplingStudy_Final_5_6_11.pdf

EPA IMPROVES CHEMICAL DATABASE ACCESS



The EPA is releasing two chemical databases to allow easier access to chemical toxicity and exposure data. These databases link exposure and toxicity data to aid in risk assessment. The Toxicity Forecaster database (ToxCastDB) allows users to search and download data from over 500 rapid chemical tests conducted on more than 300 environmental chemicals using advanced scientific tools to predict the potential toxicity.

The ExpoCastDB database consolidates human exposure data from studies of home and child care centers that collected chemical measurements and includes the chemical amounts in food, drinking water, air, dust, indoor surfaces and urine. Users may obtain summary statistics of exposure data and download datasets. ToxCastDB and ExpoCastDB are connected through EPA's Aggregated Computational Toxicology Resource (ACToR), an online data warehouse that collects data on over 500,000 chemicals from over 500 public sources. The EPA is confident that the ability to link and compare these types of data, and to provide public access to this chemical information, data and results will assist the agency in making better-informed and timelier decisions on chemical safety and public health.



EPA REPEALS GRANDFATHER PROVISION OF PSD PROGRAM FOR PM_{2.5}



The EPA issued a final rule on May 18, 2011, [76 FR 28646] 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 PM 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 ended on May 16, 2011. EPA is taking no final action on that aspect of the proposal.

This final rule was 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.

CROSS-STATE AIR POLLUTION RULE (CSAPR)



The Cross State Air Pollution Rule, establishing the Transport Rule (TR) trading programs, was signed by the EPA Administrator July 6, 2011. This rule establishes four trading programs -- the TR NO_x annual, NO_x ozone season, SO₂ Group 1, and SO₂ Group 2 trading programs -- to further reduce emissions of NO_x and SO₂ in the eastern half of the United States. These new interstate trading programs are very similar to the existing Acid Rain and CAIR trading programs, using, for example, the same designated representatives and the same data systems for reporting emissions and managing allowances. The Transport Rule text, along with a fact sheet and other supporting information, can be found at <http://epa.gov/crossstaterule/actions.html>.

Between now and January 1, 2012, when the first phase of the TR NO_x and SO₂ annual programs begins, EPA will record 2012 TR allowance allocations for existing units. This will be completed this fall; allocation amounts for existing units can be viewed at EPA's website above. Before an allocation can be recorded for a unit, the current DR (or a new DR, if the owners and operators select a different DR) for the source that includes the unit must associate himself or herself with each applicable TR trading program for the source. This task can be completed by the DR online via CBS, or by submitting a hardcopy Certificate of Representation, later this summer once the rule is effective (i.e., on the date 60 days after publication in the Federal Register). If a source is covered by multiple programs (ARP, CAIR, or any TR trading program), the DR must be the same person for all of these programs.

If you have any questions about the TR allocations or the method used to calculate the allocations, contact Brian Fisher at 202-343-9633 or fisher.brian@epa.gov. For general questions about the TR trading programs, contact Robert Miller at 202-343-9077 or miller.robertl@epa.gov.

EPA Approval of Pennsylvania’s Adoption of Control Techniques Guidelines for Paper, Film, and Foil Surface Coating Processes

On May 23, 2011, EPA approved a PA SIP revision [76 FR 29649] that includes amendments to Chapter 121--General Provisions and Chapter 129--Standards for Sources, of Title 25 of the Pennsylvania Code. Pennsylvania's SIP revision meets the requirement to adopt Reasonably Available Control Technology (RACT) for sources covered by the Control Techniques Guidelines (CTG) standards for paper, film, and foil surface coating processes.

This final rule was effective on June 22, 2011.

Pennsylvania has adopted EPA's CTG standards for paper, film, and foil surface coating processes. Pennsylvania's regulations are in Chapter 121--General Provisions and in Chapter 129--Standards for Sources, in Title 25 of the Pennsylvania Code. Several definitions were amended or added in section 121.1, and section 129.52 was amended to extend coverage to paper, film and foil surface coating processes. The new section 129.52b includes VOC emission limits, work practices, and recordkeeping and reporting requirements, all of which are consistent with EPA's CTG for paper, film, and foil surface coating processes. The requirements in section 129.52b supersede the requirements in 129.52 relating to control of VOC emissions from paper, film, and foil surface coating processes. These emission limits apply if potential VOC emissions from a single line, prior to control, are 25 tons per year (tpy) or more.

Additionally, VOC emission limits for paper coatings only and the associated applicability criteria that were in section 129.52(a)(2) were added to section 129.52b in order to carry forward previously regulated paper coating sources and to eliminate the potential for backsliding. These VOC emission limits apply only to paper coatings if actual VOC emissions have exceeded 3 pounds per hour, 15 pounds per day, or 2.7 tpy in any year since January 1, 1987.



August 2011 Issue 22

AIR/COMPLIANCE NEWS UPDATE

Contributors

Kimberly D. Coy
Sheri L. Guerrieri
Nancy M. Hirko
Jill W. Merrill
Mark C. Schooley

Contact

Jill W. Merrill
Air/Compliance Consultants, Inc.
1050 William Pitt Way
Pittsburgh, PA 15238
Phone: 412-826-3636
Fax: 412-826-3640
Email: jmerrill@air-comp.com

Editing/Layout

Jill W. Merrill
Sherry L. Lindquist

Visit www.air-comp.com for more information on these topics.

◆ ◆ ◆ *Services provided by ACCI* ◆ ◆ ◆

- ◆ Stack Testing & CEM Audits
- ◆ Leak Detection and Repair (LDAR)
- ◆ Ambient Air Sampling
- ◆ Odor Sampling
- ◆ Indoor Air Quality Sampling
- ◆ Air Emission Inventories
- ◆ Air Quality Impact Assessments
- ◆ Major PSD/NSR and Minor Permits
- ◆ Title V Operating Permits
- ◆ Dispersion Modeling
- ◆ CEM Specification
- ◆ CEM Monitoring Plans
- ◆ Meteorological Monitoring
- ◆ Multimedia Compliance Auditing
- ◆ Tier I/Tier II and SARA Form R Reporting
- ◆ Control Equipment Evaluation and Troubleshooting
- ◆ BACT/MACT/RACT and LAER Analysis
- ◆ Risk Management Plan Development
- ◆ NESHAP Compliance Planning (SSM Plans)
- ◆ Spill Prevention (SPCC) Plans
- ◆ ERC Registration
- ◆ Facility Security Plans & Auditing
- ◆ Quarterly Emissions Reporting (Parts 60 & 75)
- ◆ CEM QA Plans and Emissions Trading Assistance



1050 William Pitt Way
Pittsburgh, Pennsylvania 15238