

# AIR/COMPLIANCE NEWS UPDATE



## EPA PROPOSING TEST COMPANIES MEET ASTM D7036

In the proposed revisions to the 40 CFR, Part 75 monitoring requirements (71 FR 49253; Aug. 22, 2006), EPA required that Air Emission Testing Bodies (AETBs) conducting Relative Accuracy Test Audits (RATAs) of CEMS and sorbent trap monitoring systems conform to the requirements of ASTM D7036. The AETB must certify that data has been collected in accordance with the standard and provide to the affected sources:

1. A letter of certification signed by senior management, or
2. A certification of accreditation issued by recognized national accreditation body, or
3. Provide a qualified individual (QI) to conduct or oversee the RATAs and documentation of his or her credentials.

### What is ASTM D7036, Standard Practice for Competence of Air Emission Testing Bodies (AETBs)?

ASTM D7036 is a practice that covers testing and calibrations using standard methods, non-standard methods and methods developed by the AETB. It specifies the general requirements for competence to carry out sampling and analysis of air emissions at stationary sources. The practice, regardless of the number of personnel or the scope of testing activities, is applicable to all AETB engaged in air emission testing. The standard includes requirements for document control, development of quality manuals, recordkeeping, organization and management, sample handling procedures, development of SOPs, training, competency testing, and internal auditing.



### ACCI Staff Members Pass QSTI Examination

Congratulations are in order for Bill Cowell, Mike Matvey, and Bill Ondriezok of ACCI. All three passed a Qualified Source Testing Individual (QSTI) examination given by the Source Evaluation Society (SES) ([www.sesnews.org](http://www.sesnews.org)). This test is taken to fulfill the requirements of ASTM D7036-04. Additional staff will be testing on June 29, 2007.

## CLEAN AIR INTERSTATE RULE (CAIR)

If you are an Acid Rain or NO<sub>x</sub> Budget source, are you ready for the monitoring requirements in the Clean Air Interstate Rule (CAIR)? The deadlines are coming fast – January 1, 2008 for year-round reporters and May 1, 2008 for ozone-season reporters. Most are required to begin reporting on January 1, 2008.

Sources are required to prepare updated Monitoring Plans, complete certification testing, and prepare the appropriate test notices to meet Part 75 requirements. Monitoring Plans are required at least 45 days before certification testing begins, which could mean as early as September 2007.

The CEMS certification includes RATA testing, linearity, cycle time, 7-day calibration error, and DAHS verifications. Sources with CEMS not certified by January 1, 2008 will have to substitute conservatively high emissions and heat input data. Sources are also subject to Quarterly Electronic Data Reports (EDR's) using Monitor Data Checking (MDC) Software.

In addition to testing, ACCI staff have prepared Monitoring Plans and assisted clients in all aspects of Part 75 monitoring, including Appendix D heat input monitoring methods and Appendix E LME applications. We have also successfully petitioned the EPA regarding several Part 75 monitoring issues. ACCI staff are very familiar with EPA's current MDC software and are tracking the progress of the software conversion process from text to XML file formats. We have assisted clients in the reconciliation of allowances and allowance tracking. If you need assistance, please do not hesitate to contact Nancy Hirko at [nhirko@air-comp.com](mailto:nhirko@air-comp.com).

### NEWS FLASH:

Pennsylvania NSR changes were published in the PA Bulletin on May 19, 2007. See [www.pabulletin.com](http://www.pabulletin.com).

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## ACCI at the A&WMA Air & Waste Management Association Conference

Air Compliance will be at Booth #325 at the Air & Waste Management Association's Centennial Conference & Exhibition in Pittsburgh, Pennsylvania. This year's Exhibition runs from **June 26 through 28, 2007**. A free pass to the Exhibit Hall is enclosed in this newsletter (Page 2) for your use.



**AIR & WASTE MANAGEMENT ASSOCIATION**

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  - EH&S
  - Chem/Sci/Bio/Geo
  - Engineer/Design/Tech
  - Education/Training Prof
  - Purchasing
  - Finance/Accounting
  - Marketing/Sales
  - Legal
  - Process/Quality Control
  - Research & Development
  - Consultant
  - Student
  - Retired
  - Other \_\_\_\_\_

**Type of Business**

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  - Construction
  - Mfg Food/Beverage/Tobacco

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- Mfg Paper Products
- Mfg Printing/Publishing
- Mfg Chemicals/Drugs
- Mfg Petroleum Products
- Mfg Rubber/Plastics/Leather
- Mfg Stone/Clay/Glass/Concrete
- Mfg Primary Metals/Fabricated Metals
- Mfg Machinery/Computer and Office Equipment
- Mfg Electronics/Electrical Equipment
- Mfg Transportation Equipment
- Mfg Instruments
- Services - Transportation
- Services - Communication
- Services - Electric/Gas/Other Utilities
- Services - Water/Sanitary
- Services - Retail/Wholesale Trade
- Services - Finance/Insurance/Real Estate

- Services - Health/Safety/Legal
- Services - Educational/Social/Civic/Member Orgs
- Services - Engineering/Research Management
- Gov't - National
- Gov't - State/Province
- Gov't - Local/Municipal
- Other (Non-Classified)

- Reason for attending A&WMA Annual Conference**  
 (check all that apply)
- Technical Sessions
  - Workshops
  - Courses
  - New Technology
  - Networking
  - Purchasing Decisions
  - Exhibits

- Employment Size**  
 (choose one)
- Under 50 employees
  - 50 - 99 employees

- 100 - 299 employees
- 300 - 499 employees
- 500 - 999 employees
- 1,000 - 4,999 employees
- Over 5,000 employees

**Area of Expertise**

- (choose up to four)
- Air/Air Pollution Control
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  - Environmental Management
  - Environmental Science and Technology
  - Hazardous Waste Management
  - Solid Waste Management
  - Environmental Health & Safety
  - Environmental Law
  - Global Environmental Affairs
  - Public Policy and Communication
  - Other \_\_\_\_\_

## TRI Updates, Reporting Year 2006

### TRI Burden Reduction Rule: expands eligibility for use of Form A in lieu of Form R.

- PBT Chemicals— The rule allows the use of Form A for facilities with zero releases (both on-site and off-site) and 500 pounds or less of treatment, recycling, and/or energy recovery of PBT chemicals. The rule applies to all PBT chemicals except dioxin and dioxin-like compounds.
- Non-PBT Chemicals—The rule allows the use of Form A for a non-PBT chemical with 5000 pounds or less of releases (both on-site and off-site), treatment, recycling, and/or energy recovery, and the contribution of on-site and off-site releases is limited to 2000 pounds or less.

More info: <http://www.epa.gov/tri/tridata/modrule/phase2/forma.htm>

Facilities are required to use NAICS codes instead of SIC codes.

Reports must be submitted by July 2, 2007 As specified in EPCRA Section 313, the report for any calendar year must be submitted on or before July 1 of the following year whether using Form R or Form A. If the reporting deadline falls on a Saturday or Sunday, EPA will accept the forms which are postmarked on the following Monday (i.e., the next business day). RY2006 reports should be postmarked on or before Monday, July 2, 2007.

Two de-minimis levels for cobalt compounds For more information, please see: <http://www.epa.gov/tri>



## NEWS FROM THE EPA . . . Melissa Sakmar, Eric Balboni, Kimberly Coy, and Jill Merrill of ACCI

### Proposed Changes to the “Once-in, Always-in” Policy

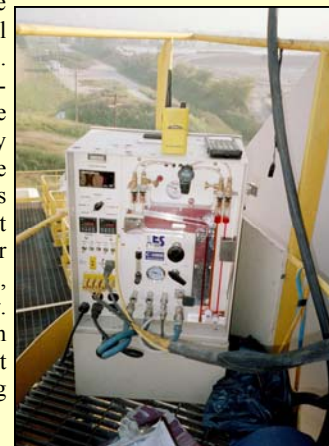
On January 3, 2007 (72FR69), EPA proposed to revise the “Once-in, Always-in” policy, established in a May 16, 1995 memorandum titled “*Potential to Emit for MACT Standards – Guidance on Timing Issues.*” The 1995 guidance states that once a source is required to comply with a MACT standard, it can not opt out of MACT by reducing its potential emissions to below the major HAP thresholds. A facility is a major source if its potential emissions are 10 tons/yr for a single HAP, or 25 tons/yr for any combination of HAPS.

Under the January 2007 proposed rule, a major source could become an area source by obtaining a permit limiting its potential emissions below major source thresholds. Once the limit is taken, the source would no longer be subject to the requirements of the MACT standards.

For more information, please contact Kimberly Coy ([kcoy@air-comp.com](mailto:kcoy@air-comp.com))

### EPA Notice of Broadly Applicable Alternate Test Methods (72 FR 4257; Jan 30, 2007)

USEPA plans to issue broadly applicable alternate test methods in the near future under and in support of the New Source Performance Standards (NSPS) and National Emissions Standards for Hazardous Air Pollutants. Until recently, EPA has issued only site or facility-specific approvals. The new, broadly applicable approvals will be posted on EPA’s technology transfer network website; approvals will also be announced in the Federal Register. Such alternates are made available in cases where a current test method is inherently prohibitive, or where newer methods, in conjunction with emissions decreases, make more sense where detection limits are lower. For example, Method 5 is not appropriate when stack temperatures are greater than 1200°F, and it is quite problematic to use Method 25 when trying to measure VOCs at concentrations below 50 ppm.



Please note that source owners/operators may voluntarily choose to use the broadly applicable alternate test methods; however the use of the alternative methods does not change the applicable emission standards.

For more information and a listing of broadly applicable alternate test methods, please see:

<http://www.epa.gov/ttn/emc/tmethods.html#CatB>.

### Final Rule for Implementation of the NSR

EPA is revising sections of its permitting processes for new or modified industrial facilities that do not meet EPA’s National Air Quality Standards for ground-level ozone and fine particulates. Two actions are being taken in steps to ensure that the nation remains in the status quo while states are implementing the New Source Review program.

- The first action involves updating a section of Appendix S. The appendix contains requirements for states that do not have the agency’s approval for state implementation plans, but must implement NSR. Appendix S will remain in place until EPA approves a state’s implementation plan.
- With the second action, EPA is asking for comments on how to better organize the recordkeeping and reporting requirements. EPA is asking whether a source should use its projected annual emissions increases or potential emissions increases as a way of determining recordkeeping and reporting requirements applicability.

The major entity potentially affected by the new rule changes is a major source of air pollutants that emits PM-2.5 and must apply for and obtain a preconstruction permit under the NSR program. The major NSR rule changes addressed add PM-2.5 and its precursors to the list of pollutants that must be addressed in a major NSR permit action, but do not otherwise change the requirements of the program. <http://www.epa.gov/fedrgstr/EPA-AIR/2007/May/Day-18/a9599.pdf>

### Revision to Definition of Volatile Organic Compounds-Exclusion of HFE-7300 (72 FR 2193; Jan 18, 2007)

Effective January 18, 2007, HFE-3700 has been added to the list of compounds excluded from the definition of VOC for the purpose of preparing a State Implementation Plan (SIP) to attain the national ambient air quality standards for ozone. If you use or produce HFE-7300 and you are subject to EPA regulations that limit the use in your product, limit the emissions from your facility, or otherwise control your use of HFE-7300 relating to attaining the ozone NAAQS, then you should not count HFE-7300 as a VOC in determining whether you meet the regulatory obligations. This action also affects whether HFE-7300 is considered as a VOC for State regulatory purposes; this depends on whether the state uses the EPA’s definition of VOC.

### New Refinery Standards Proposed 5/14/07 (72 FR 27178)



EPA is proposing to reduce emissions from new, modified or reconstructed refinery process units. New PM, NO<sub>x</sub>, SO<sub>2</sub> and CO standards are proposed for fluidized catalytic cracking units (FCCUs). FCCU CEMS will also be required for SO<sub>2</sub> and PM, although parametric monitoring is an option for PM. New SO<sub>2</sub> limits and SO<sub>2</sub> CEMS are required for the sulfur recovery units. New SO<sub>2</sub> and NO<sub>x</sub> limits are being set for process heaters, with CEMS requirements for both. An alternative TRS limit is available for heaters firing only fuel gas. Sources can comment on the proposed rule on or before July 13, 2007.

<http://www.epa.gov/ttn/atw/petrefine/fr14my07.pdf>

## AIR/COMPLIANCE NEWS UPDATE

*We're on the Web*  
*www.air-comp.com*

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