



Air Permit Update

Dustin Duhon

Tegan Treadaway

Cheryl S. Nolan

Air Permits Division

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Guidance for Air Permitting Actions

- Guidance document for obtaining an air quality permit
- Complete rewrite
- Beginner's perspective



What Does It Contain?

- General and Statutory Exemptions
- Emissions Estimation Methods
- How emissions should be listed
 - Max lb/hr – full policy is not included
- Brief overview of federal and state regulations



What Does It Contain? (cont.)

- Descriptions of the various permit types
 - State Permit
 - Part 70 Permit
 - Prevention of Significant Deterioration
 - Acid Rain
 - CAIR
 - Permit Modifications



What Does It Contain? (cont.)

- Air Quality Dispersion Modeling
- Operational Flexibility
- Custody Transfer
- Calculation of Application Fees



What Does It Contain? (cont.)

- Tips on speeding the processing of an application
- Overview of what happens to an application once it is received
- Miscellaneous Permitting Actions



Permit Applications

- Louisiana Application for Approval of Miscellaneous Actions – currently mandatory
- Louisiana Application for the Approval of Emissions from Minor Sources – optional through 12-31-07 ... mandatory thereafter
- Louisiana Application for the Approval of Emissions from Part 70 Sources – optional through 12-31-07 ... mandatory thereafter



Who is the Federal Land Manager?

For Clean Air Act (CAA) designated Class I area purposes, the official Federal Land Manager (FLM) is the “Secretary of the Department with authority over such [Class 1] lands” (40 CFR 51.166(b)(24)).

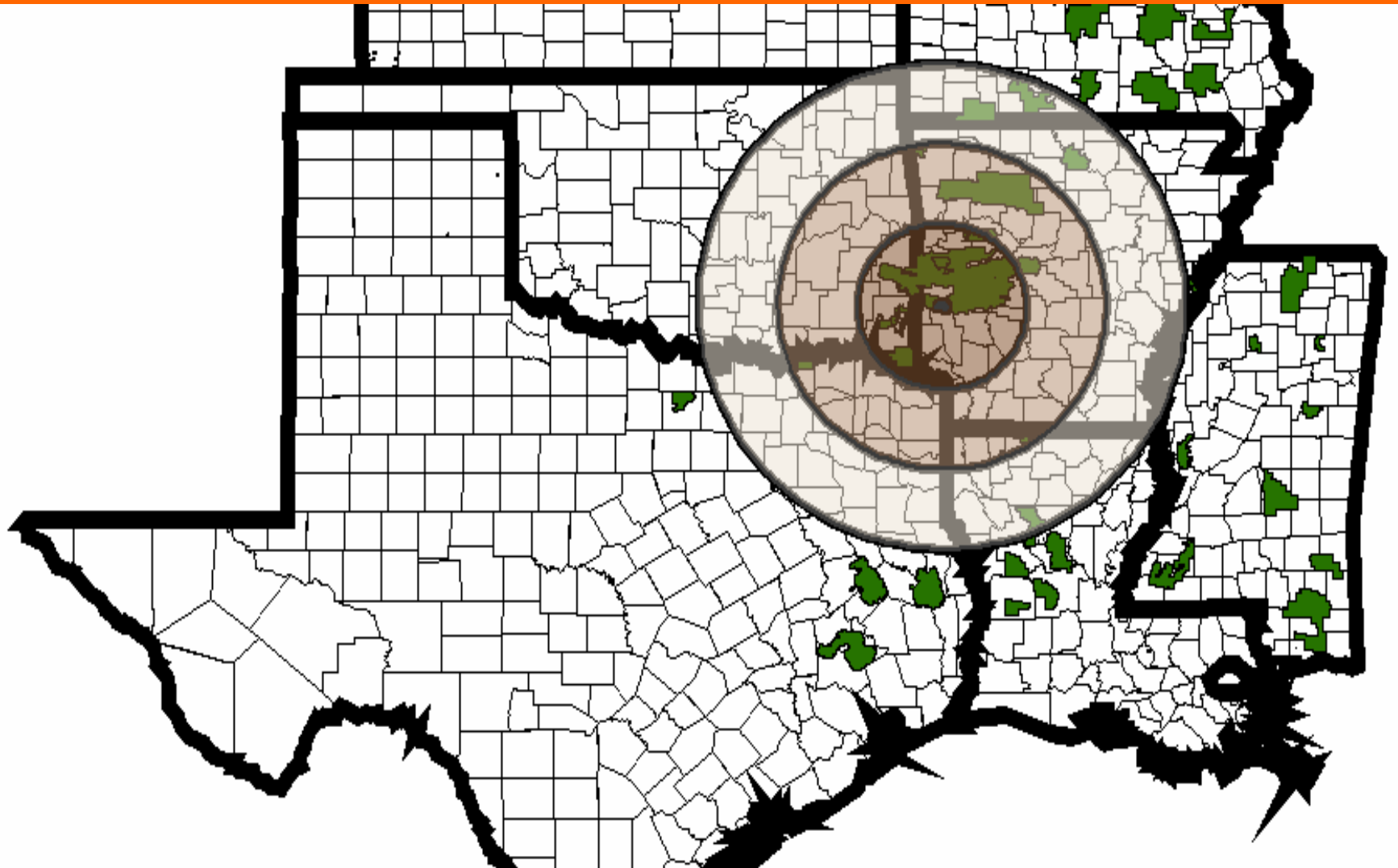


Class 1 Areas of Concern for Louisiana Facilities

There are two Class 1 areas potentially impacted by emissions from Louisiana:

- Breton National Wildlife Refuge
- Caney Creek Wilderness Area

Caney Creek Wilderness Area 300 km Radius





Who are the FLMs for Breton and Caney Creek?

The FLM agency staff contacts for air quality purposes are:

Breton National Wildlife Refuge

Ms. Jill Webster
U.S. Fish and Wildlife Service
Air Quality Branch
7333 West Jefferson Avenue, Suite 375
Lakewood, Colorado 80235-2034
P: (303) 914-3804
E: Jill_Webster@fws.gov

Caney Creek Wilderness Area

Ms. Judith Logan
Western Zone Air Resource Specialist, R8
U.S. Department of Agriculture Forest Service
P.O. Box 1270
Hot Springs, Arkansas 71902
P: 501-321-5341
E: jlogan@fs.fed.us



What does the FLM review?

- The FLM reviews NSR applications that may affect Class 1 areas.
- The meaning of the term “may affect” is interpreted by EPA policy to include all major sources or major modifications which propose to locate within 100 kilometers (km) of a Class 1 area.
- If a major source proposing to locate at a distance greater than 100 km is of such size that LDEQ or the FLM is concerned about potential impacts on a Class I area, LDEQ can ask the applicant to perform an analysis of the source’s potential emissions impacts on the Class 1 area.



When should an applicant contact the FLM?

Contact your FLM with the project specifics early in the process for:

- NSR applications for facilities within 100 km of a Class 1 area
- NSR applications for facilities greater than 100 km from a Class 1 area if $Q/d > 4$



What is Q/d?

Q/d refers to the ratio of the sum of annual emissions (in tons per year) of PM₁₀, SO₂, NO_x, and H₂SO₄ to the distance (in kilometers) from the nearest boundary of the Class I area.

$$Q/d = \frac{\text{PM}_{10} \text{ (NEI)} + \text{SO}_2 \text{ (NEI)} + \text{NO}_x \text{ (NEI)} + \text{H}_2\text{SO}_4 \text{ (NEI)}}{\text{Class I km}}$$

Where:

PM₁₀ (NEI)= net emissions increase of PM₁₀

SO₂ (NEI)= net emissions increase of SO₂

NO_x (NEI)= net emissions increase of NO_x

H₂SO₄ (NEI)= net emissions increase of H₂SO₄

Class I km= distance (km) to nearest boundary of Class I



What is Q/d?

(cont)

- If the net emissions increase of any pollutant is negative, enter “0” for that pollutant; and
- If the project did not trigger a netting analysis, use the project increase. See §504.A.3 (NNSR) and §509.A.4 (PSD). In this case, the value will be less than the pollutant’s significance level.



What can be expected from the FLM?

- Upon notification of the proposed project, the FLM will do an initial review to determine if a Class 1 impact analysis is necessary (look at Q/d)
- If an analysis is not necessary, the FLM will send you documentation that can be submitted to LDEQ with your application
- Submit this documentation to fulfill Section 25.G of LDEQ's NSR application



What can be expected from the FLM? (cont)

- The FLM may determine that a Class 1 analysis is necessary
- The FLM review process consists of three main analyses:
 - Air Quality Analysis
 - Best Available Control Technology (BACT) Analysis
 - Adverse Impact Analysis on Air Quality-Related Values (AQRV)
- The FLM may request modeling



FLM Modeling Process

- Modeling protocols must be approved by the FLM and the Office of Environmental Assessment, Air Quality Assessment Division prior to initiating the actual modeling runs.
- There are two general approaches to visibility analyses, depending upon whether a source is within 50 km of the Class 1 area or farther away.



FLM Modeling Approaches

- For sources less than 50 km from a Class 1 area either the VISCREEN model or the more rigorous PLUVUE II model should be used
- For sources greater than 50 km from a Class I area, the CALPUFF model should be used
- A general description of the procedures is contained in the December 2000 FLAG Phase 1 Report at:
www2.nature.nps.gov/air/Permits/flag/



What can be expected from a FLM review?

The FLM may:

- Recommend approval or disapproval of the application based on anticipated impacts
- Advise reviewing agencies and permit applicants about FLM concerns
- Suggest changes or conditions on a permit such as the use of more efficient control technology or cleaner fuels
- Comment during the Public Comment period



What does this mean to the applicant?

- Perform the Q/d calculation to see if the FLM needs to be notified
- Notify the FLM **early** in the process
- Get the modeling protocol approved
- Work with the FLM to gain recommendation for approval of the proposed permit



CAIR Regulation Overview

The Department has incorporated by reference the federal CAIR SO₂ provisions

The Department opted to submit an abbreviated SIP to allocate different CAIR annual and ozone season NO_x allowances than what was in the FIP; the Louisiana abbreviated SIP has been approved (LAC 33:III.506)

–The provisions of the FIP will remain in place under Louisiana's abbreviated SIP, except that the Department will issue CAIR permits and the CAIR budget allocations for CAIR facilities within the state

All matters related to CAIR, except for permitting and budget allocations should be addressed to EPA Region 6 and EPA's Clean Air Markets Division (CAMD)



Regulation Overview

Recent changes to CAIR were published on October 19, 2007 in the Federal Register:

EPA is revising the calculation methodology for the efficiency standard in the cogeneration unit definition to exclude energy input from biomass making it more likely that units co-firing biomass will be able to meet the efficiency standard and qualify for exemption



Compliance Dates

July 1, 2007

Sources currently subject to CAIR were required to submit a CAIR permit application

New sources subject to CAIR should submit a CAIR application along with the Title V application

January 1, 2008

CAIR annual and ozone season NO_x monitors certification or recertification completed. CAIR monitoring begins

April 30, 2008

First quarter monitoring data for CAIR annual NO_x due to EPA



Compliance Dates

January 1, 2009

Electric generating CAIR units must comply with the annual NOx reduction requirements under 40 CFR 97

May 1, 2009

Electric generating and industrial boiler CAIR units must comply with the ozone season (Summer) NOx reduction requirements under 40 CFR 97

January 1, 2010

Electric generating CAIR units must comply with the annual SO2 reduction requirements under 40 CFR 96



Compliance Dates

After these dates, Operators of CAIR units must hold enough CAIR allowances in their respective accounts to account for every ton of NO_x or SO₂ emitted (as applicable)



Allocations

Final CAIR NO_x Allocations for 2009, 2010, 2011 (09/19/2007) can be found on LDEQ's website:

www.deq.louisiana.gov/portal/tabid/2700/Default.aspx

Below is an internet link for allowance data tracking at EPA's Clean Air Markets Division:

www.epa.gov/airmarkets/tracking/index.html

Questions regarding allocations should be directed to LDEQ, Air Quality Assessment



Permit Applications

The CAIR Permit Application is available on LDEQ's website

Important Note: The CAIR application was revised on April 4, 2007. If you previously downloaded this document, please be sure to replace it with the most recent version (form_7198_r01)

A copy of the CAIR Certificate of Representation must be attached to any CAIR Permit Application submitted to DEQ. This form is located at:

www.epa.gov/airmarkets/business/forms.html



CAIR Permits

- Complete and separable portions of Title V permits
- Only required for sources subject to Title V
- Issued and renewed according to Title V regulations
 - Per 40 CFR 70.7.F.1(i) and guidance from EPA, Title V's with more than 2 years before the renewal will need to be opened to include the Federal and State CAIR requirements
 - Both the Title V and CAIR permit have to be public noticed



Applicability Determinations

CAMD should be contacted for applicability determinations

CAMD Contact:

Robert Miller

(202) 343-9077

Miller.RobertL@epa.gov

EPA Region VI Contact:

Adina Wiley

(214) 665-2115

Wiley.Adina@epamail.epa.gov



TEMPO Permit Reports Changes

- The addition of groups:
 - PSC – Process Group
 - UNF – Unit or Facility Wide (replaces Permitted Totals group)
 - CRG – Common Requirements
 - SCN – Alternate Operating Scenarios
- Report sorting capability added
- Citations added to the front of the requirements
- Members of groups listed in the Specific Requirements Report
- Addition of a table that shows what groups each source is a member of
- Revised Annual Maintenance Fee Table
- Format of TAP/HAP & Other Pollutant Report Changed

New Sort order by Process Group.
New 3 letter designation "PSC"

Prints requirements for entire process, prior to printing source requirements

SPECIFIC REQUIREMENTS

ID: 39083 - Beta Testing & Inspection LLC
Activity Number: PER20070001
Permit Number: 1234-56789-V0
Air - Title V Regular Permit Initial

Group: PCS001 Preparation and Painting Area

PCS001 Preparation and Painting Area

Group Members: ARE001 ARE002 ARE003 EQT004 EQT005 EQT006 ~~NS001~~

- 1 [40 CFR 63.3930] Equipment/operational data recordkeeping by electronic means, as specified in 40 CFR 63.3930(a) through (k), as applicable. Subpart M MMMM. Keep records in a form suitable and readily available for following the date of each occurrence, measurement, maintenance, corrective action, report, or record according to 40 CFR 63.10(b)(1). Records may be kept off-site for the remaining 3 years. Subpart M MMMM.
- 2 [40 CFR 63.3931] Equipment/operational data recordkeeping by electronic means, as specified in 40 CFR 63.3930(a) through (k), as applicable. Subpart M MMMM. Keep records in a form suitable and readily available for following the date of each occurrence, measurement, maintenance, corrective action, report, or record according to 40 CFR 63.10(b)(1). Records may be kept off-site for the remaining 3 years. Subpart M MMMM.

Lists members of the Process Group

of the information specified in 40 CFR 63.10(b)(1). Keep each record for 5 years as specified in 40 CFR 63.10(b)(1). Keep each record on-site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record according to 40 CFR 63.10(b)(1). Records may be kept off-site for the remaining 3 years. Subpart M MMMM.

ARE001 01-07 - Surface Blasting Area

- 3 [40 CFR 63.3890.b.4] Rubber-to-metal coating operations: Organic HAP \leq 37.7 lb/gal (4.5 kg/L) coating solids used during each 12-month compliance period. Subpart M MMMM. [40 CFR 63.3890(b)(4)]
Which Months: All Year Statistical Basis: None specified
- 4 [40 CFR 63.3891.a] Demonstrate that the organic HAP content of each coating used in the coating operation(s) is less than or equal to the applicable emission limit in 40 CFR 63.3890, and that each thinner and/or other additive, and cleaning material used contains no organic HAP. Subpart M MMMM. [40 CFR 63.3891(a)]

Citations placed in front of requirement

ARE002 02-07 - Surface Coating Area

- 5 [40 CFR 63.3890.b.1] General use coating operations: Organic HAP \leq 37.7 lb/gal (4.5 kg/L) coating solids used during each 12-month compliance period. Subpart M MMMM. [40 CFR 63.3890(b)(1)]
Which Months: All Year Statistical Basis: None specified
- 6 [40 CFR 63.3891.a] Demonstrate that the organic HAP content of each coating used in the coating operation(s) is less than or equal to the applicable emission limit in 40 CFR 63.3890, and that each thinner and/or other additive, and cleaning material used contains no organic HAP. Subpart M MMMM. [40 CFR 63.3891(a)]
- 7 [40 CFR 63.3942.c] Identify the coating operation(s) for which the compliant material option was used, and submit as part of each semiannual compliance report required by 40 CFR 63.3920. If there were no deviations from the applicable emission limit in 40 CFR 63.3890, submit a statement that the coating operation(s) was (were) in compliance with the emission limitations during the reporting period because no coatings were used for which the organic HAP content exceeded the applicable emission limit in 40 CFR 63.3890, and no thinner and/or other additive, or cleaning material was used that contained organic HAP, determined according to 40 CFR 63.3941(a). Subpart M MMMM. [40 CFR 63.3942(c)]

ARE003 03-07 - Paint Cleaning area

- 8 [LAC 33:III.2123.C] VOC, Total \leq 3.5 lb/gal of coating as applied (minus water and exempt solvent).
Which Months: All Year Statistical Basis: Daily average

**New 3 letter designation for newly created Common Requirements Group
All members must have only the exact same requirements to be included.**

Sources or groups not included in Process groups follow the last Process group separator line

SPECIFIC REQUIREMENTS

AI ID: 39083 - Beta Testing & Inspection LLC
Activity Number: PER20070001
Permit Number: 1234-56789-V0
Air - Title V Regular Permit Initial

Group: PCS002 Utility Area

EQT001 04-07 - Steam Boiler

17 [LAC 33:III.1513.C]

Equipment/operational data recordkeeping by electronic or hard copy once initially and annually. Record and retain at the site sufficient data to show annual potential sulfur dioxide emissions.

CRG001 Dust Filter Common Requirements

Group Members: EQT005 EQT006

18 [LAC 33:III.501.C.6]

Baghouses (including gaskets): Equipment/operational data monitored by technically sound method upon each occurrence or whenever visible emission checks indicate maintenance may be necessary. Change elements as necessary.

Which Months: All Year Statistical Basis: None specified

19 [LAC 33:III.501.C.6]

Baghouses: Equipment/operational data recordkeeping by electronic or hard copy upon each occurrence of inspection. Keep records of maintenance inspections on site and available for inspection by the Office of Environmental Compliance, Surveillance Division.

20 [LAC 33:III.501.C.6]

Filter MERV Rating \geq 16 index value at the tested air velocity of xxx ft/min.

21 [LAC 33:III.501.C.6]

Which Months: All Year Statistical Basis: None specified

Filter vents: Visible emissions monitored by visual inspection/determination daily. If visible emissions are observed, restore operation of the filter to its normal or usual manner of operation as expeditiously as practicable, but at a minimum within three working days, in accordance with good air pollution control practices for minimizing emissions.

22 [LAC 33:III.501.C.6]

Which Months: All Year Statistical Basis: None specified

Filter vents: Visible emissions recordkeeping by electronic or hard copy daily. Keep records of visible emission checks on site and available for inspection by the Office of Environmental Compliance, Surveillance Division.

23 [LAC 33:III.501.C.6]

Particulate matter (10 microns or less) \geq 99.0 % removal efficiency per filter manufacturer's certification.

Which Months: All Year Statistical Basis: None specified

EQT003 06-07 - Drying Kiln

24 [LAC 33:III.501.C.6]

Conduct a performance/emissions test: Due within 180 days after initial startup (or restart-up after modification), or within 60 days after achieving normal production rate or end of the shakedown period, whichever is earliest. The stack test's purpose is to demonstrate compliance with the emission limits of this permit. Test methods and procedures shall be in accordance with New Source Performance Standards, 40 CFR 60, Appendix A, Method 7E - Determination of Nitrogen Oxides Emissions from Stationary Sources and Method 10 - Determination of Carbon Monoxide Emissions from Stationary Sources. Use alternate stack test methods only with the prior approval of the Office of Environmental Assessment, Environmental Technology Division, Engineering Services. As required by LAC 33:III.913, provide necessary sampling ports in stacks or ducts and such other safe and proper sampling and testing facilities for proper determination of the emission limits.

25 [LAC 33:III.501.C.6]

Submit notification: Due at least 30 days prior to performance/emissions test to the Office of Environmental Assessment, Environmental Technology Division, Engineering Services, to provide the opportunity to conduct a pretest meeting and observe the emission testing.

26 [LAC 33:III.501.C.6]

Submit report: Due within 60 days after performance/emissions test. Submit emissions test results to the Office of Environmental Assessment, Environmental Technology Division, Engineering Services.

New 3 letter designation for surrogate Unit or Facility wide group. "UNF" This group contains all requirements that are for the entire facility or Unit on a per permit basis.

SPECIFIC REQUIREMENTS

AI ID: 39083 - Beta Testing & Inspection LLC
 Activity Number: PER20070001
 Permit Number: 1234-56789-V0
 Air - Title V Regular Permit Initial

UNF001 Entire Facility

- 27 [40 CFR 70.5.a.1.(iii)] Submit Title V permit application for renewal: Due 180 calendar days before permit expiration date. [40 CFR 70.5(a)(1)(iii)]
- 28 [40 CFR 70.6.a.3.(iii)(A)] Submit Title V monitoring results report: Due semiannually, by March 31st and September 30th for the preceding periods encompassing July through December and January through June, respectively. Submit reports to the Office of Environmental Compliance, Surveillance Division. Certify reports by a responsible company official. Clearly identify all instances of deviations from permitted monitoring requirements. For previously reported deviations, in lieu of attaching the individual deviation reports, clearly reference the communication(s)/correspondence(s) constituting the prior report, including the date the prior report was submitted. [40 CFR 70.6(a)(3)(iii)(A)]
- 29 [40 CFR 70.6.a.3.(iii)(B)] Submit Title V excess emissions report: Due quarterly, by June 30, September 30, December 31, March 31. Submit reports of all permit deviations to the Office of Environmental Compliance, Surveillance Division. Certify all reports by a responsible official in accordance with 40 CFR 70.5(d). The reports submitted on March 31 and September 30 may be consolidated with the semi-annual reports required by 40 CFR 70.6(a)(3)(iii)(A) as long as the report clearly indicates this and all required information is included and clearly delineated in the consolidated report. [40 CFR 70.6(a)(3)(iii)(B)]
- 30 [40 CFR 70.6.c.5.(iv)] Submit Title V compliance certification: Due annually, by the 31st of March. Submit to the Office of Environmental Compliance, Surveillance Division. [40 CFR 70.6(c)(5)(iv)]
- 31 [LAC 33:III.1109.B] Outdoor burning of waste material or other combustible material is prohibited.
- 32 [LAC 33:III.1303.B] Emissions of particulate matter which pass onto or across a public road and create a traffic hazard by impairment of visibility or intensify an existing traffic hazard condition are prohibited.
- 33 [LAC 33:III.2113.A] Maintain best practical housekeeping and maintenance practices at the highest possible standards to reduce the quantity of organic compounds emissions. Good housekeeping shall include, but not be limited to, the practices listed in LAC 33:III.2113.A.1-5.
- 34 [LAC 33:III.219] Failure to pay the prescribed application fee or annual fee as provided herein, within 90 days after the due date, will constitute a violation of these regulations and shall subject the person to applicable enforcement actions under the Louisiana Environmental Quality Act including, but not limited to, revocation or suspension of the applicable permit, license, registration, or variance.
- 35 [LAC 33:III.5609.A.2.b] Activate the preplanned strategy listed in LAC 33:III.5611. Table 6 when the administrative authority declares an Air Pollution Warning.
- 36 [LAC 33:III.5611.A] Submit standby plan for the reduction or elimination of emissions during an Air Pollution Alert, Air Pollution Warning, or Air Pollution Emergency: Due within 30 days after requested by the administrative authority.
- 37 [LAC 33:III.5611.B] During an Air Pollution Alert, Air Pollution Warning or Air Pollution Emergency, make the standby plan available on the premises to any person authorized by the department to enforce these regulations.

New Sort order by Process Group

Air - Title V Regular Permit Initial

Subject Item Inventory:

ID	Description	Tank Volume	Max. Operating Rate	Normal Operating Rate	Contents	Operating Time
Preparation and Painting Area						
ARE001	01-07 - Surface area blasting		125 MM lbs/yr	1000 lb/day	blasting beads	2400 hr/yr (All Year)
ARE002	02-07 - Surface Coating Area		155 MM gallons/yr	125 gallons/day	Paint	4884 hr/yr (All Year)
ARE003	03-07 - Paint Cleaning Area		472 gallons/yr	15 gallons/hr	Paint solvent	1450 hr/yr (All Year)
EQT004	07-07 - Blasting Bead Silo	40000 ft³			Blasting beads	120 hr/yr (All Year)
EQT005	08-07 - Silo Baghouse					120 hr/yr (All Year)
EQT006	09-07 - Dust Filter for Surface Blasting					2400 hr/yr (All Year)
Utility Area						
EQT001	04-07 - Steam Boiler		105000 MM BTU/yr	12 MM BTU/hr	Natural Gas Fired	8760 hr/yr (All Year)
EQT002	05-07 - Cooling Tower			250 gallons/min	Cooling water	8760 hr/yr (All Year)
Entire Facility						
EQT003	06-07 - Drying Kiln		300000 MM BTU/yr	125 MM BTU/hr	Natural Gas Fired	2400 hr/yr (All Year)

Stack Information:

ID	Description	Velocity (ft/sec)	Flow Rate (cubic ft/min-actual)	Diameter (feet)	Discharge Area (square feet)	Height (feet)	Temperature (oF)
Utility Area							
EQT001	04-07 - Steam Boiler	10000	425	2		45	375
EQT002	05-07 - Cooling Tower	1000	100	5		58	95
Entire Facility							
EQT001	04-07 - Steam Boiler	10000	425	2		45	375
EQT002	05-07 - Cooling Tower	1000	100	5		58	95
EQT003	06-07 - Drying Kiln	450	15000	1.5		88	1500

Relationships:

ID	Description	Relationship	ID	Description
EQT5	08-07 - Silo Baghouse	Controls emissions from	EQT4	07-07 - Blasting Bead Silo
EQT6	09-07 - Dust Filter for Surface Blasting	Controls emissions from	ARE1	01-07 - Surface Blasting Area

Subject Item Groups:

ID	Group Type	Group Description
CRG001	Common Requirements Group	01-DF - Dust Filter Common Requirements
PCS001	Process Group	01-Fab - Preparation and Painting Area
PCS002	Process Group	01-Util - Utility Area
SCN001	Alternate Operating Scenario	Alt Sand - Surface Blasting Area using Sand
UNF001	Unit or Facility Wide	Test - Entire Facility

INVENTORIES

AI ID: 39083 - Beta Testing & Inspection LLC
 Activity Number: PER20070001
 Permit Number: 1234-56789-V0
 Air - Title V Regular Permit Initial

New Table that shows what groups each source is a member of. By default, all are members of the UNF, and so the UNF is not listed.

Group Membership:

ID	Description	Member of Groups
ARE001	01-07 - Surface area blasting	PCS0000000001, SCN0000000001
ARE002	02-07 - Surface Coating Area	PCS0000000001
ARE003	03-07 - Paint Cleaning Area	PCS0000000001
EQT001	04-07 - Steam Boiler	PCS0000000002
EQT002	05-07 - Cooling Tower	PCS0000000002
EQT004	07-07 - Blasting Bead Silo	PCS0000000001
EQT005	08-07 - Silo Baghouse	CRG0000000001, PCS0000000001
EQT006	09-07 - Dust Filter for Surface Blasting	CRG0000000001, PCS0000000001
SCN001	Alt Sand - Surface Blasting Area using Sand	PCS0000000001

Annual Maintenance Fee:

Fee Number	Air Contaminant Source	Multiplier	Units Of Measure	NESHAP Maintenance Fee
1080	Sandblasting or Chemical Cleaning of Metal: A) 10 or More Employees			N

SIC Codes:

1799	Special trade contractors, nec	UNF001
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Revised Annual Maintenance Fee Table. SIC Code Table transferred to the Inventory Report. If different processes have different SIC codes, each will be listed out separately by process group.

**Format of TAP/HAP
Table changed.**

EMISSION RATES FOR TAP/HAP & OTHER POLLUTANTS

AI ID: 39083 - Beta Testing & Inspection LLC

Activity Number: PER20070001

Permit Number: 1234-56789-V0

Air - Title V Regular Permit Initial

Emission Pt.	Pollutant	Avg lb/hr	Max lb/hr	Tons/Year
ARE 0002 02-07	Ethyl benzene	0.055	0.065	0.24
	Xylene (mixed isomers)	0.86	1.00	3.23
ARE 0003 03-07	Ethyl benzene	0.055	0.065	0.24
	Xylene (mixed isomers)	0.86	1.00	3.23
EQT 0001 04-07	Formaldehyde	0.055	0.065	0.24
EQT 0003 06-07	Formaldehyde	0.055	0.065	0.24
UNF 0001 Test	Ethyl benzene			0.72
	Formaldehyde			0.48
	Xylene (mixed isomers)			9.69

Note: Emission rates in bold are from alternate scenarios and are not included in permitted totals unless otherwise noted in a footnote.



South Coast v. EPA

On December 22, 2006, and reaffirmed on June 8, 2007, the U.S. Court of Appeals for the D.C. Circuit issued an opinion on challenges to EPA's Phase I rule for implementation of the 8-hour ozone NAAQS.

In its Phase I rule, EPA made NSR applicability thresholds and offset ratios dependent on an area's 8-hour attainment status.

The Court stated that EPA improperly determined that areas designated nonattainment under the 1-hour ozone NAAQS would no longer be subject to the 1-hour NSR requirements. NSR is a control measure and subject to the anti-backsliding provisions of Section 172(e) of the CAA.



South Coast v. EPA

On October 3, 2007, EPA issued a memorandum addressing the decision. In the memo, EPA:

1. concludes that the effect of the Court's ruling is to restore NSR applicability thresholds and emission offsets pursuant to the 1-hour ozone classifications previously in effect (i.e., severe for Baton Rouge);
2. notes its intent to issue an immediately-effective final rule under the Good Cause Provision of the Administrative Procedures Act to restore the NSR applicability thresholds and offset ratios; and
3. encourages states to "comply with the court decision as quickly as possible."



South Coast v. EPA

Questions posed to EPA:

1. When does EPA expect to promulgate its final rule under the authority of the Good Cause Provision of the APA to restore the NSR applicability thresholds and offset ratios associated with 1-hour designations (e.g., next week, next month, or next year)?
2. Does the fact that the Baton Rouge area achieved compliance with the 1-hour standard after June 15, 2005 matter, or will the major source threshold and minimum offset ratios remain at severe area levels in perpetuity?



Latest from EPA

- EPA is developing 3 rules in response to the court decision
- Early 2008 – Possible Clean-up rule to revise Phase 1 to Remove vacated elements.



Latest from EPA, cont'd

- Summer 2008 – Proposal to address 1-hr NSR requirements with respect to anti-backsliding and reclassification of subpart 1 areas
- Summer 2008 – proposal to address what is required of 1 hr non-attainment areas for anti-backsliding for section 185 fees and contingency measures
- Both rules final in 2009



The Boiler MACT

- Louisiana's Path Forward
 - Emergency Rule Effective 09/24/2007
 - Regular Rule proposed mirroring Emergency Rule
 - Letter to Companies to advise of state approach
 - Letter only sent to facilities with regular TV permits



The Boiler MACT cont'd

- The latest EPA update
 - No idea when guidance will be made available
 - Negotiations underway for promulgation schedule - anywhere from 2 to 4 years
 - Advising states that 112(j) is triggered – but nothing formal has been received



Expedited Permit Update

- Implemented as a pilot program in August 2006
- Report to Legislature submitted May 1, 2007
- Final rule June 20, 2007
- 278 requests as of October 17
- Overwhelming number of the requests were for Air Permits
- Both Minor and Major Sources

Cheryl's



TRICK OR TREAT

Guide to Air Permits



Treat



- Request for Confidentiality follows the regulations at LAC 33:I.Chapter 5
- Requests is made in writing and submitted to the Legal Affairs Division



Trick



Submitting your Confidentiality Request as Page 308 of a 320 page permit application.

Treat

Permit Applications and
required reports are signed
by the Responsible Official



Trick

A signature stamp is used in place of the Responsible Official's Signature



Treat

Requests for Expedited Permit Processing are prominently located in the permit application.



A decorative border surrounds the central text. At the top, a row of six white ghost silhouettes is set against a black background. On the left, a large orange spiderweb is visible. Along the bottom, there are four orange jack-o'-lanterns with glowing faces, interspersed with three white ghost silhouettes. The entire scene is framed by a dark green, wavy border.

Trick

**Request for Expedited Permit
Processing submitted as
Appendix Q of the Application**

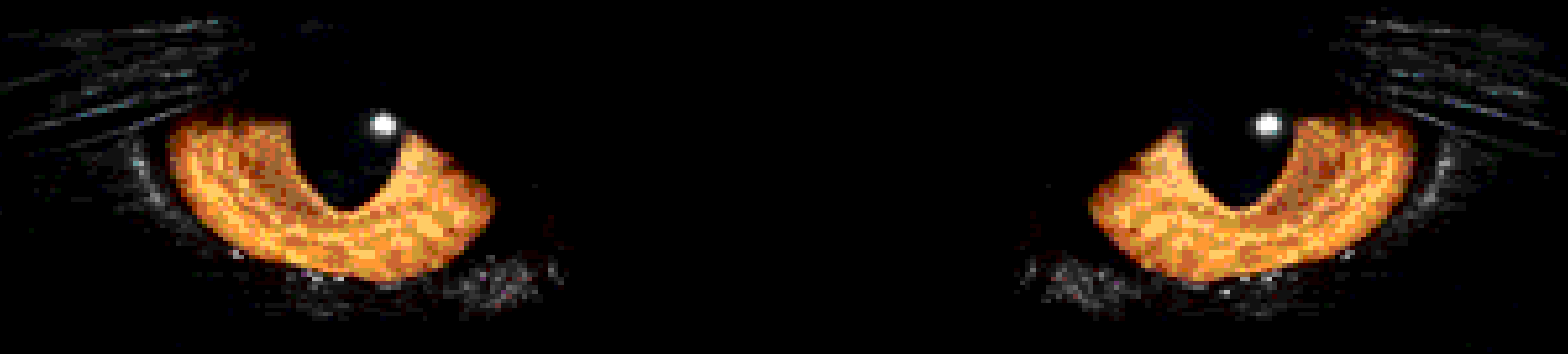
Treat

Electronic Fund Transfers that include the Agency Interest Number, TEMPO Activity Number and/or Permit Number



Trick

Electronic Fund Transfer does not have enough identifying Information to associate with a permit action.





End of slide show, click to exit.

