



# Air Permits Update

Air & Waste Management Association  
Louisiana Section

Environmental Focus 2013  
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# Presentation Outline

- Rulemaking
- Startup/Shutdown/Malfunction (SSM) SIP Call
- 1-hour SO<sub>2</sub> NAAQS
- ERIC Improvements
- BACT Analysis Reminders



## AQ342 – Regulatory Permit for ICEs

AQ342 expands the existing Regulatory Permit for Emergency Engines (LAC 33:III.311) to address non-emergency stationary internal combustion engines (ICEs).

- Proposed: October 20, 2013
- Public hearing: November 25, 2013
- Comment deadline: December 2, 2013



## AQ266 – Minor Source Permits

- Per R.S. 30:2023(A), permits “shall have, as a matter of law, a term of not more than ten years.”
- However, Louisiana’s air quality regulations are currently silent with respect to the term of minor source permits.
- This rule revision will establish a regulatory framework setting forth maximum terms and renewal procedures for minor source permits.
- To be proposed: December 20, 2013



## AQ266 – Minor Source Permits

- LDEQ projects that the rule will cost affected persons more than \$1 million, in the aggregate, to implement.
- Therefore, pursuant to the Louisiana Environmental Quality Act and Administrative Procedure Act, LDEQ has prepared a report regarding the environmental/health benefits and social/economic costs of the proposed rule.
  - LDEQ estimates the cost to hire a consulting firm to be between \$4375 and \$9250.



## AQ266 – Minor Source Permits

- Any permit application that renews an existing permit shall be submitted at least 6 months prior to the date of permit expiration.
  
- *Any* revision or reopening of the permit shall establish the start of a new permit term.
  - Administrative amendments and approvals to relocate a portable facility do **not** establish the start of a new permit term.



## AQ266 – Minor Source Permits

- The application to renew an existing permit that expires on or before December 31, 2014, shall be submitted in accordance with the schedule specified by LDEQ unless the existing permit provides that a renewal application shall be submitted by an earlier date.
  - *Louisiana Register*
  - In no event shall an owner or operator be provided less than 3 months to prepare a renewal application.



## SSM SIP Call

On February 12, 2013, EPA (in granting a petition submitted by the Sierra Club) concluded that the following regulations are “substantially inadequate to meet CAA requirements” and proposed “to issue a SIP call.”

- LAC 33:III.1107                      Flares
- LAC 33:III.1507.A.1                Sulfuric acid plants
- LAC 33:III.1507.B.1
- LAC 33:III.2153.B.1.i              Industrial waste-H<sub>2</sub>O tanks
- LAC 33:III.2201.C.8                NO<sub>x</sub> RACT
- LAC 33:III.2307.C.1.a              Nitric acid plants
- LAC 33:III.2307.C.2.a



## SSM SIP Call

These provisions ostensibly provide exemptions from SIP-approved limitations during periods of startup, shutdown, malfunction, and/or maintenance.

The agreed-to deadline by which EPA would take final action on its proposal was originally August 27, 2013. However, that date was first extended to September 26, 2013, then to **May 15, 2014**.

Should EPA finalize its rule as proposed, LDEQ has not yet decided how the impacted rules would be revised.

- 18 months



# 1-hour SO<sub>2</sub> NAAQS

On August 5, 2013, EPA designated St. Bernard Parish as an SO<sub>2</sub> nonattainment area, effective October 4, 2013.

- Consequently, LDEQ must submit a SIP to EPA by April 6, 2015.
- The SIP must outline the actions LDEQ will take to meet the 1-hour SO<sub>2</sub> NAAQS as expeditiously as possible, but by no later than 5 years following initial designations (i.e., October 4, 2018).
- No revisions to LAC 33:III.504 or Chapter 6 are necessary.



## 1-hour SO<sub>2</sub> NAAQS

The redesignation may also trigger the need to submit an emissions inventory (EI) under LAC 33:III.919.

- St. Bernard Parish: 10 TPY of SO<sub>2</sub>
- Orleans and Plaquemines Parishes: 50 TPY of SO<sub>2</sub>

If not currently subject to EI, the first report would be due April 30, 2015, and should address calendar year 2014 emissions.



## ERIC Improvements

- ERIC is now housed in Business Area of LDEQ's web presence (with e-Pay).
- Users must migrate their old ERIC accounts to the new system in order for their existing permissions to remain effective.
  - ERIC webpage on LDEQ's website has guidance material.
  - Existing users received e-mails with instructions.
- No major system changes this year.
- Kelly Petersen is APD's new ERIC staff scientist.



## BACT Analysis Reminders

Generally speaking, it is much easier to respond to public comments regarding CCS when the technology is eliminated by cost.

- There are a limited number of facilities employing CCS, including at least one natural gas-fired combined cycle power plant.
- 2010 Carbon Sequestration Atlas: “[T]here is an amount of uncertainty regarding the suitability of saline formations for CO<sub>2</sub> storage.”
- 2012 Carbon Utilization and Storage Atlas: “[R]ecent project results suggest that [saline formations] can be used as reliable, long-term storage sites.”



## BACT Analysis Reminders

- Be sure that each technically feasible technology not selected as BACT is eliminated based on adverse economic, environmental, and/or energy impacts.
- Don't overly stress the negative impacts of SCR.
- Be sure that your cost-effectiveness estimates contain reasonable assumptions.
  - EPA Air Pollution Control Cost Manual



## Questions / Comments?



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