

# Air Task Force Status Summary

## CBIA e<sup>2</sup> Council

### Revised September 2018

Program	Status	Comments
Incinerator Permitting Requirements	<b>UPDATE</b> Proposed Regulatory Changes Released by CTDEEP	<ul style="list-style-type: none"> <li>• CTDEEP released draft revisions to 22a-174-1 &amp; -3a designed to exempt certain incinerators from permitting</li> <li>• Five new categories of incinerators to be exempt from categorical NSR permit requirement, provided PTE &lt; 15 tpy               <ol style="list-style-type: none"> <li>1. Burn-off Oven (new definition proposed)</li> <li>2. Bench Scale R&amp;D Operations (as currently defined in 22a-174-33(a)(8))</li> <li>3. Quality Control or Performance Testing (combustion of non-halogenated materials only)</li> <li>4. Contraband or Confiscated Goods (burned in portable unit operated by government agency)</li> <li>5. Air Curtain Incinerators (new definition proposed) owned by a town or municipality that has been issued an open burning permit. (Note these units are exempt even if PTE&gt;15 tpy)</li> </ol> </li> <li>• Comments on informal draft and/or request to hold meeting due to Raquel Herrera by September 28, 2018</li> </ul>
Revised NSR/Title V Permitting and Procedural Requirements	<b>UPDATE</b> Proposed Changes Sections 2a & 3a	<ul style="list-style-type: none"> <li>• According to CTDEEP, these revisions:               <ul style="list-style-type: none"> <li>➤ Changes to clarify when a public hearing is required and when it is discretionary</li> <li>➤ Clarify the type of hearing available following a notice of tentative determination</li> <li>➤ Update provisions to “match current practices”</li> <li>➤ Make technical and typographical corrections</li> <li>➤ Match certain federal requirements</li> </ul> </li> <li>• Comments on informal draft and/or request to hold meeting due to Paula Gomez by September 28, 2018</li> </ul>

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Asbestos NESHAP	<b>UPDATE / REMINDER</b>	<ul style="list-style-type: none"> <li>• Last December DEEP voluntarily and partially withdrew from the delegated authority to implement and enforce the Asbestos NESHAP under 40 CFR 61 Subpart M. However, DEEP retains its delegation to implement and enforce the Asbestos NESHAP for Title V sources.</li> <li>• Asbestos renovation/demolition projects triggering applicability under the NESHAP require notifications to be submitted to CTDEEP or EPA               <ul style="list-style-type: none"> <li>➤ Title V facilities must submit notification to CTDEEP, using new forms posted online in July. As of right now, the forms require signature by Title V responsible official, but Keith Hill and Walter Barozi looking into way around that requirement</li> <li>➤ Non-Title V facilities submit notifications to EPA (does not need to use DEEP's new forms)</li> </ul> </li> </ul>
Title V Modifications	<b>NO CHANGE</b> CTDEEP to take strict interpretation of "non-minor modification"	<ul style="list-style-type: none"> <li>• At the July SIPRAC meeting, Jameson Sinclair indicated that any time there is a change that will impact a Title V permit, the facility must complete a Title V modification.</li> <li>• CTDEEP will take a very strict reading of what triggers a "non-minor" modification per RCSA 22a-174-2a, specifically:               <ul style="list-style-type: none"> <li>➤ "To relax the form or type of or any reduction in the frequency of any monitoring, reporting or record keeping required by the Title V permit"</li> </ul> </li> <li>• Several possible negative outcomes such as requiring all Title V permittees subject to NOx RACT to submit applications for non-minor modifications, only reflect current, effective regulatory requirements in RCSA 22a-174-22e instead of 22a-174-22, which has been repealed.</li> <li>• Jameson indicated there could potentially be situations where facilities in the process of permit renewals would need to submit additional minor or non-minor Title V modification applications to reflect changes that would be already be addressed anyway</li> <li>• Non-minor modifications have a long processing time and can prevent facilities from incorporating changes that would otherwise be allowed by NSR permits, permit-by-rule programs, or other applicable regulations</li> </ul>

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Modeling Guidance	<b>NO CHANGE</b> Draft modeling guideline has been sent out for review.	<ul style="list-style-type: none"> <li>• Draft Ambient Impact Analysis Guideline posted on SIPRAC website for review. Comments being accepted through September 30.</li> <li>• Applies to screening and dispersion modeling required with permit applications.</li> <li>• First revisions to the guideline since 2009</li> </ul>
GPLPE / Permit-By-Rule	<b>NO CHANGE</b>	<ul style="list-style-type: none"> <li>• CTDEEP looking to develop a permit-by-rule to establish enforceable facility-wide emissions caps to replace the GPLPE</li> <li>• Re-issuance, re-registration, and EPA involvement would no longer be required every five years</li> <li>• Draft of GPLPE replacement regulation to be released “early winter”</li> </ul>
Source Emissions Monitoring Guidelines and Forms	<b>NO CHANGE</b> Initial comments reviewed; new drafts issued on 4/13/2018.	<ul style="list-style-type: none"> <li>• CTDEEP preparing written responses to all comments, which they expected would be complete week of June 18<sup>th</sup> – still have not been released</li> <li>• Several of CBIA’s comments were incorporated into revised drafts (entirely or partially) and others were not.</li> <li>• New ITT forms proposed for visible emissions monitoring using Method 9, 22 of ALT-082 (digital camera). Unclear if this is also required 60/45 days in advance of monitoring, but if so, would be very problematic for many sources.</li> <li>• With Bob Girard taking a new position outside of the Air Bureau, unclear who (if anyone) will help stakeholders ensure the final versions are workable for all parties.</li> </ul>
Changes to Definition of Emergency Engine	<b>NO CHANGE</b> Draft regulatory changes under review by OPM and Governor’s Office	<ul style="list-style-type: none"> <li>• Proposing to remove references to “ISO-NE Operating Procedure No. 4” from type of acceptable emergency operation</li> <li>• Will make consistent with vacatur of demand response allowance under RICE NESHAP and NSPS regulations and ISO-NE removal RTEG program from wholesale markets</li> <li>• Avoiding pitfall for changes to ISO-NE OP4, Action 6 which are scheduled to take effect 6/1/2018</li> <li>• Expect notice of intent to be released in September</li> </ul>

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Affordable Clean Energy (ACE) Rule	<p><b>UPDATE</b> Proposed regulation to replace Clean Power Plan</p>	<ul style="list-style-type: none"> <li>• On August 21, 2018, the U.S. Environmental Protection Agency (EPA) proposed the Affordable Clean Energy (ACE) rule which would establish emission guidelines for states to develop plans to address greenhouse gas emissions from existing coal-fired power plants. EPA accepting comments through October 31, 2018</li> <li>• The ACE rule would replace the 2015 Clean Power Plan (CPP) and set “emission guidelines” for states to develop and submit to EPA plans to establish standards of performance for existing plants based on “best system of emission reduction” (BSER) for reducing emissions of CO<sub>2</sub></li> <li>• EPA’s analysis finds that coal-fired power plants can reduce CO<sub>2</sub> emissions by making efficiency upgrades</li> <li>• Because the ACE rule is expected to promote efficiency improvement projects, EPA is proposing revisions to the NSR permitting program to give states the option to adopt rules establishing a new preliminary applicability test. Under this new test, sources would first determine whether a physical or operational change made to an electric utility generating unit (EGU) would result in an increase in hourly emissions rate.</li> </ul>
40 CFR Part 82 - Refrigeration Requirements for technicians and disposal	<p><b>NO CHANGE</b> Additional Requirements took effect on 1/1/2018</p>	<ul style="list-style-type: none"> <li>• Only certified technicians can maintain, service or repair appliances containing HFC refrigerants and only certified technicians can purchase HFC refrigerants (§82.161).</li> <li>• Before opening or disposing of HFC appliances, technicians must evacuate refrigerant to levels defined in Table 1 of the regulation using a certified recovery machine (§82.155). Technicians must evacuate to the specified levels of vacuum when opening HFC appliances (§82.156).</li> <li>• Safe disposal requirements are extended to HFC containing appliances (§82.155).</li> <li>• New records required for disposal of appliances containing between 5 and 50 lbs of refrigerant. Technician must maintain records documenting: company name, location, date of recovery, type of refrigerant recovered for each appliance, total quantity of refrigerant by type recovered from all disposed appliance in each calendar month, quantity of refrigerant transferred for reclamation and/or destruction, person to whom it was transferred and date of transfer (§82.156).</li> </ul>