Air Task Force Status Summary
CBIA e² Council
Revised July 17, 2020

Program	Status	Comments
Incinerator Permitting Requirements	**UPDATE** *Draft issued for public comment*	• Proposed regulatory changes issued for public comment on 7/2/2020 • CTDEEP has proposed revisions to RCSA 22a-174-1 & -3a designed to exempt certain incinerators from categorical requirement to obtain NSR permits • Five new categories of incinerators to be exempt from categorical NSR permit requirement, provided PTE < 15 tpy for any regulated air pollutant 1. Burn-off Oven (must meet new definition, including specification for secondary combustion chamber and operating temperature) 2. Bench Scale R&D Operations (as currently defined in 22a-174-33(a)(8)) 3. Quality Control or Performance Testing (combustion of non-halogenated materials only) 4. Contraband or Confiscated Goods (burned in portable unit operated by government agency) • Very similar to version reviewed with stakeholders back in October 2018 • CTDEEP accepting comments until 5:00 pm on 9/4/2020 **CTDEEP Contact:** Raquel Herrera / (860) 424-3150 / raquel.herrera@ct.gov
NOx RACT Phase 2	**UPDATE** *CTDEEP presenting at August E2 Meeting*	• Compliance date 6/1/2023 ➢ BUT use of alternative compliance options require submittal of plans as early as January 2021 • CTDEEP presenting at August E2 meeting – Questions can be sent to Steve/Dave in advance **CTDEEP Contact:** Rickey Bouffard / (860) 424-3682/ rickey.bouffard@ct.gov
GPLPE Replacement Regulations	**UPDATE** *On agenda for July LRRC meeting*	• Regulations to replace General Permit with regulatory program issued for public comment on 10/16/2019 and comment period closed on 11/22/2019. • Proposed regulations and Hearing Officer's report are posted on e-regulations website: https://eregulations.ct.gov/eRegsPortal/Search/RMRView/PR2019-002 • Regulations are on LRRC agenda for 7/28/2020 with a decision due by 8/6/2020. • New program would take effect upon expiration of current GPLPE, provided facilities submitted initial notifications • CTDEEP to address notification forms, applicability, and site-specific monitoring requirements at SIPRAC meeting in September **CTDEEP Contact:** Raquel Herrera / (860) 424-3150 / raquel.herrera@ct.gov

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CTDEEP Air Bureau Announcements for COVID-19	**UPDATE**	• NO EXTENSION for 2nd Quarter CEMS reports, as was granted for Q1 2020 • The Air Bureau is continuing to encourage sources to submit all required compliance reports electronically. Title V and GPLPE compliance reports supported and required to be submitted electronically should continue to be submitted using the EMIT. All other compliance reports may be submitted via email at deep.cacu@ct.gov. (Note: Scanned PDFs with signature do not required submittal of separate hard copy) • CEDRI always an option, even if not specifically required by regulation. • The Air enforcement group has stated they will not be issuing any blanket exemptions / extensions and expect sources to comply with their requirements. For cases where compliance could not be met as a result of COVID-19 impacts, DEEP will review the reasoning and exercise enforcement discretion where appropriate.
Revised Permitting and Procedural Requirements	**UPDATE** *On agenda for August LRRC meeting*	• Amendment to RCSA Sections 22a-174-1, -2a, -3a, -20 and -26 proposed on 12/17/2019 • Comments submitted by CBIA and EPA: https://eregulations.ct.gov/eRegsPortal/Search/RMRView/PR2018-030 • Some comments accepted (e.g., not specifying MACT as BACT) but comments regarding dispersion modeling requirements not incorporated into revised regulations • Regulations on agenda for approval by LRRC at meeting scheduled for 8/25/2020, with decision due date of 9/10/2020 **CTDEEP Contact:** Paula Gomez / (860) 424-3088/ paula.gomez@ct.gov

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40 CFR Part 82 - Refrigeration Requirements for Substitute Refrigerants	**NO CHANGE** Final Rule Published 3/11/2020	• Final Rule published 3/11/2020 and Effective on 4/10/2020 • Modifies refrigerant management regulations for substitute refrigerants, such as HFCs but does not affect the current requirements for ozone-depleting refrigerants • Appliances with 50 or more pounds of substitute refrigerants will no longer be subject to the leak repair requirements under 40 CFR Part 82 • EPA is not rescinding the other refrigerant management provisions that exist for non-ozone depleting refrigerants, including technician certification and disposal requirements • **EPA Contact:** Jeremy Arling / (202) 343-9055 / arling.jeremy@epa.gov
Demand Response Permitting FAQ Document	**NO CHANGE**	• CTDEEP issued FAQ document for permitting engines to operate for demand response programs ➢ Per Jaimeson Sinclair, this is due to out-of-state entities submitting incomplete/inadequate permit applications for emergency engines operating in non-emergency demand response programs • FAQ to address: Permit applicability, application requirements, BACT requirements, modeling, MASC compliance, public comment; implications with NOx RACT under Sections 22e/f • Comments submitted to Jaimeson; Final FAQ not yet released • **CTDEEP Contact:** Jaimeson Sinclair / (860) 424-3408 / jaimeson.sinclair@ct.gov

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Once In, Always In Policy	**NO CHANGE** Published in Federal Register on 7/26/2019 EPA Anticipates final rule in Summer 2020	• On June 25, 2019 EPA signed proposed amendments to 40 CFR Part 63 to implement its withdrawal of the "Once In, Always In" Policy; published in Federal Register on 7/26/2019 • EPA seeking comment on the need for "safeguards" that could maintain emissions controls on sources re-classifying to area sources • EPA unable to prepare quantifiable emissions outcome & cost-benefit analysis for the proposal, which could be exploited by litigation • EPA is also proposing to amend the definition of "potential to emit" in 40 CFR 63.2 by removing the requirement for federally enforceable PTE limits and requiring instead that HAP PTE limits meet the effectiveness criteria of being both legally enforceable and practicably enforceable – (likely not an issue since this has been reflected in CT's definition for many years) • Proposal for submittal of electronic notification to EPA when a source reclassifies from a major source to area source • Public hearing scheduled for 8/15/2019 in Washington DC / Comments originally due by 9/24/2019; Comment period extended to accept comments through November 1, 2019. (255 total comments received) • Link to proposed regulation: https://www.govinfo.gov/content/pkg/FR-2019-07-26/pdf/2019-14252.pdf **EPA Contact:** Ms. Elineth Torres, Sector Policies and Programs Division (919) 541-4347 / torres.elineth@epa.gov