

Air Task Force Status Summary

CBIA e² Council

Revised May 21, 2021

Program	Status	Comments
Phase-Down of HFC Refrigerants	UPDATE <i>Proposed Regulation Signed on 4/30/2021</i>	- EPA Administrator Michael S. Regan signed the proposed rule on 4/30/2021, - EPA is submitting for publication in the Federal Register - This proposed rule is the first regulation under the American Innovation and Manufacturing (AIM) Act of 2020 to address the production and consumption of hydrofluorocarbons (HFCs), which are potent greenhouse gases commonly used in refrigeration applications - The proposed rule would set the HFC production and consumption baseline levels from which reductions will be made, establish an initial methodology for allocating HFC allowances for 2022 and 2023 Proposed Rule - Phasedown of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program under the AIM Act Protecting Our Climate by Reducing Use of HFCs US EPA - Note this proposed regulation does not establish leak repair or other restrictions to the end users of HFCs in refrigeration appliances.
Clean Air Act Rulemaking Cost Benefit Analysis	UPDATE <i>Rule Rescinded</i>	- EPA is rescinding the final rule entitled “Increasing Consistency and Transparency in Considering Benefits and Costs in the Clean Air Act Rulemaking Process.” - EPA has determined the changes originally advanced by the rule were inadvisable, untethered to the Clean Air Act, and not necessary to effectuate the purposes of the Act. - This rescission is effective June 14, 2021 and EPA will consider comments received on or before June 14, 2021 - If a member of the public requests a public hearing by May 21, 2021, the EPA will hold a virtual public hearing on Wednesday, June 9, 2021.
Ozone Transport Commission	UPDATE <i>2021 Annual Commissioners Meeting Scheduled</i>	- The 2021 annual OTC Commissioners Meeting will be held as a virtual meeting (webinar) on Tuesday, June 15, 2021 from 2:30 pm to 4:00 pm - Agenda to be posted soon at: https://otcair.org/2021annualmeeting.html - Registration is open to the public through the link below. https://attendee.gotowebinar.com/register/1273050161279788560

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Ozone Season Reminders	NO CHANGE <i>Ozone Season begins 5/1/2021</i>	• Ozone Season begins May 1st • Many emergency generators are prohibited from operating for testing and maintenance on days forecasted to have ozone levels classified as “moderate to unhealthy for sensitive groups” or greater. • Daily Forecasts Issued through: ➤ CTDEEP e-mail listserv ➤ CTDEEP phone message (860-424-4167), ➤ CTDEEP web page - https://portal.ct.gov/DEEP/Air/Forecasting/AQI/Air-Quality-Index ➤ EPA web page - https://www.airnow.gov/ • To subscribe to the Air Quality Information Listserv: 1. Compose an email to listserv@list.ct.gov from the email address you wish to have added. 2. Leave the subject line blank and in the body of the message type: Subscribe DEEP_AirQualityInfo YourFirstName YourLastName Note: If you have an e-mail signature, header, and/or footer set up to be automatically included in emails, you will need to delete these before sending the subscribe request. 3. You will receive an e-mail confirmation request. Follow the directions to confirm your email address. 4. You will then receive an e-mail that you have successfully subscribed to the listserv.

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EPA Updates	NO CHANGE <i>Presentation at SIPRAC on 4/8/2021</i>	- Lynne Hamjian, Director of Region 1 Air & Radiation Division presented updates at the April 8th SIPRAC meeting: https://portal.ct.gov/-/media/DEEP/air/SIPRAC/2021/April/EPA-Updates.pdf - Ozone attainment continues to be a focus for Region 1 and HQ ➤ Particularly for CT, which had the most days exceeding the NAAQS in Region 1 (17 total, next closest state was RI with only 3) ➤ Covid impacts? Electricity demand and vehicle usage down - Weekly report published at: https://www.iso-ne.com/markets-operations/system-forecast-status/estimated-impacts-of-covid-19-on-demand/ ➤ Historic progress with lowering ambient ozone concentrations has leveled off ➤ Cross State Air Pollution Rule (CSAPR) Update finalized March 15, 2021 after addressing legal challenges but EPA acknowledged additional reductions in transport needed for CT to achieve attainment - EPA is revisiting decision under prior administration to withdraw CA waiver of preemption under CAA Section 209 to establish vehicle emission standards - EPA received 2 petitions for reconsideration and 2 petitions for judicial review of “MM2A” rule that codified repeal of the former Once In, Always In policy - EPA focusing on air emissions of PFAS ➤ Approved Method 45 (OTM-45) for sampling PFAS from stationary sources ➤ Established PFAS innovative Treatment Team (PITT) to evaluate technologies for destroying PFAS ➤ Collecting depositional measurements for PFAS that includes back-tracing origin of emissions - EPA has been working on a tool that CTDEEP is piloting with HQ that would quantify SIP-credit for emission reductions associated with offshore wind development - In Title V Petition Order from wood pellet facility in Georgia, EPA has ruled that the General Duty clause under CAA Section 112(r) is not an applicable requirement for the purposes of Title V permitting 2020 Order Denying in a Petition for Object to Title V Operating Permit for Hazlehurst (epa.gov) EPA Contact: Lynne Hamjian / (617) 918-1601/ hamjian.lynne@epa.gov

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Incinerator Permitting Requirements	No Change <i>Regulations Final</i>	- After lengthy process, CTDEEP has finalized regulatory changes to exclude small “incinerators” from the categorical requirement to obtain NSR air permits - Final regulations approved by LRRC on 2/26/2021 and codified on 3/9/2021 - CTDEEP has revised 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 - Burn-off Oven (must meet new definition, including specification for secondary combustion chamber and operating temperature) - Bench Scale R&D Operations (as currently defined in 22a-174-33(a)(8)) - Quality Control or Performance Testing (combustion of non-halogenated materials only) - Contraband or Confiscated Goods (burned in portable unit operated by government agency) CTDEEP Contact: Raquel Herrera / (860) 424-3150 / raquel.herrera@ct.gov
GPLPE Replacement Regulations	No Change <i>Transition Guidance for Current Registrants</i>	- Facilities can elect to report emissions for the entire 2020 calendar year or only through 11/8/2020 - Reports submitted through EMIT system and are due by 3/1/2021 - Compliance reporting will not be required for facilities operating under the new regulatory program in 2020. (Facilities must comply with emissions and recordkeeping requirements) - The first reporting period under the new regulatory program will commence on 1/1/2021. Reminder -- the first 45-day deadline for monthly recordkeeping and emission calculations under the new regulatory programs (RCSA 22a-174-33a & 33b) has passed. Be sure to have required documentation in place and that calculations follow the format prescribed by the regulations CTDEEP Contact: Jared Millay / (860) 418-5911 / jared.millay@ct.gov

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Air Inspections & Enforcement	NO CHANGE <i>CTDEEP conducting virtual air inspections</i>	- Virtual air inspections to be conducted at least into “some part” of 2021 8-10 virtual air inspections thus far and CTDEEP developed SOP for conducting these ➤ Inspectors to develop preliminary list of questions and areas to focus on and have initial kick off call/e-mail with facility ➤ Virtual inspection meeting using screen sharing where possible; followed by additional information requests ➤ CTDEEP expects all requested records and information to be provided within a week of request (exceptions considered) ➤ 1-2 additional virtual meetings or calls to review additional questions and review any findings from the inspection with formal report to follow ➤ Virtual inspection calls will not be recorded ➤ Depending on the type of source, DEEP may conduct an on-site inspection if it can be accomplished with limited personal interaction NEWS: PIQs are no longer required for Title V facilities ➤ CTDEEP did note that facilities are still required to maintain an inventory of small / insignificant sources not listed in Title V permit CTDEEP Contact: Mark Potash / (860) 424-33547/ mark.potash@ct.gov

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Once In, Always In Policy	NO CHANGE Final Rule Published in Federal Register on 11/19/2020	- EPA published the “Major MACT to Area” or “MM2A” rule in Federal Register on 11/19/2020 to formally withdraw the Once In, Always In Policy - EPA has since received 2 petitions for reconsideration and 2 petitions for judicial review of the regulation but no action has been taken yet and the rule is currently in effect - Notifications of reclassification required to be submitted to EPA electronically through CEDRI System ➤ Any facility that reclassified from major to area sources of HAPs between 1/25/2018 and 1/19/2021 was required to provide this notification retroactively prior to 2/2/2021 - EPA is removed the word “federally” from the phrase “federally enforceable” in the PTE definition. This interim ministerial revision is consistent with the 1995 District of Columbia Circuit Court remand that directed EPA to explain how federal enforceability enhanced effectiveness. PTE limitations must continue to be both legally enforceable by a state or local permitting authority and practicably enforceable. ➤ EPA still considering comments on this issue and plans to address them in a separate action. - Link to regulation and supporting information: https://www.epa.gov/stationary-sources-air-pollution/documentation-reclassification-major-sources-area-sources-under EPA Contact: Ms. Elineth Torres, Sector Policies and Programs Division (919) 541-4347 / torres.elineth@epa.gov