



Subcommittee on Permits,  
New Source Review and  
Toxics Integration Meeting



April 7, 2005

# Title V Implementation Experience Task Force

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- Reminder: Purpose of Task Force
  - Answer Two Questions
    - How well is the title V program performing?
    - What elements of the program are working well/poorly?
  - Reflect real world experience, examples
  - Report to CAAAC reflecting all views
  - Possible recommendations
- Task Force has set a goal to complete report by end of 2005

# Title V Implementation Experience Task Force

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- Where Process Stands
  - 18-member task force
  - Public Outreach Completed March 31
    - Public Meetings/Conference Calls
    - Written Comments (docket OAR-2005-0075)
  - Regular task force meetings/calls ongoing
    - Prioritizing and discussing key topics
    - Very constructive participation
    - Next face-to-face meeting in May

# Title V Implementation Experience Task Force

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- Issues for Discussion and Potential Inclusion in Report
  - Compliance Certifications & Compliance Schedules
  - Deviation Reporting
  - Public Notice/Public Access to Documents Throughout Process
  - Public Hearings
  - Responses to Public Comments on Draft Permits
  - Permit Revisions/Flexible Permits
  - EPA's Permit Review Role
  - Petitions and Appeals of Permits
  - Incorporation of Applicable Requirements (e.g., MACT, SIP gap, old NSR, Insignificant Emissions Units, etc.)
  - Startup, Shutdown, and Malfunction issues
  - Statement of Basis
  - Monitoring
  - Program Costs and Benefits

# IG Report on Title V Implementation

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- EPA's IG issued report March 9, 2005
  - “Substantial Changes Needed in Implementation and Oversight of Title V Permits If Program Goals Are to be Fully Realized” (2005-P-00010)
- Based on review of permit documents and interviews with EPA and States, the IG identified concerns with 5 key aspects:
  1. Permit Clarity
  2. Statements of Basis
  3. Monitoring Provisions
  4. Annual Compliance Certifications
  5. Practical Enforceability

# IG Report on Title V Implementation (Cont.)

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- Report focused on EPA Oversight Role
  - Oversight has led to some improvements
  - EPA must do more
- Recommendations:
  - Issue national guidance/rulemaking: periodic monitoring, compliance certifications, intermittent/continuous compliance, statements of basis, order of sanctions
  - Assist public in locating guidance
  - Review monitoring in underlying SIP rules
  - Work with State/locals to improve permit clarity (conciseness, minimize IBR, clear citations, etc).
  - Review permits and permit programs
    - Continue program evaluations on 5 year cycle
    - Review monitoring in permits; assure practical enforceability
    - Increase review of CAM, MACT incorporation, permit clarity
  - Streamline petition process
  - Form a stakeholder advisory group, possibly working with CAAAC

# Permit Issuance Data

(as of 12/31/04)

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- 95 percent of permits have been issued
  - 16,566 permits for 17,404 sources
  - Figure rises to 98 percent if the 17,784 synthetic minor sources are included in totals
- 25 percent of renewals have been issued
  - 2210 renewals issued, 8697 were due

# ANPR on Monitoring

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- ANPR signed 2/16/05
- Asks for comment on:
  - What are the potential monitoring inadequacies in Federal (pre-1990) and State rules?
    - Some example categories of potential inadequacy given
    - Opportunity to identify or describe other categories
  - Why is the such monitoring potentially inadequate?
  - What would be adequate? What improvements should be made?
  - How, programmatically, should these improvements be made?
  - Is opacity effective for determining compliance with PM limits in pre-1990 NSPS/NESHAP? Other effective approaches?
- Comment period will be extended by 60 days (to 6/17/05)



# Exemption of Area Sources from Title V (Parts 70 & 71)

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- Proposal published 3/25/05
- Comment period closes 5/24/05

## Proposed Exempt Source Categories:

- Chromium Electroplaters - 5,000
- Dry Cleaners - 30,000
- EO Sterilizers - 40
- Solvent Degreasers - 3,800
- Sec. Aluminum - 2,700

# Title V Area Source Exemptions (Continued)

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- Proposed No Exemption for Secondary Lead NESHAP
  - EPA could change its mind if we receive enough information
- Sources Now Subject to Permitting but Expect Final Rule Before Applications Due (Probably August)
- Exempt from Title V Only (Not MACT)
- Does not apply to Major Sources

# WESTAR PSD Increment Project

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- New Framework
  - Encourage State tracking of increment consumption and cumulative impact on AQRV protection
- Technical issues
  - Increment Modeling
    - Tiered approach
    - Short term (3-hour, 24-hour) modeling
    - Calculation of increment consumption
  - Emission inventories
    - Short term emissions (3-hour, 24-hour)
    - Baseline emission estimates
- Possible recommendations after May Meeting of WESTAR Board