



# Carolinas Air Pollution Control Association 2008 Spring Conference April 2-4, 2008



**Beverly H. Banister, Director  
Air, Pesticides and Toxics Management Division  
EPA, Region 4 Atlanta, Georgia**

# Discussion Topics

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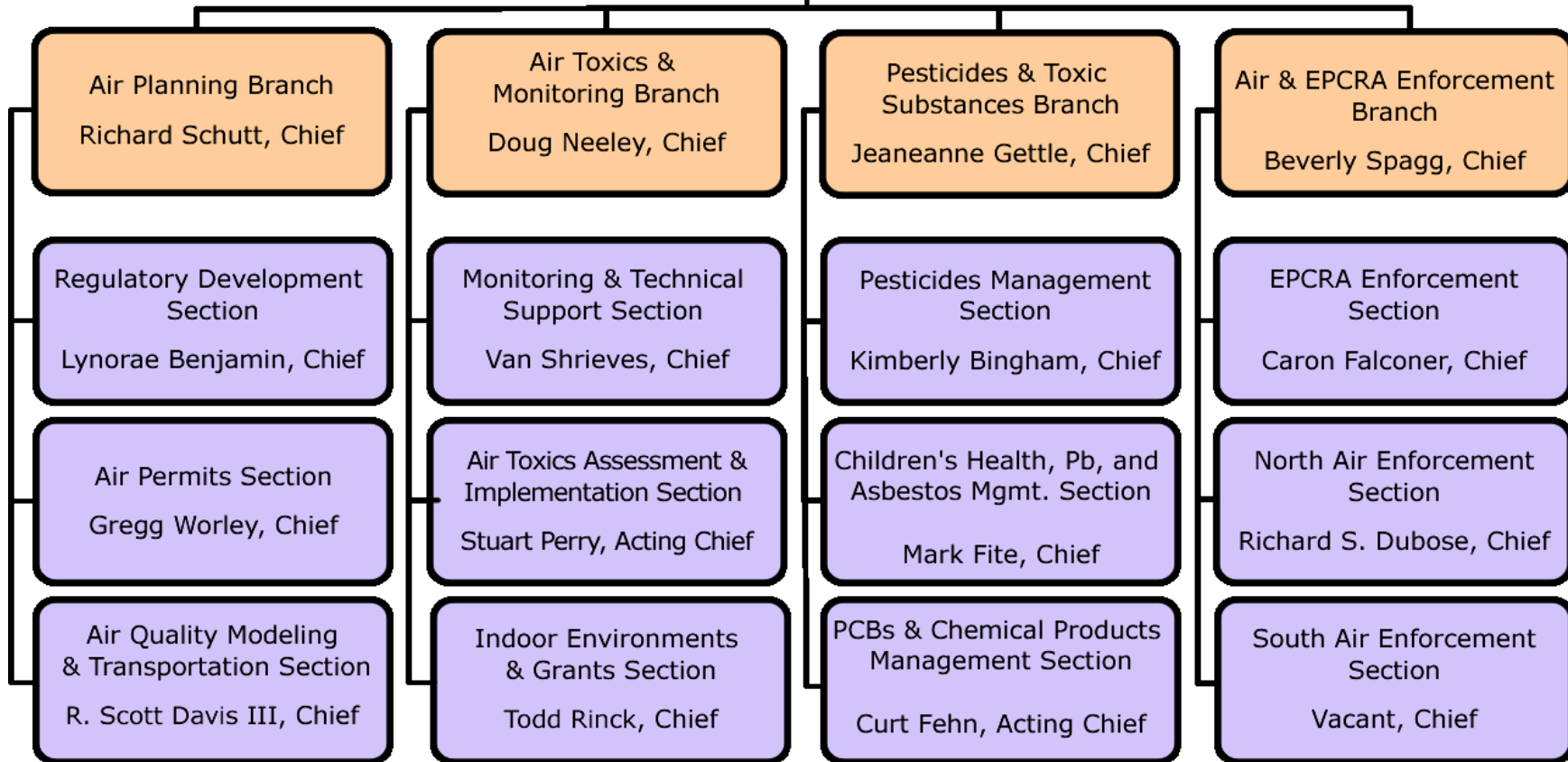
- **APTMD Organizational Chart**
- **National/Regional Priorities**
- **Southeast Air Quality**
- **New and Upcoming Rulemaking**
- **Regulatory Challenges facing the Agency**
- **Voluntary Initiatives**
- **Enforcement Priorities**





# APTMD Organizational Chart

Air, Pesticides & Toxics Management Division  
Beverly Banister, Director  
Carol L. Kemker, Deputy Director  
Ken Mitchell, Acting Deputy Director



# National/Regional Priorities -Refresher

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- **Implement Key Clean Air Programs**
- **New Rulemaking Actions**
- **Energy Policy Action of 2005**
- **Climate Change**
- **Homeland Security**
- **Indoor Air/Radon**
- **Clean Air Enforcement**

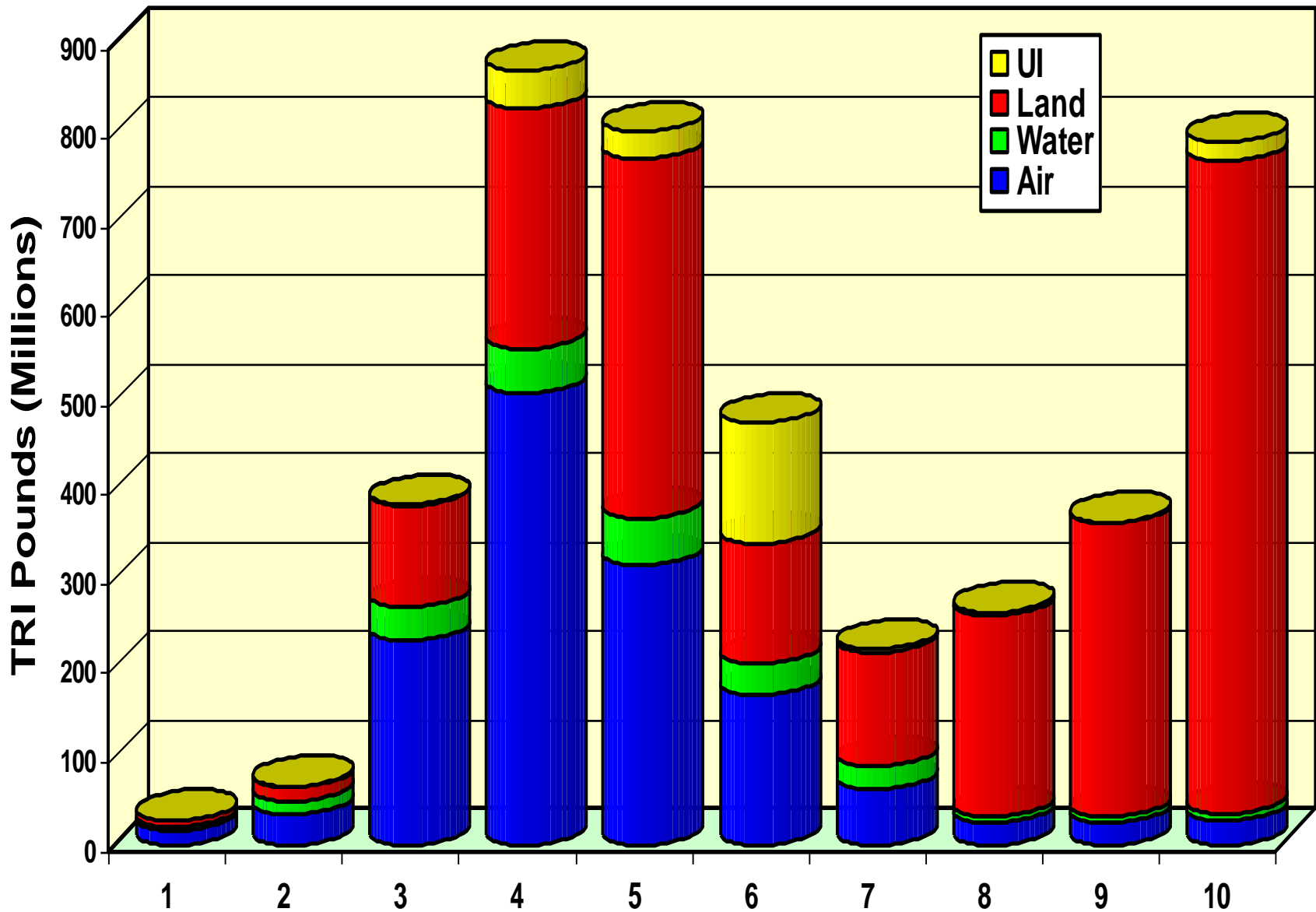


# Southeast Air Quality



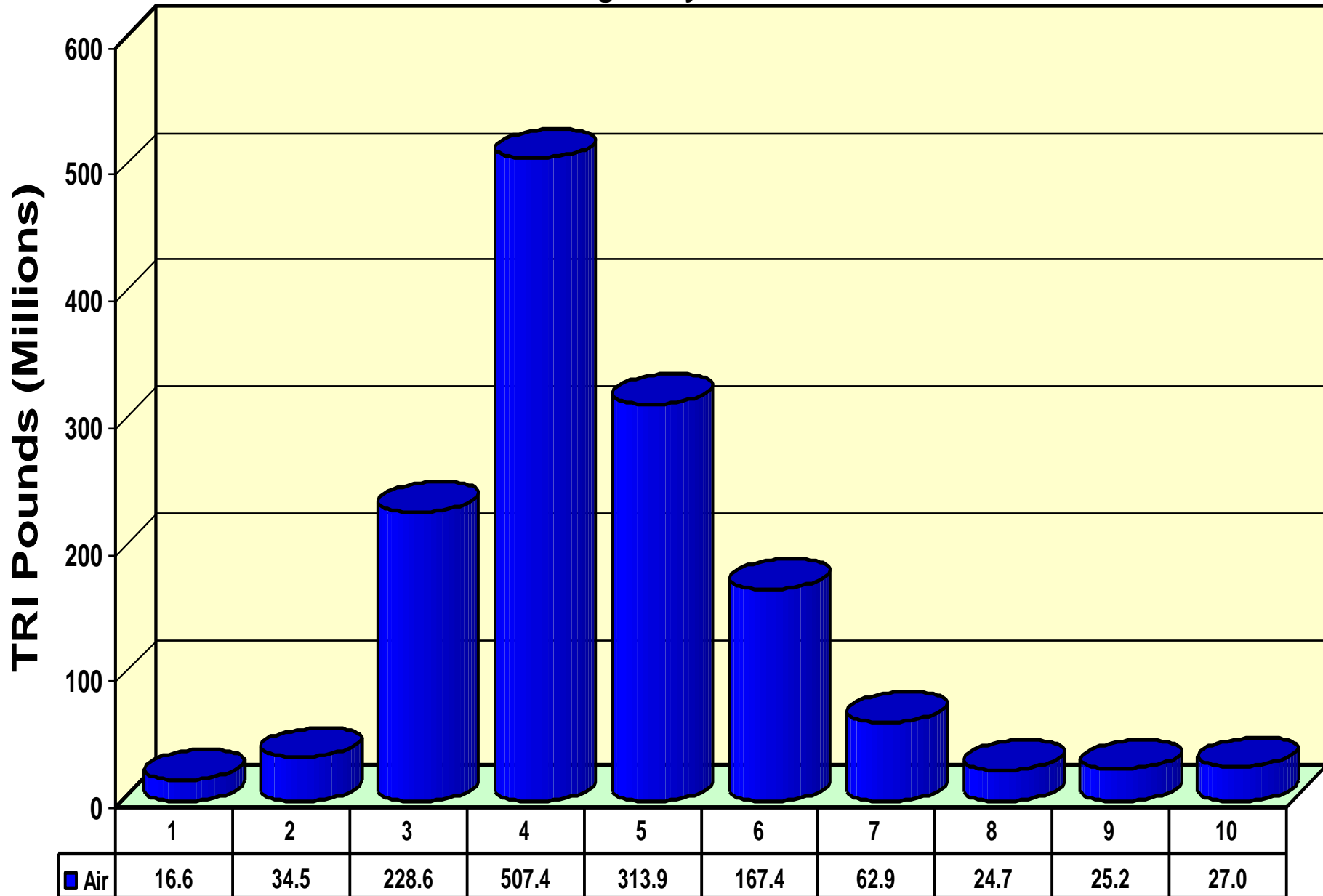
# 2006 US TRI Releases

## Region by Media

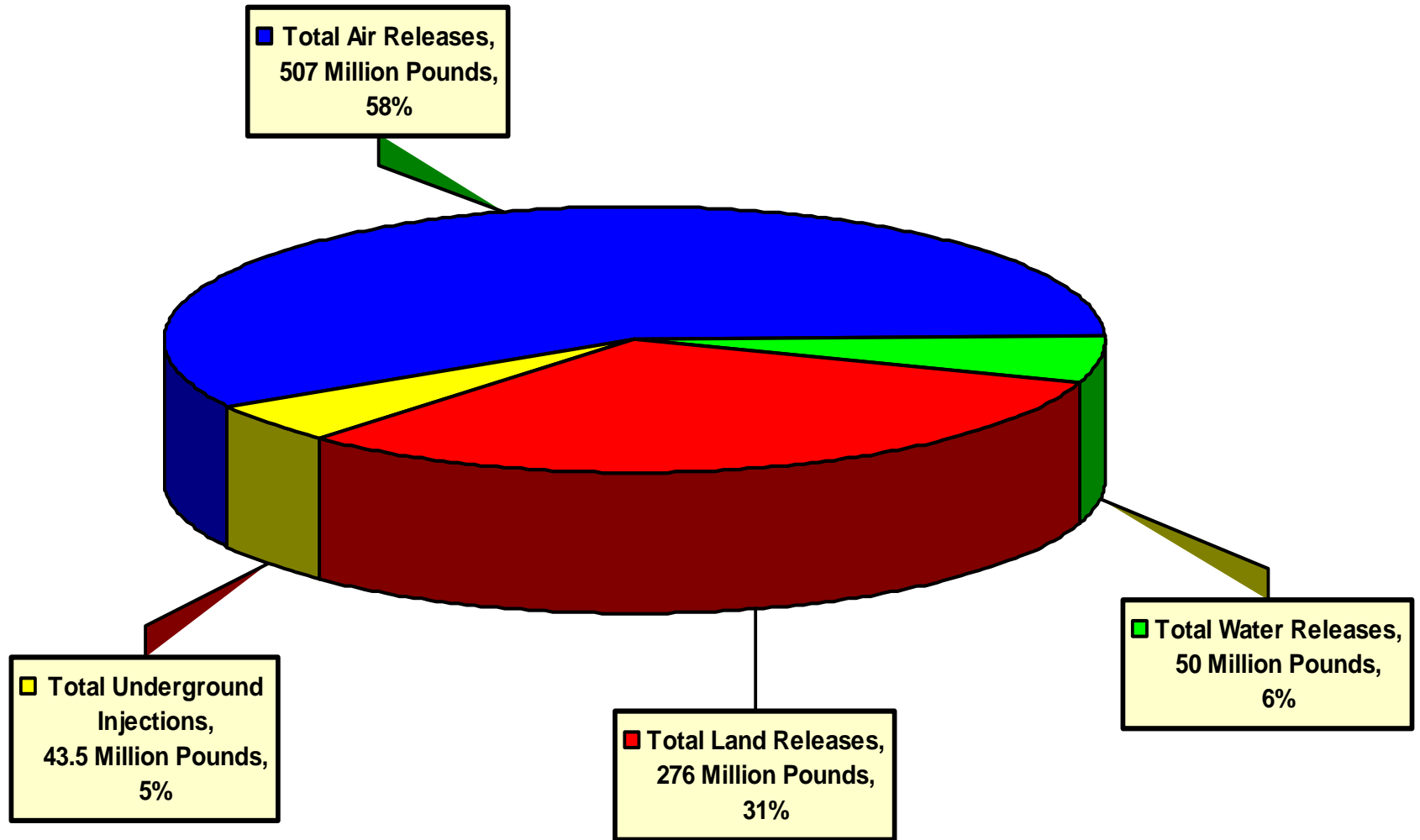


# 2006 US TRI Releases

## Region by Air



**Distribution of Region 4  
2006 Total On- and Off-Site  
TRI Releases by Media  
Total - 876 Million Pounds**



# Where To Get TRI Data/Information: EPA TRI Data Links

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## TRI-Explorer:

<http://www.epa.gov/triexplorer/>

## Envirofacts:

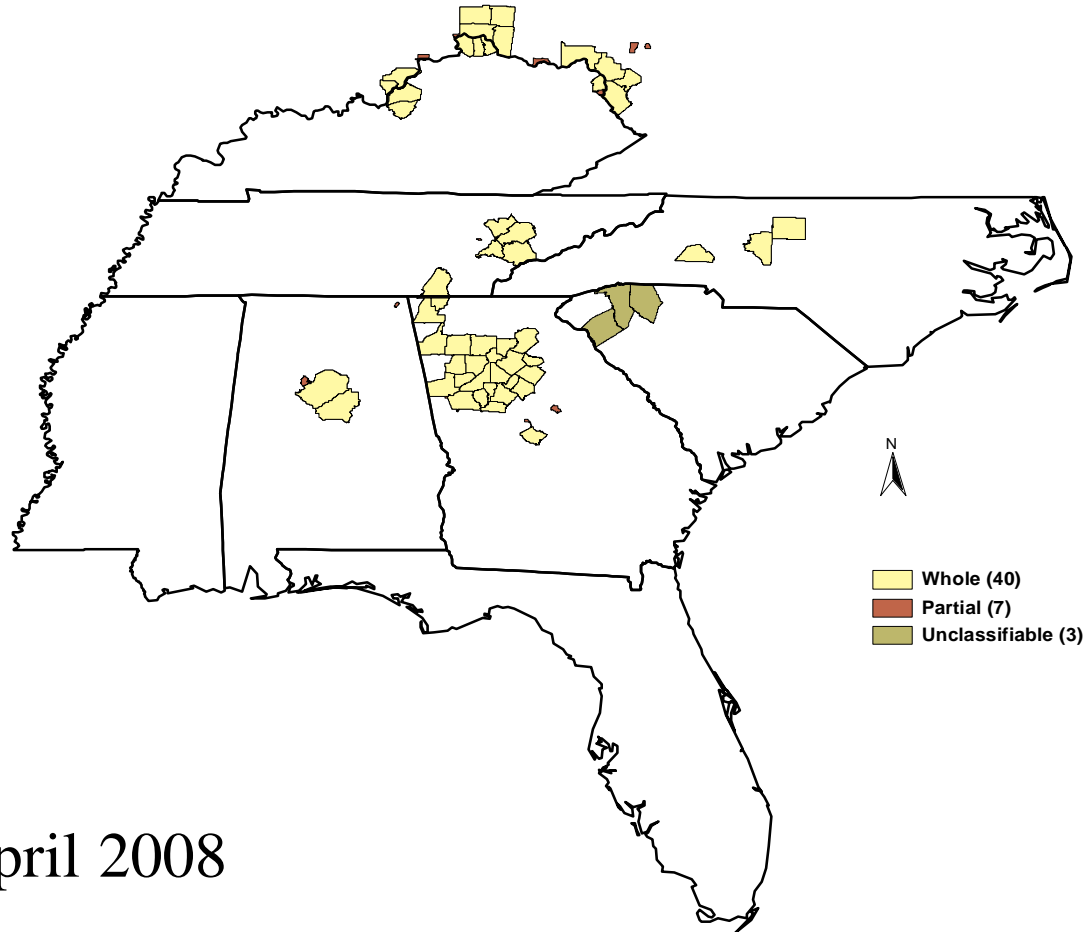
<http://www.epa.gov/enviro/>



Particulate Matter  
Regional Haze  
8-hour Ozone and Early Action Compacts



# Region 4 Designated PM<sub>2.5</sub> Nonattainment and Unclassifiable Areas for 1997 Annual Standard



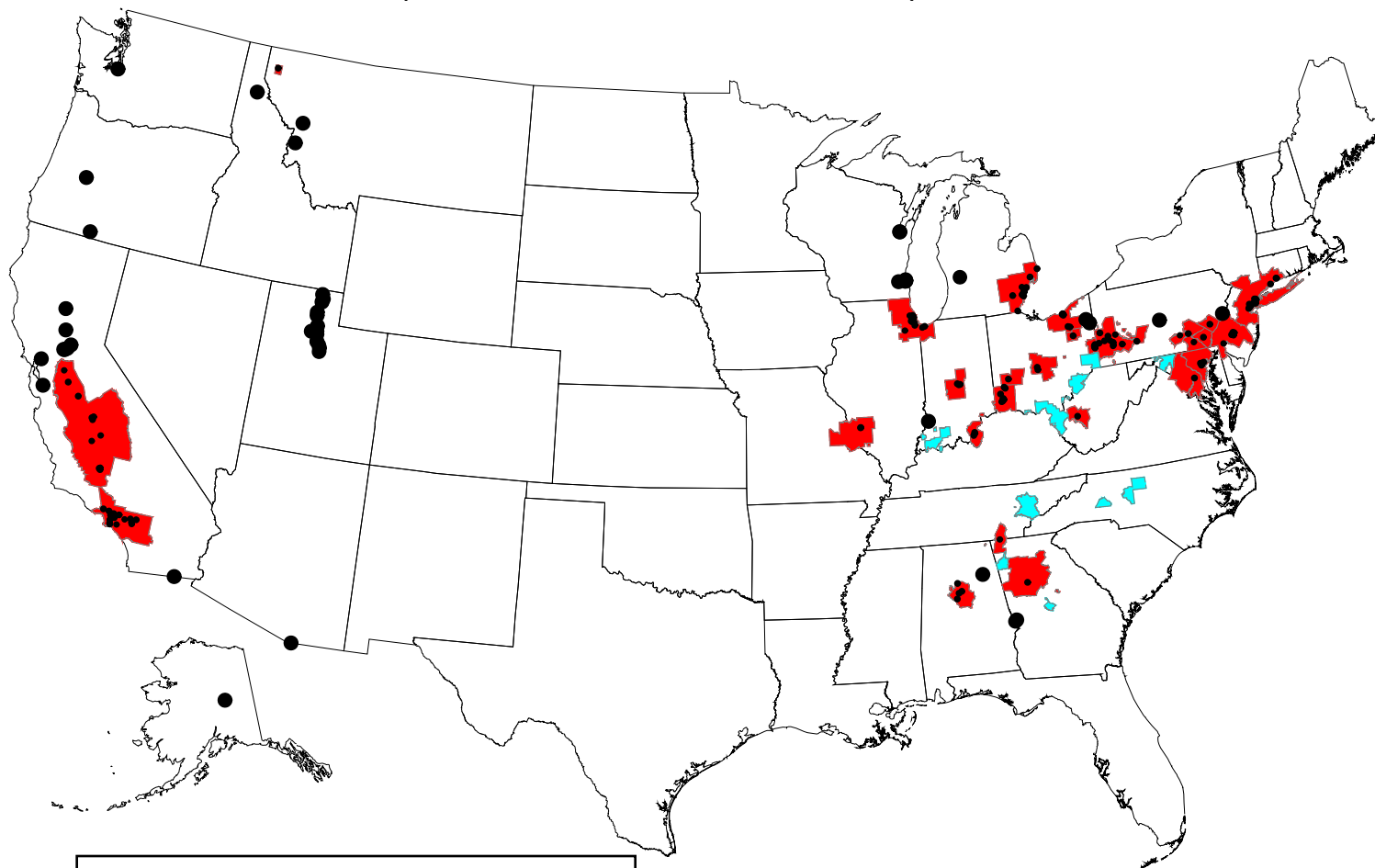
SIPs due April 2008

# Fine Particulate Matter

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- **Assist states and local stakeholders in developing strategies to achieve cleaner air sooner in:**
  - **Newly violating PM<sub>2.5</sub> attainment areas**
  - **Near nonattainment PM<sub>2.5</sub> areas**

# Areas/Sites Violating Revised (2006) 24-Hour PM<sub>2.5</sub> NAAQS (based on 2004-2006 data)



- Current nonattainment area (NAA) violates 24-hr NAAQS [29 areas]
- Current NAA meets 24-hr NAAQS [10 areas]
- Sites in current NAA violate the 24-hr NAAQS [131 sites / 29 areas]
- Sites not in a current NAA violate the 24-hr NAAQS [48 sites / 32 areas]

# Revised (2006) 24-hour PM<sub>2.5</sub> Standard Designations Timeline

Milestone	2006 PM <sub>2.5</sub> NAAQS Date
<b>State/Tribal recommendations</b> (based on '04-'06 data)	<b>Dec. 18, 2007</b> (NC and SC recommended all areas as <u>attainment</u> )
<b>EPA Response</b> (based on '05-'07 data)	<b>No later than August 20, 2008</b> (120 days prior to final designations)
<b>States/Tribes may provide additional comments</b>	<b>Prior to final designations</b>
<b>Final Designations</b>	<b>No later than Dec. 18, 2008*</b>

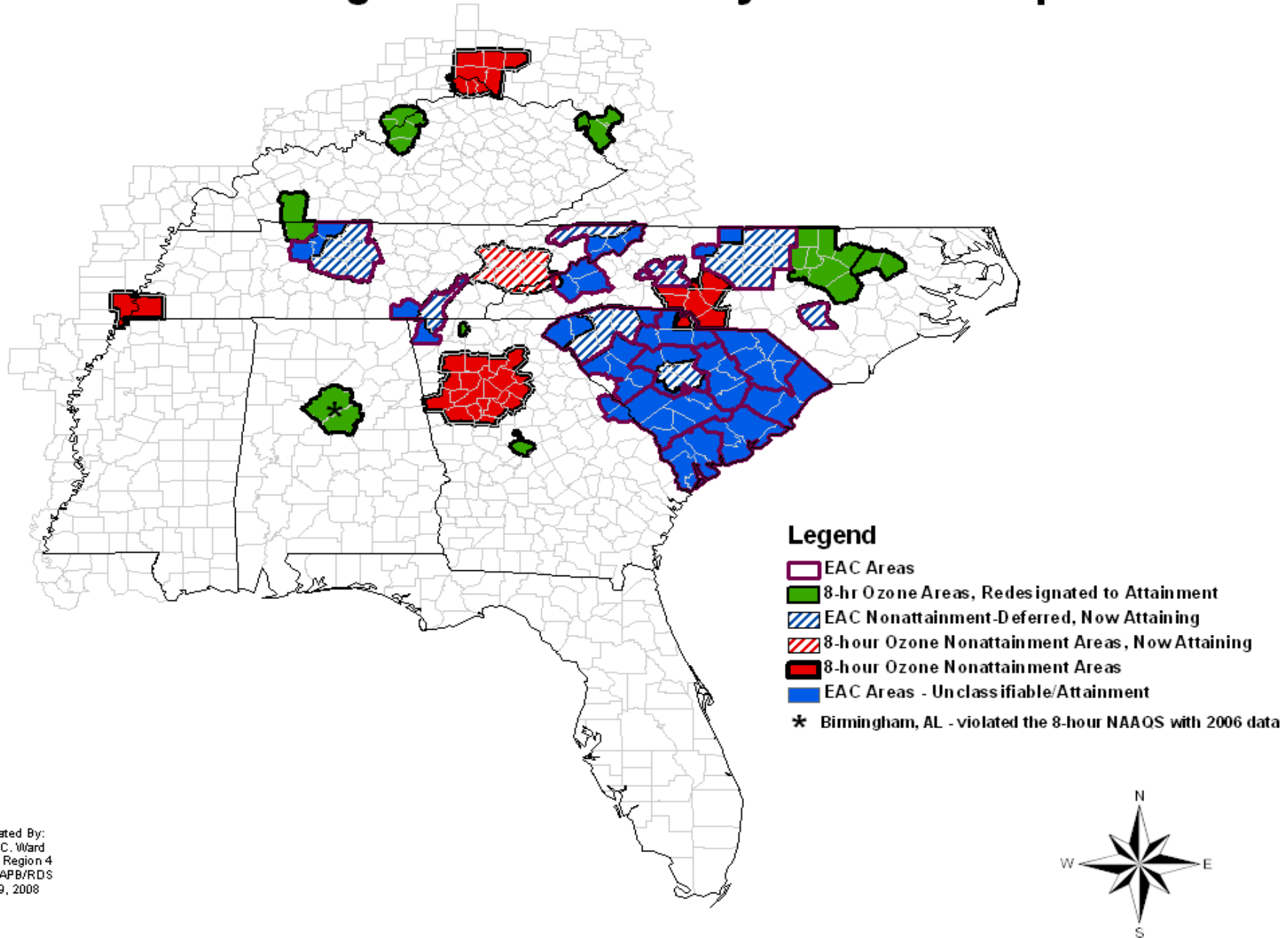
\* If the EPA Administrator determines that there is insufficient information to make final designations, then the date of final designations may be extended by up to one year but no later than December 18, 2009.

# Regional Haze

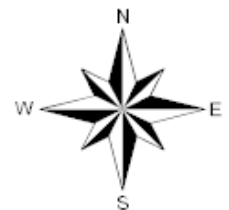
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- First Regional Haze SIPs due 12-17-07
  - SIPs to address visibility impairment in Class I areas for 2008-2018 time period.
- Region 4 National Leader
  - NC, SC first and only States to date to submit final SIPs to EPA.
  - VISTAS instrumental in SIP development and support to States
- NC, SC provided leadership:
  - Coordinating the work of VISTAS.
  - Designing SIP template for VISTAS States.

# 8-hour Ozone Designations and Early Action Compact Areas



Map Created By:  
Nacosta C. Ward  
USEPA - Region 4  
APTMD/APB/RDS  
January 9, 2008



# Early Action Compacts (EAC)

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- March 27, 2008 - EPA signed FR designating 13 EAC Areas attainment for 8-hour ozone NAAQS
- All R4 EAC areas designated attainment

# New and Upcoming Rulemaking



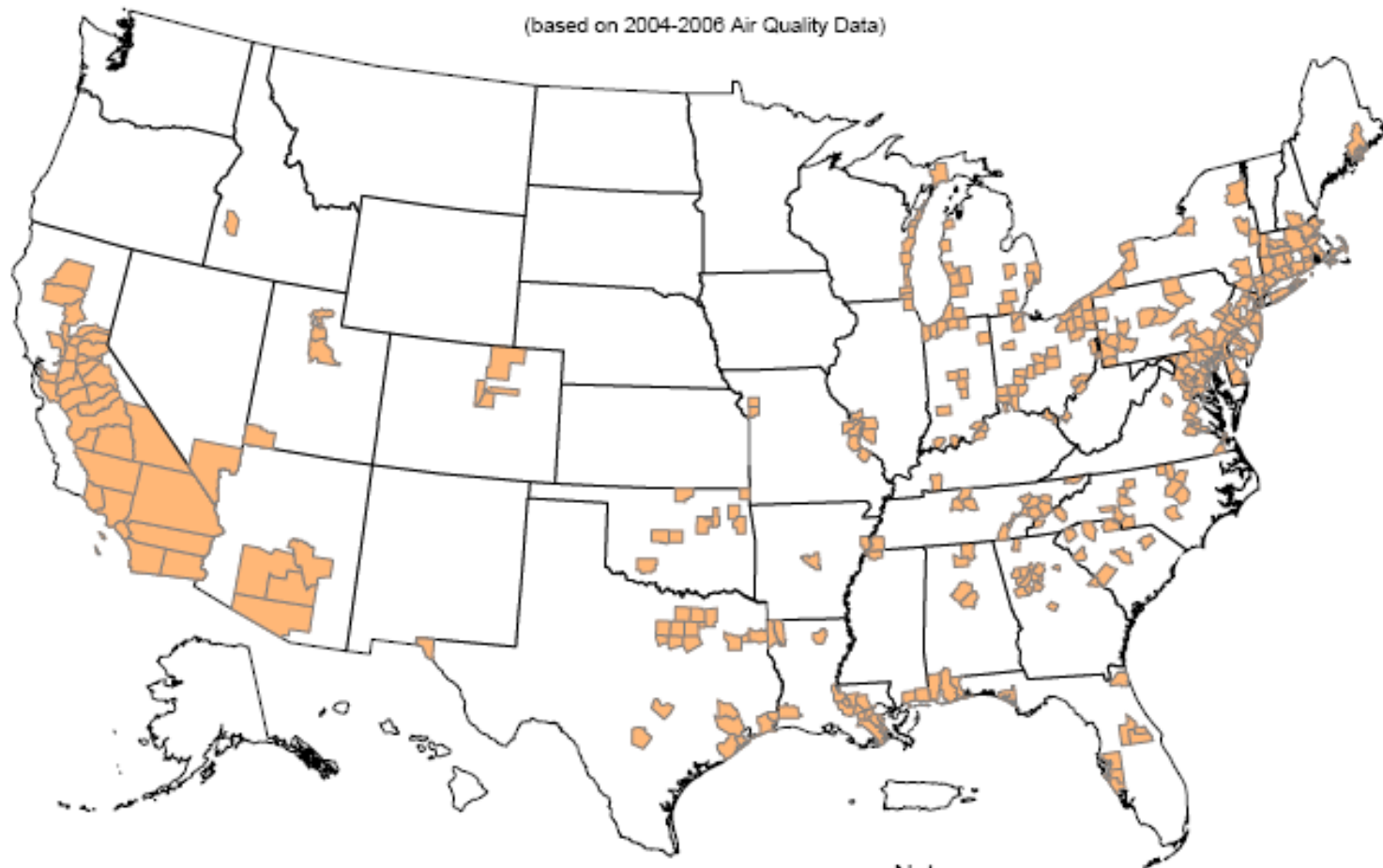
# 2008 8-Hour Ozone Standard

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- March 12, 2008 – EPA strengthened Ozone NAAQS
- March 27, 2008 – Noticed Published
- Primary Standard
  - 0.075 ppm (3<sup>rd</sup> decimal place, no rounding)
- Secondary Standard
  - 0.075 ppm
- Air Quality Index (AQI) – changed to reflect new standard
  - States encouraged to implement immediately

## Counties with Monitors Violating the 2008 8-Hour Ozone Standard of 0.075 parts per million (ppm)

(based on 2004-2006 Air Quality Data)



Notes:

<sup>1</sup> 345 monitored counties violate the 2008 8-hour ozone standard of 0.075 parts per million (ppm).

<sup>2</sup> Monitored air quality data can be obtained from the AQS system at <http://www.epa.gov/ttn/airs/airsaqs/>

# Revised Ozone Standard Designations Timeline

Milestone	2008 8-hour Ozone NAAQS Date
State/Tribal recommendations due	March 12, 2009
EPA Response	No later than November 12, 2009 (120 days prior to final designations)
States/Tribes may provide additional comments	Prior to final designations
Final Designations	No later than March 12, 2010*

\* If the EPA Administrator determines that there is insufficient information to make final designations, then the date of final designations may be extended by up to one year but no later than March 12, 2011.

# Lead NAAQS Review

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- EPA is under a court ordered deadline to review the Pb NAAQS
  - May 1, 2008 – EPA must propose action to revise or retain current Pb NAAQS
  - September 1, 2008 – Final rule

# New Locomotive and Marine Diesel Rule

- **March 14, 2008- final rule issued**
- **Reduce PM by 90% / NOx by 80% when implemented**
- **Tightens standards for existing engines when remanufactured**
- **Standards for new engines reflecting current emission reduction technologies**
- **Locomotive idle reduction requirements**
- **ULSD fuel (15 ppm) required in 2012**



# Mandatory GHG Reporting Rulemaking

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- Provide data that inform and support development of the National Climate Policy
- Sections 114 & 208 of the CAA allow for data collection, measurement & recordkeeping from stationary or mobile related sources
- Appropriations language provides EPA with \$3.5 million in FY 2008 to develop proposed & final rules
  - Proposed rule by September 2008
  - Final rule by June 2009
- Stakeholder input

# Advance Notice of Proposed Rulemaking (ANPR) Greenhouse Gas Emissions

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- March 27, 2008 – Administrator Johnson's Memo released
- Agency's initial response to Supreme Court's Massachusetts v. EPA decision
- Seeks to solicit public input and relevant information
- ANPR to be issued later this spring followed by public comment period

# Regulatory Challenges Facing the Agency



# Clean Air Mercury Rule Update

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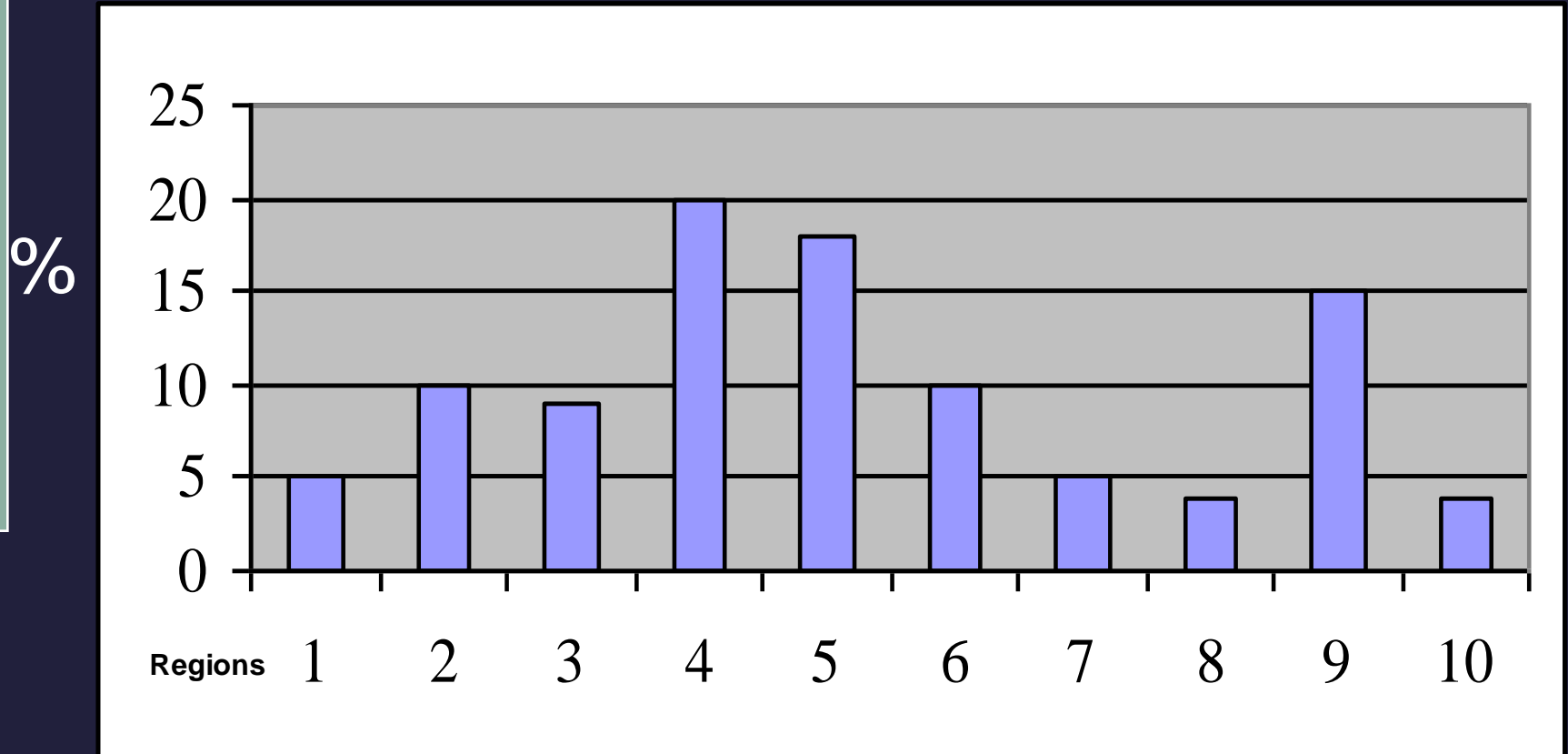
- February 8, 2008 - DC Circuit Court vacated CAMR
- March 14, 2008- mandate issued and vacatur effective
- March 24, 2008 - EPA petitioned the DC Circuit Court of appeals for en banc rehearing of vacatur
  - Utility Air Regulatory Group also petitioned the Court of Appeals for *en banc* rehearing of vacatur

# Court Actions to Vacate

Rule	Court Decision	Type of Decision	Court Mandate
Brick & Clay Ceramics (MACT)	3 / 13 / 07	Full Vacatur	6 / 18 / 07
Boiler (MACT)	6 / 8 / 07	Full Vacatur	7 / 30 / 07
Solid Waste Incineration (NSPS)	6 / 8 / 07	Vacate only definitions rule	7 / 30 / 07
Plywood (MACT)	6 / 19 / 07	Partial vacatur of low risk category	10 / 4 / 07
CAMR (NSPS)	2 / 8 / 08	Full Vacatur of NSPS and 112 Delisting Rule	3 / 14 / 08

# Number of Sources

## Potentially Subject to Area Source Rules



Total number of sources nationwide ~ 2 million

Total number in Region 4 ~ 400,000

# Voluntary Initiatives



# Auto Body Initiative

- Final Rule January 2008
- Collaboration & assistance prior to enforcement
- Training & shop visits
  - Jackson, MS
  - Norcross, GA
  - Lexington, KY
  - Bowling Green, KY
- Best Practices DVD



# Southeast Diesel Collaborative

[www.southeastdiesel.org](http://www.southeastdiesel.org)

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- Voluntary partnership to improve air quality and public health by reducing emissions from existing diesel engines
- 3<sup>rd</sup> Annual Partners Mtg-June 23-25 in ATL
- JOIN UP! 700+ members so far



# 2008 DERA Funding Available

- SEDDC has 3.6M to award
- Proposals due: June 12, 2008
- For more information: [www.grants.gov](http://www.grants.gov) or <http://www.southeastdiesel.org/>



# Clean Air Act National/Regional Enforcement Priorities Fiscal Year 2008



# FY08 MACT Air Toxics National Sectors

- Leak Detection and Repair
- Flaring
- Surface Coating



# Air Toxics Region 4 Sectors - Ongoing

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- Secondary Aluminum MACT
- Pesticides Active Ingredient MACT
- Pharmaceutical Production MACT
- Phosphoric Acid Mfg/Phosphate Fertilizer Production MACT
- Leak Detection and Repair MACT Sectors

# FY08 NSR/PSD National Sectors

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- Glass Manufacturing
  - Container, Flat, Fiber
- Cement Manufacturing
- Sulfuric Acid/Nitric Acid
- Electric Utilities

# Contact Information

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## Questions?

