

**Title V Task Force
Overview and Issues
CAPCA 2005 Spring Meeting**

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High Turnover

High Turnover + Complexity

High Turnover + Complexity + Politics

High Turnover + Complexity + Politics
= Title V's current path.

Task Force Overview

- ✍ Formed in June 2004
- ✍ Purpose:
 - ✍ 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

State/local Permitting Agencies

- ✍ Rob Sliwinski, NY DEC
- ✍ Shelley Kadersly, NE DEQ
- ✍ Don van der Vaart, NC DEM
- ✍ Adan Schwarts, Bay Area AQMD
- ✍ Bob Hodanbosi, OH EPA
- ✍ Steve Hagle, TCEQ

Environmental Advocates

- ✍ Kelly Haragan, Environmental Integrity Project
- ✍ Marcie Keever, Our Children's Earth
- ✍ Bob Palzer, Sierra Club
- ✍ Verena Owen, Lake Co. (IL) Conservation Alliance
- ✍ Keri Powell, NY PIRG
- ✍ Richard Van Frank, Improving Kids' Environment

Industry

- ✍ Shannon Broome, Air Permitting Forum
- ✍ Lauren Freeman, UARG
- ✍ Bernie Paul, Eli Lilly
- ✍ Bob Morehouse, ExxonMobil
- ✍ Mike Wood, Weyerhaeuser
- ✍ David Golden, Eastman Chemical

Where are We in the Process?

- ✍ Just completed all public meetings
 - ✍ DC
 - ✍ Chicago
 - ✍ Dallas
 - ✍ San Francisco

Issues





- ✍ Procedural
- ✍ Monitoring, Recordkeeping & Reporting
- ✍ Public Participation
- ✍ Macro
- ✍ Compliance and Enforcement
- ✍ Permit Content

Procedural Issues

- ✍ Revisions and Operational Flexibility
 - ✍ Classification of Permit Modifications
 - ✍ Reopenings
 - ✍ Operational Flexibility
- ✍ Renewals
 - ✍ Scope
 - ✍ Streamlining
 - ✍ Timeliness

Procedural (cont.)

Petitions

-  EPA's response time
-  Public Notice of
-  Keeping Petitioner apprised
-  Administrative Record

Permit Appeal Process

EPA Oversight

Applications

Statement of Basis

Monitoring, Recordkeeping, and Reporting

✍ Monitoring

✍ Gap-filling

✍ cost/benefit

✍ State compliance with Part 70

✍ Stringency

✍ Consistency

✍ EPA Guidance, or lack thereof

✍ Delays

MRR (Cont.)





- ✍ CAM
- ✍ Recordkeeping
- ✍ Reporting
 - ✍ Content of deviation reports
 - ✍ Electronic options
 - ✍ Consolidate reports
 - ✍ Definition of "prompt"
 - ✍ Definition of "deviation"

Public Participation

- ✍ Access to Documents
- ✍ Statement of Basis
- ✍ Public Hearings
- ✍ Public Comment Period
- ✍ Public Notice
- ✍ Response to Comments
- ✍ Helping Public Participate Effectively
- ✍ Concurrent Review
- ✍ Environmental Justice

Macro Issues

Cost/Benefit

-  Compared to the 1992 estimates
-  Options to reduce costs
-  Benefit of including all CAA requirements in one place
-  Emission Reductions?

EPA Guidance

Management of Permits

Issuance Rates

Uniform State Implementation

Macro (cont.)

- ✍ EPA Oversight
- ✍ Resources Available to States

Compliance & Enforcement

✍ Program Goals

- ✍ Definitive Tool for determining Compliance?
- ✍ Emulating NPDES program

✍ Format of Compliance Certifications

✍ Compliance Certifications

- ✍ Intermittent v. Continuous
- ✍ Timely
- ✍ Schedules of compliance
- ✍ Level of attention

Compliance & Enforcement (Cont.)

- ✍ Deviation Reports
- ✍ Permit Shield
- ✍ Credible Evidence
- ✍ Enforcement
 - ✍ NOVs for everything?
 - ✍ Reports helping enforcement?

Permit Content

- ✍ Incorporation of Applicable Requirements
- ✍ Compliance Options
- ✍ Insignificant Activities and Emission Units
- ✍ NSR/SIP Interface
- ✍ Compliance Schedules
- ✍ Consistent Format
- ✍ Practical Enforcemability
- ✍ SSM Provisions
- ✍ Consolidation

Path Forward

- ✍ Face-to-face meetings
- ✍ Finding Consensus
- ✍ Explaining Divergence

The Case for Simplification

