

# NSR Reform in South Carolina

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# Our Options on NSR Reform

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(Reference to PSD in attainment areas)

3 Options :

- ✍ Adopt regulations as written
- ✍ Develop individual regulations specific to SC  
"as stringent" as EPA proposed regulations
- ✍ Minor changes to ease implementation



# Regulation Path

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- ✍ Changes followed by SCDHEC are those published by EPA on December 31, 2002
- ✍ Routine Maintenance, Repair and Replacement exclusion published on October 27, 2003 are not addressed (stayed by court order)



# Early Development Action

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- ✍ Notice of Regulation drafting February 2004
- ✍ Internal review of options and drafting of regulation to include non-attainment NSR
- ✍ External stakeholder involvement/input  
Summer 2004



# Regulation Path

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- ✍ Noticed draft regulations Fall '04
- ✍ Public Hearing held December '04
- ✍ SCDHEC Board Approval – January 13, 2005
- ✍ Submitted the Regulation to the General Assembly January '05



# New Source Review – Attainment Areas

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- ✍ SC Regulation 61-62.5 Standard No. 7  
Prevention of Significant Deterioration
- ✍ Important Issue - Regulation includes  
“reminders” for construction permitting  
requirements



# EPA's NSR Reform Items

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- ✍ Baseline actual emissions
- ✍ “Actual to Projected Actual” applicability test
- ✍ Clean units
- ✍ Plantwide applicability limits (PALs)
- ✍ Pollution control projects (PCPs)



# Baseline Actual Emissions

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Baseline period to be representative of normal operation & based on any consecutive 2-year period

For EUSGUs use 2 consecutive years in prior 5 (WEPCO)

For Non-EUSGUs - any consecutive 24 months in the previous 10 year period



# Actual-to-Projected-Actual Applicability Test

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- ✍ Project maximum post-change actuals for 5 years (or 10 years if change in design capacity or increase in potential to emit)
- ✍ Exclude emissions increases which could be accommodated before change
- ✍ Keep records to document projected actuals



# Clean Unit

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- ✍ Units with existing BACT, LAER or equivalent level controls – “almost automatic”
- ✍ New designation via public notice permit process
- ✍ Designation lasts 10 years and can re-qualify without additional controls



# Plantwide Applicability Limits (PALs)

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- ✍ Pollutant Specific
- ✍ Plant emissions capped at baseline actuals plus the significance level of a specific pollutant
- ✍ PAL allows facility-wide operational flexibility
- ✍ Effective 10 years - can be renewed



# Pollution Control Project (PCP)

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Project that reduces emissions of a pollutant causing a net increase in another pollutant

- ✍ Applies to all sources (including utilities)
- ✍ Must have overall environmental benefit
- ✍ Listed projects presumed to be beneficial



# Standard 7.1 Nonattainment New Source Review

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- ✍ This is a new SC Standard for Non-Attainment New Source Review
- ✍ Effort to ensure SC has ability to respond to permit needs
- ✍ Opportunity to incorporate NSR Reform activity (PALs, Clean Units)



# When Will We Implement?

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- ✍ When final regulation is published in *State Register* (June '05?) our regulations are officially changed.
- ✍ We should know if EPA intends to approve our regulations at that time.
- ✍ If yes, we implement new regulation then, and will not wait until SIP is modified.



# Training

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- ✍ Training needed in the nuances of implementing these changes.
- ✍ Staff training to begin in April.
- ✍ Outside training will be planned accordingly.



# Bureau of Air Quality

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<http://www.scdhec.gov/eqc/baq>

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