



# ***U.S. Environmental Protection Agency***

***Region 4 -Atlanta, Georgia***

## **Air Regulatory Update**

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**Carolinas Air Pollution Control Association  
Spring 2007 Meeting**

**Beverly H. Banister, Director  
Air, Pesticides & Toxics  
Management Division  
EPA Region 4**

# EPA Administrator's Priorities

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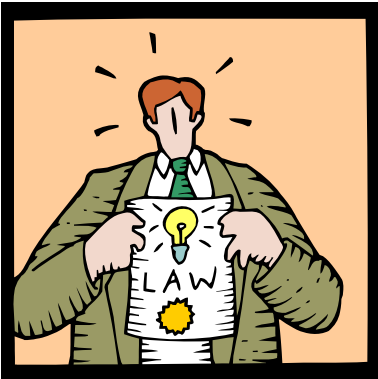
- Energy
- Stronger EPA
- Homeland Security
- Water and Wastewater Infrastructure



# Air Program Priorities

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- Implement the 8-Hour Ozone, PM2.5, and Regional Haze Programs
- Implement the Clean Air Interstate and Clean Air Mercury Rules
- Implement the Integrated National Ambient Air Monitoring Strategy
- Implement Air Toxics Initiatives that Focus on Multi-Media and Cumulative Risks
- Implement OAR Partnership Programs and Initiatives
- Permitting



# Upcoming Regulations/Guidance

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# Upcoming Regulations/Guidance

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- NAAQS Review
- Monitoring
- Air Toxics
- PM<sub>2.5</sub>

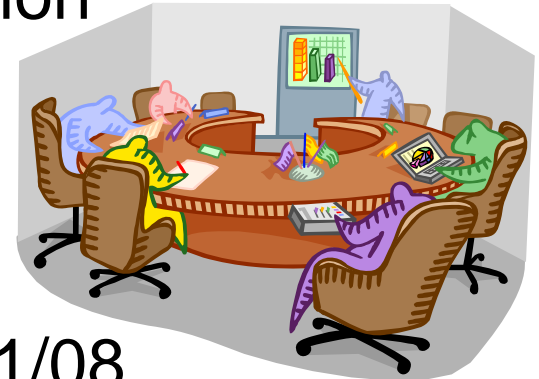


# NAAQS Review

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## ■ Ozone

- Court schedule for NRM - 12/19/07
- EPA requesting 2-month extension



## ■ Lead

- Complete final rulemaking by 9/1/08

# Monitoring

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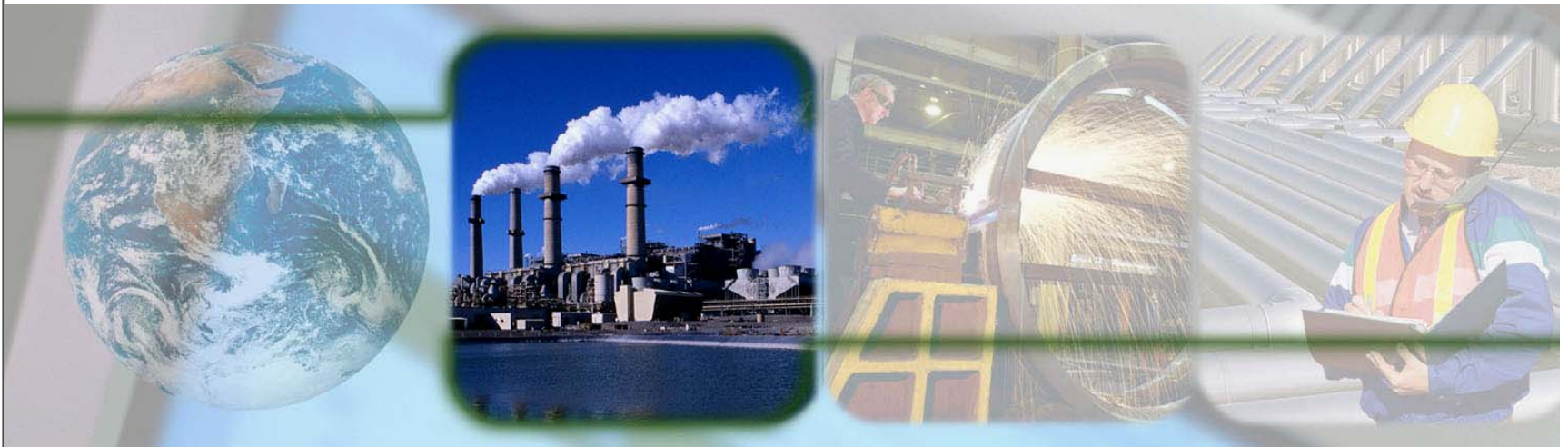


# New Ambient Air Monitoring Regulations

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- **40 CFR Part 58.10**
- **July 1, 2007 – Network Plan**
  - **Statement of purpose for each monitor**
  - **Evidence that siting and operation meet requirements of App. A, C, D, and E.**
  - **Public Review and Comment – 30 days**
  - **Assessments every 5 years – First one due July 1, 2010.**
- **Plans proposing SLAMS network modifications, require EPA Regional Administrator approval**
  - **Public Comment and approval/disapproval within 120 days**

# Air Toxics



# Air Toxics Update

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- MACTs – Initial regulations 99% complete
- MACT technology reviews
- Residual Risk rules ongoing
- Area source rules ongoing
- New program for area-wide risk

# Residual Risk: Rules Update

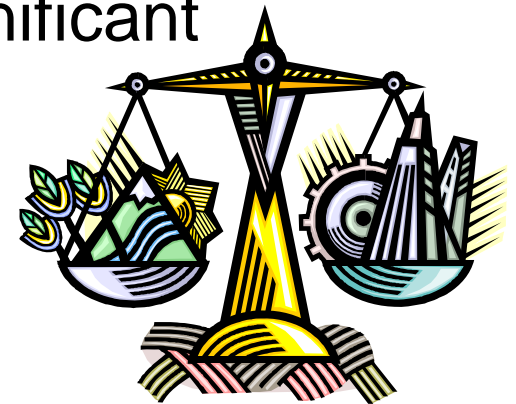
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- Coke Ovens – Rule published April 15, 2005
- Dry Cleaning – Rule published July 27, 2006
- Low risk determinations (No residual risk rules)
  - Industrial cooling towers
  - Magnetic tape
  - Ethylene oxide sterilizers
  - Gasoline Distribution
  - HON
- Degreasers – Rule proposed August 2006 -  
Final rule expected mid-year 2007

# Residual Risk – A New Approach

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- **The typical rule-by-rule approach is cumbersome and time consuming**
  - Performed reviews of eight MACT to meet Court deadlines
  - Each individual MACT required significant resources



# Residual Risk – Tentative Schedule

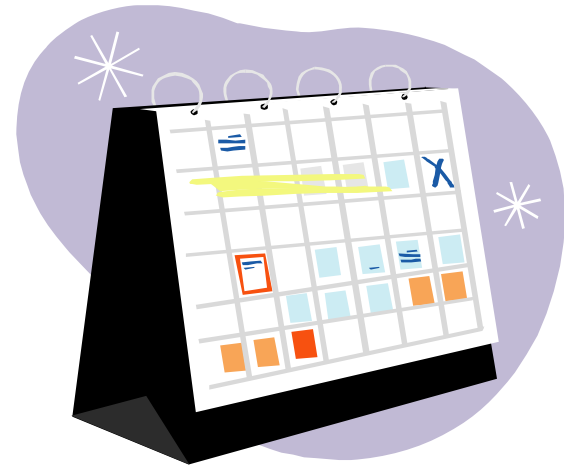
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- **Group 1 low risk source categories**

- NPRM – Summer 2007
- Final Rule – March 2008

- **Group 2**

- ANPRM – March 2007  
(available)
- NPRM – Late 2007
- Final Rule – September 2008



<http://www.epa.gov/ttn/atw/rrisk/rtrpg.html>

# Residual Risk – A New Approach

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- **Identified 34 MACT standards (50 source categories) with compliance dates of 2002 and earlier**
- **Break source categories into groups based on preliminary screening results**
  - Low risk  
(Phase II, Group 1)
  - Need refined risk assessment  
(Phase II, Group 2)
  - Assessment needs longer time frame



# Area Source Rule Schedule

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<b><i>Date</i></b>	<b><i>Number of Rules</i></b>
<b>June 15, 2007</b>	<b>6 categories</b>
<b>Dec. 15 2007</b>	<b>13 categories</b>
<b>June 15, 2008</b>	<b>10 categories</b>
<b>Dec. 15, 2008</b>	<b>10 categories</b>
<b>June 15, 2009</b>	<b>10 categories</b>

# Near Term Area Source Rules

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## **Scheduled for June 2007**

- Flexible Polyurethane Foam Fabrication
- Flexible Polyurethane Foam Production
- Acrylic/Modacrylic Fibers Production
- Lead Acid Battery Manufacturing
- Wood Preserving
- Carbon Black Production
- Chemical Manufacturing – Chromium Compounds

# New Regulatory Approach

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- Area-wide risk approach being developed
  - Implementing agency will define area of interest
  - Cumulative risk evaluated
  - Control options developed by agency
  - Program approval under Section 112(I)
  - Pilot effort in 2007 with state program
  
- Schedule for rule development:
  - Advanced Notice of Proposed Rulemaking in 2007
  - Propose rule in December 2007
  - Promulgate rule in 2008

The image is a collage of three photographs. The top photo shows an elderly man with glasses and a pink shirt looking at a pharmacist in a white coat. The bottom-left photo shows a young boy in a plaid shirt drinking from a yellow and white bottle. The bottom-right photo shows a pharmacist in a white coat and glasses working at a counter with various bottles and containers. The text "PM Updates" is centered over the collage in a large, black, serif font.

# PM Updates

# PM Implementation Rule (Current Standards)

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- Signed on March 29, 2007
- Addresses requirements for nonattainment areas
  - Submit Attainment Demonstration – 4/08
  - Show attainment by 4/2010
  - Emissions Inventory
  - RACT/RACM
  - Reasonable Further Progress
  - NSR

# Region 4 PM Focus Areas

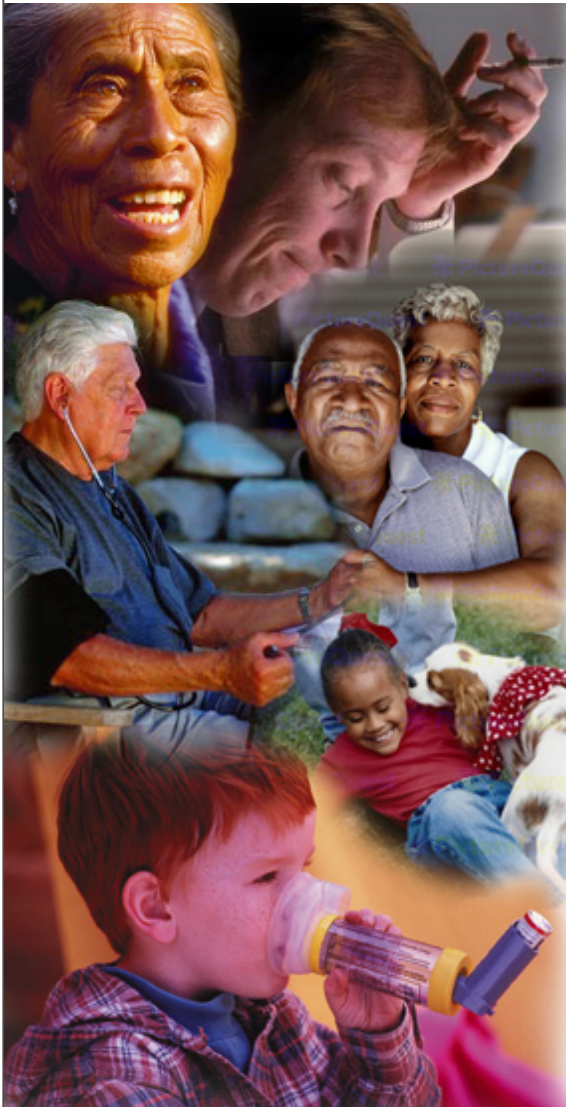
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- Since the April 2005 designations, several attaining areas have exceeded PM<sub>2.5</sub> standards
- R4 engaging state agencies and local stakeholders in collaborative efforts to reduce PM<sub>2.5</sub> levels to meet standards in these areas
  - Columbus, Georgia / Phenix City, Alabama
  - Augusta, Georgia /Aiken, South Carolina
  - Charlotte, North Carolina
  - Greenville, South Carolina
  - **Lexington, Kentucky** (*Certified data indicates that Lexington has attainment data for 04-06*)

# PM Revised Standards

## Schedule

Publication	October 17, 2006
States submit designation recommendations	December 2007
EPA designates areas	No later than December 2009
Designations effective	2009-2010
SIPs due	3 Years after designation
Attainment dates	As expeditiously as practicable



# Ozone Updates

# Phase 1 Rule Court Decision

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- On 12/22/06, D.C. Circuit Court vacated and remanded 8-hr ozone phase 1 implementation rule
  - Some subpart 1 areas should have been classified under subpart 2
  - Upheld decision to revoke 1-hour std.
  - Additional requirements need to be preserved under antibacksliding scheme – NSR, 1-hour conformity and 185(a) penalties

# Phase 1 Rule Court Decision

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- March 19, 2007 Q&A Memo
- March 22, 2007 – Supplemental rule for existing redesignation proposed approvals
- Proceeding with processing redesignations

# Phase 1 Rule Court Decision

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- March 22, 2007, EPA petitioned court for rehearing:
  - Classification under subpart 1- 2 issues
  - 172(e) Backsliding Issues
- Requested clarification on
  - 1-Hour conformity issue
  - Scope of vacature



# Clean Air Interstate and Mercury Rules

# CAIR Timeline

<b>CAIR FIP in effect</b>	<b>May 2006</b>
<b>CAIR SIPs were due</b>	<b>September 2006</b>
<b>Abbreviated SIPs due</b>	<b>March 2007</b>
<b>2009 allocations finalized either under a FIP or State SIP</b>	<b>September 2007</b>

# Clean Air Mercury Rule

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- CAMR plans were due by 11/17/06
  - AL only state in Region 4 that submitted plan before deadline.
  - On December 8, 2006, EPA published a notice acknowledging receipt of state plans that met the November 17<sup>th</sup> deadline.
- On December 8, 2006, EPA published a federal plan which will:
  - ensure that power plants subject to CAMR reduce their mercury emissions on schedule
  - establish a cap-and-trade program (similar to acid rain)

# In Summary...

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# SIP/State Plan Schedule

SIP/Plan	Deadline
PM attainment demonstrations	April 2008
8-hour ozone attainment demonstrations	June 15, 2007* Pending court decision
CAIR SIPs 2009 allocations finalized either under a FIP or State SIP	September 2007
111d Plans CAMR	November 17, 2006 * Still accepting state submittals
Regional haze	December 17, 2007

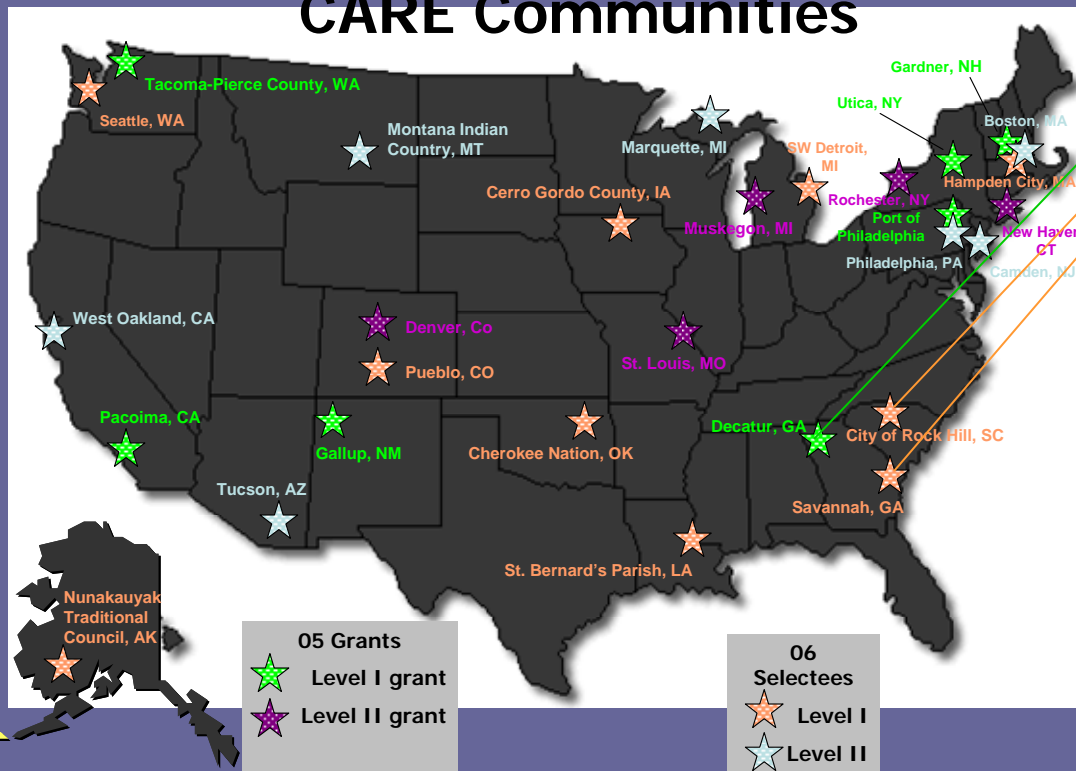
# How Are We Working Collaboratively?

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# CARE Community Partnerships

## CARE Communities



Decatur, GA  
 Rock Hill, SC  
 Savannah, GA- Harambee House

*A community based,  
community driven,  
multimedia approach  
 to help local communities  
 understand  
 and reduce risks from toxics.*



# CARE Community Partnerships



## 2006 Grant Recipient – Rock Hill, SC

- Create a self-sustaining, community-based partnership that will work to improve the local environment. Potential environmental issues asbestos, lead-based paint, dyeing and finishing chemicals, and other hazardous materials.

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## Project Highlights To Date

- Press Event announcing project start, April 2007
- Community Focus Group Meetings to introduce project goals

# Southeast Diesel Collaborative

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

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- Voluntary partnership to reduce diesel emissions from existing engines and equipment and encourage use of clean, renewable energy
- Sector-based strategy
  - Agriculture & Biofuels
  - Heavy Construction
  - Onroad
- Monthly partner conference calls
  - 7 active committees
- 2<sup>nd</sup> Annual Partners Meeting June 26-27 in Atlanta





# Southeast Diesel Collaborative

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

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- Selected 3 projects for FY06 SEDC grants
  - KY Assoc of General Contractors \$50K (awarded March 19)
  - Georgia Dept of Transportation \$25K
  - Mecklenburg County NC Air Quality \$25K
  
- 245 diesel projects since Jan 2000 (retrofits, idling, biodiesel, research, SmartWay partners)
  
- JOIN UP! 600+ members signed on so far

# Who Can You Call?

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# Region 4 Contacts



- |              |               |               |
|--------------|---------------|---------------|
| ■ Monitoring | Van Shrieves  | (404)562-9089 |
| ■ Air Toxics | Ken Mitchell  | (404)562-9065 |
| ■ PM         | Joel Huey     | (404)562-9104 |
| ■ Ozone/CAIR | Jane Spann    | (404)562-9029 |
| ■ CAMR       | Latoya Miller | (404)562-9885 |
| ■ Permits    | Gregg Worley  | (404)562-9171 |
| ■ CARE       | Linda Rimer   | (919)541-0785 |