WESTAR
Western States Air Resources Council

State Implementation Plan

101/MINI TRAINING

DECEMBER 4, 2024

Introductions

- How long have you been in Air Quality and/or working on SIPs?

Goals for Session

- Develop greater understanding around the NAAQS review process and CASAC
- Further explore how to plan effectively and efficiently
- Explore specific SIP topics of interest to the Planning Committee

Topics

- Role of CASAC in Revising NAAQS
- EPA's SIP Lean Process
- Effective Planning
- ISIPs/Transport SIPs
- Multi-Pollutant Planning
- What Happens After the 20-year Maintenance Plan Period
- Emissions Guidelines 111(d) State Plans (subpart Ba, O&G, EGU)
- MACT Rule and how to handle retiring EGUs

Role of CASAC in revising NAAQS

Clean Air Scientific Advisory Committee (CASAC)

- Established in 1977 Clean Air Act Amendments – CAA section 109(d)
- CASAC provides independent advice to the EPA Administrator on the technical bases for EPA's National Ambient Air Quality Standards
- Addresses research related to:
  - air quality,
  - sources of air pollution, and
  - strategies to attain and maintain air quality standards and to prevent significant deterioration of air quality
- Seven chartered members
  - ad hoc panels chaired by members focus on specific criteria pollutants
- CASAC reviews criteria documents, science assessments, risk and exposure assessments, and policy assessments developed by EPA

NAAQS Review Process

- CAA Sections 108 and 109
  - Requires periodic review of the standards and the science upon which they are based
- Phases of NAAQS Review
  - Planning – call for information, input from scientific community and public, Integrated Review Plan developed (schedule, process, policy-relevant issues and questions)
  - Assessment – EPA prepares Integrated Science Assessment, Risk and Exposure Assessments, and Policy Assessment. Drafts of all documents reviewed by CASAC and public has opportunity to comment.
  - Rulemaking

Status of NAAQS Reviews (from EPA August 2024)

	Lead	Ozone	PM[1]	Secondary (Ecological) NO_2, SO_2, PM[2]	Primary NO_2	Primary SO_2	CO
Last Review Completed (final rule signed)	Sep 2016	Dec 2020	Dec 2020/Feb 2024	Mar 2012	Apr 2018	Feb 2019	Aug 2011
Recent or Upcoming Major Milestone(s)	Feb 7, 2024 Final ISA[3] released Early 2025 Draft PA[3]	May 2024 Science Policy Workshop Fall 2024 IRP[3] Volumes 1 and 2	March 6, 2024 Final Rule, effective May 6, 2024	April 3, 2024 Proposed Rulemaking Dec. 10, 2024 Final Rulemaking (consent decree)	Mar. 18, 2024 IRP[3] Volumes 1 and 2 Fall 2025 Draft ISA[3] and IRP[3] Volume 3	TBD[4]	TBD[4]
Additional information regarding current and previous NAAQS reviews is available at: http://www.epa.gov/ttn/naaqs/							

[1] Combined primary and secondary (non-ecological effects) review of PM
[2] Combined secondary (ecological effects only) review of NO_2, SO_2, and PM
[3] PA – Policy Assessment; REA – Risk and Exposure Assessment; IRP – Integrated Review Plan; ISA – Integrated Science Assessment
[4] TBD = To be determined

State Planning Milestones (from EPA - August 2024)

Pollutant (Standard)	Final NAAQS/EG Signature	Nonattainment Designations Effective	Infrastructure SIP Due	Attainment/EG Plans Due	Attainment Date/EG Compliance Date
Ozone (2015)	Oct 2015	Aug 3, 2018 *	Oct 2018	Aug 2021-2022, Jan 2023, Jan 2026**	Aug 2021, 2024, 2027, 2033, 2038 *
Ozone (2008)	Mar 2008	July 2012	Mar 2011	July 2015/2016 Jan 2017, Aug 2020, May 2024***	July 2015, 2018, 2021, 2027, 2032
SO_2 (proposed annual secondary)	December 2024 (CD deadline)	TBD	December 2027 if NAAQS is revised	TBD	TBD
SO_2 (2010 1-hr primary)	June 2010	[1]Oct 2013, [2]Sept 2016, [3]Apr 2018, [4]Apr 2021	June 2013	[1]Apr 2015, [2]Mar 2018, [3]Oct 2019, [4]Oct 2022	[1]Oct 2018, [2]Sept 2021, [3]Apr 2023, [4]Apr 2026
$PM_{2.5}$ (2024 annual)	February 2024	Spring 2026	February 2027	Fall 2027	Spring 2032 (Moderate)
$PM_{2.5}$ (2012 annual)	Dec 2012	Apr 2015	Dec 2015	Oct 2016 (Moderate)	Dec 2021 (Moderate) Dec 2025 (Serious)
$PM_{2.5}$ (2006 24-hr)	Oct 2006	Dec 2009	Oct 2009	July 2011	Dec 2015 (Moderate) Dec 2019 (Serious)
OOOOc Oil & Gas Emiss. Guideline	March 2024	n/a	n/a	March 2026	March 2029
UUUUa EGU Emiss. Guideline	April 2024	n/a	n/a	April 2026	April 2029

* September 24, 2018 for San Antonio, TX. Attainment dates are also September 24 of listed years.

** January 2023 for areas reclassified from Marginal to Moderate. Tentatively January 2026 for areas reclassified from Moderate to Serious.

***January 2017 for areas reclassified from Marginal to Moderate. August 2020 for areas reclassified from Moderate to Serious. May 2024 for areas reclassified from Serious to Severe.

Clean Air Scientific Advisory Committee (CASAC)

- Reference(s):
  - CASAC home page: https://uscode.house.gov/view.xhtml?path=/prelim@title5/part1/chapter10&edition=prelim
  - Science Advisory Board home page:
  - https://sab.epa.gov/ords/sab/r/sab_apex/sab/home
  - Clean Air Act (42 U.S.C. Section 7409(d)(2): https://www.govinfo.gov/content/pkg/USCODE-2014-title42/html/USCODE-2014-title42-chap85-subchapI-partA-sec7409.htm
  - Federal Advisory Committee Act (FACA) (5 U.S.C. Chapter 10): https://uscode.house.gov/view.xhtml?path=/prelim@title5/part1/chapter10&edition=prelim

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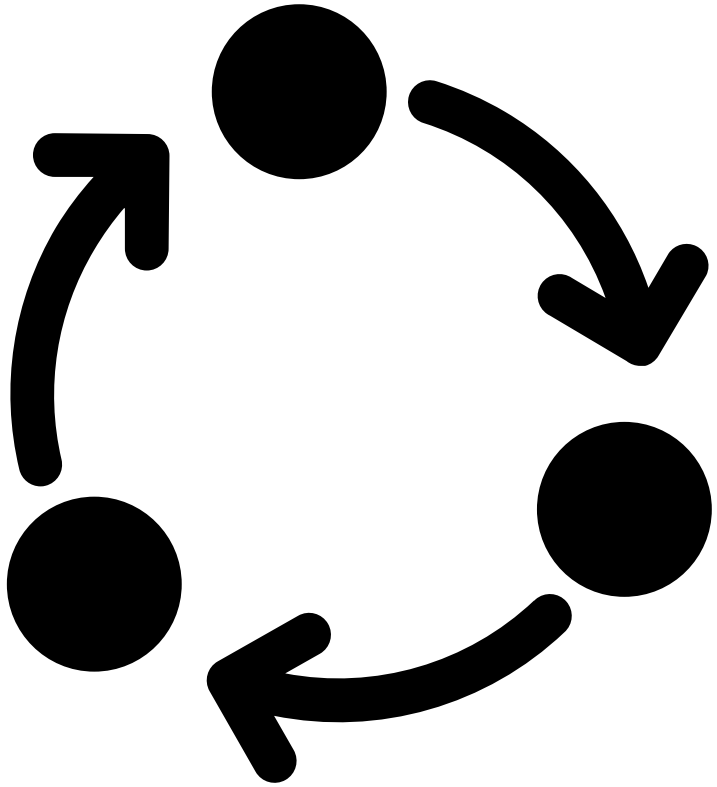


EPA's SIP LEAN Process

EPA LEAN Process – 2 Toolkits

- https://www.epa.gov/sites/default/files/2013-10/documents/leanenvirotoolkit.pdf
  - General Toolkit for efficiencies and reduction of environmental waste
- ***State Implementation Plan (SIP) Lean Toolkit for Collaboration Between EPA and Air Agencies*** **(copy will be emailed around)**
  - Focus on SIPS, lays out recommendations and process with example templates
  - Two main goals – early engagement and ensuring EPA has opportunity to review full SIP/SIP amendment prior to official public comment period.
  - In SIP 101 course, templates were built from the EPA SIP LEAN Toolkit
  - https://www.epa.gov/air-quality-implementation-plans/state-implementation-plan-sip-lean-toolkit-collaboration-between

SIP LEAN – Early engagement

- Key to any SIP work is identifying schedule, roles and responsibilities, and issues and concerns.
- Filling out a:
  - SIP Development Plan (timeline, responsibilities, questions and issues document) – aligns with LEAN approach
  - Technical Analysis Protocol – TAP - (how modelling will be conducted (if needed), what models will be used, etc) – not identified specially in LEAN, but will help with technical issues
  - Inventory Preparedness Plan (IPP) – (what data will be used in the SIP and how it will be collected) – could be important to determining SIP development timelines as some data may take longer to collect – not identified specially in LEAN, but will help with technical issues

SIP LEAN - communications/process

- EPA wants a number of commitments for the Early Engagement Draft (ie. pre–Public Notice Draft of SIP/SIP Amendments):
  - Notification of when an agency will have an early draft submission ready
  - An agency will submit an early engagement draft of the full SIP/SIP amendment
  - EPA wants time to review the full draft and provide comments – they will provide comments within an agreed-upon timeframe in a manner an agency prefers, but typically in writing.
  - Agency addresses EPA's comments through edits within the early engagement draft
- Agency is ready to release for public comment (EPA will likely also comment formally during this period as well)

Efficient and Effective Planning

Efficient vs Effective

Merriam-Webster Dictionary definitions

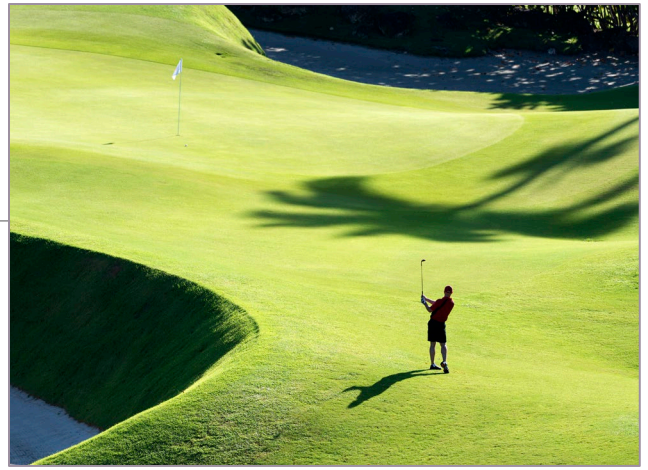
Efficient	Capable of producing desired results with little or no waste (as of time or materials)
Effective	Producing a decided, decisive, or desired effect

"Efficiency is doing the thing right. Effectiveness is doing the right thing."
Peter Drucker, Management Consultant/Author

Key Elements of the Planning Process

- Defined Objective
- Transparent Process
- Realistic Timeline

Efficient Planning



How do I keep my project on course?

- Understand the requirements & underlying processes
- Understand the timing and time constraints
- Understand the people/agencies/organizations involved

Identifying Stakeholders

- Create and sustain – communication channels
- Organize stakeholders – presumed interest and power
- Analyze – key challenges and opportunities for impact

“The most important thing in communication is to hear what isn’t being said.”
Peter Drucker, Management Consultant/Author

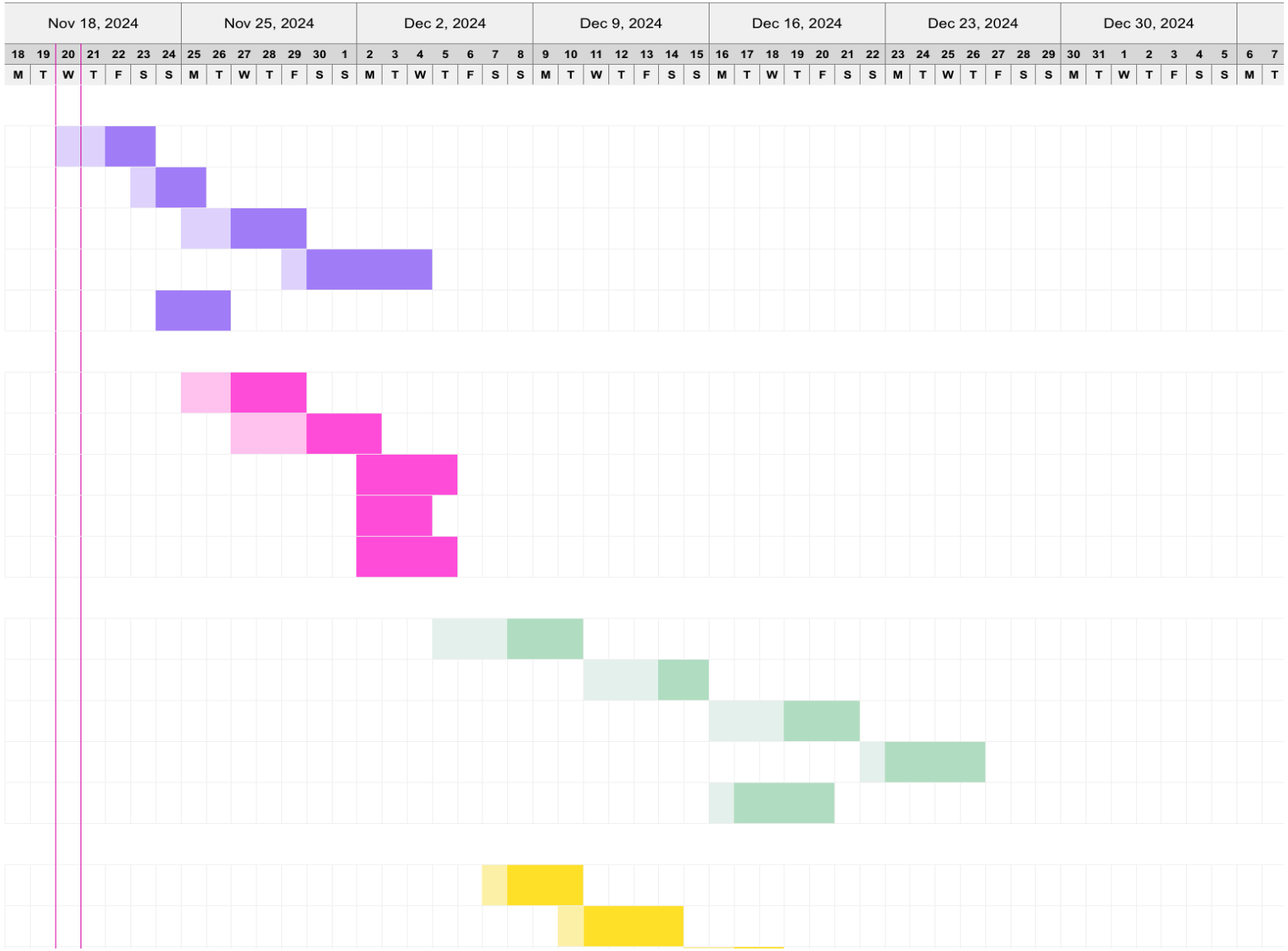
Effective Planning

What is the problem I am trying to solve?

Determine the elements needed to find and implement a solution

- Technical tools – models, analysis, chemistry
- Sources and functions – control options, incentives
- People and organizations – direct/indirect interests

TASK	ASSIGNED TO	PROGRESS	START	END
Initiation				
Define goals	Gokce Aslan	50%	11/20/24	11/23/24
Conduct studies	Hayden Cook	60%	11/23/24	11/25/24
Establish comms	Jens Martensson	50%	11/25/24	11/29/24
Develop charter	Nuria Acevedo	25%	11/29/24	12/4/24
Set up team	Olivia Wilson		11/24/24	11/26/24
Planning and design				
Create schedule	Gokce Aslan	50%	11/25/24	11/29/24
Identify deliverables	Hayden Cook	50%	11/27/24	12/2/24
Develop budget	Jens Martensson		12/2/24	12/5/24
Define scope	Nuria Acevedo		12/2/24	12/4/24
Identify risks	Olivia Wilson		12/2/24	12/5/24
Execution				
Execute tasks	Gokce Aslan	50%	12/5/24	12/10/24
Monitor progress	Hayden Cook	60%	12/11/24	12/15/24
Manage resources	Jens Martensson	50%	12/16/24	12/21/24
Provide updates	Nuria Acevedo	25%	12/22/24	12/26/24
Testing and validation	Olivia Wilson	25%	12/16/24	12/20/24
Evaluation				
Monitor progress	Gokce Aslan	25%	12/7/24	12/10/24
Track expenses	Hayden Cook	25%	12/10/24	12/14/24



Infrastructure SIPs

Due Date Timeframes – Infrastructure SIP

Program	Infrastructure SIP Due	Due Date to EPA	Attainment
Criteria Pollutant	Promulgation of NAAQS + 3 years	Designation date + 18 - 48 months	Designation date + up to 5 (or more) years
Regional Haze	n/a	2008, 2021 and 2028 and every 10 years after (reasonable progress demos)	2064 (natural conditions)
Exceptional Events Plan	n/a	Prior to attainment deadline	n/a
Ozone (and PM2.5) Advance Plan	n/a	Prior to nonattainment designation	n/a

Infrastructure SIP (I-SIP); CAA 110(a)(2)

- Required from all States and U.S. Territories within three years after promulgation of a new or revised NAAQS
  - DC Circuit Court decision means a NAAQS is promulgated on the date it was signed by the EPA Administrator and made publicly available
  - Other SIP-related effective dates are tied to *Federal Register* actions

Basic I-SIP requirements

- What air quality monitoring program is in place for the NAAQS?
- What authority and resources the state has for jurisdiction over air quality?
- Information about the state's technical programs, such as data collection/analyses/modeling systems
- What authority the state has for developing, implementing, and enforcing control measures
  - I-SIP does not address what control measures will be needed to attain the NAAQS
- What public review process(es) the state uses

Best chance for success – Time Management: keeping track, managing, and communicating

- Understanding both state and federal timelines and processes
- What can you do with the time you have available
- Key: Communicating your timeframes (within and without)

Infrastructure SIPS can be straightforward

- Step 1: Identify what regulations or statutes need to be updated.
- Step 2: Promulgate updated regulations/statutes, if needed
- Step 3: Update Infrastructure SIP (using previous method?)

- The conclusion of Step 3 is submittal to EPA, but it must include the effective date of any regulations, so work with EPA and your regulations people to determine how much of Step 2 and 3 may be able to be conducted at the same time.

- Time Management and Good Communication are very important!

Example

Vol. III. – Appendix to Vol. II Section II.D. - §110 Infrastructure Certifications
Table 1.

Table 1: Alaska's State Air Quality Control Plan CAA §110 Infrastructure Certifications.

NAAQS Element	NAAQS Federal Register Date	NAAQS Federal Register Number	State of Alaska NAAQS Effective Date of Regulation	State of Alaska CAA §110 SIP Certification Effective Date of Regulation	Table Number	Notes
Ozone 8-hour	7/18/97	62 FR 38856	6/21/98	8/1/12	2	
$PM_{2.5}$ annual & 24-hour	7/18/97	62 FR 38652	6/21/98	8/1/12	2	
$PM_{2.5}$ 24-hour	10/17/06	71 FR 61144	4/1/2010	8/1/12	2	Complete except for 110(a)(2)(G), see table 4
Ozone 8-hour	3/27/08	73 FR 16436	4/1/2010	8/1/12	2	
Lead	11/12/08	73 FR 66964	4/1/2010	8/1/12	2	
SO_2 1-hour	6/22/10	75 FR 35520	9/17/2011	4/17/15	3	
NO_2 1-hour	2/9/10	75 FR 6474	1/4/2013	4/17/15	3	
$PM_{2.5}$ 24-hour	10/17/06	71 FR 61144	4/1/2010	12/17/15	4	110(a)(2)(G) only
$PM_{2.5}$ annual	01/15/13	78 FR 3086	3/2/2016	12/17/15	5	
Ozone 8-hour	10/26/15	80 FR 65292	8/20/2016	9/15/18	6	

Example

Table 6: Alaska's Compliance with CAA §110 Infrastructure Requirements for the 2015 8-hour Ozone NAAQS.

CAA §110 Infrastructure Element	How Infrastructure Requirement is Addressed in Alaska's SIP
§110(a)(2)(A) Emission limits & other control measures	**Alaska Administrative Code (AAC), Title 18 Environmental Conservation, Chapter 50 Air Quality Control** DEC has promulgated regulations to implement and enforce the NAAQS and other emission limitations. These regulations include statewide ambient air quality standards, major and minor permits, transportation conformity and fees, among others which are found in the following articles of AAC Title 18 Environmental Conservation, Chapter 50. Air Quality Control: • Article 1. Ambient Air Quality Standards (18 AAC 50.005 - 18 AAC 50.110); • Article 2. Program Administration (18 AAC 50.200 - 18 AAC 50.250); • Article 3. Major Stationary Source Permits (18 AAC 50.300 - 18 AAC 50.390); • Article 5. Minor Permits (18 AAC 50.502 - 18 AAC 50.560); • Article 7. Conformity (18 AAC 50.700 – 18 AAC 50.750); and • Article 9. General Provisions (18 AAC 50.900 – 18 AAC 50.990). The State of Alaska adopted the 2015 8-hour ozone NAAQS into **18 AAC 50**, Article 1 (state effective 8/20/2016). Alaska's current ambient air quality standards are found in Article 1 at **18 AAC 50.010**.[1] Alaska's air quality designations, classifications and control regions are found in **18 AAC 50.015**. There are no ozone nonattainment areas in Alaska at the present time.
§110(a)(2)(B) Ambient air quality monitoring & data analysis system	DEC's statutory and regulatory authority to conduct ambient air monitoring investigations is found in **AS 46.03.020 (5)**, **AS 46.14.180** and **18 AAC 50.201**. On April 1, 2010, the State of Alaska adopted into Articles 1 and 2 of 18 AAC 50 the following 40 CFR Part 50 reference and interpretation methods for the 2008 8-hour ozone NAAQS:

Where example may be found:

- https://dec.alaska.gov/air/anpms/sip/contents/

Section II. State Air Quality Control Program

II.A. State Air Statutes and Regulations

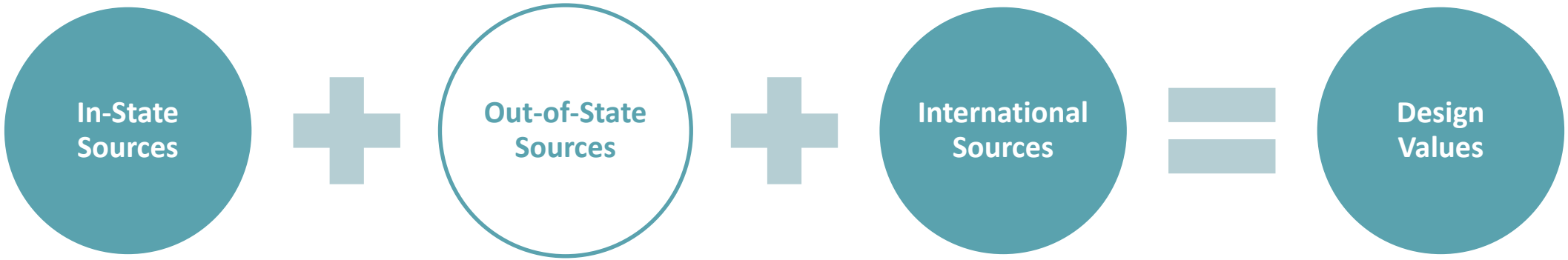
III.B. Municipality of Anchorage/Cook Inlet

II.C. Fairbanks North Star Borough

II.D Clean Air Act §110 Infrastructure Certification Documentation (8/10/2018, PDF), (12/17/2015, PDF), (9/18/2014, PDF)

Transport SIPs

Impact of Transported Pollutants



CAA Provisions to Address Out-of-State Transport

Section 110(a)(2)(D)(i)

- Good Neighbor Provisions

Section 126

- States can ask EPA to set emission limits for specific sources in other states

Section 176A

- EPA Administrator may establish a transport region and an associated transport commission

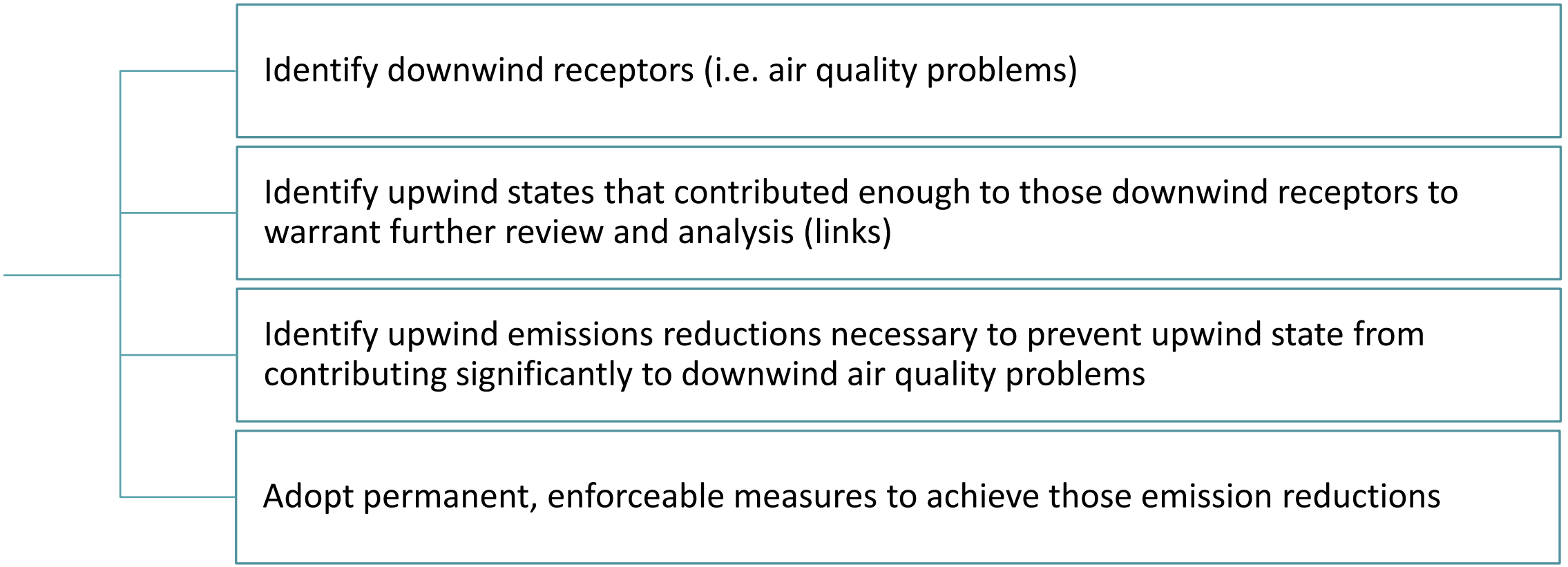
Good Neighbor Provisions

States must address interstate pollution that affects downwind states' ability to attain or maintain the NAAQS

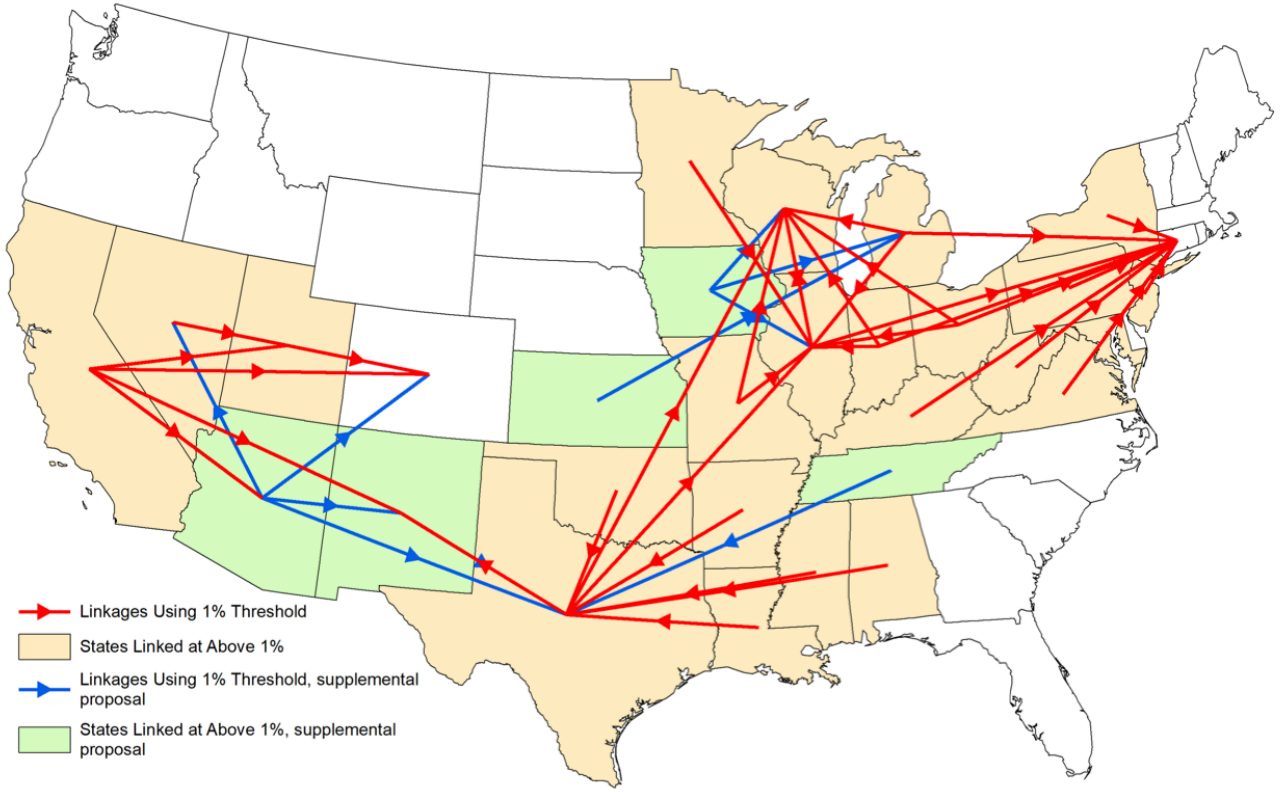
Each state must address emissions that will contribute significantly to nonattainment or maintenance in a downwind state

Plan submission due within three years of promulgation of new or revised NAAQS

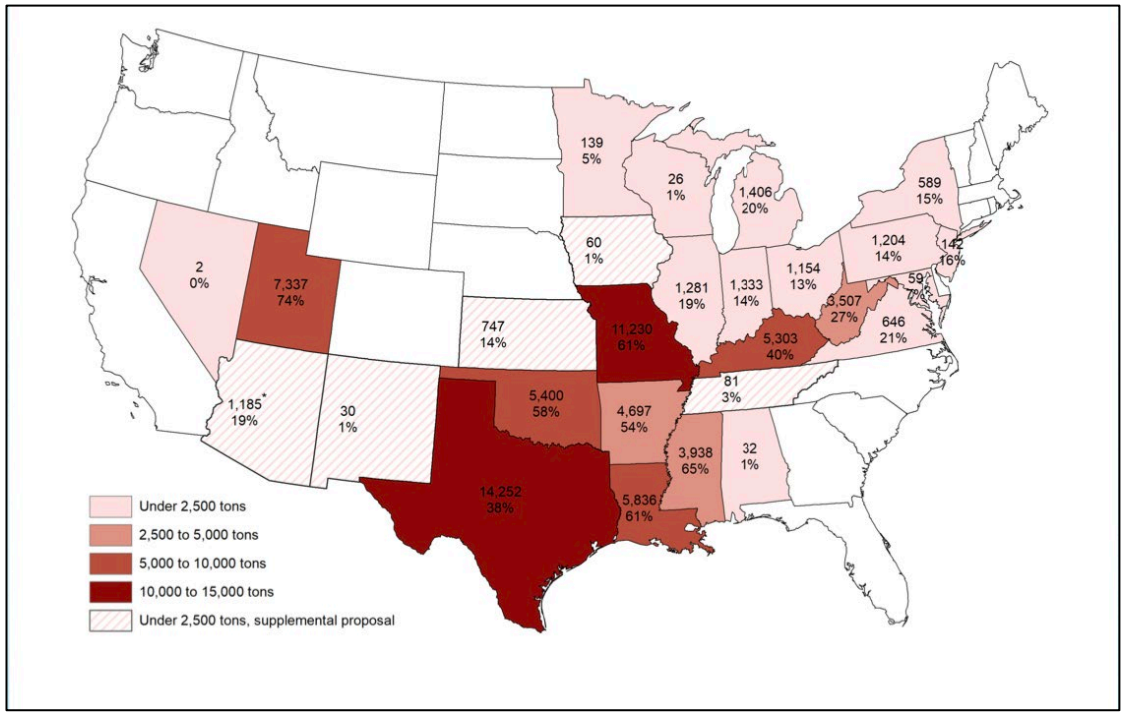
EPA's Four Step Framework

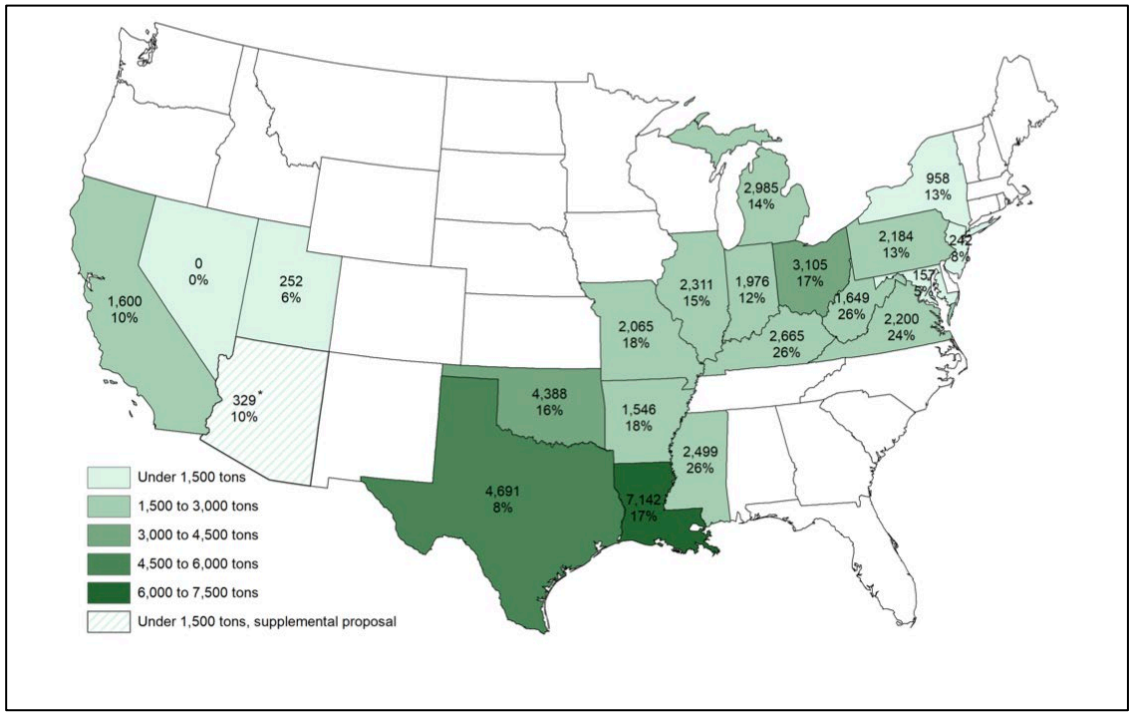


EPA's 2015 Ozone Transport Links



EPA's Emission Reduction Estimates to Address Transport for the 2015 Ozone NAAQS





2015 Ozone NAAQS Transport Timeline

Oct 2015	• Ozone NAAQS Promulgated
Jan 2017	• Notice of Data Availability
Oct 2017	• EPA Memo with Projected DVs
Mar 2018	• EPA Memo
Oct 2018	• Transport SIPs Due
Apr 2022	• EPA Proposes FIP
June 2023	• EPA Finalizes FIP
Aug 2023	• Effective Data of FIP

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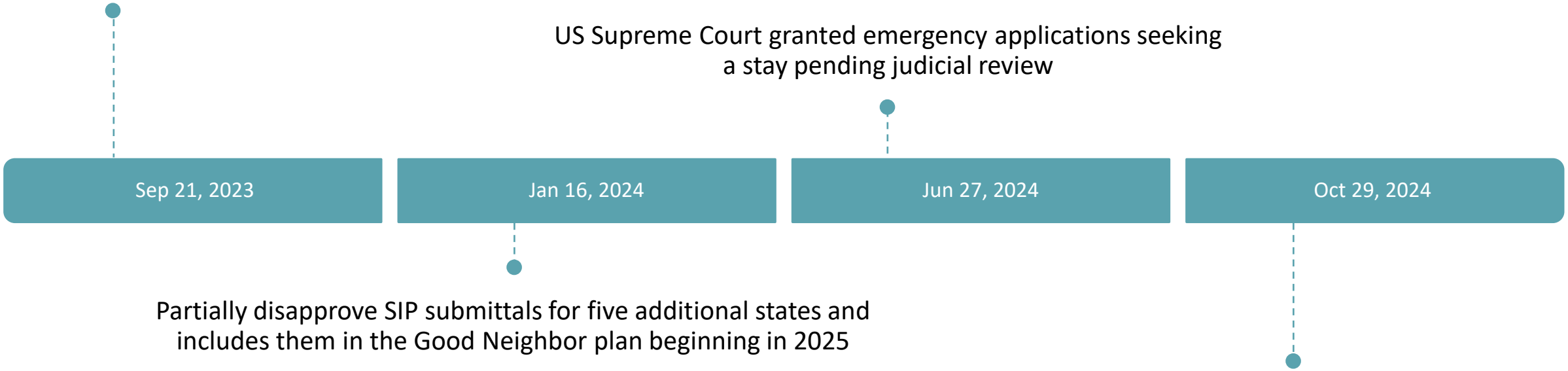
EPA's Good Neighbor Plan – Outcome TBD

Implemented ozone NOx control program for power plants in 10 states. Court ordered stay of disapproval action in 12 states.



US Supreme Court granted emergency applications seeking a stay pending judicial review

Partially disapprove SIP submittals for five additional states and includes them in the Good Neighbor plan beginning in 2025

Final rule to administratively stay effectiveness of Good Neighbor Plan's requirements for all sources covered where an administrative stay was not already in place

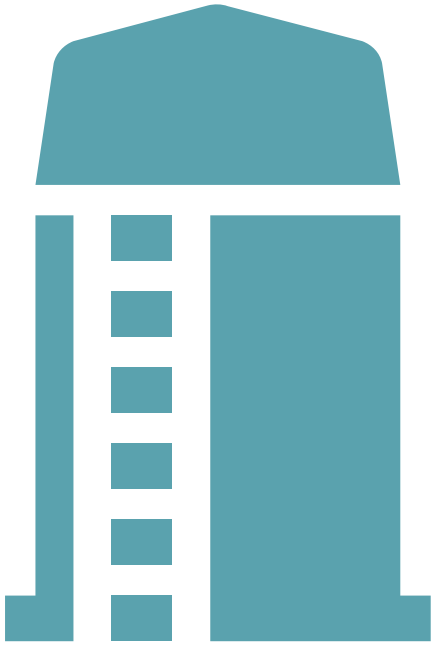
PM2.5 Transport SIP Documents

March 17, 2016 - EPA Memo

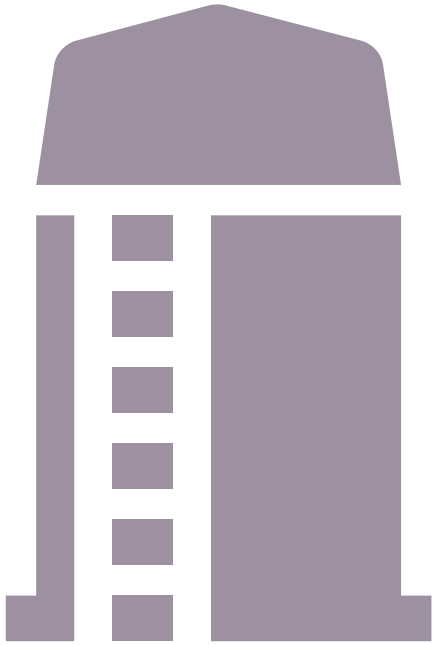
Washington Ecology's submittal

Multipollutant Planning

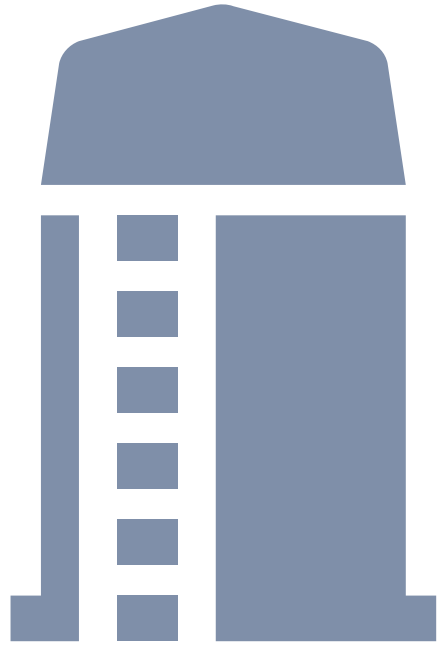
Planning Requires Skilled Specialists



Federal

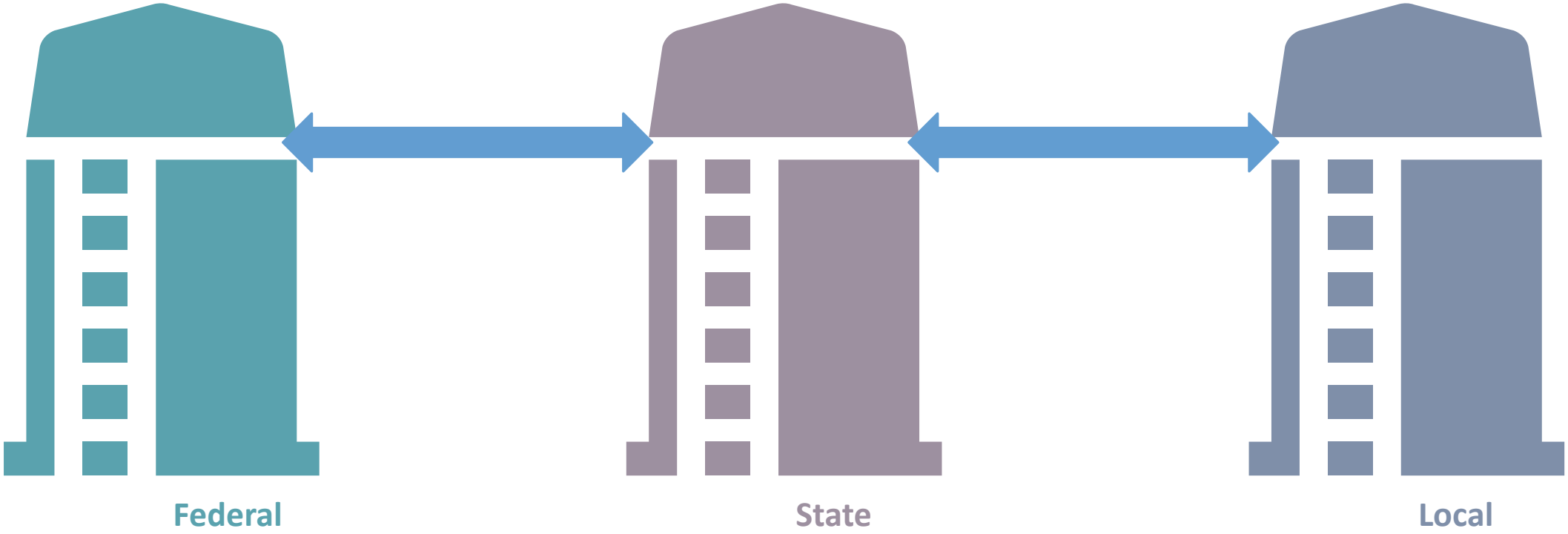


State



Local

Connecting Organizational Silos



What happens after the 20-year maintenance plan?

Background – Redesignation To Attainment

- Only after EPA fully approves Maintenance SIP does the first 10-year clock start
- Only after the EPA fully approves the SIP Update does the second 10-year clock start

Procedures for processing requests to Redesignate Areas to Attainment

- September 8, 1992 Memorandum from John Calcagni, entitled *Procedures for processing requests for Redesignate Areas to Attainment*
- Memo Lists 5 requirements:
  - EPA has determined that the NAAQS standards have been attained
  - The applicable implementation plan has been fully approved by EPA under section 110(k)
  - EPA has determined that the improvement in air quality is due to permanent and enforceable reductions in emissions
  - The state has met all applicable requirements for the area under section 110 and Part D
  - EPA has fully approved a maintenance plan, including a contingency plan for the area under section 175A

Successful conclusion of 20 years in maintenance

- Acknowledgement of completion from EPA (confirm with local EPA on format this will take)
- Acknowledgement that Conformity is no longer required (confirm with local EPA on format)
- Area no longer eligible for Federal Highway Administration (FHWA) Congestion Mitigation and Air Quality (CMAQ) funding
- Approved Contingency measure plan – still in effect, so all control measures that were converted to contingency measures must still be available to be 'turned on' if there are violations of the NAAQS
  - Regulations and statutes must be maintained

Emission Guidelines 111(d) state plans (subpart Ba, EGU, O&G)

Emission Guidelines 111(d) state plans (subpart Ba, EGU, O&G)

- General requirements for 111(d) state plans (40 CFR Part 60, subpart Ba)
  - EPA final rule published November 17, 2023 (Federal Reg Vol. 88, No. 221, p 80480-80545)
  - Effective date December 18, 2023

- Changes EPA's implementing regulations under CAA Section 111(d) that set timelines and other requirements for state plans to limit pollution from existing sources.

- Standard of performance: definition is updated
  - Includes an allowable rate, quantity, or concentration of emissions
  - May be met in the aggregate, such as through trading or averaging

- States have an obligation to develop plans, Tribal Nations have the opportunity to develop plans that establish standards for existing sources in their jurisdictions

Plan and process timelines

- States have 18 months to submit plans to EPA – may be submitted through SPeCS
- EPA completeness determination due in 60 days, otherwise deemed complete
- EPA has 12 months to take final action (more mechanisms: partial approval/disapproval, conditional approval, parallel processing, state plan calls, error correction)
- EPA has 12 months to issue a federal plan after a state fails to submit a complete plan or EPA disapproves a state plan

Plan Requirements

- States plans with compliance deadlines longer than 20 months after the plan is due to EPA must include increments of progress under the applicable emission guidelines.
  - Legally enforceable steps that an owner or operator of an existing source must take toward achieving compliance with requirements in a state plan.
  - Number of progress increments and timing is based on requirements in the specific emission guidelines.
- Robust, meaningful engagement process with pertinent stakeholders must be undertaken and described in the plan
  - Meaningful engagement is “timely engagement with pertinent stakeholders and/or their representatives in the plan development or plan revision process”
  - Pertinent stakeholders include (not limited to): industry, small business, and communities most affected by and/or vulnerable to the impacts of a state plan or plan revision. Engagement cannot favor one group over another.

Standards of Performance Requirements

- State plans to implement emission guidelines are generally required to include standards of performance that are at least as stringent as the degree of limitation achievable by applying the best system of emission reduction (BSER) as determined by EPA.

- States are allowed to account for remaining useful life of a particular facility among other factors when determining the standard of performance for a specific facility.

- States have mechanism to apply less stringent standards to a facility
  - States are required to use the process in the regulations to calculate a standard that deviates as little as possible from the degree of emission limitation the EPA determined in the applicable emission guideline
  - If based on a facility'sn operating conditions that are within the facility's control (remaining useful life, restricted capacity), States must include the operating condition as an enforceable requirement in their plans
  - Must still meet all other applicable requirements

Standards of Performance Requirements

- Applying less stringent standards of performance:
  - Demonstrate that the facility cannot reasonably achieve the degree of emission limitation (or the compliance date) in the applicable emissions guidelines.
  - Cost of control is unreasonable due to facility age, location, or basic process design
  - Physically impossible or technically infeasible to install the necessary control equipment
  - Other factors specific to the facility
  - State must demonstrate there are fundamental difference between the facility-specific information and the information EPA considered in determining the degree of emission limitation for the source category overall.
  - Must demonstrate the facility cannot achieve the degree of emission limitation using ***any*** system of emission reduction in order to apply a less stringent standard. May be they can apply something other than the BSER.

Subpart Ba References

- References:
  - EPA webpage on Subpart Ba:
  - https://www.epa.gov/stationary-sources-air-pollution/adoption-and-submittal-state-plans-designated-facilities-40-cfr
  - Fact Sheet on November 2023 rule action:
  - https://www.epa.gov/system/files/documents/2023-11/final-subpart-ba-implementing-regulations.fact-sheet.-.pdf

§111(d) State Plans – Emissions Guideline Sectors

- Oil and Natural Gas Emissions Guidelines – 40 CFR Part 60, subpart OOOOc (EG OOOOc)
  - "Standards of Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review," published March 8, 2024 (89 FR 16820).
  - Emissions Guideline State Plans (EGSPs) are due March 9, 2026.
  - EPA has information available to assist states in addressing requirements

  - In building a state plan must meet Subpart Ba as well as EG OOOOc requirements.
  - If no designated facility in your state, must submit a negative declaration letter to EPA in lieu of state plan
  - EPA provides a model rule that includes presumptive standards and associated measures to assure compliance
    - does your state want to use it?

Oil & Gas Emission Guideline References

- Reference(s)
  - O&G Sector implementation page:
  - https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-operations/implementation-oil-and-natural-gas-air
  - O&G Summary of Requirements document:
  - https://www.epa.gov/system/files/documents/2024-08/ooooc-summary-of-requirements-for-state-plans-final-8-23-2024.pdf
  - O&G Sector actions and notices page:
  - https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-operations/actions-and-notices-about-oil-and-0#ctg
  - O&G Federal Register notice:
  - https://www.federalregister.gov/documents/2024/03/08/2024-00366/standards-of-performance-for-new-reconstructed-and-modified-sources-and-emissions-guidelines-for

§111(d) State Plans – Emissions Guideline Sectors

- Fossil Fuel-Fired Electric Generating Units (EGUs) (EG Subpart UUUUb)
  - "New Source Performance Standards for Greenhouse Gas Emissions From New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions From Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule," published May 9, 2024 (89 FR 39798).
  - Emissions Guideline State Plans (EGSPs) due May 11, 2026; source compliance deadlines 1/1/2030 or 1/1/2032 depending on subcategory.
  - Does not cover existing natural gas combustion turbines – EPA working on separate action

  - In building a state plan must meet Subpart Ba as well as EG UUUUb requirements.
  - If no designated facility in your state, must submit a negative declaration letter to EPA in lieu of state plan
  - EPA provides a model rule that includes presumptive standards and associated measures to assure compliance
    – does your state want to use it?

EGU Emission Guideline References

- Reference(s)
  - GHG Standard and Guidelines for Fossil Fuel-Fired Power Plants:
  - https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-operations/implementation-oil-and-natural-gas-air
  - EGs for GHG Emissions for EGUs document:
  - file:///C:/Users/ale2a/Downloads/EPA-HQ-OAR-2023-0072-8908_content.pdf

MACT rules

- The 2020 MM2A final rule (85 FR 73854) published on November 19, 2020.
  - https://www.epa.gov/stationary-sources-air-pollution/national-emission-standards-hazardous-air-pollutants-neshap-8
  - The rule withdrew the "once in always in" policy and codified that a major source can reclassify to area source status at any time upon reducing its emissions and potential to emit HAP to below the CAA section 112 major source thresholds.
- "Review of Final Rule Reclassification of Major Sources as Areas Sources Under Section 112 of Clean Air Act", 40 CFR Part 63
  - Effective Date September 10, 2024
  - Requires sources subject to certain major source NESHAP subparts to remain subject to those NESHAP regardless of whether they reclassify to area source status. (sources subject to NESHAP used to reach the 90 percent requirements in CAA 112(c)(6) as of Sept 10, 2024)
  - May be another rulemaking to address additional issues
- Do your state's rules need updating to incorporate federal revisions?

Retiring EGUs or other stationary sources

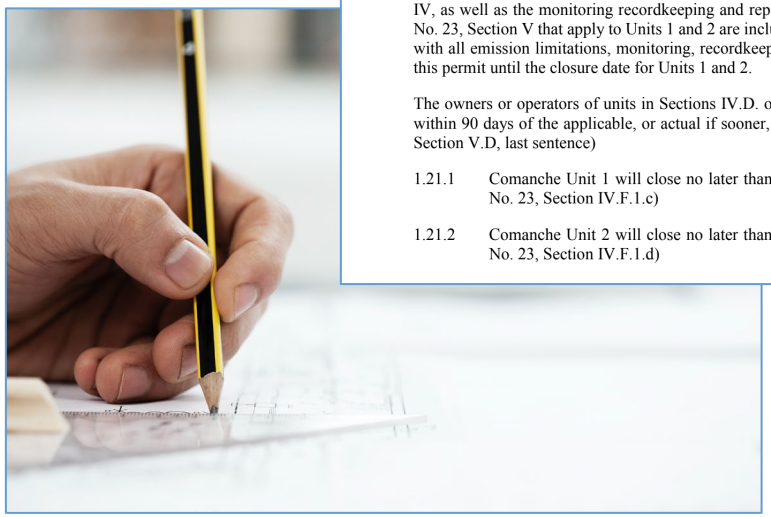
Emission Control in SIPs

Enforceable mechanism to ensure retirement

- Permit Condition
- Documentation of surrendered permit
- Documentation of decommissioning/shutdown of a unit

Use Your Network (Connect the Silos)

APCD CO Operating Permit # 96OPPB133
Public Service Company of Colorado – Comanche Station



1.21 **Units 1 and 2 Closure Dates:** Comanche Units 1 and 2 will close no later than the dates listed below. The sources must comply with the applicable emission limits in Section IV. and monitoring, recordkeeping, and reporting requirements in Section V. until the closure date. (Colorado Regulation No. 23, Section IV.F.1) The emission limits in Colorado Regulation No. 23, Section IV, as well as the monitoring recordkeeping and reporting requirements in Colorado Regulation No. 23, Section V that apply to Units 1 and 2 are included in this permit. The source must comply with all emission limitations, monitoring, recordkeeping and reporting requirements specified in this permit until the closure date for Units 1 and 2.

The owners or operators of units in Sections IV.D. or IV.F. must submit APENs to the Division within 90 days of the applicable, or actual if sooner, closure date. (Colorado Regulation No. 23, Section V.D, last sentence)

1.21.1 Comanche Unit 1 will close no later than December 31, 2022. (Colorado Regulation No. 23, Section IV.F.1.c)

1.21.2 Comanche Unit 2 will close no later than December 31, 2025. (Colorado Regulation No. 23, Section IV.F.1.d)

Plant Name	ORIS ID	Potentially Impacted by final mercury (Hg) Standard for Lignite-Fired EGUs or fPM Standard	State
Seminole	136	fPM	Florida
Marion	976	fPM	Illinois
D B Wilson	6823	fPM	Kentucky
Mill Creek	1364	fPM	Kentucky
Red Hills Generating Facility	55076	Lignite & fPM	Mississippi
Labadie	2103	fPM	Missouri
Colstrip	6076	fPM	Montana
Mayo	6250	fPM	North Carolina
Roxboro	2712	fPM	North Carolina
Antelope Valley	6469	Lignite	North Dakota
Coal Creek	6030	Lignite	North Dakota
Coyote	8222	Lignite	North Dakota
Leland Olds	2817	Lignite	North Dakota
Milton R Young	2823	Lignite & fPM	North Dakota
Spiritwood Station	56786	Lignite	North Dakota
Colver	10143	fPM	Pennsylvania
Foster Wheeler Mt Carmel Cogen	10343	fPM	Pennsylvania
John B Rich Memorial power Station	10113	fPM	Pennsylvania
St Nicholas	54634	fPM	Pennsylvania
Westwood Generation LLC	50611	fPM	Pennsylvania
Martin Lake	6146	Lignite & fPM	Texas
Oak Grove (TX)	6180	Lignite	Texas
San Miguel	6183	Lignite	Texas
Harrison	3944	fPM	West Virginia
Mt Storm	3954	fPM	West Virginia
Jim Bridger	8066	fPM	Wyoming
Laramie River Station	6204	fPM	Wyoming

EPA – April 25, 2024 MATS Presentation

Wrap up and other questions

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