

Air Quality Update

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TITLE V THRESHOLDS - WHAT ARE THEY, WHY DO THEY VARY WITH AREA?

Title V of the Federal Clean Air Act Amendments of 1990 required the USEPA to establish a national, Operating Permit Program for "Major Sources". Permitting in California is delegated by EPA to the local air districts through approval of each district's Title V permitting rules. However, unlike other local permits, Title V permits must also be reviewed by EPA prior to issuance. Title V permits are required only for facilities that are Major Sources for one of the criteria pollutants or Hazardous Air Pollutants (HAPs).

What is a "Major Source"?

A Major Source under Title V is a facility that has the potential to emit (PTE) any criteria pollutant or HAP at levels equal to or greater than the Major Source Thresholds (MST). The MST for criteria pollutants vary depending on the attainment and non-attainment status (e.g. marginal, serious, extreme) of the geographic area in which the facility is located.

How do the major source thresholds vary?

Areas of California are designated as attainment or nonattainment based on whether the ambient air quality in that area exceeds the National Ambient Air Quality Standards for each criteria pollutant (ozone, NO₂, SO₂, CO, PM₁₀, PM_{2.5}, etc.). Nonattainment is then further classified as Marginal, Moderate, Serious, Severe, or Extreme, each with associated MSTs. As an example, the MSTs for ozone are

shown in the table below. For HAPs, a Major Source is defined as a facility with a PTE greater than 10 tons of any single HAP or 25 tons of any combination of HAPs.

Major Source Thresholds for Ozone	
Non-Attainment Area Designation	Ozone Precursors: VOC or NOx
Marginal	100 tpy
Moderate	100 tpy
Serious	50 tpy
Severe	25 tpy
Extreme	10 tpy

What if a Facility Exceeds the Major Source Threshold?

If a facility exceeds the Major Source Threshold, the facility must apply for and obtain a Title V Operating Permit. (It is the responsibility of the facility's operator, not the regulatory agency, to determine Major Source status.) In the SCAQMD and San Joaquin Valley, there are rules which allow a facility to be a "non-Major Source" if their actual emissions do not exceed 50% of the MST.

What is Your Attainment Status?

Currently for Ozone, the South Coast Air Basin is Extreme Non-Attainment, whereas the Bay Area is Marginal. In the San Joaquin Valley, the EPA has just approved the SJVAPCD's request to become Extreme Non-Attainment, so the threshold has now been lowered and applications for Title V permits in the SJVAPCD will be due over the next year (probably staged Dec-Jun).

For more information, you can refer to:

<http://www.arb.ca.gov/fcaa/tv/tvinfo/tvwebpag.htm>

Air Quality Tip....

Did you know that your SCAQMD Boiler source tests are now required every 5 years for 5-10 MMBTU/HR and every 3 Years for 10-40 MMBTU/HR boilers instead of the old R1146 requirement of every year. The relief on the source test is due to the new portable analyzer requirements. The tricky part is your permit may still require the annual testing. To remedy this situation, you'll need to request the SCAQMD change your permit.

Upcoming Training Offered by UCI or Yorke Engineering:

- South Coast Air Quality Permitting and Compliance Seminar: October 12th & 13th, 2010
<http://www.yorkeengr.com/classes.htm>

Upcoming Due Dates:

- TRI EPA Form R 7/1
- Annual Storm Water Monitoring Report 7/1
- Rule 1110.2 Qtr. Rpt. 7/15
- RECLAIM Quarterly Reconciliation (Cycle 1) 7/30
- RECLAIM APEP (Cycle 2) 8/29
- Title V – SAM 8/31
- Title V - Certification (RECLAIM Cycle 2 only) 8/29
- Title V – Application for Permit Renewal due 180 days prior to permit expiration.

All due dates listed are the statutory dates; sometimes dates are extended when they fall on a day the agency is closed.

WHAT'S NEW AT THE SCAQMD?

“AMNESTY” SCAQMD RULE 310

On March 5th, 2010 the SCAQMD adopted Rule 310, *Amnesty for Unpermitted Equipment*, which allows “amnesty” for equipment operating without a permit from certain fees and penalties when a permit application is submitted. The amnesty period ends on August 4th.

What benefit does a facility receive by applying under Rule 310?

There are two benefits to applying for a permit under Rule 310. The first is the permit application fees are reduced by the elimination of the 50% penalty for existing equipment operating without a permit. The second is the district will not seek civil or criminal penalties for violations of the permitting rules 201 and 203a.

Exclusions

There are two main situations where you can not use this rule.

1. If you are responding to a Notice of Violation or the district “discovers” that you need to obtain a permit
2. Your facility is a Title V facility and the equipment is not Schedule A, A1, or B. (i.e. smaller devices qualify)

How do I file for a permit application under Rule 310?

To file a SCAQMD application under Rule 310 you'll need to prepare a permit application for the equipment operating without a permit. Once the application is prepared submit the application with the boxed checked for “equipment operating without a permit”, but write the check with the regular permit fees. It is best to

include a note in a cover letter as well that the application is being submitted under Rule 310. Remember you need to submit the permit applications by August 4th

SOUTH COAST AQMD RULE CHANGES ADOPTED

For full details on rule adoptions go to: <http://aqmd.gov/rules/recentrules.html>

- Rule 310: *Amnesty for Unpermitted Equipment*
- Rule 301: *Fee Rule*- The language below is an attempt to mitigate some or all of the effect of pending Rule 317 and was included in the Board approval.

“Any fees remitted to the District pursuant to Rule 317 – Clean Air Act Non-attainment Fees shall be held in escrow accounts unique to each source. Fees accrued in such escrow accounts may be used for either of the following at the discretion of the source’s owner or operator.

(1) Creditable up to the amount of fees due by the same source during the calendar year or subsequent calendar year(s) for annual emissions fees due pursuant to Rule 301(e)(2), (4), (6), (7) and (11) and annual operating permit renewal fees due pursuant to Rule 301(d)(1), (2) and (4). In no case shall the credit be greater than the fees paid”.

SOUTH COAST AQMD RULE CHANGES PROPOSED

For full details on proposed new or rule changes below go to: <http://www.aqmd.gov/rules/proposed.html>

- Rule 317: This proposed rule

would raise fees on major stationary sources that do not mitigate emissions of VOC’s or NOx below 80% of the source’s baseline emissions. The fees can be very large with the proposed language, however the SCAQMD has attempted to mitigate the effect with Rule 301 amendments passed by the board May 7th.

- Rule 1110.2: (IC engine rule) The change is to add an exemption for one public site on Santa Rosa Mountain.
- Rule 1127/1127.1: At this point this is requesting a survey of poultry and dairy activities for future rule development.
- Rule 1420.1: *Emission Standards for Lead from Large Lead-acid Battery Recycling Facilities* – This new rule is intended to assist in the compliance with the National Air Quality Standards for Lead. The rule requires enclosures on particulate generating operations, control systems, a compliance plan, concentration limits, ambient monitoring, source tests, recordkeeping, and reporting.
- Rule 1469: *Hexavalent Chromium Emissions from Chromium Electroplating and Chromic Acid Anodizing Operations*. The rule amendment includes more stringent emission standards on new and existing hexavalent chromium electroplating and anodizing operations. In addition the rule revises and adds a host of recordkeeping, monitoring, etc.

Yorke Engineering, LLC specializes in environmental and air quality consulting for stationary and mobile sources including dispersion modeling, health risk assessments, permitting, emission inventories, compliance systems, etc. Yorke Engineering has assisted 200 customers including a wide variety of industrial facilities and government organizations throughout California.