



AIR & WASTE MANAGEMENT
ASSOCIATION

MISSISSIPPI CHAPTER
SOUTHERN SECTION



Southern Section Annual Meeting & Technical Conference

Air Regulation Updates

Biloxi, MS ♦ September 22, 2016
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Overview



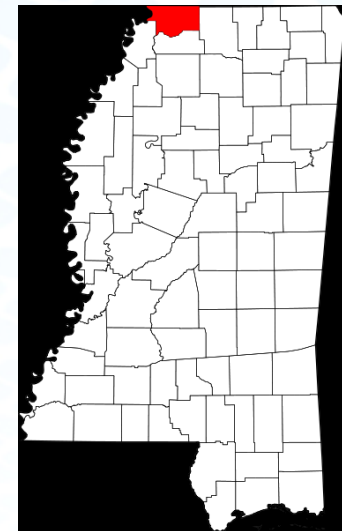
- **MDEQ Regulation Updates**
 - ❖ **Update to PSD regulations (April 2016)**
 - ❖ **Desoto County Redesignation (May 2016)**
 - ❖ **SIP Revision/Regulation Update (In Progress)**
 - ◆ **Startup, Shutdown, and Malfunction Revisions**
 - ◆ **Federal Regulation Adoption**
 - ◆ **Revoke CAIR**
 - ❖ **SO₂ Data Requirements Rule (In Progress)**
 - ❖ **Boiler MACT Vacature (Upcoming)**

Incorporation of changes to Federal PSD regulations

- **11 Miss Admin. Code, Pt. 2, Ch. 5 (PSD)**
 - ❖ Removed portions (Step 2) of the Greenhouse Gas Tailoring Rule vacated by US Court of Appeals on April 19, 2015, and removed from federal regulations on August 9, 2015
 - ❖ Incorporated grandfathering provisions for preconstruction permitting requirements associated with the revision to the PM_{2.5} NAAQS (2012) and Ozone NAAQS (2015)
- **Approved by the Commission on April 28, 2016**

Desoto County Redesignation

- **As of May 9, 2016, Desoto County was redesignated as being in attainment with Ozone NAAQS**
- **Construction projects in Desoto County are not subject to Non-Attainment New Source Review (NNSR)**
- **All pollutants are back to PSD regulations**



State Implementation Plan Revision

- **Startup, Shutdown and Malfunction(SSM)
Emissions Timeline**
 - ❖ **June 12, 2015** -EPA published SIP call to address state regulation inadequacy
 - ❖ **August 16 - September 16, 2016** - MDEQ public notice to revise state regulations (Included public hearing)
 - ❖ **November 22, 2016** - SIP Revisions are due to EPA

State Implementation Plan Revision

- **Comments were received from:**
 - ❖ EPA
 - ❖ Environmental Advocacy Groups
 - ❖ Public
- **MDEQ is extending the comment period until **October 6, 2016****
- **MDEQ is reviewing technical comments received and preparing a response.**

Federal Regulation Adoption

- **Amend 11 Miss. Admin Code Part 2, Chapter 1 to adopt 40 CFR Parts 60 (NSPS), 61 and 63 (NESHAP), and Part 65 (CAR) rules promulgated since September 8, 2014**
- **Previous amended date was November 20, 2014**

Clean Air Interstate Rule (CAIR) Deletion

- **Delete 11 Miss. Admin Code Part 2, Chapter 1, Rule 1.14**
- **CAIR rule has been revoked and is no longer in effect**

SO₂ Data Requirements Rule

- **Required Mississippi to identify sources that exceeded the actual annual emission threshold of 2,000 tons/yr SO₂ for 2014**
- **5 facilities were identified as subject to the DRR.**
- **1 additional facility was identified as being subject to the SO₂ Consent Decree process**

SO2 Data Requirements Rule

<u>County</u>	<u>Facility</u>	<u>Approach to Characterize Air Quality</u>
Lamar	South Mississippi Electric Power Association R.D. Morrow Plant	Area Designated Attainment See EPA letter attached Dated Feb 16, 2016
Harrison	Mississippi Power Company Plant Jack Watson	Federally Enforceable Emission Limit
Jackson	Mississippi Power Company Plant Victor Daniel	Air Quality Modeling
Harrison	The Chemours Company FC, LLC (Formerly DuPont-Delisle)	Federally Enforceable Emission Limit
Rankin	Pursue Energy Corporation Thomasville Gas Plant	Air Quality Modeling
Choctaw	Choctaw Generation LLP Red Hills Generation Facility	Air Quality Modeling

SO2 Data Requirements Rule

- **Letter from EPA establishing attainment has been issued for Lamar County (SMEPA- R.D. Morrow)**
- **Mississippi expects to have addressed all other sources through issuing a Federally Enforceable Emission Limit or completed Air Quality Modeling analysis by the EPA deadline of January 13, 2017**

Boiler MACT Vacature

- **On July 29, 2016, the US Court of Appeals for D.C. addressed petitions to:**
 - ❖ Major Source Boiler MACT (Subpart DDDDD)
 - ❖ Areas Source Boiler MACT (Subpart JJJJJ)
 - ❖ CISWI Rule
- **With this opinion, it vacated**
 - ❖ the MACT standards for all major boiler subcategories that would have been effected had the EPA considered all sources included in the subcategories

Boiler MACT Vacature

- **At this time, the court still has not sent mandate, pending possible requests for rehearing**
- **Until such time, the rule appears to remain in effect**
- **EPA has issued no guidance as to what this vacature means to sources still required to comply with the standard**

Boiler MACT Vacature



- **Complete Court Opinion:**

[https://www.cadc.uscourts.gov/internet/opinions.nsf/48664BC5C1B39E1485257FFF00555D49/\\$file/11-1108-1627694.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/48664BC5C1B39E1485257FFF00555D49/$file/11-1108-1627694.pdf)

Other Proposed Rules



- **Revisions to Public Notice provisions in Clean Air Act Permitting Programs to allow for e-notice (proposed 12/21/15)**
- **Revisions to the Petition Provisions of the Title V Permitting Program (proposed 8/15/16)**
- **Revisions to PSD and Title V Regulations for GHGs and Establishing a GHG Significant Emissions Rate (proposed 8/26/16)**

Questions?

