

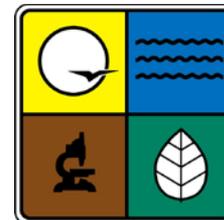
Overview and Role of MDNR in Clean Power Plan/ 111(d) process

Air Pollution Control Program

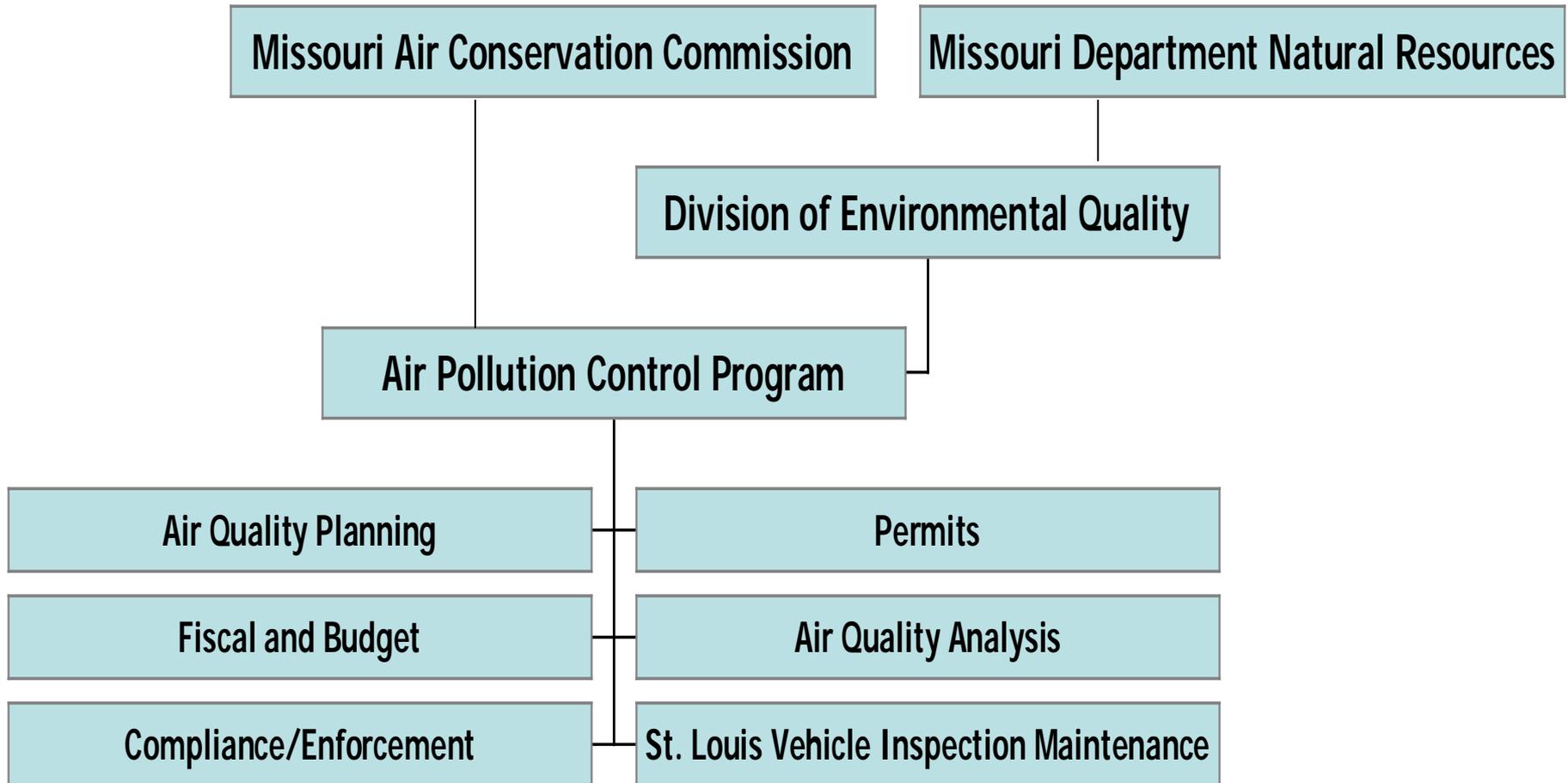
Kyra Moore

Wendy Vit

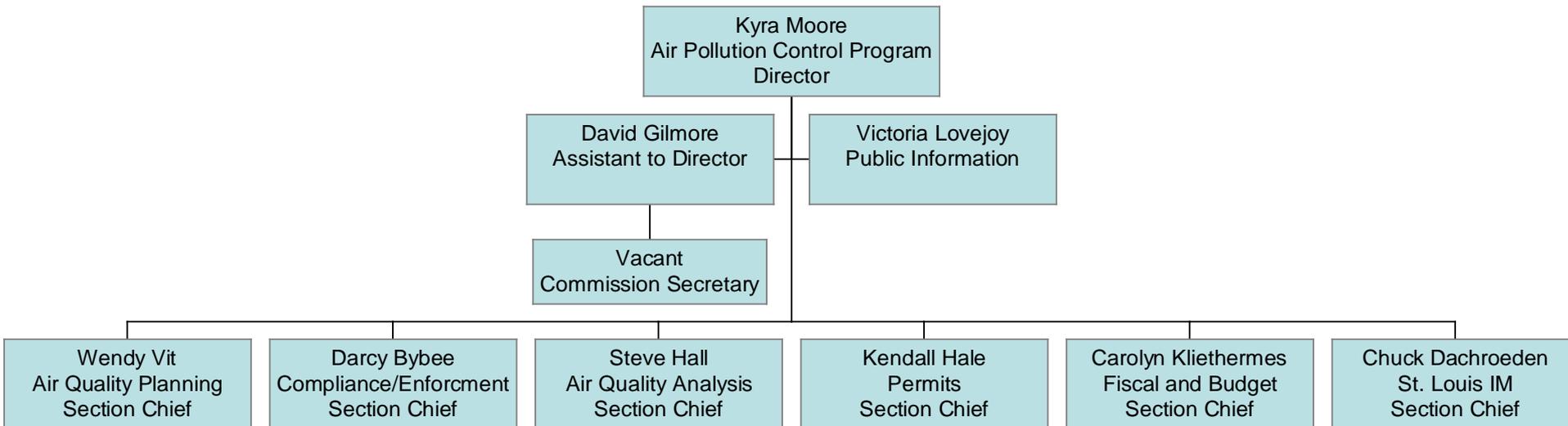
July 2014



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES



Air Pollution Control Program



July 2014

Clean Air Act Regulations

EPA has authority to issue regulations under several Clean Air Act sections:

- Section 110 – Criteria Pollutants
 - Ozone, Sulfur Dioxide, Nitrogen Dioxide etc.
- Section 112 – Hazardous Air Pollutants
- Section 111 – regulations for categories of sources – industry specific

Clean Air Act Section 111

- Lays out different approaches for new versus existing sources
- Categories of sources – industry specific versus pollutant specific
- Two parts of Section 111:
 - **New Sources – Section 111(b)**
 - *Existing Sources – Section 111(d)*

Section 111(b) – New Sources

- New Source Performance Standards - NSPS
- Most Section 111 Standards → 111(b)

Process of 111(b):

- EPA issues federal standards
- State adopts federal standards by reference
 - Enforcement authority
- State cannot change 111(b) regulation – no stricter than federal

Carbon Pollution Rule for New Power Plants – 111(b)

- September 20, 2013 – EPA issued a proposal
- Comment period ended May 9, 2014
- EPA is finalizing the rule

Section 111(d) – Existing Facilities

Process of 111(d)

- EPA issues guidelines for existing sources - turns over to states to develop plans and rule for sources in their state
- EPA approves plan
- Section 111(d) allows for more flexibility than other air quality rules
 - Flexibility untested

EPA's Schedule for Power Plant 111(d)

- June 2, 2014 - Issued proposed guidelines
 - Comment period open until October 16, 2014
- June 2015 - Finalize guidelines
- June 2016 - State plans due to EPA (with options for extensions)

State 111(d) Plan Components

- State rule is regulatory, enforceable component of plan
- Non-regulatory elements demonstrate plan meets EPA's guidelines & approvability criteria
 - Identification of affected entities
 - Demonstration that plan will achieve goals within timeline
 - Identification of milestones, corrective measures, reporting & record keeping requirements
 - Other elements and supporting material

MDNR's Schedule for Power Plant 111(d)

- Now to June 2015:
 - Review EPA's proposal
 - Research options and gather information
 - Talk with stakeholders
 - Comment if applicable on EPA's proposal

MDNR's Schedule for Power Plant 111(d)

- June 2015 – June 2016:
 - Finalize state rule/plan
 - 12 months to finalize and adopt rule/plan
 - Typically takes 18 months
 - EPA's proposal offers extension options

MDNR Schedule Continued...

To Submit a State Plan by June 2016:

- Now to Fall 2015 – Additional meetings with stakeholders as needed
- Fall 2015 - 60 day informal comment period for state rule
- Early 2016 – Public hearing/comment period for state plan/rule
- Spring 2016 – Commission vote on plan/rule

Note: Plan/rule schedule subject to change

Partners in State Plan Development

- We're working with MO Division of Energy and Public Service Commission throughout process
- We want your input too! Keep up with the latest developments by signing up for email notifications at:

<http://dnr.mo.gov/env/apcp/airadvisory/apcpstakeholder.htm>



Questions?

Kyra Moore

Director

Air Pollution Control Program

Phone: 573-751-7840

Email: kyra.moore@dnr.mo.gov

Wendy Vit

Air Quality Planning Section Chief

Air Pollution Control Program

Phone: 573-751-4817

Email: wendy.vit@dnr.mo.gov

Division of Environmental Quality Director: Leanne Tippett Mosby

Date: 7/14/14

Nothing in this document may be used to implement any enforcement action or levy any penalty unless promulgated by rule under chapter 536 or authorized by statute.