



**Missouri Department of Natural Resources
Air Pollution Control Program**

**AIR PROGRAM ADVISORY FORUM
Thursday, April 30, 2009
Meeting Notes**

Presentations:

Carbon Sequestration

Gary Pendergrass

Permit Coordination Rule

John Madras

Permit Coordination Rule: This rulemaking would codify the requirements related to SB 1181 of 2008, which allows the department to coordinate the review and issuance of all construction and operating permits at regulated activities where multiple permits are involved. This allows the applicant for multiple permits to examine the total environmental permitting requirements for the entire activity, and stage permits so that the most critical permit is secured before a large amount of time and effort is used on other minor permits. The permit provisions of SB 1181 begin on page 24, and the bill can be found at

http://www.senate.mo.gov/08info/BTS_Web/Bill.aspx?SessionType=R&BillID=144166.

These provisions are also in the Revised Statutes of Missouri, and can be found at section 640.017 at <http://www.moga.mo.gov/statutes/C600-699/6400000017.HTM>.

Updates/Discussion:

Emission Inventory Reporting

The EPA recently released a new emissions reporting rule that accelerates the deadline for submitting data to the National Emissions Inventory (NEI). Instead of 12 months after the June 1 Emission Inventory Questionnaire (EIQ) reporting due date, we will have 6 months to submit quality-assured data to the NEI. The changes go into effect starting with emissions reporting for calendar year 2009, which has an EIQ deadline of June 1, 2010. What this means is that after June 1, the Emissions Inventory Unit must complete manual data entry of all hard copy EIQs into MoEIS, quality assure the data, reformat the data to meet EPA's format specifications, and submit the data to EPA by December 2010.

The department is currently reviewing options to make the reporting process, for sources, and for the department as streamlined as possible. One industry representative suggested changing the filing deadline for paper filers to April 1st and leaving the deadline for filers utilizing MoEIS as June 1st. Other suggestions included asking industry to submit forms early, voluntarily, and still leave the payment deadline as June 1st. We have not made any decisions on how to handle this but are asking for input from stakeholders.

Rulemaking Updates

- SO2 RACT Rules -10 CSR 10-5.570 Control of Sulfur Emissions from Stationary Boilers and 10 CSR 10-6.260 Restriction of Emissions of Sulfur Compounds - These rulemakings will establish sulfur dioxide (SO2) requirements for industrial boilers and establish an SO2 emission limit for primary lead smelters in the St. Louis non-attainment area in compliance with the federal Clean Air Fine Particle Implementation Rule. These rules were adopted by the Missouri Air Conservation Commission on April 30, 2009.



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- 10 CSR 10-6.120 Restrictions of Emissions of Lead From Specific Lead Smelter Refinery Installations - This rulemaking will amend the rule to make it consistent with the 2007 revised Doe Run Buick Prevention of Significant Deterioration Permit. This rule was adopted by the Missouri Air Conservation Commission on April 30, 2009.
- 10 CSR 10-6.320 Sales Tax Exemption - This rule is being rescinded as a result of a statutory change that no longer requires the department to certify sales tax exemptions for the purchase or lease of certain items used to monitor air pollution. This rule rescission was adopted by the Missouri Air Conservation Commission on April 30, 2009.
- 10 CSR 10-6.045 Open Burning Requirements –This revision would allow open burning in a nonattainment area so long as the burning would not be detrimental to air quality standards. Another proposed change to the rule would allow open burning of certain trade waste when it is in the best interest of the general public or is the safest and most feasible method of disposal. Examples would be explosive trade waste that cannot be safely transported off site or trade waste that results from natural disasters such as floods and tornadoes. This rule was adopted by the Missouri Air Conservation Commission on April 30, 2009 and becomes effective August 30, 2009.
- Indirect Heating Rules, 10 CSR 10-2.040, 3.060, 4.040, 5.030 and 6.405 - As presented to the forum several months ago, the department proposed to consolidate the first four rules into one new rule, 6.405, in order to provide consistent rules throughout the state. The department received several comments from electric generating units (EGU's) who did not support the removal of the averaging option and requested that a workgroup be formed to further discuss the proposed rule. Since the rule consolidation was an administrative change, the department decided to not pursue this rulemaking at this time.
- 10 CSR 10-6.390 Control of NO_x Emissions from Large Stationary Internal Combustion Engines - This rule is being developed to establish NO_x emission rate limitations for diesel and dual fuel large stationary internal combustion engines in the NO_x SIP Call area (eastern 1/3) of the state. During the 60 day comment period of the draft rule text and regulatory impact report, the department received comments with concerns that this rule would apply to 28 smaller units located at municipal utilities, and that it would be cost prohibitive for these units to operate at the emission rate limits being established in the rule. As a result, the department has been pursuing with EPA the possibility of establishing a low emitter exemption in the rule. Those discussions have been going well and the department expects to be able to move forward with filing this rule in the near future.



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- 10 CSR 10-5.330 Control Of Emissions from Industrial Surface Coating Operations - On March 30, 2009 the department received a petition from the Boeing Company requesting that the department take action to amend this rule to incorporate changes in Reasonably Available Control Technology Requirements (RACT) identified by EPA and to add an explicit exclusion for aerospace manufacturing and development. The department is currently in the process of evaluating this request and the September 2008, Control Technique Guideline published by EPA to determine an appropriate action.
- Odor Rule - The 30 day comment period for the pre-draft odor rule text closed on April 23, 2009. The Commission is reviewing the comments received and is expected to provide guidance to the department at their May meeting on what actions to take with the rule.

No Permit Required Letters

The department is reviewing and revising its guidance document on permit determination letters, at the urging of EPA. A revised guidance document and procedure will be presented at a future forum meeting.

Permitting Biomass as Fuel

The department is working on a guidance document to assist industries that wish to burn biomass as a fuel. We will present this at a future forum meeting.

Mark Your Calendars

- 2009 Midwest Energy & Climate Policy Conference at the Garden - Missouri Botanical Garden, on June 1st and 2nd.
<http://www.armstrongteasdale.com/Events/MidwestEnergy-ClimateConference.gif>
- 3rd Annual REGFORM Air Seminar, in coordination with MDNR, is scheduled for November 5, 2009. Location to be announced.

Future Meetings

*Thursday June 25, 2009 1:00 to 3:00 in Roaring River/Bennett Springs Conference Room

Thursday September 17, 2009 – 10:00 to noon Bennett Springs Conference Room

*December 3, 2009 1:00 to 3:00 in Roaring River/Bennett Springs Conference Room

* Meeting same day and location as Missouri Air Conservation Commission Meeting