

**COMMENTS AND RESPONSES ON
PROPOSED AMENDMENT**

10 CSR 10-5.500

CONTROL OF EMISSIONS FROM VOLATILE ORGANIC LIQUID STORAGE

AND

RECOMMENDATION FOR ADOPTION

On January 30, 2020 and February 3, 2020, the Missouri Air Conservation Commission held a public hearing concerning the proposed amendment to 10 CSR 10-5.500 Control of Emissions From Volatile Organic Liquid Storage. The following is a summary of comments received and the Missouri Department of Natural Resources' Air Pollution Control Program corresponding responses. Any changes to the proposed amendment are identified in the responses to the comments.

The Missouri Department of Natural Resources' Air Pollution Control Program recommends the commission adopt the rule action as revised.

NOTE 1 - Legend for rule actions to be voted on is as follows:

- * *Shaded Text - Rule sections or subsections unchanged from Public Hearing. This text is only for reference.*
- * *Unshaded Text - Rule sections or subsections that are changed from the proposed text presented at the Public Hearing, as a result of comments received during the public comment period.*

NOTE 2 - All unshaded text below this line will be printed in the Missouri Register.

**Title 10—DEPARTMENT OF
NATURAL RESOURCES**

Division 10—Air Conservation Commission

**Chapter 5—Air Quality Standards and Air Pollution Control Rules Specific to the
St. Louis Metropolitan Area**

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2016, the commission amends a rule as follows:

10 CSR 10-5.500 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 15, 2019 (44 MoReg 2817-2820). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program (APCP) received one (1) comment on this rulemaking from department staff.

COMMENT #1: Department staff commented that the statement --in the St. Louis 1997 eight (8)-hour ozone nonattainment area-- should be added to the rule purpose statement similar to what was done on rule 10 CSR 10-5.442.

RESPONSE AND EXPLANATION OF CHANGE: As a result of this comment, the rule purpose has been updated to add this statement.

10 CSR 10-5.500 Control of Emissions From Volatile Organic Liquid Storage

PURPOSE: This rule limits the volatile organic compound (VOC) emissions from installations with volatile organic liquid storage vessels in the St. Louis 1997 eight (8)-hour ozone nonattainment area by incorporating reasonably available control technology (RACT) as required by the Clean Air Act Amendments (CAAA) of 1990.

COMMENTS AND RESPONSES ON

PROPOSED AMENDMENT

10 CSR 10-6.241

**ASBESTOS PROJECTS—REGISTRATION, ABATEMENT, NOTIFICATION,
INSPECTION, DEMOLITION, AND PERFORMANCE REQUIREMENTS**

AND

RECOMMENDATION FOR ADOPTION

On January 30, 2020 and February 3, 2020, the Missouri Air Conservation Commission held a public hearing concerning the proposed amendment to 10 CSR 10-6.241 Asbestos Projects—Registration, Abatement, Notification, Inspection, Demolition, and Performance Requirements. The following is a summary of comments received and the Missouri Department of Natural Resources' Air Pollution Control Program corresponding responses. Any changes to the proposed amendment are identified in the responses to the comments.

The Missouri Department of Natural Resources' Air Pollution Control Program recommends the commission adopt the rule action as proposed.

NOTE 1 - Legend for rule actions to be voted on is as follows:

- * *Shaded Text - Rule sections or subsections unchanged from Public Hearing. This text is only for reference.*
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**Title 10—DEPARTMENT OF
NATURAL RESOURCES**

Division 10—Air Conservation Commission

**Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air
Pollution Control Regulations for the Entire State of Missouri**

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2016, the commission amends a rule as follows:

10 CSR 10-6.241 Asbestos Projects—Registration, Abatement, Notification, Inspection, Demolition, and Performance Requirements **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 15, 2019 (44 MoReg 2820-2821). No changes were made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program did not receive any comments on the proposed amendment.

**COMMENTS AND RESPONSES ON
PROPOSED AMENDMENT
10 CSR 10-5.540
CONTROL OF EMISSIONS FROM BATCH PROCESS OPERATIONS
AND
RECOMMENDATION FOR ADOPTION**

On January 30, 2020 and February 3, 2020, the Missouri Air Conservation Commission held a public hearing concerning the proposed amendment to 10 CSR 10-5.540 Control of Emissions From Batch Process Operations. The following is a summary of comments received and the Missouri Department of Natural Resources' Air Pollution Control Program corresponding responses. Any changes to the proposed amendment are identified in the responses to the comments.

The Missouri Department of Natural Resources' Air Pollution Control Program recommends the commission adopt the rule action as proposed.

NOTE 1 - Legend for rule actions to be voted on is as follows:

- * *Shaded Text - Rule sections or subsections unchanged from Public Hearing. This text is only for reference.*
- * *Unshaded Text - Rule sections or subsections that are changed from the proposed text presented at the Public Hearing, as a result of comments received during the public comment period.*

NOTE 2 - All unshaded text below this line will be printed in the Missouri Register.

**Title 10—DEPARTMENT OF
NATURAL RESOURCES**

Division 10—Air Conservation Commission

**Chapter 5—Air Quality Standards and Air Pollution Control Rules Specific to the
St. Louis Metropolitan Area**

ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2016, the commission amends a rule as follows:

10 CSR 10-5.540 Control of Emissions From Batch Process Operations **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 16, 2019 (44 MoReg 3201-3201). No changes were made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received no comments on the proposed rule.

RECOMMENDATION FOR ADOPTION

Air Quality Control Region Priority Reclassification Request – Multipollutant

On December 3, 2019, the Missouri Air Conservation Commission held a public hearing for the action titled – Air Quality Control Region Priority Reclassification Request - Multipollutant. A summary of comments received and the air program’s corresponding responses is included on the following page(s). Revisions were made to the proposed action as a result of comments received.

The revised action has not been reprinted in the briefing document due to its volume. However, the Executive Summary is included for reference. The entire revised action is available for review at the Missouri Department of Natural Resources’ Air Pollution Control Program, 1659 East Elm Street, Jefferson City, Missouri, 65101, (573)751-4817. It is also available online at <http://dnr.mo.gov/env/apcp/stateplanrevisions.htm>.

The air program recommends the commission adopt the action as revised. If the commission adopts this action, the department intends to submit it to the U.S. Environmental Protection Agency for approval.

EXECUTIVE SUMMARY

The Missouri Department of Natural Resources' Air Pollution Control Program (air program) is requesting the U.S. Environmental Protection Agency (EPA) to reclassify several Missouri Air Quality Control Regions (AQCRs) to new priority levels per emergency episode planning requirements for carbon monoxide (CO), particulate matter (PM), and sulfur dioxide (SO₂). All requests are based on the three most recent years (2016-2018) of Missouri certified ambient air quality monitoring data. Review of Missouri's 2016-2018 ambient monitoring data indicates the current priority classifications for both nitrogen dioxide (NO₂) and ozone should remain as codified in 40 CFR 52.1321.

For CO, the air program requests reclassification from priority I to priority III for both the Metropolitan Kansas City Interstate AQCR and the Metropolitan St. Louis Interstate AQCR.

For PM, the air program requests reclassification from priority II to priority III for the Northern Missouri Intrastate AQCR and from priority I to priority III for the Metropolitan Kansas City Interstate AQCR. Also for PM, this action requests reclassification from priority I to priority II for both the Southwest Missouri Intrastate AQCR and the Metropolitan St. Louis Interstate AQCR.

For SO₂, the air program requests reclassification from priority I to priority III for the Metropolitan St. Louis Interstate AQCR. Also for SO₂, the air program requests reclassification from priority III to priority IA classification for the Southeast Missouri Intrastate AQCR based on a single point source in New Madrid County, Missouri. Monitoring data indicates that if not for a single point source in New Madrid County, the entire Southeast Missouri Intrastate AQCR would remain classified as priority III.

Further, the air program requests exemptions for emergency episode contingency plans in portions of AQCRs classified as priority I, IA or II and that are also designated attainment or unclassifiable/attainment for PM. Pending EPA approval of Missouri's requests for episode plan priority reclassifications detailed herein, the emergency contingency plan exemption requests apply only to the following: Southwest Missouri Intrastate AQCR and the Metropolitan St. Louis Interstate AQCR (both for PM).

The air program is submitting these requests to EPA for AQCR priority level reclassifications, as well as emergency contingency plan exemption requests, pursuant to *40 CFR 51 subpart H, Prevention of Air Pollution Emergency Episodes*.

COMMENTS AND RESPONSES ON
Air Quality Control Region
Priority Reclassification Request – Multipollutant

The public comment period for the Air Quality Control Region Priority Reclassification Request - Multipollutant opened on November 1, 2019 and closed on December 10, 2019. Revisions to the proposed action were made as a result of comments.

The following is a summary of comments received and the Missouri Department of Natural Resources' Air Pollution Control Program's (air program's) corresponding responses. Any changes to the proposed action are included in the response to comments.

SUMMARY OF COMMENTS: During the public comment period for the proposed action, the air program received four comments from U.S. Environmental Protection Agency (EPA).

COMMENT #1: EPA commented that it could not find reference in the proposed SIP revision to where the ambient air quality data used to support the request came from. The EPA discovered that the data was not provided to the public for its inspection and comment. The air program should inform the public where it obtained the air quality data and provide any calculations it may have completed in order to determine compliance with priority level thresholds.

RESPONSE AND EXPLANATION OF CHANGE: In response to this comment, the air program revised the appropriate data tables of the action to clarify data is obtained from EPA's Air Quality System (AQS) AMP440 Maximum Values Reports. As standard practice, the department makes data and calculations available upon request from the public or local/government agencies. In addition, AQS ambient monitor data and multiple summary reports are available on EPA's website at <https://www.epa.gov/outdoor-air-quality-data>.

COMMENT #2: EPA commented that the air program used 1-hour fine particulate matter (PM_{2.5}) and coarse particulate matter (PM₁₀) data to calculate annual geometric means to determine compliance with the priority level thresholds for particulate matter. Since 24-hour block data is used for comparison to the NAAQS, EPA requested the air program to re-calculate the annual geometric means using 24-hour block data.

RESPONSE AND EXPLANATION OF CHANGE: In response to this comment, the air program recalculated the annual geometric means for particulate matter using PM_{2.5} and PM₁₀ 24-hour block data, and updated Tables 5 and 7 of the revised action accordingly.

COMMENT #3: EPA commented that page 9 of the document says that "the only SO₂ monitors located in the Southeast Missouri Intrastate AQCR that exceed the priority level II thresholds are those located in the vicinity of this facility." The EPA believes that this should read as "priority level I and II thresholds" instead of "priority level II thresholds". The SO₂ priority level I threshold, as a 24-hr maximum, is 0.17 ppm (or 170 ppb). The SO₂ priority level II threshold, as a 24-hr maximum is 0.10 – 0.17 ppm (or 110-117 ppb). The monitoring site named M7M #2 in Table 10 indicates that the 2018 24-hour maximum was 0.26 ppm (or 255.7 ppb), exceeding both the priority II and priority I thresholds.

RESPONSE AND EXPLANATION OF CHANGE: In response to this comment, the air program revised the sentence on page 9 to read “However, the air program notes that the only SO₂ monitor located in the Southeast Missouri Intrastate AQCR that exceeds the priority level I and II thresholds is located in the vicinity of this facility.”

COMMENT #4: EPA commented that the proposed action requests EPA to exempt all of the Southeast Missouri AQCR, except New Madrid County, from needing an emergency episode contingency plan for SO₂. EPA states that although they will address the attainment status of New Madrid County during its final round of designations for the NAAQS in December 2020, at this time EPA cannot guarantee the extent of a potential nonattainment area boundary or act on a request to exempt any portion of the AQCR from meeting the requirements of 40 CFR Part 51, subpart H. In their comment, EPA refers to this action as a SIP revision and states that such a request may delay EPA action and add to EPA’s SIP-backlog. They indicate the air program should not include a request for an SO₂ contingency plan exemption for the Southeast Missouri AQCR until after the EPA has finalized its designation process for the undesignated areas in the region.

RESPONSE AND EXPLANATION OF CHANGE: The air program does not intend to submit this action as a SIP revision. The air program believes this action to be similar to a boundary recommendation, which although it is submitted to EPA for approval, it is not a SIP revision or state plan. However, in response to this comment, to address EPA’s concerns, the air program removed all references in the revised action for a request for a sulfur dioxide contingency plan exemption, including all portions of the Southeast Missouri Intrastate AQCR, even those that have already been designated by EPA as unclassifiable/attainment for the 2010 1-hour SO₂ standard.