MISSOURI
DEPARTMENT OF
NATURAL RESOURCES
Air Pollution Control Program

RULE AND SIP AGENDA

February 2, 2016
Jefferson City

ACTIONS FOR PUBLIC HEARING

None Scheduled

ACTIONS TO BE VOTED ON:

None Scheduled

March 31, 2016
Jefferson City

ACTIONS FOR PUBLIC HEARING

None Scheduled

ACTIONS TO BE VOTED ON:

None Scheduled

MISSOURI AIR CONSERVATION COMMISSION RULES IN PROGRESS SCHEDULE

Rule Action	Draft Rule Out for Other Dept Review	Public Notice (Accepting Comments on Draft Rule)	File with Secretary of State*	Published in Missouri Register	Public Hearing	Public Comment Period Closes	Commission Vote on Rule Action	Last Day** to File with Secretary of State*	Rule Effective
Rule Amendment 10 CSR 10-6.110 Reporting Emission Data, Emission Fees, and Process Information (Increases emission fees)	08-28-14	N/A	09-02-14	09-15-14	10-30-14	11-06-14	11-20-14	12-22-14	03-30-15
Rule Amendment 10 CSR 10-6.070 New Source Performance Regulations (40 CFR 60 updates through 12/13)	10-13-14	N/A	~~12-15-14~~	~~01-15-15~~	~~03-26-15~~	~~04-02-15~~	~~04-30-15~~	~~06-01-15~~	~~08-30-15~~
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MISSOURI AIR CONSERVATION COMMISSION RULES IN PROGRESS SCHEDULE

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Rule Amendment 10 CSR 10-6.241 Asbestos Projects—Registration, Notification and Performance Requirements (Updates asbestos fee structure)	06-10-15	N/A	07-14-15	08-17-15	09-24-15	10-01-15	10-29-15	11-30-15	02-29-16
Rule Amendment 10 CSR 10-6.250 Asbestos Projects—Certification, Accreditation and Business Exemption Requirements (Updates asbestos fee structure)	06-10-15	N/A	07-14-15	08-17-15	09-24-15	10-01-15	10-29-15	11-30-15	02-29-16
Rule Amendment 10 CSR 10-6.060 Construction Permits Required (Updates construction permit fee structure)	07-23-15	N/A	08-17-15	09-15-15	10-29-15	11-05-15	11-17-15	01-04-16	03-30-16
Rule Amendment 10 CSR 10-6.065 Operating Permits (Updates operating permit fee structure)	07-23-15	N/A	08-17-15	09-15-15	10-29-15	11-05-15	11-17-15	01-04-16	03-30-16
Rule Amendment 10 CSR 10-6.390 Control of NO_x Emissions From Large Stationary Internal Combustion Engines (Adds exemption and clarification)	11-10-15	11-19-15	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Rule Amendment 10 CSR 10-6.020 Definitions and Common Reference Tables (Annual update and changes "basic state installation" definition)	11-10-15	N/A	TBD	TBD	TBD	TBD	TBD	TBD	TBD
Rule Amendment 10 CSR 10-6.040 Reference Methods (Updates incorporation by reference Federal promulgation dates and includes EPA recently approved monitoring methods)	11-10-15	N/A	TBD	TBD	TBD	TBD	TBD	TBD	TBD

Shaded blocks indicate actual completion dates. * Copy provided to Joint Committee on Administrative Rules ** Last day to meet rule effective date shown.

1/8/2016

State Air Quality Plans Status Report
January 8, 2016

POLLUTANT Pollutant Standard Planning Stage	Deadline for Submitting to EPA *	Date Submitted to EPA *	EPA's Completion Finding *	EPA's Approval Finding *	FIP/Sanction Clock Date **		Comments
					Start	Stop	
LEAD 2008 Std. Infrastructure SIP aka Section 110(a) Plan	10/15/11	12/13/11		11/22/10			Infrastructure SIP is due three years after the release of a standard. Draft guidance released by EPA on 6/17/11. EPA accepted comments until 7/20/11. Public hearing held at 10/27/11 MACC meeting. MACC adopted plan 12/8/11. Submitted to EPA 12/13/11.
LEAD 2008 Std. Doe Run - Buick/Viburnum Trend Attainment Plan	6/30/12	4/18/13 (signed CJ) 9/25/2013 (final modified CJ)		8/28/15 80 FR 52190			Attainment demonstration SIP public hearing held on 2/5/13. Plan adopted 3/28/13. On 4/18/13, submitted attainment SIP to EPA with signed Consent Judgment. Final court-lodged CJ will be submitted separately. Minor revision to CJ to remove requirement to build a new stack and reroute exhaust to main stack without changing emission limit. Public hearing held on 6/27/13 and adopted 7/24/13. A final court-lodged copy of the revised CJ was submitted to EPA on 9/25/13.
LEAD 2008 Std. Doe Run - Herculaneum Attainment Plan	6/30/12	4/18/13 (signed CJ) 7/10/2013 (final CJ)		Final Approval Effective 11/19/14			Attainment demonstration SIP public hearing held on 2/5/13. Plan adopted 3/28/13. On 4/18/13, submitted attainment SIP to EPA with signed Consent Judgment. Final court-lodged CJ submitted on July 10, 2013.
LEAD 2008 Std. Exide Canon Hollow Consent Agreement Submittal		10/15/14					Adding consent agreement into SIP to incorporate Exide's control strategies for maintenance of lead standard. Public hearing on 8/28/14. Adoption on 9/25/14.
NITROGEN DIOXIDE (NO_2) 2010 Std. Infrastructure SIP aka Section 110(a) Plan	1/22/13	4/26/13					Infrastructure SIP is due three years after the release of a standard. Public hearing held on 3/28/13. Plan adopted on 4/25/13 and submitted to EPA on 4/26/13.
OZONE 2015 8-hour Std. Statewide Area Boundary Designations							On11/25/14 EPA proposed to lower the primary and secondary NAAQS for ozone to a range of 65-70 ppb. (FR 75234). EPA finalized the primary and secondary NAAQS on Oct. 1, 2015 and set the level at 70 ppb. Ozone season starts one month earlier beginning Jan. 1, 2017 (March to October).
OZONE 2008 8-hour Std. Infrastructure SIP aka Section 110(a) Plan	3/12/11	7/1/13			1/15/13 8/12/15		Infrastructure SIP is due three years after the release of a standard. On 1/4/13 the program received a letter from EPA Region VII that EPA would publish a finding of failure to submit in the *Federal Register* for the states like Missouri, that have not submitted their infrastructure SIPs. Finding of failure to submit published in Federal Register on 1/15/13, which starts 2-year clock for state to submit plan and EPA approval. Finding of failure to submit does not apply to "good neighbor" or interstate transport provision at Section 110(a)(2)(D)(i)(I) of Clean Air Act. Public hearing for proposed plan on 5/30/13. Plan adopted 6/27/13. Finding of failure to submit published in Federal Register on 7/13/2015, for "good Neighbor" SIPS. Starts 2-year clock for state to submit plan and EPA approval.
OZONE 2008 8-hour Std. St. Louis Area Attainment Plan	7/20/14	9/4/14					EPA proposed an Ozone Implementation Rule for the 2008 ozone NAAQS on June 6, 2013. This rule would outline requirements for the Stl Louis nonattainment area. Ozone Implementation Rule comment period closed on September 4, 2013. Public hearing on May 29, 2014. Adoption scheduled for August 28, 2014. EPA is proposing to grant a 1-year attainment extension (80 FR 51992)

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OZONE 2008 8-hour Std. Early Progress Plan		8/16/13					Plan provides the basis for establishing new transportation conformity budgets by citing controls that result in emission decreases. Public hearing held on 2/5/13, and plan adopted 3/28/13. Submitted to EPA on 8/16/13. On Oct. 31, 2013, the Air Program received a letter from EPA that confirmed the adequacy of the VOC and NOx mobile source emissions budgets. Notice of adequacy determination published in FR March 5, 2014.
PM 2.5 2012 Annual Standard Infrastructure SIP aka Section 110(a) Plan	12/14/15	10/14/15					Infrastructure SIP is due three years after release of standard. Proposed plan scheduled for public hearing on 8/27/15 Adoption proposed for 9/24/15
PM 2.5 2006 24-hour Std. Infrastructure SIP aka Section 110(a) Plan		12/18/09		EPA disapproved interstate transport element 7/20/2011 EPA approved all elements except interstate transport 6/21/13			Public hearing on CAA Section 110 Plan revision 7/29/09. MACC adopted CAA Section 110 Plan 8/27/09. By disapproving the interstate transport portion of this plan, EPA included Missouri in the Cross State Air Pollution Rule as the Federal Implementation Plan (FIP) to address Missouri impact on downwind states. On 6/21/13 EPA published final approval of all elements of infrastructure SIP except interstate transport provision (110(a)(2)(D)(i)(I))
PM 2.5 1997 Annual Std. St. Louis Area Attainment Plan		10/9/09 Plan withdrew 8/26/11	11/10/09				On 1/5/05, EPA published area designations/classifications for Fine Particle NAAQS (St. Louis as Unclassifiable/Attainment). MACC adopted RACT rules 4/30/09. Rules included: an amendment to 10 CSR 10-6.260 to establish an emission limit for a lead smelter and a new rule, 10 CSR 10-5.570, that limits large industrial boilers to 1.0 pounds of SO2 emissions per million British thermal units (mmBtu) of heat input. Public hearing for PM2.5 plan 8/27/09. MACC adopted Plan 9/24/09. On 8/26/11 Missouri withdrew attainment plan and reasonable further progress plan from EPA's consideration due to suspension of these requirements per EPA clean data policy. See item on 1997 annual PM2.5 std. St. Louis area maintenance plan for further updates.
PM 2.5 1997 Annual Std. St. Louis Area Maintenance Plan		8/26/11 Revision 3/28/14		Clean Data Finding based on 2007-09 data 5/23/2011			On 3/17/10, DNR submitted letter to EPA advising St. Louis 2007-09 monitoring data shows attainment. Public hearing of proposed maintenance plan 4/28/11. MACC adopted plan on 8/25/11. Maintenance Plan and Redesignation Request submitted to EPA on 8/26/11. On 6/26/12, EPA issued Determination of Attainment for the St. Louis Area meaning the area monitored attainment by the attainment date of April 2010. Developing a technical supplement/revision to the plan. The revision makes corrections to the emissions inventories, includes emissions inventories and a discussion on controls for the Illinois portion of the nonattainment area, and revises the future year to 2025. This revision also establishes motor vehicle emissions budgets to be used in regional transportation conformity determinations for the base year (2008) and the future year (2025) of the plan. Public Hearing scheduled for Jan. 30, 2014. Adoption scheduled for March 27, 2014.
PM 2.5 1997 Annual Std. Infrastructure SIP aka Section 110(a) Plan		2/22/07	Complete 3/30/07	5/8/07 - EPA approved interstate transport portion of the plan effective 7/9/07 EPA approved all other elements on 6/21/13			On 9/27/04, DNR submitted latest CAA Section 110 Plan commitment letter to EPA. Public hearing on CAA Section 110 Plan 12/7/06. MACC adopted CAA Section Plan 2/1/07. On 6/21/13 EPA published final approval of remaining non-transport elements.

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SULFUR DIOXIDE (SO2) 2010 Standard Statewide Area Boundary Designations Initial Round	6/2/11	7/22/11 4/26/13 (Revised Recommendation)					On 6/2/10 EPA tightened the SO2 standard. The new standard is a one hour standard measured at 75 parts per billion (ppb). EPA revoked the previous 24 hour and annual standards. Developing nonattainment recommendation based on monitored violations (2007-09 data) in Greene, Jackson, Jefferson Counties. Public hearing of proposed boundary recommendations 4/28/11. MACC adopted proposed SO2 boundary recommendations on 6/30/11. SO2 boundary recommendations submitted to EPA on 7/22/11. On 8/3/12 EPA published notice that they would use the additional year afforded by the CAA to finalize designations (by June 2013). Based on monitoring data from 2010-2012, Greene County monitors in compliance. On 2/6/13, EPA sent 120-day letter agreeing with recommended nonattainment area boundaries for Kansas City and Herculaneum areas and stating intent to not designate Springfield area nonattainment. Public hearing on a revised nonattainment recommendation removing Springfield, Greene Co area was held 3/28/13 with adoption on 4/25/13. Revised recommendation submitted to EPA on 4/26/13. On 2/7/13, EPA released draft strategy paper outlining next steps for undesignated parts of the state. Additional monitoring and/or modeling of large SO2 sources could be required with further round(s) of designations in 2017/2020 timeframe. Details will be provided via technical guidance and rulemaking in 2013/2014. On 5/21/13, EPA issued draft technical assistance documents for use of monitoring and modeling in future rounds of SO2 designations. On August 5, 2013, EPA published in the FR initial nonattainment area boundary designations. These designations were based on existing monitoring data from 2009-2011 that indicated violations of the standard.
SULFUR DIOXIDE (SO2) 2010 Standard Statewide Area Boundary Designations Future Rounds							The final Data Requirements Rule (DRR) was published in the Federal Register Aug. 21, 2015 (80 FR 51052). The DRR outlines the requirements for two rounds of designations for large SO2 emitting sources: 2017 designations and 2020 designations.
SULFUR DIOXIDE (SO2) 2010 Standard Statewide Area Boundary Designations Federal Consent Decree	9/18/15	9/25/2015					On June 2, 2014, the EPA released a proposed settlement agreement with plaintiffs, Sierra Club and NRDC, that is intended to resolve pending litigation over the deadline for EPA to complete initial area designations for the 1-hour SO2 Standard. This agreement obligates EPA to conduct earlier rounds of designations for coal-fired power plants over a certain emission threshold in 2012. The agreement was finalized March 2, 2015. EPA must promulgate designations under this agreement by July 2, 2016. There are 4 areas of the state affected by the earlier rounds of designation. proposed boundary recomendations scheduled for public hearing 8/27/15, adoption proposed 9/24/15.
SULFUR DIOXIDE (SO2) 2010 Std. Infrastructure SIP aka Section 110(a) Plan	6/2/13	7/1/13					Infrastructure SIP is due three years after release of standard. SO2 rule stated infrastructure SIP will address areas that model noncompliance. Draft guidance was released for comment on 9/22/11. Comments will be accepted until 11/2/11. On 4/12/12 EPA announced modeling will no longer be required for infrastructure SIPs. Proposed plan scheduled for public hearing on 5/30/13. Plan adopted 6/27/13.
SULFUR DIOXIDE (SO2) 2010 Std. Jefferson and Jackson (partial) Counties Attainment Plan	4/6/15	Jefferson NAA Plan 5/29/2015 Jackson NAA Plan 10/9/2015					Initial review of nonattainment area modeling has begun. On 4/24/14, EPA released final guidance on the implementation of the 2010 1-hour NAAQS for SO2 in areas designated as nonattainment for the standard. Jefferson County SIP public hearing April 30, 2015. Adopted May 28, 2015. Jackson County SIP public hearing June 25, 2015. Adopted Aug. 3, 2015

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REGIONAL HAZE 2008 Regional Haze Plan		3/7/08 (for conditional approval) 8/5/09 (Final)	Complete 9/13/08	On 12/30/11 EPA proposed limited disapproval due to the remand of CAIR and proposed that CSAPR would replace CAIR in SIPs On 2/28/12 EPA proposed limited approval of the rest of the plan.			Final federal regional haze rule published 7/1/99. On 8/23/07, the draft Regional Haze Plan was provided to the Federal Land Managers (FLM) and EPA for review. Plan revised based on FLM and EPA comments and sent out on public notice 11/2/07. Public hearing on plan 12/6/07. MACC adopted 2/7/08. Conditional approval dependent on evaluation of emission controls for Holcim Cement. On 6/23/08, draft BART finding with emission limitations sent to Holcim. BART technical agreement reached in February 2009 and signed 4/6/09. Public hearing on Plan 6/25/09. MACC adopted Plan 7/29/09. EPA proposed limited approval of plan on 2/28/12 (all of plan except CAIR = BART) On 6/7/12 EPA published the final rule of CSAPR = Better than BART rule for EGUs under the Regional Haze plan in the *Federal Register*. EPA also disapproved the portion of Missouri's Regional Haze SIP that relied on CAIR = BART. On 6/26/12 EPA published their approval of the remainder of the Regional Haze SIP This approval, along with the "Better than BART rule means Missouri has met all requirements for the first phase of Regional Haze.
REGIONAL HAZE 5-Year Progress Plan	8/5/14	8/29/14		Proposed Approval (80 FR 58410)			In April 2013, EPA released general principles for states to follow in developing 5-year progress plans. On 2/14/2014, the draft progress plan was provided to the Federal Land Managers (FLM) and EPA for review. Public Hearing 5/29/14. Adoption 8/28/14.
REGIONAL TRANSPORT Cross State Air Pollution Rule or CSAPR		3/30/2015					On 8/2/10, EPA proposed the Transport rule to reduce the interstate transport of fine particulate matter and ozone in response to the court's remand of CAIR. Missouri is not included in the ozone season portion of the NOx allocations. Proposed rule does include Missouri for NOx and SOx annual limits, to address downwind transport for PM 2.5 Final rule released 7/7/11. Renamed "Cross-State Air Pollution Rule" Missouri submitted letter to EPA on 10/17/11 indicating that the state would submit a reallocation of emission credits for 2013 by the 4/1/12 deadline. Public hearing on reallocations for SO2, Annual NOx and Ozone Season NOx for 2013 at 12/8/11 MACC meeting On 12/16/11 EPA finalized the supplement that includes Missouri in the ozone season On 12/23/11 EPA proposed that CSAPR = "Better than BART" for EGUs under Regional Haze CSAPR was to go into effect on 1/1/12. On 12/28/11, the Court of Appeals for the D.C. Circuit issued a stay for CSAPR. CAIR was put back in place. The MACC adoptions for CASPR reallocations for 2013 were put on hold. On 2/6/12, EPA issued a stay for the supplement based on the Court's stay of CSAPR On 2/21/12, EPA released a direct final rule that adjusted budgets based on technical comments received from affected sources. This increased MO's budgets. EPA received adverse comments on the direct final rule, so they will go through with the full rulemaking process via the proposed rule they also issued on 2/21/12 On 8/21/12 the D.C. Court of Appeals vacated CSAPR. CAIR remains in place. EPA initiating discussions with states on next steps. On 6/24/13 U.S. Supreme Court granted petition to review D.C. Circuit Court's CSAPR decision. On 4/29/14, the US Supreme Court reversed the DC Circuit Court's opinion to vacate CSAPR. The court's decision said the agency reasonably interpreted the CAA in adopting CSAPR. EPA is reviewing the Supreme Court's opinion. At this time, CAIR remains in place. On 6/26/14, the EPA filed a motion in the U.S. Court of Appeals for the District of Columbia asking the court for an order 1) lifting the stay of the Transport Rule (i.e., the Cross-State Air Pollution Rule) imposed by the D.C. Circuit on December

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REGIONAL TRANSPORT Cross State Air Pollution Rule or CSAPR (cont.)	4/1/15 (2016) 12/1/15 (2017 and beyond)	1/5/00		EPA approved 2016 control period SIP (80 FR 51131)			30, 2011 and 2) delaying for three years all compliance deadlines that had not passed as of the date of the stay. On 10/23/14, the DC Circuit Court lifted the stay on CSAPR. EPA taking action to clarify new compliance schedule consistent with its motion, but will not include any substantive changes to the Transport Rule. On 11/21/14, EPA issued a ministerial rule to align the CSAPR rule text with the court ordered schedule. Phase I implementation begins 1/1/15; Phase II 1/2017. Missouri has developed abbreviated SIPs for the reallocation of NO_x Annual and NO_x Ozone Season allowances. Public hearing 1/29/15. Adoption is scheduled for 3/26/15. Rulemaking for the reallocation of allowances for control periods 2017 and beyond is being developed: (10 CSR 10-6.372, 10 CSR 10-6.374, and 10 CSR 10-6.376). Public hearing on Aug. 3, 2015 and adoption scheduled for Aug. 27, 2015.
111(d)/129 STATE PLAN Sewage Sludge Incinerators (SSI)		4/30/2013 (original) 9/18/2013 (corrected)		Final approval effective 11/16/2015 80 FR 55548			Public hearing on SSI plan and rulemaking (10 CSR 10-6.191) on 12/6/12. Adoption on SSI plan and rulemaking held on 2/5/13. Submitted corrections to plan. The corrections did not affect the associated rule (10 CSR 10-6.191).
Commercial and Industrial Solid Waste Incinerators (CISWI)	2/7/14	2/28/14		Final approval effective 11/17/2015 80 FR 56390			CISWI plan and rulemaking (10 CSR 10-6.161) scheduled for public hearing on 9/26/13 and adoption on 10/31/13. Adoption re-scheduled to Nov. 21, 2013
Carbon Pollution Standards for Existing Power Plants	9/6/18						Final standards released Aug. 3, 2015 Effective Dec. 22, 2015 (80 FR 64661)
PM 10 CONSENT AGREEMENT SUBMITTAL Americold Logistics, LLC		5/29/2014					Adding consent agreement into SIP to incorporate Americold's control strategies for maintenance of PM10 standard. Public hearing scheduled for January 30, 2014. Adoption scheduled for March 27, 2014.
CO 1971 8-hour Std. St. Louis Area Maintenance Plan		4/3/14		Proposed Rule 80 FR 59704 Direct Final Rule 80 FR 59611 10/2/2015			Missouri is developing a 2nd maintenance plan for the St. Louis area as required by the CAA to demonstrate continued compliance of the NAAQS. Missouri is using the Limited Maintenance Plan option for nonclassifiable CO areas based on the most recent design values for the area. Public hearing scheduled for January 30, 2014. Adoption scheduled for March 27, 2014.

Note: Shaded and bold face type areas indicate changes and/or additions from previous report.

* Failure to meet any of these dates or Plan requirements, starts the 18 month sanction clock.
If requirement is not met within 18 months, the 2:1 emissions offset ratio sanction is imposed.
If requirement is still not met within 24 months, the sanction that withholds highway funds is imposed.

** Sanction clock starts with: 1) EPA letter to Governor for failure to submit or finding of incompleteness; or 2) EPA Federal Register final notice of Plan disapproval or nonimplementation.
Sanction clock stops with EPA letter to department director of finding of completeness.