

Air Pollution Control Program

February 2016



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Missouri Air Conservation Commission

Missouri Department Natural Resources

Division of Environmental Quality

Air Pollution Control Program



Missouri Air Conservation Commission

Duties include:

- Adopt, amend, and rescind rules
- Make decisions on enforcement order/permit condition appeals
- Recommend regions as attainment (when air quality in an area meets all standards) or non-attainment areas (if air monitors detect too much of a pollutant) based on the National Ambient (outdoor) Air Quality Standards.
- Approve plans for meeting federal regulations

Regulatory Structure

- Missouri Air Conservation Law – Statutes:
<http://www.moga.mo.gov/mostatutes/ChaptersIndex/chaptIndex643.html>
- Federal Clean Air Act: <http://www.epa.gov/clean-air-act-overview>
- Missouri Code of State Regulations – Air Conservation Commission:
<http://www.sos.mo.gov/adrules/csr/current/10csr/10csr.asp#10-10>

Background - Clean Air Act in Missouri

- The Missouri Department of Natural Resources' (DNR) Air Pollution Control Program is delegated by the EPA to carry out Clean Air Act requirements
- Missouri DNR implements federal regulations through a State Plan submitted to and approved by EPA
 - State Plan contains many pieces
- If Missouri submits plans that EPA cannot approve, EPA can take over delegation of any or all of Missouri's program or implement federal plans in the state
- Implementation of federal regulation differs based on section of the Clean Air Act

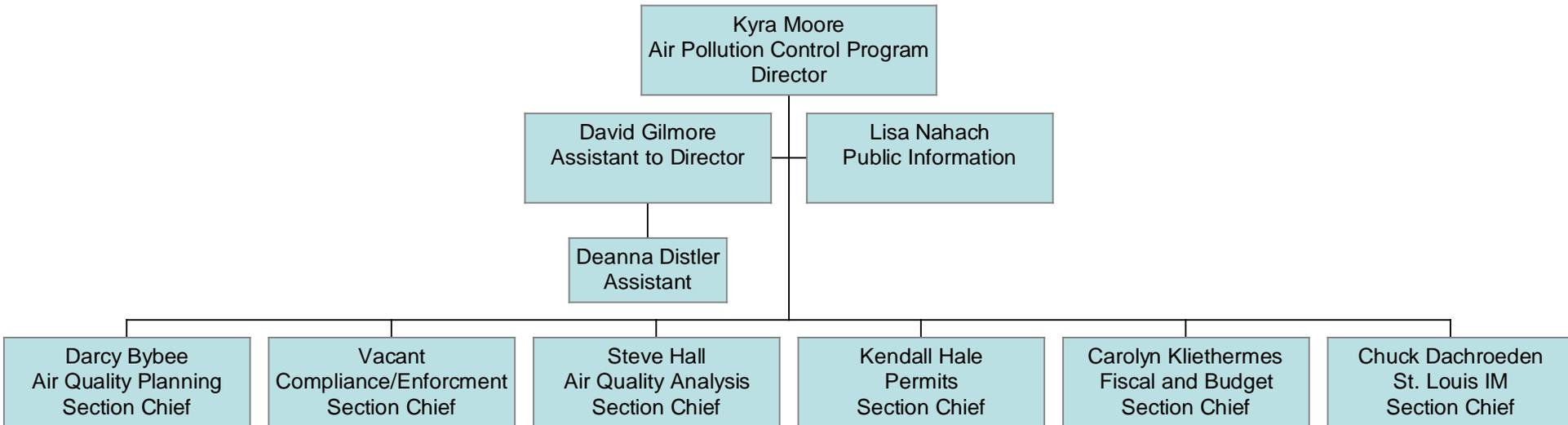
Background - Clean Air Act Regulations

EPA's authority to issue regulations under Clean Air Act:

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



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Air Quality Planning Section

Darcy Bybee, Section Chief

- Rulemakings
- State Implementation Plan (SIP) development
- National Ambient Air Quality Standard (NAAQS) boundary recommendations
- Computer modeling to support SIPs

Compliance/Enforcement Section

Section Chief, vacant

- Resolves enforcement actions from Regional Offices/Local Agencies; Refers cases to Attorney General, if necessary
- Conducts oversight of Vapor Recovery/IM, and stack tests
- Issues Asbestos Certifications, Contractor Registrations and Training Provider Accreditations, and tracks notifications
- Provides General Compliance Assistance
- Works with Regional Offices/Local Agencies to investigate citizen concerns and conduct routine inspections
 - asbestos, vapor recovery, open burning, dust, odors and general compliance

Air Quality Analysis Section

Steve Hall, Section Chief

- Obtains, tracks and analyzes air emission inventory questionnaire (EIQ) data
- Develops point emission inventory
- Coordinates statewide air monitoring network
- Develop Maximum Achievable Control Technology (MACT) databases
- Small business compliance assistance



Permits Section

Kendall Hale, Section Chief

- Issues permits for all applicable sources of air pollution
 - Construction and Operating Permits
- Processes permit applicability requests
- Performs air quality analysis for proposed sources
- Oversees permitting for local air agencies

Fiscal and Budget

Carolyn Kliethermes, Section Chief

- Prepares budget, manages cash flow and time accounting, accounts payable & receivables
- Administers federal grant projects
- Coordinates state and federal workplans
- Maintains record retention and responds to Open Records Requests
- Reviews legislation and fiscal note requests

St. Louis Inspection and Maintenance

Chuck Dachroeden, Section Chief

- Oversees vehicle inspection and maintenance program
- Performs covert and overt audits of emissions testing facilities
- Provides technical assistance and customer education

Air Pollution Control Work

- Air Pollution Control Program
- Environmental Services Program
 - Air Monitoring
- **DNR Regional Offices** - St. Louis, Kansas City, Northeast (Macon), Southeast (Poplar Bluff), Southwest (Springfield)
 - Inspections, complaint investigations, open burning permits
- **Local Air Agencies** -St. Louis County, St. Louis City, Kansas City, Springfield
 - Work dependent on agency

Air Program Statistics - 2016

Staff positions performing Air Work

- Air Pollution Control Program – 108 (some part-time)
- Environmental Services Program ~20
- Regional Offices ~29
- Local Agencies ~9 (no funding from state)

Total ~ 154 (does not include locals)



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Updates

Budget and Fees

- Fees
 - Emission
 - Permit
 - Asbestos
 - Gateway Vehicle Inspection
- Federal Funding
- No General Revenue

<http://dnr.mo.gov/env/apcp/airadvisory/index.html>

Clean Power Plan

- August 3, 2015 - EPA finalized carbon pollution standard for existing Power Plants – 111(d)
- First public hearing in front of commission – summer 2016
- <http://dnr.mo.gov/env/apcp/cpp/index.html>

Other Updates

- Vacancies
- Legislation

Air Program on the web

Air Program's web page:

<http://www.dnr.mo.gov/env/apcp/index.html>

Public notices – rules, permits, state plans:

<http://dnr.mo.gov/env/apcp/public-notice.htm>

Air Program Advisory Forum :

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



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Air Quality Planning Report

Darcy Bybee

Rule/SIP Updates

- Rule and SIP Agenda—Briefing Document, page 87
- Rules in Progress Schedule—Briefing Document, pages 89-90
- State Air Quality Plans Status Report—Briefing Document, pages 91-95

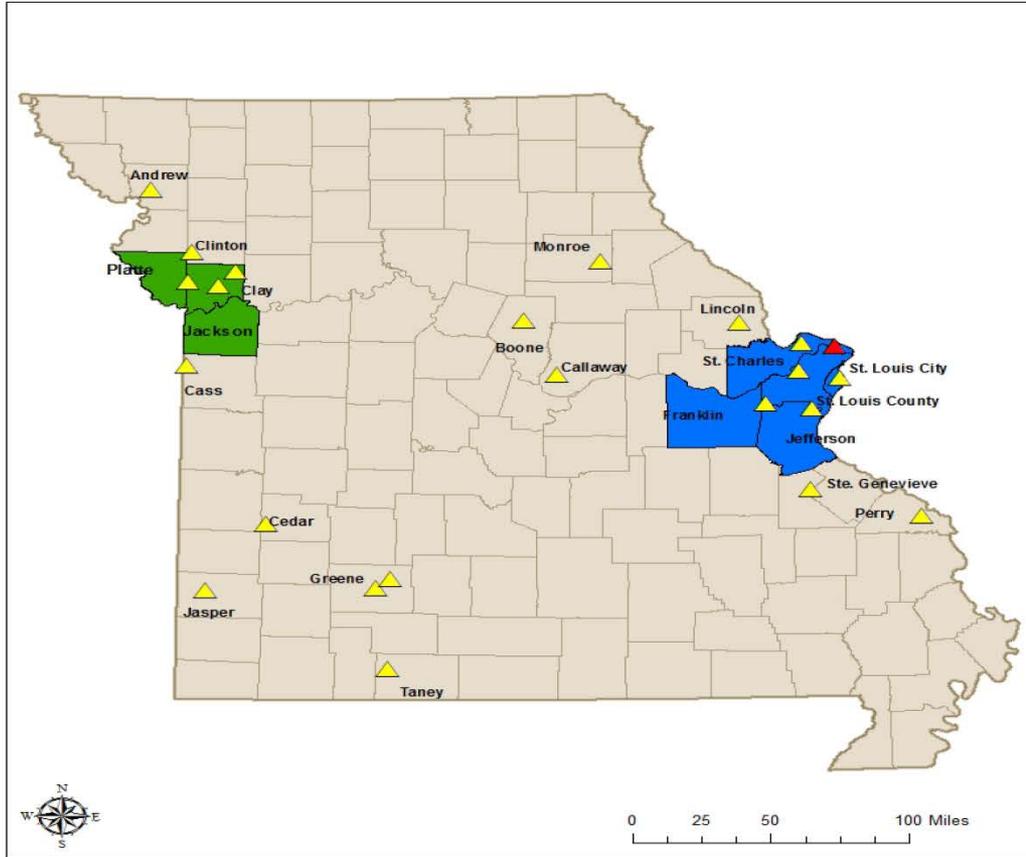
Updates:

- Cross State Air Pollution Rule (CSAPR)
- Ozone
- Sulfur Dioxide (SO₂)



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Legend

- Monitor with Predicted 13-15 DV > 70 ppb
- Monitors with Predicted 13-15 DV ≤ 70 ppb
- St. Louis Ozone Nonattainment Area (2008)
- Kansas City Ozone Maintenance Area



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Permit Report

Kendall Hale

Air Permitting

Two types of air permits:

- New Source Review/Construction Permit
 - Permit required prior to commencing construction
 - Allows construction and operation
 - Based on project emissions
- Operating Permit/Title V (Clean Air Act)
 - Required after commencing operation
 - Based on entire installation emissions

Construction/New Source Review Permits

- Required for construction of a new air pollution source, or modification of existing source
 - Depending on potential emissions (PTE) of project, permit may not be required
 - Type of construction permit dependent upon PTE of project
- Timeframes – 90 days or 184 days
- Do not expire – must begin construction within 18 months or 24 months (dependent on permit type)

Types of Air Construction Permits

- Prevention of Significant Deterioration (PSD)
 - Major review – requires air quality analysis (modeling), control technology review and public notice
- Minor – requires air quality analysis
- De Minimis – Lowest emission thresholds, can take limit to these levels to avoid PSD review
- Other – portable, temporary

Air Operating Permits

- Required after commencing operations
 - Type of operating permit depends on PTE of entire installation, may not need an operating permit
- Expires 5 years from Issuance Date – permit shield
- Places all federal and state air regulations applicable to an installation in one document – tool for inspectors, facility and citizens
- Establishes provisions for testing, monitoring, recordkeeping and reporting to demonstrate compliance
- Entire installation

Types of Air Operating Permits

- Part 70 – Installations with potential emissions greater than 100 tons of any criteria pollutant or greater than 10/25 of Hazardous Air Pollutants – GHGs – public notice and EPA review required
- Intermediate – Part 70 sources that take voluntary limit to less than Part 70 threshold – public notice required
- Basic – Installations with potential emissions less than Intermediate thresholds – no public notice
- Other – Part 70 required by certain MACT/NSPS



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Compliance/Enforcement Report

Richard Swartz

Compliance/Enforcement Report

- 133 concerns received October 16 through December 31, 2015; 113 investigations completed
- 52 enforcement actions in negotiation process
- 17 finalized agreements October 16 through December 31, 2015 – total penalties \$58,500 (\$34,000 suspended)
- 13 active referrals
- 163,113 vehicles emissions tested; 458 audits conducted
- 100% of gasoline dispensing facilities completed decommissioning

Division of Environmental Quality Director: Leanne Tippett Mosby

Date: February 2, 2016

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.