

# Air Quality Planning

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Jefferson City, Mo.

# Updates for Air Quality Planning

- Upcoming red tape reductions
- Reports printed in the briefing document
  - Rule and State Implementation Plan (SIP) Agenda
  - Rules in Progress Schedule
  - State Plans Report
- Notices in Federal Register and federal legal proceedings

# Department's Process to Reduce Red Tape

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[dnr.mo.gov/redtapereduction/](http://dnr.mo.gov/redtapereduction/)  
[nomoredtape.com/](http://nomoredtape.com/)

# Reducing Red Tape in the Air Program

- Moving forward with first nine rescissions
  - Public hearing today (March 29)
- Planning 11 additional rescissions
  - Expect to file late March or early April
  - Anticipate public hearing May 31
- Working on amendments
  - Update requirements of rules
  - Update incorporations by reference
  - Eliminate unnecessary regulatory requirements
  - Update definitions as needed

# Rule and SIP Agenda

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Pages 105-107

# Rule and SIP Agenda

Briefing document, page 105

Mar. 29, 2018, in Jefferson City

Public Hearing:

- Nine proposed rescissions to rules

Actions to be voted on:

None scheduled.

# Rule and SIP Agenda

Briefing document, pages 106-107

Apr. 26, 2018, in Kansas City, Mo.

Public hearing:

- None scheduled

Actions to be voted on:

- Nine proposed rescissions to rules



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# Rules in Progress Schedule

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Pages 109-111

# Schedule for Rules in Progress

Briefing Document, pages 109-110

- Page 109, Row 3-5,  
Page 110, Rows 1-4, 7-8

- 10 CSR 10-3.160
- 10 CSR 10-5.120
- 10 CSR 10-5.130
- 10 CSR 10-6.100
- 10 CSR 10-6.350
- 10 CSR 10-6.360
- 10 CSR 10-5.450
- 10 CSR 10-2.310
- 10 CSR 10-2.360

# Schedule for Rules in Progress

Briefing Document, pages 110-111

- Page 110, Rows 9-16  
Page 111, Rows 1-3

- 10 CSR 10-2.215
- 10 CSR 10-2.390
- 10 CSR 10-5.360
- 10 CSR 10-5.370
- 10 CSR 10-5.410
- 10 CSR 10-5.440
- 10 CSR 10-5.455
- 10 CSR 10-5.520
- 10 CSR 10-6.362
- 10 CSR 10-6.364
- 10 CSR 10-6.366

# Schedule for Rules in Progress

Briefing Document, page 111

– Page 111, Rows 4-8

- 10 CSR 10-1.010
- 10 CSR 10-6.180
- 10 CSR 10-2.340
- 10 CSR 10-5.570
- 10 CSR 10-6.200

# State Plans Report

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Focus on ozone

Pages 113-117

# Ozone

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# Ozone

\* Monitoring data:

[dnr.mo.gov/env/apcp/docs/ozonemonitordata.pdf](http://dnr.mo.gov/env/apcp/docs/ozonemonitordata.pdf)

\* 2008 standard: pending redesignation

- 2016 plan: page 114, row 2
- 2017 technical correction: page 114, row 3

\* 2015 standard: initial designations

- 2016 recommendations: page 114, row 4
- 2017 revision: page 115, row 1

# The “120-day letter” Process

- EPA’s “120-day letter” dated Dec. 20, 2017
  - EPA’s intended nonattainment designations: City of St. Louis, and Franklin, Jefferson, St. Louis and St. Charles counties
  - EPA focused on 2014-2016 data from air monitors
    - Three state monitors recorded violations of standard: two in St. Charles County; one in St. Louis County
- Air Program sent response to EPA (Feb. 28, 2018)
  - Our nonattainment recommendation: City of St. Louis, and St. Louis and St. Charles counties
  - We focused on 2015-2017 air monitoring data
    - One monitor in St. Charles recorded violation of standard

# Timeline Regarding 2015 Ozone Standard

November 2017

- First round designations: attainment/unclassifiable

Dec. 20, 2017

- 120-day letters
- Intended nonattainment areas

Jan. 5-Feb. 5, 2018

- Public comment period

Feb. 28, 2018

- Due date for state's response to EPA's 120-day letter

April 30, 2018

- Final ozone designations from EPA
- Effective date within 30-60 days



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# Federal Register Notices

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# Notice #1: Clean Power Plan

Feb. 1, 2018: EPA announced three listening sessions on the repeal of the Clean Power Plan

- Feb. 21, 2018; Kansas City, Mo.
- Feb. 28, 2018; San Francisco, Calif.
- March 27, 2018; Gillette, Wyo.

EPA is also reopening the public comment period for the repeal until April 26, 2018.

<https://www.gpo.gov/fdsys/pkg/FR-2018-02-01/pdf/2018-01321.pdf>

# Notice #2: HMIWI incinerator rule

Feb. 6, 2018: EPA proposed to approve Missouri's state plan for existing Hospital, Medical, Infectious Waste Incinerators (HMIWI) operating in Missouri. The public comment period ended Mar. 8, 2018.

<https://www.gpo.gov/fdsys/pkg/FR-2018-02-06/pdf/2018-02339.pdf>

# Notice #3: Guidance Memo

Feb. 8, 2018: EPA announced the issuance of the guidance memorandum titled “Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act.” The EPA is also withdrawing the memorandum titled “Potential to Emit for MACT Standards—Guidance on Timing Issues.”

<https://www.gpo.gov/fdsys/pkg/FR-2018-02-08/pdf/2018-02331.pdf>

# Notice #4: 2015 Ozone NAAQS

Mar. 9, 2018: EPA established thresholds for nonattainment classifications and set attainment dates under the 2015 standard.

<https://www.gpo.gov/fdsys/pkg/FR-2018-03-09/pdf/2018-04810.pdf>

# Notice #5: Infrastructure SIPs

Mar. 22, 2018: EPA took final action to approve the infrastructure SIPs for the 2008 ozone, 2010 NO<sub>2</sub>, 2010 SO<sub>2</sub>, and 2012 PM<sub>2.5</sub> NAAQS.

<https://www.gpo.gov/fdsys/pkg/FR-2018-03-22/pdf/2018-05630.pdf>

# Notice of Intent to Sue EPA

Mar. 12, 2018: Three groups announced their intent to file suit for EPA's failure to act on nonattainment SIPs for the 2010 SO<sub>2</sub> NAAQS. Missouri's Jefferson County and Jackson County NAA SIPs are named in the notice.

[https://www.epa.gov/sites/production/files/2018-03/documents/cbd\\_so2\\_noi\\_0312\\_2018.pdf](https://www.epa.gov/sites/production/files/2018-03/documents/cbd_so2_noi_0312_2018.pdf)

# Withdrawals

Air program intends to withdraw:

- Jefferson County NAA SIP from EPA consideration
  - EPA issued Clean Data Determination for Jefferson County NAA
  - Based on EPA policy, NAA SIP is no longer necessary
  - Air program submitted redesignation request and maintenance plan for the area in late 2017
- 10 CSR 10-6.261
  - Currently amending the rule
  - Will re-submit as a part of RTR

# Contact Information

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Air Pollution Control Program

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Find us on the web at [dnr.mo.gov/env/apcp](http://dnr.mo.gov/env/apcp)