

Air Quality Rules Readoption Stakeholder Meeting June 24, 2019 Department of Environmental Quality



Objectives for Today's Meeting

- Background
- General Rule Readoption Process (as needed)
 - Rule Groupings
 - Readoption Schedule (Tentative)
- Summary of Proposed Changes for H74 Group 6 Rules
- Audience Feedback on Needed Changes
- Q&A
- Update on H75 Groups 1-5 Rules



Background

- N.C.G.S. 150B-21.3A requires agencies to review and update rules every 10 years. Session Law 2013-413 (H74) authorized the change in the general statute.
- Following finalization of a report which classified that majority of air quality rules as necessary with substantive interest, the Rules Review Commission set a readoption date for the air quality rules at its May 19, 2016 meeting.
- All 320 existing air quality rules are to be readopted by **December 31, 2020.**



General Process

- Provide opportunity for Stakeholder dialogue/feedback on proposed changes to existing rules
- Present rule concept to Air Quality Committee (AQC)
- Present draft rules and regulatory impact analysis to AQC
- Request Environmental Management Commission (EMC) to authorize public comment period and hearing on draft rules
- Request EMC to approve hearing record and readopt rules
- Present final rules to Rules Review Commission (RRC) for approval and inclusion in the NC Administrative Code



Rule Groups & Anticipated General Timing			
	Tentative Rule Rea	adoption Schedule (Sub	ject to Change)
Group	Rules*	Stakeholder Meeting	Target EMC Adoption
1	02D .0100, .0200, .0300, .0400, .1300, .2000, .2200, .	December 2, 2016	January 2018 Effective: 1/1/2018 02D .2203, 2/1/2018
2	02Q .0100, .0200, .0300, .0400, .0500, .0800, .0900	March 6, 2017	March/April 2018 Effective:4/1/2018
3	02D .1100, .1200, . <mark>1700**,</mark> 02Q .0700	June 5, 2017	Summer 2018 Effective: 7/1/2018 02D .1204, 3/1/2018
4	02D .0540, .1800, .1900	February 13, 2018	Summer 2019 End Stakeholder Comments: 2/28/2018
5	02D .0600, .2100, 2300 [#] , .2600	June 28, 2018	Fall 2019
6	02D .0500, .0900, .1000**, .1400	Summer 2019	Summer 2020 02D .1000 Effective 7/1/2018

Group 5. Department of Environmental Quality

2018.

* Some rules may shift groups as process progresses.

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H74 Group 6 Rules

- Municipal Solid Waste Landfills
 - 15A NCAC 02D .1700
- Ambient Air Quality Standards
 - 15A NCAC 02D .0403, Total Suspended Particulates
- Emission Control Standards
 - 15A NCAC 02D .0500
- Volatile Organic Compounds
 - 15A NCAC 02D .0900
- Nitrogen Oxides
 - 15A NCAC 02D .1400
- 06/24/2019 Stakeholder Meeting
- 07/15/2019 Stakeholder Comments Due
- 11/13/2019 Draft Rules to Air Quality Committee (AQC)
- 01/09/2020 Request to Proceed to Hearing to Environmental Management Commission (EMC)



H74 Group 6 Rules Preliminary Updates Municipal Solid Waste Landfills - 15A NCAC 02D .1700

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .1701 Definitions	N/A	N/A
15A NCAC 02D .1702 Applicability	N/A	Adjustment of date for existing landfills to be subject to the Emissions Guidelines to July 17, 2014; update of citation to existing regulations for new landfills to XXX.
15A NCAC 02D .1703 Emission Standards	N/A	Administrative and technical changes. Control option in federal regulation WWW of treatment system that process collected gas for subsequent sale or use previously left out of state regulation added.
15A NCAC 02D .1704 Test Methods and Procedures	N/A	N/A
15A NCAC 02D .1705 Operational Standards	N/A	Updates to format of rule references.
15A NCAC 02D .1706 Compliance Provisions	N/A	Updates to format of rule references.

H74 Group 6 Rules Preliminary Updates Municipal Solid Waste Landfills - 15A NCAC 02D .1700

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .1707 Monitoring Provisions	N/A	Updates to format of rule references.
15A NCAC 02D .1708 Reporting Requirements	N/A	Updates to format of rule references; correction of citation to federal rule in (a)(1).
15A NCAC 02D .1709 Recordkeeping Requirements	N/A	Updates to format of rule references; correction of citation to federal rule in (b) and (c).
15A NCAC 02D .1710 Compliance Schedules	N/A	Updates to format of rule references;

H74 Group 6 Rules Preliminary Updates Municipal Solid Waste Landfills – 15A NCAC 02D .1700

Questions/Comments/Discussion?

H74 Group 6 Rules Preliminary Updates Ambient Air Quality Standards - 15A NCAC 02D.0403

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0403 Total Suspended Particulates	NA	Update rule reference format. (Format of references will be updated throughout rules.)

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0501 Compliance With Emission Control Standards	NA	Administrative and technical changes Update of format of rule references. Minor wording changes. Elimination of unnecessary language.
15A NCAC 02D .0502 Purpose	NA	Administrative change.
15A NCAC 02D .0503 Particulates From Fuel Burning Indirect Heat Exchangers	NA	Administrative and technical changes. Update format of rule references.
15A NCAC 02D .0504 Particulates From Wood Burning Indirect Heat Exchangers	NA	Administrative changes. Update format of rule references and minor wording.
15A NCAC 02D .0506 Particulates From Hot Mix Asphalt Plants	NA	Administrative and technical changes. Update format of rule references. Removes passed compliance date.

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0507 Particulates From Chemical Fertilizer Manufacturing Plants	NA	N/A
15A NCAC 02D .0508 Particulates From Pulp And Paper Mills	NA	N/A
15A NCAC 02D .0509 Particulates From Mica Or Feldspar Processing Plants	NA	Administrative changes. Updates rule references format.
15A NCAC 02D .0510 Particulates From Sand, Gravel, Or Crushed Stone Operations	NA	Administrative and technical changes. Suggestion to add definition of "wet suppression." Updates rule references format.
15A NCAC 02D .0511 Particulates From Lightweight Aggregate Processes	NA	Administrative changes. Updates rule references format.

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0512 Particulates From Wood Products Finishing Plants	NA	N/A
15A NCAC 02D .0513 Particulates From Portland Cement Plants	NA	Administrative changes. Updates rule references format.
15A NCAC 02D .0514 Particulates From Ferrous Jobbing Foundries	NA	Administrative changes. Updates rule references format.
15A NCAC 02D .0515 Particulates From Miscellaneous Industrial Processes	NA	N/A
15A NCAC 02D .0516 Sulfur Dioxide Emissions From Combustion Sources	NA	Administrative changes. Updates rule references format. Minor rewording.
15A NCAC 02D .0517 Emissions From Plants Producing Sulfuric Acid	NA	Administrative changes. Language clarification.

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0519 Control Of Nitrogen Dioxide And Nitrogen Oxides Emissions	NA	Administrative changes. Correction of "sulfuric" to "nitric" in (a). Format of equation. Format of references to rules.
15A NCAC 02D .0521 Control Of Visible Emissions	NA	Administrative changes. Format of rule references. Minor wording changes.
15A NCAC 02D .0524 New Source Performance Standards	NA	Administrative and technical changes. Format of rule references and punctuation.
15A NCAC 02D .0527 Emissions From Spodumene Ore Roasting	NA	Administrative and technical changes. Punctuation and misspelling correction.
15A NCAC 02D .0528 Total Reduced Sulfur From Kraft Pulp Mills	NA	Administrative and technical changes. Updates format of rule references.
15A NCAC 02D .0529 Fluoride Emissions From Primary Aluminum Reduction Plants	NA	Administrative and technical changes. Language simplification. Update format of rule references

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0530 Prevention Of Significant Deterioration	Revision to .0530(u) language to align more closely with federal language and allow use of minor permitting methods for sources < 50% of significant emissions increase. Requires recordkeeping for < 50% and recordkeeping and reporting for >= 50% of significant emissions increase. Clarifying language added regrading condensable particulate matter.	Administrative changes.
15A NCAC 02D .0531 Sources In Nonattainment Areas	NA	Administrative and technical changes. Includes clarifying language regarding condensable particulate matter.
15A NCAC 02D .0532 Sources Contributing To An Ambient Violation	NA	Administrative and technical changes. Updates format of language and rule references. Eliminates language referencing previously repealed rules.
15A NCAC 02D .0533 Stack Height	NA	Administrative and technical changes. Updates to references to federal methods. Removal of obsolete language for consistency with other readopted rules.
15A NCAC 02D .0534 Fluoride Emissions From Phosphate Fertilizer Industry	NA	Administrative and technical changes. Spelling correction and changes "Regulation" to "Rule".

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0535 Excess Emissions Reporting And Malfunctions	NA	N/A
15A NCAC 02D .0536 Particulate Emissions From Electric Utility Boilers	Considering range of options from removal of AAO and update of PM emission rate to repeal of the rule.	Administrative changes. Update format of rule references. Remove units no longer in operation.
15A NCAC 02D .0537 Control Of Mercury Emissions	NA	Administrative changes. Update format of rule references. Minor wording.
15A NCAC 02D .0538 Control Of Ethylene Oxide Emissions	NA	Administrative and technical changes. Update wording, general format and format of rule references.
15A NCAC 02D .0539 Odor Control Of Feed Ingredient Manufacturing Plants	NA	Administrative changes. Update format of rule references. Wording.
15A NCAC 02D .0541 Control Of Emissions From Abrasive Blasting	NA	N/A

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0542 Control Of Particulate Emissions From Cotton Ginning Operations	NA	Administrative changes. Minor wording changes.
15A NCAC 02D .0543 Best Available Retrofit Technology	NA	Administrative changes. Minor wording and punctuation.
15A NCAC 02D .0544 Prevention Of Significant Deterioration Requirements For Greenhouse Gases	NA	Administrative and technical changes. Reference to CFR to be updated. Minor clarifications and wording changes.

H74 Group 6 Rules Preliminary Updates Total Suspended Particulate – 15A NCAC 02D .0403 Emission Standards - 15A NCAC 02D .0500

Questions/Comments/Discussion?

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0901 Definitions	NA	Administrative and technical changes. Suggested minor wording revisions, update of reference to ASTM reference, and API bulletin.
15A NCAC 02D .0902 Applicability	NA	Administrative and technical changes. Updates to format of rule references,
15A NCAC 02D .0903 Recordkeeping: Reporting: Monitoring	NA	Administrative and technical changes. Updates to format of rule references,
15A NCAC 02D .0906 Circumvention	NA	Administrative and technical changes. Wording change "regulation" to "rule".
15A NCAC 02D .0909 Compliance Schedules For Sources In Ozone Nonattainment And Maintenance Areas	NA	Administrative and technical changes. Updates to format of rule references,
15A NCAC 02D .0912 General Provisions On Test Methods And Procedures	NA	Administrative and technical changes. Updates to format of rule references,
15A NCAC 02D .0918 Can Coating	NA	Administrative formatting changes.

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0919 Coil Coating	NA	Administrative and technical changes.
15A NCAC 02D .0922 Metal Furniture Coatings	NA	Administrative and technical changes. Format of rule references.
15A NCAC 02D .0923 Surface Coating Of Large Appliance Parts	NA	Administrative and technical changes. Format of rule references
15A NCAC 02D .0924 Magnet Wire Coating	NA	Administrative changes. Wording consistency.
15A NCAC 02D .0925 Petroleum Liquid Storage In Fixed Roof Tanks	NA	Administrative changes. Format consistency.
15A NCAC 02D .0926 Bulk Gasoline Plants	Removal of unused definitions; updates and revisions of definitions; deletion of dates that have passed; language rewording/simplification,	Administrative and technical changes. Format of rule references

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0927 Bulk Gasoline Terminals	Removal of unused definitions; updates and revisions of definitions; deletion of dates that have passed; language rewording/simplification,	Administrative and technical changes. Format of rule references. Minor wording changes
15A NCAC 02D .0928 Gasoline Service Stations Stage I	NA	Administrative and technical changes. Format of rule references
15A NCAC 02D .0930 Solvent Metal Cleaning	NA	Administrative and technical changes. Updated format of rule references.
15A NCAC 02D .0931 Cutback Asphalt	NA	Administrative and technical changes.
15A NCAC 02D .0932 Gasoline Truck Tanks and Vapor Collection Systems	Removal of duplicative state-specific leak tightness testing and deference to federal requirements. Commensurate update of definitions and requirements.	Administrative and technical changes. Update of format of rule references.
15A NCAC 02D .0933 Petroleum Liquid Storage in External Floating Roof Tanks	NA	Administrative changes. Format of rule references.
15A NCAC 02D .0935 Factory Surface Coating Of Flat Wood Paneling	NA	Administrative changes. Format of rule references.

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0937 Manufacture of Pneumatic Rubber Tires	NA	Administrative and technical changes. Wording simplification.
15A NCAC 02D .0943 Synthetic Organic Chemical and Polymer Manufacturing	NA	Administrative formatting changes.
15A NCAC 02D .0944 Manufacture of Polyethylene: Polypropylene And Polystyrene	NA	Administrative formatting changes. Update format of rule references.
15A NCAC 02D .0945 Petroleum Dry Cleaning	NA	Administrative and technical changes. Minor rewording. Update to rule reference format.
.15A NCAC 02D .0947 Manufacture of Synthesized Pharmaceutical Products	NA	Administrative change. Minor rewording.
15A NCAC 02D .0948 VOC Emissions From Transfer Operations	NA	Administrative change. Update format of rule reference

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0949 Storage of Miscellaneous Volatile Organic Compounds	NA	Administrative change. Update format of rule reference. Minor rewording.
15A NCAC 02D .0951 RACT For Sources Of Volatile Organic Compounds	NA	Administrative and technical changes. Update format of rule references.
15A NCAC 02D .0952 Petition For Alternative Controls For RACT	NA	Administrative and technical changes. Minor suggested wording changes.
15A NCAC 02D .0955 Thread Bonding Manufacturing	NA	Administrative changes. Update format of rule references
15A NCAC 02D .0956 Glass Christmas Ornament Manufacturing	NA	Administrative changes. Update format of rule reference.
15A NCAC 02D .0957 Commercial Bakeries	NA	Administrative changes. Update format of rule reference.

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0958 Work Practices For Sources Of Volatile Organic Compounds	Staff suggested removal of language regarding need to continue to comply based on previous compliance with 02D .0518.	Administrative change. Format of rule reference.
15A NCAC 02D .0959 Petition For Superior Alternative Controls	NA	Administrative and technical changes. Formatting and elimination of redundant language.
15A NCAC 02D .0960 Certification Of Leak Tightness Tester	Removal of state-specific leak tightness testing certification requirement and deference to federal requirements. Rule changed to a reporting requirement.	Administrative and technical changes. Updated format of rule references.
15A NCAC 02D .0961 Offset Lithographic Printing And Letterpress Printing	NA	Administrative changes. Updates to format of rule references.
15A NCAC 02D .0962 Industrial Cleaning Solvents	NA	Administrative changes. Updates to format of rule references. Minor wording changes.
15A NCAC 02D .0963 Fiberglass Boat Manufacturing Materials	NA	Administrative changes. Updates to format of rule references. Minor wording changes.

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .0964 Miscellaneous Industrial Adhesives	NA	Administrative changes. Updates to format of rule references and rule format.
15A NCAC 02D .0965 Flexible Package Printing	NA	Administrative changes. Updates to format of rule references.
15A NCAC 02D .0966 Paper, Film And Foil Coatings	NA	Administrative changes. Updates to format of rule references. Minor wording changes.
15A NCAC 02D .0967 Miscellaneous Metal And Plastic Parts Coatings	NA	Administrative changes. Updates to format of rule references. Minor wording changes.
15A NCAC 02D .0968 Automobile And Light Duty Truck Assembly Coatings	NA	Administrative changes. Updates to format of rule references and formatting.

Questions/Comments/Discussion?



H74 Group 6 Rules Preliminary Updates Nitrogen Oxides - 15A NCAC 02D .1400

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .1401 Definitions	NA	Administrative and technical changes; rule reference and other formatting revisions, spelling/grammar corrections, minor rewording suggested for clarification and consistency.
15A NCAC 02D .1402 Applicability	NA	Administrative and technical changes. Suggestion/questions need for language clarification regarding continued compliance, remove outdated language referencing repealed rules, replacement of words with acronyms for consistency, update rule cross refences,
15A NCAC 02D .1403 Compliance Schedules	NA	Administrative and technical changes. Rule reference format revisions, Staff suggestions/questions whether dates that have passed are needed.
15A NCAC 02D .1404 Recordkeeping: Reporting: Monitoring:	NA	Administrative and technical changes. Rule reference format revision, grammar revision; staff suggestion/question whether clarification needed. Suggested clarifying language. Revised language per RRC preference.

H74 Group 6 Rules Preliminary Updates Nitrogen Oxides - 15A NCAC 02D .1400

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .1405 Circumvention	NA	Administrative change. Language clarification for consistency with federal language.
15A NCAC 02D .1407 Boilers And Indirect- fired Process Heaters	NA	Administrative changes, Rule reference format, unit format consistency, suggested "may" to "shall".
15A NCAC 02D .1408 Stationary Combustion Turbines	NA	Administrative and technical changes. Rule reference format revision, suggested clarifying language (d).
15A NCAC 02D .1409 Stationary Internal Combustion Engines	NA	Administrative and technical changes. Rule reference format revision, suggestion that paragraphs (f) ad(g) be combined, gender neutral language
15A NCAC 02D .1410 Emissions Averaging	NA	Administrative and technical changes. Rule reference format revisions and removal of repealed rule references.
15A NCAC 02D .1411 Seasonal Fuel Switching	NA	Administrative changes. Rule reference format revision; suggested minor language clarification.

H74 Group 6 Rules Preliminary Updates Nitrogen Oxides - 15A NCAC 02D .1400

Rule	Substantive Changes	Procedural Changes
15A NCAC 02D .1412 Petition For Alternative Limitations	NA	Administrative and technical changes. Suggested language clarification; revised language clarification, gender neutral language.
15A NCAC 02D .1413 Sources Not Otherwise Listed In This Section	NA	Administrative change. Suggested clarifying language, gender neutral language.
15A NCAC 02D .1414 Tune-up Requirements	NA	Administrative changes; updates to format of rule references; suggested language simplification.
15A NCAC 02D .1415 Test Methods And Procedures	NA	Administrative, rule reference formatting.
15A NCAC 02D .1418 New Electric Generating Units, Large Boilers, And Large I/C Engines	NA	Administrative and technical changes. Rule reference and other formatting revisions, Suggested language revisions for clarification.
15A NCAC 02D .1423 Large Internal Combustion Engines	NA	Administrative and technical changes. Rule reference and other formatting revisions, spelling/grammar corrections, minor rewording suggested for clarification; questions regarding consistency of recordkeeping requirements.

H74 Group 6 Rules Preliminary Updates Nitrogen Oxides-15A NCAC 02D.1400

Questions/Comments/Discussion?

Group 4 Rules Tentative Timing (subject to change)

- 11/8/2017 Concept to Air Quality Committee (AQC)
- 2/13/2018 Stakeholder Meeting
- 10/09/2018 Draft Rules to AQC
- 11/8/2018 Request to Proceed to Comment and Hearing to Environmental Management Commission (EMC)
- 12/17/2018- Public Comment Period and Hearing 2/15/2019
- 3/15/2019- Public Comment Period (02D .1800 and Regulatory Impact 5/14/2019 Analysis)
 - 7/11/2019 Readoption by EMC
 - 8/15/2019 Rules Review Commission Approval
 - 9/1/2019 Tentatively Effective



Group 5 Rules Tentative Timing (subject to change)

- \checkmark 3/7/2018 Concept to Air Quality Committee (AQC)
- ✓ 6/28/2018 Stakeholder Meeting
- ✓ 1/9/2019 Draft Rules to AQC
- 3/14/2019 Request to Proceed to Comment and Hearing to Environmental Management Commission (EMC)
- 4/15/2019- Public Comment Period and Hearing 6/14/2019
 - 9/12/2019 Readoption by EMC
 - 10/17/2019 Rules Review Commission Approval
 - 11/1/2019 Tentatively Effective



Group 6 Rules Tentative Timing (subject to change)

- ✓ 6/24/2019 Stakeholder Meeting
 - 9/11/2019 Concept to Air Quality Committee (AQC)
 - 11/13/2019 Draft Rules to AQC
 - 1/9/2020 Request to Proceed to Comment and Hearing to Environmental Management Commission (EMC)
 - 2/3/2020- Public Comment Period and Hearing (alt. 2/17/2020-4/17/2020) 4/3/2020
 - 7/9/2020 Readoption by EMC
 - 8/20/2020 Rules Review Commission Approval
 - 9/1/2020 Tentatively Effective





Final Questions/Feedback?



How to Get Involved

- Information available at
 - <u>http://deq.nc.gov/about/divisions/air-quality/air-quality-rules/periodic-review-existing-rules</u>
 - Once in queue for action by AQC/EMC, refer to http://deq.nc.gov/about/divisions/air-quality/air-quality-rules
- Send comments to:
 - daq.publiccomments@ncdenr.gov
 - Type "Stakeholder Readoption Comment" in subject line.
 - For H74 Group 6 rules, please submit comments by July 15, 2019.



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