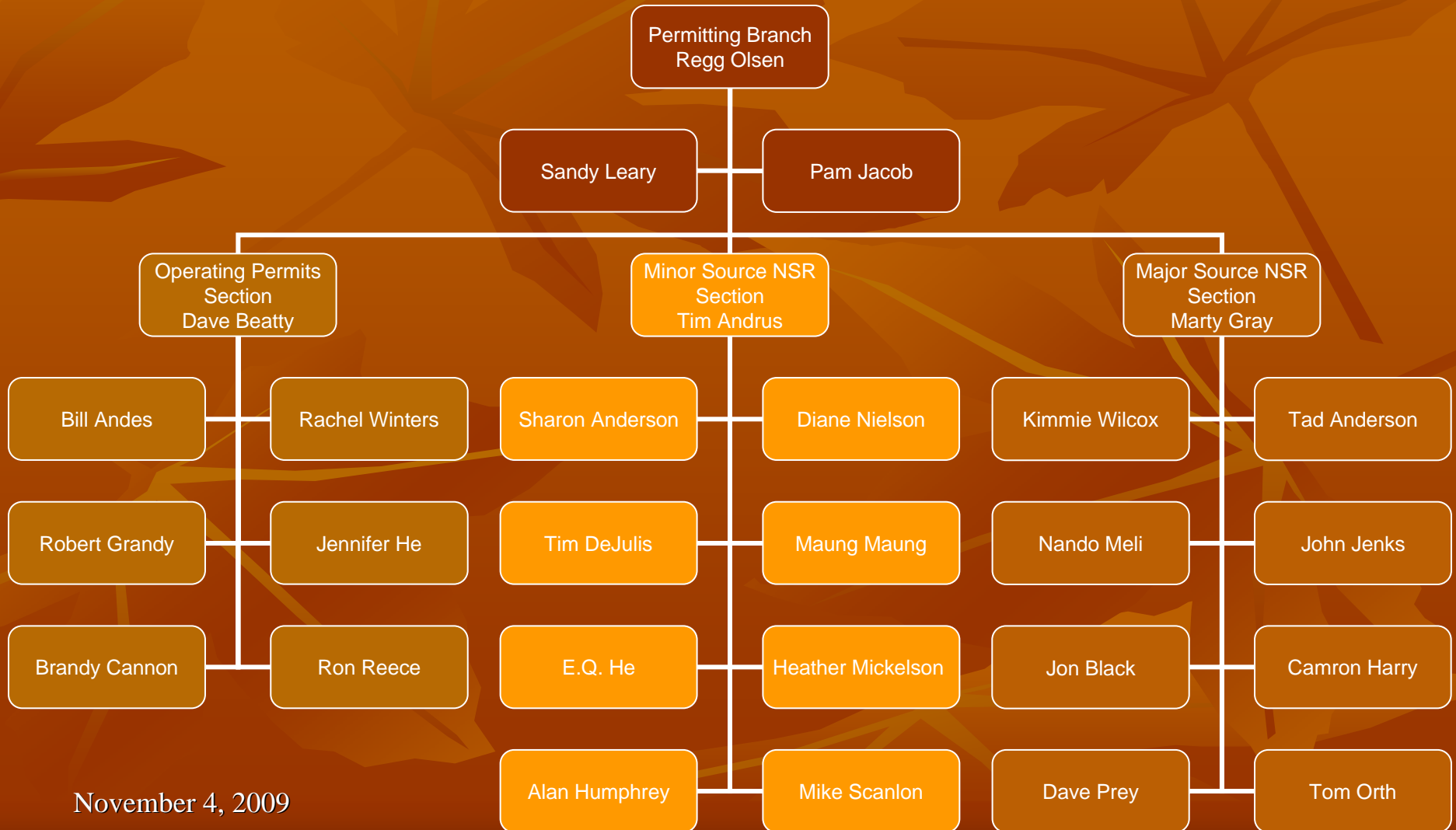


# AIR PERMITTING & CURRENT ISSUES

Regg Olsen  
Permitting Branch Manager  
Utah Division of Air Quality

November 4, 2009

# DAQ Permitting Branch Organization



November 4, 2009

# Air Permits

- Two types of permits in Utah
  - Approval Orders (AO) – NSR or construction permits (Title I of CAA)
    - PSD
    - Major or Non-Attainment NSR
    - Minor NSR
  - Operating Permits (Title V of CAA)

# Permitting Branch Challenges

- Staffing
  - We were down almost 20% for several months (permit engineers)
  - We were short 2 of 3 section managers for a time
- TEMPO
  - New data system – fully operational in permitting
  - Growing pains as we moved to new system over the last 1 to 2 years
  - Still tweaking new system
  - Much more robust and flexible for future needs

# Current Ongoing Issues

- Oil & Gas Sources
  - Aggregation
  - Concentration of sites
  - Regional concerns
  - Coordination w/ other state & federal agencies
  - 70% to 80% of Uintah Basin is federal jurisdiction
- Aggregate Sources (Sand & Gravel Opns)
  - Concentration of operations
  - Complaints from neighbors

# Current Ongoing Issues

- Title V World
  - 10 Title V permits on SIP hold
  - 14 New Title V applications being worked
  - Behind on renewal of “expired” permits
- Greater Public Involvement
  - Part of process and positive movement, but
  - Requires significantly more staff time
  - Education of public also takes time

# Current Ongoing Issues

- Projects of Potential Public Interest
  - Alton Coal Mine
  - Holly Refinery
  - Lakeside NG Power Generation Station
  - Deseret Chemical Depot GA/L Incinerator
  - Oldcastle Cement Plant
- Incorporating New Rules & Standards
  - PM<sub>2.5</sub>
  - Poorly written and complex federal standards

# New & Developing Issues

- Placement of AOs on Web Site
  - Starting November 1<sup>st</sup>
  - All AOs issued after that date will be posted
- EPA Reviews/Reconsiderations/Rescissions of Policies & Guidance
- Flexible Permitting Rule (effective Nov 5, 2009)
  - Title V changes – mostly definitions
  - We're reviewing and will have a package for board after holidays

# New & Developing Issues

- $PM_{2.5}$  Standard and Non-Attainment Designations
  - Lack of emission factors - hard to establish emission limit
  - Lack of stack test method - hard to show compliance
  - No increment or Significant Impact Levels (SIL) established
  - Non-attainment permitting especially off-sets
  - Modeling ( $NO_x$  and  $SO_2$  chemistry)

# New & Developing Issues

- Green House Gas “Tailoring” Rule
  - Becomes an issue in March 2010 with Light Duty Vehicle rule regulating GHG emissions – by default GHG becomes PSD pollutant
  - GHG consists of 6 pollutants
    - Carbon Dioxide (CO<sub>2</sub>)
    - Methane (CH<sub>4</sub>)
    - Nitrous Oxide (N<sub>2</sub>O)
    - Hydrofluorocarbons (HFCs)
    - Perfluorocarbons (PFCs)
    - Sulfur Hexafluoride (SF<sub>6</sub>)

# New & Developing Issues

- Green House Gas “Tailoring” Rule (continued)
  - Clean Air Act has emission limits for PSD permits (100/250 tons per year)
  - Proposed rule changes or “tailors” limits based on “absurd results” legal doctrine
  - Proposes 25,000 tpy of CO<sub>2</sub>e measured in short tons
  - Proposed rule— planned promulgation in March 2010
  - Temporary rule – would be followed in 6 yrs with new rule

# New & Developing Issues

- Green House Gas “Tailoring” Rule (continued)
  - EPA projecting ~ 30% increase in staffing will be required
  - EPA projects the need for ~ 50% increase in Title V fees to address Title V costs
  - Proposal suggests the interim period (6 yrs) as time for states to “ramp up” staff
  - Timing – statutory changes required??
  - Increased Litigation or Attorney Stimulus Rule

# DAQ Permitting Goals

- Provide enforceable permits to sources
- Provide consistency as appropriate
- Provide professional service to all customers
- Conduct thorough, case-by-case reviews of applications
- Provide open & public process within parameters of rules
- Provide timely support to public and sources

A cartoon illustration of a man with a long, thin face, brown curly hair, and a wide smile. He is wearing a purple suit jacket, a white shirt, and a teal tie. He has his hands clasped in front of him.

Are there any  
questions?

**THE END**

November 4, 2009