

Environmental Quality Commission meeting

Proposed Adoption of Updated Federal Air Quality Regulations

Agenda Item C, Action Item
Jan. 21, 2021

Two Main Items

- Update adoption of federal regulations.
 - These changes, made by EPA, are already applicable to affected sources
 - Includes updates/changes to NSPS and NESHAP regulations
- Repeal duplicative rules
 - These regulate Colored Art Glass Manufacturing (CAGM) facilities
 - These requirements are established within two divisions (244 and 245)

Sources subject to the proposed rule

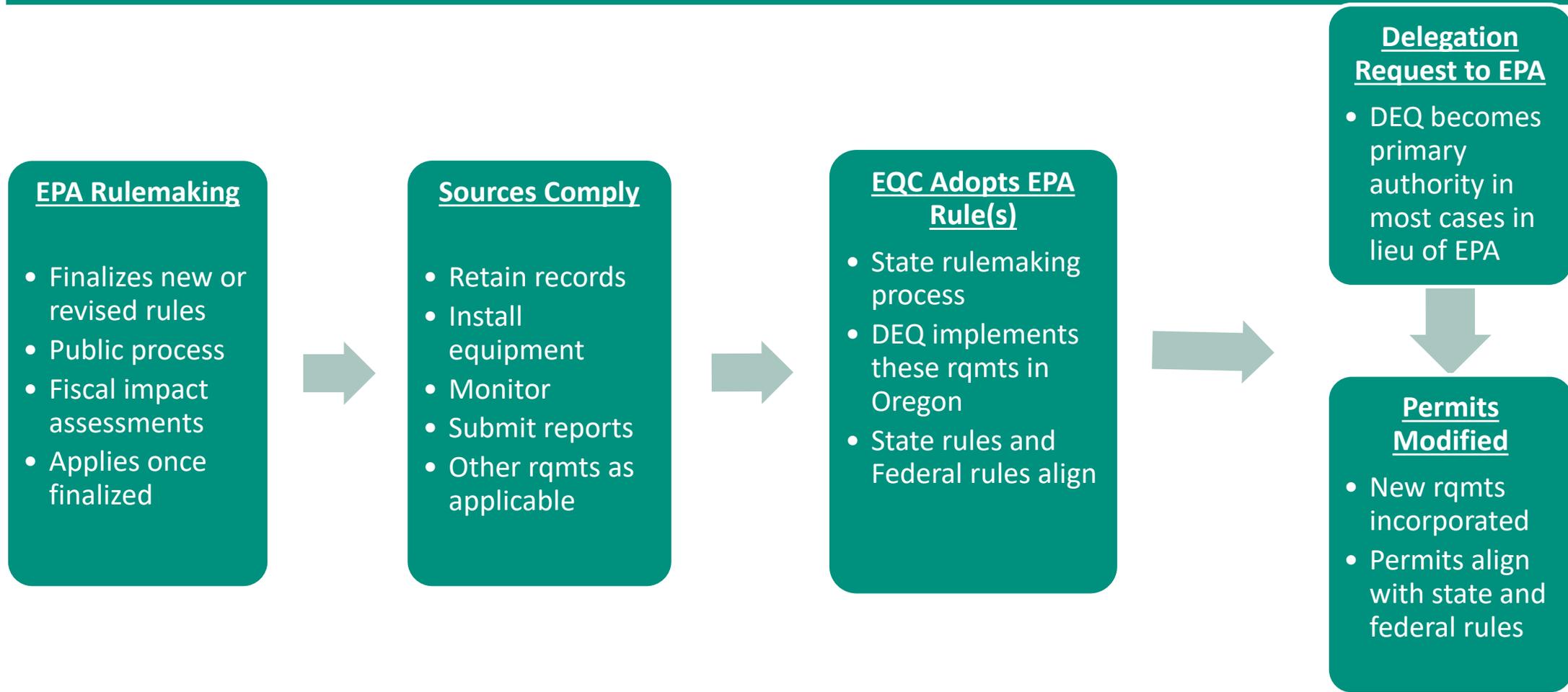
NESHAP or NSPS Subpart	Industry Description	Known Oregon Sources
AAAA	Municipal Solid Waste Landfills	5
DDDD	Plywood and Composite Wood Products Manufacture	17
DDDDD	Industrial, Commercial and Institutional Boilers and Process Heaters	19
LLL	Portland Cement Manufacturing	1
OOO	Manufacture of Amino/Phenolic Resins	1
QQQQ	Wood Building Products (Surface Coating)	7
VVVV	Boat Manufacturing	1
WWWW	Reinforced Plastics Composites Production	7
YYYY	Combustion Turbines	1
NSPS IIII*	Stationary Compression Ignition Internal Combustion Engines	62*
NSPS WWW	Municipal Solid Waste Landfills	7

*Changes affect remote areas of Alaska; no substantive changes for OR sources.

Presentation Outline

- Background
- Proposed adoption of amended federal regulations
- Repeal of duplicative CAGM rules
- Motion

Recurring NESHAP/NSPS Rulemaking Process



Background Information: Federal AQ Regulations

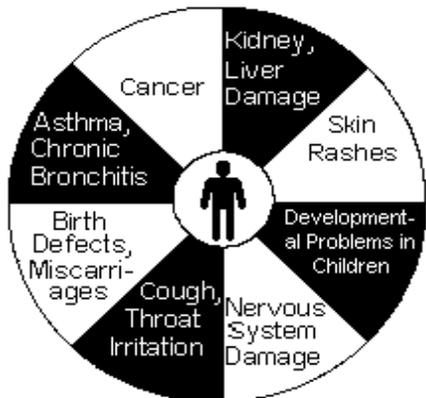
National Emission Standards for Hazardous Air Pollutants (NESHAP)

New Sources



Existing Sources

Pollutants



Hazardous Air Pollutants (HAP)

Sources



Major Sources
(≥ 10/25 tons)



Area Sources
(< 10/25 tons)



Background Information: Federal AQ Regulations

New Source Performance Standards (NSPS)

New Sources



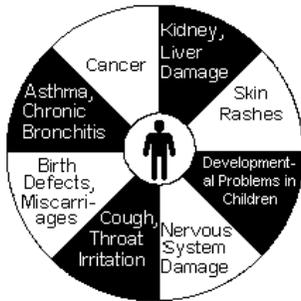
Emission Guidelines

Existing Sources

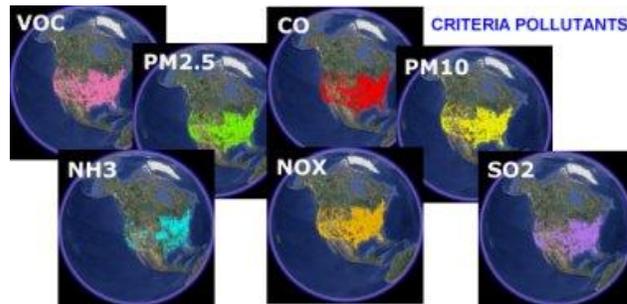


Pollutants

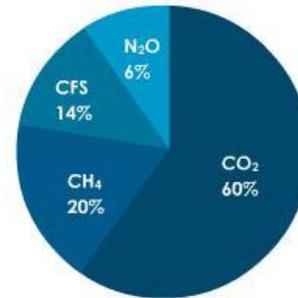
Sources



HAPs



Criteria Pollutants



Greenhouse Gases



Background Information: Federal AQ Regulations



**New Source Performance Standards
(NSPS)**



**National Emission Standards for Hazardous Air Pollutants
(NESHAP)**

EPA Rulemaking
Requirements apply
when EPA rules are final



DEQ Rulemaking
Allows DEQ to implement
these rules in Oregon

Proposed Rules: Adopt Amended Federal Standards

Changes

- Recurring risk analysis of standards and industries
- Technology review of standards and controls
- Court decisions
- Administrative corrections and clarifications

Federal and State Rule alignment

- Updated federal and outdated state rules can be confusing
- Complications with incorporation into air permits

Changes from July 1, 2018, through July 1, 2020, with one additional promulgation from Aug. 13, 2020.

Modified Adoption by Reference

- NESHAP 000 for the 'Manufacture of Amino/Phenolic Resins'
 - Rule language retains the previous emission standard and adopts all other updates by reference

Allowable Emission Rates for Back-end Continuous Process Vents

OLD

0.9 kg/ton of resin produced

NEW

4.3 kg/ton of resin produced

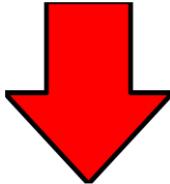
Not Proposed for Adoption

NESHAP UUUUU

'Coal- and Oil-Fired Electric Utility Steam Generating Units'



Oregon DOJ and other states challenging EPA



Potential for being less protective than baseline federal standards



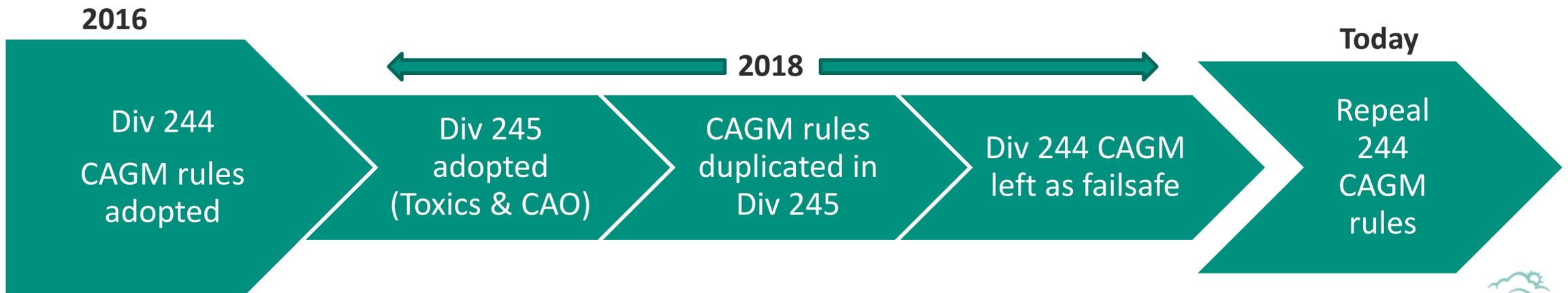
DEQ will keep EQC updated



To be addressed in a future rulemaking

Repeal of CAGM Rules in Division 244

- Division 244 is duplicative in nature
- Division 245 rules appropriately regulate facilities
- Repeal results in no emissions increases or relaxed standards



Summary

- This rulemaking proposes:
 - The adoption of amended standards that already apply to facilities
 - The repeal duplicative rules that regulate Colored Art Glass Manufacturing facilities

- Public Comments

DEQ Recommendation

Recommended motion language:

- I move that the Environmental Quality Commission adopt the proposed rules as seen in Attachment A of the staff report for this item as part of chapter 340 of the Oregon Administrative Rules; and
- Approve incorporating these rule amendments into the Oregon Clean Air Act State Implementation Plan under OAR 340-200-0040; and
- Direct DEQ to submit the SIP revision to the U.S. Environmental Protection Agency for approval.