Air Quality Permitting Updates 2022 Rulemaking

December 7, 2022

Northwest Environmental Business Council

Goals of Rulemaking

- Improve and strengthen our permitting program
- Enhance community protection, and incorporate Environmental Justice
- Increase permitting issuance efficiency
- Increase regulatory certainty

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Agenda

- Minor New Source Review Reconsideration
- Policy Changes
- Streamlining/Process Changes

Minor New Source Review Reconsideration

- Continue discussions based on feedback from stakeholders
- Work with EPA based on their nationwide review of Minor NSR programs
- Simplify/streamline Notice of Intent to Construct and permit modification processes
- Incorporate opportunities to further reduce emissions in Environmental Justice and overburdened communities

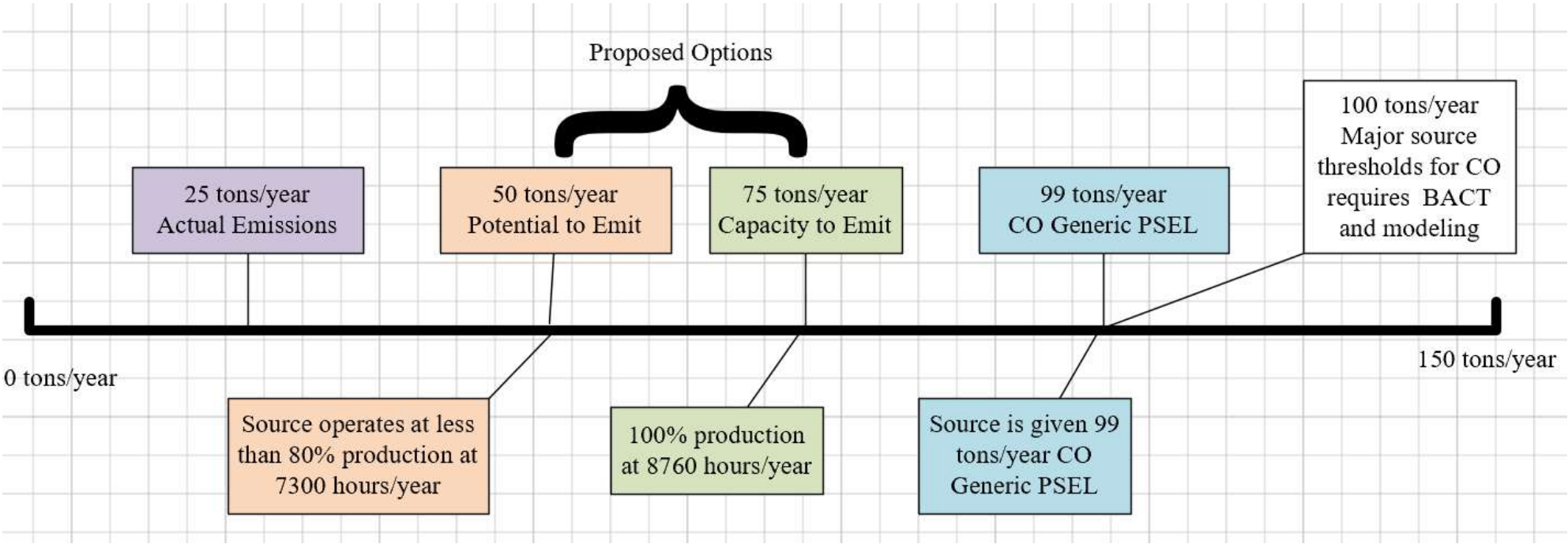
Policy Changes

- Eliminate Generic Plant Site Emission Limits
- Change Type 1 Notice of Intent to Construct approvals
- Require air quality modeling for smaller increases in emissions
- Eliminate ability to operate without pollution control devices for 48 hours

Eliminate Generic Plant Site Emission Limits

- Creates permits that more accurately reflect actual emissions
- Provides more regulatory certainty
- Avoids over-allocation of air resources
- Provides transparency for communities
- Allows review of AQ modeling to ensure compliance with short-term National Ambient Air Quality Standards

Example for Carbon Monoxide Generic PSEL



Panel Discussion/Q&A

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Things to keep in mind

- New Source Review
  - Simple ACDPs have no baseline
  - PSEL increase > Significant Emission Rate
- Modifications to increase PSELs incur fees and require public notice ($1,800 to $9,000)

Implementation - effective date **03/01/2023**

- Training will be held in February 2023
- Sources with Generic PSELs will be required to submit emission calculations at capacity or PTE
- Source specific PSELs will be included for all permits issued on or after 03/01/23

Panel Discussion/Q&A

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Change Notice of Intent to Construct rules

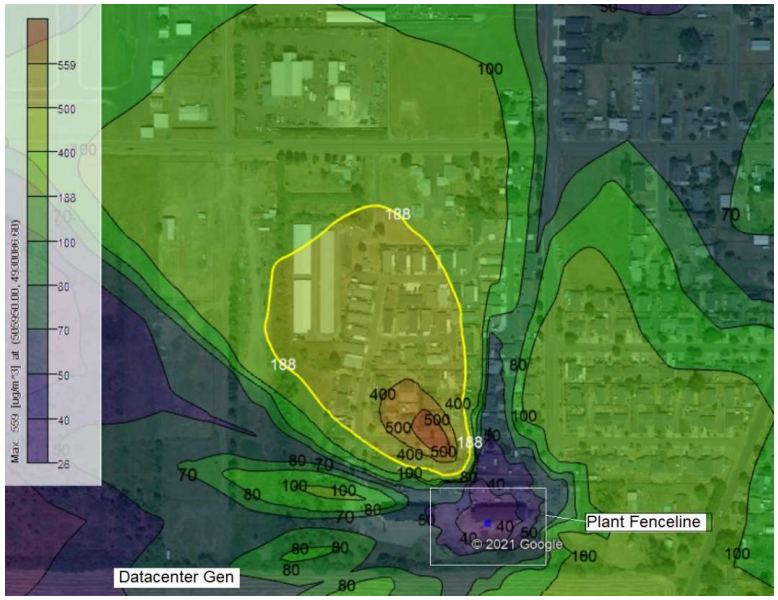
- Type 1 NC “notice & go” with optional 30 days for DEQ to approve de minimis equipment
- Clarify emissions calculation methodology
- Clarify emission thresholds apply to equipment, not entire source
- Clarify **no** increase in PSEL is allowed
- Require all construction to commence within 18 months of approval

Existing Four Types of NC

Type 1	Type 2	Type 3	Type 4
No permit modification	No permit modification	Permit modification	Permit modification
Equipment ≤ de minimis emissions but no increase over permitted emissions	Equipment ≤ SER but no increase over permitted emissions	Increases permitted emissions but not "significantly"	Increases permitted emissions "significantly" (New Source Review)
Notice & Go, optional 30-day review of de minimis	60-day default approval (statute)	Less than one year to approve	Takes up to one year to approve
No public notice	No public notice	Public notice	Upfront info meeting + public notice
No modeling analysis required for equipment	**Modeling analysis required for equipment**	**Modeling analysis required for equipment**	Modeling analysis required for equipment and control technology review

More air quality modeling

- Require air quality modeling for smaller increases in emissions
  - Ensures the National Ambient Air Quality Standards are protected for new equipment
  - Alerts DEQ that an existing source should be prioritized for call-in



Panel Discussion/Q&A

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Limit excess emissions

- Eliminate ability to operate without pollution control devices for 48 hours
- Mandatory shutdown except for these scenarios:
  - employee injury
  - equipment damage
  - emissions of shutdown/startup higher than continued operation

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Panel Discussion/Q&A

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Streamlining/process changes

- Extend Simple permit terms from 5 to 10 years
- Require more complete permit renewal applications
- Expand the use of short-term activity permits for temporary operations in addition to unexpected and emergency activities

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