Nonattainment New Source Review Update

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Common Question for Projects That Will Be New Major Sources or Major Modifications

- PSD or Nonattainment NSR?
- What does a shift in regulations mean for this project?
- How do I find offsets?
- Do I have to model pollutants for which I have offsets?
PSD or Nonattainment NSR?:
Ozone Nonattainment Status Update

- Attainment Status for 2008 Ozone NAAQS

Nonattainment areas are indicated by color. When only a portion of a county is shown in color, it indicates that only that part of the county is within a nonattainment area boundary.

For the Ozone-8Hr (2008) Cincinnati, OH-KY-IN nonattainment area, the Ohio portion was redesignated on December 16, 2016 and the Indiana portion was redesignated on April 7, 2017. The Kentucky portion has not been redesignated. The entire area is not considered in maintenance until all states in a multi-state area are redesignated.
PSD or Nonattainment NSR?: Ozone Nonattainment Status Update

- Expected Attainment Status for 2015 Ozone NAAQS
PSD or Nonattainment NSR?: Ozone Nonattainment Status Update

06/06/2017

News Releases from Headquarters
EPA to Extend Deadline for 2015 Ozone NAAQS Area Designations

8/02/2017

EPA does about-face on 2015 ozone designations
Agency will work with states on meeting new, lower ozone standards
On August 2, 2017, EPA announced that it would “move forward” with the 2015 ozone designations, reversing the Agency’s earlier decision to delay the deadline for the designations by one year.
PSD vs. NSR

• PSD
  – Best Available Control Technology (BACT) - $$$ count.
  – Modeling demonstration (NAAQS & Increment).
  – Cannot adversely impact a Class I area.

• Nonattainment NSR
  – Alternative site and project analysis.
  – Lowest Achievable Emission Rate (LAER) - $$$ do not count.
  – Emission offsets.
  – Compliance required for all stationary sources in same state.

• Both Programs
  – Public notice and hearing required.
  – Subject to judicial challenge.
## Key Info for Nonattainment NSR Applications

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<tr>
<th>Question</th>
<th>Answer</th>
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<tr>
<td>Applicable Regulations?</td>
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<td>Locating Offsets?</td>
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<td>Contiguous Nonattainment Areas?</td>
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<td>Baseline Date?</td>
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<td>Who owns the offset?</td>
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Simplifying NSR?

10/25/2017

Final Review on Agency Actions that Potentially Burden the Safe, Efficient Development of Domestic Energy Resources Under Executive Order 13783

EPA believes opportunities exist to simplify the NSR application and permit process; to review ways to reduce the length of the permitting process; to review burdens created by the current emissions offsets structure; to improve relationships with the states; and to review the “once in, always in” policy to clarify the means by which a facility currently classified as a major source can become an area source.

Administrator Pruitt intends to convene an NSR Reform Task Force, details of which will be announced in a forthcoming agency memorandum.