



July 2010

This issue includes information on upcoming conferences, regulatory updates, and more. If you have questions or topic suggestions, please reply to this email.

Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule

On April 1, 2010, the U.S. Environmental Protection Agency (EPA) issued a final rule that regulates greenhouse gas emissions from light duty vehicles. This decision triggered regulation of greenhouse gases (GHG) by industry and other sources (stationary sources) under the Clean Air Act. The Clean Air Act requires pollutants to be regulated at thresholds of 100 and 250 tons per year (tpy). While these thresholds are appropriate for some pollutants, they are not feasible for GHGs because GHGs are emitted at much higher volumes.

On May 13, 2010, EPA finalized a rule known as the "tailoring rule" which attempts to "tailor" the permitting requirements for GHGs for stationary sources. Initially the requirements for Prevention of Significant Deterioration (PSD) and Title V Permitting will be focused on the largest emitting sources. Emissions from small sources like farms, restaurants, apartment buildings and all but the very largest commercial facilities will not be covered by these programs at this time. The tailoring rule establishes a schedule that will initially focus Clean Air Act permitting requirements on the largest sources that are already familiar with the permitting process. The rule then expands to capture the largest sources of GHGs that may not have been previously covered by the Clean Air Act for other pollutants. Finally, the rule describes EPA's future plans to address the smallest sources - those whose GHG potential emissions exceed current Clean Air Act thresholds (100/250 tpy).

From January 2, 2011 to June 30, 2011, no new permitting actions will be required solely due to GHG emissions. However, certain sources undertaking permitting actions for other pollutants will need to address GHGs during this time period. A current PSD source increasing potential GHG emissions by 75,000 tpy CO₂e (carbon dioxide equivalents) or more would need to determine the Best Available Control Technology (BACT) for their GHG emissions, as will a current Title V facility that has the potential to emit greater than 100,000 tpy CO₂e applying for, renewing or revising a permit.

From July 1, 2011 to June 30, 2013, the PSD permitting requirements will cover for the first time new construction projects that have the potential to emit GHG emissions of at least 100,000 tpy - even if they do not exceed the permitting thresholds for any other pollutant. These sources will be subject to Title V permitting requirements. Modifications at existing facilities that increase potential GHG emissions by at least 75,000 tpy will be subject to permitting requirements even if they do not significantly increase emissions of any other pollutant.

In the tailoring rule, EPA commits to undertake another rulemaking, to begin in 2011 and conclude no later than July 1, 2012, which will take comment on an additional step for phasing in GHG permitting, and may discuss whether certain smaller sources can be permanently excluded from permitting. EPA will also look for streamlining options to reduce permitting burdens and will propose viable options during this timeframe. EPA does not intend to

require permitting for sources with GHG emissions below 50,000 tpy during this action. EPA has stated that it will not require permits for smaller sources until at least April 30, 2016.

For more information, please go to EPA's Web site: <http://www.epa.gov/nsr>.

EPA Proposed Rules

On June 4, 2010, EPA published three related proposed rules in the Federal Register for public comment. The comment period ends **August 3, 2010**. The rules are intended to reduce the emission of certain air pollutants from industrial, commercial, and institutional boilers and process heaters as well as commercial and industrial solid waste incinerators. Simultaneously, EPA also proposed a definition of solid waste that could potentially affect some units currently considered boilers, by moving them into the category of solid waste incinerators. These actions replace the national emission standards for new and existing boilers and process heaters that were previously promulgated in 2004 and vacated by the court in 2007. The newly proposed rules include: a) National Emission Standards for Hazardous Air Pollutants for Major Sources (Boiler MACT), b) National Emission Standards for Hazardous Air Pollutants for Area Sources (Area Source Boiler MACT), and c) Standards for Performance for New Stationary Sources and Emission Guidelines for Existing Sources (CISWI Rule). For more information go to:

<http://www.epa.gov/airquality/combustion/actions.html>

Infectious Waste Regulation Update

Amendments to the Infectious Waste Management Regulations, R.61-105, have passed the State Legislature as of June 2, 2010, are published in the State Register and are effective. For more information, please see the Infectious Waste Program website at

<http://www.scdhec.gov/infectiouswaste>.

Air Regulatory Updates

Notice of General Public Interest for Clean Air Interstate Rule (CAIR) Permitting. The Department proposes modifications to Title V Operating Permits for facilities subject to CAIR. For more information, please contact Veronica Barringer at (803) 898-4127 or barrinv@dhec.sc.gov.
http://www.scdhec.gov/environment/baq/docs/CAIR/5282010-CAIR_Permitting_Notice_of_General_Public_Interest.pdf

Notice of Final Regulation for R. 61-62.96 (CAIR). The Department has amended R. 61-62.96 to address outstanding requests made by the EPA in order to obtain full State Implementation Plant (SIP) approval. The revisions address the requirements of the CAIR NOx Annual Allowance Allocations, the requirements of recordation of the CAIR NOx Annual Allowance Allocations, the definition of fossil-fuel-fired, the definition of Non-EGU Applicability, the timing requirements of the CAIR NOx Ozone Season Allocations, the requirements of the CAIR NOx Ozone Seasons Allowance Allocations, and the requirements of recordation of the CAIR NOx Ozone Season Allowances. For more information, please contact Alan Hancock at (803) 898-4139 or

hancocam@dhec.sc.gov.

http://www.scdhec.gov/environment/baq/docs/CAIR/NFR_20100528_CAIR.pdf

Notice of Final Regulation for R. 61-62.60, 61-62.72, and 61-62.63. The Department has amended R. 61-62 by removing all provisions of the State Clean Air Mercury Rule (CAMR) in R. 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards, and R. 61-62.72, Acid Rain. The Department has also amended R. 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories, by removing all the provisions of 40 CFR 63, subparts DDDDD, JJJJJ and KKKKK (known as the Boiler MACT, Brick MACT, and Clay MACT, respectively). These amendments are the result of the vacatur of CAMR, the Boiler MACT, the Brick MACT, and the Clay MACT rules by the US Court of Appeals for the DC Circuit, and have undergone legislative approval. For more information, please contact Anthony Lofton at (803) 898-7217 or loftonat@dhec.sc.gov.

http://www.scdhec.gov/environment/baq/docs/CAMR/20100558-CAMR_MACT_NFR.pdf

Notice of General Public Interest: Notice of Final SIP Amendment for RFATS Nonattainment SIP.

The Department has amended the South Carolina SIP in association with the Rock Hill Fort Mill Area Transportation Study (RFATS) Metropolitan Planning Organization (MPO) 8-hour ozone nonattainment area. The Department has resubmitted the original attainment demonstration submitted in 2007 with additional information including 2011 ozone modeling and air quality data from 2009. For more information, please contact Andrew Hollis at (803) 898-4196 or hollisao@dhec.sc.gov.
<http://www.scdhec.gov/environment/baq/docs/metrolina/20100528-RFATSNotice.pdf>

Notice of Final Regulation for R. 61-62.1, Air Emission Reporting Requirements (AERR).

The Department has amended Regulation 61-62.1, Section III, Emissions Inventory, and the SIP to make the necessary revisions to comply with new Federal emissions reporting requirements referred to as the AERR. The Department has also amended state-level reporting requirements to facilitate the collection of more detailed process level emissions inventory data (to include hazardous air pollutants (HAP) data) to insure that the National Emissions Inventory (NEI) maintained by the EPA contains the best available data. These amendments are required and have undergone legislative approval. For more information, please contact Andrew Hollis at (803) 898-4196 or hollisao@dhec.sc.gov.
<http://www.scdhec.gov/environment/baq/docs/AERR/20100528-AERR NFR.pdf>

Conference Updates

Environmental Assistance Conference - November 3, 2010

The South Carolina Department of Health and Environmental Control is hosting its Annual Environmental Assistance Conference. This full day conference will cover permitting and compliance topics, regulatory information, and provide you with an opportunity to ask questions of DHEC's technical experts.

When: November 3, 2010
Where: Columbia Conference Center
169 Laurelhurst Ave., Columbia, SC 29210
www.columbiameetings.com

Registration is open and the registration fee is \$55.00/person. Go to <http://www.regonline.com/2010EAC> to register and continue to check our Compass Website (www.scdhec.gov/compass) for updates and agenda specifics.

For more information, please contact Rebecca Sproles, 803-896-8883 or email at enviroassist@dhec.sc.gov.

Green is Good for Business Conference - September 14, 2010

Want to conserve resources? Save energy? Do your part to protect the environment and be part of a sustainable community? If so, the Green is Good for Business Conference is for you.

This one-day statewide comprehensive conference will provide your business, institution, organization or non-profit with new and innovative ways to go green and perhaps save some money in the process.

The conference will take place on **September 14, 2010** at the Columbia Metropolitan Convention Center from 8:30 AM - 5:00 PM with a green expo and Columbia Chamber of Commerce After Hours from 5:00 PM - 7:00 PM.

For more information, including **attendee, exhibitor, and sponsorship registration** go to <http://www.coccpac.com/> and click on "2010 Green is Good for Business Conference".

Web Update

The Bureau of Water recently updated their storm water webpage at www.scdhec.gov/stormwater.

Green Tip

Green Your Fleet - Would you like to make your vehicle fleet more environmentally friendly? Do you know which vehicle emits the least amount of greenhouse gas emissions? If you are not sure which vehicles to buy, www.fueleconomy.gov can help. This website contains a comparison section that allows you to compare vehicles in different categories to see which one has the best fuel economy, least amount of greenhouse gas emissions and more.

Additional Newsletters

UST Newsletter

http://www.scdhec.gov/environment/lwm/html/ust_news.htm

Swimming Pool Newsletter - Newsplash

<http://www.scdhec.gov/environment/water/recreation.htm#splash>

Smart Business Recycling Program

http://www.scdhec.gov/environment/lwm/recycle/smart_business/archive.htm

Non-Point Source Newsletter - Turning the Tide

<http://www.dhec.sc.gov/environment/water/npspage.htm#npsnews>

Environmental Laboratory Certification – Update

<http://www.scdhec.gov/environment/envserv/lcupdates.htm>

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