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TCEQ Updates

Field Citation Pilot Program On March 13, 2006 the TCEQ implemented a pilot program for TCEQ site investigations where an investigator may cite certain clear-cut violations on the spot to promote quick resolutions with potentially reduced penalties. The pilot program covers violations regarding:

- Petroleum storage tanks
- Stage I and II vapor recovery
- Storm water (industrial), and
- Occupation certification

http://www.tceq.state.tx.us/compliance/field_ops/citation/field_citation.html

CAIR and CAMR The TCEQ recently held public hearings on the proposal for implementing two federal rules, the Clean Air Interstate Rule (CAIR) and the Clean Air Mercury Rule (CAMR). The rules affect electric generating units (EGUs) through an EPA-administered interstate cap-and-trade program. CAIR is expected to reduce fine particulate matter through the control of NO_x and SO₂. CAMR will permanently cap and reduce mercury emissions from coal-fired utility units.

Both rules will be implemented in two phases with the CAIR implementation starting in 2009 and the CAMR implementation starting in 2010.

Results of BART Survey Under a section of the Regional Haze Rule, industrial facilities emitting air pollutants that reduce visibility by causing or contributing to regional haze are required to install emission controls known as best available retrofit technology, otherwise known as BART. The TCEQ performed initial screening based on 2002 Emissions.

Approximately 200 sites in Texas were potentially BART-eligible and were asked to complete a survey to refine the potential BART-eligible list. The results may be viewed on the TCEQ website

(http://www.tceq.state.tx.us/assets/public/implementation/air/ie/ps_eiforms/bartweb3.pdf).

The TCEQ is conducting modeling to further refine the BART-eligible list. Another list will be sent out showing which sites are still BART-eligible. However, the TCEQ does not know when these results will be released. The modeling results will be used to develop the changes to Chapter 116 for BART implementation. Upcoming changes to Chapter 116 will focus mainly on ways to exempt sources from the BART requirements (i.e. modeling) and the requirements for the engineering analysis if sources are subject to BART. Little emphasis will be placed on control requirements in the upcoming Chapter 116 changes since BART controls are not required to be operational until 5 years after SIP approval. The TCEQ plans to propose the rule changes in August 2006, adopt them in December 2006, and require the engineering analysis for BART-eligible sources in April 2007.

Because BART is only one part of the Regional Haze Rule, the TCEQ could propose controls as part of the SIP for sources that are not BART-eligible.

The TCEQ urges sites to register on the BART list server to receive periodic updates (join-bart@listserv.tceq.state.tx.us) and plans on releasing a new Regional Haze/BART website in May 2006.

Ozone Modeling Sensitivity Results for DFW Area

On March 29, 2006, The TCEQ posted modeling sensitivity results for two potential control strategies for the Dallas-Fort Worth 8-Hour Ozone SIP; Cement Kilns and East Texas Combustion Sources. The results are posted on the Dallas-Fort Worth Ozone Nonattainment Area webpage at the following web link, under Modeling Documents:

<http://www.tceq.state.tx.us/implementation/air/airmod/data/dfw1.html>

EGU Standard Permit Amendment TCEQ proposed amendments to the standard permit for EGUs which would allow very small units (capacity \leq 100 kilowatts) in East Texas to comply with the pre-2005 nitrogen oxides (NO_x) limit of 0.47 pounds per megawatt-hour). The proposed amendments would also delete the hydrogen sulfide fuel concentration limit which applies to gaseous fuels and provide more flexibility for the use of renewable fuels under the standard permit. A public meeting will be held in Austin, May 10, 2006 at the TCEQ.

http://www.tceq.state.tx.us/assets/public/permitting/air/Announcements/Advisory/Agendas_Minutes/egu_techsum_pro_fnl.pdf

Houston-Galveston-Brazoria 8-Hour Ozone Nonattainment Area The Houston-Galveston-Brazoria (HGB) nonattainment area control strategies need to be implemented prior to the 2009 ozone season. TCEQ is working with ENVIRON International Corporation to prepare control measures for point sources (chemical plants, refineries, electric utility plants, etc.) and area sources (dry cleaners, residential water heaters, agricultural operations, consumer products, fuel dispensing, etc.) of emissions in the HGB area. A Draft Short List was developed based upon the initial review, and is now available for additional public comment on this web site. The TCEQ is scheduled to propose the rules for the HGB 8-hour Ozone State Implementation Plan in December 2006, and adopt the SIP in May 2007.

<http://www.tceq.state.tx.us/implementation/air/sip/hgb.html#new>

HGB 8- Hour Ozone Point and Area Control Strategy Development The TCEQ is seeking public input on possible point and area control strategies to also be included in the next SIP revision. More information about this is located on the [Houston-Galveston area council web page](#).

Particulate Matter Ground Level (Property Line) Concentrations TCEQ proposed that 30 TAC 111.155, otherwise known as the PM property line standard, be repealed. The repeal is pending for adoption on April 26, 2006.

<http://www.tceq.state.tx.us/rules/pendadopt.html>

Texas Low-Emission Diesel Rule TCEQ proposed a revision to the Texas Low-Emission Diesel Rule. The revision establishes a method and process by which all alternative emission-reduction plans (AERP) could be approved by the TCEQ and the EPA without the need for a SIP revision for each individual plan. The revision also makes changes to the rules relating to testing requirements for the approval of alternative diesel-fuel formulations and changes needed for clarification and consistency with testing procedures and guidance approved by the EPA and the California Air Resources Board.

http://www.tceq.state.tx.us/implementation/air/sip/txled_rec_rev.html

TCEQ Trade Fair

The 2006 Environmental Trade Fair and Conference will be held May 9-11, 2006. The TCEQ provides seminars and workshops which offer up to 11 approvable hours of continuing education credits. Register by April 21 for a lower conference price.

While you are there, visit us at booth #1722.

<http://www.tceq.state.tx.us/assistance/events/etfc/etf.html>

EPA Updates

SMART LDAR Program On April 6, 2006, EPA proposed a voluntary alternative work practice for finding equipment leaks called SMART LDAR using new technology. The new technology would include optical gas imaging.

<http://www.epa.gov/fedrgstr/EPA-AIR/2006/April/Day-06/a5005.htm>

Benzene Reduction in Gasoline EPA proposed controls on gasoline to reduce benzene emissions. The benzene content will be limited to an annual average of 0.62% by volume by 2011. EPA also proposed limits on hydrocarbon emissions from passenger vehicles as well as emission standards for gas cans. <http://www.epa.gov/fedrgstr/EPA-AIR/2006/March/Day-29/a2315a.htm>

MACT Updates

Startup/Shutdown/Malfunction Emissions EPA issued final amendments to the General Provisions to the national emission standards for hazardous air pollutants (NESHAP) including rules that would allow facilities flexibility in limiting emissions during periods of startup, shutdown, and malfunction.

http://www.epa.gov/ttn/oarpg/t3/fr_notices/generalprov_final_reconsider.pdf

MACT Regulations Review EPA reviewed certain MACT regulations and determined the current regulations need no changes:

MACT O - Ethylene Oxide Sterilization Facilities:
http://www.epa.gov/ttn/oarpg/t3/fr_notices/eo_rr_mact_final.pdf

MACT Q - Industrial Process Cooling Towers:
http://www.epa.gov/ttn/oarpg/t3/fr_notices/ipct_rr_final_pm.pdf

MACT EE - Magnetic Tape Manufacturing Operations:
http://www.epa.gov/ttn/oarpg/t3/fr_notices/magtape_rr_final.pdf

MACT EEE EPA extended the comment period to the proposed rule entitled National Emission Standards for Hazardous Air Pollutants: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors, published on March 23, 2006, until May 8, 2006. In the proposed rule, EPA requested comment on a revised new source particulate matter standard for cement kilns that burn hazardous waste and to the new source particulate matter standards for incinerators and liquid fuel boilers that burn hazardous waste.

<http://www.epa.gov/fedrgstr/EPA-AIR/2006/April/Day-13/a5493.htm>

MACT FFFF (MON) On March 1, 2006, EPA adopted the changes to the Miscellaneous Organic Chemical Manufacturing NESHAP regulation (also known as the Miscellaneous Organic NESHAP or MON). The most significant change is the effective date for existing facilities is now delayed 18 months. Under the promulgated rule, existing affected sources would be required to be in compliance by

November 10, 2006. With this final action, existing sources will be required to comply with the rule by May 10, 2008. <http://www.epa.gov/fedrgstr/EPA-AIR/2006/March/Day-01/a1918.htm>

Friendly Reminders

- MACT compliance dates:
 - Asphalt Processing and Roofing Manufacturing (MACT LLLLL) - 5/1/2006
 - Semiconductor Manufacturing (MACT BBBBB) - 5/22/2006
 - Reinforced Plastics Composites Production Facilities (MACT WWWW) – 4/21/2006
- Submit precompliance reports:
 - Misc. Coating Manufacturing Operations (MACT HHHHH) - 6/11/2006
- Submit Notification of Compliance Status Report for the Reinforced Plastics Composites Production Facilities (MACT WWWW) by 5/21/2006, unless complying with an organic HAP emissions averaging provision or by using an add-on control device
- Comments on OMB Risk Assessment Guidance are due 6/15/2006
- Pipeline systems subject to 49 CFR §195.49 (DOT RSPA) hazardous liquid pipeline safety regulations need to submit annual report (Form RSPA F7000.1-1) by 6/15/2006
- Notify TCEQ by 7/1/2006 if your emissions/inspection fee packet has not been received
- Submit TRI annual reports by 7/1/2006
- Submit Pollution Prevention Plan Annual Progress Report by 7/1/2006
- Submit notification of intent to conduct performance test by 7/3/2006 for MACT YYYY compliance
- Submit semi-annual report by 7/30/2006 for affected engines in the Beaumont/Port Arthur and Dallas/Fort Worth nonattainment areas subject to the ESAD rules (30 TAC 117.219(e) and 117.520(a)(3)(C)).