

Coordinating Permitting and Enforcement Nebraska's Experiences

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Background

- February 2010 Kai Zen Workshop
- What wasn't working
 - NESHAP Coordination
 - Permit Specificity
 - Permit Superseding
- What was working
 - Thorough Review Process



NESHAP Coordination

- NESHAP Coordinator
 - Constant rehiring
 - None at time
- Repetitive Regulatory Reviews
- Lack of Organization
- Multiple Complicated Standards
 - Inconsistent Determinations



Permit Specificity I

- Construction Permits
 - Incorporation by reference
 - Statement of Basis described most requirements
- Operating Permits
 - Incorporation by reference
 - Include Standards in Permit
 - Include NSPS/NESHAP as attachment
- Burden put on Compliance



Permit Specificity II

- Updated NSPS/NESHAP Language
 - Helpful
 - Sources must take initiative
- “CAM like Conditions”
 - Shared Standard Language Directory
 - Difficult with Construction Permits



NSPS/NESHAP Reviews I

- Team Based Approach
 - Permitting, Compliance, Regulation Coordinator
- Permitting
 - Identify Applicable Standards
 - Inform Compliance and Regulation Coordinator
 - Potentially Applicable Standards
 - Source Description
- Source Interaction
 - Multiple Compliance Options



NSPS/NESHAP Reviews II

- Updated Permit Language
 - Upon issuance of this permit, the facility shall comply with **{Subpart Letter}** using the compliance option specified in **{Subpart Citation and Option Description}**. The facility may change compliance options during the term of the permit, provided they submit a notice at least 30 days prior to the date of the change. Such notice shall include the option that will be used to demonstrate compliance and the date on which the change will occur.



NSPS/NESHAP Reviews III

- Updated Fact Sheet
 - Include detailed applicability

| REQUIREMENTS | CITATION |
|-------------------------------------|-----------------------------|
| General Requirements and Provisions | § 63.11130 and Table 3 |
| Compliance | § 63.11116(a), (c), and (d) |
| Notification | N/A |
| Reports | § 63.11116(b) |
| Records | § 63.11116(b) |

- Goal: Repository of Tables



Permit Superseding I

- EP Specific Modifications
 - Sub Section of Permit Superseded
- Old vs. New Permit Format
 - Old: Clustered All Conditions Together
 - New: Each Condition Represents Similar EPs
- Less Confusion with New Format
 - Conversion Depends on Quantity of Changes



Permit Superseding II

XXX. Terms and conditions of this permit are in accordance with the requirements of Nebraska Title 129, Chapter 8 Section 001. The specific applicable requirement which is the basis for each specific permit condition is listed with each permit condition. The specific conditions of this permit are:

(A) Emission Equipment

This permit allows for the operation of the following equipment (Table 1):

Table 1 Equipment

| Unit/Seg. No. | Equipment Model | Nominal Capacity | Fuel | Installation Date |
|---------------|------------------------------|------------------|----------------|-------------------|
| CT-1 | General Electric MS7001 'B' | 75 MW | Gas/Oil | 1972 |
| CT-2 | General Electric MS7001 'B' | 75 MW | Gas/Oil | 1972 |
| CT-3 | Siemens Model V84.2 | 120 MW | Gas/Oil | 1996 |
| CT-4A | Pratt & Whitney FT-8 | 27 MW | Gas/Oil | 2000 |
| CT-4B | Pratt & Whitney FT-8 | 27 MW | Gas/Oil | 2000 |
| CT-5A | Pratt & Whitney FT-8 | 27 MW | Gas/Oil | 2000 |
| CT-5B | Pratt & Whitney FT-8 | 27 MW | Gas/Oil | 2000 |
| BSDG | Black Start Diesel Generator | 4 MW | Oil | 1996 |
| 8 | Diesel Storage Tank | 442,080 Gal | No. 2 Fuel Oil | 1971 |
| 9 | Diesel Storage Tank | 442,080 Gal | No. 2 Fuel Oil | 1973 |
| 10 | Diesel Storage Tank | 442,080 Gal | No. 2 Fuel Oil | 1973 |

(B) New Source Performance Standard (NSPS) Emission Limitations: All combustion turbines, excluding turbines CT-1 and CT-2, shall comply with Nebraska Title 129, Chapter 18 - New Source Performance Standards, 40 CFR 60 Subparts A and GG, adopted as Title 129, Ch 18, 001.01, for General Provisions, and Title 129, Chapter 18, 001.53, for Stationary Gas Turbines, respectively. There may be other applicable requirements from the Acid Rain Program (Title IV of the Clean Air Act) more stringent than the NSPS requirements that apply to this source. If there is a conflict between what is indicated in this permit as an NSPS requirement and the specific NSPS regulation, as found in 40 CFR Part 60, the NSPS regulation shall take precedent over any requirement indicated in this permit. (Construction Permit issued 7/29/99)



Permit Superseding III

Class I Operating Permit #0009R1-234
Issued: DRAFT

Facility ABC, Inc.
FID # 123456

III. SPECIFIC CONDITIONS FOR AFFECTED EMISSION POINTS:

(A) Specific Conditions for Stationary Internal Combustion Turbines

(1) Permitted Emission Points

Facility ABC, Inc. is permitted to operate the emission points and associated emission units identified in the following table:

| Emission Point ID# | Control Equipment ID# and Description R = Required and NR = Not Required | Emission Unit ID# and Description |
|--------------------|---|--|
| CT-1 | None | EU-001, General Electric MS7001 B Internal Combustion Turbine, Maximum Nominal Capacity of 75 MW; installed 1972 |
| CT-2 | None | EU-002, General Electric MS7001 B Internal Combustion Turbine, Maximum Nominal Capacity of 75 MW; installed 1972 |

(2) Applicable NSPS, NESHAP and Acid Rain Requirements:

No NSPS, NESHAP or Acid Rain Program requirements are applicable to CT-1 and CT-2.



Permit Review Process

- Initial Review
 - Permitting and Compliance
- Source Review
 - Allows additional communication
- Final Review
 - Prior to sign-off



Permit Review Process II

- Positives
 - Allows compliance to shape permit
 - Encourages communication
 - Step in others shoes
- Negatives
 - Time Intensive
 - Interaction can vary
 - Can be frustrating



Accountability

- Include Names in Fact Sheet
 - Permit Writer
 - Permitting Reviewer
 - Compliance Reviewer
- Goal: Accept Ownership of Final Product



Current Results I

- ☺ NSPS/NESHAP
 - ☺ Applicability
 - ☺ Understanding
 - ☺ Repository
 - ☺ More Source Involvement
- ☺ Compliance-Permitting Knowledge
- ☺ Facilitates Discussions
- ☹ Changes Require Initiative



Current Results II

- ☹ NSPS/NESHAP
 - ☹ Those not adopted into Title 129
 - ☹ Vacatures
 - ☹ Maintaining Accountability
- ☹ Time Intensive
- ☹ Communication Difficulties
- ☹ Lack of Universal Change



Future Advances

- Air Regulations Constantly Changing
- Always Looking for Improvement