



New Source Review (NSR) Update

Trends/Issues in Regional PSD/Title V Permits

March 27, 2007



NSR Update



Legal Proceedings – U.S. Supreme Court Case

- Court to decide on an opinion by the U.S. Court of Appeals for the Fourth Circuit (which covers North Carolina and South Carolina in Region 4).
- Issue is whether a physical or operational change must include an increase in maximum hourly emissions to be considered a “modification.”
- Decision expected this spring or summer.



NSR Rule Changes – Amendments to Remove Vacated Provisions

- U.S. Court of Appeals for the District of Columbia vacated portions of NSR rule revisions in 2005. Amendments will remove these portions.
- Pollution control project exemption provision; Clean Unit provision.
- Final amendments to be issued soon.



NSR Rule Changes - DAPN

- Debottlenecking
- Aggregation
- Project netting
- Final rules expected fall 2007



NSR Rule Changes - PM_{2.5}

- Final PM_{2.5} NSR implementation rules (to be discussed in separate presentation)
- Proposed PM_{2.5} rules for PSD increments, significant impact levels, significant monitoring concentrations (to be discussed in separate presentation)



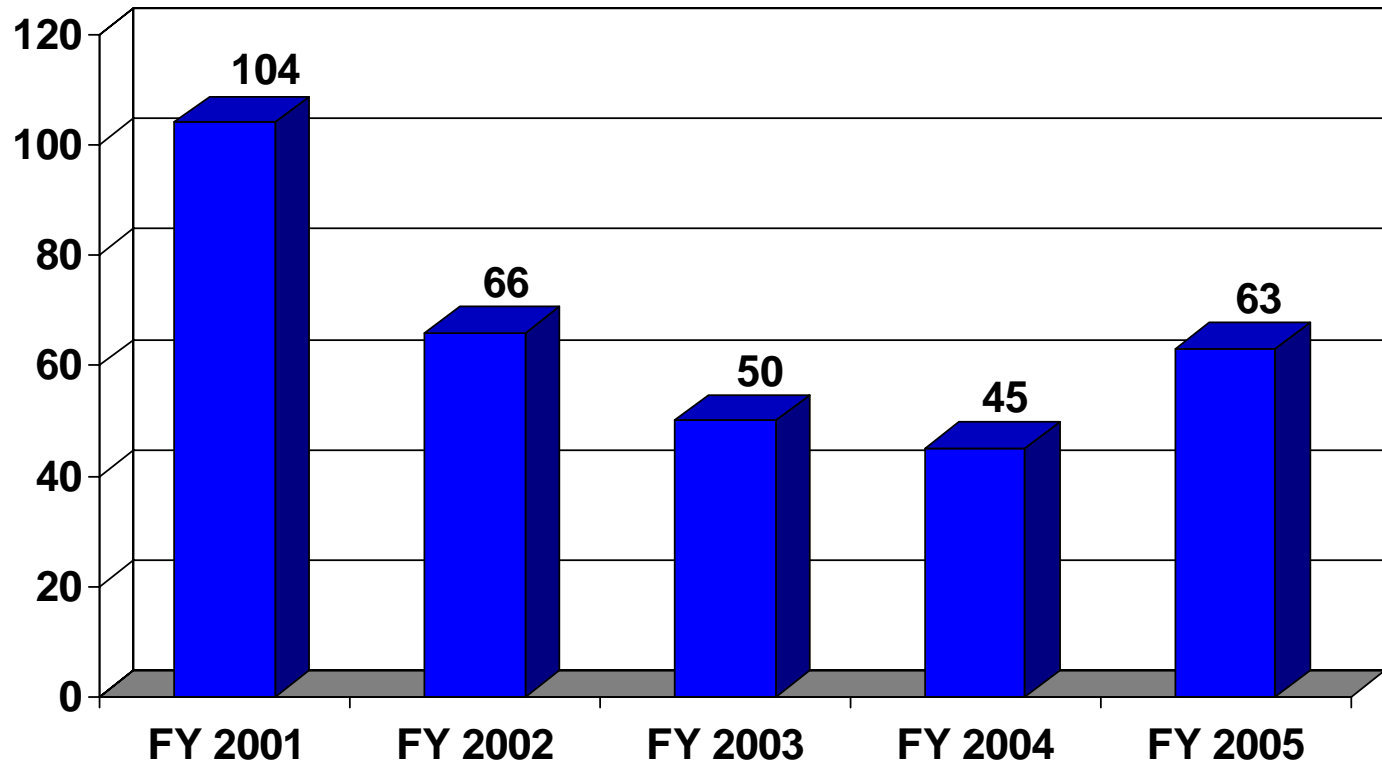
NSR Rule Changes - Other

- Proposed rule on fugitive emissions (expected summer 2007)
- Final rule on corn milling/ethanol exemption from chemical process plant source category (expected spring 2007)



Trends/Issues in Regional PSD/Title V Permits

NSR FY '05 Accomplishments – PSD Permit Applications





Recent PSD Permitting Projects of Note

- New coal-fired electric utility steam generating units (FL, GA, KY, NC, SC)
- Coal-fired power plant pollution reduction retrofits
- Integrated gasification combined cycle (IGCC) facilities (FL, KY)
- New vehicle assembly plants (Toyota in MS; Kia in GA)



Recent PSD Permitting Projects of Note (cont'd)

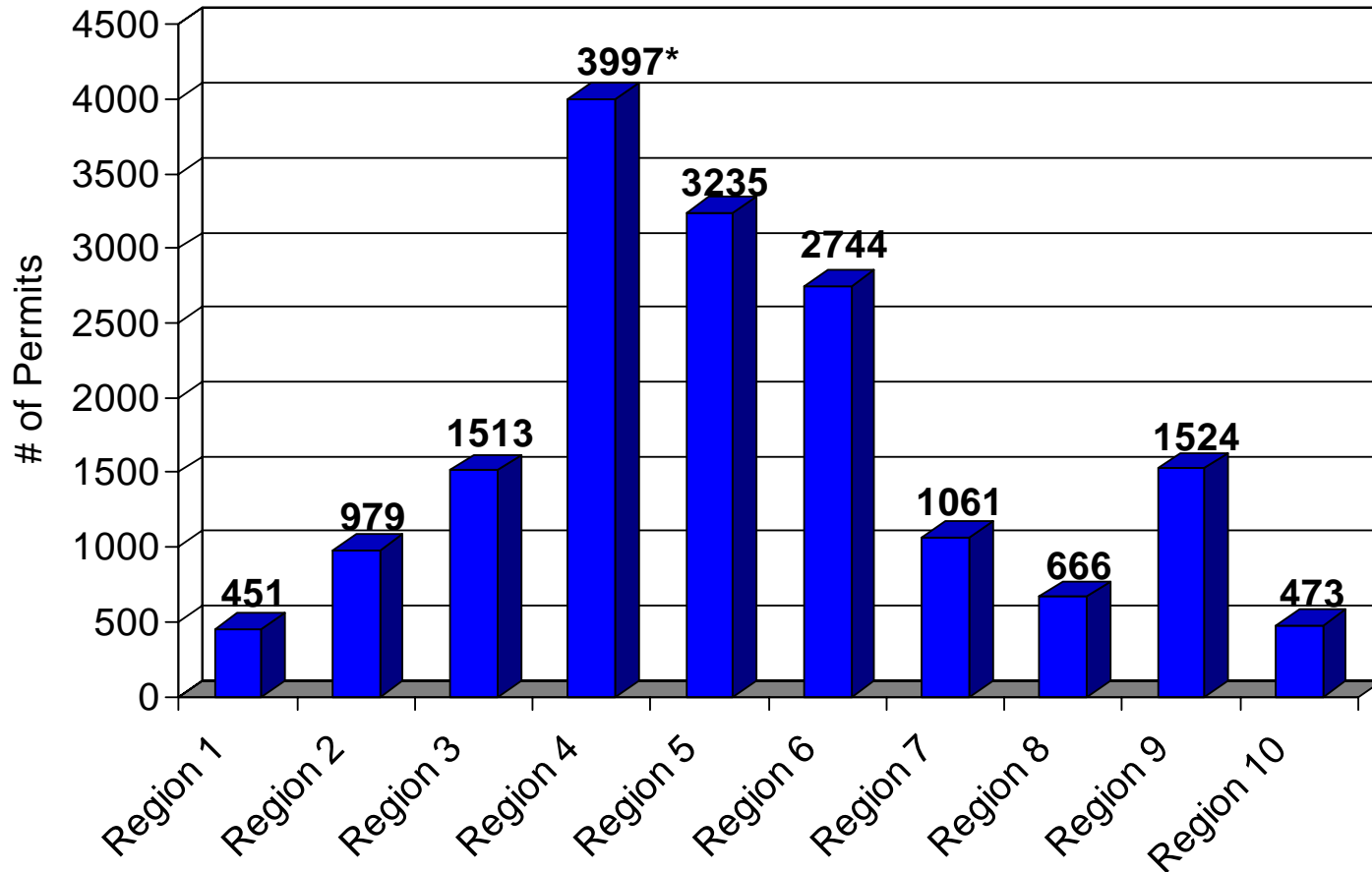
- Steel mini-mills (AL, FL, MS, SC, TN)
- Wood products (e.g., oriented strand board)
- Cement manufacturing
- Boat manufacturing
- Liquefied natural gas (LNG) terminals



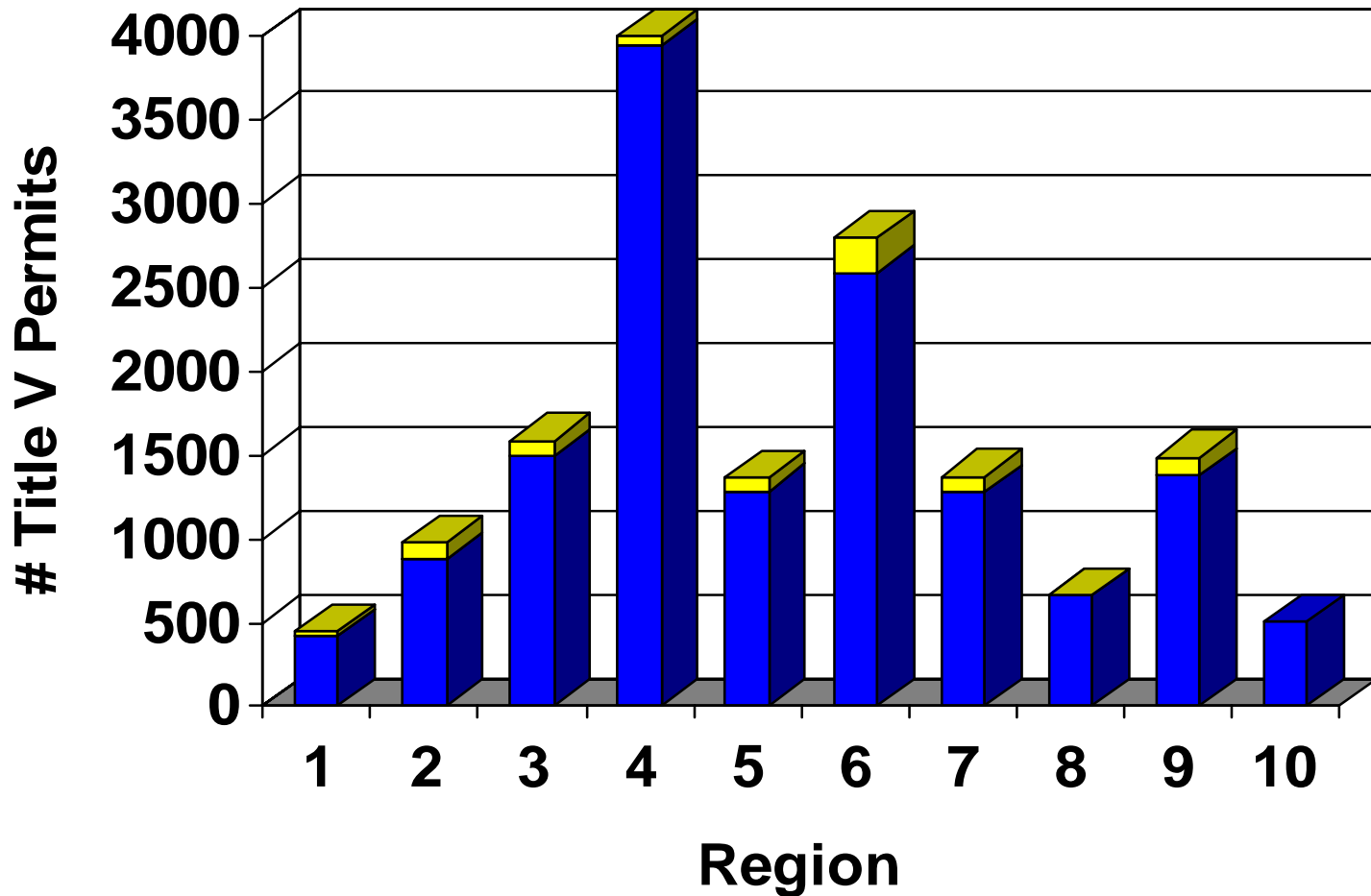
Plantwide Applicability Limitation (PAL) Permit Applications

- Not as many permit applications as expected.
- Sealed Air/Cryovac (SC)
- Temple-Inland (GA)

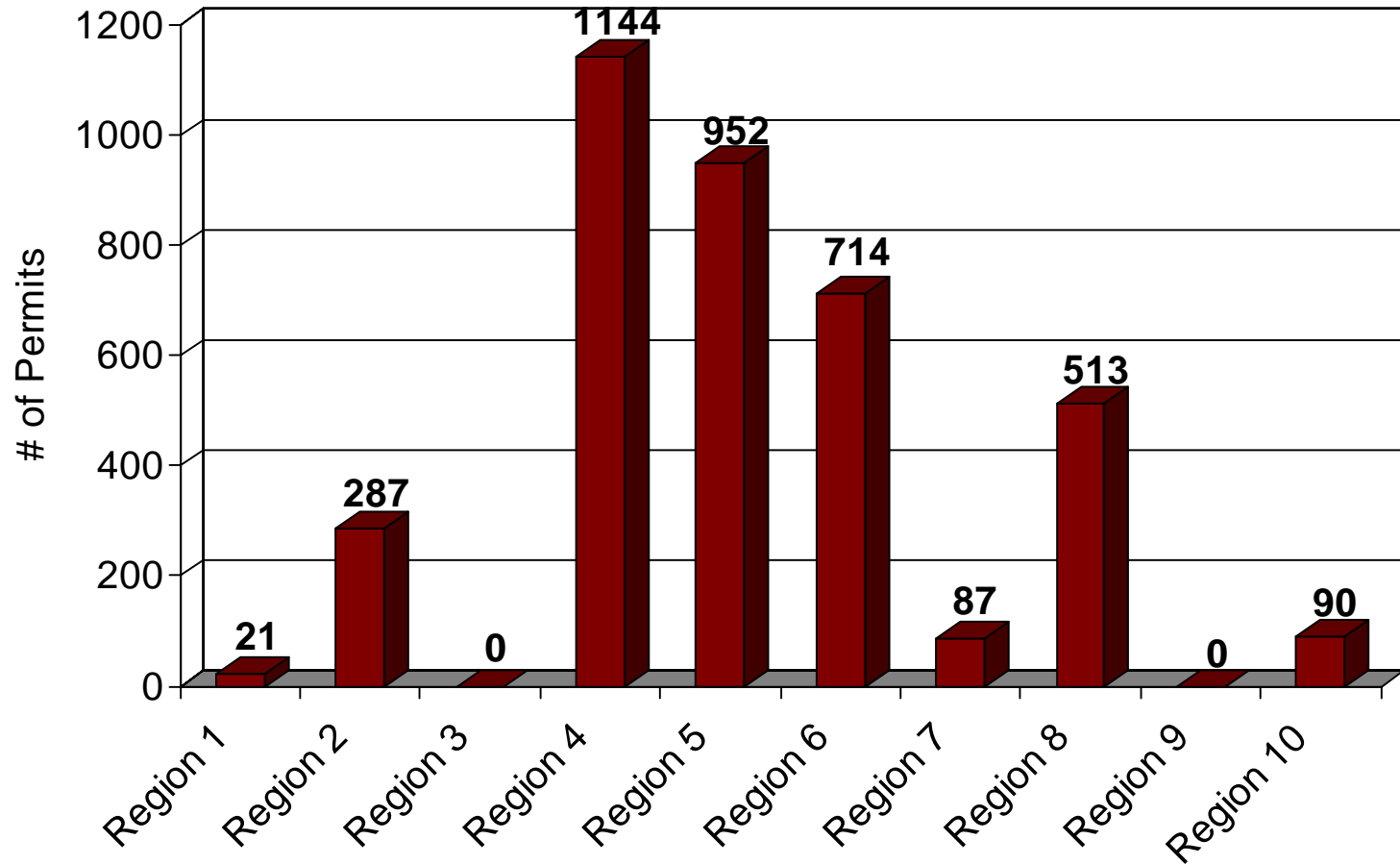
Title V Sources



Title V Initial Issuance (as of FY '05)



Title V Significant Modifications

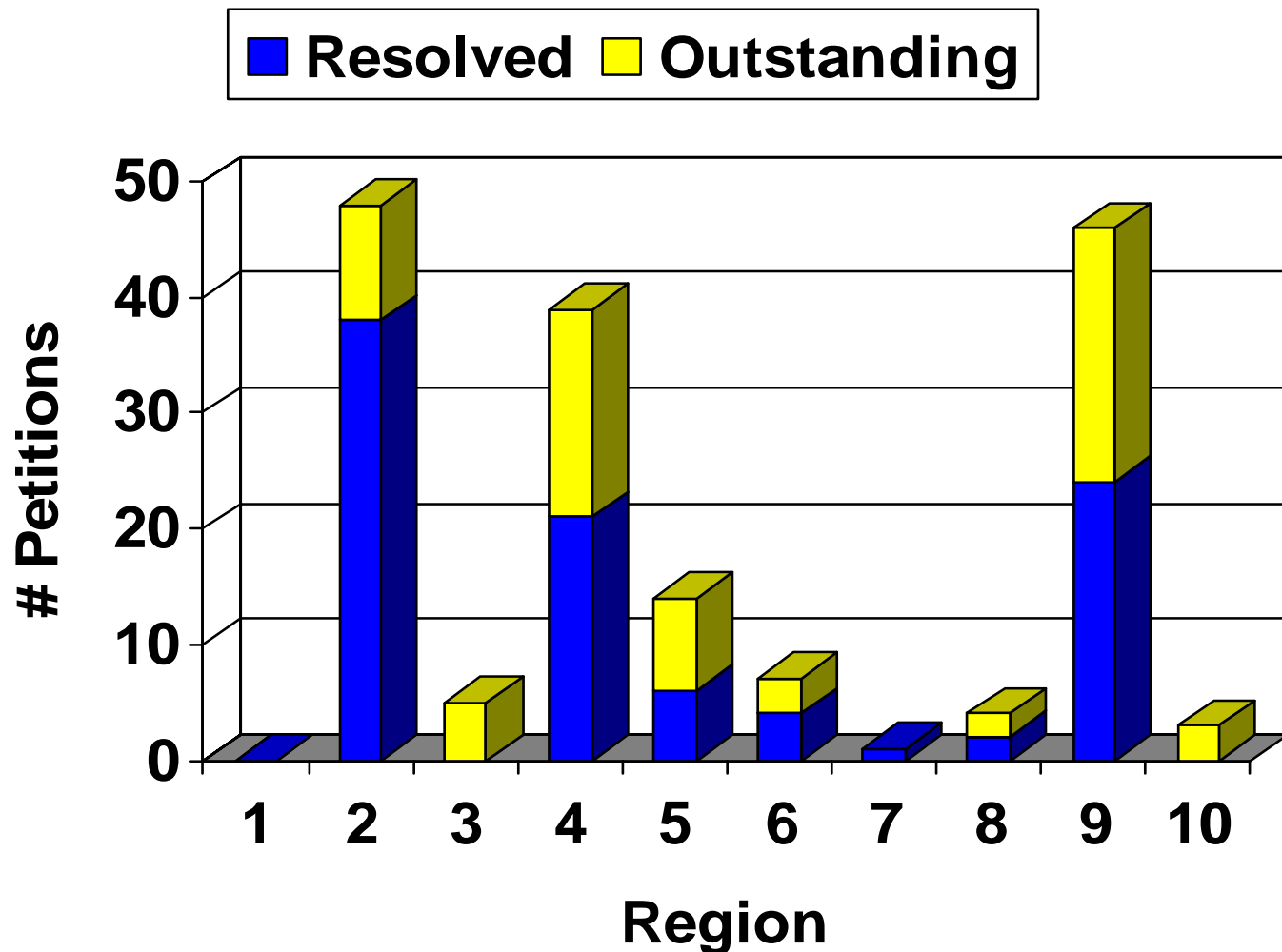




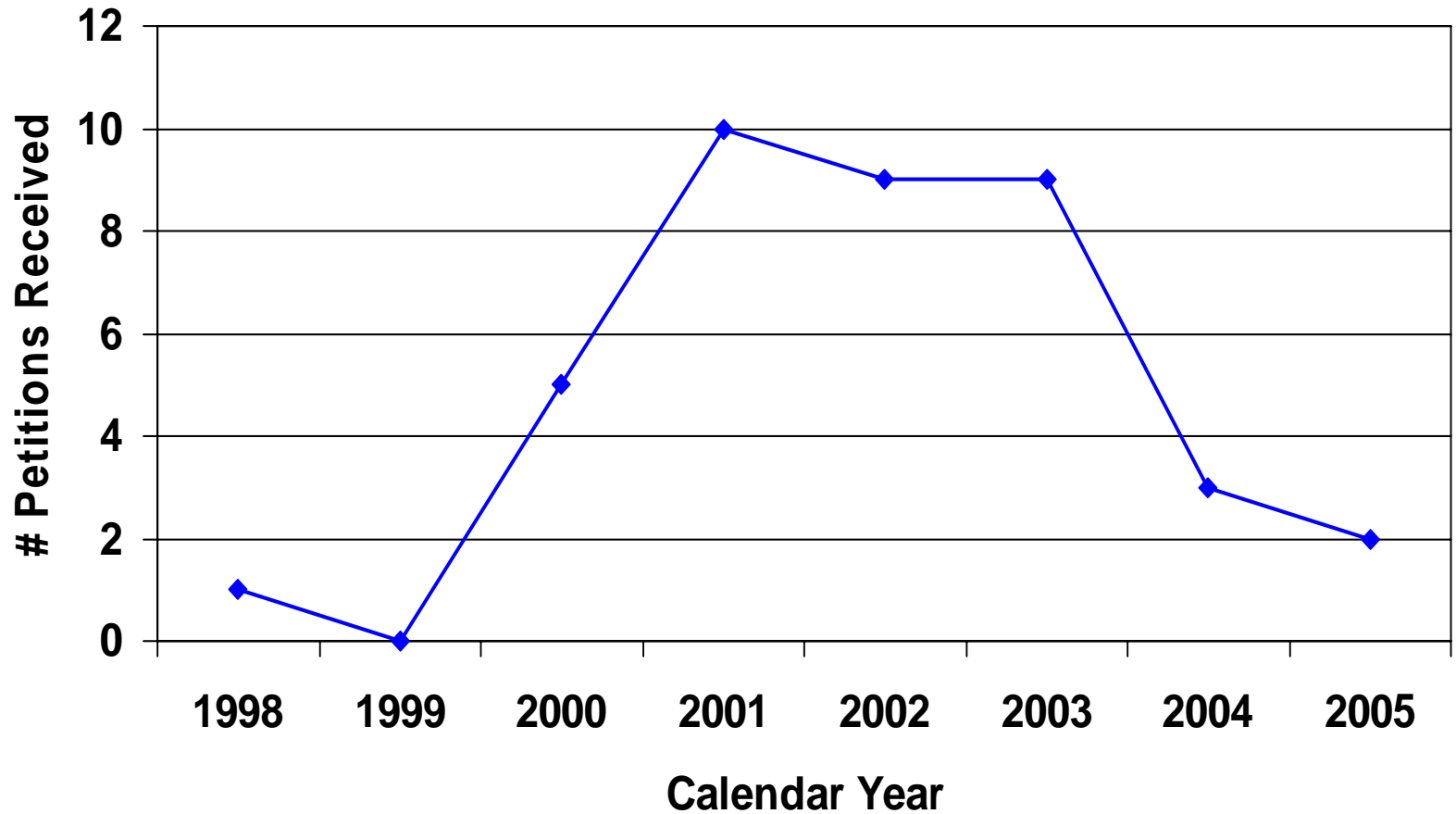
Title V Petitions

- EPA tracks submitted title V petitions using the Petition Electronic Tracking System (or PETS)
- Petitions received-to-date:
 - Nationally: 223
 - Region 4: 46 (third most)
 - Regions 2, 4, and 9 account for approximately 65 percent of the national total

Title V Petitions Received Nationally



Title V Petitions Received by Region 4



Title V Petitions (cont.)

- Regional breakdown:
 - Alabama: 8
 - Florida: 0
 - Georgia: 23
 - Kentucky: 4
 - Mississippi: 0
 - N. Carolina: 4
 - S. Carolina: 3
 - Tennessee: 4

Title V Petitions (cont.)

- Twenty-three (23) of 44 have been resolved as follows:
 - Nineteen (19) issued final or amended final Orders
 - Five (5) deemed “untimely” pursuant to 40 CFR § 70.8(d)
 - Two (2) withdrawn by petitioner(s)

Title V Petitions (cont.)

- Common issues raised:
 - Need for compliance schedules to address past prevention of significant deterioration (PSD) applicability
 - Insufficient monitoring
 - Inadequate statements of basis
 - Failure to include all applicable requirements