

**Major  
New Source Review (NSR)  
Rule Webinar  
Tribal Environmental  
Professionals**

**US Environmental Protection Agency**

Office of Air Quality Planning and Standards (OAQPS)

July 20, 2011

# Briefing Purpose

2

- Brief overview of NSR program

# Common NSR Terms

3

- **Potential to Emit (PTE)** – maximum capacity of a source to emit a pollutant
- **Allowable emissions** – enforceable emission limitations on maximum capacity
- **Actual emissions** – current source emissions
- **Projected actual emissions** - source's estimate of future actual emissions (future actual)

# New Source Review (NSR)

4

- A program that requires industrial facilities to install modern pollution control equipment when:

- they are built or



- when making a change that increases emissions significantly

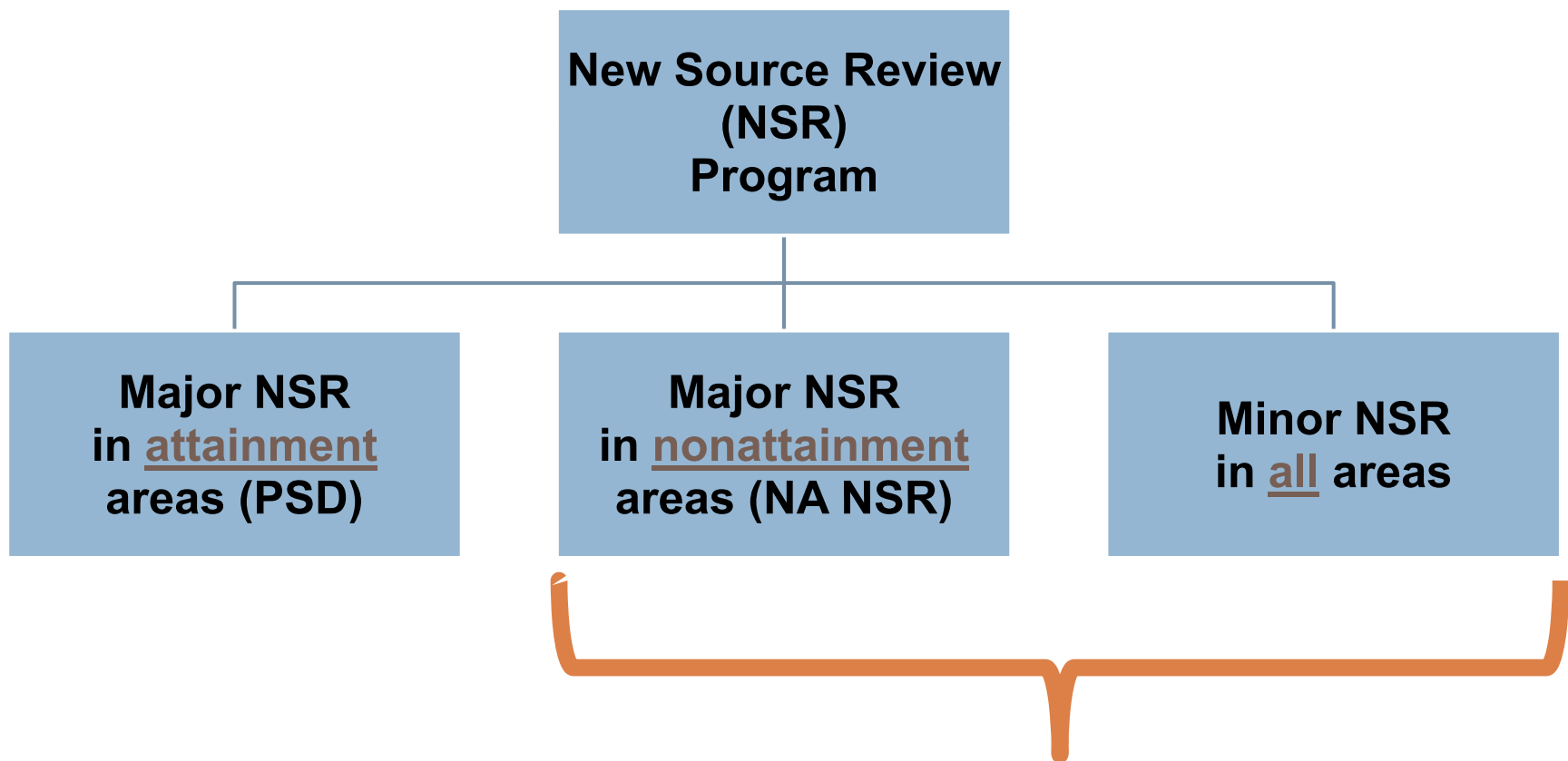


# Purpose of the NSR Program

5

- To protect public health and the environment
  - ▣ As new industrial facilities are built and existing facilities expand
- Program ensures that air quality:
  - ▣ does not worsen where the air is currently unhealthy to breathe (i.e., nonattainment areas)
  - ▣ is not significantly degraded where the air is currently clean (i.e., attainment areas)
- Purpose accomplished through pre-construction permits

# Types of NSR Permitting Programs

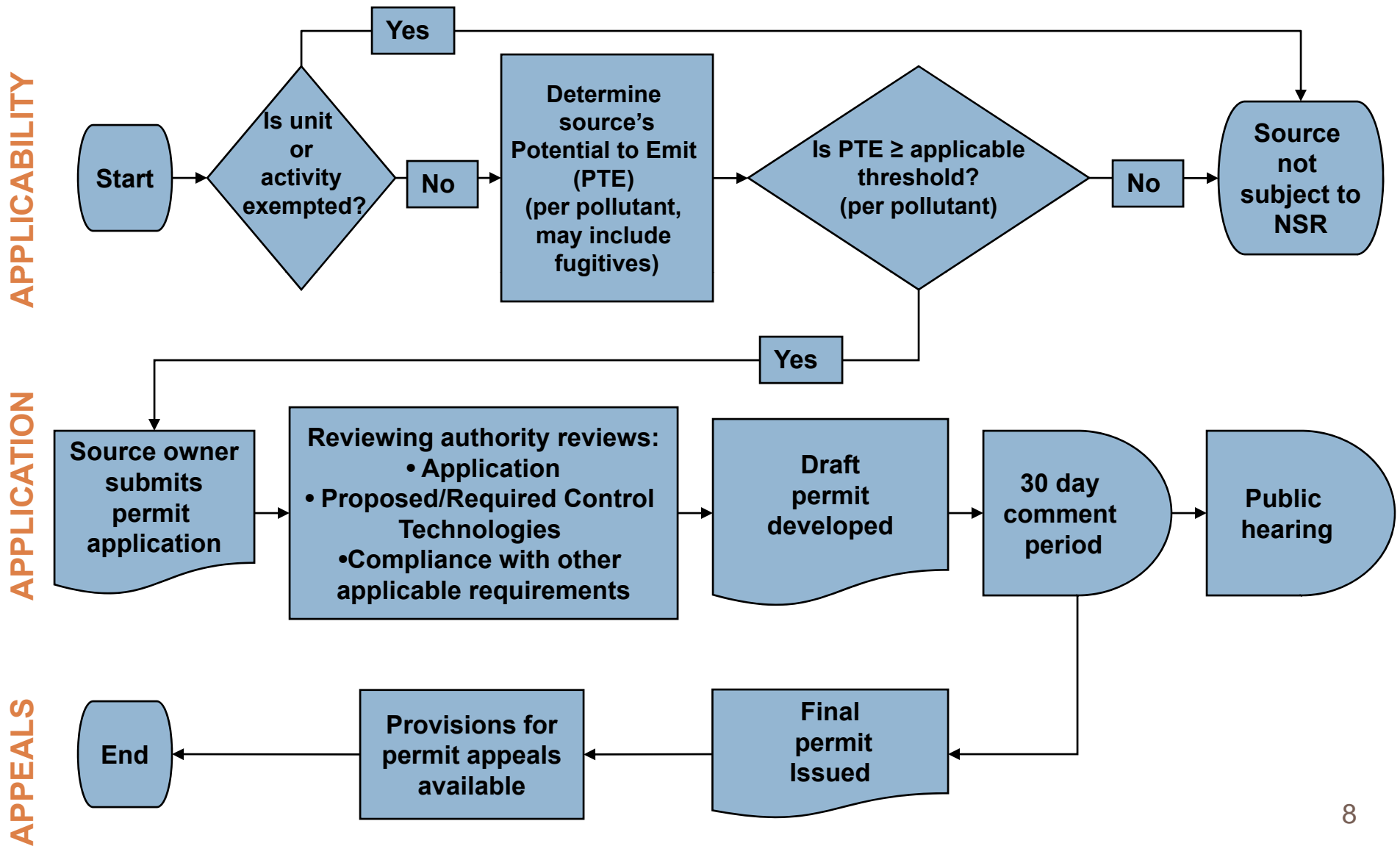


# Benefits of the Tribal NSR Rules for Tribes

7

- Filling regulatory gap
- Leveling the economic playing field
- Providing a cost-effective and timely permitting mechanism
- Protecting tribal sovereignty from state incursion by clarifying jurisdiction
- Ensuring resources are protected through controlled growth
- Building tribal capacity
  - ▣ Supply potential model for Tribal Implementation Plan (TIP) development
- Allowing administration of the program by tribes through delegation

# Permitting Process (Simplified)





# Contacts

9

Jessica Montañez, Rule Lead

Phone: 919-541-3407

[montanez.jessica@epa.gov](mailto:montanez.jessica@epa.gov)

Raj Rao, NSR Group Leader

Phone: 919-541-5344

[rao.raj@epa.gov](mailto:rao.raj@epa.gov)

Laura McKelvey, CTP Group Leader – Implementation Lead

Phone: 919-541-5497

[mckelvey.laura@epa.gov](mailto:mckelvey.laura@epa.gov)



# Appendix

# NSR Program Regulations

11

- NSR regulations based on Clean Air Act (CAA), <http://www.epa.gov/air/caa/>. Requirements for:
  - ▣ PSD in Title I Part C, Sections 160 to 169
  - ▣ NA NSR in Title I Part D, Sections 171 to 193
  - ▣ Minor NSR in Title I Part A, Section 110(a)(2)(C)
  
- NSR regulations established at Federal, State and Tribal level
  - ▣ Regulations can be found in the Code of Federal Regulations (CFR) at: <http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>
  - ▣ PSD in 40 CFR Sections 51.166 (States/Tribes) and 52.21 (Federal)
  - ▣ NA NSR in 40 CFR 49.166 to 49.175 (Tribal) and 51.165 (States)
  - ▣ Minor NSR in 49.151 to 49.165 (Tribal) and 51.160 to 51.164 (Federal)