

Fact Sheet — Revisions to Appendix P to 40 CFR Part 51, Concerning Minimum Emission Reporting Requirements in SIPs

ACTIONS

- On July 15, 2020, the U.S. Environmental Protection Agency (EPA) finalized revisions to its regulations guiding the preparation of state implementation plans (SIPs). These regulations are found in 40 CFR Part 51.
- The final rule changes the minimum reporting frequency requirement for source categories listed in Appendix P to 40 CFR Part 51 from quarterly to semiannual. This revision is generally consistent with the current reporting frequency requirements to which these sources are subject under other Clean Air Act programs (*e.g.*, New Source Performance Standards). As a result of this rule, each state may—but is not required to—revise its SIP to allow semiannual reporting for the four Appendix P source categories:
 - fossil fuel-fired steam generators of more than 250 million British thermal units per hour heat input;
 - fluid bed catalytic cracking unit catalyst regenerators at petroleum refineries;
 - sulfuric acid plants; and
 - nitric acid plants.
- This action also corrects an erroneous cross-reference in Appendix P.
- The final rule will be effective 30 days after publication in the *Federal Register*.

BACKGROUND

- Each state is required under section 110 of the Clean Air Act to have a plan to achieve and maintain clean air called a state implementation plan, or SIP. In general SIPs must demonstrate how national air quality standards will be achieved, maintained, and enforced. EPA established SIP preparation regulations in 1971, under 40 CFR Part 51.
- In 1975, EPA added continuous emission monitoring specifications for SIPs under Part 51 as Appendix P. At the same time, EPA added continuous emission monitoring specifications for New Source Performance Standards (NSPS) under Part 60. Sources subject to requirements specified under either set of regulations were required to submit continuous emission monitor reports of their excess emissions and other information on a quarterly basis. It was by design that the minimum requirements under the SIP regulations for continuous emission monitoring (which states would apply to existing sources) were similar to the requirements simultaneously added under the NSPS regulations (which EPA would apply to new and modified sources).
- In 1999, EPA promulgated a Burden Reduction Rule which revised numerous NSPS and other regulations to allow sources to submit continuous emission monitoring reports semiannually. Because the 1999 rule did not revise Appendix P to 40 CFR Part 51, the minimum reporting frequency requirement specified in Appendix P generally no longer aligned with the reporting requirements under the NSPS regulations applicable to the four Appendix P source categories.

FOR MORE INFORMATION

- For more information on developing an air quality SIP, go to EPA's website at <https://www.epa.gov/air-quality-implementation-plans/develop-air-quality-sip#guidance>.
- For questions about this action, contact Ms. Lisa Sutton of EPA's Office of Air Quality Planning and Standards at (919) 541-3450 or by email at sutton.lisa@epa.gov.