

1. STAPPA conference calls - Renee Bashel

NSR Reform

(Background) STAPPA started out with one call in Dec to try and address all NSR reform issues. Only talked about PALs. So for January, STAPPA has had individual calls on each of the other NSR issues in the final and proposed rules. Renée has attended most of the calls and Richard has been able to attend a few.

Each call included time for clarification of issues with EPA rule writers and then discussion among the state programs. The **final** rule issues are: the new actual to future-actual calculations for significant changes, PALs (plant-wide applicability limits), clean unit exemption, and pollution control project exemption. They also had a call specifically to discuss implementation in the delegated states. The proposed rule issue is the definition of routine maintenance, repair and replacement.

{Side note: I (Renee) missed the call on how delegated states (those that have to conform to federal rule upon effective date of March 3, 2003) would deal with implementation. WI is SIP approved so they have 3 years to implement as they see fit. STAPPA has requested a one-year extension/delay to the effective date to give those states time to learn about the rule. EPA will be offering training to those states in late February or early March (just in time!).}

Some quick points Renee took away from the calls:

- * Not likely the changes will affect small businesses since the changes are for the PSD NSR rules.
- * EPA seems to think that anything not requiring PSD review because of these changes would still be caught under the state minor NSR review. WI permit writers didn't seem to think this would be the case and when asked EPA couldn't come up with any examples.

Renee can provide details on any of the topics if needed. (**see extra attachment**)

Next two STAPPA NSR calls are on Clean Unit designation and a PALs follow-up from the December call. The next monthly toxic committee call is March 4th (Feb was just cancelled for lack of topics) and the next monthly permitting committee call is Feb 12th.

Innovative Permit project for Printers (flexible permits)

Not many states were ready to comment on the EPA report summarizing the permit study of flexible permits for printers. STAPPA seemed to strictly be coordinating a call to see if states had major concerns or questions for EPA on the project or report. Key points brought up by the three states who had read it (including some I forgot to mention):

- * some requirements seemed excessive - harsh penalties in exchange for other flexibility (CEM plus flow monitor; very short-term VOC records)
- * implementation costs for states to try similar permits would be excessive (so wouldn't be likely to attempt) (costs both to write such complex permits and to review the extra monitoring and related QA/QC required)
- * some flexibility in permits went beyond what the state's regulations would allow
- * not likely to be useful for smaller printers

2. PTE Discussion - Jim Coyle, NY

Background

The wood furniture MACT had included an innovative way to classify area sources (technically synthetic minor-like sources) that could avoid the requirements of the rule. To avoid that MACT a source had two options: use the premise that you would use no more than 250 gallons per month of any HAP containing coatings on your surface coating operations, and any related cleaning or other operations, or an annual rolling average of 3000 gallons per month; or take a synthetic minor permit CAP. The former option certainly gives the really small sources some relief on records. Another related issue is that a source must get a synthetic minor source before the compliance due date of the rule in order to avoid the MACT - otherwise, once-in/always-in.

After reviewing the flurry of new surface coating MACTs being proposed this past fall, Jim noticed that they did not contain the same provision. The plastic coating rule, which would affect many small sources in NY, is still open for comment. It has a lower exemption level of 50/250 gallons/year. Marian Mudar/Jim Coyle are preparing comments, which are due on Monday Feb 3rd, to include the area source opt out of 250/3000 gallons. He tried to do this for the Misc. Metal Parts MACT but just missed the comment period and rule writer could not engage in a discussion about it.

Jim will provide a shortened version of the comments for us to submit from the SBAP/SBO Steering Committee. Mark Shanahan agreed to pass the comments to the Steering Committee via email and register the comment via regulations.gov with the EPA Docket instead of trying mail a formal letter (since that would take too long to make the comment deadline). **Jim will pare down the document he provided earlier supply to the tech committee and after Tech Committee agrees on it, Richard will send to Mark for approval by the Steering Committee. The comments will then be submitted via www.regulations.gov.**

There was some discussion about where the 250/3000 gallons came from. The 50% level for area sources that would otherwise need a synthetic minor permit? It was explained by Jim Coyle the it depends on how you calculate. Tim Smith EPA in the surface coating PTE Guidance, 1998 used very conservative estimates of HAP content 6lbs per gallon and having only single HAP in coating - not likely - would put a source at <9 TPY HAP.

Lalit suggested that the Plastic Parts rule comments be kept separate from the general issue of PTE use exemption. Many of the proposed or final MACTs do not have a provision like the 250/3000 gallons that make it easy for area sources to get out of the MACT. He also suggested that we might want to have a conference call with Kim Teal on this issue of a set 250/3000 gallons limit in other MACTs (including Dan E.), and with Steve Fruh, Racqueline Shelton on NSR. The group agreed that separate calls for each of these would be a good idea. **Richard will send out the discussion points for these calls and the group should reply with any comments or additions. At that point Richard will arrange these two calls.**

3. Wood Building Products - Renee

Renee brought up this rule to the group after all the emails about recently proposed rules. Impression was that we were doing a sort of "adopt-a-MACT" if people saw a need.

This is one likely to need a lot of outreach activity in WI. We would also be doing some evaluation of the implementation tools (many draft items available for this, unlike other recent rules). So if anyone wanted to find out what they will be doing in WI let Renee know.

Another reason it's a good fit for rule outreach in WI is that WI DNR (regulatory agency) has industry sector specialists who focus on one or a few specific industries. That includes a person on the wood products industry. Talking with her, it seems like there is a fairly large audience that will need addressing in WI - more so than there would be for the Plywood MACT (which is still open for comment).

Richard asked for the list of SICs affected. (Renee emailed shortly after the meeting.)

Doors & Windows - 2431, 2499

Flooring - 2426, 2421, 2499

Interior wall panel and tileboard - 2435, 2499

Other interior panels - 2435, 2436, 2493, 2499

Exterior siding, doorskins, Misc - 2435, 2493, 2499

Renee picked out SICs down to 6 or 8 digits to get the specific products they specify (as much as possible anyway). She can supply those if interested.

It was mentioned that the WBP MACT does have a sort of simple exemption level at 1100 gallons per year from just the wood building product surface coating operations. On the other hand the Plywood MACT doesn't. Plywood might be another rule to comment on to get EPA to include the 250/3000 exemption. Some rules do have very low exclusion levels for "incidental" use, but a consistent exemption level for "synthetic minor" area sources in all the surface coating MACTs would make more sense. So it would still make sense to include WBP MACT in the overall comments on the 250/3000 levels.

Also we need to push EPA for a singular definition of "Area Source" we have the true minors MACT sources that were originally exempted from title V permitting Dry Cleaners degreasers electroplaters etc. and then we have the "area sources of the Wood Furniture MACT which is a major source but whose coating/solvent usage is below the 250/3000 gal per year figures so all that applies is recordkeeping.

4. Once-in/Always-in

Richard thought discussion better initiated by Karen Brown with EPA (Steve Fruh EPA OAQPS according to Lalit has responsibility for "Once In always in"). No objections.

(NOTE: Renee forgot to mention that she brought this topic up because STAPPA mentioned it at their January toxic committee call as an issue they want to bring back to the forefront with EPA and then Wisconsin DNR HAP group mentioned they are looking to address the issue as well. Just wondered if the Tech Committee would also be in a place to generate discussion as well.)

!!! Next Call - two topic specific calls for NSR and PTE.

Jackie mentioned that the Clean Air Act Update 2002 broadcast from November was a very good source for NSR information if you can view it - IL tapes theirs. ***Richard will send out an EPA *.ppt on NSR.***