



Air and Waste Management Association-Gulf Coast Chapter Meeting
October 7, 2014

AIR PERMITS DIVISION UPDATES AND HOT TOPICS

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Texas Commission on Environmental Quality

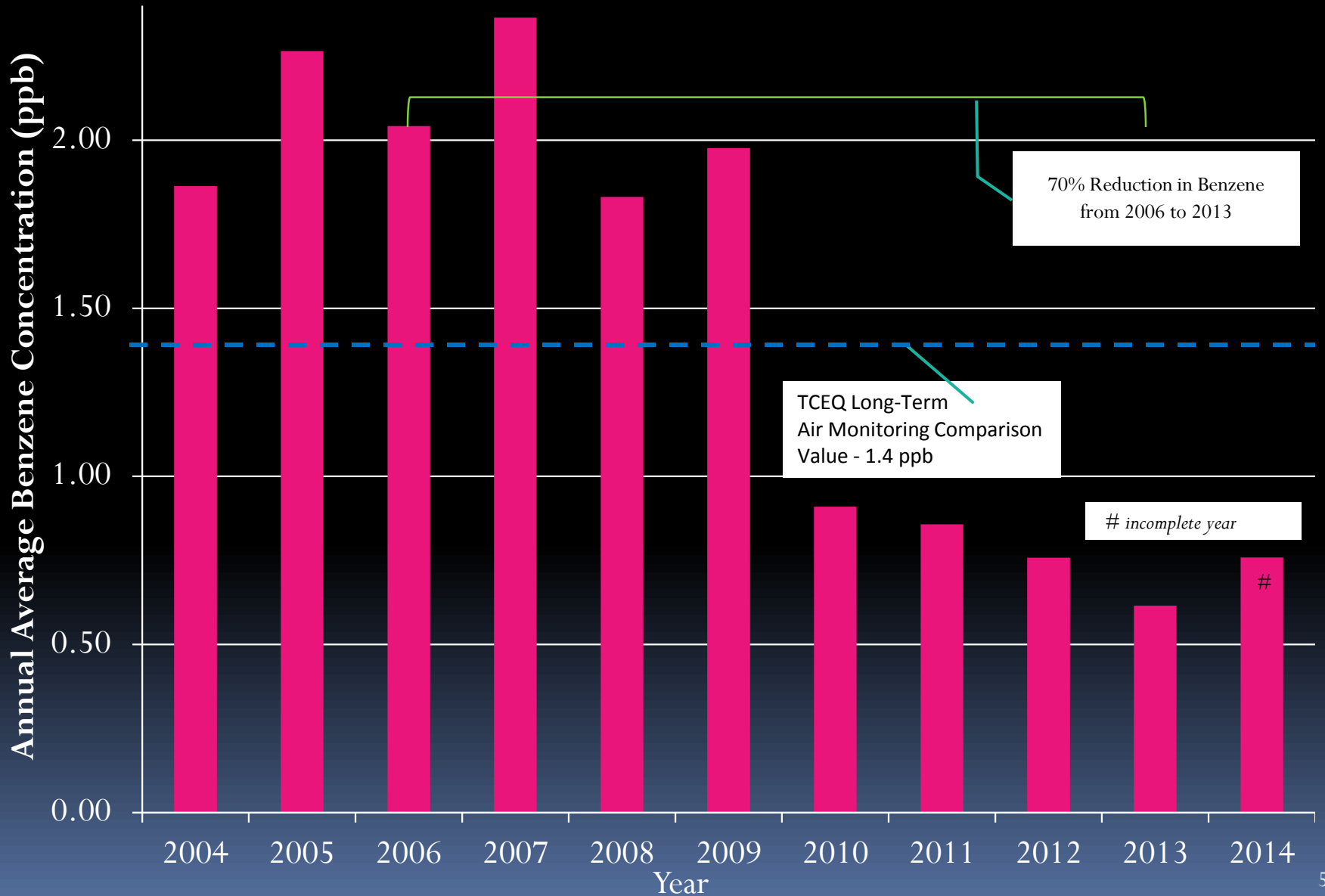
Air Hot Topics

- Air Pollutant Watch List Updates
- Flexible Permits
- Greenhouse Gas Permitting
- Expedited Permitting

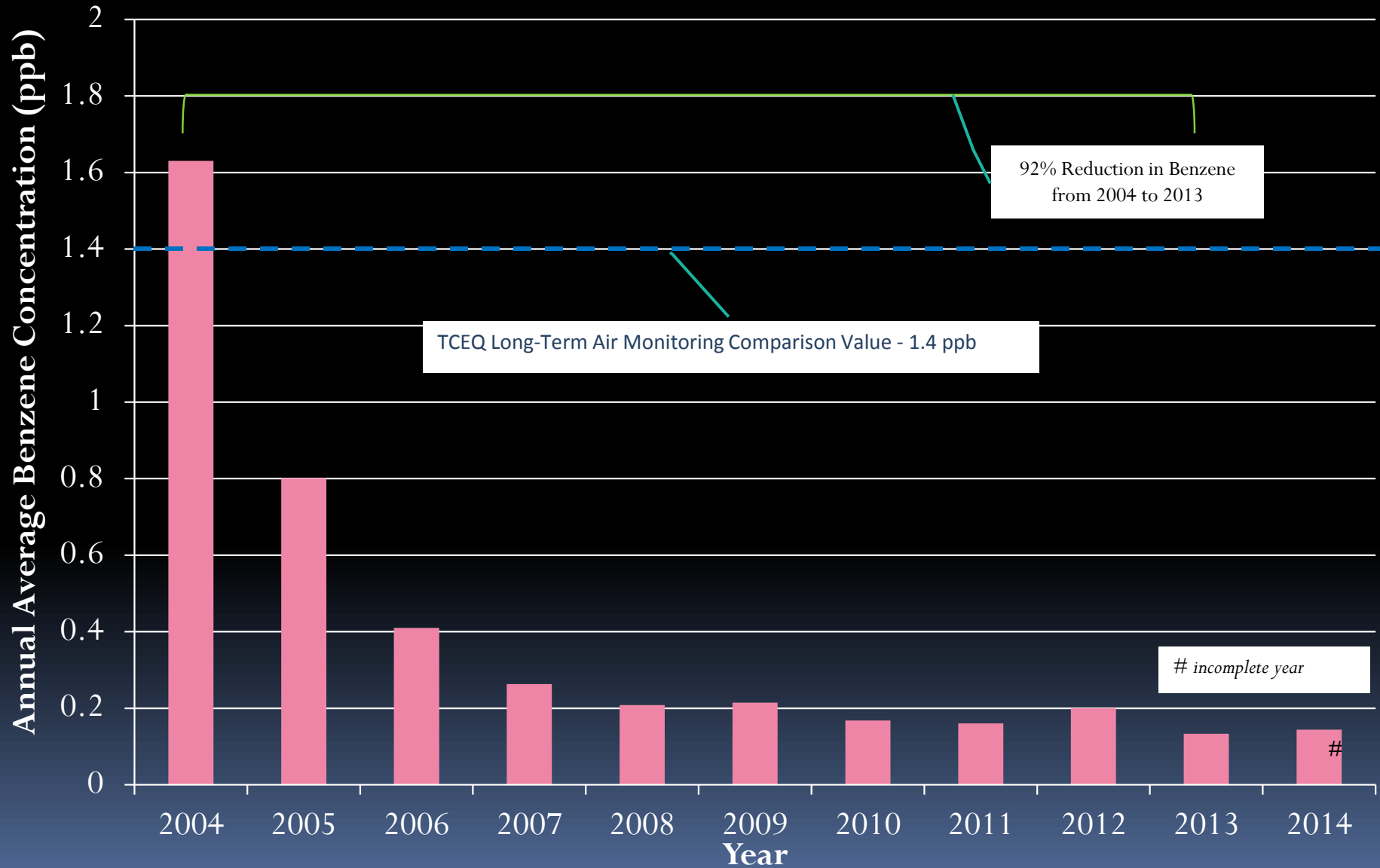
Air Pollutant Watch List Updates

- New Coordinator
- Texas City
 - Proposed Delisting in March 2013
 - Response to Comments Complete
 - In Briefing stage
- Galena Park
 - Workgroup reviewing current data
 - Discussing next steps

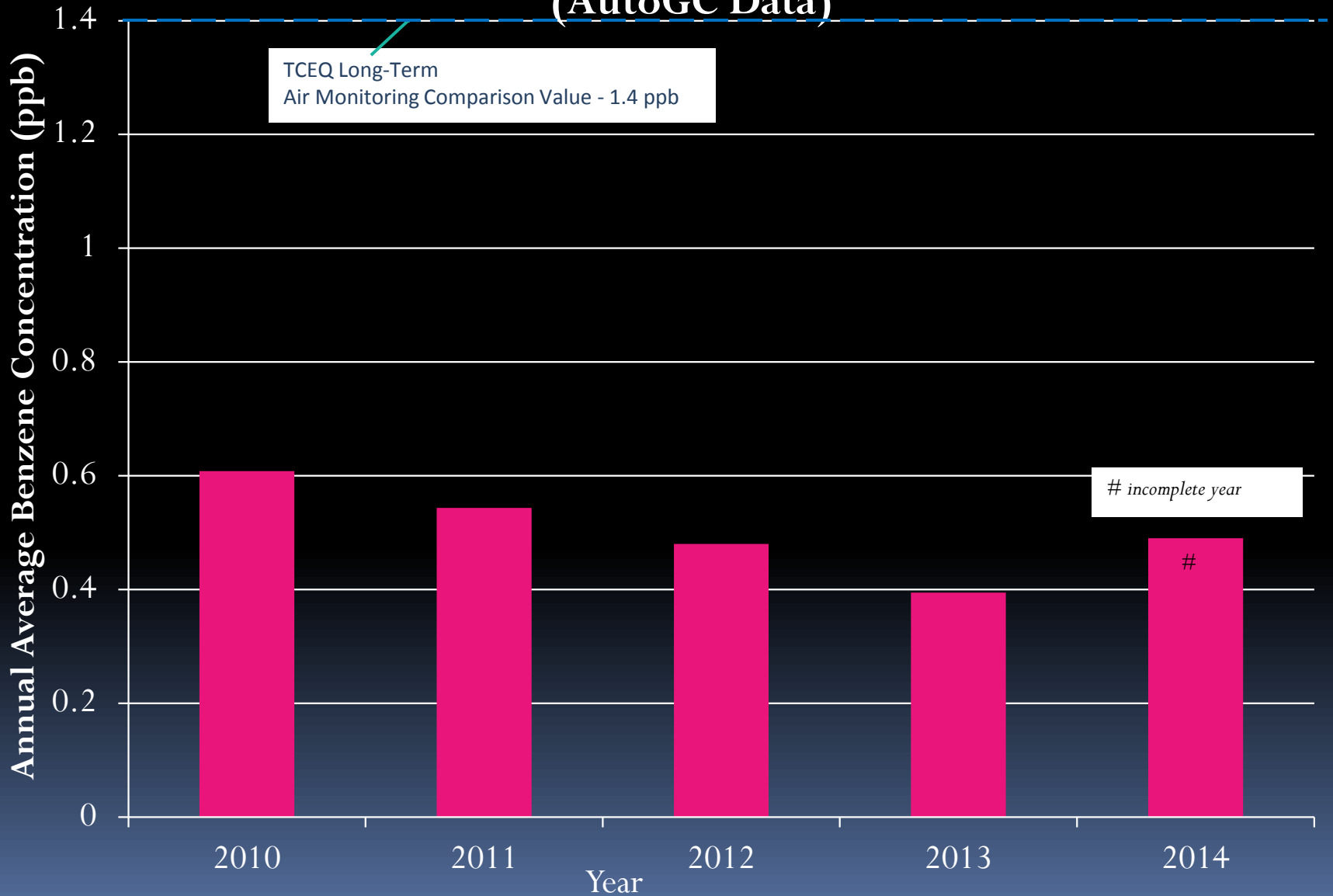
Benzene Trends at the TX City 11th Street Monitor (R12) (AutoGC Data)



Benzene Trends at the Tx City 34th St. Monitor (R12) (AutoGC Data)



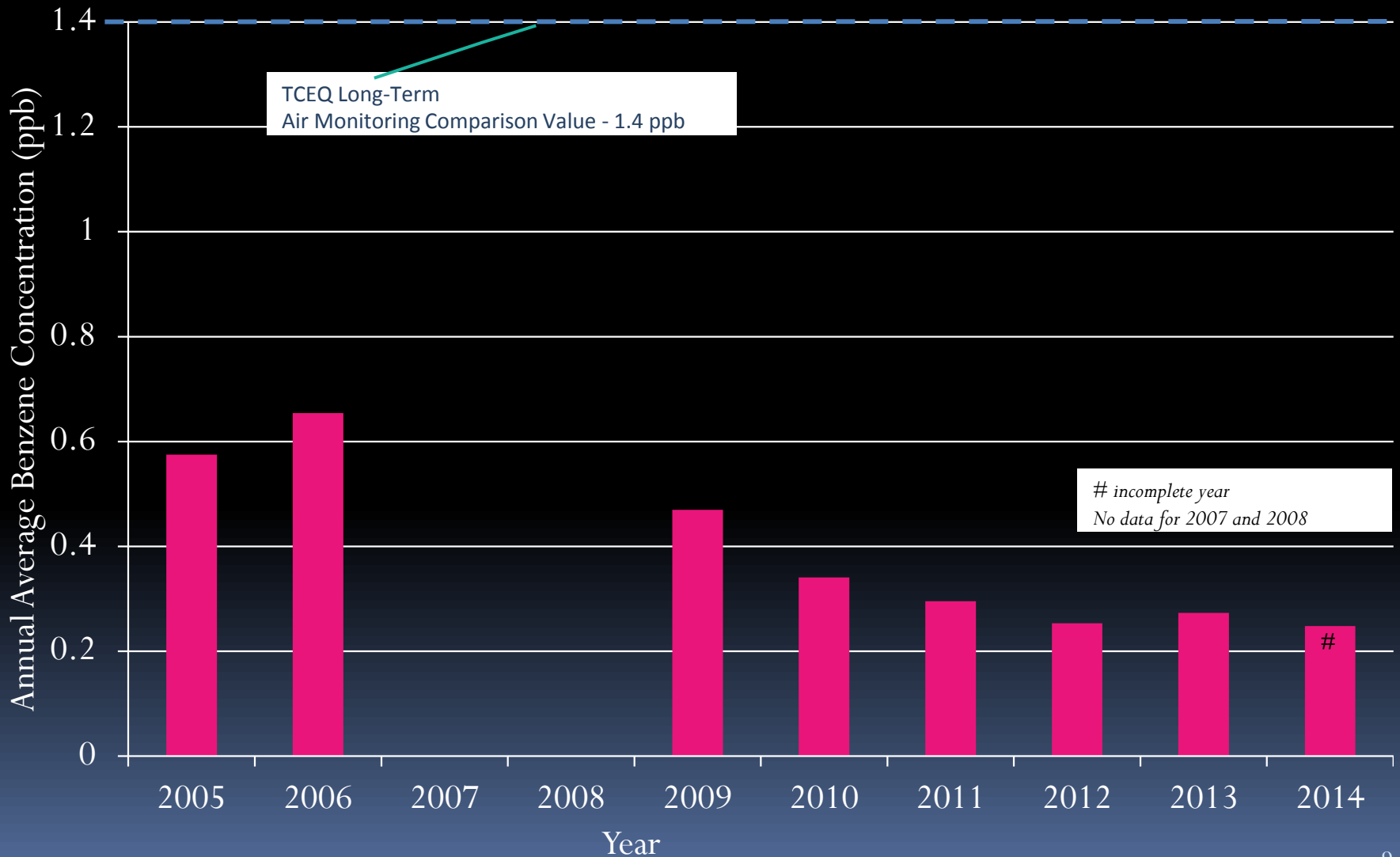
Benzene Trends at the BP Logan Street TX City Monitor (R12) (AutoGC Data)



Benzene Trends at the BP 31st Street TX City Monitor (R12) (AutoGC Data)



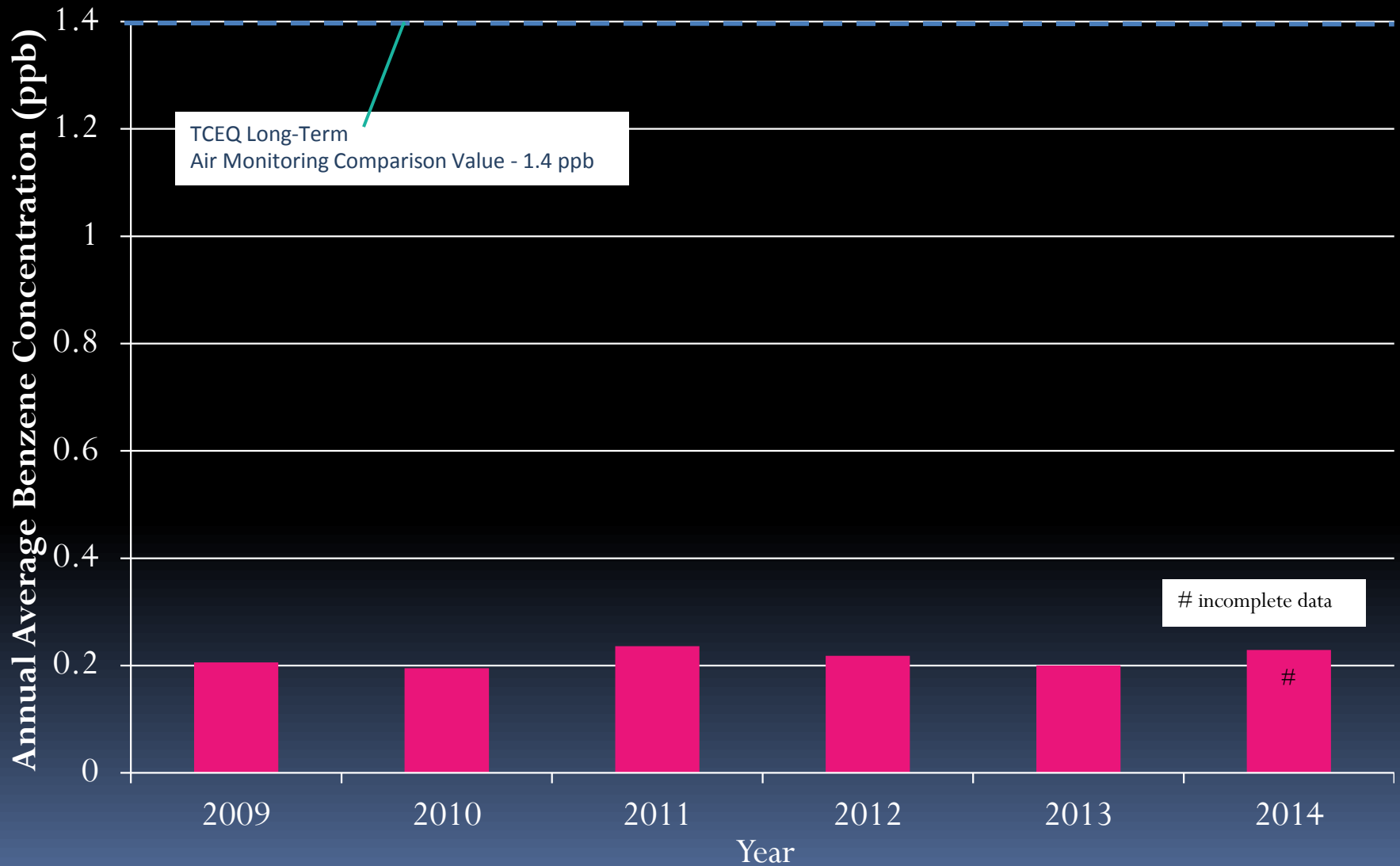
Benzene Trends at the LeMarque 2nd Ave Monitor (R12) (AutoGC Data)



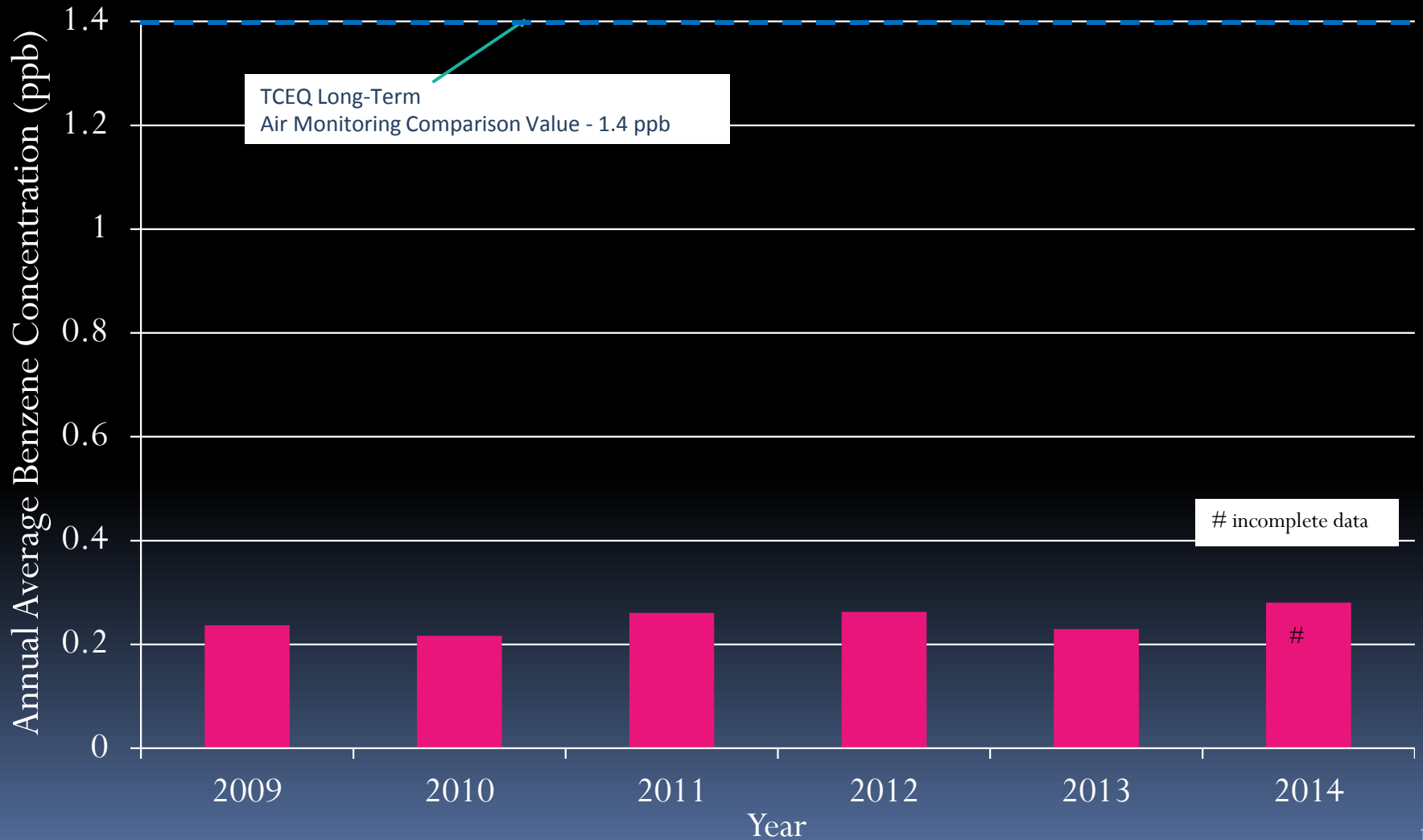
Benzene Trends at Texas City Ball Park, R12 - Houston (1997 - 2014)



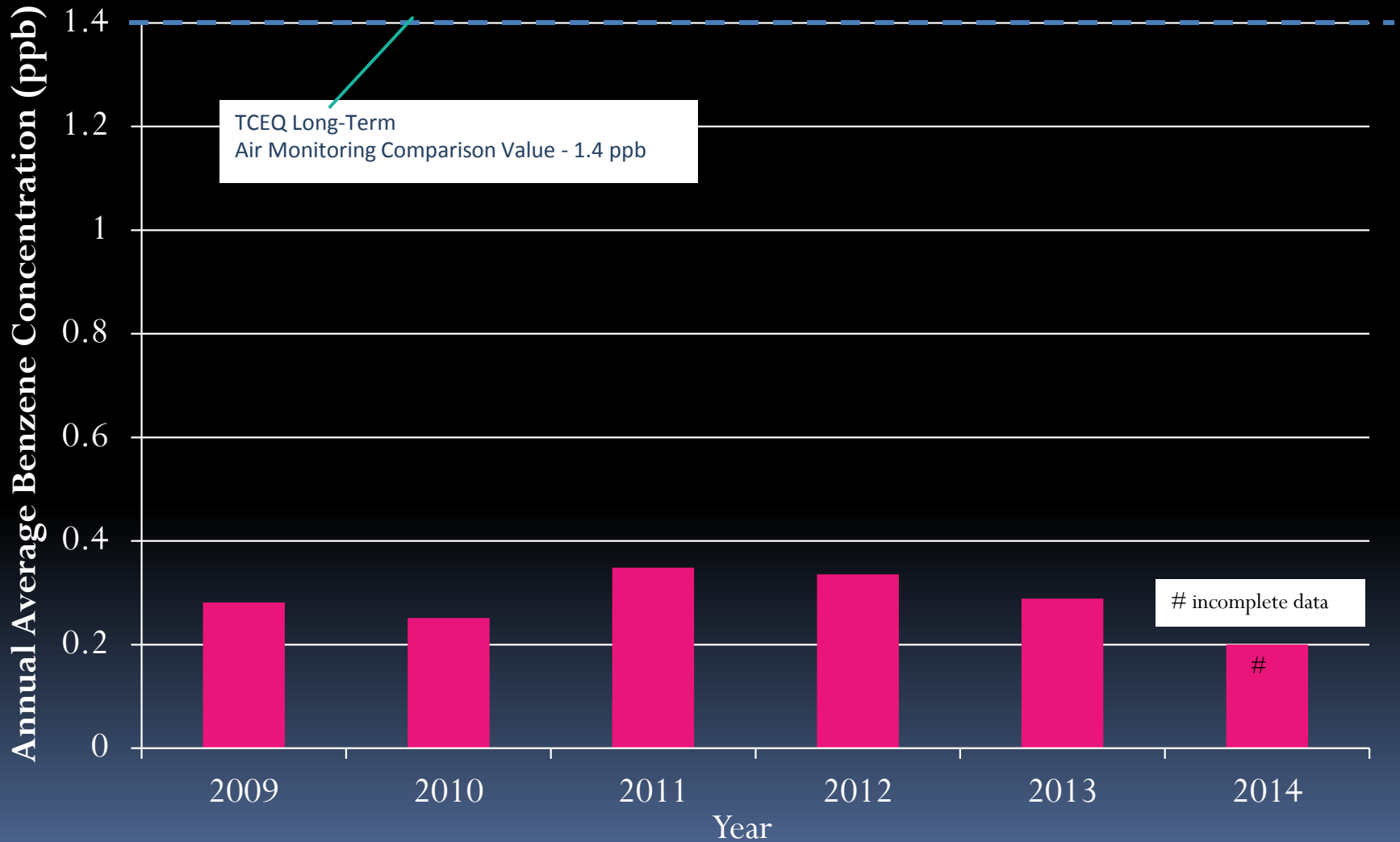
Benzene Trends at the LeMarque North Monitor (R12) (2009-2014) (Canister Data)



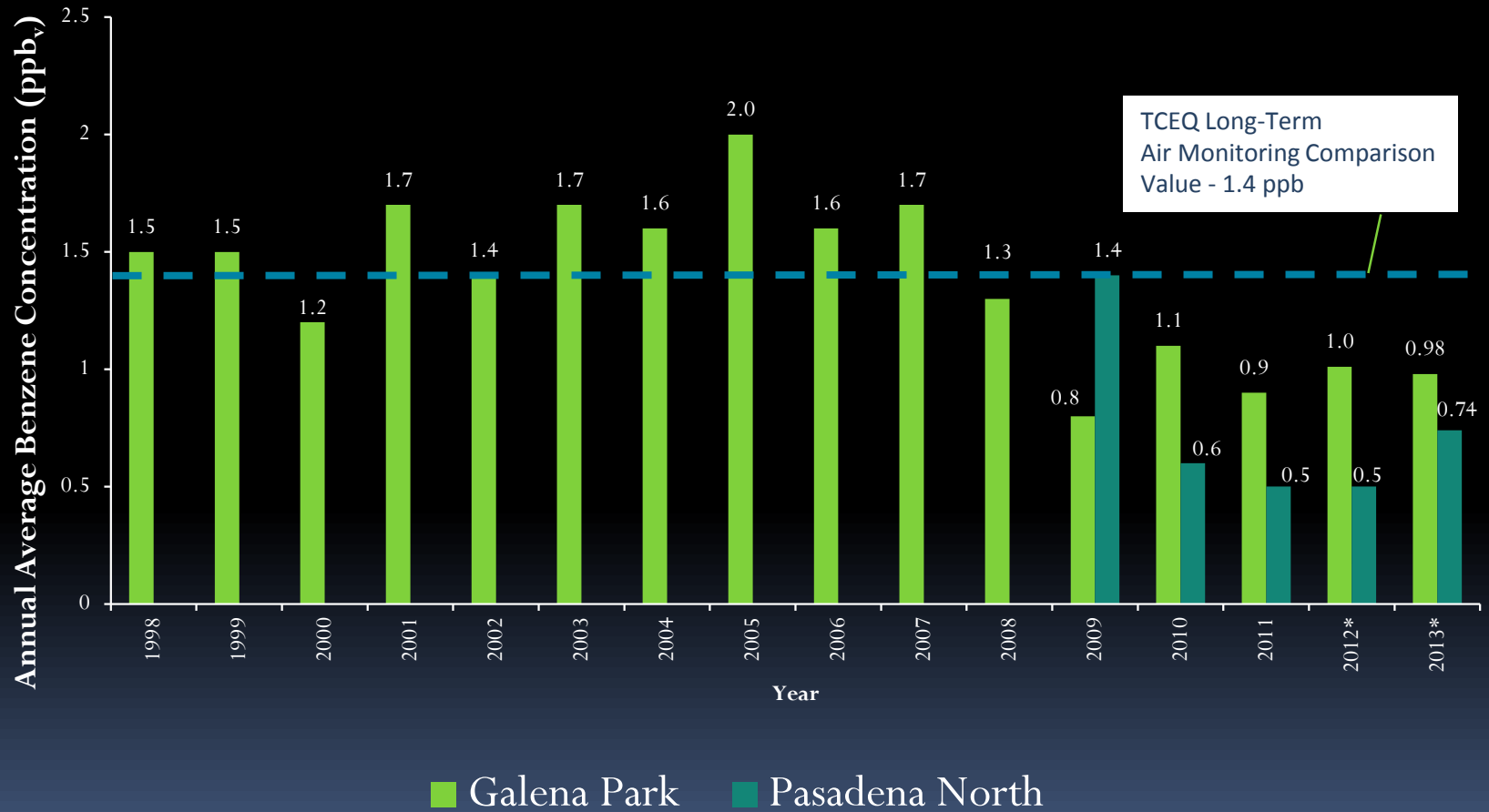
Benzene Trends at the LeMarque Ave A Monitor (R12) (2009-2014) (Canister Data)



Benzene Trends at the LeMarque 2nd Ave Monitor (R12) (2009-2014) (Canister Data)



Benzene Trends in Galena Park (1998-2013)

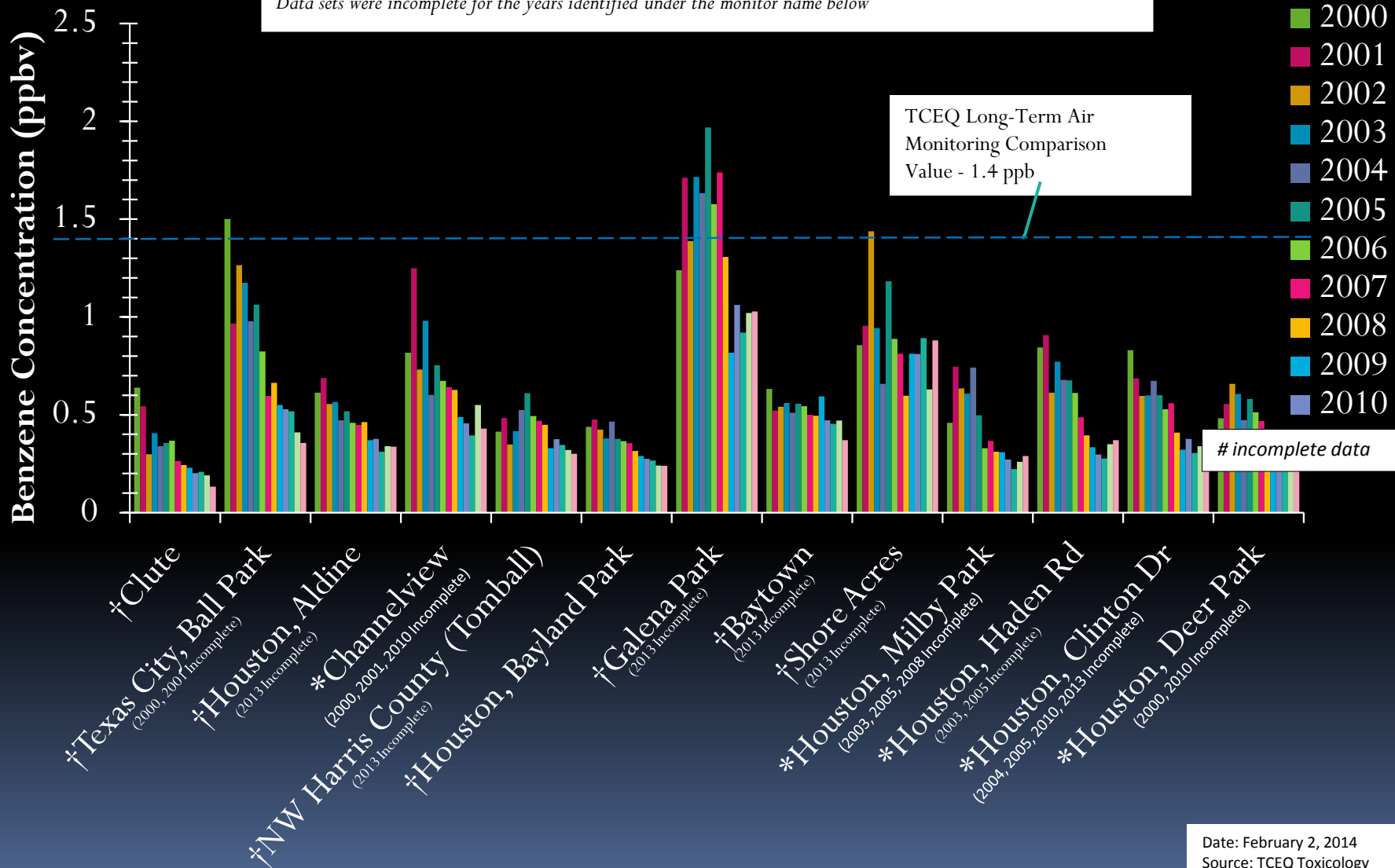


Benzene Trends in the Houston Region (2000-2013)

*Annual averages calculated from hourly autoGC data, if available, otherwise every-sixth-day 24-hour canister data

†Annual averages calculated from every-sixth-day 24-hour canister data

Data sets were incomplete for the years identified under the monitor name below



Flexible Permits

- EPA Published final conditional SIP approval – July 14, 2014
- TCEQ program effective - July 31, 2014
- Compliance Date – September 12, 2014

Flexible Permits

- Significant Changes to Rules
 - Removed duplicative language
 - Removed the 9% “insignificant emission factor” option
 - Permit fee now calculated in accordance with 30 TAC 116.141
- Options for pending deflex projects
 - Proceed with deflex to obtain Subchapter B permit
 - Obtain SIP approved Subchapter G permit at renewal
 - Initiate permit action to reflex to a Subchapter G permit

Greenhouse Gas Permitting History

Date	Action
December 23, 2010	EPA issues GHG Rules and FIP for Texas
January 2, 2011	GHG permits required by EPA
Summer 2013	Texas Legislature – HB 788
October 23, 2013	TCEQ Proposes GHG Rules
February 18, 2014	EPA proposes approval of TX PSD GHG SIP
March 26, 2014	TCEQ rules adopted
June 23, 2014	Supreme Court Opinion

Greenhouse Gas Permitting Status

- June 23, 2014 Opinion
 - EPA may only require BACT for “anyway” sources if the source emits more than a de minimis amount of GHGs
 - 75,000 tpy may in fact be a reasonable de minimis level, but EPA has to justify it on proper grounds
- July 24, 2014 EPA Memo
 - “Anyway” Sources – Business as usual
 - “Non-anyway” Sources – Permitting requirement no longer enforced

Greenhouse Gas Path Forward

- TCEQ has received 20 GHG applications
- EPA continues to be the issuing authority
- The workshare program continues
- TCEQ is pursuing getting the program

Expedited Permit Program

- 2013 Texas Legislature – SB 1756
 - Authority to accept a surcharge
 - Use surcharge for overtime and/or contract labor
 - Extra resource(s)
- Rulemaking
 - Proposed rule – May 14, 2014
 - Possible Adoption – October 22, 2014
 - Possible Effective Date – November 13, 2014

Expedited Permit Program

- Challenges
 - Tracking employee time
 - Incentives to work overtime
 - All expedited, no one expedited
 - Comparison to existing rush process
 - Potential flood of refunds

Expedited Permit Program

- Implementation
 - Demonstration of economic benefit
 - Apply to be part of program any time during review
 - Surcharge
 - Submitted with request
 - Based on project type
 - Reimburse excess
 - Request additional

Questions



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