Revisions to the NC Toxic Air Pollutant Rules

Mecklenburg County
Land Use and Environmental Services Agency
Air Quality Division
NC State Toxics

• Program established in 1990
• Health-based rules:
  – Facility shall not pose an “unacceptable risk”
  – Allowable exposure (concentration) as determined by the NC Science Advisory Board
• 97 Individual Toxic Air Pollutants (TAPs): Not identical to federal Hazardous Air Pollutants
• Demonstrate compliance with concentration limits at the fence-line: Modeling
MCAPCO Section 1.5700: Toxic Air Pollutant Procedures

Who is subject?

- 1.5701 – “Applicability”
  - 1.5704 – “New Facilities”
  - 1.5705 – “Existing Facilities and SIC Call”
  - 1.5706 – “Modification”
  - 1.5712 – “Calls By The Director”
- 1.5702 – “Exemptions”
- 1.5703 – “Definitions”
- 1.5711 – “Emission Rates Requiring A Permit”
  - Listing of TAPs
  - Facility-wide TAP emission rates that require permitting for toxics
MCAPCO Section 2.1100: Control of Toxic Air Pollutants

How do I comply?

• 2.1102 – “Applicability”
• 2.1103 – “Definitions”
• 2.1104 – “Toxic Air Pollutant Guidelines”
  – Allowable concentrations at the fence-line
  – Demonstrate compliance by MCAPCO 1.5709 – “Demonstration”
Revisions From State Law

• State Session Law - SL 2012-91
  – Became law June 28, 2012
  – Exempt sources subject to EPA’s MACT/GACT Rules (unless the source presents an unacceptable risk)
  – Reduce unnecessary regulatory burden
  – Increase efficient use of agency resources

• Revisions to State Toxics Rules effective May 1, 2014
Significant Changes: Exemptions (MCAPCO 1.5702)

- Sources subject to a federal MACT/GACT rule (i.e. 40 CFR 63)
- Natural gas boilers with an aggregate capacity of 450 million Btu/hr and only source of benzene
- Emergency engines with an aggregate capacity of 4843 HP and only source of formaldehyde
Significant Changes: Exemptions (MCAPCO 1.5702)

• Exempt sources are not included in an evaluation for toxics:
  – Unless the source presents an unacceptable risk
  – MCAQ would issue a finding requiring compliance (MCAPCO 1.5712 – “Calls By The Director”)

Exemptions (MCAPCO 1.5702)
• Exempt sources are not included in an evaluation for toxics:
  – Unless the source presents an unacceptable risk
  – MCAQ would issue a finding requiring compliance (MCAPCO 1.5712 – “Calls By The Director”)

Significant Changes:

Exemptions (MCAPCO 1.5702)
Significant Changes:
Existing Facilities (MCAPCO 1.5705)

- Facilities not making a modification currently trigger toxics by:
  - Last MACT/GACT applicability
  - SIC call

- Rule has been repealed

- Now can be subject by:
  - Making a modification
  - Directors Call
Significant Changes: TPERs (MCAPCO 1.5711)

• Addition of a second set of TAP Permitting Emission Rates (TPERs):
  – Existing rates based on an obstructed or non-vertical release point
  – New rates are for vertical and unobstructed release points (all sources at the facility):

<table>
<thead>
<tr>
<th>TAP</th>
<th>Obstructed or Non-Vertical</th>
<th>Vertical and Unobstructed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Formaldehyde</td>
<td>0.04 lbs/hour</td>
<td>0.16 lbs/hour</td>
</tr>
<tr>
<td>Benzene</td>
<td>8.1 lbs/year</td>
<td>11.069 lbs/year</td>
</tr>
</tbody>
</table>
Additional Changes

• Deleted the definition for “unadulterated wood”

• Clarified that an evaluation for toxics applicability should not include sources exempt from toxics
Revising MCAPCO Regulations

• State TAP rules as amended May 1, 2014, are effective state-wide

• Revisions to county regulations proposed for adoption June 17, 2014
Questions?

Contact Information

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Breakout Sessions

Get your questions answered!

• Engine Room – 2nd floor classroom 2112

• Boiler Room – 2nd floor classroom 2113