



Agriculture Air Quality Task Force Meeting

Presented by Janet McCabe
February 7, 2012

Issues to Discuss

- ▶ NAEMS Study
- ▶ Reciprocating Internal Combustion Engine NESHAP
- ▶ Agricultural Air Quality Conservation Measures: Reference Guide
- ▶ Exceptional Events
- ▶ Other Actions of Interest to Ag Community

NAEMS Study

- ▶ **Update on SAB process**
 - ▶ 67 candidates nominated
 - ▶ SAB is following up with certain candidates to gather ethics and other information prior to determining final panel members
 - ▶ Final panel members will be announced on SAB's website
 - ▶ First meeting tentatively scheduled for early spring 2012 in RTP, NC
 - ▶ Will be announced in *Federal Register*
- ▶ **Emission Estimating Methodology (EEM) development**
 - ▶ Developing EEMs for broiler houses and swine & dairy lagoons for first meeting
 - ▶ EEMs for swine, egg-layers, and dairy houses/barns will be developed and sent to SAB for review in second panel meeting
 - ▶ Documents will be sent to SAB 30 days prior to the meeting and concurrently released to the public for comment

Reciprocating Internal Combustion Engine (RICE) NESHAP

- ▶ EPA is reviewing concerns raised regarding the coordination of the RICE NESHAP compliance deadline with the San Joaquin Valley (SJV) APCD rule
 - ▶ SJV has identified:
 - ▶ 17 Tier 3-certified engines installed before June 12, 2006
 - Identical engine installed after June 12, 2006, does not require retrofit to comply with the applicable EPA rule for the engine
 - ▶ 49 Tier 1- and 360 Tier 2-certified engines for replacement by June 1, 2018
 - Engine owners concerned about installing controls on engines in 2013 that will be replaced within 5 years
 - ▶ EPA expects to address the SJV timing situation in the RICE NESHAP amendments we anticipate proposing in April 2012 and finalizing in December 2012
- ▶ EPA requests information on any other areas that may have similar timing issues to those in the SJV

Agricultural Air Quality Conservation Measures: Reference Guide

- ▶ **Collaborative Document with USDA**
 - ▶ Targeted for state and local agencies, public and agriculture communities
 - ▶ Designed to highlight the major categories of conservation measures
 - ▶ Will be updated to include specific measures to address each of the major categories and identify appropriate USDA-NRCS Practice Standards
 - ▶ Only measures approved by USDA-NRCS will be included
 - ▶ Does not provide any regulatory guidance and is solely for informational purposes
 - ▶ Recognizes that measures should be chosen on a case-by-case basis and not all measures may be appropriate for all conditions
 - ▶ Encourages state and local agencies to work with all stakeholders when developing a plan to mitigate air emissions from agriculture sources

Exceptional Events

- ▶ EPA has progressed in development of guidance documents:
 - ▶ High wind dust events
 - ▶ Q&A document
 - ▶ Overview
 - ▶ Response to Comments on May 2011 version
- ▶ We have also enhanced our Exceptional Events Resources website (<http://www.epa.gov/ttn/analysis/exeevents.htm>)
- ▶ EPA Region 9 is working with ADEQ, MAG, and Maricopa County to develop a consolidated exceptional events demonstration package that addresses 29 exceedances of the PM10 standard in 2011; will serve as a model for future events
- ▶ Schedule
 - ▶ Release Revised Draft guidance document for broader public review and comment via a Notice of Data Availability in the *Federal Register* soon
 - ▶ Finalize guidance documents by summer 2012
 - ▶ Determine next steps regarding potential rule changes



Other Actions of Interest to Agriculture Community

- ▶ **Particulate Matter (PM) NAAQS**
 - ▶ On 11/15/11, states and environmental groups (ALA, EDF, NPCA) filed a petition for a Writ of Mandamus in the remand of the 2006 PM NAAQS
 - ▶ As part of a declaration filed with the court (1/17/12), EPA indicated it will issue a PM proposal in June 2012 and take final action in June 2013
- ▶ **Ozone NAAQS**
 - ▶ We are over halfway through the review of the updated science
 - ▶ In Summer/Fall 2012, CASAC will hold a public meeting to review the third draft Integrated Science Assessment, first draft Risk and Exposure Assessment and first draft Policy Assessment
 - ▶ We intend to issue a proposed rulemaking for O3 in 2013 and a final rulemaking in 2014
- ▶ **2008 Ozone NAAQS Implementation**
 - ▶ EPA is moving forward with implementing the 2008 NAAQS
 - ▶ Designation letters (“120-day letters”) sent to states in early December
 - ▶ EPA expects to complete the designations process later this spring
 - ▶ EPA is developing 2 implementation rules
 - ▶ Final rule on classifications is on same timeline as designations process
 - ▶ Rulemaking to address SIP requirements is also under development
 - Target date for final rule is late 2012

Other Actions of Interest to Agriculture Community

▶ Boiler

- ▶ On May 18, 2011, EPA stayed the effective date (pending reconsideration)
- ▶ On December 2, 2011, the EPA Administrator signed proposed reconsidered standards for toxic air pollutants at major and area sources
- ▶ The rules were published on December 23, 2011 and the comment period will close on February 21, 2012
- ▶ On January 9, 2012, the Court vacated the stay on the major source rule; this decision was prompted by litigation from Sierra Club
- ▶ EPA Administrator in a letter to Senator Wyden announced EPA's plan regarding the vacatur of the stay for the Boiler MACT/CISWI rules
 - ▶ OECA is drafting a No Action Assurance letter to impacted facilities

▶ Mercury and Air Toxics Standards (MATS)

- ▶ On December 16, 2011, EPA signed the final Mercury and Air Toxics Standards, the first national standards to reduce emissions of mercury and other toxic air pollutants from new and existing coal- and oil-fired power plants
 - ▶ Rule will be published in the *Federal Register* on February 16, 2012
- ▶ The rule sets standards (for mercury, acid gases, non-mercury metal HAP and organic HAP) to limit emissions of hazardous air pollutants
- ▶ Most of these standards are numeric emissions limits; the standard for organic HAP is a work practice standard
- ▶ Extensive outreach is being conducted

Other Actions of Interest to Agriculture Community

▶ Fire Policy

- ▶ Reviewing comments from Federal Land Managers and EPA regional offices
- ▶ Meeting with state and local agencies to get input on possible EPA approach
- ▶ Draft policy expected summer 2012
- ▶ EPA recognizes the need for fire as a land management tool and that this includes prescribed burns to maintain a healthy ecosystem, but also wishes to ensure protection of public health

▶ Area Source Standards for Prepared Feeds Manufacturing

- ▶ On December 23, 2011, EPA published a direct final rule to revise certain provisions of the prepared feeds NESHAP originally published on January 5, 2010
- ▶ The revisions address the GACT requirements for pelleting processes at large, prepared feeds facilities, specifically removing the 95% design efficiency requirement for cyclones as well as associated monitoring, recordkeeping and reporting requirements at existing sources
- ▶ The revisions also clarify when doors in storage areas must be closed and the types of devices that are acceptable at bulk loadout points for both new and existing sources
- ▶ The public comment period for these revisions closed on January 23, 2012
 - ▶ The Agency did not receive any comments; therefore, these revisions and clarifications will be effective on February 21, 2012