

Tribal New Source Review Rule: Update and Outreach

R9TribalAirPermits@epa.gov

Roberto Gutierrez
Air Permits Office
US EPA Region 9

Outline of Presentation

Items covered in today's RTOC:

- ▶ Key Dates
- ▶ How Tribes can get involved
- ▶ Timelines for various sources

Items covered during the last RTOC:

- ✓ Purpose of New Rule
- ✓ Attainment versus Nonattainment areas
- ✓ Specifics of the Minor Rule
- ✓ Specifics of the Major Rule

Key Dates (past)

- July 1, 2011: Rule Published in Federal Register
- August 30, 2011: Rule Effective; New Major sources or modifications must submit a permit application and receive a permit from EPA prior to commencing construction. True Minor sources can begin registering with EPA. Major Sources who wish to establish Synthetic Minor Status can begin submitting permit applications to EPA.

–May 3, 2012–



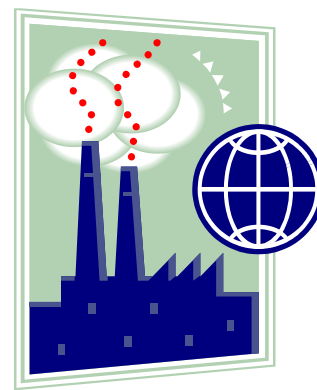
Key Dates (future)

–May 3, 2012–

- September 4, 2012: Final date by which existing Major sources who wish to avoid Title V must apply to EPA for a synthetic minor permit.
- March 1, 2013: Final date that Existing Minor sources must register with EPA.
- September 2, 2014: New or modified existing Minor sources must submit a permit application and receive a permit from EPA prior to commencing construction. (Except for General Permits – True Minor sources must submit permit applications no later than 6 months after the GP is published by EPA).

How can Tribes Get Involved?

- ▶ Work with EPA to Identify and Register Facilities on Tribal land that are now subject to this new rule.
- ▶ Help conduct outreach to these facilities:
 - Minor Sources must register with EPA
 - Major Sources must apply to EPA for permits prior to commencing construction or modifications
 - Synthetic Minor Sources must apply to EPA for permits to limit their emissions if they wish to avoid title V.



R9TribalAirPermits@epa.gov

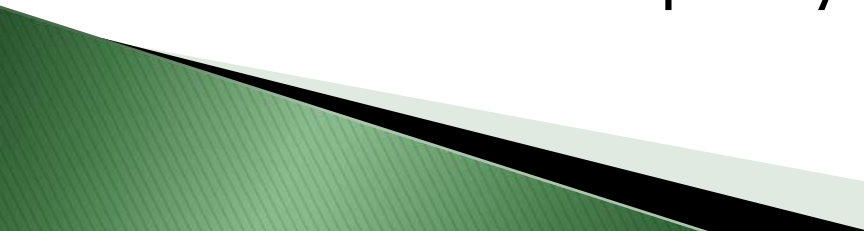
- 1) Region 9 Website
<http://www.epa.gov/region09/air/tribal/index.html>
- 2) National Website
<http://www.epa.gov/air/tribal/tribalnsr.html>

Questions?



How do I know whether my business is a “Major” or “Minor” source of air pollutants?

You need to consider two factors to determine whether your business is a major or minor source of air emissions:

1. Your business’s “maximum capacity.”
 2. Air pollution regulations and policies that apply to your business, particularly those that affect your potential to emit by limiting your maximum capacity.
- 

What defines a *MAJOR* Source?

- ▶ **Attainment areas:** A source with the potential to emit air pollutants, regulated under the Clean Air Act, greater than:
 - ✓ **100** tons per year (tpy), if specifically listed in the regulations or
 - ✓ **250** tpy, for all other sources
- ▶ **Nonattainment area:** A source with a PTE air pollutants regulated under the Clean Air Act greater than:
 - ✓ **100** tpy or lower depending on the nonattainment classification severity regardless of source category

Examples of Major Sources: Power Plants, Cement Plants, Hotels/Casinos with large boilers or diesel engines, Landfills



What defines a *Minor* Source?

- ▶ A source with the potential to emit (PTE) an air pollutant in amounts:
 - less than the major source thresholds,
 - but equal to or greater than the *minor thresholds*.
- ▶ Examples of Minor Sources: Gas Stations, Auto body Shops, Print Shops, Hospitals/Schools with small boilers or diesel engines, Hot Mix Asphalt Plants, Rock Crushing Operations, Oil and Gas Drilling Operations

