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Nebraska Department of
Environmental Quality's
Air Quality Division

EPA Finalizes Regulations for Surface Coating Industry

The Environmental Protection Agency (EPA) promulgated national emission standards for hazardous air pollutants for paint stripping and miscellaneous surface coating on January 9, 2008 (79 Federal Register 1737). This regulation is found in 40 CFR Part 63 Subpart HHHHHH. This rule will require all sources meeting the applicability requirements within this category to meet best management practices to reduce hazardous air pollutant emissions.

Who needs to comply with this rule?

Area sources of hazardous air pollutants (HAP) (those that have the potential to emit less than 10 tons per year of a single HAP or less than 25 tons per year of combined HAPs) that perform one of the following:

- Perform paint stripping using methylene chloride for the removal of dried paint.
- Perform spray application of coatings to motor vehicles and/or mobile equipment.
- If you can demonstrate to EPA that you do not use any chromium, lead, manganese, nickel, or cadmium in your paints, you may not have to comply with the rule
- Perform spray application of coatings containing chromium, lead, manganese, nickel, or cadmium to a plastic or metal substrate product.
 - Facility maintenance operations are excluded. Facility maintenance means surface coating performed as part of the routine repair or renovation of the tools, equipment, machinery, and structures that comprise the infrastructure of the affected facility and that are necessary for the facility to function in its intended capacity.

What operations are exempted from this rule?

- Surface coating operations performed onsite at installations owned by the US Armed Forces, the National Aeronautics and Space Administration, or the National Nuclear Security Administration.
- Surface coating of military munitions or equipment directly and exclusively used to transport military munitions by or for the US Armed Forces.
- Coating or stripping performed by individuals on personal vehicles, possessions, or for hobby or maintenance of their personal property.
 - If an individual coats more than two vehicles or pieces of mobile equipment per year, they must comply with the rule.
 - This rule does not apply when these operations are performed by individuals for others without compensation.

Inside this issue:

EPA Finalizes Regulations for Surface Coating Industry	1-3
Partners in Pollution Prevention	3
2007 Air Update Workshops Successful	4
Changes in the Air Division	4-5
Ethanol Rule Change Implementation	6-7
Blue Skyways Collaborative	8
EPA Teams up with Google Earth to Provide Air Quality Information	8
VirtualPaint™ System—A Beneficial Training System for Spray Technicians	9-10
New and Improved Air Quality Guidance Documents	10-11
Federal Rules for Boilers Vacated	11-12
Regulatory Roundup	12-13
Mark Your Calendars	13-14
New Source Performance Standards	14-15
Federal Air Quality Regulations July 2007—December 2007	15-17
EPA Offers Funding Opportunity to Reduce Community Toxics	18
We're Here When You Need Us	19



EPA Finalizes Regulations for Surface Coating Industry cont.

Rule Exemptions cont.

- Coating or paint stripping that meets the definition of research and development activities.
- Coating or paint stripping that meets the definition of quality control activities.
- Sources already covered under another area source NESHAP.

When do I have to comply with this rule?

- New sources (started up after 9/17/07 and not engaged in paint stripping or surface coating prior to this date)
 - Must comply upon startup or January 9, 2008, whichever is later.
- Existing sources (started on or before 9/17/07)
 - Must comply by January 9, 2011.

What do I have to do to comply with this rule?

Paint Stripping Operations

- Implement and maintain management practices to minimize evaporative loss emissions of methylene chloride.
- If you utilize more than one ton of methylene chloride, you must develop and implement a minimization plan and keep records of annual usage.

Surface Coating Operations

- Must utilize a high volume/low pressure gun, electrostatic gun, airless, air-assisted airless, or gun with similar transfer efficiency.
 - This does not apply to paint training centers or certain aerospace vehicle applications.
- Must perform coating in a spray booth, prep station, or mobile enclosure.
 - All enclosures must utilize filters that are at least 98% efficient at capturing overspray. This does not apply to water wash booths as long as they are operated and maintained properly.
 - Coating complete motor vehicles or mobile equipment
 - Fully enclosed booth including a full roof and four walls or side curtains. The booth must be ventilated at negative pressure so that air is drawn into any openings in the walls or curtains.
 - If fully enclosed with seals and automatic pressuring balance system, the booth must be maintained no higher than .05 inches of water gauge positive pressure.

- Coating miscellaneous parts and products or vehicle subassemblies.
 - Three sides (walls or curtains) and a roof. The booth must be ventilated so that air is drawn into the booth. There can be openings for conveyors or lines bringing parts into the booth.
- Gun cleaning must be done so that atomized mist or spray of solvent is not created outside of the container that collects the used gun solvent. For example hand cleaning disassembled parts in a solvent, flushing solvent into the gun without atomizing the solvent, or using a fully enclosed cleaner
- Painter Trainer & Certification
 - All painters must be trained and certified. This does not apply to students learning under a certified instructor.
 - Training program must include hands-on and classroom training.
 - Each painter at a new source must be certified by 7/7/08 or 180 days after the date of hiring.
 - Each painter at an existing source must be certified by 1/10/11 or within 180 days of being hired.
 - Each painter must recertify every five years.
 - Required training elements:
 - Gun set up & transfer efficiency;
 - Paint viscosity, selecting the proper fluid tip or nozzle, spray pattern, air pressure and volume, and fluid delivery rate;
 - Spray technique including lead and lag, gun distance and angle, banding and overlapping;
 - Booth/filter maintenance; and
 - Environmental compliance with this rule

What notifications are required?

- Initial notification must be submitted to your local air permitting authority and EPA Region VII.
 - New sources
 - 180 days after startup or by 7/7/08, whichever is later.
 - Existing sources
 - By January 11, 2010
- Compliance status notification – only needs to be sent in if you didn't certify you were in compliance with the rule when you sent in the initial notification.
 - New sources
 - Submit with the initial notification.



EPA Finalizes Regulations for Surface Coating Industry cont.

Notifications cont.

- Existing sources
 - By March 11, 2011 – if it wasn't submitted with the initial notification.

What reports are required?

- Annual Notification of Changes Report
 - Only if there have been changes to information sent in a notification or report or there have been deviations from the rule.
 - Submit March 1st each year, if applicable.

What records are required?

Records must be kept on-site for five years.

- Painter certification documentation
- Filter efficiency
- Spray gun manufacturer information
- Copies of notifications
- Deviation records – if you didn't comply with the rule
- Paint stripper usage
- Assessment of the source compliance performed in support of any notifications or reports submitted
- Methylene chloride minimization plan (if required)

If you have additional questions related to this regulation, contact Allison Zach at (402) 471-4103.



Partners in Pollution Prevention

A partnership between Nebraska Business/Industry, NDEQ, USEPA, and UNL

The University of Nebraska-Lincoln's (UNL) Partners in Pollution Prevention (P3) program has helped both area college students and Nebraska businesses since 1997. P3 is an outreach assistance program operated by the University of Nebraska Extension and College of Engineering and funded by the Nebraska Department of Environmental Quality, EPA Region 7, and a wide variety of industrial partners.

Undergraduate student interns provide one-to-one pollution prevention assistance to Nebraska businesses by performing waste assessments or other waste reduction projects, and providing each client with a written report detailing waste minimization suggestions. Clients who have participated in this

program over the years include dry cleaners and auto body shops, as well as large pharmaceutical and other large manufacturing plants. To meet clients' needs, the P3 Program offers three assistance modes varying in complexity.

The P3 program has made a difference to the 'bottom line' of many Nebraska businesses. This program has assisted a total of 444 clients during the summers of 1997 through 2007, while cooperating with a wide range of environmental and business assistance providers and partners. The program has worked in 59 Nebraska communities ranging from Scottsbluff, to South Sioux City, to Omaha, help-

ing Nebraska businesses save a potential \$13.4 million through waste reduction and divert over 43 million pounds of solid waste from landfills. Based on follow-up reassessments with 135 past clients, 39% of all recommendations made by students were actually implemented.

Unique to this program, P3 also has educational and outreach components. Over 163 interns have participated in the program and thousands have heard the message that "Pollution Prevention Means Good Business."

Please contact Stacey Hawkey, P3 Program Coordinator, UNL, at 402-472-2838 or E-mail: shawkey2@unl.edu for more information.

Air Quality 101 Workshops – 9 a.m. – 3 p.m. (tentative)

May 7 th	Holiday Inn	Kearney
May 14 th	Northeast Community College	Norfolk

The Air Quality 101 Workshops will provide a basic overview of the air quality regulations, permitting programs, and compliance program. We encourage anyone new to the air quality regulations or anyone needing a refresher on the basics to attend the meeting. The workshop will be free of charge. More details will come in the following months. If you have any questions or would like to sponsor the event, contact Melissa Ellis at (402) 471-6624.

Save the Date!



2007 Air Update Workshops Successful

The NDEQ Air Quality Division hosted four Air Update workshops, in Grand Island, Scottsbluff, Lincoln, and Norfolk, between August 21st and August 30th to the workshops provided industry and consultants updates of state and federal air quality regulations. Air permitting and compliance issues were also discussed.

The workshops lasted approximately 6½ hours, which included an hour lunch. Speakers from economic development organizations gave presentations during the lunch hour. The speakers included Willow Holoubek, Butler County Economic Development; Mike Sarchet, Twin Cities Development; Tim Mittan, SCC Entrepreneurship Center; and RJ Baker, Elkhorn Valley Economic Development.

Morning snacks, lunch, and door prizes for workshop attendees were provided through the donations from sponsors. The companies who sponsored the events were Terracon, NPPD, NMPP/MEAN, Great Plains Safety and Health Organization, NE Air Quality Specialties, Air Resource Specialists, NE Renewable Energy Systems LLC, Twin Cities Development, Olsson Associates, WLA Consulting, Tetra Tech, Cargill, US Bio Platte Valley, US Bio Ord, Bureau Veritas North America, American Engineering Testing, Tyson, and Nucor. Following is a summary of the workshops.

Location	Attendance	Pretest Score	Post Test Score
Grand Island	50	52.4%	64%
Scottsbluff	16	52.7%	67.5%
Lincoln	95	59.4%	70.6%
Norfolk	37	48%	57.7%
Total	198	53.1%	65.0%

On a scale of 1-5, 5 being the best:

Location	Workshop	Facilities	Food	Presenters
Grand Island	4	3.00	4.00	4.00
Scottsbluff	4	4.83	4.45	4.08
Lincoln	4.02	4.27	3.35	4.09
Norfolk	4.25	4.45	4.36	4.32
Total	4.07	4.14	4.04	4.12

- ◆ **100%** of all participants left with a better understanding of the Air Quality Program.
- ◆ **96%** would attend another Air Update Workshop in the future.

If you would like information for the 2008 Air Update Workshops or would like to sponsor the workshop, contact Melissa Ellis at (402) 471-6624 or melissa.ellis@ndeq.state.ne.us.

Change is in the Air Division

As usual, there are lots of changes in the Air Division! The Air Division hired two construction permit writers, Carmen Ayala and Dan LeMaistre, in June. Both graduated from UNL in May with bachelor's degrees in biological systems engineering. A modeler, Marc Touchton, began work on November 26th. Marc had worked for the past sixteen years as a meteorologist in various capacities for the US Navy. His last duty station was at Offutt Air Force Base in Omaha.



The Inspection and Compliance Section has two new Inspectors. Mark Podany was hired as an inspector in August and Mike Myers in March. For the past eight and a half years, Mark worked at the NDEQ in the Waste Management Compliance Section. During that time he worked with regulation development and conducted solid and hazardous waste inspections. Mike began working at the NDEQ in 1995 as a geologist working with the Onsite Waste Water Program. From 2001-2007, Mike was a geologist with the Remediation Section working with Superfund sites, RCRA (Resource Conservation and Recovery Act) sites, Integrated waste sites (landfills), and sites associated with the Nebraska Voluntary Cleanup Program (VCP program, formerly called the RAPMA program).

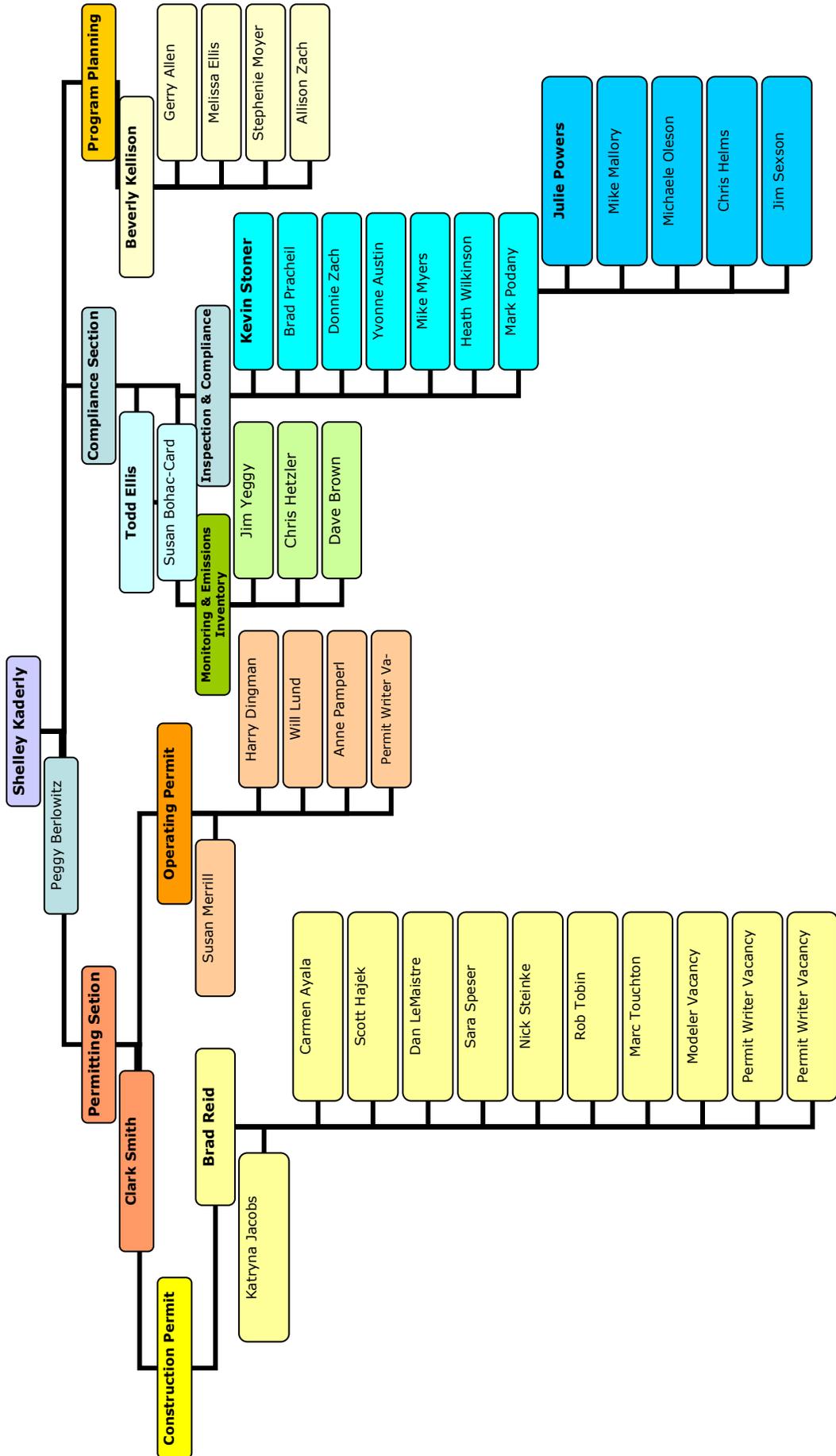
The Program Planning and Development Unit has two new employees. Stephenie Moyer is now the New Source Performance Standard (NSPS) Coordinator. Stephenie has been in the Air Division for over six years as a construction permit writer and has worked with several ethanol construction permits. From January 1993-2001, Stephenie worked on the emissions inventory for Colorado's Air Division. Allison Zach is now the Maximum Achievable Control Technology (MACT) Coordinator. Allison began working in the Air Division in March 2007 as an operating permit writer.

The Air Division salutes Rob Tobin. We are looking forward to welcoming him back to the Construction Permit Team in early 2008 following his service in Iraq with the Army Reserve. He has served as a Major in Iraq since mid 2007 until December.



There is currently one vacancy in the Operating Permit Unit and three vacancies in the Construction Permit Unit. One of the Construction Permit Unit vacancies is for a modeler. The diagram on the following page shows all the employees in the Air Division.

2008 Air Quality Division



Ethanol Rule Change Implementation

Background: On May 1, 2007, EPA published a final rule that modified the definition of “chemical process plants” as it applies to the Prevention of Significant Deterioration (PSD) permitting program and the Title V operating permits program. The effect of this rule is to increase the PSD permitting threshold for ethanol plants from 100 tons per year of a criteria pollutant to 250 tons per year. The rule also no longer requires ethanol plants to count fugitive emissions of criteria pollutants when determining if they meet or exceed the emissions threshold for PSD or Title V operating permits programs. Fugitive emissions are emissions that can not be reasonably captured and vented to process stacks or vents. These changes will allow some ethanol plants to expand production and emit more criteria and toxic air pollutants without the need for best available control technology (BACT) analysis or increment analysis until the 250 ton per year threshold of emissions is reached.

Effective Date: The final rule was published in the Federal Register on May 1, 2007 and was effective on July 2, 2007 at the federal level.

The NDEQ proposed to adopt these federal changes into state rules. A hearing on the changes was held before the Environmental Quality Council (EQC) on August 17, 2007. The EQC approved this action at the August meeting and the rule will become effective at the state level once the Governor signs the regulations. Once the rules are final, NDEQ will be able to issue new or modified air quality construction permits that would utilize this rule change.

Implementation: There are several questions related to the implementation of the new rule for both existing and new ethanol facilities. The following Question/Answer statements are intended to be a guide for facilities that may be affected by this rule change.

(1) Will the rule change be retroactive?

No. Under the final state rules, permitted emissions limits and other requirements for existing sources remain in effect and enforceable until the owner or operator applies for and obtains a modified (amended) permit from the NDEQ.

(2) Can owners or operators of existing facilities that were issued permits under the previous rule to avoid PSD and Title V at the 100 tons/year level now apply for permit modifications to relax emission limits no longer needed to stay below 100 tons/year?

Existing limits and other requirements may be modified only if the NDEQ agrees to the facility owner’s or operator’s request for a permit revision. The NDEQ will revise permits if it can be successfully demonstrated that permit modifications meet all requirements that apply to the facility, and that the permit revisions will not cause or contribute to violation of the National Ambient Air Quality Standards (NAAQS).

Note: The thresholds for the Title V program will remain at current levels, which are 100 tons per year for the criteria pollutants and 10/25 tons per year for hazardous air pollutants (HAPs). Sources requesting relaxation of limitations for PSD purposes would have their potential emissions in excess of these thresholds, and would be major under the Title V program.

(3) Should facility owners or operators request to remove or discontinue use of control equipment no longer needed to stay synthetic minor for PSD under the new rule?

Control equipment may still be needed to meet state emission standards or to ensure compliance with the NAAQS. Additionally, removing control equipment could make a source subject to other standards that facility owners or operators had previously requested to avoid, such as National Emission Standards for Hazardous Air Pollutants (NESHAPs). Any request to remove or discontinue the use of control equipment would be evaluated by the NDEQ on a case-by-case basis to ensure that applicable emission and ambient air quality standards will still be met and to identify applicability to other regulatory requirements.

(4) Since fugitive emissions will no longer count for PSD and Title V applicability, can facility owners or operators request that NDEQ rescind haul road limitations that would no longer be needed to remain synthetic minor under the new rule?

Uncontrolled fugitive emissions from haul road traffic may contribute to violations of the PM-10 NAAQS. Therefore, facilities with existing permits would have to demonstrate through air dispersion modeling that the impacts from haul roads would not cause or contribute to ambient air violations before the NDEQ would rescind a limitation.

New facilities must demonstrate through air dispersion modeling that haul roads would not cause or contribute to ambient air violations, or obtain haul road limitations with Best Management Practices (BMP) to control fugitive dust.

Ethanol Rule Change Implementation cont.

NOTE: It is important for facilities to be aware that not all fugitive emissions are exempted by the new rule. By definition, fugitive HAP emissions are still regulated under that program. It is important to note that some HAP compounds are also Volatile Organic Compounds (VOCs). Therefore, while the quantity of emissions of that type of compound would not count toward the VOC total, the quantity would be included when calculating a change in HAP emissions. This is particularly important in Nebraska where we have a State Toxics program administered through our construction permit program. For more details on this program, please see the “Best Available Control Technology” Fact Sheet on NDEQ’s website.

Other situations where fugitive emissions would still be included are when the facility has permanent grain storage of 2.5 million bushels or has fossil fuel-fired boilers or process heaters with a combined capacity of more than 250 MM BTUs. Any fugitive emissions associated with those parts of the facility must still be included toward applicability.

- (5) *What will be the PSD applicability threshold for ethanol plants that also operate fossil-fuel boilers totaling more than 250 million British thermal units per hour heat input?*

This rule only changes the definition of “chemical process plants” and does not modify any other source category. Therefore, the PSD applicability threshold remains at 100 tons/year for “fossil fuel boilers (or combinations thereof) totaling more than 250 million British thermal units.”



As such, the boilers would be treated as a “Nested Facility,” which means the major source status for the boilers would be based on the 100 tons/year threshold including fugitives, and the major source status for the entire facility (all operations including the boilers) would be based on a 250 tons/year threshold.

- (6) *For existing facilities that were issued permits under the previous rule to avoid PSD at the 100 tons/year*

level and now want to expand operations, how many tons/year can facilities increase and still avoid PSD under the new rule?

Generally the NDEQ would consider projects (expansions) that are less than two years apart to be one entire project that should be evaluated for PSD applicability. These determinations are made on a case-by-case basis and consider a number of factors. The following scenarios are based on a two year time-frame.

Scenario 1: If an existing facility started operations less than two years ago and now applied for an expansion, the initial project plus the expansion would be evaluated at the 250 tons/year threshold for PSD applicability.

Scenario 2: If an existing facility started operations of its last project more than two years ago and is permitted at 99 tons/year for a criteria pollutant the facility could increase an additional 249 tons/year and avoid PSD. From this point on the facility would be a major stationary source (>250 tons/year) and any future increase would be evaluated for PSD at the significant modification thresholds.

Scenario 3: An existing facility permitted at 99 tons/year for a criteria pollutant could increase an additional 149 tons/year and avoid PSD. The facility would not be a major stationary source (<250 tons/year). The facility could expand another 249 tons/year (one time doubling), if there have been more than two years between projects, and still avoid PSD. After the “one time doubling” the facility would be considered a major stationary source (>250 tons/year) and any future increase would be evaluated for PSD at the significant modification thresholds.

In any of these scenarios, the plant would be subject to Title V and most likely would be major for HAPs making it subject to any applicable NESHAPs.

For questions related to implementation of the new rule, contact the Air Quality Division at (402) 471-2189.



The Blue Skyways Collaborative

Cleaning up the air is catching on across Nebraska and America's central corridor, rousing many businesses and industries to get involved with programs like the Blue Skyways Collaborative.

The Collaborative is a voluntary program to promote clean air. Blue Skyways is *the* resource for businesses, communities, agricultural entities and governments interested in developing and implementing best practices for environmental enhancement. The goal of Blue Skyways is cleaner air.

Blue Skyways works to develop public-private partnerships to reduce air

pollution through project implementation, networking, recognition and tracking measurable results. The Collaborative offers partners the opportunity to connect with others, allowing them to expand horizons and learn from each other.

Blue Skyways provides media attention to our partners for completed emissions reductions projects. Public events and recognition of positive environmental efforts help partners develop a pro environmental image. The Collaborative also calculates and provides official data related to air quality projects that partners can then use as they attract new business.

In Nebraska, Blue Skyways is already working with Nebraska Public Power District, the Metropolitan Area Planning Agency (MAPA) and Lincoln-Lancaster County. For more information on the Blue Skyways Collaborative or if you are interested in joining, visit www.blueskyways.org.



EPA Teams Up with Google Earth to Provide Air Quality Information

(Washington, D.C. – November 19, 2007)



Ever used your computer to "fly" through the mountains, or zoom in on a satellite picture of your house?

Now you can use the same technology to learn more about emissions and air quality across the country and where you live.

The Environmental Protection Agency (EPA) has developed two tools that let computer users "see" air quality information on a virtual globe. Both tools are available to the public starting today.

"Google has changed the way people use the Internet. By combining their innovative mapping tools with our air data, EPA and Google are changing the way people use the Internet to protect their health," said EPA Administrator Stephen L. Johnson.

The first tool is part of the new "Air Emission Sources" web site, which is designed to make emissions data for six common pollutants easy to find and un-

derstand. Based on the latest National Emissions Inventory, the site uses charts and Google Earth files to answer a user's questions. Users can look at overall emissions, emissions by type of industry, or emissions by largest polluter.

Want to know what industry emits the most sulfur dioxide in your state? Select your state from a map, pick a pollutant, and the site creates a chart showing you emissions by industry. Want to "see" which refineries in your state emit the most sulfur dioxide? Use the "tilt" feature in Google Earth to quickly find the largest emitter. Then click on the balloon to get more details about emissions from that facility.

EPA also is providing Air Quality Index (AQI) information in the Google Earth format. Use the AQI tool to quickly see air quality across the country, then click on a specific location to see that city's AQI forecast and current levels of ozone or particle pollution.

The AQI is EPA's color-coded tool to inform the public about daily air pollution levels in their communities. EPA,

in collaboration with state and local governments, provides AQI forecasts and conditions for more than 300 cities across the United States.

On the web:

Go to the Air Emissions Sources web site: www.epa.gov/air/emissions View information in Google Earth format about which facilities emit any of six common pollutants: <http://www.epa.gov/air/emissions/where.htm>

See AQI forecasts and current conditions: www.airnow.gov View air quality information in Google Earth format: http://airnow.gov/index.cfm?action=google_earth.main

EPA is also using the Google Earth platform to display Acid Rain Program data: <http://epa.gov/airmarkets/progress/interactivemapping.html>

Contact: Margot Perez-Sullivan, (202) 564-4355/ perezsullivan.margot@epa.gov

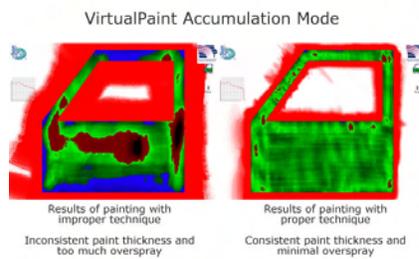


VirtualPaint™ System - A Beneficial Training System for Spray Technicians

Nebraska is launching a compliance assistance effort that will revolutionize the surface coating industry in our state. The Nebraska Department of Environmental Quality's (NDEQ) air compliance assistance program is part of a team made up of WasteCap Nebraska, Southeast Community College, the Lincoln-Lancaster County Health Department, Stephenson Truck Repair, and General Dynamics. The team's focus is to utilize the successful Iowa Waste Reduction Center's VirtualPaint™ program and take it to the next level by making the program widely available and easily accessible to paint technicians throughout Nebraska using a mobile training unit. The program is called *WasteCap Nebraska Finishing Technologies Certification Program*.

How does it work?

By using state-of-the-art virtual reality technologies, precise software modeling, and a high volume/low pressure (HVLP) spray gun, the spray techniques of the user are tracked and projected onto an interactive display. This system allows the user to simulate the application of coatings on a virtual substrate, eliminating the need for a paint booth. Since operational hazards, emissions and hazardous waste are also eliminated, the system is safe for the student and the environment. The *WasteCap Nebraska Finishing Technologies Certification* can be used to evaluate and improve coating techniques for individuals at all skill levels.



What are the benefits for business and the environment?

The VirtualPaint™ system has been found to increase the efficiency of transferring coating products to prepared surfaces by 19%. As efficiency increases, the amount of material consumed decreases by 13%. The average car door generally requires 9 coats of various materials, and depending on the paint gun used, may use 25-63 ounces of product, costing \$73-\$124. Larger commercial projects can easily average \$3,500-\$8,000 for materials, so decreasing material consumption by 13% would provide a potential cost savings of \$450-\$1,050. The savings from the training can also be seen in reduced hazardous waste generation, which currently costs \$240 for the removal of a 55-gallon drum of waste products.

The VirtualPaint™ technology has the potential to reduce air emissions and hazardous waste. Most paints used in the automobile and manufacturing industries contain volatile organic compounds and hazardous air pollutants and are classified as hazardous waste. Volatile organic compounds

contribute to the formation of ozone, which aggravates chronic heart disease, asthma, bronchitis, and emphysema. Hazardous air pollutants are known or suspected to cause cancer or other serious health effects such as reproductive effects or birth defects.

Through training with the VirtualPaint™ system, the amount of volatile organic compounds released decreases by 12.6%. As an example, a large surface coating facility that releases 166 tons of volatile organic compounds per year could see a 21 ton decrease in emissions through use of the VirtualPaint™ system. Facilities of medium size that may release 31 tons of volatile organic compounds could potentially realize a 4 ton per year decrease. A smaller facility releasing only 12 tons per year could see a 1.5 ton emissions decrease after training with the VirtualPaint™ system.

Why do this?

Besides the obvious monetary and environmental benefits outlined above, the intended outcome is to develop a five year certification program and offer training to private businesses throughout the state. The *WasteCap Nebraska Finishing Technologies Certification* will satisfy the training and certification requirements included in the Environmental Protection Agency's (EPA) new regulation for surface coating operations. Under EPA's new rule, all persons spray-applying coatings on motor vehicles or mobile equipment must be trained and certified under a program meeting EPA's specifications. Additionally, persons spray-applying coating containing certain hazardous air pollutant metals to metal or plastic parts or products must be trained and certified. For more information, see the related article ("EPA Finalizes Regulations for Surface Coating Industry") in this edition of AirWaves.

The certification will be used as an option to satisfy Nebraska state hazardous air pollutant (HAP) best available control technology (BACT) requirements. The NDEQ air quality regulations require sources with a potential net emissions increase above 2.5 tons per year of a single hazardous air pollutant (HAP) or 10 tons per year of combined HAPs to install best available control technology (BACT). Certification through the *WasteCap Nebraska Finishing Technologies Certification* has been determined to be a BACT option for surface coating facilities in Nebraska.

How is this unique or innovative?

The project is modeled after the Iowa Waste Reduction Center's technology and training program which is currently utilizing the software to train technicians at mili-

tary installations. The Nebraska program is unique in its certification requirements, wide-spread availability, environmental and safety curriculum, and partnerships. The partnership, comprised of public, private, non-profit, and governmental entities is developing the training and certification program, which will include an environmental and safety component. Working with Southeast Community College allows us to demonstrate the effectiveness of the technology training that could be utilized in other college training programs. Through partnering with other entities, we will be able to reach both the "seasoned" painter already in private industry and train students before they enter industrial painting positions.

Because it will be a mobile training unit, businesses throughout the state can benefit, as extensive traveling by the business to receive training is not required. The team is also exploring other ways to make the curriculum easily accessible, as through podcasting, on-line courses, and DVDs.



How many painters can be certified annually?

The *WasteCap Nebraska Finishing Technologies Certification* will be a mobile unit that can service businesses and community colleges throughout Nebraska. It is anticipated that the system will be utilized for a minimum of 26 weeks per year, with Southeast Community College offering training to their painting technician students during the weeks the system is not in use elsewhere.

The system will initially target students learning spray application at the community college level as well as surface coating facilities in the business sector. Nebraska has six community colleges with programs to train spray technicians. It is estimated that this training at Southeast Community College and the other members of the community

college network in Nebraska would impact 80 students each year. The training will also be offered at air quality workshops hosted by NDEQ across the state. Through these workshops NDEQ anticipates being able to train at least another 40 people per year. An additional 400 people per year can be educated in an estimated 26 weeks of training.

Sponsorship Opportunities

Grant funding from the Nebraska Department of Environmental Quality in July 2007 was utilized to purchase the equipment and develop a certification program for members of the surface coating industry. The grant requires matching contributions of financial resources to assist in project implementation. The funds can come from financial contributions, fees, and in-kind contributions for equipment or equipment modification. The project has secured commitments from partners for in-kind contributions and is working to determine a fee structure for participation in the training programs.

Corporate sponsorship of the *WasteCap Nebraska Finishing Technologies Certification* program would provide an opportunity to reach a large number of businesses throughout Nebraska. From auto body shops to industrial facilities, the program will have far-reaching impact. In addition, the opportunity to influence community college students who will make future purchasing decisions once employed in industry is immeasurable. Another consideration is that this certification will satisfy the requirements in EPA's rule on paint stripping and surface coating. This requirement covers a minimum of 400 businesses in Nebraska and would be an excellent promotional opportunity for businesses who wish to reach this captive audience.

For information on the levels of sponsorship available, please contact WasteCap Nebraska at 402-436-2383, 888-EWASTE9 or sepegg@wastecapne.org with any questions.

Hot Off The Presses! New and Improved Air Quality Guidance Documents



The Air Quality Division is continuing its efforts to keep you informed and educated about the air quality regulations. Following is a listing of new and revised guidance documents. Most of the documents are currently available on NDEQ's web site at www.deq.state.ne.us under Air Quality Publications. All of the documents will be available on the web site in the near future or you can obtain them by calling (402) 471-6624.

- 📖 *Revised* – Permit Shields Fact Sheet – This fact sheet explains the permit shield provisions Class I sources may take advantage of in their operating permit. The document also provides examples of applicable requirements and when permit shields may be requested.
- 📖 *Revised* – Operating Permit Applications - All of the operating permit applications have been revised and are available in Word format and Adobe Acrobat. The applications were revised to incorporate the necessary information needed to process an air quality operating per-

Guidance Documents cont.

mit quickly and efficiently. As the forms are utilized, we may be making corrections and clarifications, so check the website for the most current versions. If you have any questions or comments on the new forms, please contact the Air Quality Division at (402) 471-2189.

 **Revised – Construction Permit Applications** – All of the construction permit applications have been updated and are available in Word format and Adobe Acrobat. If you have any questions or comments on the new forms, please contact the Air Quality Construction Permit Hotline at (877)834-0474.

 **Revised – Air Quality and Ethanol Production** - This document is a compilation of documents, articles, presentations, and regulatory information related to the ethanol industry. The document will discuss the ethanol production process, air pollution emission points, NDEQ's air quality permitting process, and air quality permitting and compliance issues. Information about Nebraska's ethanol plants is also included.

 **New – Best Available Control Technology (BACT) Guidance Document** - This document's purpose is not to explain the 'top-down' BACT process, which has already been done by numerous publications, including the October 1990 Draft New Source Review Workshop Manual published by EPA, instead it emphasizes some of the NDEQ's expectations regarding specific aspects of the BACT process that have caused previous delays in BACT decisions.

 **New – Petroleum Solvent Dry Cleaner Compliance Manual** - The purpose of this manual is to help Nebraska dry cleaning facilities using petroleum solvents understand and comply with state and federal environmental regulations. The manual provides a

desktop reference of current requirements and recommendations for Nebraska dry cleaners on air regulations, hazardous waste management and disposal, wastewater discharge, solid waste management and disposal, and general operating practices.

 **New – Alternative Solvent Dry Cleaner Compliance Manual** - The purpose of this manual is to help Nebraska dry cleaning facilities using alternate solvents understand and comply with state and federal environmental regulations. The manual provides a desktop reference of current requirements and recommendations for Nebraska dry cleaners on air regulations, hazardous waste management and disposal, wastewater discharge, solid waste management and disposal, and general operating practices.

 **New – 2008 Air Quality Compliance Calendar** - The compliance calendar was developed to assist businesses with their air quality recordkeeping and reporting requirements. The calendar provides reminders and compliance tips to businesses to help them maintain compliance with the air quality regulations. We encourage businesses to use this calendar daily to assist them with their air quality regulatory requirements.

 **New – 2008-2009 Dry Cleaner Compliance Calendar** - The purpose of this calendar is to assist Nebraska dry cleaning facilities in their record-keeping responsibilities. The calendar provides instructions on how to calculate perchloroethylene (PERC) usage, information on monitoring, record-keeping, and Pollution Prevention (P2) requirements, tips on good housekeeping and environmental protection, and monthly tables to record relevant facility data.

If there are guidance documents you would like developed or if you think we could improve existing documents, contact Melissa Ellis at (402) 471-6624.

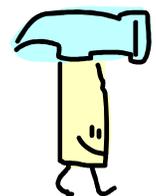
Federal Rules for Boilers Vacated

The Clean Air Act Amendments of 1990 (Section 112(j)) require the development and issuance of technology-based standards for limiting emissions of 187 hazardous air pollutants (HAP). The deadline for the Environmental Protection Agency (EPA) to issue these standards was May 15, 2002. On July 30, 2007 the US Court of Appeals for the District of Columbia vacated 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants - Subpart DDDDD for Industrial, Commercial, and Institutional Boilers and Process Heaters (The Boiler MACT). This means the rule is no longer in existence

and EPA must redevelop and propose a new Maximum Achievable Control Technology (MACT) standard for this source category. In addition, it means that the "MACT Hammer" is in effect for this source category.

What is the "MACT Hammer"?

The Hammer requires major sources of HAP emissions, for which no MACT standard has not been issued, to submit a Title V operating permit application. As part of the Title V permit, the permitting authority must develop and include a case-by-case MACT standard for each affected facility.



Boiler Vacatur cont.**Who is subject to the MACT Hammer due to vacatur of the Boiler MACT?**

Owners/operators of major sources of HAP emissions (those that have the potential to emit 10 tons per year of any single HAP or 25 tons per year of combined HAP) that operate industrial, commercial, or institutional boilers or process heaters are subject to the MACT Hammer. (**Important:** the boiler or process heater does not have to be a major source of HAP emissions; it need only be present at a source that is major).

 *Industrial boiler* means a boiler used in manufacturing, processing, mining, and refining or any other industry to provide steam, hot water, and/or electricity.

 *Commercial/institutional boiler* means a boiler used in commercial establishments or institutional establishments such as medical centers, research centers, institutions of higher education, hotels, and laundries to provide electricity, steam, and/or hot water.

 *Process heater* means an enclosed device using controlled flame (not a boiler) The unit's primary purpose, rather than generating steam, is to transfer heat indirectly to a process

material (liquid, gas, or solid) or to a heat transfer material for use in a process unit. Process heaters are devices in which the combustion gases do not directly come into contact with process materials. Process heaters do not include units used for comfort heat or space heat, for food preparation for on-site consumption, or autoclaves.

What is actually required and when?

On November 2, 2007 the EPA announced that it will submit an Information Collection Request in compliance with the Paperwork Reduction Act (44 U.S.C.3501, et seq.). Comments for this request were due to EPA by January 2, 2008. Once finalized, this request will be used to collect information and create the final language for the Part 1 and 2 112(j) Air Quality Operating Permit Application Forms 1.0 Section 1.6 and 1.7. These applications will be sent out by the NDEQ to all affected sources. Once an application is received it must be completed and returned to NDEQ according to the schedule below.



√ Affected facilities must submit a

Part 1 112(j) Air Quality Operating Permit Application, Form 1.0, Section 1.6 within 30 days of written notification by the permitting authority. (**Important:** This article **does not** constitute "written notification" by the permitting authority).

√ A Part 2 112(j) Air Quality Operating Permit Application, Form 1.0, Section 1.7 application must be submitted within 60 days of the Part 1 submittal.

√ NDEQ has 60 days to determine if the is application complete. NDEQ must develop and incorporate a case-by-case MACT into the Title V operating permit within 18 months from the receipt of a complete application.

The requirements for Section 112(j) are found in 40 CFR Part 63 Subpart B §63.50. Information on EPA rules can be found on the EPA Air Toxics web site at www.epa.gov/ttn/atw/eparules.html.

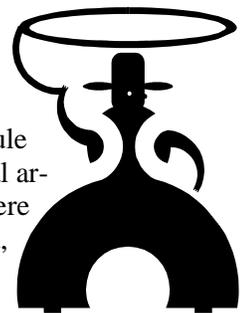
For assistance from NDEQ, contact Clark Smith at 402-471-4204 or Allison Zach at 402-471-4103.

Regulatory Roundup

In September 2007, the Environmental Quality Council (EQC) adopted several changes to Nebraska Air Quality Regulations (Title 129). Many of the changes were minor revisions that will complete the major revision of rules governing the Prevention of Significant Deterioration (PSD) program that were adopted in September 2005. In addition, a revision to Chapter 15 will allow changes in a facility's equipment configuration without a permit revision under certain circumstances. Another revision, to Chapter 17, will require a source to pay a construction permit application fee when requesting a significant permit revision. A change in Chapter 34 will clarify NDEQ's authority to order facilities to conduct testing when the Department deems it necessary.

A new Chapter 43 was also adopted by the EQC in September 2007. It is titled "Visibility Improvement" and will pro-

vide the authority for the NDEQ to comply with the federal Regional Haze Rule. The goal of the Regional Haze Rule is to improve visibility in Class I federal areas such as national parks. Although there are no Class I federal areas in Nebraska, pollutants emitted by certain facilities in Nebraska contribute to visibility impairment in other states. Facilities that have been found, through modeling, to be contributing in this way, will be required to install Best Available Retrofit Technology (BART) to control their visibility-impairing emissions. Most of the changes adopted by the EQC in September 2007 had already been adopted in September 2006. However, the Nebraska Attorney General ruled in December 2006 that certain amendments to Title 129 adopted by the



Regulatory Roundup cont.

EQC at its September 2006 meeting did not receive adequate public notice. Therefore, the Attorney General rejected the entire package of regulatory changes.

The Clean Air Mercury Rule was also adopted by the EQC in September 2007. The rule for Nebraska reflects the federal rule in every way except for a slight change in the method of allocating allowances to sources participating in the federal mercury cap and trade program. Finally, the EQC adopted, by reference, New Source Performance Standards (NSPS), Subparts EEEE and FFFF, relating to Other Solid Waste Incinerators (OSWI).

In December 2007, the EQC adopted changes to Title 129, Chapter 5 – Operating Permits, When Required. These revisions will allow facilities under common corporate control

and physically adjacent to one another, which are major sources for emission of hazardous air pollutants (HAP), to be issued separate operating permits. Federal regulations require adjacent facilities to combine their HAP emissions in determining major source applicability. In some cases however, especially when adjacent facilities are not similar operations, issuance of and compliance with one permit for all facilities is impractical. The change in the rule will allow such facilities to be issued separate permits, while still requiring controls based on the total HAP emissions of all of the adjacent facilities.

The rules adopted by the EQC in September 2007 have been reviewed and approved by the Attorney General. They await the Governor's review and signature. The rules adopted in December are presently under review by the Attorney General. Neither the Attorney General nor the Governor has statutory time limits on reviews.

**Mark Your Calendars!****JANUARY 2008**

- 1st NDEQ office closed
- 21st NDEQ office closed

FEBRUARY 2008

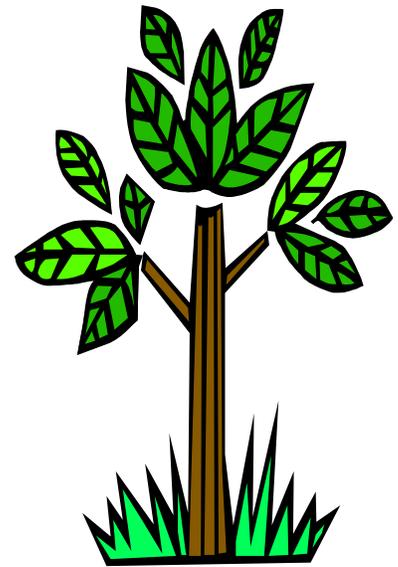
- 18th NDEQ office closed

MARCH 2008

-  13th Environmental Quality Council Meeting Video Conference
-  31st 2006 Emissions Inventory due
-  31st Certification of Compliance Reports due
-  31st Deviations Reports due

APRIL 2008

-  9th-10th Nebraska Safety Council Conference & Exhibition. For registration information, go to <http://www.nesafetycouncil.org/>. Lincoln, NE
- 22nd Earth Day
- 25th Arbor Day – NDEQ Office Closed
- 28th Air Quality Awareness Week (through May 2nd)
-  29th-30th Method 9 Opacity Certification Training (Smoke School). For registration information, go to www.eta-is-opacity.com/schedule.htm Lincoln, NE



Calendar cont.

MAY 2008

- 🕒 1st Method 9 Opacity Certification Training (Smoke School). For registration information, go to www.eta-is-opacity.com/schedule.htm Lincoln, NE
- 🕒 7th Air 101 Workshop – 9 am – 3 pm (tentative) Holiday Inn
Kearney, NE
- 🕒 14th Air 101 Workshop – 9 am – 3 pm (tentative) Northeast Community College
Norfolk, NE
- 26th NDEQ Office Closed

JUNE 2008

- 🕒 30th -1st Environmental Quality Council Meeting South Sioux City, NE

JULY 2008

- 📅 1st 2006 Emissions Inventory Fees due (Class I Sources)
- 4th NDEQ Office Closed



New Source Performance Standards

Subpart VV/VVa – Equipment Leaks of VOC for Synthetic Organic Chemical Manufacturing Industries

On November 16, 2007, EPA promulgated modifications to NSPS Subpart VV and promulgated new subpart VVa. Subpart VV applies to all equipment leaks at synthetic organic chemical manufacturing industries that were constructed, reconstructed, or modified after January 5, 1981 and on or before November 7, 2006. Subpart VVa applies to the same components regulated in Subpart VV but applies to those that were constructed, reconstructed, or modified after November 7, 2006. A process unit (group of components assembled to produce one of chemicals in 40 CFR 60.489) previously subject to Subpart VV can become subject to Subpart VVa due to reconstruction or modification of the process unit (including expansion).

You must comply with Subpart VVa if you are subject to Subpart VVa even though your construction and/or operating permit states you are subject to Subpart VV. For example, if your facility is a new ethanol facility and your construction permit was issued in 2007 and your construction started in 2007, you are subject to Subpart VVa even though your construction permit states you are subject to Subpart VV.

If a dedicated batch process unit operates less than 365 days during a year, an owner or operator may monitor to detect leaks from pumps and valves at the frequency specified in the following table instead of monitoring as specified in §60.482-2, 60.482-7, 60.483-2, 60.482-2a, 60.482-7a, and 60.483-2a (applies to both subparts):

Operating time (percent of hours during year)	Equivalent monitoring frequency time in use		
	Monthly	Quarterly	Semiannually
0 to <25	Quarterly	Annually	Annually
25 to <50	Quarterly	Semiannually	Annually
50 to <75	Bimonthly	Three quarters	Semiannually
75 to 100	Monthly	Quarterly	Semiannually

The following table contains the differences in emission levels that define a leak in each subpart:

Component	Subpart VV	Subpart VVa
Pumps in light liquid service	10,000 ppm	5,000 ppm for polymerizing monomer; 2,000 ppm for all other pumps
Valves in gas/vapor service	10,000 ppm	500 ppm
Valves in light liquid service	10,000 ppm	500 ppm
Pumps, valves, and connectors in heavy liquid service and pressure relief devices in light liquid or heavy liquid service	10,000 ppm	10,000 ppm
Connectors in gas/vapor service or in light liquid service	N/A	500 ppm

Alternative means of compliance were identified for both Subparts VV and VVa. For process units subject to Subpart VV, the owner or operator may choose to comply with provisions in 40 CFR 65 (Consolidated Federal Air Rule) Subpart F (Equipment Leaks) or with NSPS Subpart VVa. For process units subject to Subpart VVa, the owner or operator may choose to comply with provisions in 40 CFR 65

NSPS cont.

Subpart F or with 40 CFR 63 (NESHAP) Subpart H (Organic HAPs – Equipment Leaks). Owners or operators who choose to comply with 40 CFR 65 Subpart F or 40 CFR 63 Subpart H must still comply with 40 CFR 60.485{60.485a - Subpart VVa}(d), (e), and (f), sections 60.486, 60.486a(i) and (j), and 40 CFR 60 Subpart A requirements - sections 60.1, 60.2, 60.5, 60.6, 60.7(a)(1) and (4), 60.14, 60.15, and 60.16.

If you would like more information on New Source Performance Standards, contact Stephenie Moyer at (402)-471-0019 or stephenie.moyer@ndeq.state.ne.us.

Subpart DD – Grain Elevators

In a letter dated November 21, 2007 to the National Grain and Feed Association, EPA issued an applicability determination for NSPS Subpart DD for “temporary grain storage” at grain elevators. The “temporary grain storage” in question consists of permanent asphalt or concrete foundations, rigid sidewalls and long-lasting tarp covers, and can have permanent aeration towers and conveyor systems associated with them. EPA has determined that these storage systems are considered bins per NSPS Subpart DD, and therefore the capacity of these storage systems must be included to determine the permanent storage capacity for the facility. A facility is subject to NSPS Subpart DD if the permanent storage capacity is greater than 2.5 million bushels for grain terminal elevators or greater than 1 million bushels for grain storage elevators.

Federal Air Quality Regulatory Actions July 2007 – December 2007

The following tables list the actions the U.S. Environmental Protection Agency (EPA) has taken on air quality regulations from July 2007 – December 2007. The tables are sorted according to 40 Code of Federal Regulations Part. Each table is then sorted by date. You can find more detailed information related to these actions on EPA’s website at <http://www.epa.gov/fedrgstr/EPA-AIR/>.

40 CFR Part 50 – National Ambient Air Quality Standards

Subpart Letter & Name	Date	Type & Summary of Action
NAAQS for Ozone	7/11/07	Proposed revisions to the 8-hour standard to a level 0.070 to 0.075 parts per million (ppm) for the primary standard. Proposal to revise secondary 8-hour standard with to keep the current or revise within a range of 7-21 ppm-hours.

40 CFR Part 51 - Preparation, Adoption, & Submittal of State Implementation Plans

Subpart Letter & Name	Date	Type & Summary of Action
G – Control Strategy	10/1/07	Final Rule - minor correction to the Clean Air Interstate Rule (CAIR) to restore a phrase inadvertently deleted in 2006 amendments. Also corrects typographical errors.
F - Procedural Requirements	10/1/07	Proposed rule - Revision adds propylene carbonate and dimethyl carbonate compounds to list of excluded VOC compounds.
G – Control Strategy	10/19/07	Final Rule - revising calculation methodology for the efficiency standard in the cogeneration unit definition to exclude energy input from biomass.
I - Non-attainment New Source Review	11/13/07	Proposed Rule - Revise December 2002 final rules related to fugitive emissions for purposes of determining whether a physical or operational change at an existing major source qualifies as a major modification. Also guidelines for determining when and how emissions are to be considered fugitive for NSR and Title V permitting.
I - Non-attainment New Source Review	12/21/07	Final Rule - Clarify the “reasonable possibility” recordkeeping and reporting standard which, identifies the circumstances under which a major stationary source undergoing a modification that does not trigger major NSR must keep records.

40 CFR Part 51 - Preparation, Adoption, & Submittal of State Implementation Plans

Subpart Letter & Name	Date	Type & Summary of Action
I - Non-attainment New Source Review	9/12/07	Proposed rule - revisions clarify flexible permitting for operating permit programs. Also add major NSR requirements for Green Groups, which allow future changes to occur, provided they are ducted to a common air pollution control device which is determined to meet BACT or LAER
I - Non-attainment New Source Review	9/21/07	Proposed rule - facilitate implementation of a PM2.5 PSD program in areas attaining the PM2.5 NAAQS by developing increments, Significant Impact Levels, and a Significant Monitoring Concentration. Also proposing to revoke the annual PM10 increments.

Federal Rules cont.

40 CFR Part 52 - Approval & Promulgation of Implementation Plans

Subpart Letter & Name	Date of Action	Type & Summary of Action
A - Prevention of Significant Deterioration	9/12/07	Proposed rule - revisions clarify flexible permitting for the operating permit programs. The proposed revisions also add major NSR requirements for Green Groups, which allow future changes to occur, provided they are ducted to a common air pollution control device which is determined to meet BACT or LAER.
A - Prevention of Significant Deterioration	9/21/07	Proposed rule - to facilitate implementation of a PM2.5 PSD program in areas attaining the PM2.5 NAAQS by developing increments, Significant Impact Levels, and a Significant Monitoring Concentration. Also proposing to revoke the annual PM10 increments.
CAIR Federal Implementation Plan	11/2/07	Direct Final Rule - to amend the Federal Implementation Plans (FIPs) for the Clean Air Interstate Rule (CAIR) to provide for automatic withdrawal of the CAIR FIPs in a State upon the effective date of EPA's approval of a full State implementation plan.
A - Prevention of Significant Deterioration	11/13/07	Proposed Rule - Revise December 2002 final rules related to fugitive emissions for purposes of determining whether a physical or operational change at an existing major source qualifies as a major modification. Also guidelines for determining when and how emissions are to be considered fugitive for NSR and Title V permitting.
A - Prevention of Significant Deterioration	12/21/07	Final Rule - Clarify the "reasonable possibility" recordkeeping and reporting standard which, identifies the circumstances under which a major stationary source undergoing a modification that does not trigger major NSR must keep records.

40 CFR Part 59 - National Volatile Organic Compound Emission Standards

Subpart Letter & Name	Date	Type & Summary of Action
E - Standards for Aerosol Coatings	7/16/07	Proposed Rule - a national reactivity-based volatile organic compound (VOC) emissions regulation for the aerosol coatings (aerosol spray paints).
A - General	10/9/07	Final Rule - Determination that control techniques guidelines will be substantially as effective as national regulations in reducing VOC emissions in nonattainment areas from paper, film, and foil coatings; metal furniture coatings; and large appliance coatings. Proposed 7/10/07.

40 CFR Part 60 - New Source Performance Standards

Subpart Letter & Name	Date	Summary of Action
Appendix A - Test Methods	9/7/07	Direct Final Rule - Adds Method 30A & 30B mercury instrumentation test methods & Corrects errors in final rule that amended five instrumental test methods published on May 15, 2006.
Appendix A - Test Methods	9/28/07	Final Amendment - Technical corrections related to 9/7/07 federal register notice related to mercury monitoring.
A - General Provisions & HHHH - CAMR	10/19/07	Final Rule - revising calculation methodology for the efficiency standard in the cogeneration unit definition to exclude energy input from biomass.
Appendix A - Test Methods	11/5/07/07	Withdrawal Direct Final Rule - published on September 7, 2007, to correct errors in a May 15, 2006, final rule amending five instrumental test methods.
A - General	11/16/07	Final rule - incorporates test method references.
VV - Equipment Leaks SOCMI Constructed before November 7, 2006	11/16/07	Final rule - Additional compliance options, clarify ambiguous provisions, and make technical corrections. These changes are summarized in Table 1 in section III.C of the preamble.
VVa - Equipment Leaks SOCMI Constructed After November 7, 2006	11/16/07	Final rule - Lower leak detection standards for new sources.
GGG - Equipment Leaks Petroleum Refineries Constructed before November 7, 2006	11/16/07	Final rule - Minor changes and technical corrections.
GGGa - Equipment Leaks for Petroleum Refineries Constructed After November 7, 2006	11/16/07	Final rule - Lower leak detection standards for new sources.

40 CFR Part 63 - National Emission Standards for Hazardous Air Pollutants

Subpart Letter & Name	Date	Type & Summary of Action
LLLLLL - Acrylic & Modacrylic Fibers MMMMMM - Carbon Black NNNNNN - Chromium Compounds OOOOOO - Flexible Polyurethane Foam PPPPPP - Lead Acid Battery QQQQQQ - Wood Preserving	7/16/07	Final Rule - Generally available control technology for area sources.

Federal Rules cont.

40 CFR Part 63 – National Emission Standards for Hazardous Air Pollutants

Subpart Letter & Name	Date	Type & Summary of Action
CC – Petroleum Refineries	9/4/07	Proposed amendments to address residual risk. Options for storage vessels and enhanced biodegradation units. Standards for cooling towers and loading racks.
DDDD – Plywood & Composite Products	10/29/07	Final rule implements Court's order regarding compliance date and low-risk subcategory provisions, EPA will separately reconsider the MACT determinations for the emission points for which EPA had previously determined MACT to be "no emissions reduction," and publish our proposed responses to the Court's remand of those decisions in a separate notice.
A – General Provisions	11/16/07	Final rule – incorporates references to Part 60 related to NSPS Subparts VV & GGG.
U – Group I Polymers & Resins W – Group II Polymers & Resins UU – Equipment Leaks Level 2 YY – Generic MACT	12/12/07	Proposed residual risk rules – proposing no additional controls or standards.
RRRRRR – Clay Ceramics Mfg. SSSSSS – Glass Mfg. TTTTTT – Secondary Non Ferrous Metals Proc.	12/26/07	Final rules for area sources to include emissions limits and/or work practice standards that reflect the generally available control technologies (GACT) and/or management practices. Proposed 9/20/07.
YYYYY – Electric Arc Furnaces	12/28/07	Final rules for area sources to include GACT. Proposed 9/20/07.
WWWWW – Hospital Ethylene Oxide Sterilizers	12/28/07	Final rules for area sources to include GACT. Proposed 1/6/06.

40 CFR Parts 70 & 71 – State & Federal Operating Permit Programs

Subpart Letter & Name	Date	Type & Summary of Action
Federal & State Operating Permits	9/12/07	Proposed rule - revisions clarify how flexible permitting can be done in the existing regulatory framework of the operating permit programs. The proposed revisions also add major NSR requirements for Green Groups, which allow future changes to occur within a group of emissions activities, provided that they are ducted to a common air pollution control device which is determined to meet "best available control technology" (BACT) or "lowest achievable emission rate" (LAER).

40 CFR Parts 72, 75, & 78 – Acid Rain Program & Continuous Emission Monitors

Subpart Letter & Name	Date	Type & Summary of Action
Part 72 - A – General Provisions	9/7/07	Direct Final rule – Adds sorbent trap method for mercury monitor-
Part 75 – Appendix K	9/28/07	Technical corrections related to 9/7/07 federal register notice related to mercury monitoring.
Part 72 - B – Designated Representative Part 78 – C – Procedure & Scope	10/19/07	Final Rule - revising calculation methodology for the efficiency standard in the cogeneration unit definition to exclude energy input from biomass.
Part 72 - A – General Provisions Part 75 – B – Monitoring Provisions	11/5/07	Withdrawal Direct Final Rule - published on September 7, 2007, to correct errors in a May 15, 2006, final rule amending five instrumental test methods.

40 CFR Parts 80, 82, 96, & 97 – Fuels & Fuel Additives, Protection of Stratospheric Ozone, & Clean Air Interstate Rule (CAIR)

Subpart Letter & Name	Date	Type & Summary of Action
Part 82 – Stratospheric Ozone	11/9/07	Direct final rule to update motor vehicle refrigerant recovery and recycling equipment standards.
Part 97 – EEEE – CAIR NOx Ozone Seasonal FIP	10/1/07	Final Rule - minor correction to the Clean Air Interstate Rule (CAIR) to restore a phrase inadvertently deleted when the rule was amended in 2006. This rule also corrects typographical er-
AAA - SO2 Annual Trading Program AAAA - NOx Ozone Season Trading Program General Provisions	4/25/07	Final Rule - revising calculation methodology for the efficiency standard in the cogeneration unit definition to exclude energy input from biomass.

Stay informed of the changes in the Air Division and its regulations by adding your name to the Air Updates email list. Email melissa.ellis@ndeq.state.ne.us to sign up today!

EPA Offers Funding Opportunity to Reduce Community Toxics

On December 18, 2007, EPA announced availability of around \$3 million in cooperative agreement funding through 2008 for Community Action for a Renewed Environment (CARE) grants. In the CARE program, EPA works with communities to help them come together collaboratively to investigate the toxics problems in their communities and ultimately use EPA voluntary programs to reduce emissions of toxics in the community. The goals of CARE are to reduce risks and empower communities to become stewards of their own environment.

CARE Program Description

- The CARE program is a competitive grant program that offers communities an innovative way to address the risks from multiple sources of toxic pollution in their environment.
- Through CARE, various local organizations, including non-profits, businesses, schools and governments create partnerships that implement local solutions to reduce releases of toxic pollutants and minimize the community's exposure to them.

Why a Community Should Consider CARE?

- If your community wants to reduce levels of toxic pollution, the CARE program can help! CARE assists communities by providing information about the pollution risks they face and the funding to address these risks.
- CARE promotes local consensus-based solutions that address risk comprehensively.
- Through CARE, EPA also provides technical assistance and resources, thereby helping communities to identify and access ways to reduce toxic exposures, especially through a broad range of voluntary programs.

As communities create local stakeholder groups that successfully reduce risks, CARE helps them build the capacity to understand and address toxics in their environment.

About the CARE Request for Proposals

EPA anticipates awarding CARE cooperative agreements in two levels. Level I cooperative agreements range from \$75,000 to \$100,000 and will help establish community-based partnerships to develop local environmental priorities. Level II awards, ranging from \$150,000 to \$300,000 each, will support communities which have established broad-based partnerships, have identified the priority toxic risks in the community, and are prepared to measure results, implement risk reduction activities, and become self-sustaining. In 2007, \$3.4 million in cooperative agreements were made available to more than 20 communities through the CARE program.

Applications for the CARE grants are due March 17, 2008. The CARE Cooperative Agreement Request for Proposals (RFP) is now available on-line at: [http://](http://www.epa.gov/air/grants_funding.html#0802)

www.epa.gov/air/grants_funding.html#0802. Eligible applicants include county and local governments, tribes, non-profit organizations and universities. EPA will conduct three webcasts (Jan. 18, Feb. 11 and Feb. 27) for prospective applicants to ask questions about the application process.

Additional information about the CARE program, previous cooperative agreement recipients, and how to apply for the 2008 grants is available at: <http://www.epa.gov/care>.

To register for the upcoming CARE Internet Seminar for any of the above dates, please go to: <http://www.cluin.org/studio/seminar.cfm>.

Nebraska 2007 CARE recipient Public Health Solutions - District Health Department Crete, Nebraska

Part of Nebraska's public health system, a district public health department named Public Health Solutions (PHS) is the recipient of a CARE Level I grant. Serving residents of the rural counties of Fillmore, Gage, Jefferson, Saline, and Thayer, the department will conduct an environmental health assessment and prepare an action plan using the "Baseline Assessment System to Improve the Status (BASIS) of Community Environmental Health Project." BASIS is a community-driven environmental health assessment process. The project will identify and prioritize environmental health problems in the five-county district and construct a plan for addressing them.

PHS was established in 2002 to provide local public health assistance, assess community health status, and provide leadership on health-related policy development for 57,000 residents living in five contiguous rural counties in southeast Nebraska. As mandated by the State of Nebraska, PHS District Health Department is governed by a board of health that includes a commissioner/supervisor from each of the five counties to ensure that the entire community is equally represented in public health decisions.

PHS will spearhead BASIS, an environmental health assessment process modeled after the Protocol for Assessing Community Excellence in Environmental Health (PACE EH), a methodology popularly utilized by CARE grantees, to establish a baseline for community environmental health status and increase local capacity for monitoring and mitigating critical environmental health issues. As part of this process, an assessment team will identify locally appropriate environmental health indicators -- such as ability to fish in local water bodies -- assess the indicator's status, prioritize them for risk and impact, and construct a sustainable plan to address them. Examples of the community's environmental concerns are illegal dumping and open-pit trash-burning; water quality; air emissions and other toxics from the agricultural businesses; and soil erosion and pollutant emissions related to new ethanol plants in the district.

A Selection of Prospective CARE Partners: Public Health Solutions; Jefferson County Commissioner, Trailblazers Resource Conservation and Development; and the Fillmore County Development Corp.



Nebraska Department of Environmental Quality



A bulletin produced by
Nebraska Department of
Environmental Quality's
Air Quality Division

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We're on the web!
www.deq.state.ne.us

The objectives of the Air Quality Division are to achieve and maintain the ambient air quality standards, to protect the quality of the air in areas of the state that have air cleaner than the standards, and to implement air quality rules and regulations. By fulfilling these objectives, the Department is confident that public health and the environment will be adequately protected.

The major air quality programs are: the construction permit program, the operating permit program, the emission inventory program, the ambient air quality monitoring program, the inspection and compliance program, the planning and development program, and the asbestos program.

Three local agencies -- the Lincoln/Lancaster County Health Department, the Omaha Air Quality Control, and the Douglas County Health Department -- have accepted through contract with the NDEQ, responsibility for various facets of the program. These responsibilities include air quality monitoring, planning, permitting and enforcement within their areas of jurisdiction.

We're Here When You Need Us

All NDEQ staff members have a role in providing assistance, but to better serve the regulated community and the public, the NDEQ has staff members whose primary role is to provide assistance. Please call any of the following programs for answers to your questions:

Air Quality Environmental Assistance Coordinator, (402) 471-6624.

If you have questions related to emission calculations, the air permitting process, or completing air permits applications, the assistance coordinator will be able to help you. This staff member will also perform on-site compliance assistance visits, when requested, to provide specific air quality information related to your business.

Air Quality Construction Permit Hotline (877) 834-0474.

The hotline is available to assist air quality construction permit applicants in completing new applications.

Small Business & Public Assistance (SBPA) Program Coordinator, (402) 471-8697.

The SBPA program provides air, waste, and water environmental assistance to the regulated community and the public. The SBPA program is a general clearinghouse for information about and contacts for environmental programs administered by the NDEQ and other local, state or federal agencies and will help you get to the right people to answer your questions.

Waste Management Environmental Assistance Coordinator, (402) 471-8308.

The assistance coordinator can help solve your regulatory questions about hazardous waste and non-hazardous waste. This staff member can answer questions about how to do waste determinations, how the waste regulations apply to your situation, and finding appropriate disposal options. The program also offers on-site compliance assistance visits that are not inspections.

