



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

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Welcome to the *AirWaves* Bulletin! *AirWaves* will be produced and distributed semiannually by the Nebraska Department of Environmental Quality's (NDEQ) Air Quality Division. *AirWaves* is intended to help keep you up-to-date on current trends and issues regarding air quality in Nebraska.

In *AirWaves* we will cover a variety of issues including proposed regulations on the state or national level, recently enacted regulations, local air quality issues, new software and books, websites, upcoming courses and meetings, as well as other items of interest.

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Construction Permit Program Continues Improvements

In our last *AirWaves* issue, our feature article discussed several changes and improvements to the construction permit program. The Air Quality Division is continuing its efforts to improve the process by enhancing several aspects of the program.

FASTTRACK PERMITTING

FASTTRACK PERMITTING is a new program initiated by the NDEQ for processing air quality construction permits. The *FASTTRACK PERMITTING* program emphasizes improving the cooperation and communication between the NDEQ and applicants in an attempt to streamline the permitting process through:

- Early meetings;
- Early identification of issues;
- Timely submittals and dialogue; and
- The submittal of a complete application.

The overall goal of the *FASTTRACK PERMITTING* program is to reduce the time between the filing of an

application and the issuance of a permit. The program is primarily intended for Prevention of Significant Deterioration (PSD) projects, ethanol plant construction or modification projects, and for any other project that may be complex in nature (new or specialty industries, PSD netting projects, major Greenfield projects, etc.).

The applicant is encouraged to request a planning meeting with the NDEQ to be held at least six months prior to application submittal, or as soon as enough project information is available to discuss the anticipated project schedule, the pre-application meeting and submittal, modeling, and ambient air quality monitoring. During the planning meeting, NDEQ scheduling issues and available resources will be discussed.

The NDEQ and the applicant enter into an agreement that focuses on the timely and quality review of an air quality construction permit application. An important part of the program is the requirement for a pre-application meeting

between the NDEQ and the applicant. The purpose of the meeting is to establish open communication between the NDEQ and the applicant, which will facilitate the submittal of a complete and accurate application, thereby minimizing the time it takes the NDEQ to review an application and issue a permit.

Pre-Application Meetings

The pre-application meeting should occur one to three months prior to the final permit application submittal. It is important that the meeting occur when the application is nearly complete, such that a thorough and detailed discussion of the proposed action may take place. Pre-application meetings typically take place at the NDEQ office in Lincoln. For some projects it may be beneficial to have the meeting at an alternate location or project site if NDEQ staff would gain a better understanding of the site and/or processes involved.

At least one week prior to the pre-application meeting, the applicant should provide the NDEQ with the following information to help NDEQ staff become familiar with the proposed project and so that attendance by the appropriate staff may be scheduled:

- Agenda of items from the applicant
- Expected meeting attendees
- Summary of proposed construction or modification
- Anticipated controls and emission rates
- Location of the new or modified facility
- List of nearby facilities that could be considered support facilities or are under common control
- Applicability of federal and state rules/standards (i.e. MACT, NSPS)
- Modeling Protocol (not applicable if modeling is not required)
- Applicant's plan to address pre-construction monitoring
- Whether or not the applicant would like EPA involved in the meeting

Pre-application meetings should include the applicant's environmental representative, project engineer, and consultant, and will typically include the construction permit supervisor, the NDEQ permit writer/engineer, and modeling or compliance staff as appropriate. The NDEQ will coordinate with the EPA if their attendance is deemed beneficial.

Typical agenda items to be discussed will include, but are not limited to:

- Application forms, format of application materials, number of copies required;
- The permitting process, project schedule, and permit timeline;

- Site-specific issues;
- Anticipated control technologies, including BACT analyses;
- Local air quality concerns (ambient air quality, PSD increment, nearby sources);
- Pre-construction monitoring and dispersion modeling (modeling analysis);
- Identification of similar permit/fact sheet examples/templates;
- Communication expectations, procedures, and responsibilities;
- Confidentiality, if requested; and
- Allowable pre-permit activities.

Additional information on pre-application meetings can be found in the guidance document "Pre-Application Meetings for Air Quality Construction Permits" on the NDEQ website at www.deq.state.ne.us.

Permit Tracking

Do you want to find out the status of your permit application? Check the permit tracking on our web site. Find it on the main page at "Other Important Links" and "Status of Permit Applications." Can't find what you are looking for? Contact us at (877) 834-0474 or (402) 471-2189.

Ethanol Applications

Given the increased interest in ethanol production in Nebraska in recent years, and a projected continued growth in the industry in the near future, NDEQ is attempting to make the ethanol permitting process more efficient. One of the primary delays in the permitting process is the time it takes to gather all of the relevant information from an applicant that a permit writer needs to draft a permit. Many times, this delay occurs because it is not clear to the applicant what should be included in, or attached with, the application. Therefore, as part of the Air Quality Division's effort to improve permitting ethanol plants, application forms specific to the industry have recently been created.

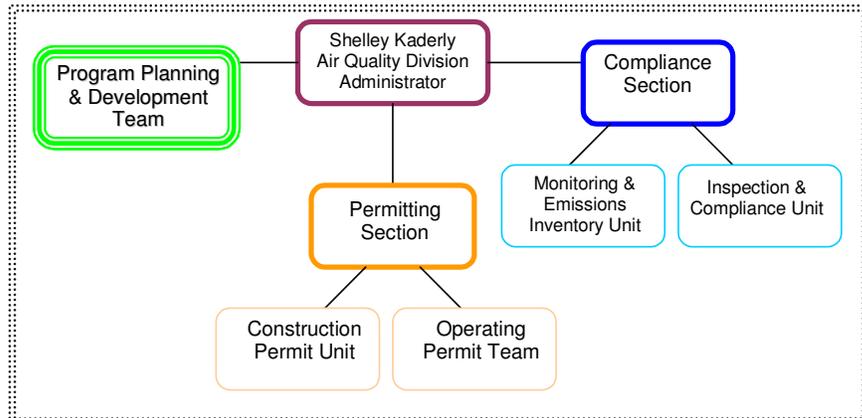
The forms emphasize organization and standardization. The intent was to create forms that are user friendly for applicants, yet require all of the information that would be necessary for permit writers to draft an effective permit in a timely manner. Input was solicited from the private sector as to how forms could be improved. The ethanol permit application was presented at the Ethanol Summit on February 24, 2006. To obtain a copy of the application, contact the Air Quality Construction Permit Hotline at (877) 834-0474.



Spotlight on the Air Quality Division

We will spotlight a segment of the Air Quality Division in each edition of *AirWaves*. In this edition, we highlight the Program Planning and Development (PPD) Team. The PPD Team reports directly to the Air Quality Division Administrator as shown in the Division schematic below.

Although the PPD Team is not in either the Compliance or Permitting Sections, the duties carried out by the team members directly affect each of the other sections. Generally, the PPD team is charged with regulatory development, outreach, assistance, training, air toxics implementation, and coordination between NDEQ, the local air quality agencies, and the Environmental Protection Agency (EPA). The PPD Team members are:



☆ **Gerry Allen:** Gerry coordinates training for the Air Quality Division. He is also involved in the division's permitting process improvement initiative, facilitating the Kaizen Event that occurred February 2005. Prior to coming to the Air Quality Division in January 2005, Gerry was involved for fourteen years in NDEQ's review of a license application for a low-level radioactive waste disposal facility. In addition to coordinating these license review activities, he functioned as the agency's training coordinator from 1999 to January 2005. You can contact Gerry at (402) 471-4272 or gerry.allen@ndeq.state.ne.us.

☆ **Michelle Bohn:** Michelle has been with the NDEQ Air Quality Division for five years. She spent her first two years coordinating the ambient air monitoring network and has spent the last three years in her current position on the PPD Team. Michelle's duties include: negotiating federal agreements; overseeing air quality grants; participating in local and state asthma efforts; preparing reports for EPA, the Governor, and Legislature; and coordinating work plans between NDEQ, EPA, and the two local air quality programs (Omaha Air Quality Control and Lincoln-Lancaster County Health Department). As of January 2006, Michelle has taken on the added task of coordinating the air toxics program. This involves keeping current with the federal regulations and changes, training staff, and keeping Nebraska businesses informed of the regulations. If you have air toxic questions or need to contact Michelle, you can call (402) 471-0019 or email her at michelle.bohn@ndeq.state.ne.us.

☆ **Bev Kellison:** Bev came to work for the NDEQ Air Quality Division PPD Team in November 2001. Bev's responsibilities include: tracking federal rules and state legislation; acting as the liaison with EPA for ensuring state air quality rules are compliant with federal rules; regulatory development for Title 129 – Nebraska Air Quality Regulations; preparing and submitting Nebraska's State Implementation Plan and providing NDEQ staff assistance with the regulations. Many of you may have met Bev during regulatory stakeholder meetings or air quality presentations. Bev's contact information is (402) 471-3588 or beverly.kellison@ndeq.state.ne.us.

☆ **Melissa Woolf:** Melissa began working at the NDEQ in the Air Quality Division as an intern in February 1995. She was hired full-time in October 1995 as an inspector in the Compliance Section. While in the Compliance Section, Melissa inspected various facilities throughout the state, implemented the asbestos program, and was charged with determining compliance for the state's ethanol plants. Melissa joined the PPD Team in November 2000. Her primary duties include compliance assistance, conducting outreach, developing guidance documents and fact sheets, implementing the federal Mercury Rule, assisting with the development of the new agency website, and maintaining the air quality information on the website. If you would like to contact Melissa, you can call her at (402) 471-6624 or email her at melissa.woolf@ndeq.state.ne.us.



The Air Quality Division PPD Team
Pictured left to right: Melissa, Gerry, Bev, and Michelle.

Mark Your Calendars!



MARCH 2006

- 🕒 3rd Environmental Quality Council Meeting - Video Conference
- 📅 31st
 - ✓ 2005 Emissions Inventory due
 - ✓ Certification of Compliance Reports due
 - ✓ Deviations Reports due

APRIL 2006

- 22nd Earth Day
- 28th Arbor Day - NDEQ Office Closed



MAY 2006

- 🕒 2nd-4th Method 9 Opacity Certification Training (Smoke School) Lincoln, NE. For registration information, go to www.eta-is-opacity.com/schedule.htm.
- 29th NDEQ office closed

JUNE 2006

- 🕒 8th-9th Environmental Quality Council Meeting, North Platte

JULY 2006

- 📅 1st 2005 Emissions Inventory Fees due (Class I Sources)
- 4th NDEQ office closed



AUGUST 2006

- 🕒 15th Air Updates - Norfolk (tentative)
- 🕒 17th Air Updates - Lincoln (tentative)
- 🕒 22nd Air Updates - Kearney (tentative)
- 🕒 23rd Air Updates - Scottsbluff (tentative)

SEPTEMBER 2006

- 4th NDEQ office closed
- 18th-22nd National Pollution Prevention Week
- 📅 30th Deviations Reports due (Class I Sources)

2005 Air Quality Division Workshops Successful

The NDEQ Air Quality Division hosted four workshops between August 23 – August 31, 2005 throughout the state to provide industry and consultants information about Nebraska's air quality regulations. The workshops offered an update of state and federal air quality regulations and air permitting and compliance issues were discussed.

We are happy to report the 2005 Air Update was even more successful than the 2004 workshop! The four-hour workshops were held in Norfolk, Lincoln, Kearney, and Scottsbluff. Thank you to our sponsors: Terracon, NPPD, NMPP/MEAN, KMIGT, Great Plains Safety and Health Organization, Meisner Management LLC, HDR, Panhandle Geotechnical Associates, Tyson, and Ecostores. Following is a summary of the workshops.

Location	Attendance	Pretest Score	Post Test Score
Norfolk	41	71%	87%
Lincoln	67	68%	80%
Kearney	49	71%	79%
Scottsbluff	22	69%	83%
	179	69.75%	82.25%

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

Location	Rate Workshop	Facilities	Presenters
Norfolk	4.17	4.48	4.24
Lincoln	4.05	4.23	4.05
Kearney	3.93	4.38	4.24
Scottsbluff	3.81	4.19	4.00
	3.99	4.32	4.13

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

If you would like information for the 2006 Air Update, contact Melissa Woolf at (402) 471-6624 or Melissa.woolf@ndeq.state.ne.us.

Save The Date!!!!

Air Update Workshops 2006 – Tentative Dates & Locations

- August 15, 2006** – Norfolk, Life Long Learning Center
- August 17, 2006** – Lincoln, Lancaster County Extension Center
- August 22, 2006** – Kearney, Holiday Inn – Interstate
- August 23, 2006** – Scottsbluff, Hampton Inn

Air Pollutant Forecasting in Omaha

The Nebraska Department of Environmental Quality, the Douglas County Health Department, and the Lincoln-Lancaster County Health Department began participating in the AIRNow network. AIRNow is a collaboration of federal, state and local governments that report air quality data as it is collected. As an extension of these real-time reporting activities, the Douglas County Health Department has also begun to forecast the air quality for the City of Omaha.

The Douglas County Health Department has been reporting the daily Air Quality Index (AQI) on the City of Omaha website (www.ci.omaha.ne.us) for the past several years. The AQI is a color-coded system that allows the public to easily comprehend the air quality in their city and to make any adjustments to their personal outdoor plans. The AQI is reported for over 300 cities nationwide. Forecasting the AQI involves using known pollutant data and predicted weather patterns to predict the air quality for the next day. With the addition of AQI forecasting, citizens and visitors of the Omaha area now have more resources with which to plan their outdoor activities. There are several ways to find the AQI forecast for Omaha and other U.S. cities. It can be found by visiting the AIRNow website at www.airnow.gov and clicking on one of the forecast links. The Weather Channel's website also carries the AQI forecast for Omaha: www.weather.com/outlook/health/airquality/. The Nebraska Department of Environmental Quality, the City of Omaha, and the Douglas County Health Department are planning to report the Omaha-area AQI forecast on their websites soon.



AQI facts: Each day an AQI value is calculated for each of five major pollutants. The highest of those five values is reported as the current day's AQI. Just like the current day's AQI, the forecasted AQI is the highest expected value for the five major pollutants. For more information on the AQI visit the AIRNow website at www.airnow.gov and click on the AQI link.

Nebraska Air Quality Report Receives Facelift

The Nebraska Department of Environmental Quality (NDEQ) has published its annual air quality report. This report contains ambient air monitoring data collected in 2003 and 2004, as well as historical data back to 2000. The updated layout includes color graphs and maps and summaries of each area in which NDEQ and other local agencies operate air monitors.

A new feature in the report is an Emission Inventory section. NDEQ collects emission data from all permitted facilities in Nebraska. This data is combined with estimates from other pollution sources that do not require permits such as car and truck traffic, agricultural sources, and construction equipment. The combined data show how much of certain pollutants are emitted in Nebraska and what types of sources emit each of these pollutants.

To request a hard copy, contact the Air Quality Division at (402) 471-2189. An electronic version of the report can be found at NDEQ's website at www.deq.state.ne.us; click on "Publications" on the left side of the screen and select Air Quality.

On January 17, 2006, EPA proposed significant changes to the ambient air quality standards for particulate matter. To view the federal register notice, go to <http://www.epa.gov/fedrgstr/EPA-AIR/2006/January/>. EPA must receive written comments on the proposal by July 10, 2006.



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 – Air Quality & Ethanol Production – Nebraska's Experience** – Air Quality and Ethanol Production 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.

 **Revised – NDEQ Compliance Assistance Program** – This fact sheet describes the assistance available from NDEQ staff, the various methods of assistance, and provides contact names and phone numbers.

 **New – Ethanol Plant Construction Permit Application Forms** – These construction permit application forms are specific to sources constructing ethanol plants. To obtain copies of the forms, contact the Air Quality Division at (877) 834-0474 or (402) 471-6624.

 **New – 2003–2004 Nebraska Air Quality Report** - The Air Quality Report summarizes ambient air monitoring data for Nebraska including: what pollutants are monitored, pollutant effects, monitor locations, and annual averages. New to the report this year is a summary of the emission inventory data. See the article "[Nebraska Air Quality Report Receives Facelift](#)" for more information about this useful report.

 **New – Fast Track Permitting Brochure** – Fast Track Permitting is an innovative program to expedite the processing and issuance of air quality construction permits. It emphasizes cooperation and communication as part of an effort to streamline the process and reduce the time between filing an application and obtaining a permit. The brochure details the elements of the program. Read the article "[Construction Permit Program Continues Improvements](#)" in this edition for more information.

 **New – Environmental Assistance Team Brochure** – This brochure explains the benefits of the NDEQ environmental assistance program. The NDEQ Environmental Assistance Team will come to your location, provide an assessment of your environmental status, and provide suggestions to improve your environmental performance.

 **New – Air Construction Permit Variance – Instructions & Forms** – The instructions and form are for those who wish to apply for an air construction permit variance. The variance allows a facility to begin otherwise prohibited construction activities before obtaining an air quality construction permit. A facility may wish to request a variance if it is unlikely that a permit will be processed in a timely manner, resulting in significant hardship to the company or community

 **New – 2006-2007 Dry Cleaner Compliance Calendar** - The compliance calendar was developed to assist perchloroethylene (perc) dry cleaners comply with their air quality monitoring and recordkeeping requirements. The calendar provides monitoring checklists, perc purchase record logs, and monthly tips to help them maintain compliance with the air quality regulations.

Regulatory Roundup



On March 14, 2006, the regulations adopted in September 2005 by the Environmental Quality Council (EQC) became effective. Several significant changes were made to the air quality revisions. Most notable are the new Prevention of Significant Deterioration (PSD) rules, appearing in a completely replaced Chapter 19. These rules generally reflect the changes made to the federal PSD program in December 2002. The changes were highlighted in the August 2005 Air Waves.

PSD rules were not the only changes adopted by the EQC last September. In its continuing effort to streamline the air construction permitting process, the Air Quality Division initiated changes to Chapters 15 and 17 that will allow the Director to reopen construction permits for cause.

Several other portions of Chapter 17 were moved to Chapter 15 so that all rules related to revising existing permits will be contained in one chapter. The term "modification", when used to refer to changing an existing permit, was changed to "revision", so that the word "modification" will now only refer to physical changes in a facility.

No changes to Title 129 were proposed at either the December 2005 or the March 2006 EQC meetings, but several proposals will be offered in June 2006. In December 2005, the U.S. Environmental Protection Agency (EPA) removed methyl ethyl ketone (MEK) from its list of regulated hazardous air pollutants. NDEQ will propose delisting MEK from its list of hazardous air pollutants (HAPs) as well. In addition, the entire lists of HAPs, in Title 129 Appendix II and Appendix III, will be reformatted into two identical lists, one sorted by CAS number (Appendix II) and one sorted by chemical name (Appendix III). Both lists will include a column showing whether the chemical is also a volatile organic compound (VOC) and a column showing the de minimis level of emissions for emissions inventory reporting.

Chapter 28, containing the Maximum Achievable Control Technology (MACT) Standards will be updated to reflect federal rules as of July 1, 2005. In addition, 40 CFR 63, Subpart XX, the MACT standard for Ethylene Manufacturing Process Units: Heat Exchange Systems

and Waste Operations, will be proposed for adoption by reference. On March 1, 2006, the EPA extended the compliance deadline for sources subject to the MACT standard for Miscellaneous Organic Chemical Manufacturing (Subpart FFFF) from November 10, 2006 to May 10, 2008. This change will be proposed for incorporation into Title 129 in June. Also, the new New Source Performance Standards for steam generating units in 40 CFR 60 Subparts Db and Dc which were published on February 27, 2006, will be proposed for incorporation by reference.

In September 2006, the Air Quality Division hopes to propose permit-by-rule provisions for reciprocating engines. These will be added to Chapter 42 and are



Federal Air Quality Regulatory Actions August 2005 – February 2006

The following table lists the actions the U.S. Environmental Protection Agency (EPA) has taken on air quality regulations from August 2005 through February 2006. You can find more detailed information related to these actions on EPA's website at <http://www.epa.gov/fedrgstr/EPA-AIR/2006/index.html>.

Date	Rule	Action & Summary
8/1/05	40 CFR Part 51 – Regional Haze Regulations	Proposed Rule revisions to provisions governing the alternative to source-specific Best Available Retrofit Technology (BART) determinations.
8/2/05	40 CFR Part 63 Subpart CCCCC – National Emission Standards for Hazardous Air Pollutants (NESHAPS) for Coke Ovens: Pushing, Quenching, and Battery Stacks	Final rule amendments promulgating the provisions that were withdrawn based on the proposed rule published on October 13, 2004.
8/3/05	Animal Feeding Operations Consent Agreement and Final Order	Supplemental notice announcing a reopening to the signup period for the consent agreement and final order.
8/8/05	40 CFR Parts 60 & 63 – New Source Performance Standards (NSPS) & NESHAPS	Proposed rule proposing performance specifications that evaluate the acceptability of predictive emission monitoring systems when used on stationary sources.

currently under final review. If legislation currently under consideration in the Nebraska legislature is adopted, rules for implementing a cap and trade program for mercury emissions will likely be proposed in September as well. Lastly, a proposal for rules to manage regional haze is also under consideration.

Nebraska's Air Quality regulations, in Title 129 of the Nebraska Administrative Code, are available on the NDEQ web site. A hard copy version of the regulations may be obtained by calling Bev Kellison at 402-471-3588.



Date	Rule	Action & Summary
8/10/05	40 CFR Part 63 Subpart UUUU – NESHAP for Cellulose Product Manufacturing	Direct final rule amendments and proposed rule revising the work practice standards, general and initial compliance requirements, definitions, and General Provisions applicability, as well as correct typographical, formatting, and cross-referencing errors in the final rule.
8/10/05	40 CFR Part 63 Subpart R – NESHAPs for Gasoline Distribution Facilities	Proposed decision of no further action related to the residual risk review.
8/24/05	40 CFR Part 63 Subpart NNNNN – NESHAPs for Hydrochloric Acid Production	Proposed revisions to amend the existing rule by clarifying certain applicability provisions, emission standards, and testing, maintenance, and reporting requirements.
8/25/05	40 CFR Part 63 Subpart WWWW – NESHAP for Reinforced Plastic Composites Production	Direct final rule and proposed rule amendments to revise compliance options for open molding, correct errors, and add clarification to sections of the rule.
8/30/05	40 CFR Part 60 Subpart Da – NSPS for Electric Utility Steam Generating Units	Final rule amendments correct certain section designations to eliminate duplication with other rules.
8/30/05	40 CFR Part 63 Subpart FFFFF – NESHAP for Integrated Iron & Steel Manufacturing	Proposed amendments to add a new compliance option, revise emission limitations, reduce the frequency of repeat performance tests for certain emissions units, add corrective action requirements, and clarify certain monitoring, recordkeeping, and reporting requirements.
8/30/05	40 CFR Part 63 Subpart FFFF– NESHAP for Miscellaneous Organic Chemical Manufacturing	Partial withdrawal of direct final rule amendments to 40 CFR 63.2485(c)(4) and Table 1 of subpart FFFF of part 63.

Date	Rule	Action & Summary
9/22/05	40 CFR Part 60 Subpart DDDD – NSPS for Commercial & Industrial Solid Waste Incineration Units	Final rule amendments to revise definitions for the terms “solid waste,” “commercial or industrial waste,” and “commercial and industrial solid waste incineration unit.”
10/3/05	40 CFR Part 63 Subpart RRR – NESHAP for Secondary Aluminum Production	Direct final rule and proposed rule amendments to definitions and typographical errors in the operating temperature of a scrap dryer/delacquering kiln/decoating kiln afterburner.
10/12/05	40 CFR Parts 9, 63 (Subpart EEE), & 260 – NESHAPs for Hazardous Waste Combustors	Phase I final replacement rules and Phase II.
10/12/05	40 CFR Part 51 – Prevention of Significant Deterioration for Nitrogen Oxides	Final rule to retain the existing nitrogen oxide increments.
10/20/05	40 CFR Parts 51 & 52 – Prevention of Significant Deterioration (PSD), Nonattainment New Source Review (NSR), and New Source Performance Standards: Emissions Test for Electric Generating Units	Proposed rule to revise the emissions test for existing electric generating units (EGUs) subject to the PSD regulations and NSR programs. Existing EGUs could compare the maximum hourly emissions achievable at that unit during the past 5 years to the maximum hourly emissions achievable at that unit after the change to determine whether an emissions increase would occur.
10/24/05	40 CFR Part 63 Subpart EE – NESHAP for Magnetic Tape Manufacturing Operations	Proposed decision of no further action related to the residual risk review.
10/24/05	40 CFR Part 63 Subpart O – NESHAP for Ethylene Oxide Sterilization Facilities	Proposed decision of no further action related to the residual risk review.
10/24/05	40 CFR Part 63 Subpart Q – NESHAP for Industrial Process Cooling Towers	Proposed decision of no further action related to the residual risk review.
10/28/05	40 CFR Parts 60 & 63 – NSPS & NESHAP for Electric Utility Steam Generating Units	Revision of December 2000 Regulatory Finding on the Emissions of Hazardous Air Pollutants From Electric Utility Steam Generating Units and the Removal of Coal- and Oil-Fired Electric Utility Steam Generating Units From the Section 112(c) List: Reconsideration Notice
10/28/05	40 CFR Part 60 Subpart Da - NSPS for Electric Utility Steam Generating Units	Notice of reconsideration of final rule, request for public comment, & notice of public hearing related to the Clean Air Mercury Rule.

Date	Rule	Action & Summary
10/31/05	40 CFR Part 63 Subpart DDDDD – NESHAP for Commercial, Industrial, Institutional Boilers & Process Heaters	Proposed amendments and requesting comment on an amendment allowing for consolidated testing of commonly vented boilers under the emission averaging provision. Additional amendments and technical corrections to the final rule to clarify.
11/1/05	40 CFR Parts 60 & 63 – New Source Performance Standards (NSPS) & NESHAPs	Reopening of the comment period for the proposed rule for performance specifications evaluating predictive emission monitoring systems when used on stationary sources.
11/2/05	40 CFR Part 63 Subpart LL – NESHAP for Primary Aluminum Reduction Plants	Final rule amendments to revise the emission limit for POM applicable to one subcategory, revise the compliance provisions to clarify the dates, and to specify the time allowed to demonstrate initial compliance.
11/9/05	40 CFR Part 51 – Dispersion Modeling	Final rule amendments to the Guideline on Air Quality Models.
11/14/05	40 CFR Part 63 Subpart EEEE - NESHAP for Organic Liquids Distribution	Proposed rule amendments to clarify applicability, and control requirements for storage tanks and transfer racks, and amend the recordkeeping and reporting requirements for affected sources for which there are no control requirements.
11/17/05	40 CFR Part 63 Subpart JJJJ – NESHAP for Brick and Structural Clay Manufacturing	Final action on reconsideration. EPA is not amending the MACT floor or control requirements for the tunnel kilns.
12/2/05	40 CFR Part 63 Subpart LLL – NESHAP for Portland Cement Plants	Proposed amendments to emission limits for total hydrocarbons and hydrogen chloride, but leaving the remainder of the MACT unchanged in response to a court remand.
12/8/05	40 CFR Part 63 Subpart FFFF – NESHAP for Miscellaneous Organic Chemical Manufacturing	Proposed amendments to applicability of specific operations and processes, the leak detection and repair requirements for connectors, criteria to define affected wastewater streams requiring control, control requirements for wastewater streams that contain only soluble HAP (SHAP), the definition of process condensers, and recordkeeping requirements for Group 2 batch process vents.
12/16/05	40 CFR Part 60 Subparts EEEE and FFFF – NSPS & Emission Guidelines for Other Solid Waste Incinerators	Final rule to regulate emissions from new and existing very small municipal waste incinerators and institutional incinerators.

Date	Rule	Action & Summary
12/16/05	40 CFR Part 60 Subpart D – NSPS for Electric Utility Steam Generating Units	Correction to the CFR citation in Section 60.41c to correct the definition of “Annual Capacity Factor.”
12/19/05	40 CFR Part 60 Subparts Cb & Eb – NSPS & Emission Guidelines for Large Municipal Waste Combustors	Proposal to revise the emission limits in the NSPS and emission guidelines to reflect the levels of performance actually achieved by the emission controls installed to meet the emission limits set forth in the original rule.
12/19/05	40 CFR Part 63 Subpart EEE – NESHAP for Hazardous Waste Combustor	Direct final rule and proposed rule to amend the compliance date for Phase I sources to comply with the bag leak detection requirements. The compliance date is October 14, 2008 instead of December 12, 2005.
12/19/05	40 CFR Part 63 Subparts M, N, O, T, RRR, & X – NESHAPs for Area Sources	Final rule to exempt area sources subject to the NESHAP from the Federal operating permit requirements.
12/19/05	40 CFR Part 63 Subpart C – Hazardous Air Pollutant List	Final rule to remove methyl ethyl ketone from the list of hazardous air pollutants.
12/21/05	40 CFR Part 63 Subpart M – NESHAP for Perchloroethylene Dry Cleaners	Proposed rule to tighten requirements as a result of new developments in production practices, processes, and control technologies.
12/21/05	40 CFR Part 63 Subpart HHHHH – NESHAP for Miscellaneous Coating Manufacturing	Final amendments to specify that certain raw material formulation data as supplied to coating manufacturers may be used to demonstrate compliance with the weight percent HAP limit.
12/28/05	40 CFR Part 63 Subpart DDDDD – NESHAP for Industrial, Commercial, & Institutional Boilers & Process Heaters	Final rule retaining health-based compliance alternatives & amendments to improve and clarify the process for demonstrating eligibility to comply with the health-based alternatives.
1/6/06	40 CFR Part 63 Subpart KKKK – NESHAPs for Metal Can Surface Coating	Direct final rule to correct errors and add clarification to portions of the rule.
1/9/06	40 CFR Part 63 Subpart LLL – NESHAPs for Portland Cement Plants	Extension of comment period.
1/17/06	40 CFR Part 50 – National Ambient Air Quality Standards (NAAQS)	Proposed rule for Particulate Matter NAAQS.
1/17/06	40 CFR Parts 53 and 58 – Ambient Air Monitoring	Proposed revisions to ambient air monitoring rules pursuant to the proposed revisions of the PM NAAQS.
2/6/06	40 CFR Part 63 Subpart M – NESHAPs for Perc Dry Cleaners	Proposed rule, extension of comment period until 3/26/06.

Date	Rule	Action & Summary
2/9/06	40 CFR Part 51 – Revision of Volatile Organic Compound definition	This proposed revision would add 1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-trifluoromethyl-pentane [also known as HFE-7300 or L-14787 or C2F5CF(OCH3)CF(CF3)2] to the list of compounds excluded from the definition of VOC.
2/9/06	40 CFR Part 51 – Transition to new or revised Particulate Matter NAAQS	Advanced notice of proposed rule making. Soliciting comments by 4/10/06 on transition to new/revised PM standards.
2/13/06	40 CFR Part 63 Subpart SSSSS – NESHAPs for Refractory Products Manufacturing	Direct final action. Amendments to clarify the testing and monitoring requirements and startup and shutdown requirements for batch processes, make technical corrections, and add recent changes to be consistent with the General Provisions.
2/16/06	40 CFR Part 63 Subpart DDDD – NESHAPs for Plywood and Composite Wood Products	Final rule, amendments; notice of final action on reconsideration. EPA is promulgating amendments as in the proposed rule (70 FR 44012, July 29, 2005). They also promulgated a revised compliance deadline for sources subject to the rule, which is one year later than the date originally promulgated. The new compliance deadline is October 1, 2008.
2/24/06	40 CFR Part 60 Subpart GG – NSPS for Stationary Gas Turbines	Direct Final Rule amendments to clarify there are not new requirements for turbines constructed after 1977. In addition, they have described a number of acceptable compliance monitoring options that owners and operators may elect to use for these units.
2/27/06	40 CFR Part 60 Subparts Da, Db, & Dc – NSPS for Electrical Generating Units, & Institutional/Industrial/Commercial Boilers	Final rule amendments to revise the PM, NOx, and SO2 standards. Several technical clarifications and compliance alternatives have been added to the existing portions of the rule.