

# NSR REFORM UPDATE



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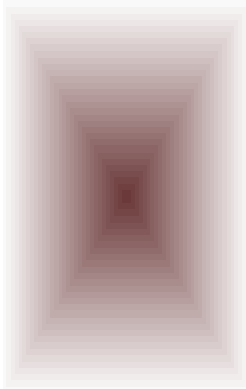
MAY 14, 2003

## NEW SOURCE REVIEW PROGRAM REFORMS TAKE EFFECT

### POINTS OF INTEREST

- **PLANT-WIDE APPLICABILITY LIMITS (PAL)**
- **POLLUTION CONTROL PROJECTS (PCPS)**
- **CLEAN UNITS**
- **BASELINE EMISSIONS**
- **ACTUAL TO PROJECTED ACTUAL**
- **RMRR PROVISIONS**

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New Source Review (NSR) Program mandates that a permit to install is required prior to installation or modification of any processes or process control equipment where the modification or installation results in a "significant" increase in emissions

Over a decade there has been much debates about reforming existing NSR programs. Finally, U.S. Environmental Protection Agency (EPA) published its final rules for an improved NSR program in the Federal Register dated December 31, 2002. The final rules has taken effect March 3, 2003

### Notable Reforms to NSR

The following reforms would be of significance to the industries:

#### Plant-Wide Applicability Limits (PALs)

Under this provision, the facilities are allowed to establish facility-wide emission limits. PALs provide desired flexibility to modify processes within the facility without going thru NSR, provided these modifications do not cause emissions to exceed the plant-wide emission limits. It is recommended that facilities planning for major expansions in the near future should consider establishing facility-wide limits.

### Pollution Control and Prevention Projects (PCPs)

Industries installing a process control equipment or planning a process modification that would benefit the environ-



ment would qualify as PCPs. These projects will not be subject to permit modification regulations.

### Clean Units

Facilities that have already undergone NSR permit process including evaluation of best available pollution control technology review (BACT, MACT, LAER analysis) would be eligible to obtain a clean unit exemption status. USEPA would provide them with a flexibility to perform modifications without going thru NSR review as long as they operate within the existing applicable requirements of the permit.

### Baseline Emissions

The industries (excluding power plants) would be allowed to utilize any consecutive 24-month period in the previous ten years as a baseline.

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### Actual-to-Projected-Actual Emissions

The facilities may opt to use the existing actual to Potential to emit methodology or utilize Actual to Projected actual methodology to establish if the proposed modification would result in "significant" emissions that would trigger NSR permit for PSD sources.

### Routine Maintenance Repair and Replacement (RMRR) Provisions

Present regulations have excluded RMRR for NSR permit requirements. However, these regulations lack clarity and USEPA has simplified RMRR provisions to assist industries.

In addition this reform also provides additional insight into debottlenecking and aggregate provisions.



## WHAT IS NEW ON MACT HAMMER

On May 8, 2003, EPA signed final rule (67 FR 72875) on National Emission Standards for Hazardous Air Pollutants for Source Categories: General Provisions; and Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act, Section 112(g) and 112(j).

### MACT HAMMER UPDATE

This amends a final rule published on April 5, 2002 (67 FR 16582). It provided a more flexible timetable for 112(j) Part 2 applications in response to the case-by-case "MACT Hammer" requirements in the Clean Air Act.

## ABOUT US

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