Title V Stakeholder Meeting

PSD Look Back Discussion

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PSD Look Back

• Issue
  – Unresolved PSD/regulatory application issues
    • Unreported changes to process
    • Incomplete PSD analyses (ATF analyses)
    • Incorrect emission limitations based on past modifications
PSD Look Back

• Petition response: rejected DNR’s interpretation of PSD regs; also a need to evaluate for past modifications (or add some explanation as to why not)
PSD Look Back

• Issues:
  – When should PSD/modification look backs be done?
  – What is sufficient look back analysis
  – Clarification of EPA interpretation of PSD regs for actual-to-actual emission increase calculations
PSD Look Back

• Process for discussion
  – Reviewer receives comment
  – Reviewer notifies supervisor, permit section chief & NSR team leader
  – Assignment is made to NSR staff to review allegation (shifts workload)
  – NSR staff
    • Clarifies allegation
    • Requests additional substantiation as needed
PSD Look Back

• Reviews information
  – Commenter
  – Permit holder
  – Case file
  – EPA

• Within 90 days from close of comment period make determination as to whether information is adequate to determine PSD/regulation applicability
PSD Look Back

• Review may conclude:
  – No applicability
  – Other rules applied

• If other rules applied renewed permit may include:
  – New requirements
  – Compliance schedule
PSD Look Back

• Processing
  – Operation permit writer would proceed to resolve all other outstanding issues
  – If PSD/regulation applicability was not resolved by the later of 90 days or resolution of all other issues decision would be made to either:
    • Put renewal on hold pending analyses
    • Proceed with renewal with appropriate language in Response to Comment memo and permit
PSD Look Back

*Discussion*
- How much substantiation is needed to justify program review?
- Is 90 days from end of comment period adequate time for program to request, receive and review information prior to making a determination on PSD applicability?
- Should the PSD/regulation applicability review be completely separate from renewal process?
PSD Look Back

- Next Steps
  - Evaluate stakeholder feedback
  - Develop program guidance
  - Share guidance with permit & compliance staff
  - Make recommendations to Air Management Team
  - Finalize & implement guidance