

Memorandum

TO: Charles Moulton, Interim Hearing Officer, Arkansas Pollution Control and Ecology Commission

FROM: Mike Bates, Chief, Air Division

DATE: September 14, 2012

SUBJECT: Proposed Revisions to Regulation No. 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control

The Arkansas Department of Environmental Quality (“ADEQ”) proposes revisions to Regulation No. 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control. Regulation No. 19 is applicable to minor sources and sources subject to Prevention of Significant Deterioration (“PSD”) regulation.

ADEQ is proposing revisions to Regulation No. 19 in order to implement the Environmental Protection Agency’s National Ambient Air Quality Standards (“NAAQS”) for PM_{2.5}, PM₁₀, ozone, lead, nitrogen dioxide, and sulfur dioxide. For example, in Chapter 2 of Regulation No. 19, revisions were made to the existing definitions of “Particulate Matter Emissions,” “PM_{2.5},” “PM₁₀,” and “National Ambient Air Quality Standards,” and a new definition was added for “PM_{2.5} Emissions;” a permitting threshold for PM_{2.5} at Reg.19.401 was added; “Ten (10) tons per year of PM_{2.5}” was added to Reg.19.407(C)(2)(a) and “PM_{2.5},” “2 µg/m³” and “24-hour” were added to the table under Reg.19.407(C)(2)(b) to provide for a *de minimis* permit change in regard to PM_{2.5} emissions.

Other proposed changes included revising the definition of “Volatile Organic Compounds” under Chapter 2, including exemptions for propylene carbonate, dimethyl carbonate, and trans-1,3,3,3-tetrafluoropropene (HFO-1234ze) to more closely match the federal definition; removing the reference to 40 C.F.R. Part 50 under Reg.19.301; and revising the definition of “Regulated NSR Pollutant” under Reg.19.903(B), as opposed to incorporating it by reference.

Minor changes were also made for clarification and consistency purposes, or to update typographical errors throughout Regulation No. 19. Revisions made for this purpose included: adding of “or PM” to the definition of “Particulate matter” under Chapter 2; adding “of” before “lead” in Reg.19.407 (C)(2)(a)(vi); removing “which are in effect as of the effective date of this regulation” and clarifying applicability by adding a reference to Chapter 9 under Reg.19.502; correcting “herinunder” to read “hereunder” in Reg.19.503; naming a subsection as “Testing Methods and Records” and updating dates and C.F.R. references under Reg.19.702; correcting “Condensable” to “condensable” under Reg. 19.804; correcting “exceedences” to “exceedances” under Reg. 19.601; and changing “of” to “or” under Reg.19.1303 (G)(2). Appendix B, a table showing the National Ambient Air Quality Standards, was also added for clarity. “Arkansas Code Annotated” and “(A.C.A.)” were replaced with “Ark. Code Ann.,” “CFR” was replaced with “C.F.R.,” “*et seq.*” was italicized, one section symbol mark (“§”) was deleted where two symbol marks were used in conjunction with “*et seq.*,” and hyphens were added to “start-up” and “non-compliance” throughout Regulation No. 19.