



## The Air Corner

### Keeping Up With the Latest Regulatory News

#### **Greenhouse Gas (GHG) Reporting: Federal Deadline is September 30**

The U.S. Environmental Protection Agency (EPA) requires the reporting of GHG data from large emission sources across a range of industry sectors, as well as suppliers of products that would emit GHGs if released or combusted. This federal regulation applies to facilities that emit greater than 25,000 metric tons of carbon dioxide equivalents. The data help guide policy decisions and the development of future programs that EPA might implement to reduce these emissions. The EPA has issued a final rule that extends the deadline for reporting 2010 data under the GHG Reporting Program to September 30, 2011. The original deadline was March 31, 2011.

On a similar note, the Massachusetts GHG Reporting Rule (310 CMR 7.71(4)), requires facilities that emit greater than 5,000 short tons of carbon dioxide equivalents to report emissions to the Massachusetts Department of Environmental Protection (MADEP) and the Climate Registry.

In 2009, Massachusetts facilities were only required to inventory carbon dioxide emissions from fuel combustion stationary sources and on-road vehicles. However, emissions reporting for the this year's April 15<sup>th</sup> deadline needed to include all six greenhouse gasses (carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) from virtually all sources at a facility. This included all combustion units, on-road and off-road vehicles, laboratories, production processes and cooling systems. Carbon dioxide equivalent emissions are calculated by using of the applicable global warming potential factors for each GHG pollutant. The total carbon dioxide equivalent emissions are then compared to the 5,000 tons of CO<sub>2</sub> to determine applicability to this rule.

*Tighe & Bond can make your life easier by helping you perform an inventory to assess all greenhouse gasses and sources as required for reporting in 2011. Just give us a call.*

#### **Emission Standards for Boilers: Boiler MACT Compliance Deadline Announced**

On February 21, 2011, EPA finalized regulations to control hazardous air pollutants (HAPs) from existing and new industrial, commercial and institutional boilers. Some have called these controversial requirements some of the most far reaching regulations in years and will affect thousands of facilities nationwide. The HAPs being regulated under this rule include emissions of mercury, cadmium, dioxin, furans, formaldehyde and hydrochloric acid.

This Maximum Achievable Control Technology (MACT) standard will affect boilers that burn coal, oil, or biomass (e.g., wood) to produce steam or hot water. EPA has estimated that these regulations will apply to more than 13,500 boiler units at Major Sources of Hazardous Air Pollutants (HAPSs) and more than 200,000 boiler units at Area Sources of HAP's.

40 CFR 63 Subpart DDDDD (National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters) and Subpart JJJJJ (National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers) will apply to many boilers at industrial, commercial, and institutional facilities. Some boilers with greater than 10 million Btu/hr may be subject to stack testing, maintenance requirements, extensive emissions and fuel monitoring and recordkeeping. All affected boilers with greater than 10 million Btu/hr will require an Energy Assessment to identify cost-effective energy conservation measures. Although boilers with less than 10 million Btu/hr will not be required to meet emission limits, work practice standards, regular maintenance and recordkeeping do apply.

**Existing sources must submit an Initial Notification to EPA by September 17, 2011. Existing sources subject to the tune-up work practice or management standard must demonstrate compliance by March 21, 2012. All existing sources subject to an emission limit or the Energy Assessment must demonstrate compliance by March 21, 2014.**

*Tighe & Bond can help you determine if your facility will be in compliance with this new ruling and then help you evaluate and implement customized compliance solutions. Because of the potential for complex and in-depth facility examination, we recommend starting this process sooner rather than later.*

## **Metal Finishing and Fabrication Emission Standards: Full Compliance Required By July 25**

On July 25, 2011 facilities subject to the Area Source National Emissions Standard for Nine Metal Fabrication and Finishing Source Categories are required to be in full compliance. EPA published this rule in 2008 (40 CFR 63 Sp 6X), to regulate emissions of cadmium, chromium, lead, manganese, and nickel emissions from the following specific metal finishing operations:

- Electrical and Electronic Equipment Finishing Operations
- Fabricated Metal Products
- Fabricated Plate Work (Boiler Shops)
- Fabricated Structural Metal Manufacturing
- Heating Equipment, except Electric
- Industrial Machinery and Equipment Finishing Operations
- Iron and Steel Forging
- Primary Metal Products Manufacturing
- Valves and Pipe Fittings

Facilities applicable to this rule are required to meet a variety of control and recordkeeping requirements for typical metal finishing operations such as: dry abrasive blasting, dry grinding, dry polishing with machines, dry machining, spray coating and welding.

Additionally, under this rule, applicable facilities are required to submit an Initial Notification to EPA by July 25, 2011, a Notification of Compliance Status by November 22, 2011 and annual compliance reports by January 31 of each year.

*Tighe & Bond can take the onus off of you to determine if your facility is subject to the requirements in this rule. If your facility is subject to these regulations, we can assist in developing an appropriate control strategy, establish appropriate recordkeeping practices and complete the necessary notifications and reports.*

## **Reciprocating Internal Combustion Engine Emission Standards: New Rule, New Deadlines**

Does your facility operate a stationary reciprocating internal combustion engine (RICE)? In 2010, EPA finalized the 40 CFR Subpart, ZZZZ National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines. The exhaustive legislation of this Subpart applies to both emergency and non-emergency spark ignition (SI) and compression ignition (CI) engines at major and area sources of hazardous air pollutants, excluding existing emergency engines at area source residential, commercial, or institutional facilities.

Applicability to the rule is dependent on the type of engine, the size of the engine and the location of the engine. Applicable engines may be required to comply with emission limits, operating limits, fuel requirements, performance tests, data collection, operation requirements, recordkeeping and reporting requirements, dependent on the above factors. Diesel CI engines are required to comply with this subpart by May 3, 2013, while gasoline and natural gas (SI) engines must comply by October 19, 2013.

*We can save you time and potential dollars. Compliance strategies can be time consuming and may require the purchase of pollution control equipment. Tighe & Bond can assist you in your applicability determination, compliance options and implementation strategies. Just give us a call.*

### **We Can Help.**

If these proposed regulations appear complicated, you're right. Tighe & Bond can help you navigate through pages of regulatory confusion and get you on the path to compliance. If you have questions or need help, please contact **Jeffrey P. Bibeau**, REM, at (413) 572-3243 or [JPBibeau@tighebond.com](mailto:JPBibeau@tighebond.com).

Jeff, who is a Registered Environmental Manager and Toxics Use Planner, has more than 20 years of experience working with industrial clients to help them meet their regulatory compliance objectives.