



Air Permits Update: 2024

Air & Waste Management Association
Louisiana Section

October 30, 2024

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LDEQ/Air Permits

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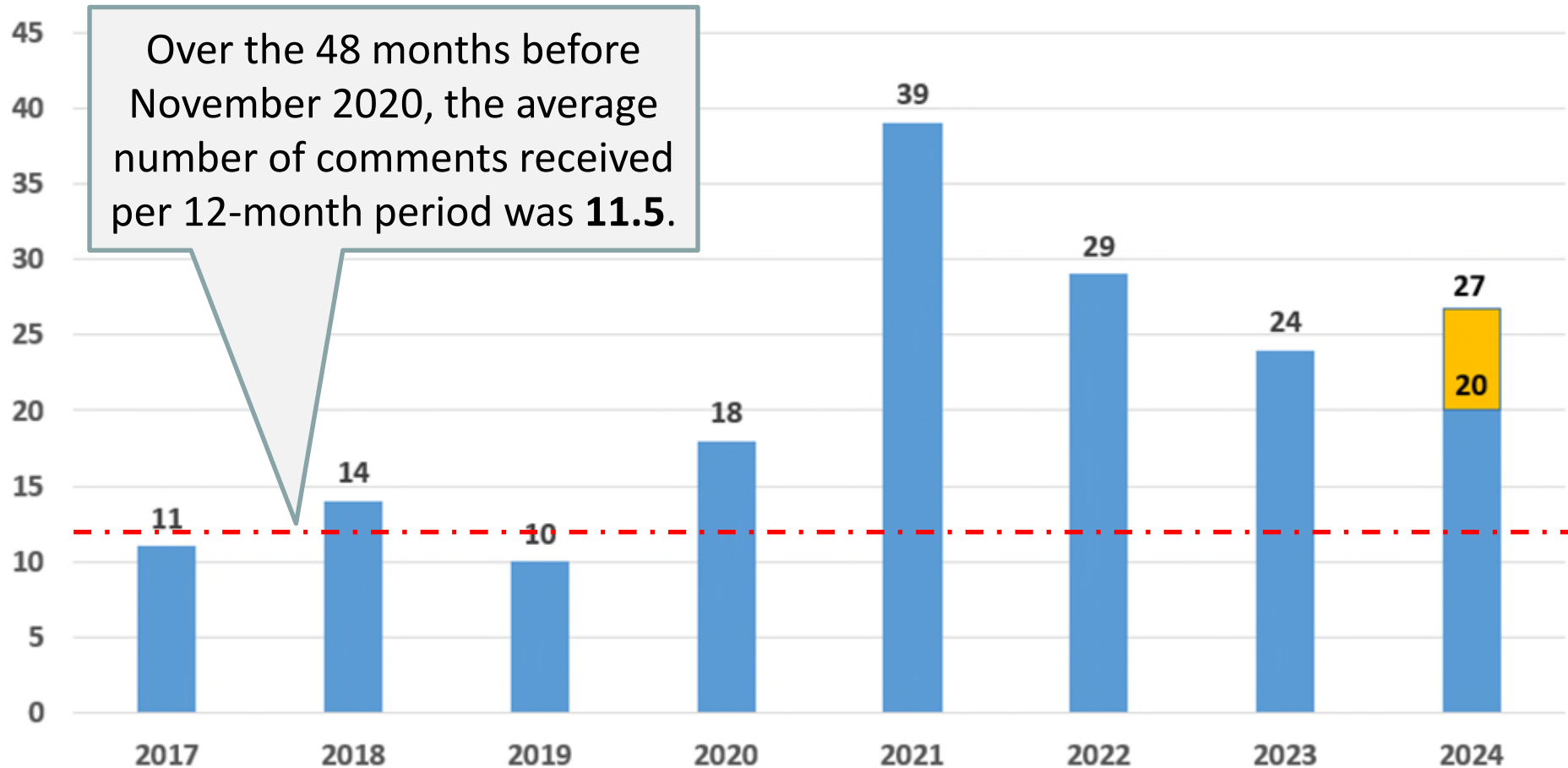
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Public Comments

Number of Proposed Permit Actions Receiving Comments





Public Comments

Parishes (2023 and 2024 only):

- Calcasieu (22)
- Ascension (4)
- Beauregard (3)
- Cameron (3)
- St. James (3)
- Jefferson and St. Charles (2 each)
- Caldwell, Grant, Iberville, St. Bernard, and St. Mary (1 each)

PERMIT TO KILL

*Potential Health and Economic Impacts from
U.S. LNG Export Terminal Permitted Emissions*



GREENPEACE



**SIERRA
CLUB**



Title V Petitions



Petitions

1. Commonwealth LNG: Denied January 30, 2024.
2. Dyno Nobel (now CF): Denied June 25, 2024.
3. Nucor: Partially granted/partially denied September 27, 2024.
 - On June 16, 2023, EPA objected to the proposed permit.
 - One of the grounds for objection was LDEQ's (alleged) failure to limit the sulfur content in the natural gas fuel and iron ore.



Petitions

3. Nucor (cont.)

- In order to resolve the objection, LDEQ agreed to include the two conditions in the Title V permit, which was issued on September 20, 2023.
- Tulane’s petition argued the new sulfur limits and associated recordkeeping constituted a “significant change in existing monitoring terms and conditions” (i.e., a significant modification).
- EPA did not agree that the changes were a significant modification.
 - LDEQ amended the proposed permit, not a final permit).



Petitions

3. Nucor (cont.)

- In determining whether a second public comment period is necessary, EPA applied the administrative law principle of “logical outgrowth” (typically used in the context of rulemakings).
- EPA noted that the initial proposed permit contained no requirements concerning sulfur content.
- EPA concluded that LDEQ’s revisions – the ones EPA directed LDEQ to make – were “not a logical outgrowth of the Draft Permit and public comment period” and directed LDEQ to re-notice the revised proposed permit.



PM_{2.5}



PM_{2.5} Design Values (2021 – 2023)

Monitor	Parish	DV
Westlake	Calcasieu	10.1*
Shreveport-Calumet	Caddo	9.6
Port Allen	West Baton Rouge	9.1
Baton Rouge-Capitol	East Baton Rouge	8.9
Chalmette-Vista	St. Bernard	8.2
Lafayette-USGS	Lafayette	7.9
Geismar	Iberville	7.9
Houma	Terrebonne	7.9
Alexandria	Rapides	7.9
I-610 New Orleans Near Road	Orleans	7.8
Monroe	Ouachita	7.8
Hammond	Tangipahoa	7.7
Kenner	Jefferson	7.7
Marrero	Jefferson	7.6
Vinton	Calcasieu	7.6

* NOT DV



PM_{2.5} Design Values (2021 – 2023)

Monitor	Parish	DV
Westlake	Calcasieu	10.1*
Shreveport-Calumet	Caddo	9.6**
Port Allen	West Baton Rouge	9.1***

- * LDEQ-calculated number based on adjusted Teledyne T640 data (EPA's website = 9.5 $\mu\text{g}/\text{m}^3$). Not comparable to NAAQS. LDEQ believes results are biased high. LDEQ installed an FRM in April 2024.
- ** Recently relocated. No data at new location yet.
- *** Two exceptional event requests have been prepared. If EPA approves either of the two, the DV will be < 9.0.



Ozone



Ozone Design Values (2021 – 2023)

Monitor	Parish	DV
Carville	Iberville	72*
Port Allen	West Baton Rouge	69
Bayou Plaquemine	Iberville	68
Capitol	East Baton Rouge	68
Dutchtown	Ascension	66
LSU	East Baton Rouge	66
Carlyss	Calcasieu	65
French Settlement	Livingston	65
New Roads	Pointe Coupee	65
All Others	—	< 65

* Exceptional event request is being prepared.



Baton Rouge Clean Air Coalition

Stay up-to-date by supporting the Baton Rouge Clean Air Coalition with your participation and **unlimited financial resources**.

For more information, contact:

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Oil and Gas Source Category Permitting



Oil and Gas Source Category Permitting

On October 7, 2024, LDEQ modified the MSOG, primarily to:

- add the requirements of 40 CFR 60 Subpart OOOOb (Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After December 6, 2022), which was promulgated by EPA on March 8, 2024; and
- establish legally and practically enforceable (LPE) limits such that tank batteries for which construction, modification, or reconstruction commenced after December 6, 2022, with potential VOC and methane emissions of less than 6 and 20 TPY, respectively, are not subject to 40 CFR 60 Subpart OOOOb.



Oil and Gas Source Category Permitting

The modified MSOG establishes additional monitoring/recordkeeping/reporting provisions for control devices utilized to limit emissions from new tank batteries below NSPS 0000b thresholds.

Enclosed Combustion Devices

- Combustion zone temperature* or VOC/methane outlet concentrations;
- Inlet flow rate (2 options); and
- Visible emissions.

* Catalyst bed inlet temperature and temperature differential for catalytic vapor incinerators.



Oil and Gas Source Category Permitting

Flares

- Inlet flow rate (2 options);
- Net heating value of the flare gas;
- Visible emissions; and
- Presence of a pilot flame.
 - An alert must be sent to the nearest control room whenever the pilot is not lit and gas may be directed to the flare for combustion.

Effective date: February 1, 2025



Oil and Gas Source Category Permitting

If the permittee seeks to restrict throughput by means of an LPE limit or utilizes a control device to restrict emissions below NSPS OOOOb thresholds, the permittee must:

- monitor throughput weekly; and
- record changes in operational conditions that could increase VOC and/or methane emissions from a tank battery (e.g., addition of a new well, hydraulic fracturing or refracturing of an existing well).

Effective date: December 1, 2024



Oil and Gas Source Category Permitting

In 2025, Air Permits will begin work on the state plan required by 40 CFR 60 Subpart OOOOc.

- Establishes emissions guidelines for sources constructed on or before December 6, 2022.
- State plans are due to EPA by March 9, 2026.
- With respect to CAA §111(d), LDEQ's MO has historically been to adopt model rules developed by EPA.
 - LAC 33:III.3003



Rulemaking



Rulemaking

AQ398 – Repeal of Affirmative Defense Provisions

- Removes affirmative defense provisions from LAC 33:III.507.J and from Part 70 General Condition N of LAC 33:III.535.A and relocates the definition of “upset” from LAC 33:III.507.J.1 to LAC 33:III.502.A.
- Proposed September 20, 2024; public hearing scheduled for October 30, 2024.
- Comment period ends November 6, 2024.

Regulatory Permit for Storage Vessels

- Revision will add 40 CFR 60 Subpart Kc to LAC 33:III.321.D.2.



Rulemaking

LAC 33:III.Chapter 22 – Control of Emissions of NO_x

- In 2017, LDEQ repealed the exemption for SSM in 2201.C.8 and amended Ch. 22 to allow the owner/operator of an affected point source to comply with the emission factors imposed by 2201.D at all times or with work practice standards during SSM.
 - EPA had previously held that 2201.C.8 was “substantially inadequate to meet [Clean Air Act] requirements” because it provided an “**automatic exemption**” from otherwise applicable SIP emission limitations.
- On December 7, 2023, EPA disapproved LDEQ’s requested SIP revision to add work practice standards.



Rulemaking

LAC 33:III.Chapter 22 – Control of Emissions of NO_x (cont.)

- On March 1, 2024, the D.C. Circuit vacated portions of EPA’s 2015 SSM SIP Call (*Environmental Committee of the Florida Electric Power Coordinating Group, Inc. v. EPA*, No. 15-1239), calling into question the status of EPA’s 2023 final rule and whether LDEQ must revise its SIP. From the decision:

EPA’s authority to issue a blanket call of automatic exemptions must be supported by the terms of section 7410(a)(2)(A). And because reliance on that provision, under the provision’s plain terms, is conditioned on a “necessary or appropriate” determination that EPA has not made, the agency’s call of **automatic exemptions** must be set aside.



Rulemaking

LAC 33:III.Chapter 22 – Control of Emissions of NO_x (cont.)

- LDEQ understands that EPA will soon propose a rule finding that LDEQ's SIP revision was not required.
- At this point, there appears to be no need to move forward with revisions to Chapter 22 requiring owners/operators to comply with the emission factors imposed by 2201.D at all times.



Questions / Comments?

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