TITLE 252. OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 100. AIR POLLUTION CONTROL RULES
SUBCHAPTER 31

RULE IMPACT STATEMENT

SUBCHAPTER 31. CONTROL OF EMISSION OF SULFUR COMPOUNDS
PART 1. GENERAL PROVISIONS
252:100-31-1. Purpose [AMENDED]
252:100-31-2. Definitions [AMENDED]
252:100-31-4. Excess emission reporting and alternative reporting schedule [NEW]
PART 2. AMBIENT AIR CONCENTRATION LIMITS OR IMPACTS FOR NEW AND EXISTING EQUIPMENT, SOURCES, OR FACILITIES
252:100-31-7. ~~Ambient air concentration limits~~ Allowable hydrogen sulfide (H_2S) ambient air concentrations for new and existing sources [AMENDED]
PART 3. EXISTING EQUIPMENT STANDARDS
252:100-31-13. Requirements for existing ~~Sulfuric~~ sulfuric acid plants [AMENDED]
252:100-31-15. Requirements for existing ~~Kraft~~ kraft pulp mills [AMENDED]
252:100-31-16. Requirements for existing ~~Fossil~~ fuel-fired steam ~~generators~~ generator units [AMENDED]
PART 5. NEW EQUIPMENT STANDARDS
252:100-31-25. Requirements for new ~~Fuel-burning~~ fuel-burning equipment [AMENDED]
252:100-31-26. Requirements for new ~~Petroleum~~ petroleum and natural gas processes [AMENDED]
252:100-31-27. Requirements for new ~~Pulp mills~~ pulp mill process equipment [AMENDED]

Before the Air Quality Advisory Council, July 20, 2011
Before the Environmental Quality Board, August 23, 2011

1. **DESCRIPTION:** The Department is proposing changes to Subchapter 31, Control of Emission of Sulfur Compounds, to clarify the language, and to bring the allowable sulfur dioxide (SO_2) ambient air limits set forth in OAC 252:100-31-7 into line with the requirements of the recently-enacted change to the SO_2 National Ambient Air Quality Standards (NAAQS). In addition, the Department is proposing to add requirements for fuel-burning equipment that use an alternative fuel.

2. **CLASSES OF PERSONS AFFECTED:** The classes of persons affected are the owners and operators of sources that are subject to the sulfur compound emission control provisions of Subchapter 31.

3. **CLASSES OF PERSONS WHO WILL BEAR COSTS:** The classes of persons who will bear costs are the owners and operators of sources that are subject to the sulfur compound emission control provisions of Subchapter 31.

4. **INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES:** DEQ has received no information on cost impacts from private or public entities.

5. **CLASSES OF PERSONS BENEFITTED:** The citizens of the State of Oklahoma will benefit by clarification of who is impacted by the rule.

6. **PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS:** Probable economic impacts of the proposed changes to the current ambient standards are not precisely known. It is anticipated that few if any new or existing sources would be adversely impacted by the proposed changes to the ambient air concentration limits contained in OAC 252:100-31-7. Operating changes or additional controls would likely not be required as a result of these changes. However, certain individual facilities may be otherwise required to make changes to comply (and demonstrate compliance) with requirements related to maintenance of the NAAQS for SO_2. These requirements are in effect regardless of Subchapter 31 requirements.

7. **PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS:** DEQ anticipates no economic impact on political subdivisions.

8. **POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS:** There are no significant anticipated adverse effects on small business as these modifications would affect primarily large facilities.

9. **LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE**: There are no fee changes proposed in this rule.

10. **PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE:** DEQ anticipates no increased cost to implement and enforce the proposed rule changes.

11. **PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE:** There are none. No other agencies will be implementing or enforcing this rule.

12. **SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE:** Federal grants, fees, and state appropriations will continue to be used.

13. **PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED:** DEQ expects no net loss or gain in revenues from these amendments.

14. **COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE:** No cooperation of political subdivisions is required. DEQ will be responsible for all aspects of implementation of this rule.

15. **EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS:** No measures are necessary. DEQ anticipates no significant compliance costs.

16. **DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE:** DEQ has determined that there are no less costly or nonregulatory or less intrusive methods of achieving the purpose of this proposed rule.

17. **DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT**: DEQ has determined that the proposed rule changes will have no adverse impact on the public health, safety, and environment. The public health, safety, and environment will benefit if a new or existing facility is required to reduce or minimize sulfur emissions to meet the requirements of the rule.

18. **IF THE PROPOSED RULE IS DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT, EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULE WILL REDUCE THE RISK:** The proposed specific rule changes are not expected to have an appreciable impact on the public health, safety, and environment, as the affected facilities must comply (and demonstrate compliance) with the existing requirements related to maintenance of the NAAQS for SO_2. These requirements are in effect regardless of Subchapter 31 requirements.

19. **DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:** Without this rule change, it would be more difficult for the DEQ to assure that existing requirements related to maintenance of the NAAQS for SO_2 are appropriately applied.

20. **PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE):** There are no probable quantitative or qualitative impacts on business entities.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: May 29, 2009
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