

Permitting News

New General Permits

A fairly lengthy, but successful, process recently culminated in the drafting of three new General Permits. These include the Hot Mix Asphalt Facility General Permit, Petroleum Liquid Storage Facility General Permit, and Printing & Packaging Facility General Permit. The Hot Mix Asphalt Facility General Permit is available now, and the other new general permits will be available for public comment in November, 2002.

Considerable effort was made to encourage input from the regulated community so that the end result would be both practical and provide the greatest flexibility to the industry in making changes at the facility, yet also meet the requirements of both state and federal rules. Our "hats are off" to those that contributed their time and expertise to making this process successful.

A copy of the permits and evaluation memorandums will be available on the webpage at <http://www.deq.state.ok.us/AQDNew/permitting/genperm.htm>. Note that there are many advantages to obtaining an Authorization to Operate under a General Permit, as opposed to an individual permit. The most significant is that an Authorization to Construct and new Authorization to Operate is not typically needed to add most equipment at the facility, as long as the facility remains minor after the addition. Those permittees with existing individual permits that are considering changes in the future, may want to consider switching over to the General Permit before such a change is necessary.

MACT Hammer Update

The Air Quality Division Air Toxics staff is continuing to monitor MACT Hammer developments. Last March, EPA promulgated changes to the 112(j) application process, resulting in a 2-part application with a 24-month window between the Part 1 and Part 2 required applications. In August EPA agreed to a settlement with the Earthjustice environmental law group that included provisions to change the 24-month application window to a 12-month period ending May 15, 2003. EPA rules incorporating the revised schedule were due to be proposed in the Federal Register by October 15, 2002.

To date EPA has not published these rule revisions. We have received information that EPA is considering in a different approach, possibly a fixed schedule for MACT promulgations with a Hammer date dependent on that schedule for each individual MACT standard.

Watch for more information as it becomes available on the Air Quality portion of the DEQ web page. Once the rules implementing these decisions are proposed we will have more information and guidance available.

Air Quality Update is published quarterly and may be accessed from the Air Quality Division (AQD) section of the DEQ Web Page at www.deq.state.ok.us. This publication is issued by the Oklahoma Department of Environmental Quality as authorized by Steve Thompson, Executive Director. 400 copies have been produced at a cost of \$0.007 each. Copies have been deposited with the Publications Clearinghouse of the Oklahoma Department of Libraries.

Your opinion is important to us! We would like to know what you think of the *Air Quality Update* and the types of articles you would like to read. Please send suggestions and comments to randy.ward@deq.state.ok.us or kevin.tallant@deq.state.ok.us.

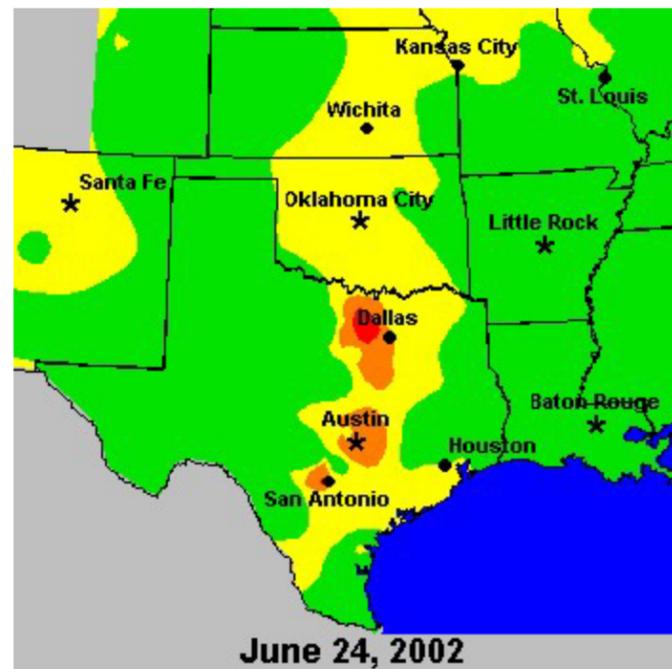
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Air Quality Update

November 2002 Vol. 5 No.4

2002 Ozone Review



June 24, 2002

AIRNow 8-hour Ozone Average Peak Concentration.

Map shows Oklahoma ozone level is moderate, the Dallas area has reached unhealthy levels.

Maps and archives available at: www.epa.gov/airnow/

Another ozone season has come and gone with only one DEQ monitoring site recording ozone concentrations over the eight-hour standard.

The 2002 Oklahoma Ozone table on page 3 is a list of all the DEQ operated ozone monitoring sites. It shows the highest four ozone concentrations recorded, in parts per million, from each site and the date of the occurrence. Listed under the name of each site is the site's fourth highest concentration from the three previous years, if available. The far right two columns are the the three-year averages of the fourth highest readings. These values determine compliance or non-compliance with the National Ambient Air Quality Standard (NAAQS). Skiatook exceeded the standard for the second consecutive year. However, the concentrations were lower for both 2001 and 2002 than the previous three years. There were no recordings that exceeded the one-hour standard.

The DEQ ozone monitoring network was expanded this year. The table shows the locations and results obtained from each site. New sites have begun sampling in Seiling, Choctaw, Yukon and McAlester. This brings the total number of ozone monitoring sites to seventeen. The Special Purpose Monitors (SPM) are located at Seiling, McAlester, Kingston, Lake Murray, and Lake Waurika. The SPM sites are relocated as necessary to give us a better understanding of how ozone forms and moves around the state and the region. Several SPM sites will be moved this winter.

Near real-time ozone maps are being generated by DEQ, AIRNow and the Oklahoma Mesonet and can be viewed by visiting the DEQ website www.deq.state.ok.us.

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Air Quality Council News

The Air Quality Council conducted its final meeting for 2002 on October 16 at the DEQ Building in Oklahoma City.

- Council dealt with a heavy agenda recommending that proposed amendments to Chapter 4 Subchapter 7, Chapter 100 Subchapters 8, 4, 47, 41-15, and 39, 43, 45 (the last three presented as a single action) be recommended to the Environmental Quality Board for approval.
- Chapter 4 Subchapter 7 and Chapter 100 Subchapter 8 amendments were not substantive but were required for final approval of the agency's Title V program.
- Changes to Chapter 100 Subchapters 4, 47 and 41-15 were primarily incorporations by reference of federal New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP).
- Chapter 100 Subchapters 39, 43 and 45 moved requirements from Subchapter 45 to 43 and revoked Subchapter 45. The changes also amended and moved some requirements from Subchapter 43 to Subchapter 39 and amended the rules to reflect these changes.
- Three agenda items were continued to the January Council: Subchapter 17. Incinerators; Subchapter 31. Control of Emission of Sulfur Compounds; and, Subchapter 5-2.3. Registration, Emission Inventory and Annual Operating Fees.
- Subchapter 41, the state rule for hazardous air pollutants and toxic air contaminants with its associated Appendix O, was continued to the April 16, 2003 Council.

The Council denied a petition for rulemaking specifying the use of air-cooled condensers for power plants and other industry.

The Council approved the schedule for next year. Meetings will be held on Wednesday, January 15 in Oklahoma City, Wednesday April 16 in Tulsa, Wednesday July 16 in Oklahoma City, and Wednesday October 15 in Oklahoma City. Council discussed the need for additional hearings, but staff recommended a four meeting schedule with the anticipation that at least one special meeting would be called to discuss attainment issues for Ozone Flex and planning for Regional Haze.

John Downs and Sam Cannella DEQ Employees of the Year



"The landscape is littered with databases that don't work," said DEQ Executive Director Steve Thompson, "John and Sam have come up with one that does." The development and maintenance of DEQ's TEAM database has won Sam and John the prestigious Employee of the Year Award.

Congratulations!



The Lead-Based Paint Corner

Presentations to the Real Estate Community

In July, August and October, the Air Quality Lead-based Paint (LBP) staff provided presentations at continuing education seminars for realtors. The LBP presentations included information that realtors must provide to buyers and renters of housing built before 1978. Realtors must provide this information in order to comply with federal LBP disclosure requirements. Presenters also focused discussion on federal LBP evaluation and reduction requirements that apply to Section 8 rentals and down-payment assistance programs. The presentations were designed to provide the realtors with the LBP regulatory requirements that affect them the most, while providing additional resources so realtors could study these topics on their own. The presentations were the first introduction many realtors had to LBP regulatory requirements.

2002 OKLAHOMA OZONE

Highest 8 Hour Averages as 10/15/02

Site	09 4th	00 4th	01 4th	1st (date)	2nd (date)	3rd (date)	4th (date)	99-01 Av
								4th High
Lake Waurika (671)				0.082	0.082	0.082	0.079	
(new)	0.081			13-Mar	21-May	18-Jun	24-Jun	
Lake Murray (296)				0.097	0.088	0.086	0.084	
(new)	0.082			13-Sep	15-May	28-Sep	29-Sep	
Kingston (312)				0.085	0.083	0.079	0.079	
(new)	0.078			13-Sep	30-Sep	22-Jun	28-Sep	
Keystone (177)				0.092	0.091	0.088	0.082	
(new)	0.095			8-Aug	10-Sep	6-Aug	23-Jul	
Lynn Lane (178)				0.086	0.084	0.082	0.080	
(new)	0.078			10-Sep	10-Jul	9-Aug	8-Aug	
Talihina (441)				Site	Removed			
	0.066	0.061	0.059					
Tulsa (1127)				0.094	0.087	0.082	0.080	
(new)	0.083	0.081		9-Aug	8-Aug	10-Sep	27-Jun	
Tulsa (0127)**								
	0.093			Site	removed			
Skiatook (137)				0.099	0.086	0.084	0.083	0.090
(new)	0.091	0.096	0.084	9-Aug	8-Aug	27-Jun	30-Jul	
Glennpool (174)				0.095	0.088	0.088	0.082	0.080
(new)	0.084	0.081	0.077	10-Sep	23-Jul	24-Jul	6-Aug	
Edmond (037)				0.081	0.080	0.079	0.078	0.080
(new)	0.074	0.086	0.082	23-Jun	8-Jul	13-Sep	15-May	
OKC (033)				0.090	0.084	0.082	0.080	0.080
(new)	0.084	0.080	0.078	10-Aug	15-May	23-Jun	23-Jul	
Moore (049)				0.085	0.080	0.079	0.075	0.079
(new)	0.081	0.079	0.079	15-May	10-Aug	23-Jun	13-Mar	
Goldsby (073)				0.091	0.083	0.080	0.078	0.081
(new)	0.083	0.081	0.080	10-Aug	15-May	23-Jun	24-Jun	
Choctaw (096)				0.080	0.079	0.079	0.078	
(new)	0.063			13-Mar	23-Jun	10-Aug	15-May	
Yukon (101)				0.086	0.086	0.081	0.081	
(new)	0.058			30-May	10-Aug	15-May	23-Jul	
Lawton (047)				0.082	0.080	0.079	0.076	0.081
(new)	0.082	0.085	0.078	7-Aug	24-Jun	21-May	20-May	
McAlester (415)				0.081	0.080	0.077	0.076	
(new)	0.072			10-Sep	13-Sep	9-Aug	8-Aug	
Seiling (000)				0.072	0.072	0.070	0.069	
(new)	0.072			30-Aug	6-Sep	31-Aug	12-Sep	

*0.085 or greater indicates exceedance of the proposed NAAQS
** Site closed 7/5/00

Concrete Batch Plant Outreach

The Department of Environmental Quality, through the Customer Service Division, sponsors outreach programs to industries as the need arises. As part of the Department's outreach program, representatives from several DEQ divisions collaborated to produce a Concrete Batch Plant presentation. Between September 19 and October 8, 2002, speakers traveled to Tulsa, Ardmore, Woodward, Lawton and Oklahoma City to present information.

The purpose of the outreach program was to inform concrete batch plant owners/operators of the applicable rules to keep them in compliance, the complaint process, and what happens if they are found to be in violation. Of the companies that were contacted, 82% participated. In order to allow the participating companies time to become acquainted with the regulations and achieve compliance, the Department has offered the conference participants a compliance period until April 1, 2003. During this time the facilities will be allowed to come into compliance without concern about inspections or new enforcement actions against them. This does not, however, protect them from current enforcement or inspections due to complaints, criminal activity or imminent threat to health or the environment.

By providing these outreach presentations, DEQ is helping companies know about what is required to maintain compliance and how we must partner to protect our environment.