

STATE IMPLEMENTATION PLAN (SIP) AND DELEGATION UPDATE

Melanie Foster

Rules & Planning Section

Air Quality Division

- ▶ **CAA § 110 requires states to develop SIPs for implementation, maintenance, and enforcement of the NAAQS**
 - ▶ Original SIPs submitted by Health Department
 - ▶ DEQ submitted “Big SIP” in 2002
 - ▶ “Big SIP Too” submitted 2010
- ▶ Annual SIP updates to add latest rule revisions
- ▶ Infrastructure SIPs (I-SIPs) are required for new or modified NAAQS
- ▶ Regional Haze SIP
 - ▶ Submitted 2010 with revision in 2013
 - ▶ 5-year Update submitted 2016

STATE IMPLEMENTATION PLANS (SIPS)

- ▶ **NACAA-ECOS-EPA initiative to reduce current backlog and prevent future backlog**
- ▶ **Backlog defined as in-house at EPA >18 months**
- ▶ **Four Year SIP Management Plan from 2014 to 2017**
- ▶ **Still had backlog in 2018 so continued annual management plan**
- ▶ **Currently, 11 backlogged SIPs and 7 current SIPs with EPA**

SIP MANAGEMENT PLAN

- ▶ Portion of Big SIP Too (related to control of NO_x emissions)
- ▶ 1997 Ozone NAAQS (Interstate transport)
- ▶ 2012 PM NAAQS (Transport Visibility-Prong 4)
- ▶ 2010 SO₂ (Transport Visibility-Prong 4)
- ▶ Minor NSR, Subchapter 7
- ▶ Minor NSR, Subchapter 8
- ▶ PSD Public Notice
- ▶ Withdrawal of Subchapter 9
- ▶ RH 5-year Progress Report
- ▶ 2016 Annual SIP Update
 - ▶ SC 13, 17, 25, and 31
 - ▶ SC 2, 5, and App. Q

BACKLOGGED SIPS

- ▶ **2017 Annual SIP Update**
- ▶ **Oklahoma Statutes Update**
- ▶ **Oklahoma Public Notice Updates**
- ▶ **2015 Ozone I-SIP**
 - ▶ I-SIP, Prong 3, and D(ii)
 - ▶ Transport Prongs 1 and 2
 - ▶ Transport Prong 4
- ▶ **2018 Annual SIP Update (may be further split by EPA)**

CURRENT SIPS

- ▶ New way to electronically submit SIPs through Central Data Exchange (CDX)
- ▶ 2015 Ozone I-SIP was AQD's first submittal to S4S
- ▶ 2018 Annual SIP update also submitted to S4S
- ▶ Has state interface, EPA interface, and, eventually, public interface

SPECS FOR SIPS (S4S)



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Welcome to the Environmental Protection Agency (EPA) Central Data Exchange (CDX) - the Agency's electronic reporting site. The Central Data Exchange concept has been defined as a central point which supplements EPA reporting systems by performing new and existing functions for receiving legally acceptable data in various formats, including consolidated and integrated data.



Oklahoma

Welcome to the Electronic State Implementation Plan Submission (eSIPS) under Section 110 of the Clean Air Act

Create OFFICIAL Submission

Create DRAFT Submission

Hello **Melanie Foster** – Preparer

Recent Activity

Cheryl E Bradley submitted [Oklahoma 2018 SIP Revision](#)
12/21/18

Melanie Foster designated the following plan as ready for signature [Oklahoma 2018 SIP Revision](#)
12/21/18

Melanie Foster created [Oklahoma 2018 SIP Revision](#)
12/13/18

Cheryl E Bradley submitted [Oklahoma 2015 Ozone I-SIP with Transport element](#)
10/25/18

Plans Pending Submission

ACTION	PLAN NAME	STATUS	LAST MODIFIED	LAST MODIFIED TIME	SUBMISSION TYPE
You do not have any plans.					

Plans Submitted

Show **10** entries

Search:

ACTION	PLAN NAME	STATUS	SUBMITTED ON	SUBMISSION TYPE
Partial/Full Withdrawal Supplement	Oklahoma 2018 SIP Revision	Submitted to EPA	12/21/18	NSR-Related Regulation(s), State-Initiated Rule Clean-Up
Partial/Full Withdrawal Supplement	Oklahoma 2015 Ozone I-SIP with Transport element	Submitted to EPA	10/25/18	Infrastructure SIP(s)

Showing 1 to 2 of 2 entries

EPA Regional Contact(s)

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Helpful Links

- ▶ Different authority than SIP
- ▶ Requires adoption of federal standard without change
- ▶ Based on Chapter 100-2 and Appendix Q updates
- ▶ Updated delegation generally requested from EPA annually
- ▶ NSPS and NESHAP delegation requests originally handled together but now separate
- ▶ Once delegated, all reports and notifications sent to DEQ

NSPS & NESHAP DELEGATION

- ▶ CAA § 111(c) authority
- ▶ Original 1982 agreement, updated in 1999 to include all sources
- ▶ EPA retains concurrent enforcement authority
- ▶ EPA has 30 days to object to the delegation after request
- ▶ EPA is supposed to post an informational notice of the delegation in the *Federal Register*
- ▶ Region 6 working to codify in 40 CFR Part 60, Subpart A
 - ▶ § 60.4(b)(38)—current mention of DEQ
 - ▶ § 60.4(e)—possible future table location
- ▶ EPA's delegation webpage for Part 60

NSPS DELEGATION

(38) State of Oklahoma, Oklahoma State Department of Health, Air Quality Service, P.O. Box 53551, Oklahoma City, OK 73152.

(i) Oklahoma City and County: Director, Oklahoma City-County Health Department, 921 Northeast 23rd Street, Oklahoma City, OK 73105.

(e) The following lists the specific part 60 standards that have been delegated unchanged to the air pollution control agencies in Region 6.

(1) *New Mexico*. The New Mexico Environment Department has been delegated all part 60 standards promulgated by the EPA, except subpart AAA—Standards of Performance for New Residential Wood Heaters; and subpart QQQQ—Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces, as amended in the FEDERAL REGISTER through January 15, 2017.

(2) *Louisiana*. The Louisiana Department of Environmental Quality has been delegated all part 60 standards promulgated by EPA, except subpart AAA—Standards of Performance for New Residential Wood Heaters, as amended in the FEDERAL REGISTER through July 1, 2013.

DELEGATION STATUS FOR PART 60 STANDARDS—STATE OF LOUISIANA

[Excluding Indian Country]

Subpart	Source category	LDEQ ¹
A	General Provisions	Yes
Ce	Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators	Yes
D	Fossil Fueled Steam Generators (>250 MM BTU/hr)	Yes
Da	Electric Utility Steam Generating Units (>250 MM BTU/hr)	Yes
Db	Industrial-Commercial-Institutional Steam Generating Units (100 to 250 MM BTU/hr)	Yes
Dc	Industrial-Commercial-Institutional Small Steam Generating Units (10 to 100 MM BTU/hr)	Yes



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EPA in Oklahoma

New Source Performance Standards (NSPS) 60 for Oklahoma

Clean Air Act (CAA) Program Delegation Status for New Source Performance Standards (NSPS) 60 in Oklahoma

			monitoring). § 60.13(i) (partial limitation) Approval of "Major Change to Monitoring".
AA	Steel Plants: Electric Arc Furnaces After 10/21/74 & On or Before 8/17/83	Yes	
AAAA	Small Municipal Waste Combustion Units (Construction is Commenced After 8/30/99 or Modification/Reconstruction is Commenced After 6/06/2001)	Yes	
AAa	Steel Plants: Electric Arc Furnaces& Argon-Oxygen Decarburization Vessels After 8/07/83	Yes	
BB	Kraft Pulp Mills	Yes	
BBB	Rubber Tire Manufacturing Industry	Yes	
CC	Glass Manufacturing Plants	Yes	
CCCC	Commercial & Industrial Solid Waste Incineration Units (Construction is Commenced After 11/30/1999 or Modification/Reconstruction is Commenced on or After 6/01/2001)	Yes	

- ▶ CAA § 112 authority
- ▶ Requires publication in the Federal Register
- ▶ Recent approval of rules as they existed September 1, 2016, became effective November 21, 2018
- ▶ No substantive change to 40 CFR Part 61 delegation
 - ▶ § 61.04(b)(38)
- ▶ Substantive additions to 40 CFR Part 63 delegation
 - ▶ Subpart E, §63.99(a)(37)
 - ▶ Now delegated through Subpart HHHHHHH (i.e. 7H)
- ▶ EPA's delegation webpages for Part 61 and Part 63

NESHAP DELEGATION

(37) *Oklahoma.* (i) The following table lists the specific part 63 standards that have been delegated unchanged to the Oklahoma Department of Environmental Quality for all sources. The “X” symbol is used to indicate each subpart that has been delegated. The delegations are subject to all of the conditions and limitations set forth in Federal law, regulations, policy, guidance, and determinations. Some authorities cannot be delegated and are retained by EPA. These include certain General Provisions authorities and specific parts of some standards. Any amendments made to these rules after September 1, 2016 are not delegated.

DELEGATION STATUS FOR PART 63 STANDARDS—STATE OF OKLAHOMA

[Excluding Indian Country]

Subpart	Source category	ODEQ¹²
A	General Provisions	X
F	Hazardous Organic NESHAP (HON)—Synthetic Organic Chemical Manufacturing Industry (SOCMI)	X
G	HON—SOCMI Process Vents, Storage Vessels, Transfer Operations and Wastewater	X
H	HON—Equipment Leaks	X
I	HON—Certain Processes Negotiated Equipment Leak Regulation	X
J	Polyvinyl Chloride and Copolymers Production	³
K	(Reserved)	
L	Coke Oven Batteries	X
M	Perchloroethylene Dry Cleaning	X
N	Chromium Electroplating and Chromium Anodizing Tanks	X
O	Ethylene Oxide Sterilizers	X
P	(Reserved)	
Q	Industrial Process Cooling Towers	X
R	Gasoline Distribution	X
S	Pulp and Paper Industry	X

EPA in Oklahoma

National Emission Standards for Hazardous Air Pollutants (NESHAP) 61 for Oklahoma

Clean Air Act (CAA) Program Delegation Status for National Emission Standards for Hazardous Air Pollutants (NESHAP) 61 in Oklahoma.

CAA Program Delegation Status for Oklahoma — NESHAP Part 61

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Subpart	Description	ODEQ	Nondel Auth
A	General Provisions	Yes	See Note 1 for NESHAP Part 61, for explanation of delegation authorities, as well as the following specific references: § 61.04(b) Addresses of State and Local Implementing Agencies § 61.11 Waiver of Compliance {not listed under 40 CFR 61.04(c)(ii)} § 61.12(d)(1) Compliance with Standard and Maintenance Requirements, Alternate Means of Emission Limitation § 61.13(h)(1)(ii) Major Changes to an Emission Test §§ 61.14(d) and (g)(1)(ii) Major Modifications to Monitoring Requirements § 61.16 Availability of Information Procedures
BB	Benzene (Transfer Operations)	Yes	
C	Bandium	Yes	

EPA in Oklahoma

National Emission Standards for Hazardous Air Pollutants (NESHAP) 63 in Oklahoma

Clean Air Act (CAA) Program Delegation Status for National Emission Standards for Hazardous Air Pollutants (NESHAP) 63 in Oklahoma.

CAA Program Delegation Status for Oklahoma — NESHAP Part 63

Subpart	Description	ODEQ	Non-Delegable Authorities
A	General Provisions	Yes	<p>See Notes 1 and 2 for NESHAP Part 63, for explanation of delegation authorities, as well as the following specific references:</p> <ul style="list-style-type: none"> § 63.6(g) Approval of Alternative Non-Opacity Emission Standards § 63.6(h)(9) Approval of Alternative Opacity Standards § 63.7(e)(2)(ii) and (f) Approval of Major Alternatives to Test Methods § 63.8(f) Approval of Major Alternatives to Monitoring § 63.10(f) Approval of Major Alternatives to Recordkeeping and Reporting
AA/BB	Phosphoric Acid/Phosphate Fertilizers	Yes	
AAAA	Municipal Solid Waste Landfills	Yes	
AAAAA	Lime Manufacturing Plants	Yes	

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QUESTIONS?

