

# Internal Management Directive



Subject:		IMD Number:	
PM <sub>10</sub> and PM <sub>2.5</sub> Netting Basis and PSEL Corrections, Due to Improved Emissions Information, for Pre-May 1, 2011 Sources		AQ-00-0017	
Effective Date:	February 1, 2012	Pages:	3
Revision Date:			
Approval:	<p><i>[signature on file]</i></p> <p>Andrew Ginsburg - Air Quality Administrator</p>		

## **Intent / Purpose / Statement of Need:**

This Internal Management Directive describes the procedure the Air Quality Division of DEQ will use to correct PM<sub>10</sub> netting bases and PSELs due to better emissions information for sources that were permitted as of May 1, 2011. The corrected PM<sub>10</sub> netting basis and PSEL will then be used to establish or correct a PM<sub>2.5</sub> netting basis and PSEL.

## **Applicability:**

This directive applies to Air Quality permit writers who are establishing or correcting PM<sub>2.5</sub> netting bases and Plant Site Emission Limits for Air Contaminant Discharge Permits and Title V permits where the PM<sub>10</sub> netting basis and PSEL require correction due to improved emissions information. This IMD applies to the following sources in any area of the state:

- sources that were permitted and operating on May 1, 2011, and
- sources that were permitted but not yet constructed and operating on May 1, 2011.

For sources that were permitted but not yet constructed and operating on May 1, 2011, the correction only applies if there is no change (i.e., to equipment, production rate, etc.) to the proposed facility. If the proposed facility is revised and a new permit must be issued, the facility should be permitted as a new source.

## **Directive to Air Quality Permit Writers:**

### **Correcting PM<sub>10</sub> Netting Basis and PSELs**

If the PM<sub>10</sub> netting basis and PSEL require correction due to improved emissions information, permit writers should:

- recalculate the PM<sub>10</sub> netting basis and PSEL based on the corrected emission factor(s).
- determine whether additional analysis or other requirements for PM<sub>10</sub> are triggered by the corrections, (i.e., NSR/PSD applicability, modeling under the PSEL rule (OAR 340-222-0041(3))).
- calculate or recalculate the PM<sub>2.5</sub> netting basis and PSEL based on the PM<sub>2.5</sub> fraction of the corrected PM<sub>10</sub> netting basis and PSEL.

- If the PM<sub>10</sub> PSEL is 10 to 14 tons greater than the PM<sub>10</sub> netting basis, apply the PM<sub>2.5</sub> true-up (OAR 340-200-0020(76) definition of netting basis).
- If the PM<sub>2.5</sub> true-up does not apply and the PM<sub>2.5</sub> PSEL is greater than the PM<sub>2.5</sub> netting basis by more than the significant emission rate of 10 tons/year, permit writers should determine whether:
  - the PM<sub>2.5</sub> emissions correction would have a material impact on air quality, or
  - the source is willing to commit to enforceable conditions (i.e., offsets from other point sources, offsets from area sources such as woodstove change-outs, etc.) to ensure that the PM<sub>2.5</sub> emissions correction would not have a material impact on air quality.
- If the PM<sub>2.5</sub> emissions correction has a material impact on air quality, this IMD does not apply to the source and the issue should be referred to the Air Quality Regional Management Team and Division Administrator for a case-by-case evaluation.

Changes to the PM<sub>10</sub> netting basis due to revisions to the PM<sub>10</sub> baseline emission rate are limited by OAR 340-200-0020(13)(e):

“Once the baseline emission rate has been established or recalculated in accordance with subsection (d) of this section, the production basis for the baseline emission rate may only be changed if a material mistake or an inaccurate statement was made in establishing the production basis for baseline emission rate”.

Sources that were not permitted on May 1, 2011 will have a netting basis of zero for PM<sub>10</sub> and PM<sub>2.5</sub> and should be permitted like any new source.

### **Background:**

As stated in the response to comment document for the PM<sub>2.5</sub>/GHG rulemaking, PM<sub>2.5</sub> has been indirectly regulated through PM<sub>10</sub> and total particulate matter for years. Because of this, DEQ is adding PM<sub>2.5</sub> to the program in a manner that avoids imposing retroactive violations on existing sources who have complied with existing permitting requirements for particulate matter. Making corrections to the PM<sub>10</sub> netting basis and PSEL before establishing the PM<sub>2.5</sub> netting basis and PSEL is critical to ensuring that projects approved prior to May 1, 2011 are not second-guessed and the addition of a newly regulated pollutant, PM<sub>2.5</sub>, does not trigger any new applicable requirements (note that this IMD also applies to corrections to the PM<sub>10</sub> netting basis and PSEL after calculating the initial PM<sub>2.5</sub> netting basis and PSEL).

The definition of netting basis establishes how the PM<sub>2.5</sub> netting basis and PSEL are established:

OAR 340-200-0020(76)(b) The initial PM<sub>2.5</sub> netting basis and PSEL for a source that was permitted prior to May 1, 2011 will be established with the first permitting action issued after July 1, 2011, provided the permitting action involved a public notice period that began after July 1, 2011.

(A) The initial netting basis is the PM<sub>2.5</sub> fraction of the PM<sub>10</sub> netting basis in effect on May 1, 2011. DEQ may increase the initial PM<sub>2.5</sub> netting basis by up to 5 tons if necessary to avoid exceedance of the PM<sub>2.5</sub> significant emission rate as of May 1, 2011.

(B) Notwithstanding OAR 340-222-0041(2), the initial source specific PSEL for a source with PTE greater than or equal to the SER will be set equal to the PM<sub>2.5</sub> fraction of the PM<sub>10</sub> PSEL.

**Definitions:**

Netting basis

Plant Site Emission Limit

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**Internal Management Directive:**

This document is an internal management directive that is intended only as direction to DEQ staff in the absence of different direction provided by DEQ management. This internal management directive does not establish policy or legal interpretations that may be relied upon by permittees or other third parties.