

Stakeholder Informational Webinar

Proposed Changes to Env-A 1400, *Regulated Toxic Air Pollutants*

The webinar will start at 9:30 a.m.

A copy of the informational rule can be found at:

<https://www.des.nh.gov/documents/env-a-1400-draft.pdf>

If you have any technical difficulties:

Email: Margaret.M.King@des.nh.gov

Phone: 603-271-6893



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Proposed Changes to Env-A 1400, *Regulated Toxic Air Pollutants*

September 8, 2020

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All participants have been muted upon entry.

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This webinar is being recorded.



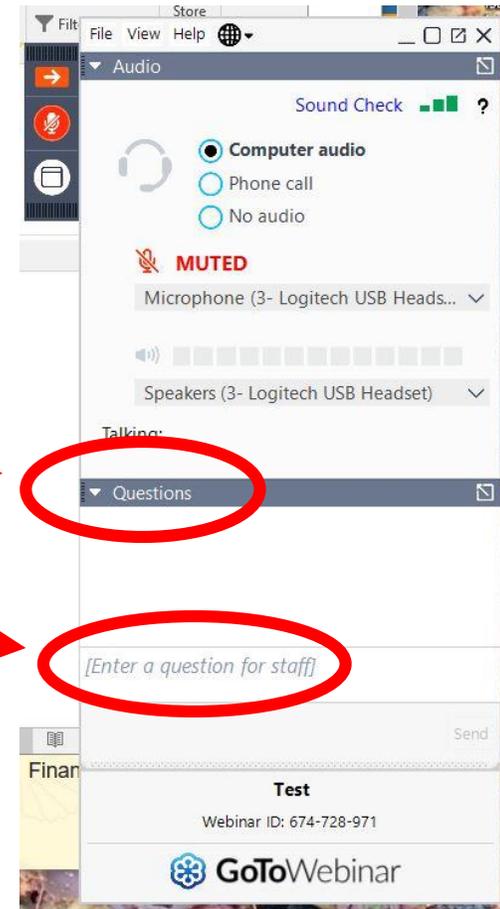
Webinar Logistics

If you have technical difficulties:
Email: Margaret.M.King@des.nh.gov
Phone: (603) 271-6893

“Asking a question”

Attendees can ask a question at various points during the webinar by doing the following:

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Stakeholder Informational Webinar

**Proposed changes to Env-A 1400 *Regulated Toxic Air
Pollutants***

Patricia North, M.P.H.
NH DES – Air Resources Division

patricia.r.north@des.nh.gov

September 8, 2020

Regulatory Basis

- ▶ RSA 125-I Air Toxics Control Act
 - ▶ Enacted 1987
 - ▶ Amended 1996

Overview of Proposed Changes

- 1 Rule Housekeeping
- 2 New definitions
- 3 Changes to rule language
- 4 Changes to Table 1450-1



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1 Rule Housekeeping

Consistency

- ▶ Acronyms
 - ▶ Regulated Toxic Air Pollutant = RTAP
 - ▶ Ambient Air Limit = AAL
- ▶ Cross references
- ▶ Units of measure
- ▶ Significant figures

Example – Significant Figures

- ▶ Results < 1
 - ▶ $0.090357 = 0.090$
- ▶ Results < 10
 - ▶ $9.0639 = 9.1$
- ▶ Results ≥ 10
 - ▶ $90.5 = 90$



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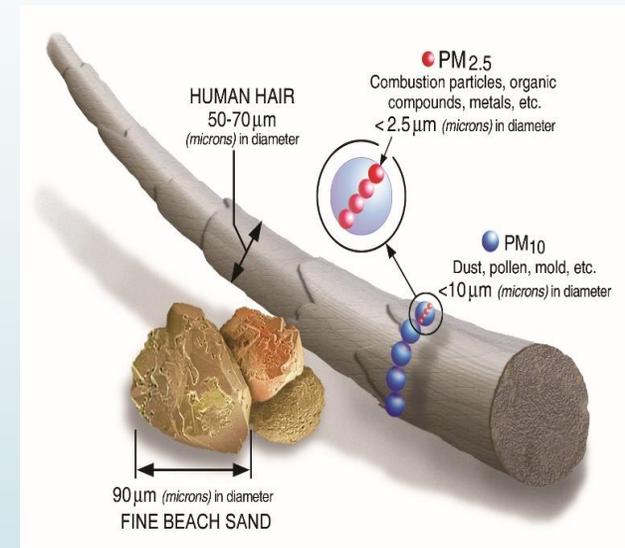
2 New Definitions

Env-A 1401.03

Env-A 1401.03 Definitions

► Particulate fractions

- Inhalable fraction
- Inhalable fraction and vapor
- Respirable fraction
- Thoracic particulate matter



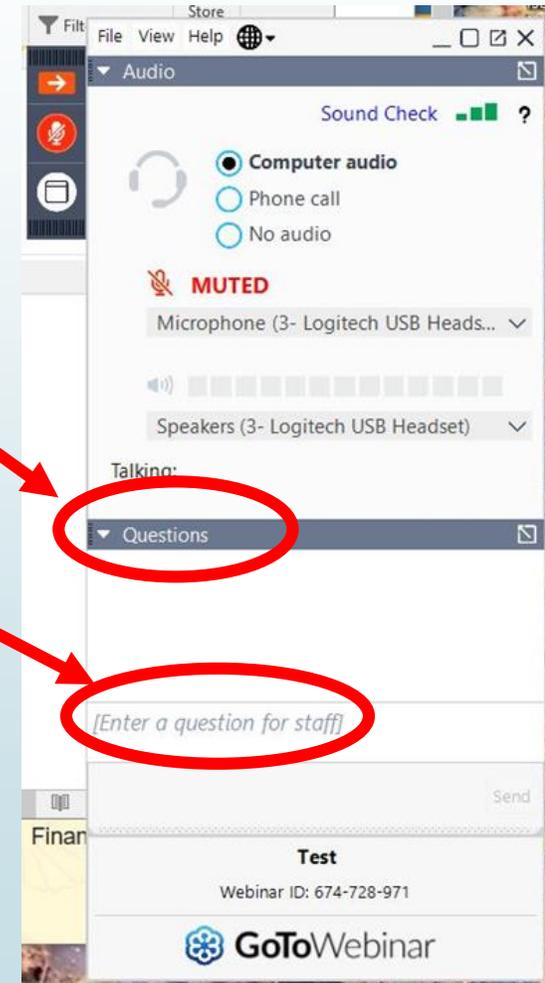
Env-A 1401.03 Definitions (cont.)

- Uncontrolled emission

“any emission of a regulated toxic air pollutant from a device or process at a stationary source that is not subject to treatment or removal by pollution control equipment prior to being emitted to the ambient air, or is emitted to the ambient air in amounts which have not been limited by conditions in an enforceable permit or document”

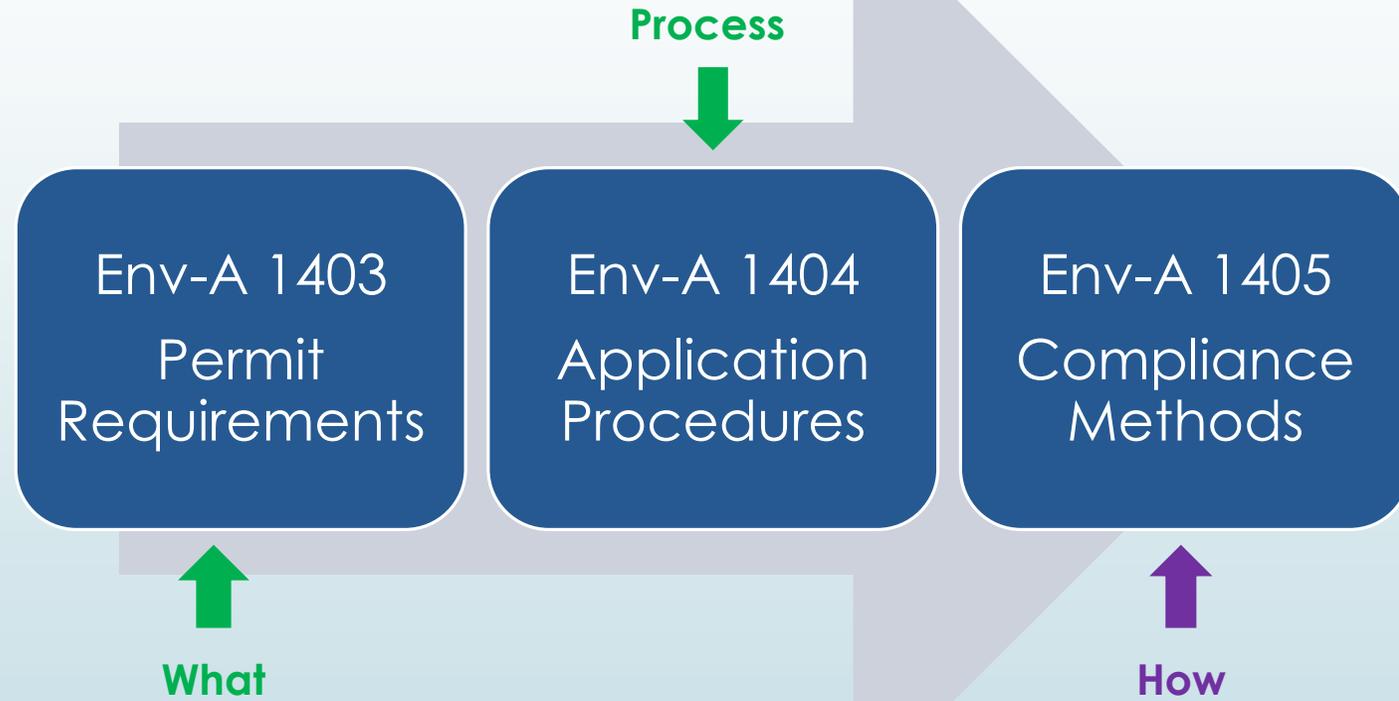
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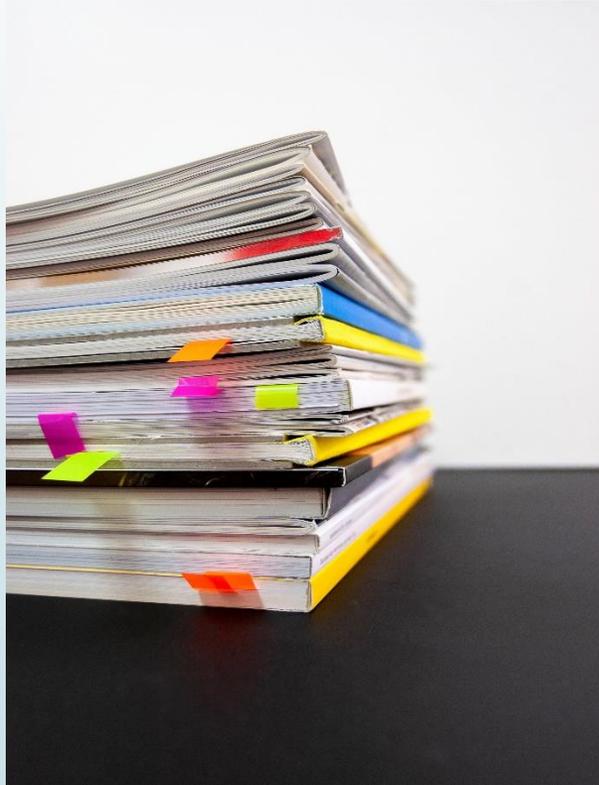


3 Changes to Rule Language

Current Rule



Proposed Rule Reordering

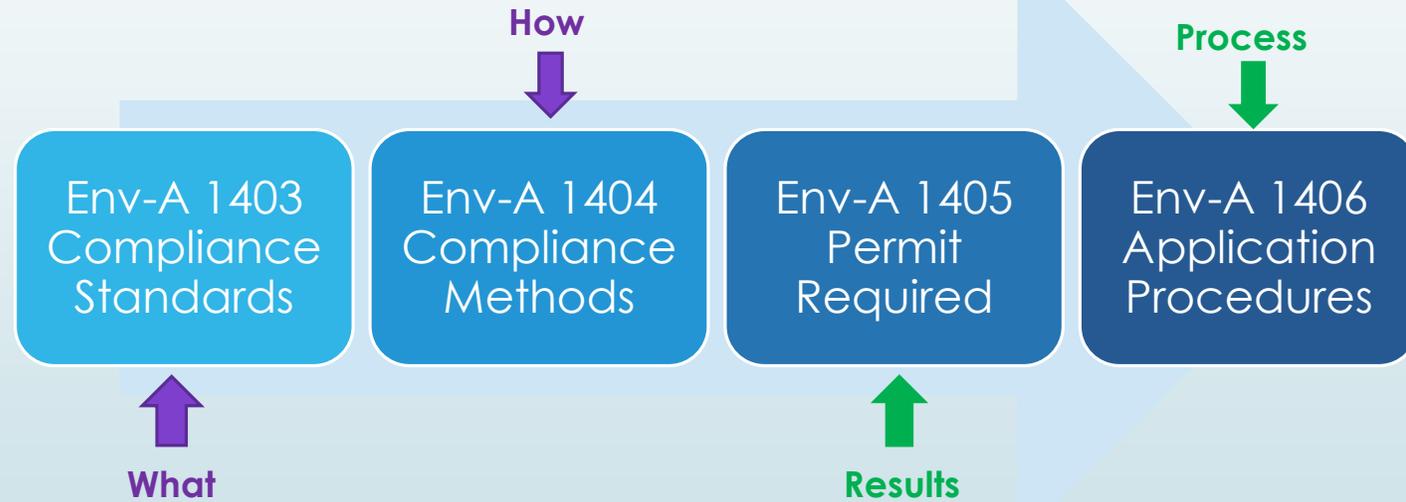


- Logical flow
- Streamline
- Expectations

Reorganization

- ▶ Env-A 1403 – Permit Required
 - ▶ Renumbered as Env-A 1405
- ▶ Env-A 1404 – Application Procedures
 - ▶ Renumbered as Env-A 1406
- ▶ Env-A 1405 – Methods of Demonstrating Compliance
 - ▶ Renumbered as Env-A 1404
- ▶ Env-A 1406 – Classification of Regulated Toxic Air Pollutants
 - ▶ Renumbered as Env-A 1407

Proposed Rule



Env-A 1403 Compliance Standards

- ▶ NEW section
- ▶ Clear expectations
 - ▶ Manage RTAP emissions
 - ▶ Not exceed the AALs
 - ▶ Demonstrate compliance

Env-A 1404

Methods of Demonstrating Compliance

- ▶ Env-A 1404.01 through Env-A 1404.05
 - ▶ Housekeeping
 - ▶ Acronyms
 - ▶ Cross references
 - ▶ Units of measure

Env-A 1404.06

Alternative Methods

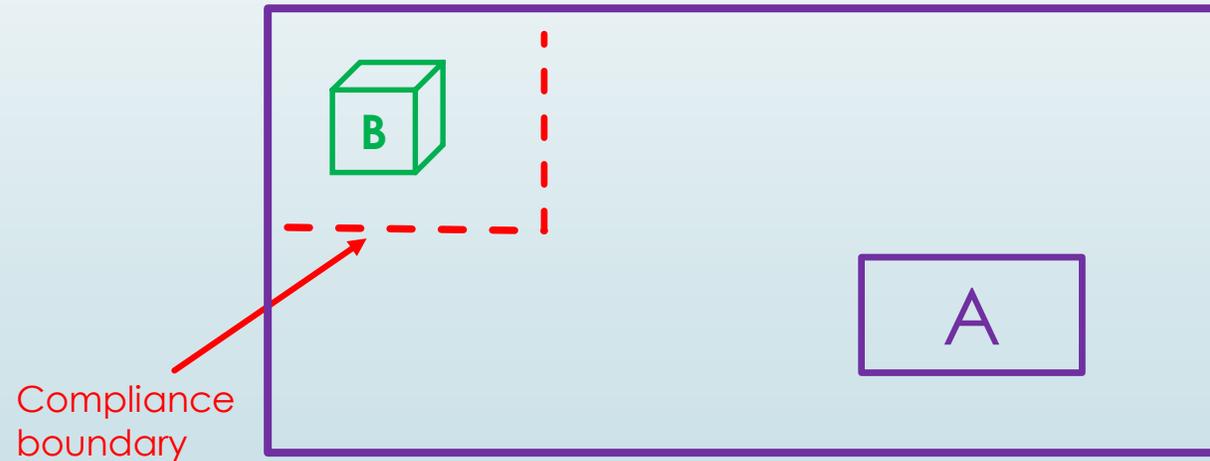
- Changes to language

- “request” → “proposal”

- Added - (b)(4) “The concentration of each RTAP is less than or equal to the corresponding AAL.”

Env-A 1404.07(b) Alternate Compliance Boundaries

Clarification of property owner's boundary

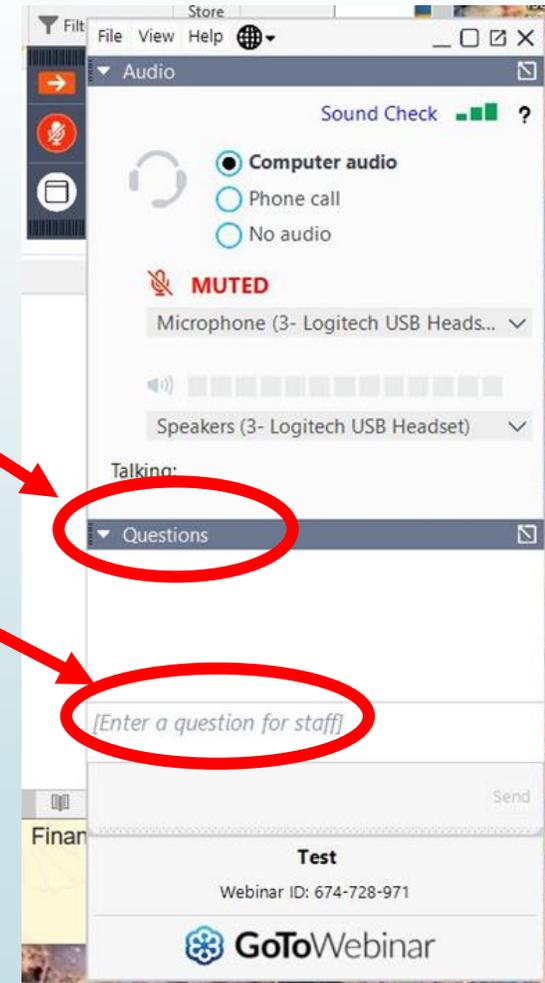


Env-A 1404.07(c) Alternative Compliance Boundary

- ▶ Propose an alternative compliance boundary
 - ▶ Submit written request
 - ▶ Comply with AALs
- ▶ Decision within 60 days

Questions?

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Env-A 1405 PERMIT REQUIRED

Env-A 1405.02 Exemption from Permitting

- ▶ (a)(1) – The uncontrolled emissions
 - ▶ \leq 24-Hr and Annual De minimis levels
 - ▶ \leq 24-Hr and Annual AALs

Env-A 1405.02

Exemption from Permitting

- ▶ (a) (2) – The uncontrolled actual emissions
 - ▶ \leq 24-Hr and Annual De minimis levels
 - ▶ In-stack conc. \leq 24-Hr and Annual AALs
 - ▶ Adjusted in-stack and Ambient modeling
 - ▶ \leq 50% of the 24-Hr and Annual AALs

Env-A 1405.03 Obtaining a Permit

- ▶ New section
- ▶ Do not meet Env-A 1405.02 requirements, need a permit

Env-A 1405.04 Revisions of List

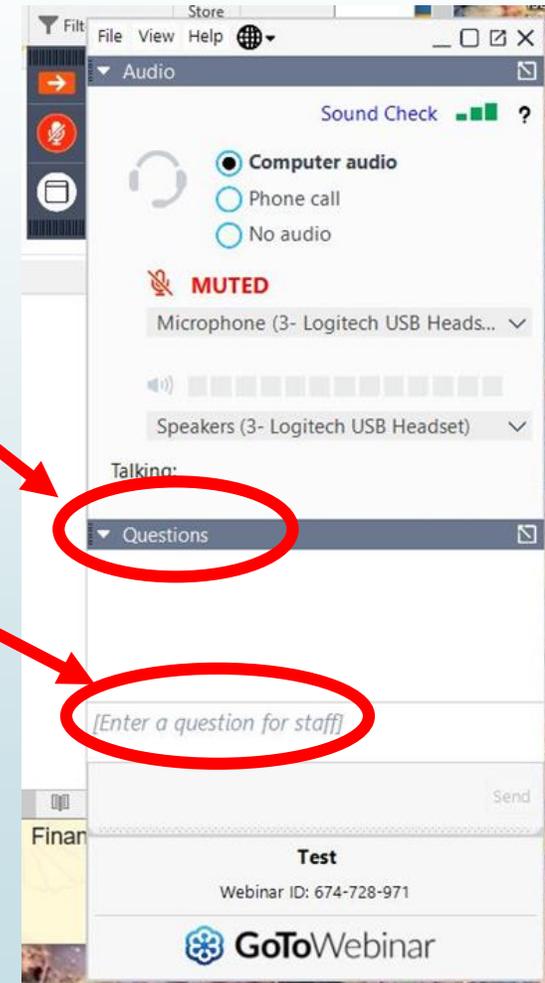
- ▶ New section
- ▶ 90 days to submit permit application for permit or permit amendment

Env-A 1406 Application Procedures

- Env-A 1406.01(a)
 - Operating conditions
- Env-A 1406.02(b)
 - Submit compliance plan
 - Plan included in permit

Questions?

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4 Changes to Env-A 1450

Table of All Regulated Toxic Air Pollutants

Table 1450-1: RTAP List

- Review and reconciliation with RTAP database
- ACGIH updates
 - 2017
 - 2018
 - 2019

Summary of Changes

New chemical added	18
RTAPs removed	20
Changes to AALs	37
Name corrections/ addition of particulate fraction designations	86
New chemical added as part of a compound class	103

Compound Class Example

CAS# 7440-41-7

Beryllium and compounds, as Be, inhalable fraction

CAS #	Chemical
1303-56-9	Beryllium oxide, as Be, inhalable fraction
7787-49-7	Beryllium fluoride, as Be, inhalable fraction
13327-32-7	Beryllium hydroxide, as Be, inhalable fraction

Compound Reference Example

CAS # 1303-56-9

Beryllium oxide, as Be, inhalable fraction

[see *Beryllium and compounds, as Be, inhalable fraction, CAS# 7440-41-7*]

Changes of Note

RTAP	Current AAL		Proposed AAL	
	24-Hr	Annual	24-Hr	Annual
Formaldehyde	1.3	0.88	0.44	0.29
Methyl vinyl ketone	2.3	1.4	0.11	0.068
Furfural alcohol	282	134	5.7	2.7
Zinc oxide, RF	50	34	10	6.7
Nickel, insoluble, inorganic compounds as Ni, IF	3.6	2.4	0.71	0.48

All concentrations are in $\mu\text{g}/\text{m}^3$

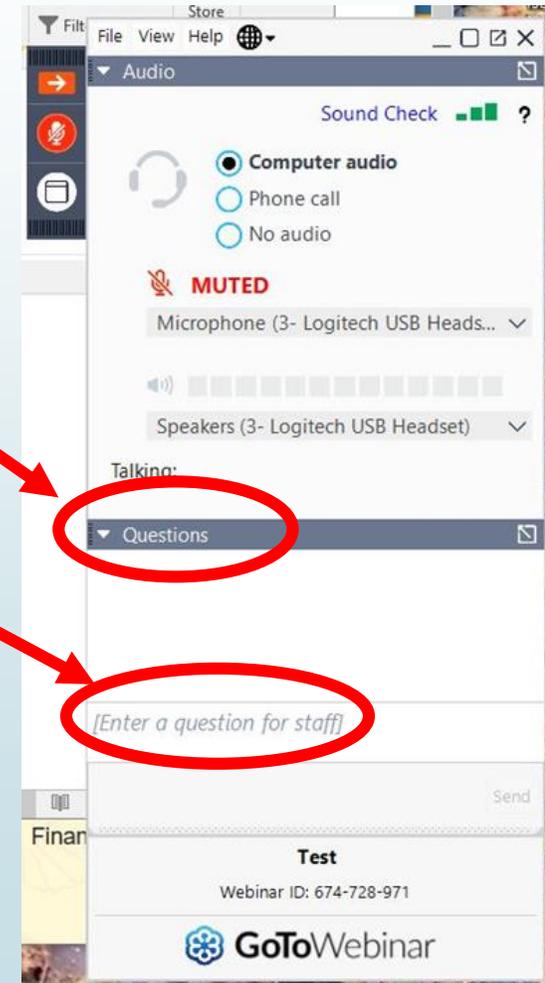
Changes of Note (cont.)

RTAP	Current AAL		Proposed AAL	
	24-Hr	Annual	24-Hr	Annual
Hydrogen sulfide	50	2.0	5.0	2.0
Beryllium and compounds, as Be, IF	0.18	0.020	0.00018	0.00012
Fluorine, as F	5.7	3.8	0.56	0.37
Chlorine	7.5	5.0	1.0	0.69
Chromyl chloride, as Cr(VI), IFV	0.81	0.54	0.0023	0.10

All concentrations are in $\mu\text{g}/\text{m}^3$

Questions?

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Questions on the proposed rule:

Email: patricia.r.north@des.nh.gov

Questions on the rulemaking process:

Email: karla.s.mcmanus@des.nh.gov



https://www.des.nh.gov/

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New Hampshire Department of Environmental Services

NHDES COVID-19 Program and Regulatory Updates

The New Hampshire Department of Environmental Services (NHDES) remains operational to respond to your needs, however, to reduce the possibility of disease transmission due to the COVID-19 State of Emergency, our buildings in Concord and Pease are **closed** to the public.

Instead of coming to the building, please call the program you wish to speak with or email your contact. You can also call the NHDES main number at (603) 271-3503 for assistance.

If you have documents to submit to NHDES that cannot be mailed or emailed, they can be dropped off during normal business hours (weekdays 8 AM-4 PM) in the locked drop box (materials must fit in a 3"x 12" slot) in the front of the building at 29 Hazen Drive.

People who need to drop off water samples to the DHHS lab should go to the main entrance door at NHDES on 29 Hazen Drive, Concord, NH. Under the portico there is a table and instructions to call lab staff who will come collect the sample while maintaining social distancing. Please remain at the entrance until your sample is collected.

Please note you can find program contact information and answers to many of your questions on our website at www.des.nh.gov. In particular, the A to Z list in the upper right-hand corner of our homepage can help you quickly find the topic/pages you need.

For New Hampshire-specific updates on COVID-19, visit www.nh.gov/covid19 or call 2-1-1.

Investigation into the presence of Per- and Polyfluoroalkyl Substances (PFASs) in New Hampshire

NHDES News [more news...](#)

- September 1, 2020
NH Drought Management Team (DMT) Meeting Thursday, September 3, 2020
- August 31, 2020
NHDES Releases New Hampshire Lake Trend Report
- August 28, 2020
Southern NH Regional Water Interconnection Project Critical Infrastructure Tour
- August 26, 2020
Draft Phosphorous TMDL Report For Locke Lake In Barnstead, NH
- August 26, 2020
Public Notice For The Draft Phosphorous TMDL Report For Locke Lake In Barnstead NH
- August 21, 2020
The State Urges Strict Restrictions On Outdoor Water Use As Drought Conditions Escalate In A Portion Of New Hampshire
- August 13, 2020
Drinking Water Project Ribbon Cutting Ceremony
- August 4, 2020
Announcement Of Public Input Sessions For Further Development Of Alteration Of Terrain Administrative Rules

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