



# Environmental Compliance News

*Thompson Environmental Consulting, Inc.*

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Thompson Environmental Consulting, Inc., located in West Des Moines, Iowa, is a full service environmental firm serving clients in the Midwest. We specialize in air quality, water quality and land quality issues.

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### **SECTION 1 EASTERN IOWA MINOR SOURCE EIQS DUE MAY 15TH**

Minor facilities (those facilities that are not subject to Title V regulations) located in the eastern one-third of Iowa must submit their Minor Source Emission Inventory Questionnaires by May 15<sup>th</sup>. The eastern one-third consists of those counties covered by IDNR Field Offices 1 and 6. TEC is currently developing MSEIQ’s for a number of facilities. If your facility is subject to this requirement and need assistance, please contact us.

### **SECTION 2 RFS2 INDEPENDENT ENGINEERING REVIEW UPDATE**

As mentioned in our previous newsletters, renewable fuel production facilities must obtain an independent engineering review in order to generate Renewable Identification Numbers (RINs) for their product. The review must be conducted by a Professional Engineer (P.E.) registered in the state where the facility is located and who works in the chemical engineering field. Advanced biofuels facilities (e.g. biodiesel, cellulosic ethanol) must complete and submit this review before the July 1, 2010 deadline. Other facilities (e.g. ethanol from corn starch) have an additional 6 months.

TEC is actively working on these reviews. We currently have P.E.s licensed in Iowa and Nebraska. We also expect to obtain licensing in the next few months in Minnesota, South Dakota, North Dakota, Wisconsin, Illinois, Missouri, Texas, Indiana and Tennessee.

If you have any questions or need any help with this review, please let us know.

### **SECTION 3 NEW STANDARD FOR NOX GOES INTO EFFECT**

From the IDNR Web Site – “A new National Ambient Air Quality Standard (NAAQS) for nitrogen dioxide (NO<sub>2</sub>) that is based on a 1-hour averaging time became effective April 12. The U.S. Environmental Protection Agency (EPA) issued a guidance memo April 1 regarding the applicability of Prevention of Significant Deterioration (PSD) permitting requirements to the newly promulgated revised NAAQS.

Prevention of Significant Deterioration (PSD) permits issued on or after April 12 that include significant increases in NO<sub>2</sub> emissions must contain a demonstration that the source’s allowable emissions will not cause or contribute to a violation of the new 1-hour NO<sub>2</sub> NAAQS. Since EPA has not promulgated a 1-hour NO<sub>2</sub> significant impact level, this means that any increase in allowable emissions must be modeled in conjunction with all other NO<sub>2</sub> emissions in the area to ensure that there are no modeled violations of the 1-hour NO<sub>2</sub> NAAQS.

EPA did not promulgate a grandfathering provision related to the 1-hour NO<sub>2</sub> NAAQS for PSD permit applications that are under review (in process) but not yet issued as of April 12. Accordingly, PSD permit applications submitted prior to April 12 that are still under review and that contain a significant increase in NO<sub>2</sub> emissions will have to be amended by the applicant to include the 1-hour NO<sub>2</sub> NAAQS demonstration described above, before the PSD permit can be issued.

The DNR is in the process of updating its on-line PSD permitting and modeling guidance to incorporate the new 1-hour NAAQS. Permitting guidance is available [here](#), under “PSD Guidance.” Modeling Guidance is available [here](#), under “PSD Modeling Guidance.”

The requirements specified above currently only apply to PSD projects. The DNR has up to three years from the date of EPA’s promulgation of the new standard (January 22) to submit a revised State Implementation Plan (SIP) to EPA that will detail how the Department plans to fully implement the 1-hour NO<sub>2</sub> NAAQS for all air program areas. Permitting requirements for non-PSD (minor source) projects will be reviewed and updated for 1-hour NO<sub>2</sub> as needed during the SIP development process.”

### **FOR ADDITIONAL INFORMATION – PLEASE CONTACT TEC**

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