

Enforcement under the New PSD Rules: Using Projected Actual Emissions

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Overview

- Background on Facility and Project
- Regulation, Application, and Permit
- Situation and Discussion
- NC Division Air Quality Approach

Facility Information

- Weyerhaeuser Company, New Bern, NC
- Integrated bleached Kraft pulp mill
- Bleached soft wood pulp for fluff and other applications
- Title V facility and major source under PSD

Project Information

- 2009 Recovery Furnace Upgrade Project
- Firing rate of black liquor solids (BLS)
 - Pre-project: 3.7 million pounds of BLS/day
 - Upgrade: 4.2 million pounds of BLS/day
- Black liquid gasifier shut down

Permit Application

- Applications s submitted on 12/29/08
 - PSD and non-PSD applications submitted
- Upgraded recovery furnace subject to NSPS Subpart BB
- Revised NC air toxics modeling demonstrated compliance

Regulatory Review - PSD

- PSD major facility
 - One of the 28 listed categories
 - Emissions > 100 tpy of regulated compound
- Upgrade of an existing source
- Actual to Projected Actual Test

Projected Actual Emissions

- Upgrade determined to be non-major based on projected actual emissions
- CO emission rates were vendor guaranteed
 - 150 ppm annual average
 - 1.4lb/TBLS
- CO emissions increase at 97.7 tpy

Permit

- Permit issued on 06/15/09
- Indicated upgrade “did not result in a significant emission increase”
- Contained requirements for reporting
 - “Reasonable possibility” requirement

The Problem...

- Upgrade completed in November 2009
- CO monitored installed in November 2010
- Unexpected results...
 - CO emissions > vendor guaranteed levels!!
- “Voluntary Disclosure” via letter 01/27/11

What Would You Do?

Reasons to Enforce

- Preserve integrity of PSD program
- Send message to Permittees

NC DAQ Approach

- Requested additional information
 - Submit PSD application OR
 - Justify emissions
- Issued Notice of Violation on 03/23/11
- Assessed a civil penalty on 06/15/11
 - \$2,500 in penalty plus \$559 cost
- Facility submitted permit application on 04/25/11

Areas of Improvement

- Require testing in permit!