

Miscellaneous Air Issues

SESARM Fall Air Directors Meeting
Atlanta, GA

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Landfills

- **August 29, 2016:** EPA announced final updates to its New Source Performance Standards (NSPS) and Emission Guidelines for reducing emissions from Municipal Solid Waste (MSW) landfills
- **May 2017:** EPA announced the agency is reconsidering several issues in the 2016 final rules
- **May 31, 2017:** The EPA issued a 90-day stay (until August 29, 2017) on the 2016 NSPS and EG
 - The Stay has expired and the 2016 rules are currently in effect
- The EPA still intends to complete the reconsideration process granted by the Administrator and the EPA will continue to work with states and stakeholders as we develop a path forward on these separate but related actions

<https://www.epa.gov/stationary-sources-air-pollution/municipal-solid-waste-landfills-new-source-performance-standards>



Air Curtain Incinerators (ACI)

- An ACI operates by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs
- Do they need a title V permit? **Yes.**
 - See **CISWI**, 40 CFR §§60.2242 (new/modified units) and 60.2805 (existing units) and **OSWI**, 40 CFR §§60.2974 (new/modified units) and 60.3069 (existing units)
- **One Exception:** Use of ACIs to burn debris in disaster zones as described in OSWI, 40 CFR §60.2969
 - No permit needed for use under 8 weeks, can apply for another 8 week extension, case-by-case after that
- A permitting authority may issue a single permit to the owner or operator of a **temporary ACI**, thereby authorizing emissions by the same source owner or operator at multiple temporary locations (see 70 FR 74885, 12/16/05)
 - Must notify permitting authority at least 10 days in advance of each change in location



Air Emission from Animal Waste at Farms

- On December 18, 2008, EPA exempted farms from reporting air releases of hazardous substances from animal waste:
 - Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and
 - Section 304 of the Emergency Planning and Community Right-to-Know Act (EPCRA), if the farms stable or confine fewer than a certain numbers of animals
- On April 11, 2017, the DC Circuit Court vacated this final rule
- Farms must begin reporting these releases by November 15, 2017
- EPA has developed interim guidance to help farmers comply with the reporting requirements
 - Email comments or suggestions on interim guidance by November 24, 2017, to: CERCLA103.guidance@epa.gov
 - EPA will revise this guidance, as necessary, to reflect additional information to assist farm owners and operators to meet reporting obligations

STATE	NUMBER OF CAFOs*
AL	558
FL	100
GA	828
KY	150
MS	433
NC	1,222
SC	201
TN	129

*Confined Animal Feeding Operations by State (based on NPDES data)

<https://www.epa.gov/epcra/cercla-and-epcra-reporting-requirements-air-releases-hazardous-substances-animal-waste-farms>