

NESHAP CI RICE Rules

Missouri Public Utility Alliance

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How Did We Get Here?

- Regular update of National Emissions Standards for Hazardous Air Pollutants (NESHAP)
- 2004 NESHAP Rule on Reciprocating Internal Combustion Engines (RICE)
- 2008 Rule on RICE
- Two successful suits by the Sierra Club v. EPA
 - Sierra Club v EPA 479 F.3d 875 (DC Cir 2007)
 - Sierra Club v EPA 551 F.3d 1019 (DC Cir. 2008)
 - Required rule promulgation by February 2010

NESHAP

- A class of assorted air pollutants that are not covered by the National Ambient Air Quality Standards (NAAQS) which cause fatalities or serious, irreversible or incapacitating illness.
- Emissions in this class require the maximum degree of emission reduction which is called Maximum Available Control Technology or MACT.
- Total of 190 identified compounds ranging from gasoline/benzene to carbon tetrachloride, and radionuclide's

NESHAP

- Regulated compounds under this rule
 - 1, 3 Butadiene
 - acetaldehyde
 - acrolene
 - benzene
 - ethylbenzene
 - formaldehyde
 - N-hexane
 - naphthalene
 - PAH
 - polycyclic organic matter
 - styrene
 - toluene
 - xylene
 - Metals: cadmium, chromium, lead, manganese, mercury, nickel, and selenium
- Surrogate – Carbon Monoxide (CO)

Divisions Under NESHAP

- Characteristics
 - > or < 500 breaking HP
 - Compression Ignition (CI) or Spark Ignition (SI)
 - Area Source or Major Area Source
 - Type of Installation
 - New
 - Reconstructed
 - Existing
- CAA 40 CFR Part 63 subpart ZZZZ

2004 Rule

- >500 HP
- Existing, New and Reconstructed
- Major Source

2008 Rule

- New and Reconstructed at Area Sources
- New and Reconstructed at Major Area Sources with < 500 HP
- Did not finalize rule for:
 - Existing units at Area Sources
 - Existing units < 500 HP at Major Sources

Court Suits

- Methodology to determine Maximum Achievable Control Technology was unlawful
- Invalidation of regulations related to startup, shutdown and malfunction

Current Rule

- Advance Notice of Proposed Rulemaking (ANPRM)
January 2008
- Generally: Existing Stationary CI Engines
- Specifically: Larger, older stationary diesel engines
- Includes all engines that were regulated under the 2004 and 2008 rules