From:	Guy Donaldson
To:	John Summerhays
Cc:	Alison Simcox; Andrew Steckel; Barrett Parker; Bill Harnett; Bob Schell; Dave Bray; David Orlin; Edward Messina; Gaetano LaVigna; Geoffrey Wilcox; Joel Huey; Joshua Tapp; Kathy Dolan; Larry Wallace; Marcia Spink; Maria Martinez; MarkA Smith; MatthewW Morrison; Monica Morales; Neil Bigioni; Pam Mazakas; Patrick Foley; Valerie Broadwell; Alan Shar
Subject:	Re: Ohio Opacity Provisions
Date:	01/25/2010 09:16 PM

We have had a similar inquiry from Texas regarding a desire to allow a CEMS instead of a COMs for a source that was being required by a permit to install a CEMs and because of additional scrubbing a COMs wasn't feasible. Unless the SIP is revised, the source will have to do Method 9 once per day in addition to operated the CEMS under their permit. We were supportive of a revision to the SIP but we haven't seen anything from Texas yet.

I am surprised we don't see more of this as sources are having to increase scrubbing capacity to meet tighter SOx limits.

▼ Ohio Opacity Provisions

Ohio Opacity Provisions

John Summerhays to: Bill Harnett

01/25/2010 05:19 PM

Cc: Alison Simcox, Andrew Steckel, Barrett Parker, Bob Schell, Dave Bray, David Orlin, Edward Messina, Gaetano LaVigna, Geoffrey Wilcox, Guy Donaldson, Joel Huey, Joshua Tapp, Kathy Dolan, Larry Wallace, Marcia Spink, Maria Martinez, MarkA Smith, MatthewW Morrison, Monica Morales, Pam Mazakas, Valerie Broadwell, Patrick Foley, Neil Bigioni

This note is to provide the further information about Ohio's opacity rule that you requested during our call the week before last. Here is the portion of the pertinent Ohio rule (OAC 3745-17-03) that delineates Ohio's revised opacity limits, most notably that a source is in compliance if less than 1.1% of the opacity values per quarter exceed 20% opacity (not counting exempt periods like the once per hour exemption). I am also providing the portion of the pertinent Ohio rule (OAC 3745-17-07) that provides the basic opacity limits and defines the exemptions. This alternate opacity limit applies to utilities and other large boilers that burn coal, have heat input capacities of at least 250 MMBTU/hour, and operate a COMS.
[attachment "OH Opacity.PDF" deleted by Guy Donaldson/R6/USEPA/US] [attachment "OH Opacity - 07.PDF" deleted by Guy Donaldson/R6/USEPA/US]

You commented on a declining number of sources being subject to general opacity limits. I do not see a significant trend of that sort. There may be a trend toward fewer sources, associated with our economy becoming less of a manufacturing economy, and there is a gradual replacement of old sources with sources subject to NSPS limits. On the other hand, the number of existing sources subject to alternate opacity limits is if anything declining, because control technology and the ability to monitor for problems is improving, so sources that used to be able to qualify for alternate opacity limits can no longer demonstrate inability to meet opacity limits while minimizing opacity. Whatever the general trends, a large number of existing sources remain subject to general opacity limits.

You asked about opacity revisions in Indiana, in particular at Alcoa's Warrick County boiler. On December 28, 2009 (74 FR 68541), we published direct final approval of a request from Indiana under which Alcoa would operate a PM continuous emission monitor and not a continuous opacity monitor. The facility has installed a scrubber, creating mist which was judged to render the post-scrubber COM results meaningless. We observe that the opacity limits remain in place, there is no relaxation in either the opacity or the mass limits, and we judge that compliance with mass emission limits at this facility as determined by PM CEM monitoring should provide for compliance with opacity limits.

It is of interest to compare our Alcoa action to the action on the NSPS at 40 CFR 60 Da. This NSPS sets opacity limits but, for facilities that properly operate a PM CEM, not only states that a COM need not be operated but further states that the opacity limits do not apply. I understand there was agreement within EPA to promulgate a rule that would allow facilities with PM CEMs not to operate COMs but nevertheless would retain opacity limits as applicable limits (presumably to be tested occasionally through Method 9 readings); I don't know if any plans are underway for correcting Subpart Da. In any case, our Alcoa action, unlike Subpart Da, retains the opacity limit as an applicable limit.

(The following is my previous note)

I have a minor correction to your note. Ohio submitted rules that, like Alabama's rules, would allow patterns of opacity that would constitute violations of current SIP opacity rules. Although Indiana inquired long ago about making similar rule revisions, and they could be expected to make such rule revisions if EPA were approving them, they currently have no action underway to adopt such a rule revision.

It may be of interest to the group to compare the Ohio rule to the Alabama rule. If one pretends that a utility can operate exactly at allowable opacity levels (e.g., under the old rule, exceeding 20% opacity exactly once each and every hour), one can argue that

cumulative opacity levels in this imaginary scenario under the new Alabama rule are the same as in this imaginary scenario under the old Alabama rule. One cannot make this same argument for the Ohio rules. On the other hand, we should also look at the actual emissions that the rules allow--recognizing that utilities don't change control efficiency every 6 minutes, and so a rule that allows only one 6-minute period per hour to exceed 20% opacity in practice requires most hours to have no 6-minute periods above 20% opacity. From this perspective, the Alabama rule may be more of a SIP relaxation than Ohio's rule, because Alabama allows excess opacity 2% of the time as compared to Ohio's 1.1%. On the other hand, Alabama's rule limits each day's excess opacity to 2.4 hours, a limitation not present in Ohio's rule.

Region 5 proposed to disapprove this Ohio rule on June 27, 2005, at 70 FR 36901. We got comments for and against this proposal. Since then, we have been awaiting results of national EPA deliberations on this policy.

▼ Bill Harnett---01/11/2010 05:54:26 AM---[attachment "Dear Opacity Work Group.doc" deleted by John Summerhays/R5/USEPA/US] [attachment "Section 110 and 193.doc" deleted

From: Bill Harnett/RTP/USEPA/US

To: Dave Bray/R10/USEPA/US@EPA, David Orlin/DC/USEPA/US@EPA, Geoffrey Wilcox/DC/USEPA/US@EPA, Pam Mazakas/DC/USEPA/US@EPA, Edward Messina/DC/USEPA/US@EPA, MatthewW Morrison/DC/USEPA/US@EPA, Maria Martinez/R6/USEPA/US@EPA, Guy Donaldson/R6/USEPA/US@EPA, Marcia Spink/R3/USEPA/US@EPA, Joel Huey/R4/USEPA/US@EPA, Alison Simcox/R1/USEPA/US@EPA, Gaetano LaVigna/R2/USEPA/US@EPA, John Summerhays/R5/USEPA/US@EPA, Joshua Tapp/R7/USEPA/US@EPA, MarkA Smith/R7/USEPA/US@EPA, Monica Morales/R8/USEPA/US@EPA, Kathy Dolan/R8/USEPA/US@EPA, Andrew Steckel/R9/USEPA/US@EPA, Barrett Parker/RTP/USEPA/US@EPA, Bob Schell/RTP/USEPA/US@EPA, Valerie Broadwell/RTP/USEPA/US@EPA, Larry Wallace/RTP/USEPA/US@EPA

Date: 01/11/2010 05:54 AM

Subject: Material for Wednesday Meeting

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