Reclassification of Major Sources as Area Sources Under CAA Section 112 – Proposal Overview

- January 25, 2018: Guidance memorandum, "Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act"
  - Superseded 1995 Seitz memo, and withdrew the "once in, always in" (OIAI) policy, which required major sources to limit potential to emit to below the major source thresholds by the first substantive compliance date to be treated as an area source
- June 25, 2019: Proposed rule, "Reclassification of Major Sources as Area Sources under Section 112 of Clean Air Act" (MM2A Proposal)
  - Signed on June 25, 2019
  - Proposes new regulatory text allowing major source to reclassify to area source status at any time by limiting PTE HAP emissions to below major source thresholds; 40 CFR 63.1(c)(6)
  - Requests comment on agency's plain language reading of CAA, its consistency with the clear language and structure of the CAA, and whether safeguards may be appropriate to protect against emissions increases
  - Awaiting publication in Federal Register; 60-day comment period after publication
  - Public hearing in Washington, DC tentatively scheduled for mid-August
  - Rule summary and history online at: https://www.epa.gov/stationary-sources-air-pollution/reclassification-major-sources-area-sources-under-section-112-clean