

**PRESENTATION OUTLINE**

- I. Introductions & Agenda**
- II. Background – How Did We Get Here?**
- III. Foundational Concepts**
  - A. Regulating Condensable PM Emissions
  - B. Regulating GHGs
  - C. Methodologies for Measuring Emissions Increases/Decreases (Regs. **2-2-603** & **2-2-604**)
  - D. Regulating Fugitive Emissions
- IV. NSR Applicability – New and Modified Sources**
  - A. Overview
  - B. “New” Sources (Reg. 2-1-232)
  - C. “Modified” Sources (Reg. 2-1-234)
    1. Overview
    2. **District’s Historical PTE Increase Test** (Reg. **2-1-234.1**)
    3. New “**Federal Backstop**” Test (Reg. **2-1-234.2**)
      - a. *Overview of 3-Part Federal “Major Modification” Test*
      - b. *Major Facility*
      - c. *Significant Emissions Increase (NSR Reform Actual-to-Projected Actual Increase)*
      - d. *Significant **Net** Emissions Increase*
    4. Summary of New NSR “Modification” Test Under Reg. 2-1-234
  - D. “Altered” Sources Not Subject to NSR (Reg. 2-1-233)
- V. Best Available Control Technology (BACT) – Reg. 2-2-301**
- VI. Emissions Offsets – Regs. 2-2-302 and 2-2-303**
  - A. Conceptual Overview
  - B. Applicability
  - C. Offsets Calculations (Regs. **2-2-605 through 2-2-609**)
  - D. Mechanics of Applying the Offsets Requirements

## **VII. Prevention of Significant Deterioration (PSD)**

- A. Overview – Regs. 2-2-304 through 2-2-307
- B. PSD Applicability
  - 1. **“PSD Pollutant”** (Reg. 2-2-223)
  - 2. **“PSD Project”** (Reg. 2-2-224)
    - a. *Overview of 3-Part “PSD Project” Test*
    - b. *Major Facility*
    - c. *Significant Emissions Increase*
    - d. *Significant **Net** Emissions Increase*
- C. Substantive PSD Requirements
  - 1. Overview
  - 2. **PSD BACT** (Reg. 2-2-304)
  - 3. **PSD Source Impact Analysis** (Reg. 2-2-305)
    - a. *Overview*
    - b. *Pre-Application Analysis (Background Air Quality Data)*
    - c. *Preliminary Analysis (Single-Source Modeling Analysis)*
    - d. *Full Impact Analysis (Multi-Source Modeling Analysis)*
    - e. *Closing thoughts on Sierra Club v. EPA*
  - 4. **PSD Additional Impacts Analysis** (Reg. 2-2-306)

## **VIII. Additional Substantive NSR Requirements**

- A. **Class I Area Protection** (Regs. 2-2-307 *et al.*)
- B. **NAAQS Protection Requirement** (Reg. 2-2-308)
- C. Compliance Certification Requirement (Reg. 2-2-309)
- D. P/O Denial for Failure to Comply w/ Permit Conditions (Reg. 2-2-310)

## **IX. Miscellaneous Amendments**

- A. Revised Notice & Comment Provisions
- B. Accelerated Permitting Program & Temporary Permits
- C. Provisions for “Portable” Sources
- D. Amendments to Exemption Provisions
- E. Application Procedures
- F. Clarification of Legal Principles
- G. Reorganization of Regulatory Provisions
- H. Reg. 2-4 Revisions (Emissions Banking)
- I. Reg. 2-6 Revisions (Title V Major Facility Review)

## **X. Closing Thoughts & Questions**