



# **Ask the Inspector Workshop Clean Air Act Presentation**

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# Clean Air Act Presentation

- An inspector's approach to CAA inspections with insights on common problems and solutions.
- Not meant to be a treatise on the CAA.
- Will briefly touch on parts of the CAA and recent Title VI regulatory changes.
- Answer questions after the presentation.

# Clean Air Act

- Numerous federal regulations and standards
- Additional state regulations and conditions
- Numerous processes and emissions sources that are regulated
- A lot of recordkeeping, self-monitoring, and reporting.

# Basic Keys for Clean Air Act Compliance

- There are numerous federal and state requirements that result in long comprehensive permits: **READ AND COMPLY WITH ALL CONDITIONS IN THE PERMITS AND ENSURE YOU CAN COMPLY WITH DRAFT PERMITS BEFORE THEY ARE FINALIZED.**
- However, not all regulatory requirements will be in the permits, particularly if new regulations have been promulgated since the permits were issued: **CHECK FOR APPLICABILITY OF ALL FEDERAL REGULATIONS EVEN IF NOT IN YOUR PERMITS.**

## Some Specific Items I Look at During a CAA Inspection

- Verify the regulatory agency has been notified of all current air emissions sources at the facility.
- Tour the facility looking for any visible emissions.
- Identify and evaluate problematic operations and emissions sources.
- Review past deviations identified by the facility and inspectors and evaluate current compliance status.
- Identify systemic issues causing noncompliance.
- Review total emissions of pollutants and identify trends.

# Common Air Program Deficiencies

- CAA recordkeeping deficiencies
- Unpermitted air emissions
- CAA reporting deficiencies
- CAA Permit application deficiencies
- CAA Permit exceedances
- ODS recordkeeping and notification deficiencies.

# CAA Title VI Stratospheric Ozone Protection

- Typically appropriate records are not kept and leak calculations are not performed.
- Compliance requires working closely with AC and refrigeration units maintenance staff and contractors.
- Important to educate applicable personnel on requirements and procedures.
- Conduct adequate regular oversight to verify compliance.
- Often overlooked because most state inspectors do not evaluate for compliance!

# New CAA Title VI

## Regulatory Requirements

- Final Rule promulgated on 11/18/16 with final compliance dates on 1/1/18 and 1/1/19.
- Numerous new requirements for refrigerant management for servicing AC and refrigeration units.
- Extends refrigerant management requirements to common substitutes.
- On 9/18/18, EPA proposed rescinding the extension of the requirements to common substitutes, but only proposed.
- EPA has very good information on these regulatory requirements on its website.



# Causes of Deficiencies

- Lack of awareness of all permit and regulatory requirements.
- Lack of procedures or the procedures are not followed for permitting new emissions sources.
- Human error and lack of accountability by facility personnel.
- Changeover of personnel without an overlapping transition period.
- Relying on state inspectors' evaluations as full compliance determinations.
- Failure to conduct proper operation and maintenance.
- Lack of regular oversight and personal contacts by environmental staff.

# Recommendations

- ✓ Ensure the accuracy of your permit application.
- ✓ Evaluate all emissions sources for regulatory applicability and compliance.
- ✓ Make sure regulatory agency is notified of all new and future emissions sources.
- ✓ Review the entire permit and ensure there are procedures and personnel to maintain compliance with all conditions.

# Recommendations

- ✓ Be the on-site “CAA Inspector” for your facility.
- ✓ Conduct oversight of all required recordkeeping and reporting.
- ✓ Conduct annual comprehensive audits to verify compliance.
- ✓ Ensure all deviations are identified and reported.



# Questions? Comments?

Questions on CAA regulatory interpretations and enforcement policy should be directed to your state regulatory agency or EPA Region.

Comments on future topics to cover or suggestions for improvements.