



Clean Air Act Advisory Committee

February 22, 2022



Introductions
(Name and affiliation)

Regulatory Reform

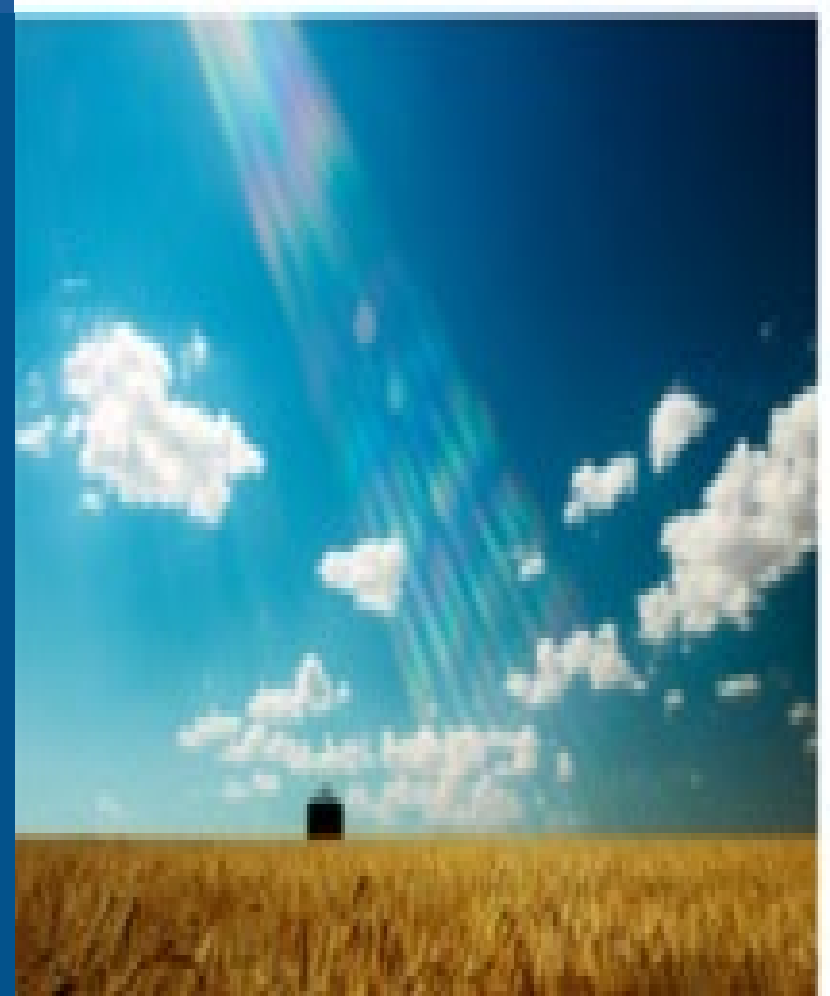
Oil and Gas Update

Regional Haze

Regulatory Reform

February 2022

Mission: *To champion a healthy environment for a thriving Montana.*





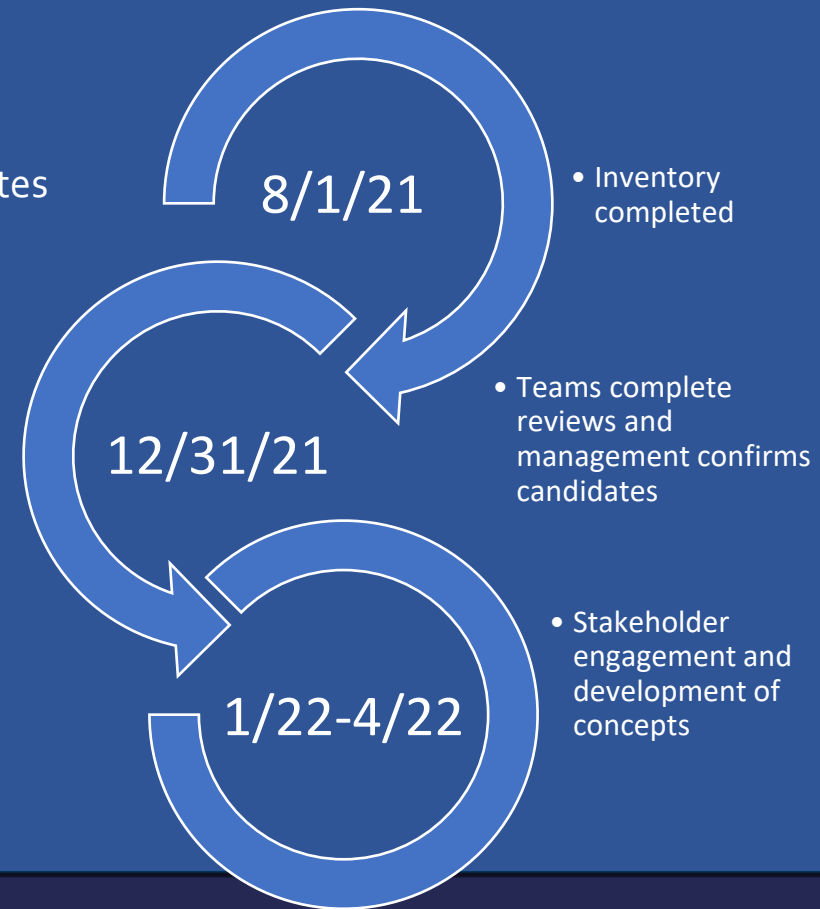
Regulatory Reform Initiative

Reason for Action

- Governor Gianforte signed Executive Order No. 1-2021 creating the **Red Tape Relief Advisory Council** to implement state agency regulatory reform.
- Identify regulations that are considered: excessive, outdated, and/or unnecessary; specifically, those regulations affecting farmers, ranchers and business owners.
- Periodic review of our regulatory ensures our work is effective, efficient, and easily understood.
- Reviewed/Reviewing our regulations to reduce regulatory burdens where possible, while continuing to protect public health and the environment.

Our Agency Approach

- A comprehensive look at all regulations, from statutes to rules, orders, and policies.
 - Direct and Indirect: 1,080 statutes
 - Direct and Indirect: 1,622 rules
 - 115 Air, Energy, and Mining
- Apply Reform Criteria and Identify Candidates
- Outreach from DEQ and stakeholder engagement



AQB Priorities: Statutes

Clarify the definition of an incinerator

75-2-103-12(a) and (b), MCA

(12) (a) "Incinerator" means any single- or multiple-chambered combustion device that burns combustible material, alone or with a supplemental fuel or with catalytic combustion assistance, primarily for the purpose of removal, destruction, disposal, or volume reduction of any portion of the input material.

(b) Incinerator does not include:

- (i) safety flares used to combust or dispose of hazardous or toxic gases at industrial facilities, such as refineries, gas sweetening plants, oil and gas wells, sulfur recovery plants, or elemental phosphorus plants;
- (ii) space heaters that burn used oil;
- (iii) wood-fired boilers; or
- (iv) wood waste burners, such as tepee, wigwam, truncated cone, or silo burners.

Background

- Stakeholders requested clarification of statute that defines an incinerator, requires all incinerators to obtain an air quality permit, and requires the owner or operator to conduct a health risk.

Evaluation

- Primarily applies to the permitting of human and animal crematoriums. Additionally, these requirements apply to thermal oxidizers and regenerative thermal oxidizers which are used to control emissions.

Reform Proposal

- Change the statute to remove the requirements that a health risk assessment be conducted for crematoriums and exempt control equipment from the definition of an incinerator.

AQB Priorities: Rules

- Human Crematory and Animal Crematory Permit by Rule/Registration Program
53 in 2021
- Grain Elevator Permit by Rule/Registration Program
19 in 2021
- Natural Gas Compressor Stations Permit by Rule/Regulation Program
83 in 2021
- New Subchapters developed in ARM

Background

- Identified by a stake holder group for a permit by rule/registration program. Currently, these permits have consistent conditions and reporting requirements.

Evaluation

- Better served with registration. Emissions from this source categories are generally minimal. Streamlined process that continues to protect clean air.

Reform Proposal

- Establish a permit by rule/registration program for the source category.

Next Steps

- **Communication is key for effective change**
 - Next steps for stakeholder engagement
 - CAAAC, other forums
- **Processes will be transparent and inclusive of stakeholders**
 - We welcome collaboration throughout the process
 - We will keep you in the loop through regular communication – meetings, emails, newsletters, website
- **This is an opportunity to improve**
 - We want to improve not only our regulations, but our processes, communication, and customer service
 - Long-term positive change will not happen immediately



Regulatory Reform



Contacts:

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REGISTERED OIL AND GAS FACILITIES

DEQ's Air Quality Bureau regulates
1,179 registered oil and gas well
facilities - owned and operated by 49
companies

Several thin, parallel white lines of varying lengths and angles are positioned in the bottom right corner of the slide, creating a modern, abstract graphic element.

To better serve these stakeholders, the Field Services Section has committed to reinvigorating the registered oil and gas program

Strategic planning

- Inspection selection process reevaluated
- 2022 Inspection plan created winter 2021-2022
- Individual work plans for staff

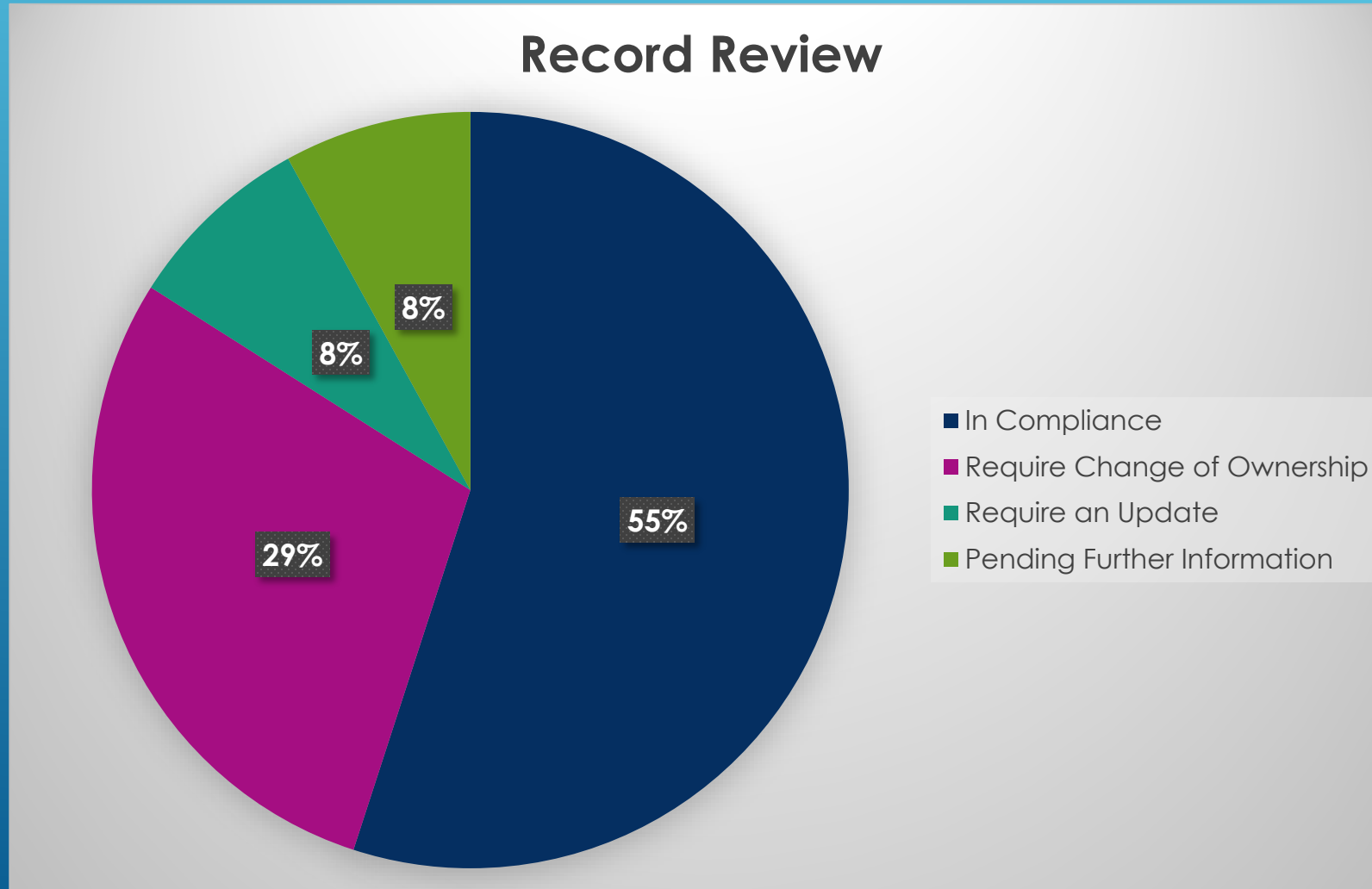
Increased staffing

- Justin Koehler has joined the team
- Currently recruiting additional staff
- Total FSS staffing will be 7 inspectors with 5 located in Billings

Reaffirming processes

Off site record review project winter of 2021-2022

Data requests were sent to company contacts for 100 registered oil and gas well sites



January 2022, the Field Services Section sent an outreach letter to all registered oil and gas well companies in Montana.

FAQs

- Emissions inventory/records retention requirements
- Records submittal
- Notification requirements
- Inspection process
- Resources
- Introduction to Field Services staff and direct contact for compliance assistance

★ 180 site ownership updates have been received post outreach letter

★ 2 new site registrations have been processed post outreach letter

2022 Field Season

Current inspection goal is **200** in person registered oil and gas well site inspections

Approximate 5-year inspection cycle for all sites

Regulatory Reform

Updates have been proposed to Administrative Rules of Montana, Chapter 17, Title 8, Subchapter 16 and 17.

- ➔ Clarify and update requirements to better coincide with updates to external regulatory documents.

QUESTIONS?

Jamin Grantham

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Regional Haze Update



FEBRUARY 3, 2022



STATE OF MONTANA REGIONAL
HAZE IMPLEMENTATION PLAN
SECOND PLANNING PERIOD

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY BUREAU

Summary of Plan

Where are we now?

What's next?

What is in the plan, again?

- Progress to date
- Visibility analysis
- Emissions Inventory
- Emissions Control Analysis (4-Factor)
- Long-Term Strategy for Second Planning Period
- Determination of Reasonable Progress



Proposed Strategy

The current rate of visibility improvement projected by the end of the planning period is reasonable for making progress toward the 2064 end visibility goal.

Montana is not requiring additional controls during this planning period.





Press Release

DEQ seeks comment on Montana's Regional Haze State
Implementation Plan for the 2nd Planning Period

Public Comment Period lasts until March 21, 2022

<https://deq.mt.gov/public/publiccomment>

Public Hearing will be held

March 18, 2022 from 1:30 -3:00

Room 40 of the Montana DEQ – Lee Metcalf Building

1520 E. 6th Avenue, Helena, MT

<https://deq.mt.gov/public/publicmeetings>



Timeline



April:

- Summarize and respond to comments received. Route to Governor's office for signature.

May:

- Submit to EPA.

After May:

- EPA has **6 months** from submittal to perform a SIP completeness determination.
- EPA has **12 months** to act on our SIP.

Total = 18 months.

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Thank You and Stay Warm!

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