

Compliance & Enforcement

Richard Swartz

Air Pollution Control Program

Chief of Compliance & Enforcement Section

REGFORM Missouri Air Compliance Seminar

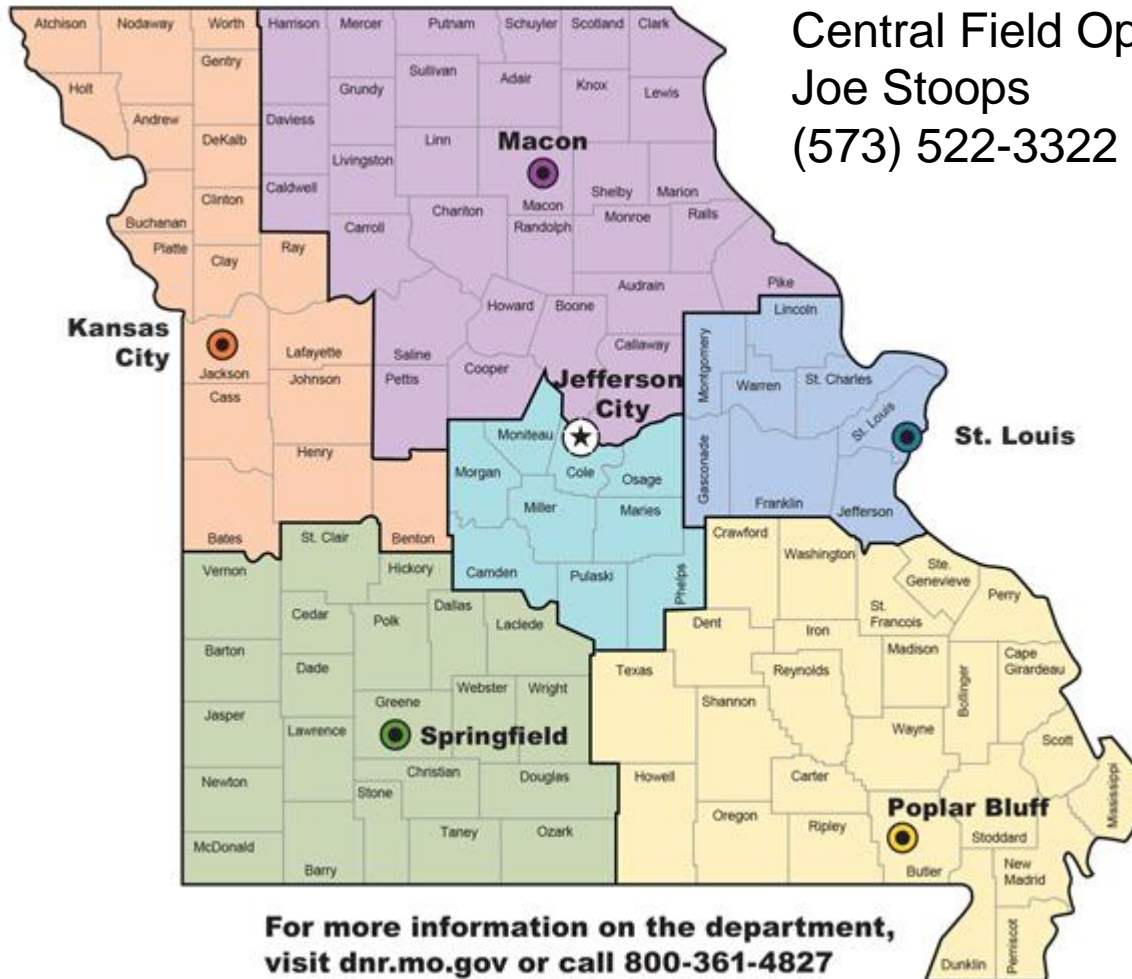
November 4, 2020, Columbia, MO

Overview of Presentation

- Regional Office Boundaries
- Common Compliance Issues
- What Issues Require Referral to Program
- Resolution of Compliance Issues
- COVID-19 Regulatory Relief
- Stack Test Oversight
- Compliance Assistance



Regional Office Boundaries



Central Field Operations
Joe Stoops
(573) 522-3322

Kansas City Regional Office
Michael Cunningham
(816) 251-0700

Northeast Regional Office
Steve Boone
(660) 385-8000

Southeast Regional Office
Todd Raney
(573) 840-9750

Southwest Regional Office
Tanya Turner
(417) 891-4300

St. Louis Regional Office
Tom Sims
(314) 416-2960

For more information on the department,
visit dnr.mo.gov or call 800-361-4827

Local Agencies

- Kansas City Dept. of Health
Air Quality Program
Stacie Duitsman
2400 Troost Ave., Suite 3200
Kansas City, MO 64108
(816) 513-6314
- St. Louis County Dept. of Public Health
Air Pollution Control Program
Jeremy Rogus
6121 N. Hanley Rd.
Berkeley, MO 63134
(314) 615-8924
- City of Springfield
Dept. of Environmental Services
Doug Durrington
840 Boonville Avenue
Springfield, MO 65802
(417) 864-1905
- City of St. Louis
Dept. of Health
Jeanine Arrighi
1520 Market
St. Louis, MO 63103
(314) 612-5100

Compliance Inspections

- Conducted over 750 inspections of regulated facilities in FFY 2020
- Affects of COVID-19
- <5% of inspections resulted in referral to the Air Program
- Resolution through compliance assistance
- Documentation is required
- Federally reportable violations

Common Issues Noted During Inspections

- Failure to meet permit conditions
 - Exceeding throughput limits
 - Failure to conduct appropriate monitoring
 - Failure to keep records or submit reports
- Failure to obtain a permit
- Stack Testing
- Asbestos NESHAP, Subpart M

Compliance Report Review

- Air Program staff review the reports
- Received 2,187 in year 2019
 - Annual Compliance Certifications/Semi-Annual Monitoring Reports– 917
 - MACT & NSPS – 631
- Resolution through compliance assistance
- aircompliancereporting@dnr.mo.gov

COMPLIANCE ISSUE (1 of 3)

MACT 4W Records

- EPA calculations showed 3 products exceeded HAP emissions
- Hunter Green Low VOC Gel Coat: 33% vs 45%
- Air Staff Reviewed SDS
 - Section 15 actual HAP (28% Styrene + 5% Methyl Methacrylate = 33%)
 - Section 3 HAP range (upper limit for Styrene 40% + 5% for Methyl Methacrylate = 45%)
- Use of correct data showed compliance

COMPLIANCE ISSUE (2 of 3)

MACT 4W Records

EPA review of semi-annual report showed

- Failure to include all materials in HAP emission rate calculations
- Calculated HAP emission rate was not accurate
- Potential exceedance of HAP emissions for months

Air Program review of semi-annual report showed

- Noted discrepancies between SDS information & facility spreadsheet entries
- Notified Facility of updated HAP% in SDS
- Facility updated spreadsheets which showed compliance with MACT limits

COMPLIANCE ISSUE (3 of 3)

Rolling 12 month record keeping

- Incorrect emission factor, failed to use most recent stack test information
- Averaging calendar year instead of rolling 12 month
- Monthly total input was an average of 12 months (each month was same number)

Takeaway

- Product SDS are updated – HAP% often changes Facilities need to check and update their spreadsheets
- Ensure to accurately apply “12 month rolling total”
- Evaluate and use the proper emission factor

Issues that may be resolved through compliance assistance

- Recordkeeping not current (within 5 days)
- Recordkeeping unavailable during the inspection but provided upon request within one week
- Minimal dust
- Some self reported compliance issues

Issues that typically result in referral to Air Program

- Substantial exceedance(s) of an emission limit
- Intentional or criminal acts
- Significant threat to public health or the environment
- Failure to operate or maintain CEMS
- Denial of access

Resolution – what’s necessary?

- Communication!!
- Compliance plan
 - In writing
 - Corrective actions
 - Hard deadlines
- Documentation corrective actions are complete and effective

Regulatory Relief

- <https://dnr.mo.gov/regulatory-relief.htm>
- Executive Orders 20-04, 20-09, & 20-12
 - Reid Vapor Pressure
 - Asbestos Occupational Certifications

Oversight of Stack Tests

Testing & Emissions Unit:

- Receives and reviews test protocols
- Observes emission tests
- Reviews test report
 - Received 454 test reports in 2019
- CEMS audits

stacktesting@dnr.mo.gov

Oversight of Stack Tests

- Goals:
 - Successful test
 - Useable data
 - Passing results
- Key Factors:
 - Why are you testing? What’s the “driver”?
 - Test methodology
 - Operating scenario(s)
 - Establishment of operating parameter limits

Requests for Compliance Assistance Visits

The Missouri Department of Natural Resources wants to help businesses, communities and industrial facilities better understand environmental regulations — and avoid associated violations. Regulated entities may request compliance assistance visits by completing the form, below, or by contacting one of the department's **regional offices**.

A compliance assistance visit would benefit a new facility as well as a facility facing changes in permits or regulatory requirements. In addition, when facilities undergo a change in status or management, a compliance assistance visit can help smooth the transition.

What occurs during a visit?

The itinerary of a visit depends on the request. In general, a department representative will meet with staff at the facility and do some or all of the following:

- * Explain regulatory requirements and provide updates, as applicable.
- * Help a regulated entity achieve and maintain compliance with permitting requirements.
- * Answer questions about permits, offer suggestions and discuss issues that arise during the meeting.
- * Serve as an ongoing resource. After an in-person visit, the department representative can continue to provide assistance via email, telephone or another in-person visit.

Please note that the department does not intend compliance assistance visits to serve as comprehensive inspections or to result in final determinations of compliance or noncompliance. However, if the department representative observes problems with compliance, the representative will provide recommendations on handling the issues and ask the facility to address the situation. If the representative sees a violation that poses imminent harm to human health or the environment, the representative will notify the facility of the serious violation, and the department will perform a compliance inspection.

MoDNR – Compliance Visit Request

Form to request a compliance visit by MoDNR Staff

Contact Name *

First Last

- Air Information
- Broadcast Email Lists
- Commissions and Boards
- Commission Meetings and Events
- Contact Us
- Grants and Loans
- Land and Geology Information
- News and Multimedia
- Organizational Chart
- Public Meetings and Notices
- Report an Environmental Concern
- Rules in Development
- Site Directory
- Waste and Recycling
- Water Information

Contact Information

Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102
800-361-4827
573-751-3443
Contact Us

Report an Environmental Concern

Small Business Assistance – Air Program

dnr.mo.gov/env/apcp/smbus.htm

Bob Randolph

Air Pollution Control Program

P.O. Box 176

Jefferson City, MO 65102

(573) 751-4817 (APCP)

(800) 361-4827 (DNR)

(573) 751-2706 (Fax)

Convenient Email Addresses

- aircompliancereporting@dnr.mo.gov
- stacktesting@dnr.mo.gov
- asbestosnotifications@dnr.mo.gov

Air Pollution Control Program Contacts

- Chris Wood – General Permitted Facilities
 - chris.wood@dnr.mo.gov
- Josh Vander Veen – Stack Testing
 - Josh.vanderveen@dnr.mo.gov
- Stan Payne – Asbestos
 - Stan.payne@dnr.mo.gov

Questions?

MoDNR

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Jefferson City, MO 65102-0176

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