



SIXTEENTH ANNUAL

2023 MISSOURI AIR COMPLIANCE SEMINAR

Missouri's Most Important Air Compliance Event of the Year

November 8, 2023

at Stoney Creek Hotel and Conference Center, Columbia, MO

Presented by



Sponsors



SpencerFane



Program Schedule

DEANDRE SINGLETARY, Acting Director, Air and Radiation Division, EPA Region 7

Wednesday, November 8, 2023

7:50 a.m. Coffee and Pastries - Lobby

8:30 a.m. Welcome – Salon A/B
ROGER WALKER, Executive Director, REGFORM

8:40 a.m. The Year in Review
A rapid-fire session with air experts designed to identify key issues that should be on the radar screen of our attendees. Sometimes obvious. Sometimes hidden gems. Minimal detail as most of these topics will be fleshed out in other sessions. This panel will identify the most important issues, developments, news, policy considerations, and other developments since the last Air Seminar.
STEPHEN HALL, MDNR, APCP Director
MICHAEL HUTCHESON, Ameren
JOSEPH STOLLE, Ramboll
ANDREW BROUGHT, Spencer Fane
ROGER WALKER, REGFORM (Moderator)

9:30 a.m. Air Pollution Control Program Update
Join us for a high-level, informative review of key issues and challenges for the APCP. Topics will include: APCP administrative developments; St. Louis ozone nonattainment; the horrible, terrible ozone season (and the hope of an “exceptional events” solution); the need for more fees; update on permit transparency and stakeholder engagement; the almost final PM2.5 proposed new standard; a “reboot” of the Ozone standard analysis; the Good Neighbor Rule; Climate Pollution Reduction Grants (CPRG); and other key issues. Staff will take your questions.
STEPHEN HALL, APCP Director
MARK LEATH, MDNR, Chief, Planning Section
JOSH VANDER VEEN, Chief, Air Quality Analysis Section, APCP

10:15 a.m. Break

10:30 a.m. Missouri’s Toxics Program – Understanding Risk Levels – A Necessary Evil in Today’s Evolving World of Health Based Risk Assessments
In this session, we peel back the layers of Missouri’s Toxics program. Starting with the history and background of the program, the discussion will shed light on the foundations of MDNR’s air toxics standards. In short, we ask: What are risk levels? How does Missouri determine these, and who in the state does so? And what happens when a facility struggles to meet these risk levels?
JOSH GARLOCK, Trinity Consultants

11:10 a.m. US EPA Region 7 Update
An EPA perspective on regulatory and policy changes that impact regulated facilities and the Air Pollution Control Program (APCP).

11:55 p.m. Lunch – Lobby and Salon C

AFTERNOON SESSIONS

12:40 p.m. Air Pollution Control Program Update (continued)
The APCP download continues. Topics include: Proposed EPA changes to “Once In, Always In;” How to work with your permit writer; and, when (and how) to elevate permit issues. MDNR will also give us a look behind the enforcement numbers, common compliance issues, an analysis of resolution process, and what Missouri impacts we should expect from EPA’s recently revised National Enforcement and Compliance Initiatives. Staff will take your questions.
KENDALL HALE, Chief, Permit Section, APCP
RICHARD SWARTZ, Chief, Compliance & Enforcement Section, APCP

1:15 p.m. Making Sense of Recent Case Law and the Impact on Air Policy and EHS Management
Recent SCOTUS and lower court decisions have upended long-held legal standards. This session will focus on the impact of recent case law on State and Federal agencies and the impact that EHS managers and staff may see. Those who work in EHS. Key issues: Will Chevron-deference survive and if not, what would replace it? What impact is the Major Questions Doctrine having on policy decisions? What is the latest on Environmental Justice and Title VI? How are legal delays in major issues impacting State policies?
RICHARD GROENEMAN, Assistant Attorney General, Missouri
SEGOLENE RENAZE, Legal Counsel, MDNR
SARAH STRUBY, Stinson

1:50 p.m. Break

2:10 p.m. Recent Changes to RMP and PSM -- What You Need to Know
Paul Jacobson will discuss recent and upcoming developments to EPA and OSHA regulations governing the management of highly hazardous chemicals -- specifically EPA’s Risk Management Plan program and OSHA’s Process Safety Management program. He will also discuss how regulated facilities should adapt to recent changes and plan for more changes on the horizon.
PAUL JACOBSON, Spencer Fane LLP

2:45 p.m. The Emergence of Air Toxics as a Key Enforcement/Compliance Issue
Air toxics has always been high on EPA and MDNR’s list of compliance concerns, but recent proposed changes to the Air Emissions Reporting Requirements (AERR), “Once In, Always In,” PFAFs air emissions, and EPA’s revised effort to enforce Air Toxics on the list of “National Enforcement and Compliance Initiatives” (NECI) for overburdened communities has raised the profile of air

toxics and put thousands more sources on the radar screen: from portable asphalt plants and small manufacturing to chemical facilities and power plants. JOSH VANDER VEEN, Chief, Air Quality Analysis Section, APCPMDNR
PHILIP MASINI, Trinity Consultants
ANDREW BROUGHT, Spencer Fane (Speaker & Moderator)

have added complexities and nuances to an already challenging event. This session will address these issues as well as a reinvigorated EPA enforcement effort. KRISTEN ELLIS JOHNSON, Stinson

4:15 p.m. Adjourn

3:30 p.m. New Issues and Old Challenges for Handling Environmental Inspections

Game-changing technologies, new communication protocols, enhanced citizen engagement, new monitoring tools, environmental justice as an EPA enforcement initiative, a return to unannounced inspections, and a disruption in cooperative federalism

Thank you, MDNR for your assistance and participation



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www.REGFORM.org/23AirSeminar

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This refund policy applies to all registration rates. No-shows will be charged full registration fee.

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Fees increase by \$60 on OCTOBER 26, 2023 for all registrations. We will apply to the Missouri Bar for CLE hours.