

# Air Quality Advisory Committee

May 22, 2024



# AGENDA

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- 9:30 – 10:00      Welcome and MassDEP Updates  
*Joanne Morin (DEP)*  
*Glenn Keith (DEP)*
- 10:00 – 10:15      EPA Region 1 Update  
*Alison Simcox (US EPA Region I)*
- 10:15 – 11:00      Discussion of Title V Operating Permit Fees Increase  
*Joanne Morin (DEP)*
- 11:00 – 11:30      Draft 2024 Air Monitoring Network Plan  
*Sean Dunn (DEP)*
- 11:30 – 12:00      Updating the AAL/TEL List  
*Sandy Baird (DEP)*
- 12:00                  Adjourn



# MassDEP Update

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- Cumulative Impact Analysis Regulations
- Air Dispersion Modeling Guidance and Met data
- Air Sensor Grants
- Electronic submissions
- Ozone Season

# Ozone Season

- ▶ Ozone Season is March 1 through September 30
- ▶ 18 ozone monitors in MA monitoring network
- ▶ Air Quality Forecasts and real-time data are on MassDEP's MassAir and EPA's AirNow websites
- ▶ Air Quality Forecasts updated every morning on the MassDEP Air Quality Hotline

# Air Monitoring in Massachusetts

Get daily air quality updates and forecasts. Learn about our statewide air monitoring network. Find air quality data and learn about long-term trends.



## Notices & Alerts

[Hide](#)

 **[Air quality advisory for ozone for much of West-central, Central, Eastern, and Northeastern areas of Mass – May 22, 2024.](#)**

[Learn more](#) → | *Updated May. 22, 2024, 07:00 am*

We measure outdoor air quality at more than 20 monitoring stations across the state. We forecast for ozone (smog) from April to October each day. We forecast for fine particle pollution all year. We also issue open burning advisories from January to May. Use this site or call 1-800-882-1497 to learn about the air quality in your

# Air Quality Index (AQI)

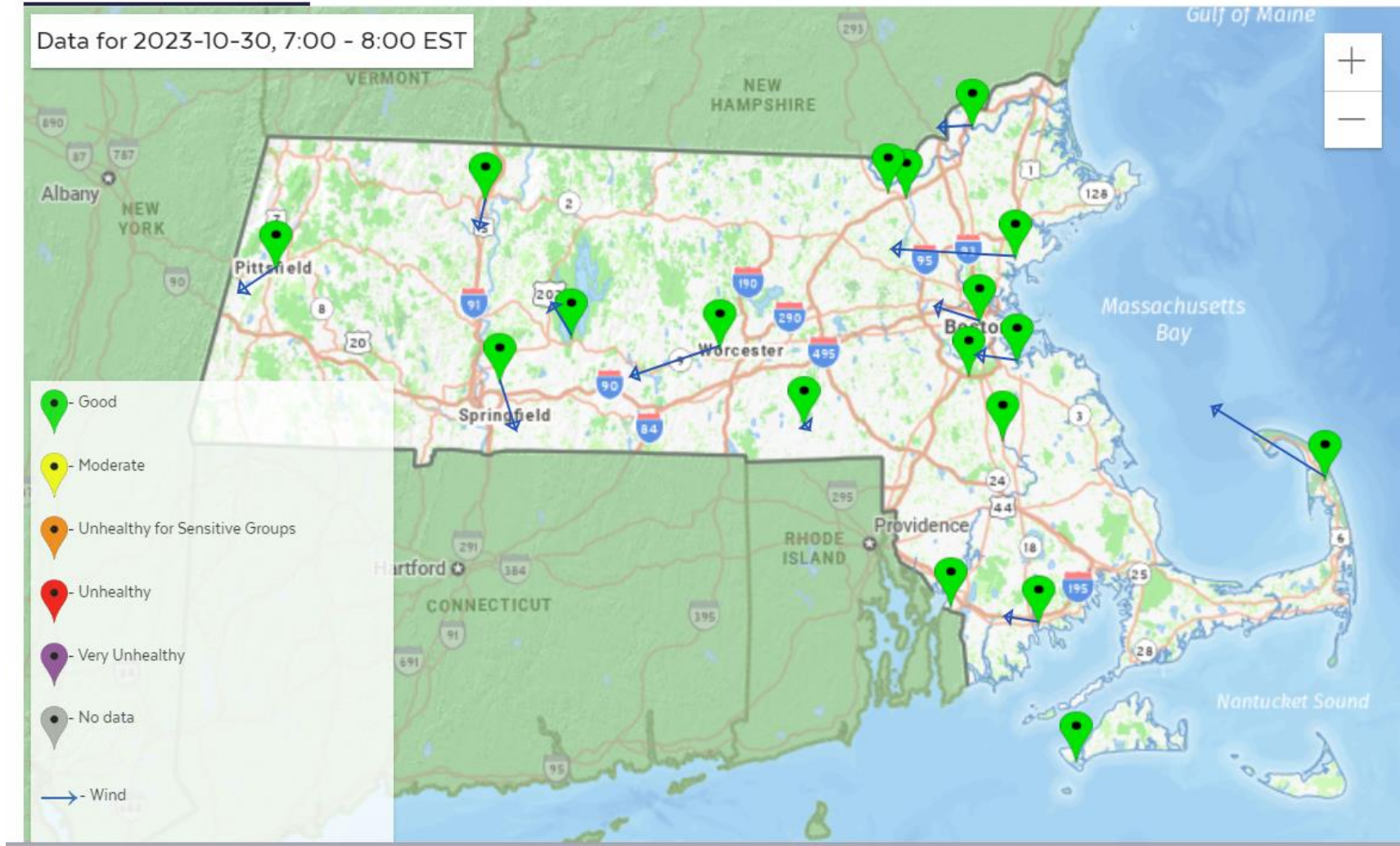
<b>AQI Category</b>	<b>AQI Index Values</b>	<b>Ozone Concentration (ppb)</b>
<b>Good</b>	0-50	0-54
<b>Moderate</b>	51-100	55-70
<b>Unhealthy for Sensitive Groups</b>	101-150	71-85
<b>Unhealthy</b>	151-200	86-105
<b>Very Unhealthy</b>	201-300	106-200
<b>Hazardous</b>	301-500	201+



# Ozone Monitoring Sites

Map view

Table view



<b>Ozone (70ppb standard)</b>		
<b>Year</b>	<b>Exceedance Days</b>	<b>8-Hr Exceedances</b>
2014	4	4
2015	15	29
2016	11	36
2017	12	45
2018	12	36
2019	5	5
2020	3	7
2021	4	13
2022	4	12
2023	10	30

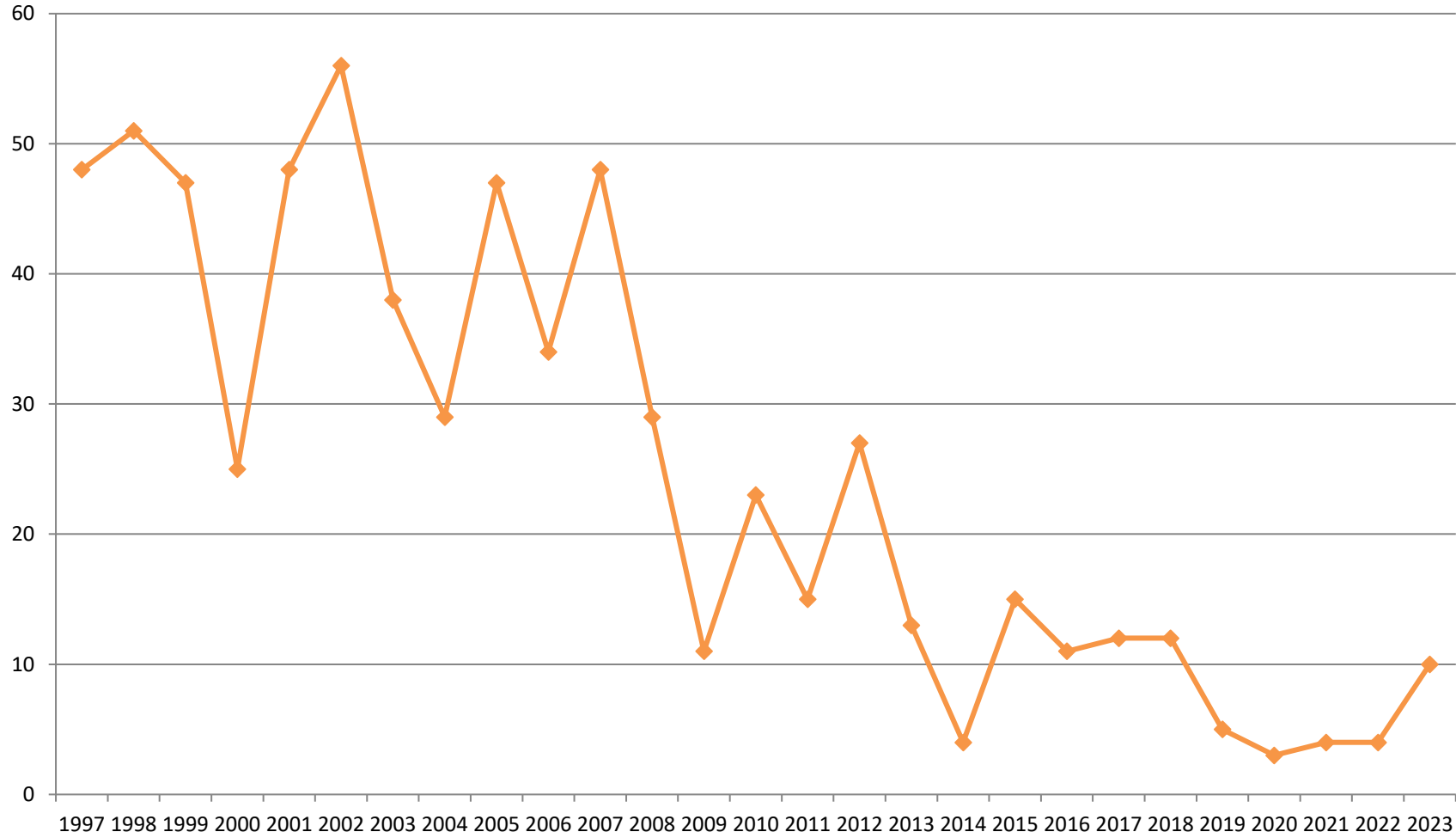


## 2023 Ozone Monitoring Season - 10 Exceedance Days

### Max 8-hour Ozone Concentrations (in ppb) As Recorded By State Monitoring Network On Exceedance Days (>70 ppb)

Site	13-Apr	14-Apr	12-May	1-Jun	2-Jun	30-Jun	1-Jul	11-Jul	12-Jul	26-Jul
Pittsfield	65	68	62	61	56	65	81	53	52	59
Greenfield	63	65	54	54	51	59	83	47	48	48
Chicopee	53	81	62	60	50	75	85	48	60	55
Ware	66	74	61	57	50	61	74	42	56	56
Worcester	55	59	50	54	43	43	60	36	46	48
Uxbridge	64	71	58	62	61	48	67	38	53	53
USEPA Chelmsford	65	71	58	67	59	52	68	38	56	52
ChelmsfordNR	55	63	51	59	55	41	57	30	44	40
Haverhill	62	66	57	68	56	44	51	38	58	52
Lynn	69	68	61	70	72	52	59	43	64	61
Boston	65	63	57	65	66	40	58	39	61	56
E. Milton - Blue Hills	71	76	62	72	81	59	59	41	64	59
Weymouth	69	69	59	67	65	51	56	43	62	58
Brockton	70	72	60	62	71	56	59	41	65	54
Fall River	80	76	70	50	61	na	69	50	79	65
Fairhaven	76	67	69	35	41	78	58	46	73	63
Aquinnah M.V.	73	66	60	36	35	80	48	74	74	71
Truro	82	66	73	44	52	51	32	43	71	64

### Number of Ozone Exceedance Days (8hr >70ppb) in Massachusetts 1997-2023



Number of Days

# Operating Permit Fees

## 310 CMR 4.00 *Timely Action Schedule and Fee Provisions*

Air Quality Advisory Committee  
May 23, 2024



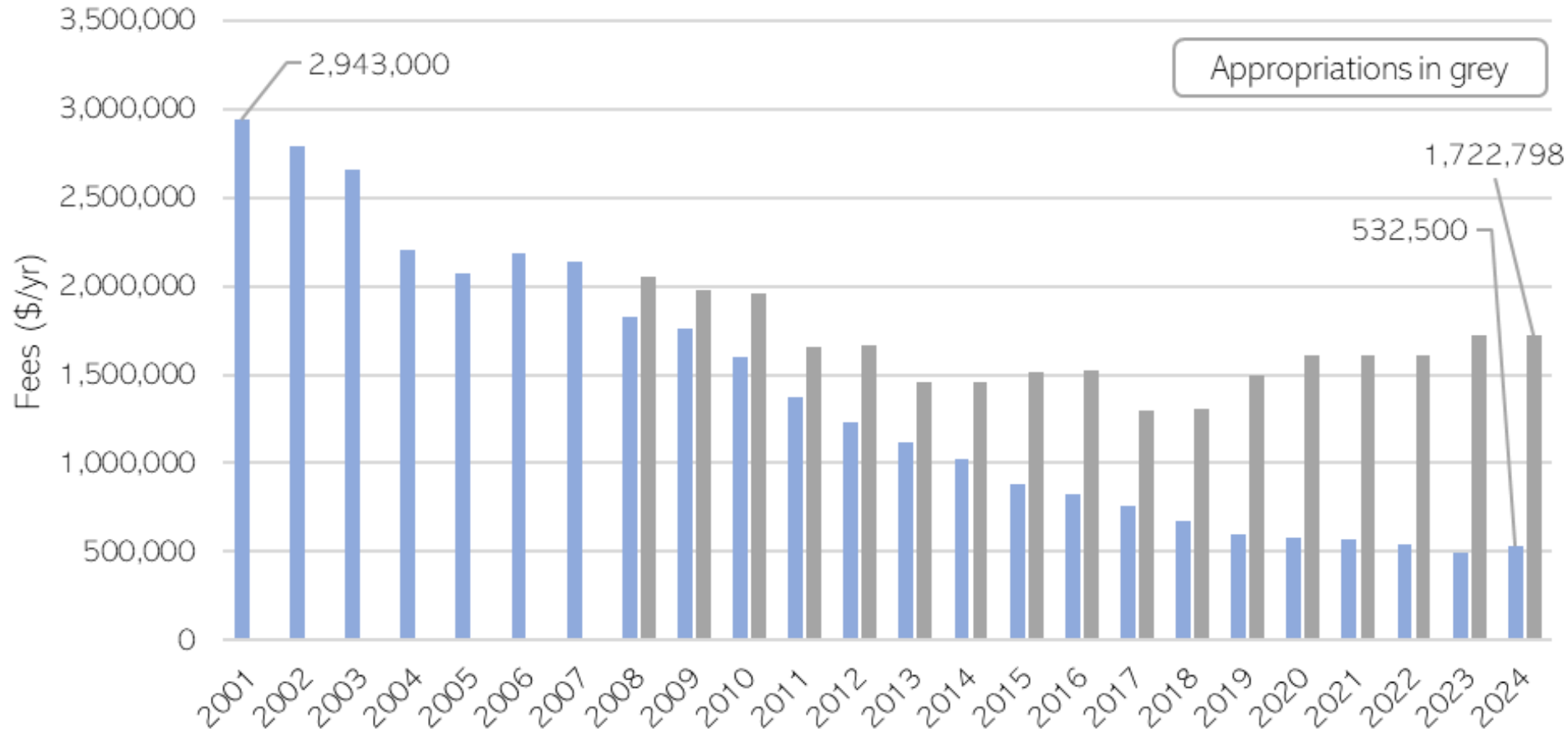
# Operating Permit Background

- ▶ Title V of 1990 Clean Air Act (CAA) amendments established Operating Permit (OP) Program
- ▶ Requires states to develop OP programs for major sources of air pollution
- ▶ An OP lists all requirements (emission limits, recordkeeping, reporting) in a single enforceable permit to improve compliance (it does not create new substantive requirements)
- ▶ CAA requires states to collect OP facility fees to fully fund program costs
- ▶ MassDEP last updated OP fees in July 2000
- ▶ EPA approved MA OP program in 2001, including permit regulations (310 CMR 7.00: Appendix C) and fees (310 CMR 4.00)

# OP Program Comparison 2001 to 2023

	2001	2024 % change
# of Regulated Facilities	206	105 (-50%)
ACF Revenue	\$2,943,000	\$532,500 (-82%)
Tons of Reported Emissions	110,152	9,393 (-91%)
Cost of an average FTE	\$91,316	\$196,356 (215%)
Applicable Requirements (Workload)	Over 300 new federal standards promulgated under CAA	

Figure 2: Annual OP Fees FY 2001-2024  
and Appropriations FY 2008-2024 (2220-2221)





# EPA OP Program Evaluation

- ▶ In Summer 2021 EPA Region 1 evaluated MassDEP OP program (occurs every 6 years)
- ▶ In October 2021 EPA issued Evaluation Report indicating fee revenue not sufficient to cover cost of program and identified a significant OP renewal backlog; asked MassDEP to address issues
- ▶ In March 2022 MassDEP submitted Action Plan to EPA committing to amend regulations to increase fees and to reduce permit backlog by 5-10 % annually
- ▶ EPA Inspector General reports (2014, 2022) have raised concern about insufficient state OP fee revenue nationally

# Comparison to Other States

State	Number of OP Sources	Revenue	Estimated Dollars Per Ton of Emissions (most recent available)
MA	105	\$532,500	\$56.70
CT	62	\$3,550,000	\$511.70
ME	46	\$1,877,175	\$111-139
NH	29	\$2,076,462	\$286.84
RI	25	\$618,401	\$287.97
VT	14	\$164,961	\$72.26

Note: each state's fee structure varies and Dollars Per Ton is an estimate based on the most recent OP revenue collected

# OP Funding - Current and Needed

- ▶ FY24 budget appropriation of \$1.7 million, which funds 9 FTEs for the OP program
- ▶ FY24 OP Fee revenue ≈\$0.5 million
- ▶ MassDEP estimates 16 FTEs needed to adequately implement program, which would require \$3.1 million in annual fee revenue (could fund an additional 7 FTEs)

# Outline of Amendments

- ▶ Increase fees to collect \$3.1 million annually
  - ▶ 25% of \$3.1 million assessed evenly across all OP sources
  - ▶ 75% of \$3.1 million assessed based on each source's reported emissions
- ▶ Annually calculate each facility's fee based on changes in number of OP facilities and reported emissions
- ▶ Reduce total revenue to be collected when an OP facilities exits the program by subtracting that facility's fee (i.e., initial \$3.1 million revenue would decrease over time as number of OP sources decrease)
- ▶ Remove fee exemption for municipalities and state agencies
- ▶ Simplify fee calculation formula, consolidate permit categories, and eliminate initial OP application fee

# FTE Estimate - 16 FTEs

- ▶ 6 highest emitting facilities (5 MWCs and Canal power plant) = 1 FTE per facility per year = 6 FTEs
- ▶ 19 large to mid-size facilities (e.g., power plants) = 0.15 FTE per facility per year = 3 FTEs
- ▶ 65 smaller facilities (smaller power plants, VOC sources, universities, landfills) = 0.10 FTEs per facility per year = 6 FTEs
- ▶ 12 state / municipal facilities = 0.075 FTEs per facility per year = 1 FTE

# OP Fee Increase By Current Facility Category

Type	Range Of Increase	Total Revenue Increase
Categorical emitters	\$500 - \$418,000	\$1,524,500
<i>6 highest emitters</i>	<i>\$70,000- \$418,000</i>	<i>\$1,307,000</i>
Emission 100-250 tons	\$27,500 - \$56,000	\$231,500
Emissions <100 tons	\$5,000 - \$27,000	\$697,000
State Facilities	\$10,000 - \$18,00	\$59,000
Municipal	\$7,000- \$14,000	\$75,000
Total		\$2,587,000

Categorical emitters include Municipal Waste Combustors, power plants subject to 310 CMR 7.29, 310 CMR 7.32, or 310 CMR 7.70.

State and municipal OP facilities do not pay OP fees under the current regulations.



# QUESTIONS

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