



Fast Track Proposed Regulation Agency Background Document

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| Agency name | State Air Pollution Control Board |
| Virginia Administrative Code (VAC) citation | 9VAC5 Chapter 85 |
| Regulation title | Permits for Stationary Sources of Pollutants Subject to Regulation |
| Action title | Permits for Stationary Sources of Pollutants Subject to Regulation (Revision H12) |
| Date this document prepared | December 5, 2012 |

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary (no more than 2 short paragraphs) of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes.

On July 12, 2012 (77 FR 41051), the U.S. Environmental Protection Agency (EPA) promulgated final amendments to its regulations for permitting of greenhouse gases (GHGs). The purpose of these amendments is to provide for the more streamlined implementation of the federal program for establishing plantwide applicability limits (PALs) for GHG emissions. A PAL establishes a site-specific plantwide emission level for a pollutant that allows the source to make changes at the facility without triggering the requirements of the prevention of significant deterioration (PSD) program, provided that emissions do not exceed the PAL level. Such PALs are already available under the federal PSD program for non-GHG pollutants and for GHGs on a mass basis, and EPA has revised the PAL regulations to allow for GHG PALs to be established on a carbon dioxide equivalent (CO₂e) emissions basis as well. EPA also revised its regulations to allow a GHG-only source to submit an application for a CO₂e-based GHG PAL while also maintaining its minor source status. Because these actions could streamline PSD permitting, it would be beneficial to implement them in Virginia.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On November 30, 2012, the State Air Pollution Control Board:

1. Authorized the department to promulgate the attached proposal for public comment using the fast-track process established in § 2.2-4012.1 of the Administrative Process Act for regulations expected to be non-controversial. The board's authorization constituted its adoption of the regulation at the end of the public comment period provided that (i) no objection to use of the fast-track process is received from 10 or more persons, or any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, and (ii) the department does not find it necessary, based on public comments or for any other reason, to make any changes to the proposal.
2. Authorized the department to set an effective date 15 days after close of the 30-day public comment period provided (i) the proposal completes the fast-track rulemaking process as provided in § 2.2-4012.1 of the Administrative Process Act and (ii) the department does not find it necessary to make any changes to the proposal.

Legal basis

Please identify the state and/or federal legal authority to promulgate this proposed regulation, including (1) the most relevant citations to the Code of Virginia or General Assembly chapter number(s), if applicable, and (2) promulgating entity, i.e., agency, board, or person. The identification should include a reference to the agency/board/person's overall regulatory authority, as well as a specific provision authorizing the promulgating entity to regulate this specific subject or program; and a description of the extent to which the authority is mandatory or discretionary.

Section 10.1-1308 of the Virginia Air Pollution Control Law (Title 10.1, Chapter 13 of the Code of Virginia) authorizes the State Air Pollution Control Board to promulgate regulations abating, controlling and prohibiting air pollution in order to protect public health and welfare. Written assurance from the Office of the Attorney General that the State Air Pollution Control Board possesses the statutory authority to promulgate the proposed regulation amendments is available upon request.

Promulgating Entity

The promulgating entity for this regulation is the State Air Pollution Control Board.

Federal Requirements

Section 110(a) of the federal Clean Air Act mandates that each state adopt and submit to EPA a state implementation plan (SIP) that provides for the implementation, maintenance, and enforcement of each primary and secondary air quality standard within each air quality control region in the state. The SIP is adopted only after reasonable public notice is given and public hearings are held. The SIP must include provisions to establish, among other tasks, programs for the regulation of the modification and construction of any stationary source within areas covered by the plan to assure the achievement of the ambient air quality standards, including a permit program as required by Part C of Title I of the Act.

The purpose of Part C, "Prevention of Significant Deterioration of Air Quality," is to protect existing clean air resources. Part C requires that the SIP include a prevention of significant deterioration (PSD) program. That is, in areas that are meeting the national ambient air quality standards (NAAQS) (attainment), as well as in national parks and other protected areas, the air quality may not deteriorate.

Sections 162 through 169B provide the details of how each state's PSD program is to be designed and operated. Section 165, "Preconstruction Requirements," is the section of the Act that deals with new source review (NSR) permit programs. This section requires that sources obtain permits demonstrating that they will

not contribute to air pollution in excess of that allowed by the Act. Section 165 specifies that new sources locating in attainment areas must meet BACT, which is defined in § 169.

40 CFR 51.166 contains the requirements for SIP-approved state PSD programs, while 40 CFR 52.21 contains the requirements for the issuance of PSD permits pursuant to federal authority. Permitting for sources of greenhouse gases is covered under 40 CFR 51.166 and 40 CFR 52.21 primarily through the definition of "subject to regulation."

Virginia is a SIP-approved state for PSD, and therefore has the authority to directly implement federal PSD regulations as long as its rules are at least as protective as the federal rules of 40 CFR 51.166. In its action of July 12, 2012, EPA revised the provisions relating to PALs at 40 CFR 52.21(aa) and provisions relating to the definition of "subject to regulation" at 40 CFR 52.21(b)(49). These provisions only affect permits issued under federal authority (i.e., those issued by the EPA or a delegated state agency). By amending 40 CFR 52.21 and not 40 CFR 51.166, EPA did not intend to affect existing state authority to issue PAL permits, and do not require permitting authorities to take any action with respect to their existing PAL regulations or any existing PAL permits. Therefore, these revisions are not minimum program requirements that must be adopted by states into their EPA-approved SIP PSD permitting programs. Accordingly, EPA's final rule does not adopt these changes into the existing PAL provisions contained in 40 CFR 51.166, but states may adopt these changes into their SIP-approved PAL program if they so choose.

State Requirements

These specific amendments are not required by state mandate. Rather, Virginia's Air Pollution Control Law gives the State Air Pollution Control Board the discretionary authority to promulgate regulations "abating, controlling and prohibiting air pollution throughout or in any part of the Commonwealth" (§ 10.1-1308 A). The law defines such air pollution as "the presence in the outdoor atmosphere of one or more substances which are or may be harmful or injurious to human health, welfare or safety, to animal or plant life, or to property, or which unreasonably interfere with the enjoyment by the people or life or property" (§ 10.1-1300).

Purpose

Please explain the need for the new or amended regulation. Describe the rationale or justification of the proposed regulatory action. Detail the specific reasons the regulation is essential to protect the health, safety or welfare of citizens. Discuss the goals of the proposal and the problems the proposal is intended to solve.

The regulation and the proposed amendments are intended to achieve the following goals:

1. To protect public health and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.
2. To prevent the construction, modification, or operation of major facilities that will prevent or interfere with the attainment or maintenance of any ambient air quality standard.
3. To ensure that major new facilities or major expansions to existing facilities will be designed, built, and equipped to operate without causing or exacerbating a violation of any ambient air quality standard.
4. To ensure that major new facilities or major expansions to existing facilities will be designed, built, and equipped to comply with case-by-case control technology determinations and other requirements.
5. To ensure that there is no significant deterioration of air quality in Virginia's national parks and throughout the Commonwealth.

The PSD program is designed to protect air quality in areas where the air is cleaner than required by the NAAQS. PSD's primary control strategy is new source review (NSR). Prior to construction or expansion of an industrial facility, a permit must be issued that ensures that the facility will not emit pollutants in sufficient quantity to make a significant contribution to the deterioration of air quality or to violate the NAAQS. The permit application and the department review and analysis must be subject to a public hearing prior to issuing the permit. The facility must use BACT to control emissions.

On January 2, 2011 GHGs became "regulated air pollutants" and thus subject to NSR permitting under the "Tailoring Rule." The Tailoring Rule was necessary because the federal Clean Air Act applicability requirements that determine which sources are subject to permitting are based on annual potential emission rates of 100 or 250 tons per year (tpy). Implementing these requirements for GHG-emitting sources immediately after they became subject to PSD requirements would have overwhelmed the capabilities of state permitting authorities to issue permits, and as a result, would have impeded the ability of sources to construct, modify or operate.

The Tailoring Rule initially established two steps to implement PSD. Tailoring Rule Step 1 began on January 2, 2011 and applies to sources subject to PSD due to their emissions of other pollutants ("anyway" sources) and that had the potential to emit 75,000 tpy CO₂e (or increase emissions by that amount for modifications). Tailoring Rule Step 2 began on July 1, 2011. In addition to anyway sources, Step 2 applies to new facilities emitting GHGs in excess of 100,000 tpy CO₂e and facilities making changes that would increase GHG emissions by at least 75,000 tpy CO₂e, and that also exceed 100/250 tpy of GHGs on a mass basis.

In the latest rulemaking, Step 3, EPA has continued to identify and evaluate approaches to enable permitting authorities to permit more GHG-emitting sources without undue burden. EPA finalized a streamlining measure that would revise the existing PAL permitting program to allow permitting authorities to issue GHG PALs on either a mass basis (tpy) or a CO₂e basis, including the option to use the CO₂e-based increases provided in the subject to regulation thresholds in setting the PAL, and to allow such PALs to be used as an alternative approach for determining whether a project is a major modification and whether GHG emissions are subject to regulation. EPA also finalized the "minor source approach," which allows permitting authorities to issue GHG PALs to GHG-only sources without requiring the source to undertake an action that would make GHGs subject to regulation and bring the source into major stationary source status under the Tailoring Rule. Thus, Step 3 of the Tailoring Rule enables GHG-only sources to obtain a GHG PAL and remain a minor source as long as their GHG emissions remain below the PAL.

Adopting Step 3 of the federal GHG rules will streamline the administration of Virginia's GHG PSD permitting program by providing sources with a voluntary alternative approach for controlling GHGs such that sources and the department can address GHGs one time for a source rather than undergo repeated subsequent permitting actions over a 5-year period.

Rationale for using fast track process

Please explain the rationale for using the fast track process in promulgating this regulation. Why do you expect this rulemaking to be noncontroversial?

Please note: If either an objection to the use of the fast-track process is received within the 30-day public comment period from 10 or more persons, or any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules; or the Department finds it necessary, based on public comments or for any other reason, to make any changes to the proposal, the Department shall (i) file notice of the objection/reason with the Registrar of Regulations for publication in the Virginia Register, and (ii) proceed with the normal promulgation process with the initial publication of the fast-track regulation serving as the Notice of Intended Regulatory Action.

EPA revised its regulations in order to streamline PSD permitting programs by allowing sources and the reviewing authority to voluntarily address GHGs one time for a source and avoid repeated subsequent permitting actions. It is in the best interests of the regulated community, the department, and the public to have permitting functions operate as cost-effectively and efficiently as possible, and that encourage processes that minimize harmful air pollution. If a GHG PAL would enable a facility to better manage its GHG emissions, then the department should provide the tools needed for them to avail themselves of the process.

Substance

Please briefly identify and explain new substantive provisions (for new regulations), substantive changes to existing sections or both where appropriate. Note, more detail about all provisions or changes is provided in the "Detail of changes" section.

Provisions have been added to enable GHG PALs to be established on a mass or a CO₂e emissions basis, and to allow a GHG-only source to submit an application for a CO₂e-based GHG PAL while maintaining its minor source status.

Issues

Please identify the issues associated with the proposed regulatory action, including: (1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; (2) the primary advantages and disadvantages to the agency or the Commonwealth; and (3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please indicate.

1. Public: The primary advantage to the public is more efficient permitting, which is cost-effective, enables the better provision of services, and may contribute to air quality benefits. There are no disadvantages to the public.
2. Department: The primary advantage to the department is more efficient permitting, which is cost-effective, enables the better provision of services, and may contribute to air quality benefits. There are no disadvantages to the department.

Requirements more restrictive than federal

Please identify and describe any requirement of the proposal which is more restrictive than applicable federal requirements. Include a rationale for the need for the more restrictive requirements. If there are no applicable federal requirements or no requirements that exceed applicable federal requirements, include a statement to that effect.

The proposed regulation amendments are to enable a source to choose a voluntary permitting option, and are therefore not more restrictive than the applicable legal requirements.

Localities particularly affected

Please identify any locality particularly affected by the proposed regulation. Locality particularly affected means any locality which bears any identified disproportionate material impact which would not be experienced by other localities.

The proposed regulation amendments affect sources located in areas designated as attainment (PSD) areas, which are specified in 9VAC5-20-205, and therefore affect all localities in attainment areas equally.

Public participation

Please include a statement that in addition to any other comments on the regulation, the agency is seeking comments on the costs and benefits of the proposal, the potential impacts on the regulated community, and the impacts of the regulation on farm or forest land preservation.

In addition to any other comments, the board is seeking comments on the costs and benefits of the proposal, the impacts on the regulated community, and impacts of the regulation on farm or forest land preservation. Also, the board is seeking information on impacts to small businesses as defined in § 2.2-4007.1 of the Code of Virginia. Information may include (i) projected reporting, recordkeeping and other administrative costs, (ii) probable effect of the proposal on affected small businesses, and (iii) description of less intrusive or costly alternative methods of achieving the purpose of the proposal.

Anyone wishing to submit written comments may do so by mail, email, or fax to the staff contact listed below. Comments may also be submitted through the Public Forum feature of the Virginia Regulatory Town Hall web site at www.townhall.virginia.gov. Written comments must include the name and address of the commenter. In order to be considered, comments must be received by the last day of the public comment period. Commenters submitting faxes are encouraged to provide the signed original by postal mail within one week.

All comments requested by this document must be submitted to the agency contact: Karen G. Sabasteanski, Policy Analyst, Office of Regulatory Affairs, Department of Environmental Quality, P.O. Box 1105, Richmond, Virginia, 23218 (email karen.sabasteanski@deq.virginia.gov, fax 804-698-4510).

Economic impact

Please identify the anticipated economic impact of the proposed regulation.

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| <p>Projected cost to the state to implement and enforce the proposed regulation, including (a) fund source/fund detail, and (b) a delineation of one-time versus on-going expenditures.</p> | <p>To date, the department has issued only 2 PAL permits (for pollutants other than GHG). PAL permits are major NSR permits, which are inherently complex and therefore costly to process compared to processing conventional minor source permits. However, because so few major source or PAL permits are issued, the costs associated with them are limited and expected to be partially funded by the PAL permit application fees and reduced future permitting loads. It is not expected that the regulation will result in any cost to the department beyond that currently in the budget.</p> <p>The sources of department funds to carry out this regulation are the general fund and the federal trust</p> |
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| | <p>(grant money provided by EPA under § 105 of the federal Clean Air Act or permit fees charged to affected entities under the permit program). The activities are budgeted under the following program (code)/subprogram (code): (i) Environmental and Resource Management (51300)/Air Protection Permitting (51325) and Air Protection Compliance and Enforcement (51326) and Air Protection Planning and Policy (51328). The costs are expected to be ongoing.</p> |
| <p>Projected cost of the new regulations or changes to existing regulations on localities.</p> | <p>The projected cost of the regulation on localities is not expected to be beyond that of other affected entities.</p> |
| <p>Description of the individuals, businesses or other entities likely to be affected by the new regulations or changes to existing regulations.</p> | <p>Entities potentially affected by this action include electricity generators, paper manufacturers, and landfills. In Virginia, there are approximately 57 sources with estimated CO₂ emissions over 100,000 tpy. Because PALs are optional, sources may or may not opt to apply for a PAL permit.</p> |
| <p>Agency’s best estimate of the number of such entities that will be affected. Please include an estimate of the number of small businesses affected. Small business means a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.</p> | <p>The number, type, and size of sources to be affected by the regulation is impossible to predict, as such a prediction must approximate the need and ability of sources to make specific plant-by-plant modifications, which depend on local, national, and global economies as well as by a source’s individual, plant-specific needs.</p> <p>Because PALs are optional, it is unlikely that a source would participate if it would not be cost effective to do so. The ability to utilize certain elements of the regulations also depend on a source’s ability to calculate and provide certain types of data over particular periods of time, to be capable of performing certain types of testing and monitoring, and many other requirements that a source may or may not be able to undertake.</p> <p>To date no facility of any type has expressed interest in or need for a GHG PAL; however, given the wide range of potentially affected sources, it is not inconceivable that a number of different types of facilities—including small businesses—may request a GHG PAL permit in the near future.</p> |
| <p>All projected costs of the new regulations or changes to existing regulations for affected individuals, businesses, or other entities. Please be specific and include all costs. Be sure to include the projected reporting, recordkeeping, and other administrative costs required for compliance by small businesses. Specify any costs related to the development of real estate for commercial or residential purposes that are a consequence of the proposed regulatory changes or new regulations.</p> | <p>PALs are voluntary and will forestall the need for continual permit revisions over a certain period of time. Sources seeking to obtain a PAL permit would generally do so to avoid being subject to PSD permitting, which can be very complex, costly, and time consuming. Therefore, it is anticipated that the benefits of a PAL would likely outweigh the up-front costs of obtaining one.</p> <p>Because it is not possible to determine the number of affected sources, it is also not possible to quantify projected costs. PALs are inherently case-by-case and source-by-source. The costs of this regulation</p> |

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| | <p>for affected entities will depend entirely on the specific situation for each source. Costs will vary from source to source due to the size and complexity of each source. However, the cost savings achieved from avoiding any potential PSD permitting and any other permit amendments is expected to result in the overall cost savings, otherwise the affected sources would not undertake this optional PAL alternative.</p> <p>Bearing in mind the variability among the entities affected by the proposal, an estimation of ongoing general costs is as follows:</p> <p>1) <u>Costs of preparing a permit application and providing data to the agency so that the application can be evaluated</u> - The preparation of PAL permit application requires sources to have a thorough handle on the GHG emissions from every GHG emissions unit. Existing sources must report certain emissions and operational data to the department at specific intervals depending on the size of the source. This data is required to maintain the state's emissions inventory and to verify compliance with the regulations. For currently permitted major facilities, preparing for a PAL permit will generally require better organizing and verifying GHG emissions information. Sources voluntarily choosing to obtain a PAL permit would generally do so to avoid being subject to PSD permitting. It is expected that the upfront cost of preparing a PAL permit application in most cases would be lower than the cost savings later realized by avoiding the preparation of a PSD permit application.</p> <p>(2) <u>Costs of fulfilling additional requirements such as testing, monitoring, and reporting</u> - The regulations provides that the department may require as part of a source's permit conditions that testing, monitoring or reporting be required. The costs for testing, monitoring, and reporting vary considerably from one source to another depending on number of emission units and type of emission units. Sources subject to either a conventional PSD or a PAL permit are generally required to undertake extensive testing, monitoring, and reporting. Therefore, no significant increase in these costs for complying with PAL are expected as compared to the costs of complying with possible alternative PSD permitting.</p> <p>(3) <u>Cost savings from avoided permit revisions</u> - Any savings realized through the PAL, other than improved plant operations realized through implementing PAL efficiencies, will depend on how frequently a facility would have otherwise had to amend its permit. Such revisions would depend on the facility type as well as a variety of business</p> |
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| | <p>decisions. Facilities could save approximately \$7,000 for each permit amendment that is avoided due to the operational flexibility provided by the PAL.</p> |
| <p>Beneficial impact the regulation is designed to produce.</p> | <p>Because a PAL provides extensive operational flexibility, sources will not have to spend money on obtaining permit modifications (about \$7,000 per permit amendment) for the PAL duration. Such cost savings will depend on how frequently the source modifies its processes. In turn, the department will not have to process many permit modifications, and may focus its efforts on other facilities with a greater impact on the environment.</p> <p>Avoiding PSD review also allows sources to make the changes necessary to respond rapidly to market conditions, while generally assuring the environment is protected from adverse impacts from the change.</p> <p>A PAL also results in significant environmental benefit by providing the community with an understanding of the long-term emissions impact from a facility, by preventing "emissions creep"--a series of unrelated individual emissions increases that are below major NSR applicability thresholds--and by requiring enhanced monitoring, recordkeeping and reporting provisions to demonstrate compliance with the PAL. In order to operate within the PAL emissions limit and maintain its PAL status, a facility is likely to look for ways to improve its operations, thus likely resulting in reduction of GHGs. Public health and welfare may thus benefit from the more efficient and effective management of GHG emissions.</p> |

Alternatives

Please describe any viable alternatives to the proposal considered and the rationale used by the agency to select the least burdensome or intrusive alternative that meets the essential purpose of the action. Also, include discussion of less intrusive or less costly alternatives for small businesses, as defined in §2.2-4007.1 of the Code of Virginia, of achieving the purpose of the regulation.

Alternatives to the proposed regulation amendments were considered by the board. The board determined that the first alternative is appropriate, as it is the least burdensome and least intrusive alternative that fully meets the purpose of the regulation. The alternatives considered by the board, along with the reasoning by which the board has rejected any of the alternatives being considered, are discussed below.

1. Amend the regulations to satisfy the provisions of the law and associated regulations and policies. This option was chosen because it meets the stated purpose of the regulation: to enable permitting of GHG sources as efficiently as possible.

2. Make alternative regulatory changes to those required by the provisions of the law and associated regulations and policies. This option was not chosen because the department and the public would not be able to properly implement the program and thereby not take advantage of the program's efficiencies.

3. Take no action to amend the regulations and do not enable GHG sources to establish PALs. This option was not chosen because it would not enable the department and the public to take advantage of the program's efficiencies.

Regulatory flexibility analysis

Please describe the agency's analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) the establishment of less stringent compliance or reporting requirements; 2) the establishment of less stringent schedules or deadlines for compliance or reporting requirements; 3) the consolidation or simplification of compliance or reporting requirements; 4) the establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the proposed regulation.

The regulations apply to all facilities, including small businesses. Any (1) establishment of less stringent compliance or reporting standards; (2) establishment of less stringent schedules or deadlines for compliance or reporting requirements; (3) consolidation or simplification of compliance or reporting requirements; (4) establishment of performance standards for small businesses to replace design or operational standards required in the proposed regulation; or (5) exemption of small businesses from all or any part of the requirements contained in the proposed regulation for all small businesses would directly, significantly and adversely affect the benefits that would be achieved through the implementation of the regulations. The regulatory amendments are specifically tailored to allow a facility, including a small business, to apply for a PAL thus providing the facility the option to make changes at the facility without triggering other permitting requirements as long as emissions do not exceed the PAL.

Family impact

Please assess the impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: (1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; (2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; (3) strengthen or erode the marital commitment; and (4) increase or decrease disposable family income.

It is not anticipated that these regulation amendments will have a direct impact on families.

Detail of changes

Please list all changes that are being proposed and the consequences of the proposed changes. If the proposed regulation is a new chapter, describe the intent of the language and the expected impact. Please describe the difference between existing regulation(s) and/or agency practice(s) and what is being proposed in this regulatory action.

If the proposed regulation is intended to replace an emergency regulation, please list separately (1) all differences between the pre-emergency regulation and this proposed regulation, and (2) only changes made since the publication of the emergency regulation.

| Current section number | Proposed new section number, if applicable | Current requirement | Proposed change, intent, rationale, and likely impact of proposed requirements |
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| 9VAC5-85-40 | | Explains applicability of Article 8. | Adds text to explain that the PAL provisions of Article 8 are governed by this chapter for GHG sources. Needed in order to establish the relationship of Article 8 to this chapter. |
| 9VAC5-85-50 C | | Terms defined. | Adds new definitions and revises several existing ones. Needed in order to implement PALs for GHG sources. |
| | 9VAC5-85-55 | | Adds new provisions for actual plantwide applicability limits (PALs). Modeled on the federal rule and modified in order to operate properly with Article 8 (PSD permitting). Needed in order to implement PALs for GHG sources. |

Acronyms and Definitions

Please define all acronyms used in the Agency Background Document. Also, please define any technical terms that are used in the document that are not also defined in the "Definition" section of the regulations.

- BACT - best available control technology
- CO_{2e} - carbon dioxide equivalent
- EPA - U.S. Environmental Protection Agency
- GHG - greenhouse gas
- NAAQS - National Ambient Air Quality Standard
- NSR - new source review
- PAL - plantwide applicability limit
- PSD - prevention of significant deterioration
- SIP - state implementation plan
- tpy - tons per year

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