

CITY OF PHILADELPHIA
DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH SERVICES
AIR MANAGEMENT SERVICES

February 8, 2012

MEMORANDUM

TO: Air Pollution Control Board Members
FROM: Thomas Huynh, AMS Director
RE: Air Program Update

Air Quality

- From January 1 to December 31, 2011 (e.g. 365 day period), there were 153 Good Days (42%), 195 Moderate Days (53%), and 17 Unhealthy Days (5%). Of the 17 Unhealthy Days:
 - 3 Unhealthy Days were attributed to PM_{2.5} (1/1, 12/12, 12/13)
 - 12 Unhealthy Days were attributed to Ozone (6/1, 6/7, 6/10, 7/6, 7/7, 7/10, 7/18, 7/19, 7/21, 7/22, 7/23, 7/29)
 - 2 Unhealthy Days were attributed to PM_{2.5} and Ozone (6/8, 6/9)
- Philadelphia has been classified by EPA as a nonattainment area for the 2008 8-hour Ozone standard (standard = 0.075 ppm), and for the 2006 24-hour PM_{2.5} standard (standard = 35 ug/m³). The 4th highest Ozone value for 2011 was 90.5 ppb (at Northeast Airport).
- The levels of PM_{2.5} and SO₂ at Philadelphia monitoring sites are significantly improved since PECO shut down the EddyStone and Cromby coal power plants.

Regulatory Services Activities

From October 1, 2011 to January 31, 2011, AMS reviewed 93 air permits, 335 operating licenses, and 88 asbestos permits and licenses. AMS serviced a total of 498 citizen complaints – 296 involving air pollution, 65 involving asbestos, and 137 involving noise. AMS also performed 396 air and noise inspections and 868 asbestos inspections. In addition, AMS observed 526 vehicles at 24 locations and issued 12 citations for violations of the City's anti-idling rules. AMS issued a total of 175 violations, resolved 126 Notices of Violation, and collected \$384,900 in fines and penalties.

State Implementation Plan

- On December 9, 2011, EPA proposed to make two determinations regarding the Philadelphia Area (Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE) 8-hour

Ozone Moderate Nonattainment Area. First, EPA proposed to make a determination that the Philadelphia Area has attained the 1997 8-hour Ozone (0.08 ppm) National Ambient Air Quality Standard (NAAQS). Second, EPA also proposed to make a determination that the Philadelphia Area has attained the 1997 8-hour Ozone NAAQS by the June 15, 2011 attainment date. As a result, EPA is withdrawing the May 8, 2009 proposed disapprovals of the attainment demonstrations submitted for the Philadelphia Area.

- On January 20, 2012, EPA proposed to approve the August 9, 2007 State Implementation Plan (SIP) revision submitted by Pennsylvania. This revision updates the preconstruction permitting provisions of Pennsylvania's Nonattainment New Source Review regulations to conform with EPA's 2002 NSR Reform Regulations (NSR Reform), satisfies anti-backsliding requirements, and clarifies changes to the Pennsylvania regulations that are not related to NSR Reform. Written comments on this proposed action must be received by EPA on or before February 21, 2012.
- On January 23, 2012, EPA made two determinations regarding the Philadelphia-Wilmington Fine Particulate (PM_{2.5}) Nonattainment Area. First, EPA determined that the Philadelphia Area attained the 1997 annual PM_{2.5} NAAQS by its attainment date of April 5, 2010. Second, EPA determined that the Philadelphia Area, based on quality assured and certified ambient air monitoring data for the 2007-2009 and 2008-2010 monitoring periods, attained the 1997 annual PM_{2.5} NAAQS. In accordance with EPA's PM_{2.5} implementation rule, the Philadelphia Area need not submit an attainment demonstration, Reasonably Available Control Measures (RACM), Reasonable Further Progress (RFP) Plan, and contingency measures related to attainment of the 1997 annual PM_{2.5} NAAQS so long as the area remains in attainment. This rule is effective on March 23, 2012 without further notice, unless EPA receives adverse written comment by February 22, 2012.
- On January 24, 2012, EPA approved a SIP revision submitted by Pennsylvania. This SIP revision contains Pennsylvania's Clean Vehicle Program, which adopts California's second-generation low-emission vehicle program for light-duty vehicles (LEV II). EPA approval of this SIP revision, in accordance with the requirements of the CAA, will help Pennsylvania to achieve and maintain attainment of the Ozone NAAQS. This final rule will go into effect on February 23, 2012.
- On January 26, 2012, EPA proposed limited approval of the December 20, 2010 SIP revision submitted by Pennsylvania. This revision addresses CAA and EPA requirements that direct states to prevent any future—and remedy any existing—anthropogenic impairment of visibility in mandatory Class I areas caused by emissions of air pollutants from numerous sources located over a wide geographic area (also referred to as the “regional haze program”). EPA also proposed to approve this revision as meeting the infrastructure requirements relating to visibility protection for the 1997 8-Hour Ozone NAAQS and the 1997 and 2006 PM_{2.5} NAAQS. Comments must be received by EPA on or before February 27, 2012.

Regulation X - Complex Source Review

The Ad-Hoc Committee held two conference calls to discuss proposed amendments to Regulation X. AMS staff continues to gather additional information and background documentation for the proposed amendments. It is expected that the proposed amendments to Regulation X will be ready for the Board to review at the next meeting.

Regulation XIV - Control of Perchloroethylene from Dry Cleaning Facilities

AMS performed 82 Dry Cleaning Facility inspections and /or compliance assistance visits since Regulation XIV entered into effect. In addition to these inspections /visits, AMS has contacted Dry Cleaning Facility Operators /Owners in order to ascertain their future plans regarding the use of Perchloroethylene. The information gathered from these activities, along with a summary of the number of permit applications, and various agreements received to date, will be covered in today's dry cleaning presentation.

Asbestos Code 6-600 Amendments

On December 30, 2011, Mayor Nutter signed City Council Bill No. 11072 that amends Chapter 6-600 of the Philadelphia Code, entitled 'Asbestos Projects.' The Philadelphia Code, as amended, now prohibits certified Asbestos Project Inspectors (API) who are affiliated with an Asbestos Contractor from fulfilling air sampling, visual inspection, and other continuous monitoring requirements on Major Asbestos Projects. AMS has notified all the APIs and Asbestos Contractors of this change and has updated the API certification application accordingly.

Strategic Plan

AMS staff continues to develop a 5-year strategic plan for the agency. AMS is now finalizing internal implementation plans within each unit to ensure an effective, coordinated rollout of the strategic plan.

Other

- AMS anticipates severe reductions in the federal and state grants due to environmental policy changes in Congress and the Commonwealth legislature. The Air Pollution Control (CAA Sec. 105) grant for FY 2012 has been cut \$400,000 from FY 2011.
- Sunoco may shut down its Philadelphia refinery by June 2012 if it is not able to sell the refinery to another party. The shutdown would reduce air emissions in Philadelphia by approximately 50%. However, AMS will also lose approximately \$200,000 in annual emission fees as a result of the shutdown. Philadelphia may also lose other businesses, such as Honeywell Chemicals (formerly Sunoco Chemical), that depend on the refinery for raw materials.

- The conversion from i-STEPS to PADEP Annual Emission Statement (AES) Online Web Application is underway. PADEP has been providing hands-on training sessions for facilities and AMS staff at the PADEP Southeast Regional Office.
- AMS was notified that it will receive an EPA grant to monitor toxic air continuously in the South Philadelphia Community.
- AMS secured \$50,000 from Sunoco Chemical for the Clean Air Council to provide financial assistance to contractors to retrofit their non-road engines.
- AMS secured \$50,000 from the Sunoco Refinery for the Clean Air Council to provide financial assistance to dry cleaners in their purchase of non-perc dry cleaners.

EPA Updates

- On November 4, 2011, EPA put Hydrogen Sulfide back on the list of chemicals that must be reported as part of the Toxics Release Inventory (TRI), effective for the 2012 reporting year.
- On November 17, 2011, EPA and the U.S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) announced a joint proposed rulemaking to increase Corporate Average Fuel Economy (CAFE) standards and set tighter vehicle greenhouse gas (GHG) emissions standards for passenger cars and light trucks. The proposed standards apply to MYs 2017 through 2025. A hearing on this rulemaking was held in Philadelphia on January 19, 2012. AMS among hundreds of participants provided testimony in support of the proposed regulation.
- On December 16, 2011, EPA signed the final Mercury and Air Toxics Standards, which regulate emissions of Hazardous Air Pollutants, including Mercury, from new and existing coal-and oil-fired electric utility steam generating units.
- On December 23, 2011, EPA published in the Federal Register the proposed Area and Major Source rules for Industrial, Commercial and Institutional Boilers and Process Heaters, as well as the proposed rules for Commercial and Institutional Solid Waste Incinerators. The comment deadline is February 21, 2012.
- On December 30, 2011 and January 5, 2012, the U.S. Court of Appeals for the District of Columbia Circuit issued a temporarily stay of EPA's Cross-State Air Pollution Rule (CSAPR) pending the Court's resolution of petitions challenging the Rule. The case will be heard in April 2012. Consequently, PADEP will continue to implement Pennsylvania's Clean Air Interstate Rule.

- On January 5, 2012, EPA issued its annual analysis of the Toxic Release Inventory (TRI) data. The TRI data show that total toxic chemical releases into the air decreased 6 percent since 2009. Releases into surface water releases into land increased 9 percent and 28 percent respectively since 2009. EPA reports that 3.93 billion pounds of toxic chemicals were released into the environment in 2010—a 16 percent increase over the previous year. Much of this increase is the result of changes in the metal mining sector, with additional increases in the chemical and primary metals industries.
- On January 11, 2012, EPA released greenhouse gas (GHG) data reported from large facilities and suppliers across the U.S. economy for the year 2010.
- On January 19, 2012, EPA released a smart phone application that enables subscribers to access daily air quality conditions and forecasts. Future releases of this application will send subscribers an alert when local air quality is forecast to be unhealthy.