

Technical Guide for Preparing a Record of Nonapplicability for the General Conformity Rule

Judith A. Dempsey, Lisa M. Polyak & Stephen E.J. Tushek
U.S. Army Center for Health Promotion & Preventive Medicine
Air Quality Surveillance Program
5158 Blackhawk Road
Aberdeen Proving Ground, Maryland 21010-5403
Phone: 410-436-2509 FAX 410-436-3656
Email: Judith.Dempsey@apg.amedd.army.mil



Coming Up...

- Overview of the General Conformity Rule
- What is a RONA ?
- Exemptions to General Conformity
- Air Emission Source Categories
- Conclusions

General Conformity Rule

- 40 CFR 93 Subpart B
- Applies to all Federal Facilities (including military installations)
- Requires demonstration that actions comply with the State Implementation Plan (SIP)
- Record of Nonapplicability (RONA) required if the new action complies with SIP



When should a RONA be completed?

- If the action qualifies for exemption
- If the direct and indirect emissions are below thresholds and are not regionally significant
 - Thresholds listed in General Conformity Rule
 - Regionally Significant = the direct and indirect emissions of any pollutant represent 10 % or more of an area's emission inventory for that pollutant



Direct vs. Indirect Emissions

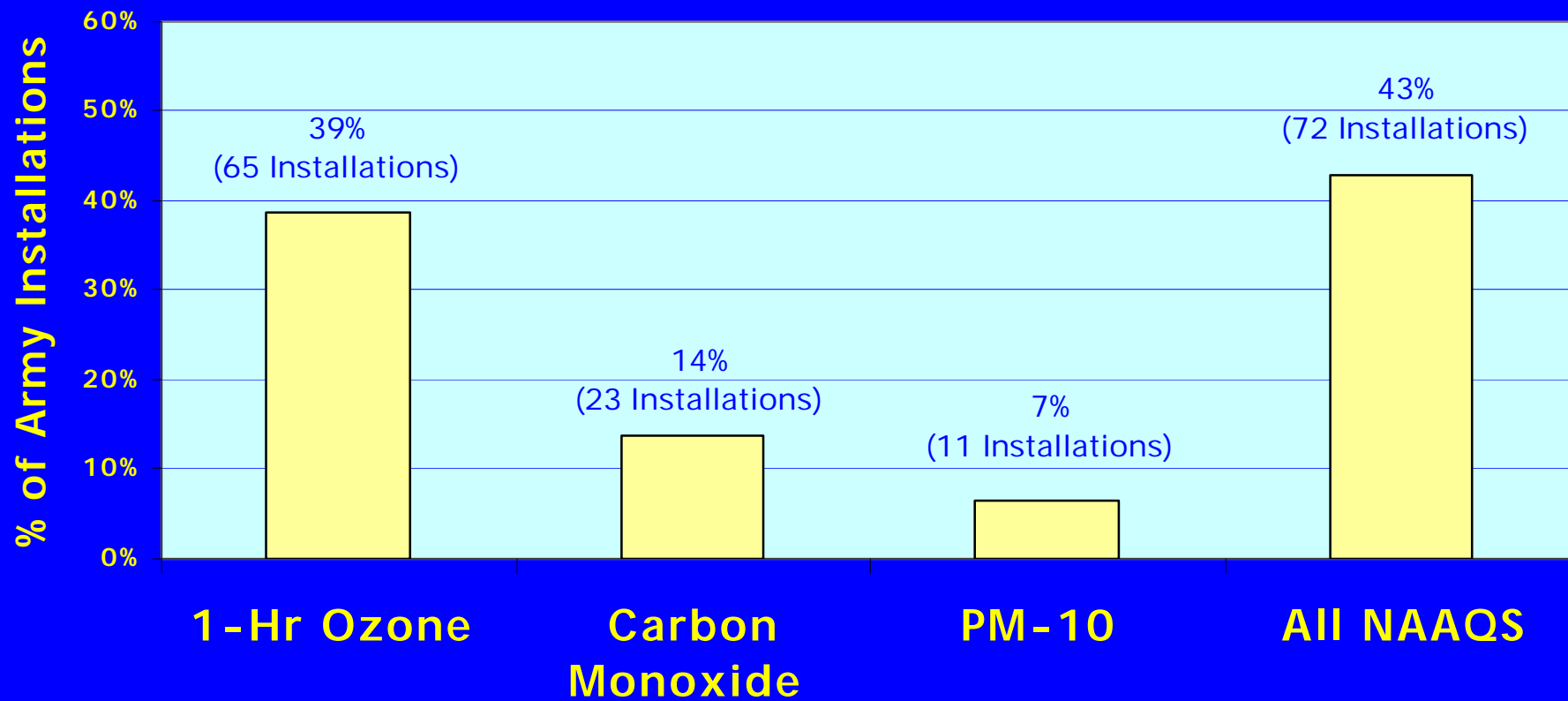
- *Direct emissions* are those that occur as a direct result of the action, and occur at the same time and place as the action
- *Indirect emissions* are those that occur at a later time or distance from the place where the action takes place, but may be reasonably anticipated as a consequence of the proposed action.

When does the General Conformity Rule apply to me ?

- The General Conformity Rule **only** applies in areas that are designated as NAAQS nonattainment areas or maintenance areas.
- A conformity review only needs to be done for those pollutants designated as nonattainment or maintenance pollutants.

Army Installations in NAAQS Nonattainment & Maintenance Areas

Source: USEPA Greenbook, updated Feb 2003



Research Strategies

- Searched installation-wide database of actions subject to NEPA & Conformity
- Collected RONAs for various installation activities (i.e., DPW, DOL)
- Analyzed RONA exemption for each action
- Developed calculation methods for common emission source categories



General Conformity Exemptions

Exemption Summary	Exemption Citation
Recurring activities similar in scope to current activities	40 CFR 93.153(c) (2) (ii)
Routine maintenance and repair	40 CFR 93.153(c) (2) (iv)
Administrative actions	40 CFR 93.153(c) (2) (vi)
Routine, recurring transportation of materiel and personnel	40 CFR 93.153(c) (2) (vii)
Debris disposal at an approved disposal site	40 CFR 93.153(c) (2) (ix)
Future activities similar in scope to current activities	40 CFR 93.153(c) (2) (x)
Granting of leases and licenses for activities similar to current activities	40 CFR 93.153(c) (2) (xi)
Planning and studies	40 CFR 93.153(c) (2) (xii)
Routine operation	40 CFR 93.153(c) (2) (xiii)
Transfer of ownership or titles of land, facilities, real or personal property from one Federal entity to another	40 CFR 93.153(c) (2) (xx)
Conforming actions	40 CFR 93.153(c) (4)
Actions that require a permit under NSR or PSD	40 CFR 93.153(d) (1)
Response to emergency or natural disaster	40 CFR 93.153(d) (2)
Research, studies or training where no environmental detriment is incurred	40 CFR 93.153(d) (3)
Action required by environmental regulation	40 CFR 93.153(d) (4)
Air emissions from CERCLA mandated actions	40 CFR 93.153(d) (5)



Exemptions You are Most Likely to Use

- Recurring activities such as permit renewals where activities conducted will be similar in scope and operation to current activities
 - 40 CFR 93.153(c) (2) (ii)
 - Actions covered under **existing** air permits

Exemptions You are Most Likely to Use

- Routine maintenance and repair activities
 - 40 CFR 93.153(c) (2) (iv)
 - Covers most Public Works actions:
 - Building repair that is not new construction
 - Repair or refurbishment of any **existing** exterior structure; electrical or HVAC system; pavement, parking lot, road or bridge; above & below ground tanks, pipes or lines



Exemptions You are Most Likely to Use

- Actions to existing structures where future activities will be similar in scope or operation to current activities
 - 40 CFR 93.153(c) (2) (x)
 - Relocation of **existing** mission or personnel from one building to another
 - Reuse of **existing** structures where mission is essentially the same



Exemptions You are Most Likely to Use

- Transfer of ownership or titles of land, facilities, real or personal property from one Federal entity to another Federal entity
 - 40 CFR 93.153(c) (2) (xx)
 - Change in ownership of property; only pertains to the act of transfer



General Conformity Thresholds

NAAQS Pollutant	Area Classification	Pollutant to be controlled	Threshold (tons/year)
Ozone	Extreme	VOC or NO _x	10
Ozone	Severe	VOC or NO _x	25
Ozone	Serious	VOC or NO _x	50
Ozone	Moderate or	VOC or NO _x	100
Ozone	Ozone Transport	VOC	50
Ozone	Ozone Transport	NO _x	100
Carbon monoxide	Nonattainment	CO	100
Sulfur dioxide	Nonattainment	SO ₂	100
Nitrogen dioxide	Nonattainment	NO ₂	100
PM ₁₀	Serious	PM ₁₀	70
PM ₁₀	Moderate	PM ₁₀	100
Lead	Nonattainment	lead	25

Air Emission Sources

- Boilers
- Construction Vehicles
- Fuel Dispensing
- General Construction
- Generators
- Incinerators
- Increased Traffic
- Liquid Storage Tanks
- Paved Roads
- Prescribed Burning
- Solvent Tanks
- Storage Piles
- Surface Coating
- Unpaved Roads
- Woodworking

Direct and Indirect Emissions in Calculations

- Direct Emissions
 - Emissions from a boiler constructed onsite
 - Emissions from painting done at new activity
 - Fuel Dispensing at new activity
- Indirect Emissions
 - Construction vehicles
 - Increased traffic to new activity
 - Offsite emission increases



Conclusions...

