



GUNSTER
FLORIDA'S LAW FIRM FOR BUSINESS

FL/AL A&WMA Annual Meeting
June 16, 2023
Pensacola, FL

Robert A. Manning

Air Regulatory Update

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Robert A. Manning

A native Floridian, Robert Manning has been practicing environmental law for nearly three decades. He advises utilities and private businesses on issues involving air quality, including policy development, legislation, rulemaking, permitting and enforcement. Although his practice often focuses on issues affecting the electric utility industry, he also represents other industrial and municipal clients involved in phosphate, solid waste management, oil and gas, chemical, fuel distribution, and cement.

Robert is past Chair of the Florida Bar's Environmental and Land Use law Section and the Florida Section of the Air and Waste Management Association.



Agenda

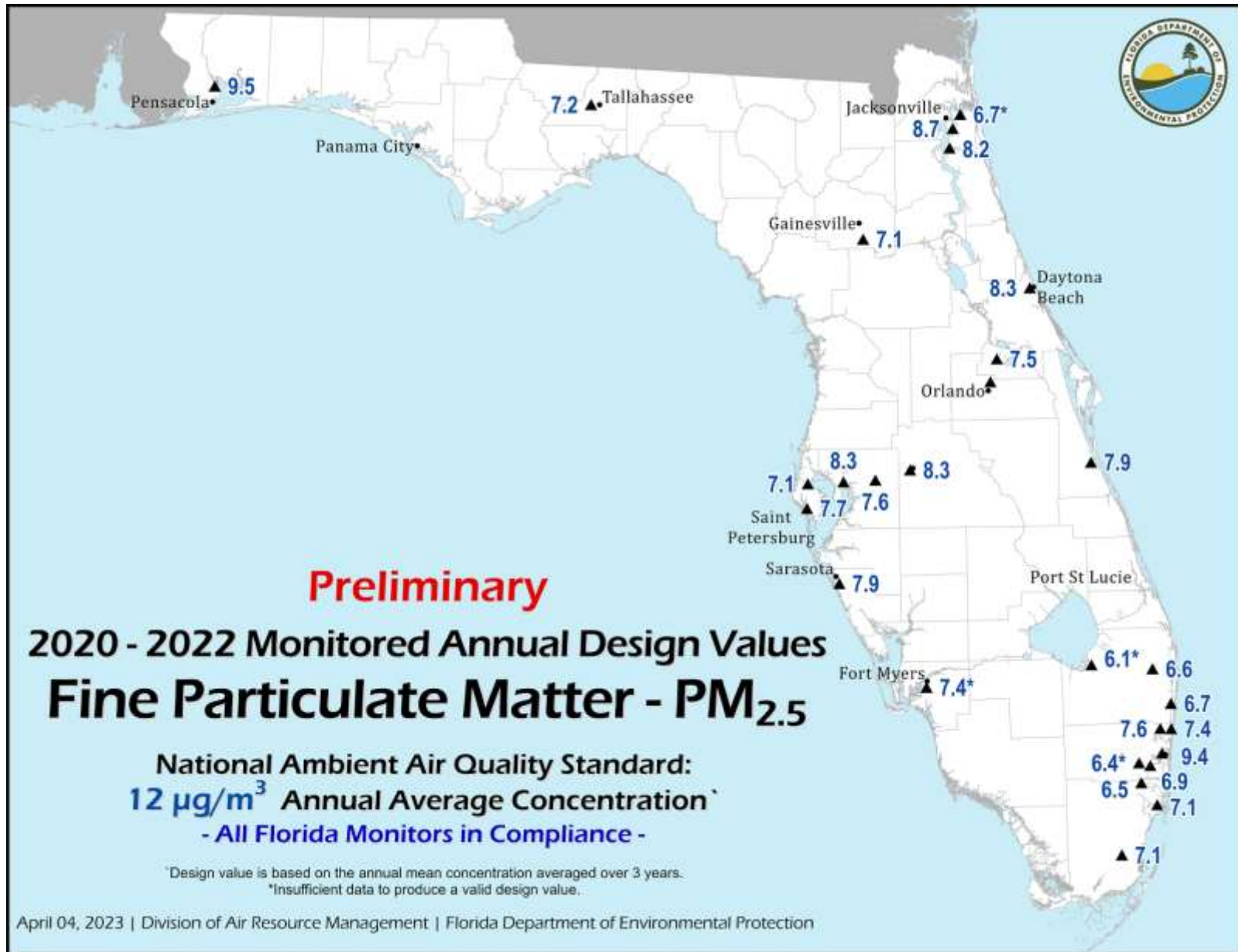
- **NAAQS – Ozone, PM_{2.5}**
- **MATS RTR Proposal**
- **GHG Proposal for EGUs**
- **SSM SIP Call**

Ozone NAAQS

- **Reconsidering Ozone Standard**
 - Proposal ~4/23, final ~12/24
 - Staff – retain 70; CASAC – 55-60
- **6/5/23 Proposed Transport FIP for 2015 NAAQS**

PM_{2.5} NAAQS

- **1/27/23 FR Proposal**
 - Lowers annual standard from 12 $\mu\text{g}/\text{m}^3$ to between 9.0 and 10.0
 - Retains 24-hr standard of 35 $\mu\text{g}/\text{m}^3$
- **Final rule ~8/23**



MATS RTR Proposal

- **A&N Finding - 3/6/23 FR final action**
- **4/24/23 RTR Proposal**
 - Lowers fPM from .30 to .010, or maybe .006
 - Requires PM CEMS
 - Removes LEE provisions
- **Comments due 6/23/23, final ~6/24**

GHG Proposal for EGUs

- **5/23/23 FR Proposal**
 - BSER = CCS, co-firing green Hydrogen
 - Depends on unit type, retirement date, capacity factor
 - Compliance dates of 2030, 2032, 2035, 2038
 - Applicability questions
- **Comments due 7/24 (likely 8/8); final ~6/24**

SSM SIP Call

- **2/24/23 FR Proposal to restate SIP Call; final ~3/24**
- **Court deadlines for EPA action**
 - 6/23/23 for Florida
- **5/8/23 proposed approval of Florida's 2016 submission**
 - Comments from Sierra Club