

NOTICE OF EXPEDITED RULEMAKING
MARICOPA COUNTY AIR POLLUTION CONTROL REGULATIONS
REGULATION III – CONTROL OF AIR CONTAMINANTS

PREAMBLE

- | <u>1. Sections Affected</u> | <u>Rulemaking Action</u> |
|---|---------------------------------|
| Rule 321: Municipal Solid Waste Landfills | Amend |
| Rule 360: New Source Performance Standards | Amend |
| Rule 370: Federal Hazardous Air Pollutant Program | Amend |
| Rule 371: Acid Rain | Amend |
| Appendix G: Incorporated Materials | Amend |
- 2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rule is implementing (specific):**
Authorizing Statutes: A.R.S. §§ 49-474, 49-479 and 49-480
Implementing Statutes: A.R.S. §§ 49-112 and 49-471.08
- 3. A list of all previous notices appearing in the Register addressing the expedited rule:**
Notice of Rulemaking Docket Opening: 16 A.A.R. 1678, August 27, 2010.
- 4. The name and address of department personnel with whom persons may communicate regarding the rulemaking including the accuracy of the economic, small business, and consumer impact statement contained in Section 9 of this notice of expedited rulemaking:**
Name: Cheri Dale
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Maricopa County Air Quality Department
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- 5. An explanation of the rule, including the department's reasons for initiating the rule:**
Summary:
The Maricopa County Air Quality Department (department) is proposing to incorporate by reference various federal regulations and documents promulgated by the U.S. Environmental Protection Agency (EPA) and

published in the Federal Register. The proposed rule revisions in this “Notice of Expedited Rulemaking” implement federal requirements according to each federal program identified or applicable source type subject to these regulations. These proposed revisions include incorporating by reference actions relating to New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), Acid Rain and other parts of Title 40 of the Code of Federal Regulations (CFR). The proposed rule revisions implement federal requirements according to each federal program identified or applicable source type subject to these regulations. The proposed action will include amending the incorporation by reference date from “2009” to “2010” in each of the rules to remain current with federal regulations. The adoption of the proposed revisions to Maricopa County Air Pollution Control Regulations Rules 321, 360, 370, 371, and Appendix G is necessary prior to requesting the EPA’s delegation of authority to Maricopa County for the implementation and enforcement of the described federal regulations and documents.

In addition, the proposed amendments will correct typographical or other clerical errors; make minor grammatical changes to improve readability or clarity; modify the format, numbering, order, capitalization, punctuation, or syntax of certain text to increase standardization within and among rules; or make various other minor changes of a purely editorial nature. As these changes do not alter the sense, meaning, or effect of the rules, they are not described in detail here, but can be readily discerned in the “underline/ strikeout” version of the rules contained in Item 13 of this notice.

Proposed Significant Revisions common to Rules 321, 360, 370, 371, and Appendix G:

- Amend the incorporation by reference date from “July 1, 2009” to “July 1, 2010.”
- Revised the AVAILABILITY OF INFORMATION section to include electronic availability of the EPA documents and the availability of American Society for Testing and Materials (ASTM) methods.

Proposed Significant Revisions for Rule 321: Municipal Solid Waste Landfills:

No updates to 40 CFR 60, Subpart WWW occurred between July 1, 2009, and June 30, 2010.

The following amendment to Rule 321 is proposed:

- Revised the wording of Section 200 to maintain consistency between rules concerning the application of definitions to a particular rule.

Proposed Significant Revisions for Rule 360: New Source Performance Standards:

This proposed incorporation by reference is substantially identical to 40 CFR 60, Subparts A, Ce, Ec and Y; and the ADEQ's Standards of Performance rules R18-2-901 through R18-2-905. Updates to the federal NSPS regulations at 40 CFR 60 are proposed to be incorporated by reference as of July 1, 2010, and no future editions or amendments.

40 CFR 60, Subpart A – General Provisions:

- Amended at 74 FR 51367, October 6, 2009.
- Amended at 74 FR 51949, October 8, 2009.

40 CFR Part 60, Subpart Ce – Standards of Performance for New Stationary Sources and Emissions Guidelines for Existing Sources: Hospital/Medical/Infectious Waste Incinerators [Amended at 74 FR 51367 October 6, 2009].

40 CFR 60, Subpart Ec – Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996 [Amended at 74 FR 51367 October 6, 2009].

40 CFR 60, Subpart Y – Standards of Performance for Coal Preparation and Processing Plants [Amended at 74 FR 51949, October 8, 2009].

The following amendment to Rule 360 is also proposed:

- Revised the wording of Section 200 to maintain consistency between rules concerning the application of definitions to a particular rule.

Proposed Significant Revisions for Rule 370: Federal Hazardous Air Pollutant Program:

This proposed incorporation by reference is substantially identical to 40 CFR 63 Subparts A, CC, ZZZZ, VVVVVV, ZZZZZZ, AAAAAA, BBBB, CCCCCC, DDDDDDD, and the ADEQ's National Emission Standards for Hazardous Air Pollutants rules R18-2-1101 through R18-2-1102. No updates to 40 CFR 61 occurred between July 1, 2009 and June 30, 2010. Updates to the federal NESHAP regulations at 40 CFR 63 are proposed to be incorporated by reference as of July 1, 2010, and no future editions or amendments.

40 CFR 63, Subpart A [Amended at 74 FR 55669, October 28, 2009 and at 74 FR 63503, December 3, 2009].

40 CFR 63, Subpart CC – National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries [Amended at 74 FR 55669, October 28, 2009. Corrected at 75 FR 37730 June 30, 2010].

40 CFR 63, Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines [Amended at 75 FR 9647, March 3, 2010, and at 75 FR 37732 June 30, 2010].

40 CFR 63, Subpart VVVVVV – National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources [Added at 74 FR 56007, October 29, 2009].

40 CFR 63, Subpart ZZZZZZ – National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries [Amended at 74 FR 46493, September 10, 2009].

40 CFR 63, Subpart AAAAAAA – National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing [Added at 74 FR 63236, December 2, 2009. Amended at 75 FR 12988, March 18, 2010].

40 CFR 63, Subpart BBBBBBB – National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry [Added at 74 FR 69194, December 30, 2009].

40 CFR 63, Subpart CCCCCC – National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing [Added at 74 FR 63503, December 3, 2009. Amended at 75 FR 10184, March 5, 2010 and at 75 FR 31317, June 3, 2010].

40 CFR 63, Subpart DDDDDDD – National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing [Added at 75 FR 522, January 5, 2010].

The following amendments to Rule 370 are also proposed:

- Add 40 CFR 63, Subpart VVVVVV – National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources.
- Add 40 CFR 63, Subpart AAAAAAA – National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing.
- Add 40 CFR 63, Subpart BBBBBBB – National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry.
- Add 40 CFR 63, Subpart CCCCCC – National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing.
- Add 40 CFR 63, Subpart DDDDDDD – National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing.
- Revised the wording of Section 200 to maintain consistency between rules concerning the application of definitions to a particular rule.

Proposed Significant Revisions for Appendix G, Incorporated Materials:

This proposed incorporation by reference includes updates to specific sections in the Code of Federal Regulations. The proposed revisions to Appendix G are substantially identical to 40 CFR 50 with Appendices A-1, A-2, S, and T; 40 CFR 51 Appendix S; 40 CFR 53; 40 CFR 58 with Appendices A, C, D, E, and G; 40 CFR 60 Appendix A; and AP-42; and the ADEQ's Appendix 2, Test Methods and Protocols and ADEQ's R18-2-102, Incorporated Materials. Updates to the Code of Federal Regulations referenced in this appendix are proposed to be incorporated by reference as of July 1, 2010, and no future editions or amendments.

- 40 CFR 50 – National Primary And Secondary Ambient Air Quality Standards [Amended at 75 FR 6473, February 9, 2010, and at 75 FR 35519, June 22, 2010].
- 40 CFR 50, Appendix A-1 – Reference Measurement Principle and Calibration Procedure for the Measurement of Sulfur Dioxide in the Atmosphere (Ultraviolet Fluorescence Method) [Added at 75 FR 35519, June 22, 2010].
- 40 CFR 50, Appendix A-2 – Reference Method for the Determination of Sulfur Dioxide in the Atmosphere (Pararosaniline Method) [Redesignated at 75 FR 35519, June 22, 2010].
- 40 CFR 50, Appendix S – Interpretation of the Primary National Ambient Air Quality Standards for Oxides of Nitrogen (Nitrogen Dioxide) [Added at 75 FR 6473, February 9, 2010].
- 40 CFR 50, Appendix T – Interpretation of the Primary National Ambient Air Quality Standards for Oxides of Sulfur (Sulfur Dioxide) [Added at 75 FR 35519, June 22, 2010].
- 40 CFR 51 – Prevention of Significant Deterioration (PSD) [Amended at 74 FR 65692, December 11, 2009].
- 40 CFR 51 – Appendix S Emission Offset Interpretative Ruling [Amended at 74 FR 65692, December 11, 2009].
- 40 CFR 53–Ambient Air Monitoring Reference and Equivalent Methods [Amended at 75 FR 35519, June 22, 2010].
- 40 CFR 53, Subpart A – General Provisions [Amended at 75 FR 35519, June 22, 2010].
- 40 CFR 53, Subpart B – Procedures for Testing Performance characteristics of Automated Methods SO₂, CO, O₃ and NO₂ [Amended at 75 FR 35519, June 22, 2010].
- 40 CFR 53, Subpart C – Procedures for Determining Comparability Between Candidate Methods and Reference Methods [Amended at 75 FR 35519, June 22, 2010].
- 40 CFR 58 – Ambient Air Quality Surveillance [Amended at 75 FR 6473, February 9, 2010, and at 75 FR 35519, June 22, 2010].
- 40 CFR 58, Subpart A – Ambient Air Quality Surveillance [Amended at 75 FR 6473, February 9, 2010].
- 40 CFR 58, Subpart B – Ambient Air Quality Surveillance [Amended at 75 FR 6473, February 9, 2010, and at 75 FR 35519, June 22, 2010].
- 40 CFR 58, Appendix A – Quality Assurance Requirements for SLAMS, SPMs and PSD Air Monitoring [Amended at 75 FR 6473, February 9, 2010, and at 75 FR 35519, June 22, 2010].
- 40 CFR 58, Appendix C – Ambient Air Quality Monitoring Methodology [Amended at 75 FR 6473, February 9, 2010].
- 40 CFR 58, Appendix D – Network Design Criteria for Ambient Air Quality Monitoring [Amended at 75 FR 6473, February 9, 2010, and at 75 FR 35519, June 22, 2010].
- 40 CFR 58, Appendix E– Probe and Monitoring Path Siting Criteria for Ambient Air Quality Monitoring [Amended at 75 FR 6473, February 9, 2010].

- 40 CFR 58, Appendix G – Uniform Air Quality Index (AQI) and Daily Reporting [Amended at 75 FR 6473, February 9, 2010, and at 75 FR 35519, June 22, 2010].

The following amendment to Appendix G is also proposed:

- Add 40 CFR 50, Appendix A-1 – Reference Measurement Principle and Calibration Procedure for the Measurement of Sulfur Dioxide in the Atmosphere (Ultraviolet Fluorescence Method).

6. Demonstration of compliance with A.R.S. §49-471.08 expedited rule making:

Maricopa County is proposing to declare this as an expedited rule making action. Under A.R.S. § 49-479(C), a county may not adopt a rule or ordinance that is more stringent than the rules adopted by the Director of the ADEQ for similar sources unless it demonstrates compliance with the requirements of A.R.S. § 49-112.

A.R.S. § 49-112 (A)

When authorized by law, a county may adopt a rule, ordinance, or other regulation that is more stringent than or in addition to a provision of this title or rule adopted by the director or any board or commission authorized to adopt rules pursuant to this title if all the following conditions are met:

1. The rule, ordinance or other regulation is necessary to address a peculiar local condition; and
2. There is credible evidence that the rule, ordinance or other regulation is either:
 - a. Necessary to prevent a significant threat to public health or the environment that results from a peculiar local condition and is technically and economically feasible; or
 - b. Required under a federal statute or regulation, or authorized pursuant to an intergovernmental agreement with the federal government to enforce federal statutes or regulations if the county rule, ordinance or other regulation is equivalent to federal statutes or regulations.

The revisions to Rules 321, 360, 370, 371 and Appendix G are being proposed to reflect revisions to federal regulations and documents promulgated by the EPA and published in the Federal Register notices cited in Section 5 of this rulemaking. Other proposed changes made are typographical errors and technical corrections. Maricopa County is in compliance with A.R.S. § 49-112(A) in that the department is proposing to adopt revisions to Rules 321, 360, 370, 371 and Appendix G that are not more stringent than nor in addition to a provision of A.R.S. Title 49 or rules adopted by the Director of the ADEQ or any Board or Commission authorized to adopt rules pursuant to A.R.S. Title 49, therefore no demonstration under A.R.S. § 49-112 is necessary.

A.R.S. § 49-112(B)

The A.R.S. § 49-112(B) demonstration does not apply because these particular rules are in the portion of the department's air quality program that is administered under direct statutory authority. Therefore, these rules are not being adopted or revised in lieu of a state program.

A.R.S. § 49-471.08(A)(1)

Demonstration that the rule or ordinance making is substantially identical to the sense, meaning and effect of the federal or state rule or law from which it is derived.

Rule 321 is substantially identical to 40 CFR 60, Subpart WWW and the ADEQ's Standards of Performance for Existing Municipal Solid Waste Landfills, R18-2-731.

Rule 360 is substantially identical to 40 CFR 60, Subparts A, Ce, Ec and Y; and the ADEQ's Standards of Performance rules, R18-2-901 through R18-2-905.

Rule 370 is substantially identical to 40 CFR 61, Subparts A, CC, ZZZZ, VVVVVV, ZZZZZZ, AAAAAA, BBBB, CCCCCC, and DDDDDD; and the ADEQ's National Emission Standards for Hazardous Air Pollutants rules, R18-2-1101 through R18-2-1102.

Rule 371 is substantially identical to 42 CFR 72, 74, 75, 76, Acid Rain; and the ADEQ's Acid Rain Rule, R18-2-333.

Appendix G is substantially identical to 40 CFR 50 with Appendices A-1, A-2, and T; 40 CFR 51 Appendix S; 40 CFR 53; 40 CFR 58 with Appendices A, C, D, E, G; 40 CFR 60 Appendix A; and AP-42; ADEQ's Appendix 2, Test Methods and Protocols; and ADEQ's R18-2-102, Incorporated Materials.

A.R.S. § 49-471.08(A)(2)

Written finding by the Control Officer setting forth the reasons why the rule or ordinance making is necessary and does not alter the sense, meaning or effect of the federal or state rule or law from which it is derived.

This rulemaking is required to update the applicability dates in these rules. It incorporates subparts that have been passed by the federal government which are required to be implemented by the department. Rules 321, 360, 370, 371, and Appendix G do not alter the sense, meaning or effect of the federal regulations and state rules from which they are derived, as they incorporate language that is essentially the same as the federal code of regulations and the state's applicable rules.

A.R.S. § 49-471.08(A)(3)

Demonstration that fees established in the rule or ordinance do not exceed limits specified in § 49-112.

Per A.R.S. § 49-112(B), a county may adopt rules in lieu of a state program that are as stringent as a state program, if the county demonstrates that the cost of obtaining permits or other approvals from the county will be approximately equal to or less than the costs of obtaining similar permits. Rules 321, 360, 370, 371, and

Appendix G do not establish fees. Any costs associated with these rules will come from permit application fees for sources obtaining a permit revision to reflect new emission limits, due to applicability of a new standard. Therefore, fees associated with these rules will be exactly the same as fees associated with similar permits.

7. A reference to any study relevant to the rule that the department reviewed and either proposes to rely on or not rely on its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

No studies were reviewed in reference to this expedited rulemaking action. All studies were conducted when the federal and state rule or law was proposed and adopted.

8. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. The preliminary summary of the economic, small business, and consumer impact:

Maricopa County is proposing to incorporate by reference the following federal regulations and documents promulgated by the EPA and published in the Federal Register: New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), Acid Rain and other parts of Title 40 Code of Federal Regulations (CFR). These revisions should not have an economic impact on businesses in Maricopa County and should not impose additional costs on the regulated community, small businesses, political subdivisions, and members of the public beyond that already incurred by reason of federal or state rule or law. The costs of compliance with these rules have already occurred and were considered when the federal and state rule or law was proposed and adopted.

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the expedited rule:

Written oral proceeding requests or written comments or both to the proposed rule revisions in this “Notice of Expedited Rulemaking” will be accepted until 5:00 pm on Tuesday, June 21, 2011. Written oral proceeding requests or written comments or both may be mailed, e-mailed, or hand delivered to the department at the address listed in Item 4 of this notice. An oral proceeding will be scheduled only upon receipt of a written request before 5:00 pm on Tuesday, June 21, 2011. All written comments will be considered formal comments to the Notice of Expedited Rulemaking and will be responded to in the Notice of Final Rulemaking.

11. Any other matters prescribed by statute that are applicable to the specific department or to any specific rule or class of rules:

Not applicable

12. Incorporations by reference and their location in the rules:

The following are proposed to be incorporated by reference as of July 1, 2010:

<u>Proposed Incorporations</u>	<u>Location</u>
40 CFR 60, Subparts A, Ce, Ec, Y Appendices.	Rule 360
40 CFR 63 Subparts A, CC, ZZZZ, VVVVVV, ZZZZZZ, AAAAAAA, BBBBBBB, CCCCCC, and DDDDDDD	Rule 370
40 CFR 50 and Appendices A through R; 40 CFR 51, Subpart A, Appendix A; and Appendix M; and Appendix S; Appendices S and W; 40 CFR 53; 40 CFR 58, and all appendices; 40 CFR 60, all appendices.	Appendix G

Appendix G is substantially identical to 40 CFR 50 with Appendices A-1, A-2, and T; 40 CFR 51 Appendix S; 40 CFR 53; 40 CFR 58 with Appendices A, C, D, E, G; 40 CFR 60 Appendix A; and AP-42; ADEQ's Appendix 2, Test Methods and Protocols; and ADEQ's R18-2-102, Incorporated Materials.

EPA Publication No. AP-42, 1995, "Compilation of Air Pollutant Emission Factors," Volume I: Stationary Point and Area Sources, Fifth Edition, including Supplements A, B, C, D, E, F, and Updates 2001, 2002, 2003, and 2004, and all updates as of July 1, 2010. Appendix G

13. The full text of the rules follows:

REGULATION III – CONTROL OF AIR CONTAMINANTS
RULE 321
MUNICIPAL SOLID WASTE LANDFILLS

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Revised 12/17/08
Revised 09/16/09
Revised 07/07/10
Revised MM/DD/YY

MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
REGULATION III – CONTROL OF AIR CONTAMINANTS

RULE 321
MUNICIPAL SOLID WASTE LANDFILLS

SECTION 100 – GENERAL

- 101 PURPOSE:** To limit the emission of nonmethane organic compounds from municipal solid waste landfills.
- 102 APPLICABILITY:** The provisions of this rule shall apply to each municipal solid waste landfill for which construction, reconstruction, or modification commenced prior to May 30, 1991, and which has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition.
- 103 AVAILABILITY OF INFORMATION:** Copies of 40 CFR 60, Subpart WWW are available electronically at: ecfr.gpoaccess.gov; at the Maricopa County Air Quality Department, 1001 N. Central Ave., Phoenix, AZ, 85004; or by calling (602) 506-0169 for information. ASTM methods are available from the American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428, or from its website at www.astm.org.

SECTION 200 – DEFINITIONS: ~~See Rule 100 of these rules for definitions of terms that are used but not specifically defined in this rule.~~ For the purpose of this rule, the following definitions shall apply; in addition to those definitions found in Rule 100: General Provisions and Definitions of these rules. In the event of any inconsistency between any of the Maricopa County air pollution control rules, the definitions in this rule take precedence.

- 201 ADMINISTRATOR** – The Control Officer, except that the Control Officer shall not be empowered to approve alternative or equivalent test methods.
- 202 AFFECTED FACILITY** – Any municipal solid waste landfill to which this rule is applicable.

- 203 COMMENCED** – State or condition where an owner or operator has undertaken a continuous program of construction; or where an owner or operator has entered into a contractual obligation to undertake and complete such a program.
- 204 CONSTRUCTION** – The fabrication, erection, or installation of an affected facility.
- 205 MODIFICATION** – Any physical change in, or change in the method of operation of, an affected facility which would result in a change in actual emissions.
- 206 MUNICIPAL SOLID WASTE LANDFILL (MSW LANDFILL)** – An entire, publicly or privately owned, disposal facility in a contiguous geographical space where household waste is placed in or on land. Portions of a MSW landfill may be separated by access roads.
- 207 NMOC** – Nonmethane organic compound.
- 208 OWNER OR OPERATOR** – Any person who owns, leases, operates, controls, or supervises an affected facility.

SECTION 300 – STANDARDS

- 301 STANDARDS OF PERFORMANCE FOR MSW LANDFILLS** The federal standards of performance for municipal solid waste landfills set forth in 40 CFR 60, Subpart WWW adopted as of July 1, ~~2009~~ 2010, and all accompanying appendices, excluding 40 CFR 60.750, are adopted and incorporated by reference with the amendments and revisions set forth in this section. This adoption by reference includes no future editions or revisions. Each owner or operator of an affected facility shall comply with the requirements of 40 CFR 60, Subpart WWW as adopted and, where applicable, revised herein.
- 301.1 Collection and Control System Design Plan:** 40 CFR 60.752(b)(2)(i) is amended to read:
“Submit a collection and control design plan prepared by a professional engineer to the Administrator for approval not later than 12 months after submittal of the initial NMOC emission rate report.”
- 301.2 Design Capacity Report:** 40 CFR 60.757(a) is amended to read “Each owner or operator of an affected facility shall submit an initial design capacity report to the Administrator within 90 days from May 14, 1997.” 40 CFR 60.757(a)(1) is deleted.
- 301.3 NMOC Emission Rate Report:** 40 CFR 60.757(b) is amended to read “Each owner or operator of an affected facility shall submit an NMOC emission rate report to the Administrator initially and annually thereafter, except as provided for in paragraphs (b)(1)(ii) or (b)(3) of this section. The Administrator may request such additional information as may be necessary to verify the reported NMOC emission rate.” 40 CFR 60.757(b)(1)(i) is amended to read: “The initial NMOC emission rate report shall be submitted within 90 days from May 14, 1997 and may be combined with the initial design capacity report required in paragraph (a) of this section. Subsequent NMOC emission rate reports shall be submitted annually thereafter, except as provided for in paragraphs (b)(1)(ii) and (b)(3) of this section.”

302 DELAYED APPLICABILITY: For an affected facility that first becomes subject to the collection and control system requirement of 40 CFR 60.752 after May 14, 1997, the design plan shall be due not later than 12 months after submittal or scheduled submittal of an NMOC emission rate report of 50 megagrams (55.12 tons) per year or more.

SECTION 400 – ADMINISTRATIVE REQUIREMENTS (NOT APPLICABLE)

SECTION 500 – MONITORING AND RECORDS (NOT APPLICABLE)

REGULATION III – CONTROL OF AIR CONTAMINANTS
RULE 360
NEW SOURCE PERFORMANCE STANDARDS

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Revised 07/13/88
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MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
REGULATION III – CONTROL OF AIR CONTAMINANTS

RULE 360
NEW SOURCE PERFORMANCE STANDARDS

SECTION 100 – GENERAL

- 101 PURPOSE:** To establish acceptable design and performance criteria for specified new or modified emission sources.
- 102 APPLICABILITY:** The provisions of this rule apply to the owner or operator of any stationary source which contains an affected facility on which the construction, reconstruction, or a modification is commenced after the date of publication of any standard applicable to such facility in 40 CFR 60-and for which federal delegation of the implementation and enforcement of the standards to the Maricopa County Air Quality Department (department) has been accomplished. Any such stationary source must also comply with other Maricopa County Air Pollution Control Regulations.
- 103 AVAILABILITY OF INFORMATION:** Copies of all 40 CFR, Part 60 revisions currently enforced by the department are available electronically at: ecfr.gpoaccess.gov; at the Maricopa County Air Quality Department, 1001 N. Central Ave., Phoenix, AZ, 85004; or by calling (602) 506-0169 for information. ASTM methods are available from the American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428, or from its website at www.astm.org.

104 FEDERAL DELEGATION AUTHORITY: The department shall enforce the federal new source performance standards (NSPS) (40 CFR Part 60) listed in Section 300 of this rule which have been delegated to the County by the United States Environmental Protection Agency (EPA) for such enforcement. The department may, in addition, enforce such other NSPS as delegated for such enforcement by the EPA to the County.

SECTION 200 – DEFINITIONS: ~~See Rule 100 of these rules for definitions of terms that are used but not specifically defined in this rule.~~ For the purpose of this rule, the following definitions shall apply in addition to those definitions found in Rule 100: General Provisions and Definitions of these rules. In the event of any inconsistency between any of the Maricopa County air pollution control rules, the definitions in this rule take precedence.

201 ADMINISTRATOR – As used in Part 60, Title 40, Code of Federal Regulations, shall mean the Control Officer, except that the Control Officer shall not be empowered to approve alternate or equivalent test methods or alternative standards/work practices, or other nondelegable authorities such as those listed in 40 CFR 60.4(d), except as specifically provided in each subpart.

202 AFFECTED FACILITY – With reference to a stationary source, any apparatus to which a standard is applicable.

203 COMMENCED – With respect to the definition of "new source" in Section 111(a)(2) of the Act, that an owner or operator has undertaken a continuous program of construction, reconstruction, or modification or that an owner or operator has entered into a contracted obligation to undertake and complete, within a reasonable time, a continuous program of construction, reconstruction or modification.

204 CONSTRUCTION – The fabrication, erection, or installation of an affected facility.

205 MODIFICATION – Any physical change in, or change in the method of operation of, an existing facility which increases the amount of any contaminant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air contaminant (to which a standard applies) into the atmosphere not previously emitted.

206 OWNER OR OPERATOR – Any person who owns, leases, operates, controls, or supervises an affected facility or a stationary source of which an affected facility is a part.

207 STANDARD – A standard of performance promulgated under this rule.

208 STATIONARY SOURCE – Any building, structure, facility, or installation which emits or may emit any air pollutant.

SECTION 300 – STANDARDS

301 ADOPTED FEDERAL STANDARDS: The federal standards of performance for those subparts of 40 CFR 60 adopted as of July 1, ~~2009~~ 2010, as listed below, and all accompanying appendices are adopted and incorporated by reference, and no future editions or amendments, in the Maricopa County Air Pollution Control Regulations as indicated. Incorporation by reference does not include nondelegable functions of the EPA Administrator.

- 301.1** **SUBPART A** – General Provisions; exclude any sections dealing with equivalency determinations or innovative technology waivers, as covered in Sections 111(h)(3) and 111(j) respectively of the Clean Air Act.
- 301.2** **SUBPART D** – Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971.
- 301.3** **SUBPART Da** – Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978.
- 301.4** **SUBPART Db** – Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units.
- 301.5** **SUBPART Dc** – Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.
- 301.6** **SUBPART E** – Standards of Performance for Incinerators.
- 301.7** **SUBPART Ea** – Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989 and on or Before September 20, 1994.
- 301.8** **SUBPART Eb** – Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996.
- 301.9** **SUBPART Ec** – Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996.
- 301.10** **SUBPART F** – Standards of Performance for Portland Cement Plants.
- 301.11** **SUBPART G** – Standards of Performance for Nitric Acid Plants.
- 301.12** **SUBPART H** – Standards of Performance for Sulfuric Acid Plants.
- 301.13** **SUBPART I** – Standards of Performance for Hot Mix Asphalt Facilities.
- 301.14** **SUBPART J** – Standards of Performance for Petroleum Refineries.
- 301.15** **SUBPART Ja** -Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007.
- 301.16** **SUBPART K** – Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.
- 301.17** **SUBPART Ka** – Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.
- 301.18** **SUBPART Kb** – Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.
- 301.19** **SUBPART L** – Standards of Performance for Secondary Lead Smelters.

- 301.20** **SUBPART M** – Standards of Performance for Secondary Brass and Bronze Production Plants.
- 301.21** **SUBPART N** – Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction Commenced After June 11, 1973.
- 301.22** **SUBPART Na** – Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction Commenced After January 20, 1983.
- 301.23** **SUBPART O** – Standards of Performance for Sewage Treatment Plants.
- 301.24** **SUBPART P** – Standards of Performance for Primary Copper Smelters.
- 301.25** **SUBPART Q** – Standards of Performance for Primary Zinc Smelters.
- 301.26** **SUBPART R** – Standards of Performance for Primary Lead Smelters.
- 301.27** **SUBPART S** – Standards of Performance for Primary Aluminum Reduction Plants.
- 301.28** **SUBPART T** – Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants.
- 301.29** **SUBPART U** – Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants.
- 301.30** **SUBPART V** – Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants.
- 301.31** **SUBPART W** – Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants.
- 301.32** **SUBPART X** – Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.
- 301.33** **SUBPART Y** – Standards of Performance for Coal Preparation and Processing Plants.
- 301.34** **SUBPART Z** – Standards of Performance for Ferroalloy Production Facilities.
- 301.35** **SUBPART AA** – Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983.
- 301.36** **SUBPART AAa** – Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983.
- 301.37** **SUBPART BB** – Standards of Performance for Kraft Pulp Mills.
- 301.38** **SUBPART CC** – Standards of Performance for Glass Manufacturing Plants.
- 301.39** **SUBPART DD** – Standards of Performance for Grain Elevators.
- 301.40** **SUBPART EE** – Standards of Performance for Surface Coating of Metal Furniture.
- 301.41** **SUBPART GG** – Standards of Performance for Stationary Gas Turbines.
- 301.42** **SUBPART HH** – Standards of Performance for Lime Manufacturing Plants.
- 301.43** **SUBPART KK** – Standards of Performance for Lead-Acid Battery Manufacturing Plants.
- 301.44** **SUBPART LL** – Standards of Performance for Metallic Mineral Processing Plants.
- 301.45** **SUBPART MM** – Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations.

- 301.46** **SUBPART NN** – Standards of Performance for Phosphate Rock Plants.
- 301.47** **SUBPART PP** – Standards of Performance for Ammonium Sulfate Manufacture.
- 301.48** **SUBPART QQ** – Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing.
- 301.49** **SUBPART RR** – Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations.
- 301.50** **SUBPART SS** – Standards of Performance for Industrial Surface Coating: Large Appliances.
- 301.51** **SUBPART TT** – Standards of Performance for Metal Coil Surface Coating.
- 301.52** **SUBPART UU** – Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture.
- 301.53** **SUBPART VV** – Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced after January 5, 1981, and on or Before November 7, 2006.
- 301.54** **SUBPART VVa** – Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced after November 7, 2006.
- 301.55** **SUBPART WW** – Standards of Performance for the Beverage Can Surface Coating Industry.
- 301.56** **SUBPART XX** – Standards of Performance for Bulk Gasoline Terminals.
- 301.57** **SUBPART AAA** – Standards of Performance for New Residential Wood Heaters.
- 301.58** **SUBPART BBB** – Standards of Performance for the Rubber Tire Manufacturing Industry.
- 301.59** **SUBPART DDD** – Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.
- 301.60** **SUBPART FFF** – Standards of Performance for Flexible Vinyl and Urethane Coating and Printing.
- 301.61** **SUBPART GGG** – Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006.
- 301.62** **SUBPART GGGa** – Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After November 7, 2006.
- 301.63** **SUBPART HHH** – Standards of Performance for Synthetic Fiber Production Facilities.
- 301.64** **SUBPART III** – Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.
- 301.65** **SUBPART JJJ** – Standards of Performance for Petroleum Dry Cleaners.
- 301.66** **SUBPART KKK** – Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants.

- 301.67** **SUBPART LLL** – Standards of Performance for Onshore Natural Gas Processing: SO₂ Emissions.
- 301.68** **SUBPART NNN** – Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.
- 301.69** **SUBPART OOO** – Standards of Performance for Nonmetallic Mineral Processing Plants.
- 301.70** **SUBPART PPP** – Standard of Performance for Wool Fiberglass Insulation Manufacturing Plants.
- 301.71** **SUBPART QQQ** – Standards of Performance for VOC Emissions From Petroleum Refinery Wastewater Systems.
- 301.72** **SUBPART RRR** – Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.
- 301.73** **SUBPART SSS** – Standards of Performance for Magnetic Tape Coating Facilities.
- 301.74** **SUBPART TTT** – Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.
- 301.75** **SUBPART UUU** – Standards of Performance for Calciners And Dryers In Mineral Industries.
- 301.76** **SUBPART VVV** – Standards of Performance for Polymeric Coating of Supporting Substrates Facilities.
- 301.77** **SUBPART WWW** – Standards of Performance for Municipal Solid Waste Landfills.
- 301.78** **SUBPART AAAA** – Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced after August 30, 1999 or for Which Modification or Reconstruction Is Commenced after June 6, 2001.
- 301.79** **SUBPART CCCC** – Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for Which Construction is Commenced after November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or after June 1, 2001.
- 301.80** **SUBPART EEEE** – Standards of Performance for Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006.
- 301.81** **SUBPART FFFF** – Emission Guidelines and Compliance Times for Other Solid Waste Incinerator Units That Commenced Construction On or Before December 9, 2004.
- 301.82** **SUBPART IIII** – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.
- 301.83** **SUBPART JJJJ** – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.
- 301.84** **SUBPART KKKK** – Standards of Performance for Stationary Combustion Turbines.

302 – ADDITIONAL REQUIREMENTS: From the general standards identified in Section 301 of this rule, delete 40 CFR 60.4, 60.5, and 60.6. All requests, reports, applications, submittals, and other communications to the Control Officer pursuant to this rule shall be submitted to the Maricopa County Air Quality Department, 1001 N. Central Ave., Phoenix, AZ, 85004.

SECTION 400 – ADMINISTRATIVE REQUIREMENTS (NOT APPLICABLE)

SECTION 500 – MONITORING AND RECORDS (NOT APPLICABLE)

REGULATION III – CONTROL OF AIR CONTAMINANTS
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SECTION 500 – MONITORING AND RECORDS (NOT APPLICABLE)

Revised 07/13/88

Revised 04/06/92

Repealed and Adopted 11/15/93

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Revised 11/19/03

Revised 03/15/06

Revised 12/17/08

Revised 09/16/09

Revised 07/07/10

Revised MM/DD/YY

**MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
REGULATION III – CONTROL OF AIR CONTAMINANTS
RULE 370
FEDERAL HAZARDOUS AIR POLLUTANT PROGRAM**

SECTION 100 – GENERAL

- 101 PURPOSE:** To establish emission standards for federally listed hazardous air pollutants.
- 102 APPLICABILITY:** The provisions of this rule apply to the owner or operator of any stationary source for which a standard is prescribed under this rule, and for which federal delegation of the implementation and enforcement of the standards to the Maricopa County Air Quality Department (department) has been accomplished. Any such stationary source must also comply with other Maricopa County Air Pollution Control Regulations.
- 103 AVAILABILITY OF INFORMATION:** Copies of all 40 CFR, Part 61 and Part 63 revisions currently enforced by the department are available [electronically at: ecfr.gpoaccess.gov](http://ecfr.gpoaccess.gov); at the Maricopa County Air Quality Department, 1001 N. Central Ave., Phoenix, AZ, 85004; or by calling (602) 506-0169 for information. ASTM methods are available from the American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428, or from its website at www.astm.org.

104 FEDERAL DELEGATION AUTHORITY: The department shall enforce the national emission standards for hazardous air (NESHAPs) (40 CFR 61 and 40 CFR 63) listed in Section 300 of this rule which have been delegated to the County by the United States Environmental Protection Agency (EPA) for such enforcement. The department in addition, may enforce such other NESHAPs as delegated for such enforcement by the EPA to the County.

SECTION 200 – DEFINITIONS: ~~See Rule 100 of these rules for definitions of terms that are used but not specifically defined in this rule.~~ For the purpose of this rule, the following definitions shall apply in addition to those definitions found in Rule 100: General Provisions and Definitions of these rules. In the event of any inconsistency between any of the Maricopa County air pollution control rules, the definitions in this rule take precedence.

- 201 ADMINISTRATOR** – As used in Parts 61 and 63, Title 40, Code of Federal Regulations, shall mean the Control Officer, except that the Control Officer shall not be empowered to approve alternate or equivalent test methods, alternative standards/work practices, or other nondelegable authorities, except as specifically provided in each subpart.
- 202 AMENDED WATER** – Water to which surfactant (wetting agent) has been added to increase the ability of the liquid to penetrate asbestos-containing material (ACM).
- 203 EXISTING SOURCE** – Any stationary source other than a new source.
- 204 FEDERALLY LISTED HAZARDOUS AIR POLLUTANT** – Any air pollutant listed pursuant to Section 112(b) of the Act.
- 205 GOVERNMENT-ISSUED PHOTO IDENTIFICATION CARD** – Includes, but is not limited to, a valid driver's license, a valid nonoperating identification license, a valid tribal enrollment card or tribal identification card, or other valid government issued photo identification that includes the name, address, and photograph of the card holder.
- 206 HAZARDOUS AIR POLLUTANT** – Any air pollutant regulated under Section 112 of the Act, any air pollutant subject to NESHAP, or any air pollutant designated by the Director as a hazardous air pollutant pursuant to ARS § 49-426.04.
- 207 MAJOR SOURCE** – A stationary source or group of stationary sources located within a contiguous area, and under common control, and that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any federally listed hazardous air pollutant or 25 tons per year or more of any combination of federally listed hazardous air pollutants. A lesser quantity or, in the case of radionuclides, a different criteria may be established by the Administrator pursuant to Section 112 of the Act and may be adopted by the Board of Supervisors by rule.
- 208 MODIFICATION** – Any physical change in, or change in the method of operation of a major source which increases the actual emissions of any federally listed hazardous air pollutant emitted by such source by more than a de minimis amount, or which results in the emission of any federally listed hazardous air pollutant, not previously emitted by more than a de minimis amount.

- 209 NESHAP** – National emission standards for hazardous air pollutants pursuant to 40 CFR Part 61 and Part 63.
- 210 NEW SOURCE** – A stationary source, the construction or reconstruction of which commences after the Administrator first proposes regulations under Section 112 of the Act establishing an emission standard applicable to such source.
- 211 STATIONARY SOURCE** – Any building, structure, facility, or installation which emits or may emit any air pollutant.

SECTION 300 – STANDARDS

301 STANDARDS OF PERFORMANCE FOR FEDERALLY LISTED HAZARDOUS AIR

POLLUTANTS: The federally listed hazardous air pollutants as listed in Table 370.1 of this rule and NESHAPs adopted as of July 1, ~~2009~~ 2010, as listed below and as which can be found at 40 CFR 61 and all accompanying appendices, are incorporated by reference with the listed exclusions and additions and shall be applied by the Control Officer. This incorporation by reference includes no future editions or amendments. Each owner or operator subject to the requirements of the following subparts shall comply with the requirements of those subparts and the additional requirements set forth herein. Incorporation by reference does not include nondelegable functions of the EPA Administrator.

- 301.1 SUBPART A** – General Provisions; exclude any sections dealing with equivalency determinations that are nontransferable through Section 112(e)(3) of the Act.
- 301.2 SUBPART C** – National Emission Standard for Beryllium.
- 301.3 SUBPART D** – National Emission Standard for Beryllium Rocket Motor Firing.
- 301.4 SUBPART E** – National Emission Standard for Mercury.
- 301.5 SUBPART F** – National Emission Standard for Vinyl Chloride.
- 301.6 SUBPART J** – National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene.
- 301.7 SUBPART L** – National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants.
- 301.8 SUBPART M** – National Emission Standard for Asbestos.
- a.** Each owner or operator of a demolition activity or renovation activity involving a facility as defined in 40 CFR 61, Subpart M shall:
 - (1)** Fully comply with all requirements of 40 CFR 61, Subpart M.
 - (2)** Thoroughly inspect the facility within 12 months of commencement of demolition or renovation activity for the presence of asbestos, including Category I and Category II nonfriable ACM. Include the date of this inspection on the written notification.
 - (3)** Provide the Control Officer with written notification of intention to demolish or to renovate in the manner described in 40 CFR 61.145.

- (4) Update all notifications in accordance with 40 CFR 61.145(b). For renovations described in 40 CFR 61.145(a)(4)(iii), notifications shall expire every December 31, with new notices required at least 10 working days before the end of the calendar year preceding the year for which notice is being given. All other notifications shall expire one year from either the original postmark date or commercial delivery date or date of hand delivery to the Control Officer. For a demolition activity or renovation activity that continues beyond the expiration date, the owner or operator of the demolition or renovation activity shall notify the Control Officer in accordance with 40 CFR 61.145(b) at least 10 working days prior to the expiration of the original notice and pay all applicable fees prescribed by Rule 280 of these rules.
- (5) Pay all applicable fees prescribed by Rule 280 of these rules.
- b. In addition, each owner or operator of a demolition activity or renovation activity shall comply with the following requirements:

 - (1) Certification, training, and record keeping requirements:

 - (a) All facilities scheduled for demolition or renovation shall be inspected by a currently certified Asbestos Hazard Emergency Response Act (AHERA) accredited asbestos building inspector (herein referenced as inspector), as required by either AHERA or the Asbestos School Hazard Abatement Reauthorization Act (ASHARA).
 - (b) Each owner and operator of a facility shall maintain a copy of any reports of inspections made for a facility for two years from completion of project, including laboratory test results of samples collected. A copy of the inspection reports and laboratory test results shall be on-site and available for inspection at the facility, upon request of the Department, during all demolition and renovation (asbestos setup, removal, handling, collecting, containerizing, cleanup and dismantling) activities.
 - (c) All asbestos workers shall maintain current AHERA worker certification. All asbestos contractor/supervisors shall maintain current AHERA/ASHARA contractor/supervisor certification and shall be on-site at all times during any active asbestos abatement work at or above NESHAP threshold amounts. A legible copy of all asbestos workers and contractor/supervisor's current training certificates from an EPA accredited training provider shall be available for inspection at all times at the demolition or renovation site.
 - (d) All asbestos workers and contractor/supervisors shall have color photo identification on-site and available for inspection, upon request of the Department, at all times during asbestos setup, removal, handling, collecting, containerizing, cleanup and dismantling. The color photo identification shall be from an EPA accredited training

provider verifying the certification requirements in section (b)(1)(c), or a current government-issued photo identification card.

- (2) Asbestos renovation and demolition standards:
- (a) A facility owner or operator shall not create visible dust emissions when removing or transporting to the disposal site Category I nonfriable asbestos-containing material (ACM) and Category II nonfriable ACM that remain nonfriable Category I ACM and nonfriable Category II ACM.
 - (b) Inspection viewing devices at facilities are required at all asbestos renovation projects where regulated asbestos-containing material (RACM) is being abated, except for roofing projects involving Category I nonfriable ACM and Category II nonfriable ACM exclusively. Viewing devices shall be so designed as to allow an inspector to view the facility from the outside, either through ports or by video monitoring.
 - (c) All exposed RACM subject to cutting or dismantling operations and all RACM being removed from a facility or a facility component shall be kept adequately wet by using amended water to control the release of asbestos fibers. The use of amended water will not be required in the case of an ordered demolition, as defined in 40 CFR 61.145(a)(3), where the debris is suspected to contain or is known to contain ACM, however ordered demolitions are subject to 40 CFR 61.145(c)(9). Specific exemptions are listed under 40 CFR 61.145(c)(3)(i)(A), 40 CFR 61.145(c)(3)(ii) and/or 40 CFR 61.145(c)(7)(i). To claim these exemptions, the owner or operator shall follow the requirements of 40 CFR 61.145(c)(3)(i)(B), 40 CFR 61.145(c)(3)(iii) and/or 61.145(c)(7)(ii) and (iii).
 - (d) All RACM shall be contained in transparent, leak-tight wrapping and shall remain adequately wet to prevent dust emissions during removal, transport, storage, and proper landfill disposal following local, county, state, and federal regulations. Affix a visible and legible label to each individual wrapping with the name of the site owner or operator and the name and address of the location that generated the RACM.

301.9 SUBPART N – National Emission Standard for Inorganic Arsenic Emissions From Glass Manufacturing Plants.

301.10 SUBPART O – National Emission Standard for Inorganic Arsenic Emissions From Primary Copper Smelters.

301.11 SUBPART P – National Emission Standard for Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities.

301.12 SUBPART V – National Emission Standard for Equipment Leaks (Fugitive Emission Sources).

301.13 SUBPART Y – National Emission Standard for Benzene Emissions From Benzene Storage Vessels.

301.14 SUBPART BB – National Emission Standard for Benzene Emissions From Benzene Transfer Operations.

301.15 SUBPART FF – National Emission Standard for Benzene Waste Operations.

302 STANDARDS OF PERFORMANCE FOR FEDERALLY LISTED HAZARDOUS AIR

POLLUTANTS FOR SOURCE CATEGORIES: The federally listed hazardous air pollutants as listed in Table 370.1 of this rule and NESHAPs adopted as of July 1, ~~2009~~2010, as listed below and as which can be found at 40 CFR 63, and all accompanying appendices, are incorporated by reference, as applicable requirements, with the listed exclusions and additions and shall be applied by the Control Officer. This incorporation by reference includes no future editions or amendments. Each owner or operator subject to the requirements of the following subparts shall comply with the requirements of those subparts and the additional requirements set forth. Incorporation by reference does not include nondelegable functions of the EPA Administrator.

302.1 SUBPART A – General Provisions.

302.2 SUBPART B – Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j).

302.3 SUBPART C – List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List.

302.4 SUBPART D – Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants.

302.5 SUBPART F – National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry.

302.6 SUBPART G – National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.

302.7 SUBPART H – National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.

302.8 SUBPART I – National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.

302.9 SUBPART J – National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production.

302.10 SUBPART L – National Emission Standards for Coke Oven Batteries.

302.11 SUBPART M – National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities.

302.12 SUBPART N – National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.

302.13 SUBPART O – Ethylene Oxide Emissions Standards for Sterilization Facilities.

302.14 SUBPART Q – National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers.

- 302.15 SUBPART R** – National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations).
- 302.16 SUBPART S** – National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry.
- 302.17 SUBPART T** – National Emission Standards for Halogenated Solvent Cleaning.
- 302.18 SUBPART U** – National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins.
- 302.19 SUBPART W** – National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production.
- 302.20 SUBPART X** – National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting.
- 302.21 SUBPART AA** – National Emission Standards for Hazardous Air Pollutants From Phosphoric Acid Manufacturing Plants.
- 302.22 SUBPART BB** – National Emission Standards for Hazardous Air Pollutants From Phosphate Fertilizers Production Plants.
- 302.23 SUBPART CC** – National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries.
- 302.24 SUBPART DD** – National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations.
- 302.25 SUBPART EE** – National Emission Standards for Magnetic Tape Manufacturing Operations.
- 302.26 SUBPART GG** – National Emission Standards for Aerospace Manufacturing and Rework Facilities.
- 302.27 SUBPART HH** – National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities.
- 302.28 SUBPART JJ** – National Emission Standards for Wood Furniture Manufacturing Operations.
- 302.29 SUBPART KK** – National Emission Standards for the Printing and Publishing Industry.
- 302.30 SUBPART MM** – National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicemical Pulp Mills.
- 302.31 SUBPART OO** – National Emission Standards for Tanks – Level 1.
- 302.32 SUBPART PP** – National Emission Standards for Containers.
- 302.33 SUBPART QQ** – National Emission Standards for Surface Impoundments.
- 302.34 SUBPART RR** – National Emission Standards for Individual Drain Systems.
- 302.35 SUBPART SS** – National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.
- 302.36 SUBPART TT** – National Emission Standards for Equipment Leaks – Control Level 1.
- 302.37 SUBPART UU** – National Emission Standards for Equipment Leaks – Control Level 2 Standards.

- 302.38 SUBPART VV** – National Emission Standards for Oil-Water Separators and Organic-Water Separators.
- 302.39 SUBPART WW** – National Emission Standards for Storage Vessels (Tanks) – Control Level 2.
- 302.40 SUBPART XX** – National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations.
- 302.41 SUBPART YY** – National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards.
- 302.42 SUBPART CCC** – National Emission Standards for Hazardous Air Pollutants for Steel Pickling – HCl Process Facilities and Hydrochloric Acid Regeneration Plants.
- 302.43 SUBPART DDD** – National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production.
- 302.44 SUBPART EEE** – National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors.
- 302.45 SUBPART GGG** – National Emission Standards for Pharmaceuticals Production.
- 302.46 SUBPART HHH** – National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities.
- 302.47 SUBPART III** – National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production.
- 302.48 SUBPART JJJ** – National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins.
- 302.49 SUBPART LLL** – National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry.
- 302.50 SUBPART MMM** – National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production.
- 302.51 SUBPART NNN** – National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing.
- 302.52 SUBPART OOO** – National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins.
- 302.53 SUBPART PPP** – National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production.
- 302.54 SUBPART QQQ** – National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting.
- 302.55 SUBPART RRR** – National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production.
- 302.56 SUBPART TTT** – National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting.

- 302.57 SUBPART UUU** – National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units.
- 302.58 SUBPART VVV** – National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works.
- 302.59 SUBPART XXX** – National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese.
- 302.60 SUBPART AAAA** – National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills.
- 302.61 SUBPART CCCC** – National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast.
- 302.62 SUBPART DDDD** – National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products.
- 302.63 SUBPART EEEE** – National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline).
- 302.64 SUBPART FFFF** – National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing.
- 302.65 SUBPART GGGG** – National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production.
- 302.66 SUBPART HHHH** – National Emission Standards for Hazardous Air Pollutants for Wet-formed Fiberglass Mat Production.
- 302.67 SUBPART IIII** – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks.
- 302.68 SUBPART JJJJ** – National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating.
- 302.69 SUBPART KKKK** – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans.
- 306.70 SUBPART MMMM** – National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products.
- 302.71 SUBPART NNNN** – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances.
- 302.72 SUBPART OOOO** – National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles.
- 302.73 SUBPART PPPP** – National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products.
- 302.74 SUBPART QQQQ** – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products.

- 302.75 SUBPART RRRR** – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture.
- 302.76 SUBPART SSSS** – National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil.
- 302.77 SUBPART TTTT** – National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations.
- 302.78 SUBPART UUUU** – National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing.
- 302.79 SUBPART VVVV** – National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing.
- 302.80 SUBPART WWWW** – National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production.
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- 302.85 SUBPART BBBBB** – National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing.
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- 302.87 SUBPART DDDDD** – National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters.
- 302.88 SUBPART EEEEE** – National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries.
- 302.89 SUBPART FFFFF** – National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities.
- 302.90 SUBPART GGGGG** – National Emission Standards for Hazardous Air Pollutants: Site Remediation.
- 302.91 SUBPART HHHHH** – National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing.
- 306.92 SUBPART IIIII** – National Emission Standards for Hazardous Air Pollutants: Mercury Emissions From Mercury Cell Chlor-Alkali Plants.

- 302.93 SUBPART JJJJJ** – National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing.
- 302.94 SUBPART KKKKK** – National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing.
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- 302.97 SUBPART NNNNN** – National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production.
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- 302.99 SUBPART QQQQQ** – National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities.
- 302.100 SUBPART RRRRR** – National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing.
- 302.101 SUBPART SSSSS** – National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing.
- 302.102 SUBPART TTTTT** – National Emission Standards for Hazardous Air Pollutants for Primary Magnesium Refining.
- 302.103 Subpart WWWW** – National Emission Standards for Hospital Ethylene Oxide Sterilizers.
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- 302.110 Subpart FFFFF** – National Emission Standards for Hazardous Air Pollutants: Secondary Copper Smelting Area Sources.
- 302.111 Subpart GGGGG**--National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources--Zinc, Cadmium, and Beryllium.

- 302.112 Subpart HHHHHH** – National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources.
- 302.113 Subpart LLLLLL**--National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources.
- 302.114 Subpart MMMMMM**--National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources.
- 302.115 Subpart NNNNNN**--National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds.
- 302.116 Subpart OOOOOO** – National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources.
- 302.117 Subpart PPPPPP** – National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area.
- 302.118 Subpart QQQQQQ** – National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources.
- 302.119 Subpart RRRRRR** – National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources.
- 302.120 Subpart SSSSSS** – National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources.
- 302.121 Subpart TTTTTT** – National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources.
- 302.122 Subpart VVVVVV** – National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources
- ~~302.122~~**302.123** Subpart **WWWWWW** – National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations.
- ~~302.123~~**302.124** Subpart **XXXXXX** – National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories.
- ~~302.124~~**302.125** Subpart **YYYYYY** – National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities.
- ~~302.125~~**302.126** Subpart **ZZZZZZ** – National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries.
- 302.127 Subpart AAAAAA** – National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing.
- 302.128 Subpart BBBBBB** – National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry.
- 302.129 Subpart CCCCCC** – National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing .

302.130 Subpart DDDDDDD – National Emission Standards for Hazardous Air Pollutants for Area

Sources: Prepared Feeds Manufacturing.

303 ADDITIONAL REQUIREMENTS:

- 303.1** From the general standards identified in Section 301 of this rule, delete 40 CFR 61.04. All requests, reports, applications, submittals, and other communications to the Control Officer pursuant to this rule shall be submitted to the Maricopa County Air Quality Department, 1001 N. Central Ave., Phoenix, AZ, 85004.
- 303.2** Where the Act has established provisions, including specific schedules, for the regulation of source categories pursuant to Sections 112(e)(5) and 112(n) of the Act, the Control Officer may enforce those provisions.
- 303.3** For any category or subcategory of sources licensed by the U.S. Nuclear Regulatory Commission, the Board of Supervisors shall not adopt and the Control Officer shall not enforce any standard or limitation respecting emissions of radionuclides which is more stringent than the standard or limitation adopted by the Administrator pursuant to Section 112 of the Act.
- 303.4** If the Administrator finds by rule that regulation is not appropriate or necessary or that alternative control strategies should be applied, the Control Officer shall administer and enforce this rule based on the Administrator's findings.

SECTION 400 – ADMINISTRATIVE REQUIREMENTS

- 401 CONTROL TECHNOLOGY DETERMINATIONS FOR MAJOR SOURCES IN ACCORDANCE WITH CLEAN AIR ACT SECTIONS, SECTIONS 112(g) AND 112(j):** 40 CFR 63.40 through 40 CFR 63.44 and 40 CFR 63.50 through 40 CFR 63.56 are adopted by reference.
- 402 COMPLIANCE EXTENSIONS FOR EARLY REDUCTION OF FEDERALLY LISTED HAZARDOUS AIR POLLUTANTS:** 40 CFR 63.70 through 40 CFR 63.81 and Table 370.1 are adopted by reference.

SECTION 500 – MONITORING AND RECORDS (NOT APPLICABLE)

TABLE 370.1. FEDERAL LIST OF HAZARDOUS AIR POLLUTANTS

- A.** All of the following are federally listed hazardous air pollutants:

<u>CAS No.</u>	<u>Chemical Name</u>	<u>CAS No.</u>	<u>Chemical Name</u>
75-07-0	Acetaldehyde	107-02-8	Acrolein
60-35-5	Acetamide	79-06-1	Acrylamide
75-05-8	Acetonitrile	79-10-7	Acrylic acid
98-86-2	Acetophenone	107-13-1	Acrylonitrile
53-96-3	2-Acetylaminofluorene	107-05-1	Allyl chloride

<u>CAS No.</u>	<u>Chemical Name</u>	<u>CAS No.</u>	<u>Chemical Name</u>
92-67-1	4-Aminobiphenyl	3547-04-4	DDE
62-53-3	Aniline	334-88-3	Diazomethane
90-04-0	o-Anisidine	132-64-9	Dibenzofurans
1332-21-4	Asbestos	96-12-8	1,2-Dibromo-3-chloropropane
71-43-2	Benzene (including benzene from gasoline)	84-74-2	Dibutylphthalate
92-87-5	Benzidine	106-46-7	1,4-Dichlorobenzene(p)
98-07-7	Benzotrichloride	91-94-1	3,3'-Dichlorobenzidene
100-44-7	Benzyl chloride	111-44-4	Dichloroethyl ether (Bis(2-chloroethyl)ether)
92-52-4	Biphenyl		
117-81-7	Bis(2-ethylhexyl)phthalate (DEHP)	542-75-6	1,3-Dichloropropene
542-88-1	Bis(chloromethyl)ether	62-73-7	Dichlorvos
75-25-2	Bromoform	111-42-2	Diethanolamine
106-99-0	1,3-Butadiene	121-69-7	N,N-Diethyl aniline (N,N-Dimethylaniline)
156-62-7	Calcium cyanamide	64-67-5	Diethyl sulfate
133-06-2	Captan	119-90-4	3,3-Dimethoxybenzidine
63-25-2	Carbaryl	60-11-7	Dimethyl aminoazobenzene
75-15-0	Carbon disulfide	119-93-7	3,3-Dimethyl benzidine
56-23-5	Carbon tetrachloride	79-44-7	Dimethyl carbamoyl chloride
463-58-1	Carbonyl sulfide	68-12-2	Dimethyl formamide
120-80-9	Catechol	57-14-7	1,1-Dimethyl hydrazine
133-90-4	Chloramben	131-11-3	Dimethyl phthalate
57-74-9	Chlordane	77-78-1	Dimethyl sulfate
7782-50-5	Chlorine	534-52-1	4,6-Dinitro-o-cresol, and salts
79-11-8	Chloroacetic acid	51-28-5	2,4-Dinitrophenol
532-27-4	2-Chloroacetophenone	121-14-2	2,4-Dinitrotoluene
108-90-7	Chlorobenzene	123-91-1	1,4-Dioxane (1,4-Diethyleneoxide)
510-15-6	Chlorobenzilate	122-66-7	1,2-Diphenylhydrazine
67-66-3	Chloroform	106-89-8	Epichlorohydrin (1-Chloro-2,3-epoxypropane)
107-30-2	Chloromethyl methyl ether		
126-99-8	Chloroprene	106-88-7	1,2-Epoxybutane
1319-77-3	Cresols/Cresylic acid (isomers and mixture)	140-88-5	Ethyl acrylate
95-48-7	o-Cresol	100-41-4	Ethyl benzene
108-39-4	m-Cresol	51-79-6	Ethyl carbamate (Urethane)
106-44-5	p-Cresol	75-00-3	Ethyl chloride (Chloroethane)
98-82-8	Cumene	106-93-4	Ethylene dibromide (Dibromoethane)
94-75-7	2,4-D, salts and esters	107-06-2	Ethylene dichloride (1,2-Dichloroethane)

<u>CAS No.</u>	<u>Chemical Name</u>	<u>CAS No.</u>	<u>Chemical Name</u>
107-21-1	Ethylene glycol	91-20-3	Naphthalene
151-56-4	Ethylene imine (Aziridine)	98-95-3	Nitrobenzene
75-21-8	Ethylene oxide	92-93-3	4-Nitrobiphenyl
96-45-7	Ethylene thiourea	100-02-7	4-Nitrophenol
75-34-3	Ethylidene dichloride (1,1-Dichloroethane)	79-46-9	2-Nitropropane
50-00-0	Formaldehyde	684-93-5	N-Nitroso-N-methylurea
76-44-8	Heptachlor	62-75-9	N-Nitrosodimethylamine
118-74-1	Hexachlorobenzene	59-89-2	N-Nitrosomorpholine
87-68-3	Hexachlorobutadiene	56-38-2	Parathion
77-47-4	Hexachlorocyclopentadiene	82-68-8	Pentachloronitrobenzene (Quintobenzene)
67-72-1	Hexachloroethane	87-86-5	Pentachlorophenol
822-06-0	Hexamethylene-1,6-diisocyanate	108-95-2	Phenol
680-31-9	Hexamethylphosphoramide	106-50-3	p-Phenylenediamine
110-54-3	Hexane	75-44-5	Phosgene
302-01-2	Hydrazine	7803-51-2	Phosphine
7647-01-0	Hydrochloric acid	7723-14-0	Phosphorus
7664-39-3	Hydrogen fluoride (Hydrofluoric acid)	85-44-9	Phthalic anhydride
123-31-9	Hydroquinone	1336-36-3	Polychlorinated biphenyls (Aroclors)
78-59-1	Isophorone	1120-71-4	1,3-Propane sultone
58-89-9	Lindane (all isomers)	57-57-8	beta-Propiolactone
108-31-6	Maleic anhydride	123-38-6	Propionaldehyde
67-56-1	Methanol	114-26-1	Propoxur (Baygon)
72-43-5	Methoxychlor	78-87-5	Propylene dichloride (1,2-Dichloropropane)
74-83-9	Methyl bromide (Bromomethane)	75-56-9	Propylene oxide
74-87-3	Methyl chloride (Chloromethane)	75-55-8	1,2-Propylenimine (2-Methylaziridine)
71-55-6	Methyl chloroform (1,1,1-Trichloroethane)	91-22-5	Quinoline
60-34-4	Methyl hydrazine	106-51-4	Quinone
74-88-4	Methyl iodide (Iodomethane)	100-42-5	Styrene
108-10-1	Methyl isobutyl ketone (Hexone)	96-09-3	Styrene oxide
624-83-9	Methyl isocyanate	1746-01-6	2,3,7,8-Tetrachlorodibenzo-p-dioxin
80-62-6	Methyl methacrylate	79-34-5	1,1,2,2-Tetrachloroethane
1634-04-4	Methyl tert butyl ether	127-18-4	Tetrachloroethylene (Perchloroethylene)
101-14-4	4,4-Methylene bis (2-chloroaniline)	7550-45-0	Titanium tetrachloride
75-09-2	Methylene chloride (Dichloromethane)	108-88-3	Toluene
101-68-8	Methylene diphenyl diisocyanate (MDI)	95-80-7	2,4-Toluene diamine
101-77-9	4,4'-Methylenedianiline	584-84-9	2,4-Toluene diisocyanate

<u>CAS No.</u>	<u>Chemical Name</u>	<u>CAS No.</u>	<u>Chemical Name</u>
95-53-4	o-Toluidine	0	Antimony Compounds
8001-35-2	Toxaphene (chlorinated camphene)	0	Arsenic Compounds inorganic including arsine)
120-82-1	1,2,4-Trichlorobenzene		
79-00-5	1,1,2-Trichloroethane	0	Beryllium Compounds
79-01-6	Trichloroethylene	0	Cadmium Compounds
95-95-4	2,4,5-Trichlorophenol	0	Chromium Compounds
88-06-2	2,4,6-Trichlorophenol	0	Cobalt Compounds
121-44-8	Triethylamine	0	Coke Oven Emissions
1582-09-8	Trifluralin	0	Cyanide Compounds ^[1]
540-84-1	2,2,4-Trimethylpentane	0	Glycol ethers ^[2]
108-05-4	Vinyl acetate	0	Lead Compounds
593-60-2	Vinyl bromide	0	Manganese Compounds
75-01-4	Vinyl chloride	0	Mercury Compounds
75-35-4	Vinylidene chloride (1,1-Dichloroethylene)	0	Fine mineral fibers ^[3]
1330-20-7	Xylenes (isomers and mixture)	0	Nickel Compounds
95-47-6	o-Xylenes	0	Polycyclic Organic Matter ^[4]
108-38-3	m-Xylenes	0	Radionuclides (including radon) ^[5]
106-42-3	p-Xylenes	0	Selenium Compounds

B. The following applies for all listings above which contain the word "compounds" or are glycol ethers: unless otherwise specified, these listings are defined as including any unique chemical substance that contains the named chemical (i.e., antimony, arsenic, etc.) as part of that chemical's infrastructure.

[1] X'CN where X = H' or any other group where a formal dissociation may occur (e.g. KCN or Ca(CN)2).

[2] a. Includes mono- and di- ethers of ethylene glycol, diethylene glycol, and triethylene glycol R-(OCH₂CH₂)_n-OR' where:

n = 1, 2, or 3;

R = alkyl C7 or less; or

R = phenyl or alkyl substituted phenyl;

R' = H or alkyl C7 or less; or

OR' consisting of carboxylic acid ester, sulfate, phosphate, nitrate, or sulfonate.

b. Glycol ethers do not include ethylene glycol monobutyl ether (EGBE, 2-Butoxyethanol) (CAS No. 111-76-2).

[3] Includes mineral fiber emissions from facilities manufacturing or processing glass, rock, or slag fibers (or other mineral derived fibers) of average diameter one micrometer or less.

[4] Includes organic compounds which have more than one benzene ring and which have a boiling point greater than or equal to 212 °F (100 °C).

[5] A type of atom which spontaneously undergoes radioactive decay.

REGULATION III – CONTROL OF AIR CONTAMINANTS
RULE 371
ACID RAIN

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SECTION 400 – ADMINISTRATIVE REQUIREMENTS (NOT APPLICABLE)

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Adopted 02/15/95

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Revised 12/17/08

Revised 09/16/09

Revised 07/07/10

Revised MM/DD/YY

MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
REGULATION III – CONTROL OF AIR CONTAMINANTS

RULE 371
ACID RAIN

SECTION 100 – GENERAL

- 101 PURPOSE:** To incorporate by reference the Acid Rain federal regulations in order to obtain delegated authority to enforce portions of the Clean Air Act Amendments of 1990 (CAAA).
- 102 APPLICABILITY:** This rule applies to those affected units as described in 40 Code of Federal Regulations (CFR) 72.6 which has been adopted by reference and no future additions or amendments. Any such stationary source must also comply with other Maricopa County Air Pollution Control Regulations.
- 103 SEVERABILITY:** If the provisions or requirements of the regulations incorporated pursuant to this rule conflict with any of the remaining portions of these rules, the regulations incorporated pursuant to this rule shall apply and shall take precedence.
- 104 AVAILABILITY OF INFORMATION:** Copies of 40 CFR Part 72 (Permits Regulation), 40 CFR Part 74 (Sulfur Dioxide Opt-Ins), 40 CFR Part 75 (Continuous Emission Monitoring), and 40 CFR 76 (Acid Rain Nitrogen Oxides Emission Reduction Program) and all accompanying appendices currently enforced by the department are available electronically at: ecfr.gpoaccess.gov; at the Maricopa County Air Quality Department, 1001 N. Central Ave., Phoenix, AZ, 85004; or by calling (602) 506-0169 for information. ASTM methods are available from the American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428, or from its website at www.astm.org.
- 105 FEDERAL DELEGATION AUTHORITY:** The department shall enforce the Federal Acid Rain Regulations which have been delegated to the County by the United States Environmental Protection Agency (EPA) for such enforcement. The department may, in addition, enforce such other Acid Rain Rules as delegated for such enforcement by the EPA to the County.

SECTION 200 – DEFINITIONS: See Rule 100 of these rules for definitions of terms that are used but not specifically defined in this rule.

SECTION 300 – STANDARDS

- 301 INCORPORATED SUBPARTS OF THE FEDERAL ACID RAIN REGULATIONS:** 40 CFR Parts 72, 74, 75 and 76 and all accompanying appendices, adopted as of July 1, ~~2009~~ 2010, (and no future additions or amendments) are incorporated by reference as applicable requirements.
- 302 FEDERAL REGULATORY REVISIONS:** The Maricopa County Board of Supervisors shall take action following promulgation by the Environmental Protection Agency (EPA) of regulations implementing Section 407 and Section 410 of the Clean Air Act (CAA), or revising either Part 72, 74, 75, and/or 76 of the regulations implementing Section 407 or Section 410 of the CAA, to either incorporate such new or revised

provisions by reference or to submit, for the EPA approval, the Maricopa County Air Pollution Control Regulations implementing these provisions.

SECTION 400 – ADMINISTRATIVE REQUIREMENTS (NOT APPLICABLE)

SECTION 500 – MONITORING AND RECORDS (NOT APPLICABLE)

Adopted 03/15/06

Revised 12/17/08

Revised 09/16/09

Revised 07/07/10

Revised MM/DD/YY

**MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS**

APPENDIX G

Incorporated Materials

- 1.** The following test methods, protocols, federal interpretations, guidelines, and appendices located in Title 40, Code of Federal Regulations (CFR) are approved for use as directed by the department under the Maricopa County Air Pollution Control Regulations. These standards are incorporated by reference revised as of July 1, ~~2009~~ 2010, and no future editions or amendments.
 - a.** 40 CFR 50;
 - b.** 40 CFR 50, Appendices ~~A-Q~~; A-1, A-2, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, and T;
 - c.** 40 CFR 51, Appendix M; Appendix S, Section IV; and Appendix W;
 - d.** 40 CFR 52, Appendices D and E;
 - e.** 40 CFR 53;
 - f.** 40 CFR 58;
 - g.** 40 CFR 58, Appendices A, C, D, E, and G;
 - h.** 40 CFR 60, Appendices A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, B, C, D, F, G, and I ;
 - i.** 40 CFR 61, Appendices A, B, C, D, and E;
 - j.** 40 CFR 63, all appendices; and
 - k.** 40 CFR 75, Appendices A, B, C, D, E, F, G, and K.
- 2.** The following documents are incorporated by reference and are approved for use as directed by the department under the Maricopa County Air Pollution Control Regulations. These documents are incorporated by reference as of the year specified below, and no future editions or amendments.

- a. The Arizona Department of Environmental Quality's (ADEQ) "Arizona Testing Manual for Air Pollutant Emissions," amended as of March 1992, and no future editions or amendments.
 - b. All American Society for Testing and Materials (ASTM) test methods referenced in the Maricopa County Air Pollution Control Regulations as of the year specified in the reference, and no future editions or amendments.
 - c. The U.S. Government Printing Office's "Standard Industrial Classification Manual, 1987", published by the Executive Office of the President, Office of Management and Budget, and no future editions or amendments.
 - d. EPA Publication No. AP-42, 1995, "Compilation of Air Pollutant Emission Factors," Volume I: Stationary Point and Area Sources, Fifth Edition, including Supplements A, B, C, D, E, F, Updates 2001, 2002, 2003, and 2004 and all updates as of July 1, ~~2009~~ 2010, and no future editions or amendments.
 - e. EPA guidance document "Guidelines for Determining Capture Efficiency", January 9, 1995, and no future editions or amendments.
 - f. 2002 US NAICS Manual, "North American Industry Classification System United States", National Technical Information Service, US Census Bureau, 2002, and no future editions or amendments.
3. The following federal regulations located in Title 40, Code of Federal Regulations (CFR) are approved for use as directed by the department under the Maricopa County Air Pollution Control Regulations. These standards are incorporated by reference revised as of July 1, ~~2009~~ 2010, and no future editions or amendments.
- a. The Consolidated Emissions Reporting Rule in 40 CFR 51, Subpart A, Appendix A, Table 2A.
 - b. 40 CFR 75.

Availability of Information: Copies of these incorporated materials are available electronically at ecfr.gpoaccess.gov; at the Maricopa County Air Quality Department, 1001 N. Central Ave., Phoenix, AZ, 85004; or by calling (602) 506-0169 for information. ASTM methods are available from the American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428, or from its website at www.astm.org.