

Eastern Kern Air Pollution Control District

Rule 422

**NEW SOURCE PERFORMANCE STANDARDS
(NSPS)**

AND

RULE 423

**NATIONAL EMISSION STANDARDS FOR HAZARDOUS
AIR POLLUTANTS AND SOURCE CATEGORIES
(NESHAPs)**

STAFF REPORT

January 6, 2022

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I. INTRODUCTION

The Eastern Kern Air Pollution Control District (District) is proposing to adopt amendments to Rule 422, New Source Performance Standards (NSPS) and Rule 423, National Emission Standards for Hazardous Air Pollutants and Source Categories (NESHAPS). The primary reason for amending Rules 422 and 423 is to update the source categories and standards promulgated by the U.S. Environmental Protection Agency (EPA). This staff report presents the proposed amendments made to both Rules.

On October 20, 2021, the District held a public rule development workshop at the District Board Chambers in Tehachapi to present proposed amendments to Rules 422 and 423. A 30-day public review and comment period followed the workshop, which ended November 19, 2021. The District received no comments.

Amended Rule 201.1 will be presented to the District's Governing Board for adoption at its regular Board Meeting held January 6, 2022, at the District Board Chambers located at 414 W. Tehachapi Boulevard Suite D Tehachapi, CA 93561.

Appendix A is the revised strikeout underline version of Rule 422 New Source Performance Standards (NSPS).

Appendix B is the revised strikeout underline version of Rule 423 National Emission Standards for Hazardous Air Pollutants and Source Categories (NESHAPS).

II. BACKGROUND

The federal Clean Air Act (CAA) requires EPA to establish New Source Performance Standards (NSPS) for sources emitting pollutants that affect national ambient air quality standards (NAAQS). Sources constructed or significantly modified after applicability date(s) are subject to the conditions of the appropriate standard.

The CAA also requires EPA to develop standards for Hazardous Air Pollutants (HAP) based on stringent air pollution measures known as Maximum Achievable Control Technology (MACT). MACT standards are titled as "National Emission Standard for Hazardous Air Pollutants" (NESHAP) in the Code of Federal Regulations. These standards are separated by source categories.

Facilities that emit HAP are divided into two categories: major sources and area sources. Major sources are defined as facilities with emissions greater than 10 tons per year (tpy) of any single HAP or 25 tpy of combined HAPs; area sources are defined as facilities that emit HAP that are not major sources. Major Sources

and some area source are subject to MACT standards. EPA promulgates new standards and revisions to existing standards as needed. The authority to implement and enforce these standards is delegated to local air pollution control districts on a case-by-case basis.

Rule 422 incorporates by reference the NSPS as promulgated by EPA and codified into 40 CFR Parts 60. Rule 423 incorporates by reference the NESHAPs as promulgated by EPA and codified into 40 CFR Parts 61 and 63.

EPA develops and adds new source categories to the NSPS and NESHAP as needed. Therefore, the District periodically reviews 40 CFR Parts 60, 61 and 63, for newly delegated source categories to include in Rules 422 and 423. Amendments to Rules 422 and 423 reflect revisions to the NSPS and NESHAP up to July 6, 2021.

III. PROPOSED REVISIONS TO RULE 422

Staff is proposing to amend Rule 422 to incorporate the following revised and new NSPS Subparts as promulgated by U.S. EPA.

40 CFR 60

Updated Subpart Titles:

- Ea, Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989 and on or Before September 20, 1994 (Not Delegated)
- Eb, 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 (Not Delegated)
- Ec, Hospital/Medical/Infectious Waste Incinerators (Not Delegated)
- I, Hot Mix Asphalt Facilities
- VV, 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
- GGG, 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
- KKK, Onshore Natural Gas Processing: Equipment Leaks of VOC
- WWW, Municipal Solid Waste Landfills That Commenced Construction Reconstruction, or Modification on or After May 30, 1991 or Before July 18, 2014
- CCCC, Commercial and Industrial Solid Waste Incineration Units For Which Construction is Commenced after June 4, 2010 or for Which Modification or Reconstruction is Commenced After August 7, 2013 (Not Delegated)

- DDDD, Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units the Commenced Construction on or Before June 4, 2010 of for Which Modification or Reconstruction is Commenced on or Before August 7, 2013 (Not Delegated)
- HHHH, (Reserved)

Added Subparts:

- Ba, Adoption and Submittal of State Plans for Designated Facilities (Not Delegated)
- Cf, Compliance Times for Municipal Solid Waste Landfills (Not Delegated)
- BBa, Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013 (Not Delegated)
- XXX, Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014 (Not Delegated)
- YYY, (Reserved)
- ZZZ, (Reserved)
- MMMM, Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units (Not Delegated)
- NNNN, (Reserved)
- OOOO, Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced After August 23, 2011, and on or before September 18, 2015 (Not Delegated)
- OOOOa, Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015 (Not Delegated)
- PPPP, (Reserved)
- QQQQ, Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces (Not Delegated)
- TTTT, Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units (Not Delegated)
- UUUUa, Emission Guidelines for Greenhouse Gas Emissions From Existing Electric Utility Generating Units (Not Delegated)

See Appendix A for all proposed changes to Rule 422.

IV. PROPOSED REVISIONS TO RULE 423

Staff is proposing to amend Rule 423 to incorporate the following revised and new NESHAP Subparts as promulgated by U.S. EPA.

40 CFR 61

Updated Subpart Titles:

- H, Emissions of Radionuclides Other Than Radon From Department of Energy Facilities (Not Delegated)
- I, Radionuclide Emissions From Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Federal Facilities not Covered by Subpart H (Not Delegated)
- Q, Radon Emissions From Department of Energy Facilities (Not Delegated)
- R, Radon Emissions From Phosphogypsum Stacks (Not Delegated)
- T, Radon Emissions From the Disposal of Uranium Mill Tailings (Not Delegated)

40 CFR 63

Updated Subpart Titles:

- U, Group I Polymers and Resins (Elastomers)
- W, Epoxy Resins Production and Non-Nylon Polyamides Production
- JJJ, Group IV Polymers and Resins (thermoplastics)
- LLL, Portland Cement Manufacturing Industry
- OOO, Manufacture of Amino/Phenolic Resins
- JJJJ, Paper and Other Web Coating
- KKKK, Surface Coating of Metal Cans
- MMMM, Surface Coating of Miscellaneous Metal Parts and Products
- NNNN, Surface Coating of Large Appliances
- OOOO, Printing, Coating, and Dyeing of Fabrics and Other Textiles
- PPPP, Surface Coating of Plastic Parts and Products
- QQQQ, Surface Coating of Wood Building Products
- RRRR, Surface Coating of Metal Furniture
- YYYY, Stationary Combustion Turbines
- DDDDD Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters
- FFFFF Integrated Iron and Steel Manufacturing Facilities
- IIIII, Mercury Cell Chlor-Alkali Plants
- QQQQQ, Friction Materials Manufacturing Facilities
- JJJJJJ Industrial, Commercial, and Institutional Boilers: Area Sources
- DDDDDDD, Prepared Feeds Manufacturing Area Sources

Added Subparts:

- IIII, Surface Coating of Automobiles and Light-Duty Trucks

See Appendix B for all proposed changes to Rule 423.

V. DELEGATIONS

The sections below list the Subparts that have not been delegated to the District.

40 CFR Part 60 NSPS

The following provisions of Subpart A, General Provisions are not delegated: Sections 60.4(b), 60.8(b), 60.9, 60.11(b), 60.11(e), 60.13(a), 60.13(d)(2), 60.13(g), and 60.13(i).

Subparts B, Ba, and Subpart C (NSPS Subparts Ca - Cf) have not been delegated to state and local agencies. Subparts B and C describe requirements for states to adopt and submit plans for designated facilities. These State Plans must be reviewed and approved by EPA. The authority to approve State Plans cannot be delegated to states.

In addition, the following Subparts of 40 CFR Part 60 have not been delegated:

- Ea, Municipal Waste Combustors constructed after December 20, 1989 and on or Before September 20, 1994
- Eb, Large Municipal Waste Combustors constructed after September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996
- Ec, Hospital/Medical/Infectious Waste Incinerators constructed after June 20, 1996
- H, Sulfuric Acid Plants
- Ja, Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007
- BBa, Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013 (Not Delegated)
- VVa, Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006
- XX, Bulk Gasoline Terminals
- GGGa, Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006
- TTT, Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines
- XXX, Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014
- AAAA, Small Municipal Waste Combustion Units for Which Combustion is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001
- BBBB, Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999
- CCCC, 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
- DDDD, Commercial and Industrial Solid Waste Incineration Units that Commenced Construction on or Before November 30, 1999

- EEEE, 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
- FFFF, Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004
- IIII, Stationary Compression Ignition Internal Combustion Engines
- JJJJ, Stationary Spark Ignition Internal Combustion Engines
- KKKK, Stationary Combustion Turbines
- LLLL, New Sewage Sludge Incineration Units
- MMMM, Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units (Not Delegated)
- NNNN, (Reserved)
- OOOO, Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced After August 23, 2011, and on or before September 18, 2015 (Not Delegated)
- OOOOa, Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015 (Not Delegated)
- PPPP, (Reserved)
- QQQQ, Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces (Not Delegated)
- TTTT, Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units (Not Delegated)
- UUUUa, Emission Guidelines for Greenhouse Gas Emissions From Existing Electric Utility Generating Units (Not Delegated)

40 CFR Part 61 NESHAP

The following provisions of Subpart A, General Provisions have not been delegated to California Air Districts: Sections 61.04(b), 61.04(c), 61.05(c), 61.11, 61.12(d), 61.13(h)(1)(ii), 61.14(d), 61.14(g)(1)(ii), and 61.16.

In addition, the following Subparts of 40 CFR Part 61 have not been delegated:

- B, Radon Emissions from Underground Uranium Mines
- H, Department of Energy Facilities
- I, Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Federal Facilities not Covered by Subpart H
- K, Radionuclide Emissions From Elemental Phosphorus Plants
- Q, Radon Emissions From Department of Energy Facilities
- R, Radon Emissions From Phosphogypsum Stacks
- T, Radon Emissions From the Disposal of Uranium Mill Tailings
- W, Radon Emissions From Operating Mill Tailings

40 CFR Part 63 NESHAP for Source Categories (MACT Standards)

The following provisions of Subpart A, General Provisions are not delegated:

- Section 63.6(g), Approval of Alternative Non-Opacity Emission Standards;
- Section 63.6(h)(9), Approval of Alternative Opacity Standards;
- Sections 63.7(e)(2)(ii) and (f), Approval of Major Alternatives to Test Methods;
- Section 63.8(f), Approval of Major Alternatives to Monitoring;
- Section 63.10(f), Approval of Major Alternatives to Recordkeeping and Reporting;
- plus any other provisions specifically identified as non-delegable in each individual standard;

Subparts B, C, D, and E are not delegated to state and local agencies.

VI. ECONOMIC IMPACT

Amending Rule 422, Standards of Performance for New Stationary Sources and Amending Rule 423, National Emission Standards for Hazardous Air Pollutants and Source Categories (NESHAPS) pose no significant cost to industry.

VII. SOCIOECONOMIC IMPACTS

CH & SC Section 40728.5 exempts districts with a population of less than 500,000 persons from the requirement to assess the socioeconomic impacts of proposed rules. Eastern Kern County population is below 500,000 persons.

VIII. ENVIRONMENTAL IMPACTS

No significant environmental impacts are expected as a result of amending Rule 422, New Source Performance Standards (NSPS) and Rule 423, National Emission Standards for Hazardous Air Pollutants and Source Categories (NESHAPS). Pursuant to the Section 15061, Subsections (2) & (3) of the California Environmental Quality Act (CEQA) Guidelines, staff will prepare a Notice of Exemption for this project.

IX. RULE CONSISTENCY ANALYSIS

Pursuant to California Health and Safety Code Section 40727.2 (g), a rule consistency analysis of proposed amended Rule 422 and proposed amended Rule 423 is not required. District adopts the amendments to the federal requirements by reference.

X. RULE APPROVAL PROCESS

The District accepted written comments and concerns from persons interested in Amended Rules 422, New Source Performance Standards (NSPS) and 423, National Emission Standards for Hazardous Air Pollutants and Source Categories (NESHAPS) for a period of 30 days starting October 20, 2021 following the workshop held in Tehachapi (no comments were received). Staff anticipates the revised Rule will be adopted by the District’s Governing Board at its January 6, 2022 meeting. A hearing notice was published at least 30-days prior to the meeting.

REFERENCES

Electronic Code of Federal Regulations. “Title 40 Protection of Environment.” Part 60, Standards of Performance for New Stationary Sources. GPO Accessed 7/6/2021.

Electronic Code of Federal Regulations. “Title 40 Protection of Environment.” Part 61, National Emission Standards for Hazardous Air Pollutants. GPO Accessed 7/6/2021.

Electronic Code of Federal Regulations. “Title 40 Protection of Environment.” Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories. GPO Accessed 7/7/2021.

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APPENDIX A

PROPOSED REVISION RULE 422

**NEW SOURCE PERFORMANCE STANDARDS
(NSPS)**

Rule 422 Strikeout - Proposed Revision

RULE 422 **New Source Performance Standards (NSPS)** - Amended 7/13/92, 4/19/93, 12/1/94, 11/14/96, 11/10/99, 1/9/03, 1/13/11, 1/11/18, ~~XX/XX/XX~~

Provisions of Part 60, Chapter 1, Title 40, Code of Federal Regulations, in effect October 10, 2017, are hereby adopted by reference and made a part hereof. All new and modified sources shall comply with standards, criteria and requirements set forth therein.

For purposes of this Rule, the word "Administrator" as used in Title 40, Chapter 1, Part 60, Code of Federal Regulations, shall mean the Control Officer of the Eastern Kern Air Pollution Control District (District), except the Control Officer shall not be empowered to approve alternate or equivalent test methods or standards/work practices.

This Rule incorporates the following provisions of 40 CFR Part 60; implementation delegation has been granted to the District by U.S. EPA for all Subparts except those noted:

40 CFR 60:

Subpart	Description
A	General Provisions
B	Adoption and Submittal of State Plans for Designated Facilities (Not Delegated)
Ba	Adoption and Submittal of State Plans for Designated Facilities (Not Delegated)
C	Emission Guidelines and Compliance Times (Not Delegated)
Ca	(Reserved)
Cb	Large Municipal Waste Combustors that are Constructed on or Before September 20, 1994 (Not Delegated)
Cc	Compliance Times for Municipal Solid Waste Landfills (Not Delegated)
Cd	Sulfuric Acid Production Units (Not Delegated)
Ce	Hospital/Medical/Infectious Waste Incinerators (Not Delegated)
Cf	Compliance Times for Municipal Solid Waste Landfills (Not Delegated)
D	Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971
Da	Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978
Db	Industrial-Commercial-Institutional Steam Generating Units
Dc	Small Industrial-Commercial-Institutional Steam Generating Units
E	Incinerators
Ea	Municipal Waste Combustors Constructed <u>for Which Construction is Commenced</u> After December 20, 1989 and on or Before September 20, 1994 (Not Delegated)
Eb	Large Municipal Waste Combustors Constructed <u>for Which Construction is Commenced</u> After September 20, 1994 <u>or for Which Modification or Reconstruction is Commenced After June 19, 1996</u> (Not Delegated)
Ec	Hospital/Medical/Infectious Waste Incinerators Constructed After June 20, 1996 (Not Delegated)

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F	Portland Cement Plants
G	Nitric Acid Plants
H	Sulfuric Acid Plants (Not Delegated)
I	Hot Mix Asphalt Facilities (Not Delegated)
J	Petroleum Refineries
Ja	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007 (Not Delegated)
K	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978
Ka	Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984
L	Secondary Lead Smelters
M	Secondary Brass and Bronze Production Plants
N	Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983
O	Sewage Treatment Plants
P	Primary Copper Smelters
Q	Primary Zinc Smelters
R	Primary Lead Smelters
S	Primary Aluminum Reduction Plants
T	Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities
Y	Coal Preparation and Processing Plants
Z	Ferroalloy Production Facilities
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974 and on or before August 17, 1983
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983
BB	Kraft Pulp Mills
<u>BBa</u>	<u>Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013 (Not Delegated)</u>
CC	Glass Manufacturing Plants
DD	Grain Elevators
EE	Surface Coating of Metal Furniture
FF	(Reserved)
GG	Stationary Gas Turbines

Rule 422 Strikeout - Proposed Revision

HH	Lime Manufacturing Plants
KK	Lead-Acid Battery Manufacturing Plants
LL	Metallic Mineral Processing Plants
MM	Automobile and Light Duty Truck Surface Coating Operations
NN	Phosphate Rock Plants
PP	Ammonium Sulfate Manufacture
QQ	Graphic Arts Industry: Publication Rotogravure Printing
RR	Pressure Sensitive Tape and Label Surface Coating Operations
SS	Industrial Surface Coating: Large Appliances
TT	Metal Coil Surface Coating
UU	Asphalt Processing and Asphalt Roofing Manufacture
VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry <u>for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006</u>
VVa	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006 (Not Delegated)
WW	Beverage Can Surface Coating Industry
XX	Bulk Gasoline Terminals (Not Delegated)
AAA	New Residential Wood Heaters
BBB	Rubber Tire Manufacturing Industry
CCC	(Reserved)
DDD	Volatile Organic Compounds (VOC) Emissions from the Polymer Manufacturing Industry
EEE	(Reserved)
FFF	Flexible Vinyl and Urethane Coating and Printing
GGG	Equipment Leaks of VOC in Petroleum Refineries <u>for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006</u>
GGGa	Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006 (Not Delegated)
HHH	Synthetic Fiber Production Facilities
III	Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes
JJJ	Petroleum Dry Cleaners
KKK	Onshore Natural Gas Processing Plants: <u>Equipment Leaks of VOC</u>
LLL	Onshore Natural Gas Processing: SO ₂ Emissions
MMM	(Reserved)
NNN	Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations
OOO	Nonmetallic Mineral Processing Plants
PPP	Wool Fiberglass Insulation Manufacturing Plants
QQQ	VOC Emissions from Petroleum Refinery Wastewater Systems
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes

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SSS	Magnetic Tape Coating Facilities
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines (Not Delegated)
UUU	Calciners and Dryers in Mineral Industries
VVV	Polymeric Coating of Supporting Substrates Facilities
WWW	Municipal Solid Waste Landfills <u>That Commenced Construction, Reconstruction, or Modification on or After May 30, 1991 but Before July 18, 2014</u>
<u>XXX</u>	<u>Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014 (Not Delegated)</u>
<u>YYY</u>	<u>(Reserved)</u>
<u>ZZZ</u>	<u>(Reserved)</u>
AAAA	Small Municipal Waste Combustion Units for Which Combustion is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001 (Not Delegated)
BBBB	Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999 (Not Delegated)
CCCC	Commercial and Industrial Solid Waste Incineration Units for Which Construction is Commenced After November 30, 1999 <u>June 4, 2010</u> or for Which Modification or Reconstruction is Commenced on or After June 1, 2001 <u>August 7, 2013</u> (Not Delegated)
DDDD	Commercial and Industrial Solid Waste Incineration Units that Commenced Construction on or Before November 30, 1999 <u>June 4, 2010</u> <u>or Commenced Modification or Reconstruction on or Before August 7, 2013</u> (Not Delegated)
EEEE	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 (Not Delegated)
FFFF	Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004 (Not Delegated)
GGGG	(Reserved)
HHHH	Coal Fired Electric Steam Generating Units (Not Delegated) <u>(Reserved)</u>
IIII	Stationary Compression Ignition Internal Combustion Engines (Not Delegated)
JJJJ	Stationary Spark Ignition Internal Combustion Engines (Not Delegated)
KKKK	Stationary Combustion Turbines (Not Delegated)
LLLL	New Sewage Sludge Incineration Units (Not Delegated)
<u>MMMM</u>	<u>Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units (Not Delegated)</u>
<u>NNNN</u>	<u>(Reserved)</u>
<u>OOOO</u>	<u>Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced After August 23, 2011, and on or before September 18, 2015 (Not Delegated)</u>
<u>OOOOa</u>	<u>Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015 (Not Delegated)</u>
<u>PPPP</u>	<u>(Reserved)</u>
<u>QQQQ</u>	<u>Standards of Performance for New Residential Hydronic Heaters and</u>

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TTTT Forced-Air Furnaces (Not Delegated)
Standards of Performance for Greenhouse Gas Emissions for Electric
Generating Units (Not Delegated)
UUUUa Emission Guidelines for Greenhouse Gas Emissions From Existing
Electric Utility Generating Units (Not Delegated)

APPENDIX B

PROPOSED REVISION RULE

**NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR
POLLUTANTS AND SOURCE CATEGORIES
(NESHAPs)**

Rule 423 Strikeout - Proposed Revision

RULE 423 National Emission Standards For Hazardous Air Pollutants and Source Categories (NESHAPs) - Amended 7/13/92, 12/1/94, 9/7/95, 11/14/96, 11/10/99, 11/9/00, 1/9/03, 6/29/06, 9/14/06, 1/13/11, 1/11/18, XX/XX/XX

Provisions of Title 40, Chapter I, Parts 61 and 63, Code of Federal Regulations, in effect October 10, 2017, are hereby adopted by reference and made a part hereof. All sources of hazardous air pollution shall comply with applicable standards, criteria and requirements set forth therein.

For purposes of this Rule, the word "Administrator" as used in Title 40, Chapter I, Parts 61 and 63, Code of Federal Regulations, shall mean the Control Officer of the Eastern Kern Air Pollution Control District, except the Control Officer shall not be empowered to approve alternate or equivalent test methods or standards/work practices.

This Rule incorporates the following provisions of Title 40, Chapter I, Parts 61 and 63; implementation delegation has been granted to EKAPCD by U.S. EPA for all Subparts except those noted:

**40 CFR 61
(Pollutants)**

Subpart:

Description

A	General Provisions
B	Radon Emissions from Underground Uranium Mines (Not Delegated)
C	Beryllium
D	Beryllium Rocket Motor Firing
E	Mercury
F	Vinyl Chloride
G	(Reserved)
H	<u>Emissions of Radionuclides Other Than Radon From</u> Department of Energy Facilities (Not Delegated)
I	<u>Radionuclide Emissions From</u> Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Federal Facilities not Covered by Subpart H (Not Delegated)
J	Equipment Leaks (Fugitive Emission Sources) of Benzene
K	Radionuclide Emissions from Elemental Phosphorus Plants (Not Delegated)
L	Benzene Emissions from Coke By-Product Recovery Plants
M	Asbestos
N	Inorganic Arsenic Emissions from Glass Manufacturing Plants
O	Inorganic Arsenic Emissions from Primary Copper Smelters
P	Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities
Q	<u>Radon Emissions From</u> Department of Energy Facilities (Not Delegated)
R	<u>Radon Emissions From</u> Phosphogypsum Stacks (Not Delegated)
S	(Reserved)
T	<u>Radon Emissions From the</u> Disposal of Uranium Mill Tailings (Not Delegated)
U	(Reserved)
V	Equipment Leaks (Fugitive Emission Sources)

Rule 423 Strikeout - Proposed Revision

W	Radon Emissions from Operating Mill Tailings (Not Delegated)
X	(Reserved)
Y	Benzene Emissions from Benzene Storage Vessels
Z	(Reserved)
AA	(Reserved)
BB	Benzene Emissions from Benzene Transfer Operations
CC	(Reserved)
DD	(Reserved)
EE	(Reserved)
FF	Benzene Waste Operations

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(Source Categories)

Subpart:

Description

Preamble	Generic Maximum Achievable Control Technology (Generic MACT):
A	General Provisions
B	Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j) (Not Delegated)
C	List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List (Not Delegated)
D	Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants (Not Delegated)
E	Approval of State Programs and Delegation of Federal Authorities (Not Delegated)
F	Synthetic Organic Chemical Manufacturing Industry
G	Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater
H	Equipment Leaks
I	Processes Subject to the Negotiated Regulation for Equipment Leaks
J	Polyvinyl Chloride and Copolymers Production
K	(Reserved)
L	Coke Oven Batteries
M	Perchloroethylene Dry Cleaning*
N	<u>Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks**</u>
O	Ethylene Oxide Sterilization Facilities
P	(Reserved)
Q	Industrial Process Cooling Towers
R	Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)
S	Pulp and Paper Industry
T	Halogenated Solvent Cleaning
U	Group I Polymers and Resins (Elastomers) (See District Rules 432, Polyester Resin Operations)
V	(Reserved)

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W	Epoxy Resins Production and Non-Nylon Polyamides Production (See District Rules 432, Polyester Resin Operations)
X	Secondary Lead Smelting
Y	Marine Tank Vessel Loading Operations
Z	(Reserved)
AA	Phosphoric Acid Manufacturing Plants
BB	Phosphate Fertilizers Production Plants
CC	Petroleum Refineries
DD	Off-Site Waste and Recovery Operations
EE	Magnetic Tape Manufacturing Operations
FF	(Reserved)
GG	Aerospace Manufacturing and Rework Facilities (See District Rule 410.8, Aerospace Assembly and Coating Operations)
HH	Oil and Natural Gas Production Facilities
II	Shipbuilding and Ship Repair (Surface Coating)
JJ	Wood Furniture Manufacturing Operations (See District Rule 410.9, Wood Products Surface Coating Operations)
KK	Printing and Publishing Industry
LL	Primary Aluminum Reduction Plants
MM	Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicheical Pulp Mills
NN	(Reserved)
OO	Tanks - Level 1
PP	Containers
QQ	Surface Impoundments
RR	Individual Drain Systems
SS	Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process
TT	Equipment Leaks - Control Level 1
UU	Equipment Leaks - Control Level 2
VV	Oil-Water Separators and Organic-Water Separators
WW	Storage Vessels (Tanks) - Control Level 2
XX	Ethylene Manufacturing Process Units
YY	Generic Maximum Achievable Control Technology Standards
ZZ	(Reserved)
AAA	(Reserved)
BBB	(Reserved)
CCC	Steel Pickling – HCl Process Facilities and Hydrochloric Acid Regeneration Plants
DDD	Mineral Wool Production
EEE	Hazardous Waste Combustors
FFF	(Reserved)
GGG	Pharmaceuticals Production
HHH	Natural Gas Transmission and Storage Facilities
III	Flexible Polyurethane Foam Production
JJJ	Group IV Polymers and Resins (thermoplastics) (See District Rules 432, Polyester Resin Operations)
KKK	(Reserved)

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LLL	Portland Cement Manufacturing Industry (See District Rules 425.3, Portland Cement Kilns (Oxides of Nitrogen))
MMM	Pesticide Active Ingredient Production
NNN	Wool Fiberglass Manufacturing
OOO	Manufacture of Amino/Phenolic Resins (See District Rules 432, Polyester Resin Operations)
PPP	Polyether Polyols Production
QQQ	Primary Copper Smelting
RRR	Secondary Aluminum Production
SSS	(Reserved)
TTT	Primary Lead Smelting
UUU	Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, Sulfur Recovery Units
VVV	Publicly Owned Treatment Works
WWW	(Reserved)
XXX	Ferroalloys Production: Ferromanganese and Silicomanganese
YYY	(Reserved)
ZZZ	(Reserved)
AAAA	Municipal Solid Waste Landfills
CCCC	Manufacturing of Nutritional Yeast
DDDD	Plywood and Composite Wood Products
EEEE	Organic Liquids Distribution (non-gasoline) (See District Rules 410, Organic Solvents; 411, Storage of Organic Liquids; and 413, Organic Liquid Loading)
FFFF	Miscellaneous Organic Chemical Manufacturing (MON)
GGGG	Solvent Extraction for Vegetable Oil Production
HHHH	Wet-Formed Fiberglass Mat Production
<u>III</u>	<u>Surface Coating of Automobiles and Light Duty Trucks</u>
JJJJ	Paper and other Web (Surface Coating) (See District Rule 410.7, Graphic Arts)
KKKK	Surface Coating of Metal Cans Coating
MMMM	<u>Surface Coating of</u> Miscellaneous Metal Parts and Products (See District Rules 410.4, Metal, Plastic, and Pleasure Craft Parts and Products Coating Operations)
NNNN	<u>Surface Coating of</u> Large Appliances (surface coating) (See District Rules 410.4, Metal, Plastic, and Pleasure Craft Parts and Products Coating Operations)
OOOO	Printing, Coating, and Dyeing of <u>Fabrics and Other Textiles</u> Printing, Coating, and Dyeing
PPPP	<u>Surface Coating of</u> Plastic Parts <u>and Products</u> (surface coating) (See District Rules 410.4, Metal, Plastic, and Pleasure Craft Parts and Products Coating Operations)
QQQQ	<u>Surface Coating of</u> Wood Building Products (See District Rules 410.1A, Architectural Coating Controls & 410.9, Wood Products Surface Coating Operations)
RRRR	<u>Surface Coating of</u> Metal Furniture (surface coating) (See District Rules 410.4, Metal, Plastic, and Pleasure Craft Parts and Products Coating Operations)
SSSS	Surface Coating of Metal Coil

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TTTT	Leather Finishing Operations
UUUU	Cellulose Products Manufacturing
VVVV	Boat Manufacturing
WWWW	Reinforced Plastic Composites Production
XXXX	Rubber Tire Manufacturing
YYYY	Stationary Combustion Turbines (See District Rule 425, Cogeneration Gas Turbine Engines (Oxides of Nitrogen))
ZZZZ	Reciprocating Internal Combustion Engines (RICE)
AAAAA	Lime Manufacturing
BBBBB	Semiconductor Manufacturing
CCCCC	Coke Ovens: Pushing, Quenching and Battery Stacks
DDDDD	Industrial, Commercial, and Institutional Boiler and Process Heaters (See District Rules 425.2, Boilers, Steam Generators, and Process Heaters (Oxides of Nitrogen))
EEEE	Iron and Steel Foundries
FFFF	Integrated Iron and Steel Manufacturing Facilities
GGGGG	Site Remediation (See District Rule 414.2, Soil Decontamination (Volatile Organic Compounds))
HHHHH	Miscellaneous Coating Manufacturing
IIII	Mercury Cell Chlor-Alkali Plants
JJJJ	Brick and Structural Clay Products Manufacturing
KKKKK	Clay Ceramics Manufacturing
LLLLL	Asphalt Roofing and Processing (See District Rule 410.5, Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations; 425.1, Hot Mix Asphalt Paving Plants (Oxides of Nitrogen))
MMMMM	Flexible Polyurethane Foam Fabrication Operations
NNNNN	Hydrochloric Acid Production
PPPPP	Engine Test Cells/Stands
QQQQQ	Friction Materials Manufacturing Facilities
RRRRR	Taconite Iron Ore Processing
SSSSS	Refractory Products Manufacturing
TTTTT	Primary Magnesium Refining
UUUUU	(Reserved)
VVVVV	(Reserved)
WWWWW	Hospital Ethylene Oxide Sterilizers
XXXXX	(Reserved)
YYYYY	Electric Arc Furnace Steelmaking Facilities
ZZZZZ	Iron and Steel Foundries Area Sources
AAAAAA	(Reserved)
BBBBBB	Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities
CCCCCC	Gasoline Dispensing Facilities
DDDDDD	Polyvinyl Chloride and Copolymers Production Area Sources
EEEEEE	Primary Copper Smelting Area Sources
FFFFFF	Secondary Copper Smelting Area Sources
GGGGGG	Primary Nonferrous Metals Area Sources--Zinc, Cadmium, and Beryllium
HHHHHH	Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources
IIIIII	(Reserved)

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JJJJJ	Industrial, Commercial, and Institutional Boilers: Area Sources (See District Rules 425.2, Boilers, Steam Generators, and Process Heaters (Oxides of Nitrogen))
KKKKKK	(Reserved)
LLLLLL	Acrylic and Modacrylic Fibers Production Area Sources
MMMMMM	Carbon Black Production Area Sources
NNNNNN	Chemical Manufacturing Area Sources: Chromium Compounds
OOOOOO	Flexible Polyurethane Foam Production and Fabrication Area Sources ³
PPPPPP	Lead Acid Battery Manufacturing Area Sources
QQQQQQ	Wood Preserving Area Sources
RRRRRR	Clay Ceramics Manufacturing Area Sources
SSSSSS	Glass Manufacturing Area Sources
TTTTTT	Secondary Nonferrous Metals Processing Area Sources
UUUUUU	(Reserved)
VVVVVV	Chemical Manufacturing Area Sources
WWWWWW	Plating and Polishing Operations Area Sources
XXXXXX	Nine Metal Fabrication and Finishing Area Sources
YYYYYY	Ferroalloys Production Facilities Area Sources
ZZZZZZ	Aluminum, Copper, and Other Nonferrous Foundries Area Sources
AAAAAAA	Asphalt Processing and Asphalt Roofing Manufacturing Area Sources
BBBBBBB	Chemical Preparations Industry Area Sources
CCCCCCC	Paints and Allied Products Manufacturing Area Sources
DDDDDDD	Prepared Feeds <u>Manufacturing</u> Area Sources
EEEEEEE	Gold Mine Ore Processing and Production Area Sources
FFFFFFF	(Reserved)
GGGGGGG	(Reserved)
HHHHHHH	Polyvinyl Chloride and Copolymers Production

*Per 40 CFR §63.99(a)(5)(ii)(A), the Airborne Toxic Control Measure (ATCM) for perchloroethylene dry cleaning (California Code of Regulations Title 17 (17 CCR) sections 93109, 93109.1, and 93109.2) is implemented in place of Subpart M for area sources only

**Per 40 CFR §63.99(a)(5)(ii)(E), the ATCM for decorative and hard chrome plating and chromic acid anodizing facilities (17 CCR section 93102) is implemented in place of Subpart N

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