

NOTICES OF FINAL RULEMAKING

The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those which have appeared in the Register first as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the Register after the final rules have been submitted for filing and publication.

NOTICE OF FINAL RULEMAKING

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY AIR POLLUTION CONTROL

PREAMBLE

- 1. Sections Affected**

R18-2-333	Amend
R18-2-901	Amend
R18-2-1101	Amend
Appendix 2	Amend
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing and implementing statutes: A.R.S. §§ 49-104(A)(11), 49-404(A), and 49-425(A)
- 3. The effective date of the rules:**

October 1, 2000
- 4. A list of all previous notices appearing in the Register addressing the final rule:**

Notice of Rulemaking Docket Opening: 6 A.A.R. 1180, March 31, 2000
Notice of Proposed Rulemaking: 6 A.A.R. 1425, April 14, 2000
- 5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name: Mark Lewandowski or Martha Seaman, Rule Development Section

Address: ADEQ
3033 North Central
Phoenix, Arizona 85012-2809

Telephone: (602) 207-2230 or (602) 207-2222 (Any ADEQ number may be reached in-state by dialing 1-800-234-5677, and asking for that extension.)

Fax: (602) 207-2251
- 6. An explanation of the rule, including the agency's reasons for initiating the rule:**

The Arizona Department of Environmental Quality (ADEQ) has added new and updated incorporations by reference of the following federal regulations in state rules: New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), Acid Rain, and other parts of 40 CFR. The federal regulations that were effective as of July 1, 1999, have been incorporated. Although proposed, ADEQ did not amend the definition of volatile organic compounds (VOC) to exclude the compound t-butyl acetate, as proposed by the U.S. Environmental Protection Agency (EPA). At the time of this writing, it was not known if or when EPA would finalize its t-butyl acetate rule. ADEQ will repropose a rule to remove t-butyl acetate from the VOC definition after EPA promulgates its rule.

NSPS and NESHAP regulations. Federal regulations already incorporated by reference from 40 CFR Parts 60, 61, and 63 have been updated from July 1, 1998, to July 1, 1999, in R18-2-901 and R18-2-1101. As explained further below, ADEQ has also incorporated by reference new subparts in 40 CFR 63 that were effective as of July 1, 1999.

Acid Rain. Federal regulations already incorporated by reference from 40 CFR Part 72, 74, 75 and 76 have been updated from July 1, 1998, to July 1, 1999, in R18-2-333. ADEQ is obligated under state and federal law to incorporate federal acid rain requirements in the acid rain permits that it issues. (R18-2-306(A)(2); 40 CFR 70.6(a)(1))

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Miscellaneous Incorporations by Reference in Appendix 2. In a previous rulemaking, a general incorporation by reference at R18-2-102(3) was deleted and relocated in Appendix 2. In this rule, the provisions in Appendix 2 have been updated from July 1, 1998, to July 1, 1999.

ADEQ's intention in updating these incorporations by reference is to continue and update its delegated authority from EPA to implement and enforce the NSPS, NESHAP, and acid rain programs in Arizona.

Below are descriptions of federal subparts newly incorporated, taken from EPA's Notices of Final Rulemaking, and in chronological order:

NESHAP

Part 63, Subpart GGG - National Emission Standards for Pharmaceuticals Production [Added at 63 FR 50280, 09/21/1998] This action promulgated NESHAP to reduce air emissions of HAP from existing and new facilities that manufacture pharmaceutical products. The EPA intended that this promulgated rule would have a common technology basis with another rule promulgated on the same date under the Clean Water Act (CWA), to allow coordinated and cost effective compliance planning by the industry. The standards implement section 112 of the Clean Air Act (CAA) as amended in 1990. The standards apply to major source facilities which produce pharmaceutical products.

Part 63, Subpart III - National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production [Added at 63 FR 53980, 10/07/1998] This action promulgated NESHAP for new and existing plant sites that manufacture flexible polyurethane foam. The standards were estimated to reduce HAP emissions from all existing sources of flexible polyurethane foam manufacturing by over 12,500 megagrams/year (Mg/yr). This represents a 70 percent reduction from baseline.

Part 63, Subpart XXX - National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese [Added at 64 FR 27450, 05/20/1999] This action finalized NESHAP for ferroalloys production: ferromanganese and silicomanganese. The rule was proposed under the title of "national emission standards for hazardous air pollutants for ferroalloys production." The EPA changed the title of the final rule to reflect the specific ferroalloy produced (ferromanganese and silicomanganese) at the only existing source to be regulated. The EPA also deleted the proposed applicability to ferrochromium production with this action and withdrew the proposed rule for ferronickel production facilities.

Part 63, Subpart PPP - National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production [Added at 64 FR 29420, 06/01/1999] This rule promulgated NESHAP for new and existing plant sites that manufacture polyether polyols. The HAP emitted by the facilities covered by this rule include ethylene oxide, propylene oxide, hexane, toluene, and incidental emissions of several other HAP. Some of these pollutants are considered to be probable human carcinogens when inhaled, and all can cause toxic effects following exposure. The rule was estimated to reduce emissions of these pollutants by 1,810 Mg/yr (2,000 tons per year (tpy)). Because all of the pollutants are also volatile organic compounds (VOC), which are precursors to ambient ozone, the promulgated rule will also aid in the reduction of tropospheric ozone.

Part 63, Subpart DDD - National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production [Added at 64 FR 29490, 06/01/1999] This action promulgated NESHAP for new and existing sources in mineral wool production facilities. HAPs emitted by the facilities covered by this rule include carbonyl sulfide (COS), nine hazardous metals, formaldehyde, and phenol. Exposure to these HAPs may be associated with adverse carcinogenic, respiratory, nervous system, dermal, developmental, and/or reproductive health effects. The EPA estimated that the final rule will reduce nationwide emissions of HAPs from these facilities by 46 Mg/yr (51 tpy). In addition, emissions of particulate matter (PM) will be reduced by approximately 186 Mg/yr (205 tpy).

Part 63, Subpart TTT - National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting [Added at 64 FR 30194, 06/04/1999] This action promulgated NESHAP for new and existing primary lead smelters pursuant to section 112 of the Clean Air Act as amended in November 1990. Primary lead smelters have been identified by the EPA as significant emitters of lead compounds, and other metal HAPs including arsenic, antimony, and cadmium. Exposure to lead compounds may result in adverse effects on the blood, central nervous system and kidneys. Chronic exposure to arsenic is associated with skin, bladder, liver and lung cancer and other developmental and reproductive effects. This NESHAP requires all primary lead smelters to meet emission standards that reflect the application of maximum achievable control technology (MACT).

Part 63, Subpart AA - National Emission Standards for Hazardous Air Pollutants From Phosphoric Acid Manufacturing Plants [Added at 64 FR 31358, 06/10/1999]

Part 63, Subpart BB - National Emission Standards for Hazardous Air Pollutants From Phosphate Fertilizers Production Plants [Added at 64 FR 31358, 06/10/1999]

These actions promulgated NESHAP for new and existing major sources in phosphoric acid manufacturing and phosphate fertilizers production plants (SIC 2874). HAPs emitted by the facilities covered by the rules include hydrogen fluoride (HF); arsenic, beryllium, cadmium, chromium, manganese, mercury, and nickel (HAP metals); and methyl isobutyl ketone. Human exposure to the HAP constituents in these emissions may be associated with adverse carcinogenic, respiratory, nervous system, dermal, developmental, and/or reproductive health effects. Implementation of the rules will achieve an emission reduction of HF estimated at 315 Mg/yr (345 tpy). The standards will reduce 940 Mg/yr (1035 tpy) of total fluorides and particulate matter containing heavy metals which are regulated pollutants under the Clean Air Act as amended.

Part 63, Subpart LLL - National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry [Added at 64 FR 31898, 06/14/1999] This action promulgated NESHAP for new and existing sources in the portland cement manufacturing industry. The action also added Method 320 for the measurement of vapor phase organic and inorganic emissions by extractive Fourier Transform Infrared (FTIR) spectroscopy and Method 321 for the measurement of gaseous hydrogen chloride emissions from portland cement kilns by FTIR spectroscopy to Appendix A of Part 63. Some of the HAPs released from portland cement manufacturing facilities include, but are not limited to, acetaldehyde, arsenic, benzene, cadmium, chromium, chlorobenzene, dibenzofurans, formaldehyde, hexane, hydrogen chloride, lead, manganese, mercury, naphthalene, nickel, phenol, polycyclic organic matter, selenium, styrene, 2,3,7,8-tetrachlorodibenzo-p-dioxin, toluene, and xylenes. Exposure to these HAPs can cause reversible or irreversible health effects including carcinogenic, respiratory, nervous system, developmental, reproductive and/or dermal health effects. The EPA estimated that the final rule will reduce nationwide emissions of HAPs from portland cement manufacturing facilities by approximately 82 Mg/yr (90 tpy), and particulate matter (PM) by approximately 4,700 Mg/yr (5,200 tpy). The final rule requires portland cement manufacturing plants to meet emission standards reflecting the application of the maximum achievable control technology (MACT).

Part 63, Subpart NNN - National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing [Added at 64 FR 31695, 06/14/1999] This action promulgated NESHAP for new and existing sources in wool fiberglass manufacturing facilities. The action also added Method 316 and Method 318 for the measurement of formaldehyde from wool fiberglass manufacturing lines to Appendix A of Part 63.

Part 63, Subpart HH - National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities [Added at 64 FR 32610, 06/17/1999]

Part 63, Subpart HHH - National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities [Added at 64 FR 32610, 06/17/1999]

These actions promulgated NESHAP to limit emissions of HAP from oil and natural gas production and natural gas transmission and storage facilities. These final rules implement section 112 of the Clean Air Act and are based on the Administrator's determination that oil and natural gas production and natural gas transmission and storage facilities emit HAP identified on the EPA's list of 188 HAPs.

Part 63, Subpart CCC - National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants [Added at 64 FR 33202, 06/22/1999] This action promulgated NESHAP for hydrochloric acid process steel pickling facilities and hydrochloric acid regeneration plants pursuant to section 112 of the Clean Air Act. Major source facilities subject to the rule emit hydrochloric acid (HCl), a HAP. Chronic exposure to HCl has been reported to cause gastritis, chronic bronchitis, dermatitis, and photosensitization. Acute inhalation exposure to HCl may cause hoarseness, inflammation and ulceration of the respiratory tract, chest pain, and pulmonary edema. Hydrochloric acid regeneration plants also emit chlorine (Cl₂), which is also a HAP. Acute exposure to high levels of Cl₂ results in chest pain, vomiting, toxic pneumonitis, pulmonary edema, and death. At lower levels, Cl₂ is a potent irritant to the eyes, the upper respiratory tract, and lungs. The final rule requires new or existing pickling lines that use hydrochloric acid as the primary pickling solution, hydrochloric acid regeneration plants, and acid storage tanks to meet emission standards reflecting application of the maximum achievable control technology (MACT). Implementation of the rule is expected to reduce HAP emissions by more than 2,200 Mg/yr (2,500 tpy) from current levels.

Part 63, Subpart MMM - National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production [Added at 64 FR 33550, 06/23/1999] This action promulgated NESHAP for the pesticide active ingredient (PAI) production source category under section 112 of the Clean Air Act as amended. The intent of the standards is to reduce emissions of HAP from existing and new facilities that manufacture organic PAI used in herbicides, insecticides, and fungicides. The standards protect human health and the environment by reducing HAP emissions to the level corresponding to the maximum achievable control technology (MACT) through the use of pollution prevention measures and control strategies. The major HAP emitted by facilities covered by this rule include toluene, methanol, methyl chloride, and hydrogen chloride (HCl). All of these pollutants can cause reversible or irreversible toxic effects following exposure. The rule is estimated to reduce total HAP emissions from existing facilities by 2,500 Mg/yr (2,755 tpy), a reduction of 65 percent from the baseline emission level. Because many of these pollutants are also VOC, which are precursors to ambient ozone, the rule will aid in the reduction of tropospheric ozone.

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EPA's July 16, 1992, source category list included an agricultural chemicals industry group that contained 10 source categories. This rule grouped these 10 agricultural chemicals source categories into one source category, renamed the source category, and added additional chemical production processes to the source category.

Part 63, Subpart SS - National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process [Added at 64 FR 34854, 06/29/1999]

Part 63, Subpart TT - National Emission Standards for Equipment Leaks - Control Level 1 [Added at 64 FR 34854, 06/29/1999]

Part 63, Subpart UU - National Emission Standards for Equipment Leaks - Control Level 2 Standards [Added at 64 FR 34854, 06/29/1999]

Part 63, Subpart WW - National Emission Standards for Storage Vessels (Tanks) - Control Level 2 [Added at 64 FR 34854, 06/29/1999]

Part 63, Subpart YY - National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards [Added at 64 FR 34854, 06/29/1999]

These actions promulgated a consolidated rulemaking proposal published on October 14, 1998. The rule established the "generic MACT standards" program for setting NESHAP under section 112 of the Clean Air Act for certain small source categories consisting of five or fewer major sources. As part of the generic MACT program, EPA established an alternative methodology for making control technology MACT determinations for appropriate small categories by referring to previous MACT standards that have been promulgated for similar sources in other categories. The consolidated rulemaking package included promulgated MACT standards developed within the generic MACT framework for four specific source categories included on EPA's list of categories for which NESHAP are required: acetal resins production, acrylic and modacrylic fiber production, hydrogen fluoride production, and polycarbonate(s) production. The package also promulgated general control requirements for certain types of emission points for HAP, which will be referenced, as appropriate, in MACT requirements for individual source categories. The general control requirements are set forth in new promulgated subparts and are applicable to storage vessels containing organic materials, process vents emitting organic vapors, and leaks from equipment components. In addition, EPA promulgated a separate subpart of requirements for closed vent systems, control devices, recovery devices and routing emissions to fuel gas systems or a process. EPA withdrew proposed process wastewater provisions from the promulgated rule, taking final action separately on those provisions on November 22, 1999.

VOC Definition. Although proposed, ADEQ has not revised its definition of VOC at R18-2-101(125) to exclude the compound t-butyl acetate. This action was also proposed by EPA in the September 30, 1999, Federal Register, but is still not final. EPA found that the compound had negligible contribution to ground-level ozone formation but received some negative comments and is still evaluating those comments. ADEQ received a petition for rulemaking to exempt this compound, referencing the federal proposal. As stated in the Notice of Proposed Rulemaking for this rule, ADEQ has terminated this rulemaking with respect to R18-2-101.

7. A reference to any study that the agency relied on in its evaluation of or justification for the rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study, and other supporting material:

None

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 summary of the economic, small business, and consumer impact:

IDENTIFICATION OF RULEMAKING

NSPS/NESHAP/Acid Rain 1999: A.A.C. Title 18, Chapter 2, Articles 1, 3, 9 and 11; Appendix 2, Sections R18-2-333, R18-2-901, R18-2-1101, Appendix 2.

SUMMARY

Costs

There are no additional costs to the regulated community when a state agency incorporates an already effective federal standard verbatim. The costs of compliance have already occurred, and were considered when the federal regulation was proposed and adopted. These rules impose no additional costs on the regulated community, small businesses, political subdivisions, or members of the public.

Costs to ADEQ are those that may accrue for implementation and enforcement of the new standards. Although there may be some small incremental costs due to this rulemaking, ADEQ does not intend to hire any additional employees to implement or enforce these rules.

Benefits

Benefits accrue to the regulated community when a state agency incorporates a federal regulation in order to become the primary implementer of the regulation, because the state agency is closer to those being regulated and therefore is generally easier to reach and to work with to resolve differences, compared with the U.S. EPA, whose regional office is in San Francisco. Local implementation also reduces travel and communication costs.

Health benefits accrue to the general public whenever enforcement of environmental laws takes place. Adverse health effects from air pollution result in a number of economic and social consequences, including:

1. Medical costs. These include personal out-of-pocket expenses of the affected individual (or family), plus costs paid by insurance or Medicare, for example.
2. Work loss. This includes lost personal income, plus lost productivity whether the individual is compensated for the time or not. For example, some individuals may perceive no income loss because they receive sick pay, but sick pay is a cost of business and reflects lost productivity.
3. Increased costs for chores and caregiving. These include special caregiving and services that are not reflected in medical costs. These costs may occur because some health effects reduce the affected individual's ability to undertake some or all normal chores, and he or she may require caregiving.
4. Other social and economic costs. These include restrictions on or reduced enjoyment of leisure activities, discomfort or inconvenience, pain and suffering, anxiety about the future, and concern and inconvenience to family members and others.

Conclusion

In conclusion, the incremental costs associated with this rule are generally low, and apply solely to ADEQ, while the air quality benefits are generally high. In addition, there are benefits to industry from being regulated by a geographically nearer government entity. There are no adverse economic impacts on political subdivisions. There are no adverse economic impacts on private businesses, their revenues or expenditures. The fact that no new employment is expected to occur has been discussed above, in the context of the impact on state agencies. There are no adverse economic impacts on small businesses, although some regulatory benefits will accrue to them. There are no economic impacts for consumers; benefits to private persons as members of the general public are discussed above in terms of enforcement. There will be no direct impact on state revenues. There are no other, less costly alternatives for achieving the goals of this rulemaking. The rules are no less stringent and no more stringent than the federal regulations on each subject.

Rule impact reduction on small businesses. A.R.S. § 41-1035 requires ADEQ to reduce the impact of a rule on small businesses by using certain methods when they are legal and feasible in meeting the statutory objectives (see below) for the rulemaking. The five listed methods are:

1. Establish less stringent compliance or reporting requirements in the rule for small businesses.
2. Establish less stringent schedules or deadlines in the rule for compliance or reporting requirements for small businesses.
3. Consolidate or simplify the rule's compliance or reporting requirements for small businesses.
4. Establish performance standards for small businesses to replace design or operational standards in the rule.
5. Exempt small businesses from any or all requirements of the rule.

The statutory objectives which are the basis of the rulemaking. The general statutory objectives that are the basis of this rulemaking are contained in the statutory authority cited in number 2 of this preamble. The specific objectives are as follows:

1. Implement rules necessary for EPA delegation of Clean Air Act § 111 (NSPS) program to Arizona.
2. Implement rules necessary for EPA § 112(l) program delegation to Arizona (NESHAP).
3. Implement rules necessary for acid rain program delegation to ADEQ.

ADEQ has determined that there is a beneficial impact on small businesses in transferring implementation of these rules to ADEQ. In addition, for all of these objectives, ADEQ is required to adopt the federal rules without reducing stringency. ADEQ, therefore, finds that it is not legal or feasible to adopt any of the five listed methods to reduce the impact of these rules on small businesses. Finally, where federal rules impact small businesses, EPA is required by both the Regulatory Flexibility Act and the Small Business Regulatory Enforcement and Fairness Act to make certain adjustments in its own rulemakings.

10. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

ADEQ did not make the amendment it proposed in R18-2-101, that is, ADEQ did not add t-butyl acetate to the list of compounds which are excluded from the definition of "volatile organic compounds".

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After close of public comment, ADEQ made a few, minor changes in response to comments from GRRC staff. These changes improved the clarity, conciseness, and understandability of the rule, but were not substantive in nature. In some cases, corrections were made to the titles of the federal subparts incorporated by reference.

11. A summary of the principal comments and the agency responses to them:

ADEQ did not receive any comments on this rule during the comment period. A petition for rulemaking was received before proposal of this rule, asking that ADEQ “begin the process of revising its own regulations so that Arizona will be in a position to exclude TBAC from its own VOC definition as soon as EPA takes final action on the proposed rule.” As explained in the part 6 of the Notice of Final Rulemaking, EPA has not taken final action. ADEQ remains ready to exclude TBAC from its VOC definition after EPA takes final action.

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

Not applicable

13. Incorporations by reference and their locations in the rules:

<u>New incorporations by reference (subparts or larger)</u>	<u>Location</u>
40 CFR 63, subparts AA, BB, HH, SS, TT, UU, WW, YY, CCC, DDD, GGG, HHH, III, LLL, MMM, NNN, PPP, TTT, XXX; (revised as of July 1, 1999)	R18-2-1101(B)
<u>Incorporations by reference updated from 7/1/98 to 7/1/99; (may include new sections)</u>	<u>Location</u>
40 CFR 72, 74, 75 and 76	R18-2-333(A)
40 CFR 60, listed subparts and accompanying appendices	R18-2-901
40 CFR 61, listed subparts and accompanying appendices	R18-2-1101(A)
40 CFR 63, listed subparts and accompanying appendices	R18-2-1101(B)
Currently Cited Appendices to 40 CFR Parts 51, 60, 61, 63, 75	Appendix 2
40 CFR 50	Appendix 2
40 CFR 50, Appendices A through K	Appendix 2
40 CFR 52, Appendices D and E;	Appendix 2
40 CFR 58	Appendix 2
40 CFR 58, all appendices	Appendix 2

14. Was this rule previously adopted as an emergency rule?

No

15. The full text of the rules follows:

TITLE 18. ENVIRONMENTAL QUALITY

**CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL**

ARTICLE 3. PERMITS AND PERMIT REVISIONS

Section
R18-2-333. Acid Rain

ARTICLE 9. NEW SOURCE PERFORMANCE STANDARDS

Section
R18-2-901. Standards of Performance for New Stationary Sources

ARTICLE 11. FEDERAL HAZARDOUS AIR POLLUTANTS

Section
R18-2-1101. National Emission Standards for Hazardous Air Pollutants (NESHAPs)
Appendix 2. Test Methods and Protocols

ARTICLE 3. PERMITS AND PERMIT REVISIONS

R18-2-333. Acid Rain

- A. 40 CFR 72, 74, 75 and 76 and all accompanying appendices, ~~adopted~~ as of July 1, ~~1998~~ 1999, (and no future editions or amendments) are incorporated by reference. These standards are on file with the Office of the Secretary of State and the Department and shall be applied by the Department.
- B. When used in 40 CFR 72, 74, 75 or 76, “Permitting Authority” means the Arizona Department of Environmental Quality and “Administrator” means the Administrator of the United States Environmental Protection Agency.
- C. If the provisions or requirements of the regulations incorporated in this Section conflict with any of the remaining portions of this Title, the regulations incorporated in this Section shall apply and take precedence.

ARTICLE 9. NEW SOURCE PERFORMANCE STANDARDS

R18-2-901. Standards of Performance for New Stationary Sources

Except as provided in R18-2-902 through R18-2-905, the following subparts of 40 CFR 60, ~~New Source Standards of Performance Standards for New Stationary Sources~~ (NSPS), and all accompanying appendices, adopted as of July 1, ~~1998~~ 1999, ~~or the specific date provided below~~, and no future editions or amendments, are incorporated by reference. These standards are on file with the Office of the Secretary of State and the Department and shall be applied by the Department.

1. Subpart A - General Provisions.
2. Subpart D - Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971.
3. Subpart Da - Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978.
4. Subpart Db - Industrial-Commercial-Institutional Steam Generating Units.
5. Subpart Dc - Small Industrial-Commercial-Institutional Steam Generating Units.
6. Subpart E - Incinerators.
7. Subpart Ea - Municipal Waste Combustors for ~~which~~ Which Construction is Commenced after December 20, 1989 and on or ~~before~~ Before September 20, 1994.
8. Subpart Eb - Large Municipal Waste Combustors for ~~which~~ Which Construction is Commenced after September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996.
9. Subpart Ec - Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996, adopted September 15, 1997 (62 FR 48348)
10. Subpart F - Portland Cement Plants.
11. Subpart G - Nitric Acid Plants.
12. Subpart H - Sulfuric Acid Plants.
13. Subpart I - Hot Mix Asphalt Facilities.
14. Subpart J - Petroleum Refineries.
15. Subpart K - Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.
16. Subpart Ka - Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.
17. Subpart Kb - Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984.
18. Subpart L - Secondary Lead Smelters.
19. Subpart M - Secondary Brass and Bronze ~~Ingot~~ Production Plants.
20. Subpart N - Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.
21. Subpart Na - Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983.
22. Subpart O - Sewage Treatment Plants.
23. Subpart P - Primary Copper Smelters.
24. Subpart Q - Primary Zinc Smelters.
25. Subpart R - Primary Lead Smelters.
26. Subpart S - Primary Aluminum Reduction Plants.
27. Subpart T - Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants.
28. Subpart U - Phosphate Fertilizer Industry: Superphosphoric Acid Plants.
29. Subpart V - Phosphate Fertilizer Industry: Diammonium Phosphate Plants.
30. Subpart W - Phosphate Fertilizer Industry: Triple Superphosphate Plants.
31. Subpart X - Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.
32. Subpart Y - Coal Preparation Plants.
33. Subpart Z - Ferroalloy Production Facilities.
34. Subpart AA - Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983.
35. Subpart AAa - Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983.
36. Subpart BB - Kraft Pulp Mills.
37. Subpart CC - Glass Manufacturing Plants.
38. Subpart DD - Grain Elevators.
39. Subpart EE - Surface Coating of Metal Furniture.
40. Subpart GG - Stationary Gas Turbines.
41. Subpart HH - Lime Manufacturing Plants.
42. Subpart KK - Lead-Acid Battery Manufacturing Plants.

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43. Subpart LL - Metallic Mineral Processing Plants.
44. Subpart MM - Automobile and Light Duty Truck Surface Coating Operations.
45. Subpart NN - Phosphate Rock Plants.
46. Subpart PP - Ammonium Sulfate Manufacture.
47. Subpart QQ - Graphic Arts Industry: Publication Rotogravure Printing.
48. Subpart RR - Pressure Sensitive Tape and Label Surface Coating Operations.
49. Subpart SS - Industrial Surface Coating: Large Appliances.
50. Subpart TT - Metal Coil Surface Coating.
51. Subpart UU - Asphalt Processing and Asphalt Roofing Manufacture.
52. Subpart VV - Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry.
53. Subpart WW - Beverage Can Surface Coating Industry.
54. Subpart XX - Bulk Gasoline Terminals.
55. Subpart AAA - New Residential Wood Heaters.
56. Subpart BBB - Rubber Tire Manufacturing Industry.
57. Subpart DDD - Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.
58. Subpart FFF - Flexible Vinyl and Urethane Coating and Printing.
59. Subpart GGG - Equipment Leaks of VOC in Petroleum Refineries.
60. Subpart HHH - Synthetic Fiber Production Facilities.
61. Subpart III - Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.
62. Subpart JJJ - Petroleum Dry Cleaners.
63. Subpart KKK - Equipment Leaks of VOC from Onshore Natural Gas Processing Plants.
64. Subpart LLL - Onshore Natural Gas Processing: SO₂ Emissions.
65. Subpart NNN - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.
66. Subpart OOO - Nonmetallic Mineral Processing Plants.
67. Subpart PPP - Wool Fiberglass Insulation Manufacturing Plants.
68. Subpart QQQ - VOC Emissions From Petroleum Refinery Wastewater Systems.
69. Subpart RRR - Volatile Organic Compound (~~VOC~~) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.
70. Subpart SSS - Magnetic Tape Coating Facilities.
71. Subpart TTT - Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.
72. Subpart UUU - Calciners and Dryers in Mineral Industries.
73. Subpart VVV - Polymeric Coating of Supporting Substrates Facilities.
74. Subpart WWW - Municipal Solid Waste Landfills. ~~Incorporation includes amendments adopted as of August 17, 1998.~~

ARTICLE 11. FEDERAL HAZARDOUS AIR POLLUTANTS

R18-2-1101. National Emission Standards for Hazardous Air Pollutants (NESHAPs)

- A. Except as provided in R18-2-1102, the following subparts of 40 CFR 61, National Emission Standards for Hazardous Air Pollutants (NESHAPs), and all accompanying appendices, ~~adopted~~ as of July 1, ~~1998~~ 1999, and no future editions or amendments, are incorporated by reference. These standards are on file with the Office of the Secretary of State and the Department and shall be applied by the Department.
 1. Subpart A - General Provisions.
 2. Subpart C - Beryllium.
 3. Subpart D - Beryllium Rocket Motor Firing.
 4. Subpart E - Mercury.
 5. Subpart F - Vinyl Chloride.
 6. Subpart J - Equipment Leaks (Fugitive Emission Sources) of Benzene.
 7. Subpart L - Benzene Emissions from Coke By-Product Recovery Plants.
 8. Subpart M - Asbestos.
 9. Subpart N - Inorganic Arsenic Emissions from Glass Manufacturing Plants.
 10. Subpart O - Inorganic Arsenic Emissions from Primary Copper Smelters.
 11. Subpart P - Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities.
 12. Subpart V - Equipment Leaks (Fugitive Emission Sources).
 13. Subpart Y - Benzene Emissions From Benzene Storage Vessels.
 14. Subpart BB - Benzene Emissions from Benzene Transfer Operations.
 15. Subpart FF - Benzene Waste Operations.

- B. Except as provided in R18-2-1102, the following subparts of 40 CFR 63, NESHAPs for Source Categories, and all accompanying appendices, ~~adopted~~ as of July 1, ~~1998~~ 1999, and no future editions or amendments, are incorporated by reference. These standards are on file with the Office of the Secretary of State and the Department and shall be applied by the Department.
1. Subpart A - General Provisions.
 2. Subpart B - Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections, Sections 112(g) and 112(j).
 3. Subpart D - Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants.
 4. Subpart F - National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry.
 5. 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.
 6. Subpart H - National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.
 7. Subpart I - National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.
 8. Subpart L - National Emission Standards for Coke Oven Batteries.
 9. Subpart M - National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities.
 10. Subpart N - National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.
 11. Subpart O - Ethylene Oxide Emissions Standards for Sterilization Facilities.
 12. Subpart Q - National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers.
 13. Subpart R - National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations).
 14. Subpart S - National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry.
 15. Subpart T - National Emission Standards for Halogenated Solvent Cleaning.
 16. Subpart U - National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins.
 17. Subpart W - National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production.
 18. Subpart X - National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting.
 19. Subpart AA - National Emission Standards for Hazardous Air Pollutants From Phosphoric Acid Manufacturing Plants.
 20. Subpart BB - National Emission Standards for Hazardous Air Pollutants From Phosphate Fertilizers Production Plants.
 - ~~19~~21. Subpart CC - National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries.
 - ~~20~~22. Subpart DD - National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations.
 - ~~21~~23. Subpart EE - National Emission Standards for Magnetic Tape Manufacturing Operations.
 - ~~22~~24. Subpart GG - National Emission Standards for Aerospace Manufacturing and Rework Facilities.
 25. Subpart HH - National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities.
 - ~~23~~26. Subpart JJ - National Emission Standards for Wood Furniture Manufacturing Operations.
 - ~~24~~27. Subpart KK - National Emission Standards for the Printing and Publishing Industry.
 - ~~25~~28. Subpart LL - National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants.
 - ~~26~~29. Subpart OO - National Emission Standards for Tanks--Level 1.
 - ~~27~~30. Subpart PP - National Emission Standards for Containers.
 - ~~28~~31. Subpart QQ - National Emission Standards for Surface Impoundments.
 - ~~29~~32. Subpart RR - National Emission Standards for Individual Drain Systems.
 33. Subpart SS - National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.
 34. Subpart TT - National Emission Standards for Equipment Leaks - Control Level 1.
 35. Subpart UU - National Emission Standards for Equipment Leaks - Control Level 2 Standards.
 - ~~30~~36. Subpart VV - National Emission Standards for Oil-Water Separators and Organic-Water Separators.
 37. Subpart WW - National Emission Standards for Storage Vessels (Tanks) - Control Level 2.
 38. Subpart YY - National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards.
 39. Subpart CCC - National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants.
 40. Subpart DDD - National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production.
 - ~~34~~41. Subpart EEE - National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors.

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42. Subpart GGG - National Emission Standards for Pharmaceuticals Production.
43. Subpart HHH - National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities.
44. Subpart III - National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production.
3245. Subpart JJJ - National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins.
46. Subpart LLL - National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry.
47. Subpart MMM - National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production.
48. Subpart NNN - National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing.
49. Subpart PPP - National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production.
50. Subpart TTT - National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting.
51. Subpart XXX - National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese.

APPENDIX 2. TEST METHODS AND PROTOCOLS

The following test methods and protocols are approved for use as directed by the Department under this Chapter. These standards are incorporated by reference revised as of July 1, ~~1998~~ 1999, (and no future editions or amendments), except for incorporation dates specifically provided. These standards are on file with the Department and the Office of the Secretary of State, and are also available from the U.S. Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington D.C. 20402-9328.

1. 40 CFR 50;
2. 40 CFR 50, Appendices A through K;
3. 40 CFR Part 51, Appendix M, Appendix S, Section IV, Appendix W;
4. 40 CFR 52, Appendices D and E;
5. 40 CFR 58;
6. 40 CFR 58, all appendices;
7. 40 CFR Part 60, all appendices.
8. 40 CFR Part 61, all appendices.
9. 40 CFR Part 63, all appendices.
10. 40 CFR Part 75, all appendices.
11. The Department's "Arizona Testing Manual for Air Pollutant Emissions," (March, 1992).