

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 or the Attorney General. 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

R18-2-101
R18-2-210
R18-2-333
R18-2-901
R18-2-1101
Appendix 2

Rulemaking Action

Amend
Amend
Amend
Amend
Amend
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:

May 24, 2002

4. List of all previous notices appearing in the Register addressing the rules:

Notice of Rulemaking Docket Opening: 7 A.A.R. 5139, November 9, 2001

Notice of Proposed Rulemaking: 8 A.A.R. 240, January 11, 2002

5. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

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6. An explanation of the rules, including the agency's reasons for initiating the rules:

In this rule, the Arizona Department of Environmental Quality (ADEQ) has adopted 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 have been incorporated as of July 1, 2001.

In addition, ADEQ has amended the definition of "major source" by deleting the phrase "but only with respect to those air pollutants that have been regulated for that category" in R18-2-101(64)(c)(xxvii). This change will ensure that the definition of "major source" fully meets 40 CFR 70. The amended definition will be submitted to EPA as a revision to Arizona's Title V Program, as explained in EPA's approval of ADEQ's Title V Program (66 FR 63177, December 5, 2001).

NSPS and NESHAP regulations. Federal regulations already incorporated by reference from 40 CFR Parts 60, 61, and 63, have been updated from July 1, 1999 to July 1, 2001, in R18-2-901 and R18-2-1101. As explained further below, ADEQ has also incorporated by reference new subparts in Parts 60 and 63, adopted as of July 1, 2001.

Arizona Administrative Register
Notices of Final Rulemaking

Acid Rain. Federal regulations already incorporated by reference from 40 CFR Part 72, 74, 75, and 76 have been updated from July 1, 1999 to July 1, 2001, in R18-2-333. ADEQ is obligated under state and federal law to incorporate federal acid rain requirements in the permits issued by ADEQ (R18-2-306(A)(2); 40 CFR 70.6(a)(1)). ADEQ further discusses two of these revisions below.

Miscellaneous Incorporations by Reference in R18-2-210 and Appendix 2. The provisions in Appendix 2 have been updated from July 1, 1999 to July 1, 2001. These provisions are cited throughout 18 A.A.C. 2, but are incorporated by reference once in Appendix 2 for convenience. R18-2-210 incorporates by reference area attainment status designations for Arizona approved or designated by EPA pursuant to Section 107 of the Clean Air Act (CAA). These Arizona designations, at 40 CFR 81.303, were amended at 65 FR 36358, June 8, 2000; 65 FR 50652, Aug. 21, 2000; and 65 FR 45182, July 20, 2000, to reflect the redesignation of the Tucson carbon monoxide nonattainment area to attainment.

ADEQ's intention in updating all of the incorporations by reference is to continue 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 into Arizona's rules, taken from EPA's Notices of Final Rulemakings.

NEW SOURCE PERFORMANCE STANDARDS (NSPS), PART 60:

Subparts Added:

Part 60, Subparts 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; [Added at 65 FR 75338, December, 1, 2000] EPA promulgated standards for new and existing commercial and industrial solid waste incineration (CISWI) units. These standards fulfill the requirements of Sections 111 and 129 of the Clean Air Act (CAA), which require EPA to promulgate standards for CISWI units. The final standards will protect public health by reducing exposure to air pollution, including several hazardous air pollutants (HAP) that can cause toxic effects such as eye, nose, throat, and skin irritation; reproductive effects; and cancer. These standards apply only to CISWI units burning nonhazardous wastes.

Part 60, 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 [Added at 65 FR 76350, December 6, 2000] This action reestablished new source performance standards (NSPS) for new small municipal waste combustion (MWC) units. The NSPS for small MWC units contain stringent emission limits for organics (dioxins/furans), metals (cadmium, lead, mercury, and particulate matter), and acid gases (hydrogen chloride, sulfur dioxide, and nitrogen oxides). Some of those pollutants can cause toxic effects such as eye, nose, throat, and skin irritation, and blood cell, heart, liver, and kidney damage. The NSPS for small MWC units were originally promulgated in December 1995, but were vacated by the U.S. Court of Appeals for the District of Columbia Circuit in March 1997. In response to the 1997 vacature, on August 30, 1999, EPA proposed to reestablish NSPS for small MWC units. The NSPS contained in this final rule are equivalent to the 1995 NSPS for small MWC units.

EPA also promulgated emission guidelines and compliance times for existing sources that would otherwise be regulated under Subparts AAAA and CCCC. ADEQ did not propose any rulemaking action related to these existing source categories because ADEQ believes that there are no such sources in Arizona. ADEQ plans to send a "negative declaration" letter to EPA regarding these source categories. In the proposed rule, ADEQ requested comment on this conclusion. ADEQ received no comments on this rule. Therefore, this rule does not implement the federal emission guidelines and compliance times for these sources.

Subparts Significantly Revised:

Part 60, Appendices A and B [Amended at 64 FR 52828, 9/30/99; Part 63 clarified and corrected at 65 FR 67268, November 9, 2000] EPA promulgated new Test Method 5I and Performance Specifications 4B and 8A when it revised standards for hazardous waste incinerators, hazardous waste burning cement kilns, and hazardous waste burning lightweight aggregate kilns. These standards were promulgated under joint authority of the Clean Air Act (CAA) and Resource Conservation and Recovery Act (RCRA). The standards limit emissions of chlorinated dioxins and furans, other toxic organic compounds, toxic metals, hydrochloric acid, chlorine gas, and particulate matter. These standards reflect the performance of Maximum Achievable Control Technologies (MACT) as specified by the CAA. These MACT standards also will result in increased protection to human health and the environment over existing RCRA standards.

Part 60, Appendix A to Part 60 - Method 5I, Determination of Low Level Particulate Matter Emissions from Stationary Sources, [Amended at 65 FR 42292, July 10, 2000] On September 30, 1999, EPA published the Hazardous Waste Combustors NESHAP Final Rule. On November 19, 1999, EPA published the first technical correction of that rule to address a time sensitive situation. The subject rule corrects numerous typographical errors and clarifies several issues from the September 30, 1999 rule, one issue from a closely-related June 19, 1998 rule, and makes one

Arizona Administrative Register
Notices of Final Rulemaking

adjustment to the November 19, 1999 technical correction. These corrections and clarifications will make the NES-HAP final rule easier to understand and implement.

Part 60, Subpart A - General Provisions; Appendix B - Performance Specification 1 - Specifications and Test Procedures for Opacity Continuous Emissions Monitoring Systems in Stationary Sources [Amended at 65 FR 48914, August 10, 2002] EPA issued revisions to the monitoring requirements to Performance Specification 1 (PS-1) of appendix B to part 60. The revisions clarified and updated requirements for source owners and operators who must install and use continuous stack or duct opacity monitoring equipment. The revisions also updated design and performance validation requirements for continuous opacity monitoring system (COMS) equipment in appendix B, PS-1. These revisions did not change an affected facility's applicable emission standards or requirements to monitor opacity. However, the revisions clarified the obligations of owners, operators, and opacity monitor vendors and reaffirmed and updated COMS design and performance requirements by incorporating by reference American Society for Testing and Materials (ASTM) D 6216-98.

Part 60, Subparts: A; D; Da; Db; Dc; E; Ea; Eb; Ec; F; J; K; Ka; Kb; L; M; N; Na; O; P; S; T; U; V; W; X; Y; Aa; AAa; BB; DD; EE; HH; LL; MM; NN; PP; QQ; RR; SS; TT; UU; VV; WW; XX; AAA; BBB; DDD; FFF; GGG; HHH; JJJ; KKK; LLL; NNN; OOO; PPP; QQQ; RRR; TTT; UUU; WWW; Appendix A to Part 60; Appendix B to Part 60 [Amended at 65 FR 61744, October 17, 2000] In this rule, EPA made final minor amendments to its stationary source testing and monitoring rules. These amendments included miscellaneous editorial changes and technical corrections that were needed. EPA also promulgated Performance Specification 15, which contains the criteria for certifying continuous emission monitoring systems (CEMS) that use fourier transform infrared spectroscopy (FTIR). In addition, EPA also changed the outline of the test methods and CEMS performance specifications already listed in Parts 60, 61, and 63 to fit a new format recommended by the Environmental Monitoring Management Council (EMMC). The editorial changes and technical corrections updated the rules and endeavored to preserve their original intent. Performance Specification 15 will provide the needed acceptance criteria for FTIR CEMS as they emerge as a new technology. EPA reformatted the test methods and performance specifications to make them more uniform in content and interchangeable with other Agency methods. The amendments apply to a large number of industries that are already subject to the current provisions of Parts 60, 61, and 63.

Part 60, Subparts: A - Standards of Performance for New Stationary Sources, General Provisions; Ka; Kb; VV; DDD; III; NNN; RRR [Amended at 65 FR 78268, December 14, 2000] This action promulgated a consolidated Federal air rule for the Synthetic Organic Chemical Manufacturing Industry (SOCMI). In this final rule, EPA consolidated major portions of several NSPS and NESHAP applicable to storage vessels, process vents, transfer operations, and equipment leaks within the SOCMI. The final rule pulls together applicable Federal SOCMI rules into one integrated set of rules in order to simplify, clarify, and improve implementation of the existing rules with which source owners or operators must comply. The consolidated rule is an optional compliance alternative for SOCMI sources; sources may simply continue to comply with existing applicable rules or choose to comply with the final consolidated rule.

Part 60, Subparts: Da - Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced after September 18, 1978; Db - Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units [Amended at 66 FR 18546, April 10, 2001; 66 FR 31177, June 11, 2001] EPA took direct final action to amend the emissions monitoring and compliance provisions contained in Subpart Da and Subpart Db. This action added monitoring exemptions and alternative compliance requirements for duct burners, as well as amendments to correct errors in subparts Da and Db. EPA adopted these amendments to ensure that all owners or operators of duct burners have similar compliance requirements and exemptions for their monitoring requirements. On June 11, 2001, due to relevant adverse comment, EPA withdrew two provisions from the direct final rule published on April 10, 2001. These provisions dealt with the revised definition of "boiler operating day" and the data substitution requirement for missing data.

NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAP) - PART 61:

Subparts Added: None

Subparts Significantly Revised:

Part 61, Subparts: B; C; D; E; F; H; I; K; L; M; N; O; Q; R; T; V; W; Y; BB; FF; Appendix B to Part 61 [Amended at 65 FR 61744, October 17, 2000] See earlier discussion of this rulemaking under Part 60.

Part 61, Subparts: A - General Provisions; J - National Emission Standard For Equipment Leaks (Fugitive Emission Sources) of Benzene; V - National Emission Standard For Equipment Leaks (Fugitive Emission Sources); Table 1 to Subpart V - Surge Control Vessels and Bottoms Receivers at Existing Sources; Table 2 to Subpart V - Surge Control Vessels and Bottoms Receivers at New Sources; Y - National Emission Standard For Benzene Emissions From Benzene Storage Vessels; BB - National Emission Standard for Benzene Emissions from Benzene Transfer Operations [Amended at 65 FR 78268, December 14, 2000] See earlier discussion of this rulemaking under Part 60.

Arizona Administrative Register
Notices of Final Rulemaking

NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAP) - PART 63:

Subparts Added:

Part 63, Subpart VVV - National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works [Added at 64 FR 57572, October 26, 1999, and corrected at 66 FR 16140, March 23, 2001] This action promulgated national emission standards for hazardous air pollutants (NESHAP) for new and existing publicly owned treatment works (POTW). The primary hazardous air pollutants (HAP) emitted by these sources include xylenes, methylene chloride, toluene, ethyl benzene, chloroform, tetrachloroethylene, benzene, and naphthalene.

With this final rule, EPA required air pollution controls on new or reconstructed treatment plants at POTWs that are major sources of HAPs. The standards also required that new and existing POTWs treating regulated waste streams from an industrial user, for the purpose of allowing that industrial user to comply with another NESHAP, meet the treatment and control requirements of the NESHAP with which the industrial user must comply.

Part 63, Subpart OOO - National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins [Added at 65 FR 3290, January 20, 2000] This action promulgated national emission standards for hazardous air pollutants (NESHAP) to reduce emissions of hazardous air pollutants (HAPs) from existing and new facilities that manufacture amino or phenolic resins. EPA identified these facilities as major sources of HAPs emissions. These final standards are estimated to reduce organic HAP emissions from major existing sources by 361 tons per year, representing a 51 percent reduction from baseline emissions. This estimate is presented for 40 major existing facilities only, since no new facilities are projected to be constructed in the next three years. The major HAPs emitted by sources covered by the final rule include formaldehyde, methanol, phenol, xylene, and toluene.

Part 63, Subpart RRR - National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production [Added at 65 FR 15690, March 23, 2000] This action promulgated national emission standards for hazardous air pollutants (NESHAP) for new and existing sources at secondary aluminum production facilities. Hazardous air pollutants (HAPs) emitted by the facilities that would be regulated by this final rule include organic HAPs, inorganic gaseous HAPs (hydrogen chloride, hydrogen fluoride, and chlorine), and particulate HAP metals. Some of these pollutants, including 2,3,7,8- tetrachlorodibenzo-p-dioxin, are known or suspected carcinogens and all can cause toxic effects in humans following sufficient exposure. Emissions of other pollutants include particulate matter and volatile organic compounds.

Part 63, Subpart MM - National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfit, and Stand-Alone Semichemical Pulp Mills [Added at 66 FR 3193, January 12, 2001] This action promulgated national emission standards for hazardous air pollutants (NESHAP) for new and existing sources used in chemical recovery processes at kraft, soda, sulfite, and stand-alone semichemical pulp mills.

Part 63, Subpart GGGG - National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production [Added at 66 FR 19006, April 12, 2001] This action promulgated national emission standards for hazardous air pollutants (NESHAP) for solvent extraction for vegetable oil production. This industry is comprised of facilities that produce crude vegetable oil and meal products by removing oil from listed oilseeds through direct contact with an organic solvent. EPA identified solvent extraction for vegetable oil production processes as major sources of a single hazardous air pollutant (HAP), n-hexane.

Part 63, Subpart CCCC - National Emission Standards for Hazardous Air Pollutants: Manufacture of Nutritional Yeast [Amended at 66 FR 27876, May 21, 2001] This action finalized NESHAP for the nutritional yeast manufacturing source category. EPA identified the nutritional yeast manufacturing source category as a major source of hazardous air pollutants (HAP) emissions of acetaldehyde. These standards implement Section 112(d) of the Clean Air Act (CAA) by requiring all major sources to meet HAP emission standards reflecting the application of the maximum achievable control technology (MACT).

Subparts Significantly Revised:

Part 63, Subparts: EEE - National Emission Standards For Hazardous Air Pollutants From Hazardous Waste Combustors; LLL - National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry [Amended at 64 FR 52828, September 30, 1999; [Clarified/Corrected at 65 FR 67268, November 9, 2000]] EPA promulgated revised standards for hazardous waste incinerators, hazardous waste burning cement kilns, and hazardous waste burning lightweight aggregate kilns. These standards were promulgated under joint authority of the Clean Air Act (CAA) and Resource Conservation and Recovery Act (RCRA). The standards limit emissions of chlorinated dioxins and furans, other toxic organic compounds, toxic metals, hydrochloric acid, chlorine gas, and particulate matter. These standards reflect the performance of Maximum Achievable Control Technologies (MACT) as specified by the Clean Air Act.

Part 63, Subpart T - National Emission Standards for Halogenated Solvent Cleaning [Amended at 64 FR 67793, December 3, 1999; corrected at 65 FR 54419, September 8, 2000] This action promulgated amendments to the "National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning" originally promulgated on December 2, 1994. These amendments to the rule were proposed on August 19, 1999. The subject action finalized

Arizona Administrative Register
Notices of Final Rulemaking

compliance options for continuous web cleaning machines, as well as amendments to the national emission standards for hazardous air pollutants (NESHAP) that apply to steam-heated vapor cleaning machines and to cleaning machines used to clean transformers. EPA approved the subject amendments to ensure that all owners or operators of solvent cleaning machines have appropriate and attainable requirements for their cleaning machines.

Part 63, Subparts: M - National Perchloroethylene Air Emission Standards For Dry Cleaning Facilities; N - National Emission Standards For Chromium Emissions From Hard And Decorative Chromium Electroplating And Chromium Anodizing Tanks; O - Ethylene Oxide Emissions Standards For Sterilization Facilities; T - National Emission Standards For Halogenated Solvent Cleaning; X - National Emission Standards For Hazardous Air Pollutants from Secondary Lead Smelting [Amended at 64 FR 69637, December 14, 1999] This action continued to allow permitting authorities the discretion to defer Clean Air Act (Act) Title V operating permit requirements until December 9, 2004, for area sources of air pollution that are subject to five NESHAPs. These amendments continued to relieve industrial sources, state, local, and tribal agencies, and EPA Regional Offices of a regulatory burden during a time when available resources are needed to implement the Title V permit program for major sources. Under these amendments, sources must continue to meet all applicable requirements, including all applicable emission control, monitoring, recordkeeping, and reporting requirements established by the respective NESHAP. The Title V operating permit deferral is an option at the permitting authority's discretion under EPA-approved state operating permit programs and not an automatic deferral that the source can invoke. Thus, state operating permit authorities are free to require area sources subject to the five NESHAPs to obtain Title V permits. In areas where no state operating permit program is in effect, and the federal operating permit program is administered by EPA, EPA will defer the requirement for Title V permitting for these area sources until December 9, 2004.

Part 63, Subparts U and JJJ; [Amended at 65 FR 38030, June 19, 2000] On September 5, 1996 and September 12, 1996, EPA promulgated national emission standards for hazardous air pollutants (NESHAP) for Group I Polymers and Resins and the NESHAP for Group IV Polymers and Resins, respectively. In November 1996, petitions for review of the September 1996 Polymers and Resins I and IV rules were filed in the U.S. Court of Appeals for the District of Columbia Circuit. The petitioners raised numerous technical issues and concerns with these rules. In addition, on January 17, 1997, amendments to the Synthetic Organic Chemical Manufacturing Industry NESHAP (i.e., the Hazardous Organic NESHAP, or HON) were promulgated; the HON is heavily referenced by both of the Polymers and Resins I and IV NESHAP. On March 9, 1999, EPA proposed amendments to the Polymers and Resins I and IV NESHAP to address the issues raised by the petitioners and to update the rules as necessitated by the HON amendments. This document takes final action on those proposed amendments.

Part 63, Subpart GGG - National Emission Standards for Pharmaceuticals Production; Table 1 to Subpart GGG - General Provisions Applicability to Subpart GGG; Table 5 to Subpart GGG - Control Requirements for Items of Equipment that Meet the Criteria of § 63.1252(f) [Amended at 65 FR 52588, August 29, 2000] On September 21, 1998 (63 FR 50280), EPA promulgated national emission standards for hazardous air pollutants (NESHAP) for Pharmaceuticals Production. On November 17 and 20, 1998, petitions for reconsideration and review of the September 1998 rule were filed in the U.S. Court of Appeals for the District of Columbia Circuit. The petitioners raised over 12 technical issues and concerns with the rule. Additional issues were raised by intervenors on the side of the petitioners. On April 10, 2000, EPA proposed amendments to the Pharmaceuticals Production NESHAP to address the issues raised by the petitioners; this rule resulted from those proposed amendments.

Part 63, Subparts: A; G; L; GG; II; Appendix A to Subpart II; Appendix A to Part 63 [Amended at 65 FR 61744, October 17, 2000] See earlier discussion of this rulemaking under Part 60, *supra*.

Part 63, Subpart GG - National Emission Standards for Aerospace Manufacturing and Rework Facilities [Amended at 65 FR 76941, December 8, 2000] On September 1, 1995, EPA promulgated the National Emission Standards for Aerospace Manufacturing and Rework Facilities. On January 24, 2000, EPA proposed to amend the standards to include a separate emission limit for exterior primers used for large commercial aircraft at existing facilities that produce fully assembled, large commercial aircraft. This action finalized those proposed amendments. In addition, EPA made a minor correction to the monitoring requirements section of the aerospace emission standards. The amendment corrected regulatory language that erroneously made reference to a list of requirements for initial compliance demonstrations when using incinerators and carbon absorbers.

Part 63, 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; Table 1A to Subpart G - Applicable 40 CFR Part 63 General Provisions; Subpart H - National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks; Table 4 to Subpart H - Applicable 40 CFR Part 63 General Provisions [Amended at 65 FR 78268, December 14, 2000] See earlier discussion of this rulemaking under Part 60, *supra*.

Part 63, Subparts: F - National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry; 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; H - National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks; Appendix C to Part 63 - Determination of the Fraction Biodegraded (F (bio)) in a Biological Treatment Unit [Amended at 66 FR 6922, January 22, 2001] On April 22, 1994 and June 6, 1994, EPA issued the "National Emission Standards for Hazardous Air Pollutants for Source Categories: Organic Hazardous Air

Arizona Administrative Register
Notices of Final Rulemaking

Pollutants from the Synthetic Organic Chemical Manufacturing Industry and Other Processes Subject to the Negotiated Regulation for Equipment Leaks.” This rule is commonly known as the Hazardous Organic National Emission Standards for Hazardous Air Pollutants (NESHAP) or the HON. On January 20, 2000, EPA proposed amendments to the definition of the term “process vent” and to add procedures for identifying “process vents” in order to ensure consistent interpretation of the term. EPA also proposed revisions to several provisions of the rule to reflect the terminology used in the revised definition of process vent. These changes were proposed to reduce the burden associated with developing operating permits for facilities subject to the rule. The January 20, 2000, document also proposed to add provisions to allow off-site control of process vent emissions and to add provisions for establishing a new compliance date under certain circumstances. In that action, EPA also proposed to add an alternative procedure for use in determining compliance with wastewater treatment requirements. This rulemaking took final action on those proposed amendments. These amendments to the rule did not change the basic control requirements of the rule or the level of health protection it provides. The rule requires new and existing major sources to control emissions of hazardous air pollutants to the level reflecting application of the maximum achievable control technology.

Part 63, Subpart EEE - National Emission Standards For Hazardous Air Pollutants From Hazardous Waste Combustors [Amended at 66 FR 24272, May 14, 2001] In *Chemical Manufacturers Association v. EPA*, 217 F. 3d 861 (D.C. Cir. 2000), the court vacated the Notice of Intent to Comply (NIC) provisions of EPA’s rules relating to the standards for hazardous waste combustors. This revision took the ministerial step of removing these provisions from the Code of Federal Regulations (CFR). In addition, at EPA’s request, the D.C. Circuit Court vacated certain parameter limits of baghouses and electrostatic precipitators in order for EPA to solicit further comment on these provisions. *CKRC v. EPA*, no. 99-1457 (Order of April 5, 2001). This action likewise takes the ministerial step of removing these provisions from the CFR.

ACID RAIN REVISIONS, (40 CFR 72, 74, 75, and 76)

ADEQ has incorporated all of the changes to these regulations that EPA made between from July 1, 1999 to July 1, 2001. Two changes were made as a result of lawsuits. In an October 15, 1999 rule, EPA amended the NOx emission limitations for Group 2 coal-fired boilers to recognize the Court of Appeals statement that “that retrofitted cell burners are not the functional equivalent of wall-fired boilers”. (64 FR 55834) In a March 1, 2001 rule, EPA removed the industrial utility-units exemption in 40 CFR 72.14, (66 FR 12974).

- 7. A reference to any study that the agency relied on in its evaluation of or justification for the final rules 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 rules are necessary to promote a statewide interest if the rules 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:**

Rule Identification

NSPS/NESHAP/Acid Rain 2001: A.A.C. Title 18, Chapter 2, Articles 1, 3, 9 and 11; Appendix 2, Sections R18-2-101, R18-2-210, R18-2-333, R18-2-901, R18-2-1101, Appendix 2.

Costs

ADEQ believes that the change to the “major source” definition in R18-2-101 could have an economic effect on some sources by causing them to be classified as major sources when they would not otherwise be. Certain facilities may need to re-estimate their release of fugitive emissions of nonhazardous air pollutants to determine if they are subject to Title V operating requirements. In the proposed rule, ADEQ requested information from sources under their jurisdiction that this change may affect. No information was received.

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 were 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,

Arizona Administrative Register
Notices of Final Rulemaking

is generally easier to contact and to work with to resolve differences, compared with the U.S. EPA, whose regional office for Arizona 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 item #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, has found that it is not legal or feasible to adopt any of the five listed methods in ways that 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. Information related to such may be found in the individual rules described in Section 5.

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

ADEQ made the following changes to Appendix 2 as proposed. The language being removed is redundant because the Arizona Testing Manual is already incorporated by reference in R18-2-102.

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 as of July 1, 2001 (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 Sec-

Arizona Administrative Register
Notices of Final Rulemaking

retary 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).

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

No comments were received.

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 60, subparts AAAA and CCCC	R18-2-901
40 CFR 63, subparts MM, OOO, RRR, VVV, CCCC, and GGGG	R18-2-1101(B)

Incorporations by reference updated to 7/1/01

<u>(may include new sections)</u>	<u>Location</u>
40 CFR 81.303	R18-2-210
40 CFR 72, 74, 75 and 76	R18-2-333(A)
40 CFR 60, listed subparts and accompanying appendices	R18-2-901(A)
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. Were the rules previously adopted as emergency rules?

No

15. The full text of the rules follows:

TITLE 18. ENVIRONMENTAL QUALITY

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

ARTICLE 1. GENERAL

Section

R18-2-101. Definitions

ARTICLE 2. AMBIENT AIR QUALITY STANDARDS; AREA DESIGNATIONS; CLASSIFICATIONS

Section

R18-2-210. Attainment, Nonattainment, and Unclassifiable Area Designations

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 1. GENERAL

R18-2-101. Definitions

In addition to the definitions prescribed in A.R.S. §§ 49-101, 49-401.01, 49-421, 49-471, and 49-541, in this Chapter, unless otherwise specified:

1. No change
2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
3. No change
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 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
11. No change
 - a. No change
 - b. No change
 - c. No change
12. No change
13. No change
14. No change
 - a. No change

Arizona Administrative Register
Notices of Final Rulemaking

- b. No change
- 15. No change
- 16. No change
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- 18. No change
- 19. No change
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- 23. No change
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- 40. No change
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- 42. No change
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- 43. No change
- 44. No change
 - a. No change
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Arizona Administrative Register
Notices of Final Rulemaking

- 55. No change
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- 61. No change
- 62. No change
- 63. No change
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 - c. No change
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 - iii. No change
 - iv. No change
 - v. No change
 - (1) No change
 - (2) No change
 - vi. No change
 - vii. No change
 - viii. No change
 - (1) No change
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 - ix. No change
 - (1) No change
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 - x. No change
 - xi. No change
- 64. "Major source" means:
 - a. A major source as defined in R18-2-401.
 - b. A major source under Section 112 of the Act:
 - i. For pollutants other than radionuclides, any stationary source that emits or has the potential to emit, in the aggregate, including fugitive emissions, 10 tons per year (tpy) or more of any hazardous air pollutant which has been listed pursuant to Section 112(b) of the Act, 25 tpy or more of any combination of such hazardous air pollutants, or such lesser quantity as described in Article 11 of this Chapter. Notwithstanding the preceding sentence, emissions from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are major sources; or
 - ii. For radionuclides, "major source" shall have the meaning specified by the Administrator by rule.
 - c. A major stationary source, as defined in Section 302 of the Act, that directly emits or has the potential to emit, 100 tpy or more of any air pollutant including any major source of fugitive emissions of any such pollutant. The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source for the purposes of Section 302(j) of the Act, unless the source belongs to 1 of the following categories of stationary source:
 - i. Coal cleaning plants (with thermal dryers).
 - ii. Kraft pulp mills.
 - iii. Portland cement plants.

Arizona Administrative Register
Notices of Final Rulemaking

- iv. Primary zinc smelters.
 - v. Iron and steel mills.
 - vi. Primary aluminum ore reduction plants.
 - vii. Primary copper smelters.
 - viii. Municipal incinerators capable of charging more than 50 tons of refuse per day.
 - ix. Hydrofluoric, sulfuric, or nitric acid plants.
 - x. Petroleum refineries
 - xi. Lime plants.
 - xii. Phosphate rock processing plants.
 - xiii. Coke oven batteries.
 - xiv. Sulfur recovery plants.
 - xv. Carbon black plants (furnace process).
 - xvi. Primary lead smelters.
 - xvii. Fuel conversion plants.
 - xviii. Sintering plants.
 - xix. Secondary metal production plants.
 - xx. Chemical process plants.
 - xxi. Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input.
 - xxii. Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels.
 - xxiii. Taconite ore processing plants.
 - xxiv. Glass fiber processing plants.
 - xxv. Charcoal production plants.
 - xxvi. Fossil-fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input.
 - xxvii. ~~All~~ Any other stationary source ~~categories~~ category, ~~regulated by a standard promulgated which~~ as of August 7, 1980, is being regulated under Section 111 or 112 of the Act, ~~but only with respect to those air pollutants that have been regulated for that category.~~
- 65. No change
 - 66. No change
 - 67. No change
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 - 71. No change
 - 72. No change
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 - 81. No change

Arizona Administrative Register
Notices of Final Rulemaking

- 82. No change
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- 97. No change
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Arizona Administrative Register
Notices of Final Rulemaking

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- 118. No change

Arizona Administrative Register
Notices of Final Rulemaking

- 119. No change
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 - iv. No change
- 126. No change

ARTICLE 2. AMBIENT AIR QUALITY STANDARDS; AREA DESIGNATIONS; CLASSIFICATIONS

R18-2-210. Attainment, Nonattainment, and Unclassifiable Area Designations

40 CFR 81.303 as amended as of July 1, ~~1998~~2001 (and no future editions) is incorporated by reference and is on file with the Department of Environmental Quality and the Office of Secretary of State.

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, ~~1999~~2001, (and no future 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 Performance Standards (NSPS), and all accompanying appendices, adopted as of July 1, ~~1999~~2001, 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 Construction is Commenced after December 20, 1989 and on or Before September 20, 1994.
- 8. Subpart 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.
- 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 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.

Arizona Administrative Register
Notices of Final Rulemaking

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.
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 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.
75. Subpart AAAA - 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.
76. Subpart 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.

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, 19992001, and no future editions or

Arizona Administrative Register
Notices of Final Rulemaking

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.
 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, ~~1999~~2001, 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.
 21. Subpart CC - National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries.
 22. Subpart DD - National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations.
 23. Subpart EE - National Emission Standards for Magnetic Tape Manufacturing Operations.
 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.
 26. Subpart JJ - National Emission Standards for Wood Furniture Manufacturing Operations.
 27. Subpart KK - National Emission Standards for the Printing and Publishing Industry.

Arizona Administrative Register
Notices of Final Rulemaking

28. Subpart LL - National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants.
29. Subpart MM - National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills.
- ~~29-30.~~ Subpart OO - National Emission Standards for Tanks--Level 1.
- ~~30-31.~~ Subpart PP - National Emission Standards for Containers.
- ~~31-32.~~ Subpart QQ - National Emission Standards for Surface Impoundments.
- ~~32-33.~~ Subpart RR - National Emission Standards for Individual Drain Systems.
- ~~33-34.~~ Subpart SS - National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.
- ~~34-35.~~ Subpart TT - National Emission Standards for Equipment Leaks - Control Level 1.
- ~~35-36.~~ Subpart UU - National Emission Standards for Equipment Leaks - Control Level 2 Standards.
- ~~36-37.~~ Subpart VV - National Emission Standards for Oil-Water Separators and Organic-Water Separators.
- ~~37-38.~~ Subpart WW - National Emission Standards for Storage Vessels (Tanks) - Control Level 2.
- ~~38-39.~~ Subpart YY - National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards.
- ~~39-40.~~ Subpart CCC - National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants.
- ~~40-41.~~ Subpart DDD - National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production.
- ~~41-42.~~ Subpart EEE - National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors.
- ~~42-43.~~ Subpart GGG - National Emission Standards for Pharmaceuticals Production.
- ~~43-44.~~ Subpart HHH - National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities.
- ~~44-45.~~ Subpart III - National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production.
- ~~45-46.~~ Subpart JJJ - National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins.
- ~~46-47.~~ Subpart LLL - National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry.
- ~~47-48.~~ Subpart MMM - National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production.
- ~~48-49.~~ Subpart NNN - National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing.
50. Subpart OOO - National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins.
- ~~49-51.~~ Subpart PPP - National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production.
52. Subpart RRR - National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production.
- ~~50-53.~~ Subpart TTT - National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting.
54. Subpart VVV - National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works.
- ~~54-55.~~ Subpart XXX - National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese.
56. Subpart CCCC - National Emission Standards for Hazardous Air Pollutants: Manufacture of Nutritional Yeast.
57. Subpart GGGG - National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production.

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 as of July 1, ~~1999~~2001 (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).