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 *Arizona Administrative 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** / **Rulemaking Action**

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 rule are implementing (specific):**

   Authorizing statute: A.R.S. § 49-104

   Implementing statute: A.R.S. § 49-425

3. **The effective date of the rules:**

   May 9, 1996

4. **A list of all previous notices appearing in the Register addressing the final rule:**

   Notice of Rulemaking Docket Opening:
   2 A.A.R. 831, January 26, 1996

   Notice of Proposed Rulemaking:
   2 A.A.R. 900, February 9, 1996

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

Name:	Amy Wainright or Martha Seaman Rule Development
Address:	Department of Environmental Quality 3033 North Central Avenue Phoenix, Arizona 85012-2809
Telephone:	(602) 207-2225 or (602) 207-2222
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) is updating its current air quality rules regarding New Source Performance Standards (NSPS) and National Emissions Standards for Hazardous Air Pollutants (NESHAP), in order to obtain delegated authority to enforce recent federal regulations. The federal regulations implement Sections 111 and 112 of the Clean Air Act Amendments of 1990.

   These federal standards are designed to reduce air pollution generated by stationary sources. NSPS regulates emissions of the 6 criteria pollutants (carbon monoxide, ozone, oxides of nitrogen, lead, sulfur dioxide, and particulate matter). NESHAP regulates emissions of the 189 hazardous air pollutants (HAPs) listed in the Clean Air Act, Section 112.

   The federal NSPS regulations are found in 40 CFR 60. The federal NESHAP regulations are found in 40 CFR 61 and 63.

   This rulemaking updates the state rules to include federal promulgations that have occurred through February 29, 1996. This covers all federal regulations that the state wishes to have the authority to enforce at this time. Several portions of the federal standards, such as those governing radionuclides, are not adopted by ADEQ since they are enforced by the Arizona Radiation Regulatory Agency. Other portions, specifically the NESHAP for Marine Tank Vessel Loading and the NESHAP for Shipbuilding and Ship Repair Facilities, are not being adopted by ADEQ because they do not apply to the state of Arizona.

This rulemaking also updates test methods that are associated with the federal regulations. Specifically, the following matters are incorporated by reference:

New Source Performance Standards (NSPS) for Municipal Waste Combustors (40 CFR 60, Subpart Ea): Amended on December 19, 1995 (60 FR 65382). This revised NSPS modifies the applicability and definitions sections to improve clarity and make them consistent with those of subpart Eb (standards of performance for new MWCs for which construction commenced after September 20, 1994, or modification or reconstruction commenced after June 19, 1996) and subpart Cb (emission guidelines for existing MWCs for which construction commenced on or before September 20, 1994). The changes do not significantly modify the requirements of the regulation.

New Source Performance Standards (NSPS) for Municipal Waste Combustors for which Construction is Commenced after September 20, 1994 (40 CFR 60, Subpart Eb): Amended on December 19, 1995 (60 FR. 65419). Subpart Eb regulates emissions from all new Municipal Waste Combustor units at MWC plants with aggregate plant capacities greater than 35 Mg/day of MSW that commence construction, modification, or reconstruction after September 20, 1994. Plants with federally-enforceable permits limiting the amount of waste that may be combusted to less than 10 Mg/day are not subject to the rule.

Initial standards of performance for new MWC's were promulgated by the EPA under subpart Ea of 40 CFR 60 on February 11, 1991 (56 FR 5488). The subpart Ea standards were developed under section 111(b) of the Act as amended in 1977, and applied only to MWC units with greater than 225 Mg/day combustion capacity for which construction, modification, or reconstruction commenced after December 20, 1989. The subpart Eb standards were developed under sections 111(b) and 129 of the Act as amended in 1990 and (1) reflect MACT; (2) regulate emissions of 9 listed pollutants; (3) include siting requirements; and (4) apply to MWC's with capacities to combust greater than 35 Mg/day of MSW. The subpart Ea and Eb requirements do not overlap and apply to different MWC populations. Subpart Ea now applies to MWC's constructed, modified, or reconstructed between December 20, 1989, and September 20, 1994. Subpart Eb applies to those MWC's constructed, modified, or reconstructed after September 20, 1994. The subpart Eb standards are more stringent than the subpart Ea standards.

The subpart Eb standards establish requirements for MWC metals (PM, Cd, Pb, Hg, opacity), MWC organics (dioxins/furans), MWC acid gases (SO2, Hcl), MWC operating practices (CO, flue gas temperature, load level), NOx, and MWC facility siting requirements. The standards also require control of fugitive ash emissions.

New Source Performance Standards (NSPS), 40 CFR 60, Appendix A: Amended on September 11, 1995 (60 FR 47095). The amended federal appendix amends Method 24 - Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings. The federal regulation establishes procedures for the determination of volatile matter content, density, volume solids, and water content for non-thin-film ultraviolet radiation-cured coatings. The original regulation inadvertently excluded ultraviolet radiation-cured coatings.

New Source Performance Standards (NSPS) for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations and Reactor Processes (40 CFR 60, Subparts NNN and RRR): Amended on November 27, 1995 (60 FR 58237). The federal regulations have been amended to correct the spelling of certain chemical names, the CAS numbers for certain chemicals, and some cross-reference drafting errors.

National Emission Standards for Hazardous Air Pollutants: Gasoline Distribution Facilities (Stage 1) (Bulk Gasoline Terminals and Pipeline Breakout Stations) (40 CFR 63, Subpart R): Promulgated December 14, 1994 (59 FR 64303), and amended on June 26, 1995 (60 FR 32912) and February 29, 1996 (61 FR 7718). Gasoline bulk terminals and pipeline breakout stations transfer and store gasoline (and other petroleum products) as it is distributed from petroleum refineries to service stations and gasoline bulk plants. Air toxics are released from these facilities during gasoline tank truck and rail car loading, gasoline storage, and from vapor leaks from pumps, valves, and other equipment in gasoline service. Nationally, the regulation will reduce emissions of approximately 10 air toxics that are found in gasoline vapor by 2,300 tons annually, including benzene and toluene. Air toxics emissions are harmful to public health and the environment. The rule will also reduce emissions of volatile organic compounds (VOCs) by over 38,000 tons annually, nationwide. The VOC emissions contribute significantly to ground-level ozone or smog. The federal regulation will result in energy savings of 10 million gallons of gasoline per year nationally from collecting or preventing gasoline evaporation.

This federal regulation has been recently revised. The amendment was published in the Federal Register on February 29, 1996 (61 FR 7718). The federal amendment changed compliance deadlines contained in the regulation, by extending the initial compliance date for the equipment leak provisions applicable to existing sources to no later than December 15, 1997, and by amending the date by which an existing facility must provide an initial notification to December 16, 1996, or 1 year after a facility becomes subject to the regulation, whichever is later. The amendment has been incorporated into this final state rulemaking.

National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories: Petroleum Refineries (40 CFR 63, Subpart CC): Promulgated August 18, 1995 (60 FR 43244) and amended on September 27, 1995 (60 FR 49976): Petroleum refineries process crude oil to produce automotive gasoline, diesel fuel, lubricants, and other petroleum-based products.

Nationwide, the federal regulation will reduce emissions of eleven air toxics, including benzene---a human carcinogen, by 53,000 tons annually, representing a 59% reduction from current levels. Air toxics are those pollutants known or suspected of causing cancer or other serious health effects (e.g., reproductive effects or birth defects). Emissions of volatile organic compounds (VOCs) will be reduced under EPA's final rule by over 277,000 tons annually, representing a 60% reduction from current levels. VOCs contribute significantly to the formation of ground-level ozone (smog). Exposure to ground-level ozone can damage lung tissue and cause serious respiratory illness. Reductions in VOC emissions will substantially reduce damage caused to agriculture.

The federal regulation contains a market-based provision, "emissions averaging," that will allow facilities flexibility to choose cer-

tain emissions points to control in order to achieve the required emissions reductions in the most cost-effective manner possible. In some situations, facilities may find it more cost-effective to over-control certain emissions points and under-control others, so that the overall result would be greater emissions reductions at lesser control costs.

The federal regulation provides additional flexibility by permitting the use of emissions averaging among petroleum refineries, marine terminal loading operations, and gasoline distribution facilities located at the same site. The final rule spells out how facilities may use emissions averaging and which emissions points may be included. For requirements pertaining to equipment leaks, the federal regulation provides industry with the choice of 2 compliance options.

Under the Clean Air Act Amendments of 1990, EPA is required to regulate emissions of 189 listed hazardous air pollutants (air toxics). On July 16, 1992, EPA published a list of source categories that emit 1 or more of these hazardous air pollutants. For listed categories of "major" sources (those that emit 10 tons annually or more of a listed pollutant or 25 tons or more of a combination of pollutants annually), the Act requires EPA to develop standards that will require the application of maximum achievable control technology (MACT). In its July 16, 1992, published list of industry groups to be regulated, EPA identified petroleum refineries as a major source of hazardous air pollutant emissions.

The federal regulation requires controls for emissions of air toxics from storage tanks, equipment leaks, process vents, and wastewater collection and treatment systems.

Anyone with a computer and a modem can download the federal regulation and background information from the Clean Air Act Amendments bulletin board of EPA's Technology Transfer Network by computer-dialling (919) 541-5742 (look under "Recently Signed Rules"). For further information about how to access the board, call (919) 541-5384. For further information about the federal regulation, contact James F. Durham at (919) 541-5672.

National Emission Standards for Hazardous Air Pollutants: Aerospace Manufacturing and Rework Facilities (40 CFR 63, Subpart GG): Promulgated September 1, 1995 (60 FR 45948). Aerospace manufacturing and rework facilities produce or repair aerospace vehicles or vehicle parts, such as airplanes, helicopters, space vehicles, and missiles.

Nationwide, the federal regulation will reduce emissions of air toxics, including chromium--a pollutant strongly suspected of causing lung cancer, and volatile organic compounds (VOCs) by 123,000 tons annually. This represents a 60% reduction from current levels. Air toxics are those pollutants known or suspected of causing cancer or other serious health effects (e.g. reproductive effects and birth defects). VOCs contribute significantly to ground-level ozone or smog.

Historically, large volumes of methylene chloride, a pollutant strongly suspected of causing cancer, have been used to remove paint from the exterior of aerospace vehicles. The federal regulation will require facilities to completely eliminate emissions of methylene chloride and other air toxics from de-painting operations, while providing a variety of options for meeting this requirement.

The federal regulation provides industry with a variety of options for meeting each of the control requirements, including some pollution prevention-based strategies.

The federal regulation contains a market-based provision, "emissions averaging," that would allow facilities flexibility to choose certain emissions points to control in order to achieve the required emissions reductions in the most cost-effective manner possible. In some situations, facilities may find it more cost effective to over-control certain emissions points and under-control others, so that the overall result would be greater emissions reductions at lesser control costs. The regulation spells out how facilities may use emissions averaging and which emissions points may be included.

Nationwide, there are approximately 2,800 aerospace manufacturing facilities nationwide that are major sources of air toxics, and are therefore affected by the regulation.

The federal regulation requires controls on processes within an aerospace manufacturing and rework facility that release air toxics, many of which are also VOCs; these processes include cleaning operations, primer operations, topcoat operations, de-painting operations, and chemical milling maskant operations.

Anyone with a computer and a modem can download the rule from the Clean Air Act Amendments bulletin board (look under "Recently Signed Rules") of EPA's electronic Technology Transfer Network (TTN) by computer-dialling (919) 541-5742. For further information about how to access the board, call (919) 541-5384. For further information about the federal regulation, call (919) 541-0164.

National Emission Standards for Hazardous Air Pollutants: Wood Furniture Manufacturing Operations (40 CFR 63, Subpart JJ): Promulgated December 7, 1995 (60 FR 62930). The federal regulation reduces air toxics emissions from wood furniture manufacturing operations. Wood furniture manufacturing facilities, including cabinet shops and residential and industrial furniture makers, emit air toxics during finishing, gluing, and cleaning operations.

Nationwide, the EPA final rule will reduce emissions of air toxics, such as toluene, xylene, methanol, and formaldehyde, by 33,000 tons annually, representing a 60% reduction from current levels. Exposure to these and other air toxics associated with wood furniture manufacturing can cause adverse health effects, including eye, nose, throat, and skin irritation; damage to the heart, liver, and kidneys; and reproductive effects.

The federal regulation is based on 2 requirements--emissions limits and work practice standards. The final rule provides flexibility to industry by offering a choice of 4 different compliance options.

The federal regulation limits the amount of hazardous air pollutants (HAP) that can be contained in the coatings used for finishing,

gluing, and cleaning operations. The emissions limits can be met through using a variety of coatings that contain lower quantities of HAP.

The work practice standards will reduce waste and evaporation of HAP. Good housekeeping measures such as keeping containers of materials closed, periodic training of operators who use solvent and/or coatings, and performing periodic inspections to locate and repair leaking equipment are required by the work practice provisions. In addition, the rule requires use of spray equipment which is believed to be more efficient in applying coatings. The work practice standards also require accounting for the quantity of solvent used for cleaning and washoff, the number of times each piece of equipment is washed off, and the reason for the washoff. These practices will focus attention on quality control issues that will result in the minimization of HAP and volatile organic compound emissions.

Anyone with a computer and a modem can download the rule from the CAA Amendments bulletin board of the EPA electronic Technology Transfer Network by computer-dialling (919) 541-5742 (look under "Recently Signed Rules"). For further information about how to access the board, call (919) 541-5384. For further information about the rule, contact Paul Almodovar of the EPA Office of Air Quality Planning and Standards at (919) 541-0283.

Docket Location: Materials relevant to this rulemaking are contained in ADEQ Rule Docket No. Air-14. The docket is located on the 8th Floor at the Arizona Department of Environmental Quality, 3033 North Central, Phoenix, Arizona. The docket may be inspected from 8 a.m. to 5 p.m., Monday through Friday.

7. **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 to a political subdivision of this state:**

Not applicable. The 3 counties having jurisdiction over air pollution separately from ADEQ, pursuant to A.R.S. Title 49 (Maricopa County, Pima County, and Pinal County) will each incorporate by reference the same rules incorporated in this rulemaking, at a later time.

8. **The summary of the economic, small business, and consumer impact statement:**

The purpose in adopting the federal regulations for NSPS and NESHAPs is to meet the criteria for federal delegation to ADEQ to implement and enforce these standards. When the standards are embodied in state rule, they are implemented and enforced by state personnel. There is no added impact to regulated entities. The primary duty of enforcement simply shifts from the EPA to ADEQ. ADEQ will not be hiring any new full-time employees as a result of this rulemaking.

Federal NSPS and NESHAP regulations are enforceable in Arizona under federal law on the effective date of the regulations, regardless of whether they are adopted as state rule.

State adoption of effective federal regulations does not impose standards or requirements on private entities. Therefore, the economic impact to the regulated community from the state adoption of these rules is zero. The cost to ADEQ is negligible. This is because ADEQ expects to continue its enforcement of all incorporated federal regulations and the addition of these few is not expected to add any additional measurable impacts. On the contrary, it would add complexity and some administrative cost to selectively not enforce one particular subset of federal regulations, and instead to establish a partnership with EPA so that EPA could manage those enforcement actions.

Substantial benefits are realized when primary regulatory authority rests with the state as opposed to the federal government, both for the regulated community and the general public. There is usually better communication and improved understanding when facilities work with state regulators rather than with federal authorities, since they are more likely to meet in person and to understand specific business and geographic circumstances. Enforcement by the state allows more efficient processing of permits, complaints and other related issues.

The benefits of state versus federal regulatory authority are magnified with respect to small businesses, since ADEQ has an easily accessible Small Business Assistance Program for air quality, which the EPA does not have in this state.

The number of Municipal Waste Combustors in the state of Arizona is less than 3. At this time, there are none under the jurisdiction of ADEQ, but rather under the counties having independent jurisdiction. The number of Wood Furniture Manufacturers in the state of Arizona is less than 3, and they are under county jurisdiction. The number of affected Aerospace Manufacturers and Reworkers is less than 5, because the regulation affects only sources that emit over 10 tons per year of hazardous air pollutants. Most of these facilities are located in Maricopa County, which has independent jurisdiction. The number of Gasoline Distribution Facilities is likewise small, with only a few under ADEQ's jurisdiction. The number of Petroleum Refineries is 2, and they are under ADEQ's jurisdiction.

There is no economic impact on any political subdivision as a result of this rulemaking. The benefits to businesses are described above; again, no change in revenues or expenditures accrues to businesses, including small businesses, since they must comply with the federal regulations in any event. There is no separate economic impact on private persons or consumers as a result of this rulemaking, since the rulemaking simply shifts enforcement authority from the EPA to ADEQ. There is, likewise, no change to state revenues since the permit fee does not increase depending on the number of regulations that must be described in the permit.

Finally, there is no other less intrusive or less costly alternative methods of achieving the goals of the rulemaking. ADEQ is required to implement all parts of Title III of the Clean Air Act Amendments of 1990 in order to have Title V permitting authority; therefore, each of the federal air standards incorporated by reference in this rulemaking are dictated by federal and state law. The rulemaking is no more stringent and no less stringent than current federal regulation.

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

The federal regulation regarding Gasoline Distribution Facilities has been revised. The amendment was published in the Federal Register on February 29, 1996 (61 FR 7718). The federal amendment changed compliance deadlines contained in the regulation, by extending the initial compliance date for the equipment leak provisions applicable to existing sources to no later than December 15, 1997, and by amending the date by which an existing facility must provide an initial notification to December 16, 1996, or 1 year after a facility becomes subject to the regulation, whichever is later. The amendment has been incorporated into this final rulemaking so that the state rule will not be more stringent than current federal regulation. ADEQ has made the change on its own initiative; no comments, either written or oral were received.

In addition, changes were made to the introductory language of the 3 Sections involved in this rulemaking, so that the reader could easily identify the new regulatory events that had happened since the July 1st publication date of the Code of Federal Regulations. These formatting changes were requested by the Governor's Regulatory Review Council during their review and approval of these final rules on May 7, 1996. The relevant portions of the rules are shown below.

For the relevant portions of R18-2-901, the proposed rule read as follows:

"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, 1995~~ January 1, 1996, and no future editions, are incorporated by reference.

~~63.~~64. Subpart NNN - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.

~~67.~~68. Subpart RRR - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.

The final rule reads as follows:

"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, 1995, and no future editions except for incorporation dates specifically provided, are incorporated by reference.

~~63.~~64. Subpart NNN - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations (60 FR 58237, Nov. 27, 1995).

~~67.~~68. Subpart RRR - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes (60 FR 58238, Nov. 27, 1995).

For the relevant portions of R18-2-1101, the proposed rule read as follows:

"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, 1995~~ January 1, 1996, and no future editions, are incorporated by reference.

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, 1995~~ January 1, 1996, and no future editions, are incorporated by reference.

13. Subpart R - Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations).

17. Subpart CC - Petroleum Refineries (60 FR 43244, Aug. 18, 1995).

The final rule reads as follows:

"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, 1995, and no future editions except for incorporation dates specifically provided, are incorporated by reference.

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, 1995 and no future editions except for incorporation dates specifically provided, are incorporated by reference.

13. Subpart R - Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) (59 FR 64303, Dec. 14, 1994; 60 FR 32912, June 26, 1995; 61 FR 7718, Feb. 29, 1996).

17. Subpart CC - Petroleum Refineries (60 FR 43244, Aug. 18, 1995; 60 FR 49976, Sept. 27, 1995).

For Appendix 2, the proposed rule read as follows:

"APPENDIX 2.

TEST METHODS AND PROTOCOLS

The following test methods and protocols are approved for use as directed by the Department pursuant to this Chapter. These standards are incorporated by reference as of ~~July 1, 1995~~ January 1, 1996 (and no future amendments), except for incorporation dates specifically provided. These standards are on file with the Department and with the Office of the Secretary of State.

1. 40 CFR 51, Appendix M.
2. 40 CFR 60, all appendices.
3. 40 CFR 61, all appendices.
4. 40 CFR 63, all appendices.
5. 40 CFR 75, all appendices.
6. The Department's "Arizona Testing Manual for Air Pollutant Emissions," amended as of March 1992 (and no future editions)."

The final rule reads as follows:

"APPENDIX 2.

TEST METHODS AND PROTOCOLS

The following test methods and protocols are approved for use as directed by the Department pursuant to this Chapter. These standards are incorporated by reference as of July 1, 1995 (and no future amendments), except for incorporation dates specifically provided. These standards are on file with the Department and with the Office of the Secretary of State.

1. 40 CFR 51, Appendix M.
2. 40 CFR 60, Appendix A (60 FR 47095, Sept. 11, 1995), and all other appendices.
3. 40 CFR 61, all appendices.
4. 40 CFR 63, all appendices.
5. 40 CFR 75, all appendices.
6. The Department's "Arizona Testing Manual for Air Pollutant Emissions" ~~amended as of March, 1992 (and no future editions)~~ (Mar. 1992)."

10. A summary of the principal comments and the agency response to them:
No comments, either written or oral, were received.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
Not applicable.

12. Incorporations by reference and their locations in the rules:
R18-2-901, R18-2-1101, and Appendix 2 contain the federal regulations described in question 6 of this preamble.

13. Was this rule previously adopted as an emergency rule?
No.

14. The full text of the rules follows:

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL

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)

APPENDICES FOR CHAPTER 2

Appendix 2. Test Methods and Protocols

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, 1995, and no future editions except for incorporation dates specifically provided, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with 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 (60 FR 65382, December 19, 1995).
8. Subpart Eb - Municipal Waste Combustors for which Construction is Commenced after September 20, 1994 (60 FR 65419, December 19, 1995).

~~8.~~9. Subpart F - Portland Cement Plants.
~~9.~~10.Subpart G - Nitric Acid Plants.
~~10.~~11.Subpart H - Sulfuric Acid Plants.
~~11.~~12.Subpart I - Hot Mix Asphalt Facilities.
~~12.~~13.Subpart J - Petroleum Refineries.
~~13.~~14.Subpart K - Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.
~~14.~~15.Subpart Ka - Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.
~~15.~~16.Subpart Kb - Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984.
~~16.~~17.Subpart L - Secondary Lead Smelters.
~~17.~~18.Subpart M - Secondary Brass and Bronze Ingot Production Plants.
~~18.~~19.Subpart N - Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.
~~19.~~20.Subpart Na - Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983.
~~20.~~21.Subpart O - Sewage Treatment Plants.
~~21.~~22.Subpart P - Primary Copper Smelters.
~~22.~~23.Subpart Q - Primary Zinc Smelters.
~~23.~~24.Subpart R - Primary Lead Smelters.
~~24.~~25.Subpart S - Primary Aluminum Reduction Plants.
~~25.~~26.Subpart T - Phosphate Fertilizer Industry: Wet-process Phosphoric Acid Plants.
~~26.~~27.Subpart U - Phosphate Fertilizer Industry: Superphosphoric Acid Plants.
~~27.~~28.Subpart V - Phosphate Fertilizer Industry: Diammonium Phosphate Plants.
~~28.~~29.Subpart W - Phosphate Fertilizer Industry: Triple Superphosphate Plants.
~~29.~~30.Subpart X - Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.
~~30.~~31.Subpart Y - Coal Preparation Plants.
~~31.~~32.Subpart Z - Ferroalloy Production Facilities.
~~32.~~33.Subpart AA - Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983.
~~33.~~34.Subpart AAa - Steel Plants: Electric Arc Furnaces and Argon-oxygen Decarburization Vessels Constructed After August 7, 1983.
~~34.~~35.Subpart BB - Kraft Pulp Mills.
~~35.~~36.Subpart CC - Glass Manufacturing Plants.
~~36.~~37.Subpart DD - Grain Elevators.
~~37.~~38.Subpart EE - Surface Coating of Metal Furniture.
~~38.~~39.Subpart GG - Stationary Gas Turbines.
~~39.~~40.Subpart HH - Lime Manufacturing Plants.
~~40.~~41.Subpart KK - Lead-Acid Battery Manufacturing Plants.
~~41.~~42.Subpart LL - Metallic Mineral Processing Plants.
~~42.~~43.Subpart MM - Automobile and Light Duty Truck Surface Coating Operations.
~~43.~~44.Subpart NN - Phosphate Rock Plants.
~~44.~~45.Subpart PP - Ammonium Sulfate Manufacture.
~~45.~~46.Subpart QQ - Graphic Arts Industry: Publication Rotogravure Printing.
~~46.~~47.Subpart RR - Pressure Sensitive Tape and Label Surface Coating Operations.
~~47.~~48.Subpart SS - Industrial Surface Coating: Large Appliances.
~~48.~~49.Subpart TT - Metal Coil Surface Coating.
~~49.~~50.Subpart UU - Asphalt Processing and Asphalt Roofing Manufacture.
~~50.~~51.Subpart VV - Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry.
~~51.~~52.Subpart WW - Beverage Can Surface Coating Industry.
~~52.~~53.Subpart XX - Bulk Gasoline Terminals.
~~53.~~54.Subpart AAA - New Residential Wood Heaters.
~~54.~~55.Subpart BBB - Rubber Tire Manufacturing Industry.
~~55.~~56.Subpart DDD - Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.
~~56.~~57.Subpart FFF - Flexible Vinyl and Urethane Coating and Printing.
~~57.~~58.Subpart GGG - Equipment Leaks of VOC in Petroleum Refineries.
~~58.~~59.Subpart HHH - Synthetic Fiber Production Facilities.
~~59.~~60.Subpart III - Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.
~~60.~~61.Subpart JJJ - Petroleum Dry Cleaners.
~~61.~~62.Subpart KKK - Equipment Leaks of VOC from Onshore Natural Gas Processing Plants.
~~62.~~63.Subpart LLL - Onshore Natural Gas Processing; SO_2 Emissions.
~~63.~~64.Subpart NNN - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations (60 FR 58237, Nov. 27, 1995).
~~64.~~65.Subpart OOO - Nonmetallic Mineral Processing Plants.
~~65.~~66.Subpart PPP - Wool Fiberglass Insulation Manufacturing Plants.
~~66.~~67.Subpart QQQ - VOC Emissions From Petroleum Refinery Wastewater Systems.
~~67.~~68.Subpart RRR - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes (60 FR 58238, Nov. 27, 1995).
~~68.~~69.Subpart SSS - Magnetic Tape Coating Facilities.
~~69.~~70.Subpart TTT - Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.

~~70.~~71. Subpart UUU - Calciners and Dryers in Mineral Industries.
~~71.~~72. Subpart VVV - Ploymeric Coating of Supporting Substrates Facilities.

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, 1995, and no future editions except for incorporation dates specifically provided, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with 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, 1995 and no future editions except for incorporation dates specifically provided, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with 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 - Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.
11. Subpart O - Ethylene Oxide Emissions Standards for Sterilization Facilities.
12. Subpart Q - Industrial Process Cooling Towers.
13. Subpart R - Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) (59 FR 64303, December 14, 1994; 60 FR 32912, June 26, 1995; 61 FR 7718, February 29, 1996).
~~13.~~14. Subpart T - Halogenated Solvent Cleaning.
~~14.~~15. Subpart W - Epoxy Resins Production and Non-Nylon Polyamides Production.
~~15.~~16. Subpart X - Secondary Lead Smelting.
17. Subpart CC - Petroleum Refineries (60 FR 43244, Aug. 18, 1995; 60 FR 49976, September 27, 1995).
~~16.~~18. Subpart EE - Magnetic Tape Manufacturing Operations.
19. Subpart GG - Aerospace Manufacturing and Rework Facilities (60 FR 45948, September 1, 1995).
20. Subpart JJ - Wood Furniture Manufacturing Operations (60 FR 62930, December 7, 1995).

APPENDIX 2. TEST METHODS AND PROTOCOLS

The following test methods and protocols are approved for use as directed by the Department pursuant to this Chapter. These standards are incorporated by reference as of July 1, 1995 (and no future amendments), except for incorporation dates specifically provided. These standards are on file with the Department and with the Office of the Secretary of State.

1. 40 CFR 51, Appendix M.
2. 40 CFR 60, Appendix A (60 FR 47095, September 11, 1995), and all other appendices.
3. 40 CFR 61, all appendices.
4. 40 CFR 63, all appendices.
5. 40 CFR 75, all appendices.
6. The Department's "Arizona Testing Manual for Air Pollutant Emissions" ~~amended as of March, 1992 (and no future editions)~~ (March 1992).