

Antelope Valley
Air Quality Management District



Draft
Staff Report

Proposed Amendment to
Rule 900 – *Standards of Performance for New Stationary
Sources (NSPS)*
and
Rule 1000 – *National Emission Standards for Hazardous Air
Pollutants (NESHAP)*
and
Receive and File ATCM/MACT Notifications

For adoption on
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STAFF REPORT
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STAFF REPORT

Rule 900 – *Standards of Performance for New Stationary Sources (NSPS) and Rule 1000 – National Emission Standards for Hazardous Air Pollutants (NESHAP) and Receive and File ATCM/MACT Notifications*

I. PURPOSE OF STAFF REPORT

A staff report serves several discrete purposes. Its primary purpose is to provide a summary and background material to the members of the Governing Board. This allows the members of the Governing Board to be fully informed before making any required decision. It also provides the documentation necessary for the Governing Board to make any findings, which are required by law to be made prior to the approval or adoption of a document. In addition, a staff report ensures that the correct procedures and proper documentation for approval or adoption of a document have been performed. Finally, the staff report provides evidence for defense against legal challenges regarding the propriety of the approval or adoption of the document.

II. EXECUTIVE SUMMARY

Local air districts may receive delegation of authority to implement and enforce federal New Source Performance Standards (NSPS) and National Emissions Standards for Hazardous Air Pollutants (NESHAP) by submitting a petition to the United States Environmental Protection Agency (USEPA). The Antelope Valley Air Quality Management District (AVAQMD or District), via its predecessor agencies the Antelope Valley Air Pollution Control District and the South Coast Air Quality Management District, has in the past submitted such petitions and received delegation for certain of the NSPS and NESHAP standards.

Since the last submission, the USEPA has amended and adopted a variety of new NSPS and NESHAP standards as well as amended and updated several old ones. The proposed amendments will update both Rule 900 – *Standards of Performance for New Stationary Sources (NSPS) and Rule 1000 – National Emissions Standards for Hazardous Air Pollutants (NESHAP)* to include the amended and adopted NSPS and NESHAP standards, respectively, which have occurred since the last submission. These amendments will allow the AVAQMD to petition USEPA for further delegation of NSPS and NESHAP authority. Although this action requesting delegation will not be a State Implementation Plan (SIP) submission it is a formal submission directly to USEPA and therefore the public notice requirements for SIP submissions will most likely be applicable. Such delegation will allow certain reports and other ministerial items to be submitted to the AVAQMD rather than directly to USEPA.

In addition, the AVAQMD is authorized, pursuant to statute Health & Safety Code §39666 to enforce certain state adopted Airborne Toxic Control Measures (ATCMs) and a variety of Maximum Achievable Control Technology standards (MACT standards). As an informational measure the AVAQMD has included two Notifications in the district's rulebook which list the ATCMs and MACT standards enforceable within the district's jurisdiction. Once again since February 15, 2011 both CARB and USEPA have added and updated various ATCMs and MACT standards. This action will also receive and file Notification: California Airborne Toxic Control Measures (ATCMs) and

Notification: Maximum Available Control Technology (MACT) and direct their inclusion into the AVAQMD rule book.

III. STAFF RECOMMENDATION

Staff recommends that the Governing Board of the AVAQMD adopt, after conducting a public hearing, a resolution approving the amendment of Rule 900 – *Standards of Performance for New Stationary Sources (NSPS)* and Rule 1000 – *National Emissions Standards for Hazardous Air Pollutants (NESHAP)* and approve the appropriate California Environmental Quality Act (CEQA) documentation.

The proposed amendments update citations and adopt by reference various new and amended Federal NSPS and NESHAP standards as set forth by 40 CFR 60 and 40 CFR 61, respectively. This will enable the District to obtain delegation of authority from USEPA for certain NSPS and NESHAP standards.

In addition, the District plans to receive and file updates to the State Air Toxics Control Measures (ATCM) and Federal Maximum Achievable Control Technology (MACT) standards via Notifications.

IV. LEGAL REQUIREMENTS CHECKLIST

The findings and analysis as indicated below are required for the procedurally correct amendment of Rule 900 – *Standards of Performance for New Stationary Sources (NSPS)* and Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)*. Each item is discussed, if applicable, in Section V below. Copies of documents are included in the appropriate Appendix.

FINDINGS REQUIRED FOR RULES & REGULATIONS

- X Necessity
- X Authority
- X Clarity
- X Consistency
- X Non-duplication
- X Reference
- X Public Notice & Comment
- X Public Hearing

REQUIREMENTS FOR STATE IMPLEMENTATION PLAN SUBMISSION (SIP):

- X Public Notice & Comment
- X Availability of Document
- X Notice to Specified Entities (State, Air Districts, USEPA, Other States)
- X Public Hearing
- X Legal Authority to adopt and implement the document.
- X Applicable State laws and regulations were followed.

ELEMENTS OF A FEDERAL SUBMISSION

- X Elements as set forth in applicable Federal law or regulations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS (CEQA):

- N/A Ministerial Action
- X Exemption
- N/A Negative Declaration
- N/A Environmental Impact Report
- X Appropriate findings, if necessary.
- X Public Notice & Comment

SUPPLEMENTAL ENVIRONMENTAL ANALYSIS (RULES & REGULATIONS ONLY):

- X Environmental impacts of compliance.
- N/A Mitigation of impacts.
- N/A Alternative methods of compliance.

OTHER:

- X Written analysis of existing air pollution control requirements
- N/A Economic Analysis
- N/A Public Review

V. DISCUSSION OF LEGAL REQUIREMENTS

A. REQUIRED ELEMENTS/FINDINGS

This section discusses the State of California statutory requirements that apply to the proposed amendment of Rule 900 and Rule 1000. These are actions, that need to be performed, and/or information, that must be provided in order to amend the rule in a procedurally correct manner.

1. State Findings Required for Adoption of Rules & Regulations:

Before adopting, amending, or repealing a rule or regulation, the AVAQMD Governing Board is required to make findings of necessity, authority, clarity, consistency, non-duplication, and reference based upon relevant information presented at the hearing. The information below is provided to assist the Governing Board in making these findings.

a. Necessity:

The proposed amendment of Rule 900 and Rule 1000 is necessary to update citations and adopt by reference various new and amended Federal NSPS and NESHAP, respectively. This action will also enable the AVAQMD to obtain delegation of authority from USEPA for certain standards.

b. Authority:

AVAQMD has the authority pursuant to California Health and Safety Code (H&S Code) §40702 to adopt, amend or repeal rules and regulations.

c. Clarity:

The proposed amendments are clear in that they are written so that the persons subject to the rule can easily understand the meaning.

d. Consistency:

The proposed amendments of Rule 900 and Rule 1000 are in harmony with, and not in conflict with or contradictory to, any state law or regulation, federal law or regulation, or court decisions because this rule is enacted to adopt by reference all the applicable provisions regarding standards of performance for new stationary sources as set forth in 40 Code of Federal Regulations, Part 60 (40 CFR 60). The proposed amendments will update Rule 900 and Rule 1000 to include the amended and adopted NSPS and NESHAP standards which have occurred since the last amendment of this rule. This action will also enable the AVAQMD to obtain delegation of authority from USEPA for certain standards.

e. Non-duplication:

The proposed amendments to Rule 900 and Rule 1000 do not impose the same requirements as an existing state or federal law or regulation because this rule is enacted to adopt by reference all the applicable provisions regarding standards of performance for new stationary sources as set forth in 40 CFR 60. This action will also enable the AVAQMD to obtain delegation of authority from USEPA for certain standards.

f. Reference:

AVAQMD has the authority pursuant to H&S Code §40702 to adopt, amend or repeal rules and regulations.

g. Public Notice & Comment, Public Hearing:

Notice for the public hearing for the proposed amendment of Rule 900 and Rule 1000 will be published August 14, 2020. See Appendix “B” for a copy of the public notice. See Appendix C for copies of comments, if any, and AVAQMD responses.

2. Federal Elements (SIP Submittals, Other Federal Submittals).

Submittals to USEPA are required to include various elements depending upon the type of document submitted and the underlying federal law which requires the submittal. The information below indicates which elements are required for the proposed amendment of Rule 900 and Rule 1000 and how they were satisfied.

a. Satisfaction of Underlying Federal Requirements:

The amendment of Rule 900 and Rule 1000 will not be a SIP submission. Although this action requesting delegation will not be a SIP submission the request for delegation requires formal submission directly to USEPA and therefore the public notice requirements for a SIP submission will be followed.

b. Public Notice and Comment:

Notice for the public hearing for the proposed amendment of Rule 900 and Rule 1000 will be published August 14, 2020. See Appendix “B” for a copy of the public notice. See Appendix “C” for copies of comments and if any District response.

c. Availability of Document:

Copies of the proposed amended Rule 900 and Rule 1000, and the accompanying draft staff report were made available to the public on August 14, 2020.

d. Notice to Specified Entities

Copies of the proposed amended Rule 900 and Rule 1000, and the accompanying draft staff report were sent to all affected agencies, including but not limited to the California Air Resources Board (CARB) and USEPA on or about August 14, 2020.

e. Public Hearing:

A public hearing to consider the proposed amendments of Rule 900 and Rule 1000 has been set for September 15, 2020.

f. Legal Authority to Adopt and Implement:

The AVAQMD has the authority pursuant to H&S Code §40702 to adopt, amend, or repeal rules and regulations and to do such acts as may be necessary or proper to execute the duties imposed upon the AVAQMD.

g. Applicable State Laws and Regulations Were Followed:

Public notice and hearing procedures pursuant to H&S Code §§40725-40728 have been followed. See Section (V)(A)(1) above for compliance with state findings required pursuant to H&S Code §40727. See Section (V)(B) below for compliance with the required analysis of existing requirements pursuant to H&S Code §40727.2. See Section (V)(C) for compliance with economic analysis requirements pursuant to H&S Code §40920.6. See Section (V)(D) below for compliance with provisions of the California Environmental Quality Act (CEQA).

B. WRITTEN ANALYSIS OF EXISTING REQUIREMENTS

H&S Code §40727.2 requires air districts to prepare a written analysis of all existing federal air pollution control requirements that apply to the same equipment or source type as the rule proposed for modification by the district. Proposed amended Rule 900 and Rule 1000 are enacted to adopt by reference all the applicable provisions regarding standards of performance for new stationary sources as set forth in 40 CFR 60. The proposed amendments will update Rule 900 and Rule 1000 to include the amended and adopted NSPS and NESHAP standards which have occurred since the last amendment of this rule. This action will also enable the AVAQMD to obtain delegation of authority from USEPA for certain standards. Since this is an administrative rule, the preparation of a written analysis of existing pollution control requirements that apply to the same equipment or source type is not required.

C. ECONOMIC ANALYSIS

1. General

The proposed amendments to Rule 900 and Rule 1000 are administrative in nature since they merely adopt by reference the applicable provisions regarding standards of performance for new stationary sources as set forth in 40 CFR 60 and will also enable the AVAQMD to obtain delegation of authority from USEPA for certain standards. NSPS and NESHAP are federal law and facilities subject to the provisions are subject to them regardless of Rule 900 and Rule 1000 provisions, respectively. Therefore, there is no additional economic burden to facilities subject to the rule.

2. Incremental Cost Effectiveness

Pursuant to H&S Code §40920.6, incremental cost effectiveness calculations are required for rules and regulations which are adopted or amended to meet the California Clean Air Act requirements for Best Available Retrofit Control Technology (BARCT) or “all feasible measures” to control volatile compounds, oxides of nitrogen or oxides of sulfur.

The proposed amendments of Rule 900 and Rule 100 are not subject to incremental cost effectiveness calculations because this rule does not impose BARCT or “all feasible measures.”

D. ENVIRONMENTAL ANALYSIS (CEQA)

Through the process described below, it was determined that a Notice of Exemption would be the appropriate CEQA process for the proposed amendment of Rule 900 and Rule 1000.

1. The proposed amendments of Rule 900 and Rule 1000 meet the CEQA definition of “project.” They are not “ministerial” actions.
2. The proposed amendments to Rule 900 and Rule 1000 are exempt from CEQA review because the proposed amendments are administrative in nature since they merely adopt by reference the applicable provisions of existing federal standards of performance for new stationary sources as set forth in 40 CFR 60 and will enable the AVAQMD to obtain delegation of authority from USEPA for certain standards. There is no potential that the amendments might cause the release of additional air contaminants or create any adverse environmental impacts because the standards are already effective and applicable to the District and any affected facilities, therefore a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies. Copies of the documents relating to CEQA can be found in Appendix “D”.

E. SUPPLEMENTAL ENVIRONMENTAL ANALYSIS

1. Potential Environmental Impacts

The proposed amendments of Rule 900 and Rule 1000 are administrative in nature since it merely adopts by reference the applicable provisions regarding standards of

performance for new stationary sources as set forth in 40 CFR 60 and enables the AVAQMD to obtain delegation of authority from USEPA for certain standards, and so will have no negative environmental impacts.

2. Mitigation of Impacts

N/A

3. Alternative Methods of Compliance

N/A

F. PUBLIC REVIEW

See Staff Report Section (V)(A)(1)(g) and (2)(b), as well as Appendix “B”.

VI. TECHNICAL DISCUSSION

A. SOURCE DESCRIPTION

Rule 900 and Rule 1000 are applicable to any new, modified or reconstructed sources of air pollution as specified in any subpart of 40 CFR 60 which is applicable to such source and is adopted by reference.

B. EMISSIONS

The proposed amendments of Rule 900 and Rule 1000 do not cause the release of additional air contaminants, or create any adverse environmental impacts because the rule is administrative in nature. Proposed amended Rule 900 and Rule 1000 merely adopt by reference the existing applicable provisions regarding standards of performance for new stationary sources as set forth in 40 CFR 60 and will enable the AVAQMD to obtain delegation of authority from USEPA for certain standards.

C. CONTROL REQUIREMENTS

The proposed amendments of Rules 900 and Rule 1000 do not cause the release of additional air contaminants, or create any adverse environmental impacts because the amended rule is administrative in nature. Proposed amended Rule 900 and Rule 1000 merely adopt by reference the existing applicable provisions regarding standards of performance for new stationary sources as set forth in 40 CFR 60 and will enable the AVAQMD to obtain delegation of authority from USEPA for certain standards.

D. PROPOSED RULE SUMMARY

This section gives a brief overview of proposed amended Rule 900 and Rule 1000.

Section (C) of Rule 900 has been updated to reflect current NSPS subparts and titles.

Furthermore, AVAQMD ATCM and MACT notifications have also been updated to better reflect the updates made to 17 CCR and 40 CFR 63, respectively.

E. SIP HISTORY

Rule 900 and Rule 1000 are not included in the SIP.

This action will be formally submitted to USEPA requesting delegation of authority on behalf of the AVAQMD for the implementation and enforcement of the NSPS and NESHAP subparts referenced in Rule 900 and Rule 1000, respectively. The request for delegation requires formal submission to USEPA and therefore the public notice requirements for a SIP submission was followed. See subsection (V)(A)(2) for how federal elements for submission were satisfied.

The Governing Board of the Antelope Valley Air Quality Management District amended Rule 900 – *Standards of Performance for New Stationary Sources (NSPS)* and Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)* on February 15, 2011, with the addition of District Notifications for California Airborne Toxic Control Measures (ATCMs) and Maximum Available Control Technologies (MACTs). Following the amendment of Rule 900 – *Standards of Performance for New Stationary Sources (NSPS)* and Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)* in 02/15/11, NSPS Delegation was approved in a USEPA letter issued in 06/07/11.

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APPENDIX "A"

Rule 900– *Standards of Performance for New Stationary Sources (NSPS)* Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)*

Iterated Version

The iterated version is provided so that the changes to an existing rule may be easily found. The manner of differentiating text is as follows:

1. Underlined text identifies new or revised language.
2. ~~Lined out text~~ identifies language which is being deleted.
3. Normal text identifies the current language of the rule which will remain unchanged by the adoption of the proposed amendments.
4. *[Bracketed italicized text]* is explanatory material that is not part of the proposed language. It is removed once the proposed amendments are adopted.

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(Adopted: 12/3/76; Amended: 6/7/85; Amended: 11/1/85; Amended: 10/3/86; Amended: 4/3/87; Amended: 5/5/89; Amended: 9/7/90; Amended: 10/4/91; Amended: 4/3/92; Amended: 4/9/93; Amended: 4/8/94; Amended & Renumbered: 4/20/99; Amended: 2/15/11; Amended: MM/DD/YY)

RULE 900

Standards of Performance for New Stationary Sources (NSPS)

(A) General.

(1) Purpose.

- (a) This rule is enacted to adopt by reference all the applicable provisions regarding standards of performance for new stationary sources as set forth in 40 Code of Federal Regulations, Part 60 (40 CFR 60).

(2) Applicability.

- (a) This rule shall be applicable to any new, modified or reconstructed sources of air pollution as specified in any subpart of 40 CFR 60 which is applicable to such source and is adopted herein by reference.
- (b) For the purposes of this rule, the authority of the Administrator under the various portions of 40 CFR 60 shall be exercised by the APCO of the District when such authority has been properly delegated by USEPA with the exception that the APCO shall not be empowered to approve alternate or equivalent test methods, alternate standards or alternate work practices.

(B) Definitions.

- (1) For the purposes of this rule the following definitions, in addition to any definition contained in any subpart of 40 CFR 60 shall apply as applicable:

- (a) "Administrator" - The Administrator of the United States Environmental Protection Agency and his or her designee.
- (b) "Air Pollution Control Officer" (APCO) - The person appointed to the position of Air Pollution Control Officer of the District pursuant to the provisions of California Health & Safety Code §40750 and his or her designee.
- (c) "District" - The Antelope Valley Air Pollution Control District, the geographical area of which is described in District Rule 103.

- (d) "United States Environmental Protection Agency" (USEPA) - The agency or the Administrator of the United States Environmental Protection Agency.

(C) Standards of Performance for New Stationary Sources.

- (1) Any new, modified or reconstructed source of air pollution which is subject to any subpart of 40 CFR 60 as adopted herein by reference shall comply with the more stringent of the requirements found in the applicable subpart(s) or in the applicable District Rules and Regulations.
- (2) With the exception of subsections (C)(2)(b), (c), (c_a), (c_b), (c_d), and (c_e) below which are included herein for informational purposes only, the following provisions are hereby adopted by reference and are included as District Rules as if fully set forth herein: [\[All updated references reflect current 40 CFR 60 Titles and References\]](#).
- (a) 40 CFR 60, Subpart A - General Provisions (Commencing with 40 CFR 60.1).
- (b) 40 CFR 60, Subpart B - Adoption and Submittal of State Plans for Designated Facilities (Commencing with 40 CFR 60.20).
- [\(b_a\) 40 CFR 60, Subpart Ba - Adoption and Submittal of State Plans for Designated Facilities \(Commencing with 40 CFR 60.20a\).](#)
- (c) 40 CFR 60, Subpart C - Emission Guidelines and Compliance Times (Commencing with 40 CFR 60.30).
- (c_a) 40 CFR 60, Subpart Ca – Reserved.
- (c_b) 40 CFR 60, Subpart Cb - Emissions Guidelines and Compliance Times for Large Municipal Waste Combustors That are Constructed on or ~~b~~Before September 20, 1994 (Commencing with 40 CFR 60.30b).
- (c_c) 40 CFR 60, Subpart Cc - Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills (Commencing with 40 CFR 60.30c).
- (c_d) 40 CFR 60, Subpart Cd - Emissions Guidelines and Compliance Times for Sulfuric Acid Production Units (Commencing with 40 CFR 60.30d).
- (c_e) 40 CFR 60, Subpart Ce - Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators (Commencing with 40 CFR 60.30e).
- [\(C_f\) 40 CFR 60, Subpart Cf - Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills \(Commencing with 40 CFR 60.30f\).](#)

- (d) 40 CFR 60, Subpart D - Standards of Performance for Fossil-Fuel-Fired Steam Generators ~~for Which Construction Is Commenced After August 17, 1971~~ (Commencing with 40 CFR 60.40).
- (da) 40 CFR 60, Subpart Da - Standards of Performance for Electric Utility Steam Generating Units ~~for Which Construction is Commenced After September 18, 1978~~ (Commencing with 40 CFR 60.40a).
- (db) 40 CFR 60, Subpart Db - Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units (Commencing with 40 CFR 60.40b).
- (dc) 40 CFR 60, Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units (Commencing with 40 CFR 60.40c).
- (e) 40 CFR 60, Subpart E - Standards of Performance for Incinerators (Commencing with 40 CFR 60.50).
- (ea) 40 CFR 60, Subpart Ea - Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced ~~a~~After December 20, 1989 and on or ~~b~~Before September 20, 1994 (Commencing with 40 CFR 60.50a).
- (eb) 40 CFR 60, Subpart Eb - Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced ~~a~~After September 20, 1994 or for Which Modification or Reconstruction is Commenced ~~a~~After June 19, 1996 (Commencing with 40 CFR 60.50b).
- (ec) 40 CFR 60, Subpart Ec - ~~Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996~~ (Commencing with 40 CFR 60.50c).
- (f) 40 CFR 60, Subpart F - Standards of Performance for Portland Cement Plants (Commencing with 40 CFR 60.60).
- (g) 40 CFR 60, Subpart G - Standards of Performance for Nitric Acid Plants (Commencing with 40 CFR 60.70).
- (ga) 40 CFR 60, Subpart Ga - Standards of Performance for Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced after October 14, 2011 (Commencing with 40 CFR 60.70a).
- (h) 40 CFR 60, Subpart H - Standards of Performance for Sulfuric Acid Plants (Commencing with 40 CFR 60.80).

- (i) 40 CFR 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities (Commencing with 40 CFR 60.90).
- (j) 40 CFR 60, Subpart J - Standards of Performance for Petroleum Refineries (Commencing with 40 CFR 60.100).
- (j_a) 40 CFR 60, Subpart Ja – Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced aAfter May 14, 2007 (commencing with 40 CFR 60.100a).
- (k) 40 CFR 60, Subpart K - Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced aAfter June 11, 1973 and Prior to May 19, 1978 (Commencing with 40 CFR 60.110).
- (k_a) 40 CFR 60, Subpart Ka - Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced aAfter May 18, 1978 and Prior to July 23, 1984 (Commencing with 40 CFR 60.110a).
- (k_b) 40 CFR 60, Subpart Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984 (Commencing with 40 CFR 60.110b).
- (l) 40 CFR 60, Subpart L - Standards of Performance for Secondary Lead Smelters (Commencing with 40 CFR 60.120).
- (m) 40 CFR 60, Subpart M - Standards of Performance for Secondary Brass and Bronze Production Plants (Commencing with 40 CFR 60.130).
- (n) 40 CFR 60, Subpart N - Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced aAfter June 11, 1973 (Commencing with 40 CFR 60.140).
- (n_a) 40 CFR 60, Subpart Na - Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced aAfter January 20, 1983 (Commencing with 40 CFR 60.140a).
- (o) 40 CFR 60, Subpart O - Standards of Performance for Sewage Treatment Plants (Commencing with 40 CFR 60.150).
- (p) 40 CFR 60, Subpart P - Standards of Performance for Primary Copper Smelters (Commencing with 40 CFR 60.160).

- (q) 40 CFR 60, Subpart Q - Standards of Performance for Primary Zinc Smelters (Commencing with 40 CFR 60.170).
- (r) 40 CFR 60, Subpart R - Standards of Performance for Primary Lead Smelters (Commencing with 40 CFR 60.180).
- (s) 40 CFR 60, Subpart S - Standards of Performance for Primary Aluminum Reduction Plants (Commencing with 40 CFR 60.190).
- (t) 40 CFR 60, Subpart T - Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants (Commencing with 40 CFR 60.200).
- (u) 40 CFR 60, Subpart U - Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants (Commencing with 40 CFR 60.210).
- (v) 40 CFR 60, Subpart V - Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants (Commencing with 40 CFR 60.220).
- (w) 40 CFR 60, Subpart W - Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants (Commencing with 40 CFR 60.230).
- (x) 40 CFR 60, Subpart X - Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities (Commencing with 40 CFR 60.240).
- (y) 40 CFR 60, Subpart Y - Standards of Performance for Coal Preparation and Processing Plants (Commencing with 40 CFR 60.250).
- (z) 40 CFR 60, Subpart Z - Standards of Performance for Ferroalloy Production Facilities (Commencing with 40 CFR 60.260).
- (aa) 40 CFR 60, Subpart AA - Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed aAfter October 21, 1974 and On or bBefore August 17, 1983 (Commencing with 40 CFR 60.270).
- (aa_a) 40 CFR 60, Subpart AA_a - Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed aAfter August 17, 1983 (Commencing with 40 CFR 60.270a).
- (bb) 40 CFR 60, Subpart BB - Standards of Performance for Kraft Pulp Mills (Commencing with 40 CFR 60.280).
- (bb_a) 40 CFR 60, Subpart BB_a - Standards of Performance for Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced after May 23, 2013 (Commencing with 40 CFR 60.280a).

- (cc) 40 CFR 60, Subpart CC - Standards of Performance for Glass Manufacturing Plants (Commencing with 40 CFR 60.290).
- (dd) 40 CFR 60, Subpart DD - Standards of Performance for Grain Elevators (Commencing with 40 CFR 60.300).
- (ee) 40 CFR 60, Subpart EE - Standards of Performance for Surface Coating of Metal Furniture (Commencing with 40 CFR 60.310).
- (ff) 40 CFR 60, Subpart FF - Reserved.
- (gg) 40 CFR 60, Subpart GG - Standards of Performance for Stationary Gas Turbines (Commencing with 40 CFR 60.330).
- (hh) 40 CFR 60, Subpart HH - Standards of Performance for Lime Manufacturing Plants (Commencing with 40 CFR 60.340).
- (kk) 40 CFR 60, Subpart KK - Standards of Performance for Lead-Acid Battery Manufacturing Plants (Commencing with 40 CFR 60.370).
- (ll) 40 CFR 60, Subpart LL - Standards of Performance for Metallic Mineral Processing Plants (Commencing with 40 CFR 60.380).
- (mm) 40 CFR 60, Subpart MM - Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations (Commencing with 40 CFR 60.390).
- (nn) 40 CFR 60, Subpart NN - Standards of Performance for Phosphate Rock Plants (Commencing with 40 CFR 60.400).
- (pp) 40 CFR 60, Subpart PP - Standards of Performance for Ammonium Sulfate Manufacture (Commencing with 40 CFR 60.420).
- (qq) 40 CFR 60, Subpart QQ - Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing (Commencing with 40 CFR 60.430).
- (rr) 40 CFR 60, Subpart RR - Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations (Commencing with 40 CFR 60.440).
- (ss) 40 CFR 60, Subpart SS - Standards of Performance for Industrial Surface Coating: Large Appliances (Commencing with 40 CFR 60.450).
- (tt) 40 CFR 60, Subpart TT - Standards of Performance for Metal Coil Surface Coating (Commencing with 40 CFR 60.460).
- (uu) 40 CFR 60, Subpart UU - Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture (Commencing with 40 CFR 60.470).

- (vv) 40 CFR 60, Subpart VV - Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced [a](#)After January 5, 1981, and on or [b](#)Before November 7, 2006 (Commencing with 40 CFR 60.480).
- (vv_a) 40 CFR 60. Subpart VVa - Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced [a](#)After November 7, 2006 (Commencing with 40 CFR 60.480a).
- (ww) 40 CFR 60, Subpart WW - Standards of Performance for the Beverage Can Surface Coating Industry (Commencing with 40 CFR 60.490).
- (xx) 40 CFR 60, Subpart XX - Standards of Performance for Bulk Gasoline Terminals (Commencing with 40 CFR 60.500).
- (aaa) 40 CFR 60, Subpart AAA - Standards of Performance for New Residential Wood Heaters (Commencing with 40 CFR 60.530).
- (bbb) 40 CFR 60, Subpart BBB - Standards of Performance for the Rubber Tire Manufacturing Industry (Commencing with 40 CFR 60.540).
- (ccc) 40 CFR 60, Subpart CCC - Reserved.
- (ddd) 40 CFR 60, Subpart DDD - Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry (Commencing with 40 CFR 60.560).
- (eee) 40 CFR 60, Subpart EEE - Reserved.
- (fff) 40 CFR 60, Subpart FFF - Standards of Performance for Flexible Vinyl and Urethane Coating and Printing (Commencing with 40 CFR 60.580).
- (ggg) 40 CFR 60, Subpart GGG - Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced [a](#)After January 4, 1983, and on or [b](#)Before November 7, 2006 (Commencing with 40 CFR 60.590).
- (ggg_a) 40 CFR 60, Subpart GGGa - Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced [a](#)After November 7, 2006 (Commencing with 40 CFR 60.590a).
- (hhh) 40 CFR 60, Subpart HHH - Standards of Performance for Synthetic Fiber Production Facilities (Commencing with 40 CFR 60.600).

- (iii) 40 CFR 60, Subpart III - Standards of Performance for Volatile Organic Compound (VOC) Emissions ~~From~~from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes (Commencing with 40 CFR 60.610).
- (jjj) 40 CFR 60, Subpart JJJ - Standards of Performance for Petroleum Dry Cleaners (Commencing with 40 CFR 60.620).
- (kkk) 40 CFR 60, Subpart KKK - Standards of Performance for Equipment Leaks of VOC ~~f~~From Onshore Natural Gas Processing Plants for which Construction, Reconstruction, or Modification Commenced after January 20, 1984, and on or before August 23, 2011 (Commencing with 40 CFR 60.630).
- (lll) 40 CFR 60, Subpart LLL - Standards of Performance for SO₂ Emissions from Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced after January 20, 1984, and on or before August 23, 2011 ~~Standards of Performance for Onshore Natural Gas Processing; SO₂ Emissions~~ (Commencing with 40 CFR 60.640).
- (mmm) 40 CFR 60, Subpart MMM - Reserved.
- (nnn) 40 CFR 60, Subpart NNN - Standards of Performance for Volatile Organic Compound (VOC) Emissions ~~From~~from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations (Commencing with 40 CFR 60.660).
- (ooo) 40 CFR 60, Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants (Commencing with 40 CFR 60.670).
- (ppp) 40 CFR 60, Subpart PPP - Standards of Performance for Wool Fiberglass Insulation Manufacturing Plants (Commencing with 40 CFR 60.680).
- (qqq) 40 CFR 60, Subpart QQQ - Standards of Performance for VOC Emissions ~~From~~from Petroleum Refinery Wastewater Systems (Commencing with 40 CFR 60.690).
- (rrr) 40 CFR 60, Subpart RRR - Standards of Performance for Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes (Commencing with 40 CFR 60.700).
- (sss) 40 CFR 60, Subpart SSS - Standards of Performance for Magnetic Tape Coating Facilities (Commencing with 40 CFR 60.710).
- (ttt) 40 CFR 60, Subpart TTT - Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines (Commencing with 40 CFR 60.720).

- (uuu) 40 CFR 60, Subpart UUU - Standards of Performance for Calciners and Dryers in Mineral Industries (Commencing with 40 CFR 60.730).
- (vvv) 40 CFR 60, Subpart VVV - Standards of Performance for Polymeric Coating of Supporting Substrates Facilities (Commencing with 40 CFR 60.740).
- (www) 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills (Commencing with 40 CFR 60.750).
- (xxx) 40 CFR 60, Subpart XXX – [Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification after July 17, 2014 \(Commencing with 40 CFR 60.760\)](#).~~Reserved.~~
- (yyy) 40 CFR 60, Subpart YYY – Reserved.
- (zzz) 40 CFR 60, Subpart ZZZ – Reserved.
- (aaaa) 40 CFR 60, Subpart AAAA - Standards of Performance for Small Municipal Waste Combustion Units for Which Construction Commenced [a](#)After August 30, 1999 or for Which Modification or Reconstruction is Commenced [a](#)After June 6, 2001 (Commencing with 40 CFR 60.1000).
- (bbbb) 40 CFR 60, Subpart BBBB - Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or [b](#)Before August 30, 1999 (Commencing with 40 CFR 60.1500).
- (cccc) 40 CFR 60, Subpart CCCC - Standards of Performance for Commercial and Industrial Solid Waste Incineration Units ~~for Which Construction is Commenced After November 30, 1999 or for Which Modification or Reconstruction is Commenced on or After June 1, 2001~~ (Commencing with 40 CFR 60.2000).
- (dddd) 40 CFR 60, Subpart DDDD - Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units ~~that Commenced Construction On or Before November 30, 1999~~ (Commencing with 40 CFR 60.2500).
- (eeee) 40 CFR 60, Subpart EEEE - Standards of Performance for Other Solid Waste Incineration Units for Which Construction is Commenced [a](#)After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or [a](#)After June 16, 2006 (Commencing with 40 CFR 60.2880).
- (ffff) 40 CFR 60, Subpart FFFF - Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units that Commenced Construction ~~On~~ [a](#)After or [b](#)Before December 9, 2004 (Commencing with 40 CFR 60.2980).
- (gggg) 40 CFR 60, Subpart GGGG – Reserved.

- (hhhh) 40 CFR 60, Subpart HHHH – Reserved. Emission Guidelines and Compliance Times for Coal-Fired Electric Steam Generating Units (Commencing with 40 CFR 60.4101).
- (iii) 40 CFR 60, Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (Commencing with 40 CFR 60.4200).
- (jjj) 40 CFR 60, Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (Commencing with 40 CFR 60.4230).
- (kkkk) 40 CFR 60, Subpart KKKK - Standards of Performance for Stationary Combustion Turbines (Commencing with 40 CFR 60.4300).
- (lll) 40 CFR 60, Subpart LLLL - Standards of Performance for New Sewage Sludge Incineration Units (Commencing with 40 CFR 60.4760).
- (mmm) 40 CFR 60, Subpart MMMM - Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units (Commencing with 40 CFR 60.5000).
- (nnn) 40 CFR 60, Subpart NNNN – Reserved.
- (ooo) 40 CFR 60, Subpart OOOO - Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution for Which Construction, Modification or Reconstruction Commenced after August 23, 2011, and on or before September 18, 2015 (Commencing with 40 CFR 60.4360).
- (ooo_a) 40 CFR 60, Subpart OOOO_a - Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced after September 18, 2015 (Commencing with 40 CFR 60.5360_a).
- (pppp) 40 CFR 60, Subpart PPPP – Reserved.
- (qqqq) 40 CFR 60, Subpart QQQQ - Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces (Commencing with 40 CFR 60.5472).
- (ttt) 40 CFR 60, Subpart TTTT - Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units (Commencing with 40 CFR 60.5508).
- (uuu_a) 40 CFR 60, Subpart UUUU_a - Emission Guidelines for Greenhouse Gas Emissions from Existing Electric Utility Generating Units (Commencing with 40 CFR 60.5700_a).

[SIP: Not SIP]

NOTE: *Copies of the CFR referenced in this Rule may be obtained on-line at:*

<https://www.ecfr.gov/cgi-bin/ECFR?SID=085f4b27accdd8d586e86cc673b7ad16&mc=true&page=browse>~~http://ecfr.gpoaccess.gov/cgi/t/text/text_idx?c=ecfr&tpl=%2Findex.tpl~~ or
~~<http://www.gpoaccess.gov/cfr/retrieve.html>~~

Copies are available for review at many libraries and law libraries especially those with federal depository status. A tool to find the nearest federal depository library is available here:

<http://catalog.gpo.gov/fdlpdir/FDLPdir.jsp>

Hard copies are available for purchase at:

<https://bookstore.gpo.gov/search/products?keywords=code+of+federal+regulations+title+60>
http://bookstore.gpo.gov/baskets/cfr_listing.jsp or

*by contacting the U.S. Government Printing Office at 732 North Capitol Street, NW,
Washington, DC 20401-0001 (202) 512-1800*

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(Adopted: 12/3/76; Amended: 6/7/85; Amended: 11/1/85; Amended: 10/3/86; Amended: 4/3/87; Amended: 5/5/89; Amended: 9/7/90; Amended: 10/4/91; Amended: 4/3/92; Amended: 4/9/93; Amended: 4/8/94; Amended & Renumbered: 4/20/99; Amended: 2/15/11; Amended: MM/DD/YY)

RULE 1000

National Emission Standards for Hazardous Air Pollutants (NESHAP)

(A) General

(1) Purpose

- (a) This rule is enacted to adopt by reference all the applicable provisions regarding National Emissions Standards for Hazardous Air Pollutants as set forth in 40 Code of Federal Regulations, Part 61 (40 CFR 61).

(2) Applicability

- (a) This rule shall be applicable to the owner or operator of any stationary source for which a standard is prescribed in any subpart of 40 CFR 61 and is adopted herein by reference.
- (b) For the purposes of this rule, the authority of the Administrator under the various portions of 40 CFR 60 shall be exercised by the APCO of the District when such authority has been properly delegated by USEPA with the exception that the APCO shall not be empowered to approve alternate or equivalent test methods, alternate standards or alternate work practices.

(B) Definitions

- (1) For the purposes of this rule the following definitions, in addition to any definition contained in any subpart of 40 CFR 61 shall apply as applicable. In case of disagreement these definitions shall control followed by the definitions contained in 40 CFR 61.
 - (a) "Administrator" - The Administrator of the United States Environmental Protection Agency and his or her designee. The APCO shall be considered a designee except that the APCO is not empowered to approve alternative test methods or opacity limits.

- (b) "Air Pollution Control Officer" (APCO) - The person appointed to the position of Air Pollution Control Officer of the District pursuant to the provisions of California Health & Safety Code '40750 and his or her designee.
- (c) "District" - The Mojave Desert Air Quality Management District, the geographical area of which is described in District Rule 103.
- (d) "United States Environmental Protection Agency" (USEPA) - The agency or the Administrator of the United States Environmental Protection Agency.

(C) National Emission Standards for Hazardous Air Pollutants

- (1) Any owner or operator of any stationary source for which a standard is prescribed in any subpart of 40 CFR 61 and adopted herein by reference shall comply with the more stringent of the requirements found in the applicable subpart, the applicable law of the State of California or the applicable District Rules and Regulations.
- (2) The following provisions are hereby adopted by reference and are included as District Rules as if fully set forth herein: [All updated references reflect current 40 CFR 60 Titles and References](#)
 - (a) 40 CFR 61, Subpart A - General Provisions (Commencing with 40 CFR 61.01).
 - (b) 40 CFR 61, Subpart B - National Emission Standards for Radon Emissions ~~f~~From Underground Uranium Mines (Commencing with 40 CFR 61.20).
 - (c) 40 CFR 61, Subpart C - National Emission Standard for Beryllium (Commencing with 40 CFR 61.30).
 - (d) 40 CFR 61, Subpart D - National Emission Standard for Beryllium Rocket Motor Firing (Commencing with 40 CFR 61.40).
 - (e) 40 CFR 61, Subpart E - National Emission Standard for Mercury (Commencing with 40 CFR 61.50).
 - (f) 40 CFR 61, Subpart F - National Emission Standard for Vinyl Chloride (Commencing with 40 CFR 61.60).
 - (g) 40 CFR 61, Subpart G - Reserved.
 - (h) 40 CFR 61, Subpart H - National Emission Standards for Emissions of Radionuclides Other Than Radon ~~f~~from Department of Energy Facilities (Commencing with 40 CFR 61.90).

- (i) 40 CFR 61, Subpart I - National Emission Standards for Radionuclide Emissions ~~From~~ Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Not Covered by Subpart H (Commencing with 40 CFR 61.100).
- (j) 40 CFR 61, Subpart J - National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene (Commencing with 40 CFR 61.110).
- (k) 40 CFR 61, Subpart K - National Emission Standards for Radionuclide Emissions ~~From~~ Elemental Phosphorus Plants (Commencing with 40 CFR 61.120).
- (l) 40 CFR 61, Subpart L - National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants (Commencing with 40 CFR 61.130).
- (m) 40 CFR 61, Subpart M - National Emission Standard for Asbestos (Commencing with 40 CFR 61.140).
- (n) 40 CFR 61, Subpart N - National Emission Standard for Inorganic Arsenic Emissions ~~From~~ Glass Manufacturing Plants (Commencing with 40 CFR 61.160).
- (o) 40 CFR 61, Subpart O - National Emission Standard for Inorganic Arsenic Emissions ~~From~~ Primary Copper Smelters (Commencing with 40 CFR 61.170).
- (p) 40 CFR 61, Subpart P - National Emission Standard for Inorganic Arsenic Emissions ~~From~~ Arsenic Trioxide and Metallic Arsenic Production Facilities (Commencing with 40 CFR 61.180).
- (q) 40 CFR 61, Subpart Q - National Emission Standards for Radon Emissions ~~From~~ Department of Energy Facilities (Commencing with 40 CFR 61.190).
- (r) 40 CFR 61, Subpart R - National Emission Standards for Radon Emissions ~~From~~ Phosphogypsum Stacks (Commencing with 40 CFR 61.200).
- (s) 40 CFR 61, Subpart S - Reserved.
- (t) 40 CFR 61, Subpart T - National Emission Standards for Radon Emissions ~~From~~ the Disposal of Uranium Mill Tailings (Commencing with 40 CFR 61.220).
- (u) 40 CFR 61, Subpart U - Reserved.
- (v) 40 CFR 61, Subpart V - National Emission Standard for Equipment Leaks (Fugitive Emission Sources) (Commencing with 40 CFR 61.240).

- (w) 40 CFR 61, Subpart W - National Emission Standards for Radon Emissions ~~From~~from Operating Mill Tailings (Commencing with 40 CFR 61.250).
- (x) 40 CFR 61, Subpart X - Reserved.
- (y) 40 CFR 61, Subpart Y - National Emission Standard for Benzene Emissions ~~From~~from Benzene Storage Vessels (Commencing with 40 CFR 61.270).
- (z) 40 CFR 61, Subpart Z - Reserved.
- (aa) 40 CFR 61, Subpart AA - Reserved.
- (bb) 40 CFR 61, Subpart BB - National Emission Standard for Benzene Emissions ~~From~~from Benzene Transfer Operations (Commencing with 40 CFR 61.300).
- (cc) 40 CFR 61, Subpart CC - Reserved.
- (dd) 40 CFR 61, Subpart DD - Reserved.
- (ee) 40 CFR 61, Subpart EE - Reserved.
- (ff) 40 CFR 61, Subpart FF - National Emission Standard for Benzene Waste Operations (Commencing with 40 CFR 61.340).

[SIP: Not SIP]

NOTE: *Copies of the CFR referenced in this Rule may be obtained on-line at:*
<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=%2Findex.tpl> or
<http://www.gpoaccess.gov/cfr/retrieve.html>

Copies are available for review at many libraries and law libraries especially those with federal depository status. A tool to find the nearest federal depository library is available here:
<http://catalog.gpo.gov/fdlpdir/FDLPdir.jsp>

Hard copies are available for purchase at:
<http://bookstore.gpo.gov/baskets/cfr-listing.jsp> or
by contacting the U.S. Government Printing Office at 732 North Capitol Street, NW,
Washington, DC 20401-0001 (202) 512-1800

APPENDIX "B"
PUBLIC NOTICE DOCUMENTS

(to be included when available)

1. Draft Proof of Publication for Notice of Public Hearing – Antelope Valley Press, 08/14/2020

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NOTICE OF HEARING

NOTICE IS HEARBY GIVEN that the Governing Board of the Antelope Valley Air Quality Management District (AVAQMD) will conduct a public hearing on September 15, 2020 at 10:00 A.M. to consider the proposed amendment of Rule 900 – *Standards of Performance for New Stationary Sources (NSPS)* and Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)*.

SAID HEARING may be conducted, in the interest of public health and safety and in accordance with the guidelines set forth in the Governor’s Order N-29-20 of March 17, 2020, via alternative means. Please see the applicable Governing Board Meeting Agenda at <https://avaqmd.ca.gov/governing-board> or call (661) 723-8070 x 20 for participation information. If said Governor’s Order has been lifted, the meeting will be conducted in the Governing Board Chambers located at the AVAQMD offices, 43301 Division Street, Suite 206, Lancaster, CA 93535-4649 where all interested persons may be present and be heard. Copies of the proposed Rule 900 and Rule 1000 and the Staff Report are on file and may be requested via email at mmamari@avaqmd.ca.gov or by calling (661) 723-8070 x 20. Written comments may be submitted to Bret Banks, Executive Officer/APCO at the above office address, and should be received no later than September 14, 2020 to be considered. If you have any questions, you may contact May Mamari at (661) 723-8070 x20 or via E-mail at mmamari@avaqmd.ca.gov for further information. Traducción esta disponible por solicitud.

The proposed amendments of Rule 900 and Rule 1000 are necessary to update citations and adopt by reference various new and amended Federal NSPS and NESHAP, respectively. This action will also enable the AVAQMD to obtain delegation of authority from USEPA for certain standards.

Pursuant to the California Environmental Quality Act (CEQA) the AVAQMD has determined that a Categorical Exemption (Class 8 – 14 Cal. Code Reg §15308) applies and has prepared a Notice of Exemption for this action.

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APPENDIX "C"
PUBLIC COMMENTS AND RESPONSES

No comments have been received at this time.

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APPENDIX "D"
CALIFORNIA ENVIRONMENTAL QUALITY ACT
DOCUMENTATION
(to be included as available)

1. Draft Notice of Exemption – Los Angeles County

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NOTICE OF EXEMPTION

TO: Los Angeles County Clerk
12400 E. Imperial Hwy, #1001
Norwalk, CA 90650

FROM: Antelope Valley
Air Quality Management District
43301 Division Street, Suite 206
Lancaster, CA 93535-4649

PROJECT TITLE: Amendment of Rule 900 – *Standards of Performance for New Stationary Sources (NSPS)* and Rule 1000 – *National Emission Standards for Hazardous Air Pollutants (NESHAP)*.

PROJECT LOCATION – SPECIFIC: Los Angeles County portion of the Mojave Desert Air Basin.

PROJECT LOCATION – COUNTY: Los Angeles County

DESCRIPTION OF PROJECT: The proposed amendments to Rule 900 and Rule 1000 update citations and adopt by reference various new and amended Federal New Source Performance Standards and the National Emission Standards for Hazardous Air Pollutants, respectively. The District will also update the ATCM and MACT Notifications by reference of the most current versions as well. This will enable the District to obtain delegation of authority from USEPA for certain standards

NAME OF PUBLIC AGENCY APPROVING PROJECT: Antelope Valley AQMD

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Antelope Valley AQMD

EXEMPT STATUS (CHECK ONE)

Ministerial (Pub. Res. Code §21080(b)(1); 14 Cal Code Reg. §15268)

Emergency Project (Pub. Res. Code §21080(b)(4); 14 Cal Code Reg. §15269(b))

X Categorical Exemption – Class 8 (14 Cal Code Reg. §15308)

REASONS WHY PROJECT IS EXEMPT: The proposed amendment of Rule 900 and Rule 1000, as well as the updates made to the ATCM and MACT Notifications, are exempt from CEQA review because the proposed amendments are administrative in nature since they merely adopt by reference the applicable provisions of existing federal standards of performance for new stationary sources as set forth in 40 CFR 60 and 40 CFR 61, and will enable the AVAQMD to obtain delegation of authority from USEPA for certain standards. There is not potential that the amendments might cause the release of additional air contaminants or create any adverse environmental impacts because the standards are already effective and applicable to the District and any affected facilities, therefore a Class 8 categorical exemption (14 Cal. Code Reg. §15308) applies.

LEAD AGENCY CONTACT PERSON: Bret Banks **PHONE:** (661) 723-8070

SIGNATURE: _____ **TITLE:** Executive Director **DATE:** September 15, 2020

DATE RECEIVED FOR FILING:

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APPENDIX "E" BIBLIOGRAPHY

The following documents were consulted in the preparation of this staff report and the proposed amendment of Rule 900 and Rule 1000:

1. 40 Code of Federal Regulations, Part 60 (40 CFR 60)
2. 40 Code of Federal Regulations, Part 61 (40 CFR 61)

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