REGULAR MEETING/HEARING AGENDA
AIR QUALITY ADVISORY COUNCIL
October 5, 2022, 9:00 a.m.
Department of Environmental Quality
707 North Robinson Avenue
Oklahoma City, OK

Please turn off cell phones

1. **Call to Order –** Laura Lodes, Chair

2. **Roll Call –** Quiana Fields

3. **Approval of Minutes –** January 19, 2022 Regular Meeting

4. **Meeting Schedule for Calendar Year 2023** – Discussion and action by Council

5. **City of Mustang Ordinance Requiring Air Curtain Incinerators for Land Clearing Operations**

    1. Presentation – Captain Eric Halter, Fire Chief, City of Mustang
    2. Discussion and possible action by the Council

6. **Public Rulemaking Hearing**

    A. Chapter 100. Air Pollution Control
    Subchapter 2. Incorporation by Reference [AMENDED]
    Appendix Q. Incorporation by Reference [REVOKED]
    Appendix Q. Incorporation by Reference [NEW]

The Department is proposing to update OAC 252:100, Appendix Q, Incorporation by Reference. In addition, the Department is proposing to update language in Subchapter 2, Incorporation by Reference, to reflect the latest date of incorporation of EPA regulations in Appendix Q.

1. Presentation – Christina Hagens, EPS, Rules & Planning Section, AQD
2. Questions and discussion by the Council
3. Questions, comments and discussion by the public
4. Discussion and possible action by the Council

7. **Presentation** – Oklahoma Emission Reduction Technology Incentive Act – Brooks Kirlin, P.E., Rules & Planning Section, AQD

8. **Presentation** – Fiscal Report – Kathy Aebischer, Asst. Division Director, Administrative Services Division

9. **Presentation** – Emission Inventory Trends – Michael Ketcham, EPS, Emissions Inventory Section, AQD

10. **Division Director's Report –** Kendal Stegmann, Division Director, AQD

11. **New Business –** Any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda.

12. **Adjournment –** The next regular meeting is tentatively scheduled for Wednesday, January 11, 2023, in Oklahoma City, Oklahoma.

Should you have a disability and need an accommodation, please notify the DEQ Air Quality Division three days in advance at 405-702-4177. Hearing impaired persons may call the text telephone (TDD) Relay Number at 1-800-722-0353 for TDD machine use only.

TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 100. AIR POLLUTION CONTROL

RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

PROPOSED RULES:

Subchapter 2. Incorporation by Reference
252:100-2-3 [AMENDED]
Appendix Q. Incorporation By Reference [REVOKED]
Appendix Q. Incorporation By Reference [NEW]

SUMMARY:

The Department of Environmental Quality (Department or DEQ) is proposing to revoke and replace Oklahoma Administrative Code (OAC) 252:100, Appendix Q, Incorporation by Reference. In addition, the Department is proposing to update language in Subchapter 2, Incorporation by Reference, to reflect the latest date of incorporation of EPA regulations in Appendix Q. The gist of these rule proposals and the underlying reason for the rulemaking is to incorporate the latest changes to EPA regulations, primarily those relating to the New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 C.F.R. Parts 60, 61, and 63.

AUTHORITY:

Environmental Quality Board; 27A O.S. §§ 2-2-101, 2-2-201, and 2-5-106.
Air Quality Advisory Council; 27A O.S. §§ 2-2-201 and 2-5-107.
Oklahoma Clean Air Act; 27A O.S. §§ 2-5-101 through 2-5-117.
Oklahoma Uniform Permitting Act; 27A O.S. §§ 2-14-101 through 2-14-304.

COMMENT PERIOD:

Written comments may be submitted to the contact person from September 1, 2022, through October 3, 2022. Oral comments may be made at the October 5, 2022 Air Quality Advisory Council meeting and at the November 8, 2022 Environmental Quality Board meeting.

PUBLIC HEARINGS:

Before the Air Quality Advisory Council at 9:00 a.m. on Wednesday, October 5, 2022, at the DEQ Headquarters, 707 N. Robinson, Oklahoma City, OK 73102.

If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled for 9:30 a.m. on Tuesday, November 8, 2022, in the Marty Lewis Public Safety Building at the Gordon Cooper Technology Center, One John C. Bruton Blvd., Shawnee, OK 74804.

These hearings shall also serve as public hearings to receive comments on the proposed revisions to the State Implementation Plan (SIP) under the requirements of 40 C.F.R. § 51.102 and 27A O.S. § 2-5-107(6)(c), and to the State Title V (Part 70) Implementation Plan under the requirements of 40 C.F.R. Part 70 and 27A O.S. § 2-5-112(B)(9).

REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

The Department requests that business entities or any other members of the public affected by these rules provide the Department, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules.

COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained from the contact person, reviewed at the Department of Environmental Quality, 707 N. Robinson, Oklahoma City, OK 73102, or reviewed online at https://www.deq.ok.gov/council-meetings/air-quality-advisory-council/.

RULE IMPACT STATEMENTS:

Pursuant to 75 O.S. § 303(D), a rule impact statement was prepared and is available on the DEQ website at https://www.deq.ok.gov/council-meetings/air-quality-advisory-council/. Copies may also be obtained from the Department by calling the contact person listed below.

CONTACT PERSON:

The contact person for this proposal is Melanie Foster, Environmental Programs Manager, who can be reached by phone at (405) 702-4100. Please email written comments to AQDRuleComments@deq.ok.gov. Mail should be addressed to Department of Environmental Quality, Air Quality Division, P.O. Box 1677, Oklahoma City, OK 73101-1677, ATTN: Melanie Foster. The Air Quality Division fax number is (405) 702-4101.

PERSONS WITH DISABILITIES:

Should you desire to attend the public hearing but have a disability and need an accommodation, please notify the Air Quality Division three (3) days in advance at (405) 702-4177. For the hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.

DRAFT MINUTES
AIR QUALITY ADVISORY COUNCIL
January 19, 2022
Department of Environmental Quality
Oklahoma City, Oklahoma

Official AQAC Approved
at October 5, 2022 meeting

Notice of Public Meeting – The Air Quality Advisory Council (AQAC) convened for its Regular Meeting at 9:00 a.m. on January 19, 2022. Notice of the meeting was forwarded to the Office of Secretary of State on November 3, 2021. The agenda was posted at the DEQ twenty-four hours prior to the meeting. Also, Ms. Cheryl Bradley acted as Protocol Officer and convened the hearings by the AQAC in compliance with the Oklahoma Administrative Procedures Act and Title 40 CFR Part 51 and Title 27A, Oklahoma Statutes, Sections 2-2-201 and 2-5-101 through 2-5-117. She entered the agenda and the Oklahoma Register Notice into the record and announced that forms were available at the registration table for anyone wishing to comment on any of the rules. Ms. Laura Lodes, Chair, called the meeting to order. Ms. Quiana Fields called roll and confirmed that a quorum was present.

MEMBERS PRESENT	**DEQ STAFF PRESENT**	
Matt Caves	Kendal Stegmann	
Robert Delano	Cheryl Bradley	
Gregory Elliott	Madison Miller	
Steve Landers	Phillip Fielder	
Laura Lodes	Malcolm Zachariah	
	Travis Couch	
MEMBERS ABSENT	Tom Richardson	
Gary Collins	Michelle Wynn	**OTHERS PRESENT**
Garry Keele II	Quiana Fields	Debra Garver, Court Reporter
John Privrat		
Jeffrey Taylor		

Approval of Minutes – Ms. Lodes called for a motion to approve the Minutes of the October 20, 2021 Regular Meeting. Mr. Caves moved to approve and Mr. Elliott made the second.

See transcript pages 3 - 4

Matt Caves	Yes	Steve Landers	Yes
Robert Delano	Yes	Laura Lodes	Yes
Gregory Elliot	Yes		

Election of Officers – Mr. Landers nominated Ms. Lodes to remain as Chair and Mr. Keele to remain as Vice-Chair. Dr. Delano made the second.

See transcript pages 4 - 5

Matt Caves	Yes	Steve Landers	Yes
Robert Delano	Yes	Laura Lodes	Yes
Gregory Elliott	Yes		

Chapter 100. Air Pollution Control
Subchapter 1. General Provisions
Subchapter 7. Permits for Minor Facilities
Subchapter 8. Permits for Part 70 Sources and Major New Source Review

Ms. Madison Miller, Supervising Attorney of the Legal Division, stated the Department is proposing to amend OAC 252:100, Subchapters 1, 7 and 8 to allow for certain construction activities to be conducted at the owner/operator's risk after submission of an administratively complete minor New Source Review (NSR) permit application but prior to issuance of the construction permit is required by inserting the federal terms for pieces of equipment and processes subject to NESHAP and NSPS. Hearing questions by the Council and by the public, Ms. Lodes called for a motion, Mr. Elliott moved to approve and Mr. Landers made the second.

See transcript pages 7 - 20

Matt Caves	Yes	Steve Landers	Yes
Robert Delano	Yes	Laura Lodes	Yes
Gregory Elliott	Yes		

Chapter 100. Air Pollution Control
Subchapter 47. Control of Emissions from Existing Municipal Solid Waste Landfills

Mr. Malcolm Zachariah, EPS, Rules & Planning Section of the AQD, stated the Department is proposing to amend OAC 252:100, Subchapter 47, Control of Emissions from Existing Municipal Solid Waste Landfills to incorporate the federal guidelines in 40 C.F.R. Part 60, Subpart Cf into the state rules. Upon promulgation, the revised Subchapter 47 will be incorporated into Oklahoma's revised State 111 (d) Plan. Following questions by the Council and by the public, Ms. Lodes called for a motion, Mr. Caves moved to approve and Mr. Landers made the second.

See transcript pages 20 - 45

Matt Caves	Yes	Steve Landers	Yes
Robert Delano	Yes	Laura Lodes	Yes
Gregory Elliott	Yes		

Ms. Bradley announced the conclusion of the hearing portion of the meeting.

See transcript page 45

Division Director's Report – Ms. Kendal Stegmann, Division Director of the AQD, provided an update on other Division activities.

New Business – None

Adjournment – Ms. Lodes called for a motion to adjourn the meeting. Mr. Elliott moved to approve and Mr. Caves made the second. The next scheduled regular meeting is on Wednesday, May 4, 2022 in Oklahoma City, Oklahoma.

Matt Caves	Yes	Steve Landers	Yes
Robert Delano	Yes	Laura Lodes	Yes
Gregory Elliott	Yes		

Transcript and attendance sheet are attached as an official part of these Minutes.

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY ADVISORY COUNCIL

PUBLIC MEETING

JANUARY 19, 2022, at 9:00 A.M.

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

707 North Robinson

1st Floor, Multi-Purpose Room

Oklahoma City, Oklahoma

* * * * *

REPORTED BY DEBRA GARVER, CSR, RPR

APPEARANCES

Council Members:
Matt Caves
Gary Collins, absent
Robert Delano
Gregory Elliott
Garry Keele II, Vice Chair, absent
Stephen Landers
John Privrat, absent
Jeffrey Taylor, absent
Laura Lodes, Chair

Presenters:
Cheryl Bradley, Environmental Programs Manager
Madison Miller, Supervising Attorney, Legal
Malcolm Zachariah, EPS, Rules & Planning Section

Also Present:
Quiana Fields, DEQ Administration
Kendal Stegmann, Division Director
Jeremy Jewell, Trinity Consultants
Phillip Fielder, Chief Engineer, Air Quality
Pete Schultze, Waste Management

PROCEEDINGS

CHAIR LODES: All right. We will call today's meeting of the Air Quality Advisory Council to order.

Quiana, will you please call roll.

MS. FIELDS: Mr. Caves.

MR. CAVES: Here.

MS. FIELDS: Mr. Collins is absent.

Dr. Delano.

DR. DELANO: Present.

MS. FIELDS: Mr. Elliott.

MR. ELLIOTT: Here.

MS. FIELDS: Mr. Keel is absent.

Mr. Landers.

MR. LANDERS: Here.

MS. FIELDS: Mr. Privrat is absent. Mr. Taylor is absent.

Ms. Lodes.

CHAIR LODES: Here.

MS. FIELDS: We have a quorum.

CHAIR LODES: By the skin of our teeth.

The first item on today's agenda is the approval of the minutes from the October 20, 2021, regular meeting.

Do we have any comments or questions on the minutes of the last meeting?

Hearing none, do I have a motion to approve the

minutes?

MR. CAVES: I make a motion to approve.

MR. ELLIOTT: I'll second.

CHAIR LODES: I have a motion and a second.

Quiana, please call roll.

MS. FIELDS: Mr. Caves.

MR. CAVES: Yes.

MS. FIELDS: Dr. Delano.

DR. DELANO: Yes.

MS. FIELDS: Mr. Elliott.

MR. ELLIOTT: Yes.

MS. FIELDS: Mr. Landers.

MR. LANDERS: Yes.

MS. FIELDS: Ms. Lodes.

CHAIR LODES: Yes.

MS. FIELDS: Motion passed.

CHAIR LODES: Then the next item on today's agenda is the election of officers.

Gentlemen, what are we going to do for officers for this year?

MR. LANDERS: I'll recommend we keep them the same as they are. Can we recommend Garry if he's not here? Is that okay?

CHAIR LODES: That is, yes, we can do that and tell Garry later.

MR. LANDERS: That'd be fine. Those are my thoughts.

Yeah, I'll make a motion that we retain the current officers as they are.

DR. DELANO: I will second that.

CHAIR LODES: Is that sufficient or did they have to state names?

MS. CHERYL BRADLEY: I think it's sufficient.

CHAIR LODES: Okay. Thank you.

Quiana, please call roll.

MS. FIELDS: Mr. Caves.

MR. CAVES: Yes.

MS. FIELDS: Dr. Delano.

DR. DELANO: Yes.

MS. FIELDS: Mr. Elliott.

MR. ELLIOTT: Yes.

MS. FIELDS: Mr. Landers.

MR. LANDERS: Yes.

MS. FIELDS: Ms. Lodes.

CHAIR LODES: Yes.

MS. FIELDS: Motion passed.

CHAIR LODES: Thank you. I appreciate it.

We'll now enter the public rulemaking portion, and we are absent a Beverly. So, Cheryl, let her roll.

MS. CHERYL BRADLEY: Okay. Good morning.

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I'm Cheryl Bradley, Environmental Programs Manager of the Air Quality Division. As such, I will serve as protocol officer for today's proceedings.

The hearings will be convened by the Air Quality Advisory Council in compliance with the Oklahoma Administrative Procedures Act and Title 40 of the Code of Federal Regulations, Part 51 as well as the authority of Title 27-A of the Oklahoma statutes Section 2-2-201, and Sections 2-5-101 through 2-5-117.

Notice of today's hearings was advertised in the "Oklahoma Register" for the purpose of receiving comments pertaining to the proposed OAC Title 252 Chapter 100 rules as listed on the agenda and will be entered into each record along with the "Oklahoma Register" filing.

Notice of meeting was filed with the Secretary of State on November 3rd, 2021. The agenda was duly posted 24 hours prior to the meeting at the DEQ building.

If you wish to make a statement, it is very important that you complete the form at the registration table. And you will be called upon at the appropriate time.

Audience members, please come to the podium for your comments and please state your name clearly for the record.

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At this time, we will proceed with what's marked as Agenda Item 5A on the hearing agenda: Chapter 100, Air Pollution Control; Subchapter 1, General Provisions; Subchapter 7, permits for minor facilities; Subchapter 8, permits for Part 70 Sources and Major New Source Review (NSR) sources.

Madison Miller will make the staff presentation.

MS. MADISON MILLER: Good morning, Madame Chair and members of the council. I'm Madison Miller, Supervising Attorney of the Air Quality Division presenting the Department's proposed changes to OAC 252:100 Subchapters 1, 7, and 8.

My presentation was made at the last council meeting in October 2021, with the exception of the slides dealing with 252:100-8-4, which have been changed to account for revisions in the rule proposal that were made pursuant to council recommendation at the October 2021 meeting.

Historically, DEQ has allowed on a case-by-case basis facilities to commence and conduct certain minor NSR construction activities prior to the issuance of a permit but after the administratively complete application has been submitted.

The purpose of today's rulemaking is to clarify this policy in the air quality rules.

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On January 13th, 2021, DEQ received a letter of comment from Mid-America Industrial Park regarding the most recent permit SIP rule changes approved by the Air Quality Council and Environmental Quality Board, which were promulgated into the OAC on September 15th of this year.

That permit SIP package required Tier I air quality permits to undergo public notice and comment where they were not previously required to do so by the OAC rules.

In its comments, the Industrial Park requested that DEQ formalize or provide guidance on the construction permit activities policy previously described, specifically regarding the commencement of minor NSR construction activities prior to the issuance of a minor NSR construction permit.

Upon review of the air quality rules, DEQ determined it is warranted to update the rules to reflect this permitting policy more clearly. Before the most recent changes to DEQ rules regarding public notice and comment on air quality permits were in effect, prior to December 15th, 2021, Tier I minor NSR construction activities under Subchapter 7 and Tier II minor NSR construction activities under Subchapter 8 could commence upon submittal of the administratively complete minor NSR construction permit pursuant to DEQ policy.

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This historic practice is consistent with the rule changes recommended today. However, this policy did not apply to construction activities that were considered minor mods to Title V permits under Subchapter 8 because the rules prior to September 15, 2021, did not require a minor NSR construction permit and specifically allowed construction activities to begin upon submittal of an administratively complete permit application.

After September 15, 2021, such activities are considered Tier I minor NSR construction activities under Subchapter 8 and must undergo a 30-day public review before construction activities may begin.

Recognizing this, the proposed rule would allow construction activities for these permit actions to begin upon submittal of the administratively complete minor NSR construction permit.

Specifically, DEQ has recommended changes to Subchapters 1, 7, and 8. This is a complete list of the sections we have open and are proposing changes to on the screen.

In Subchapter 1, we have recommended adding a definition of "minor NSR" as that term is not defined in the rules.

In Subchapter 7, we have recommended adding a definition providing what is an "administratively

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complete permit" as that term is not defined in Subchapter 7 and comes into play in the exception that I am about to discuss.

This definition, for the most part, mirrors the existing Subchapter 8 definition with the exception of subparagraph D, which requires "valid certification" of the permit application.

Valid certification would refer to the requirements set forth in the permitting forms rather than proscribing a specific standard for what is valid. This approach is intended to provide flexibility for industry.

Next, we have added a category of exceptions to when a construction permit is required under Subchapter 7. This exception states that an applicant may, after submission of an administratively complete minor NSR permit, begin instruction on any new, modified, or reconstructed source, but it may not make the unit operational such that it has the ability to emit any regulated air pollutant.

The exception further clarifies that the applicant conducts any such construction activities at its own risk prior to the issuance of a construction permit by DEQ.

Essentially, this provision in the rules in no way

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provides a permit shield and is not de facto approval by DEQ of any construction activities for which the facility has applied.

We have specifically stated that DEQ retains the authority to deny a permit regardless of how much money has been invested in a project.

In 100-7-15(a), we have provided a caveat to when a construction permit is required by referencing the exception in 100-7-2(b)(5).

Finally, in Subchapter 8, we have mirrored those changes in Subchapter 7 by adding the same exception and caveats to 100-8-4(1)(A) and (B) as seen on the slide.

So 8-4(1)(A) and (B) are up to date on this slide, but (D) contains old language that was presented at the last council meeting and which DEQ has revised.

On this slide, you see the up-to-date version of 100-8-4(1)(D). The language in red highlights the new language DEQ is proposing to account for the council's concern with the verbiage presented at last council meeting.

The council was concerned that the previously proposed language precluded the consideration of any costs of BACT that were incurred prior to permit issuance, i.e., that certain construction activities could get underway prior to issuance of a permit, but

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any BACT activities would not be approved if costs were incurred prior to the permit issuance.

Rather, the intent of this language is to prevent the consideration of money spent on an unapproved BACT, or B-A-C-T.

Thus, DEQ has proposed that "if a minor NSR project necessitates determination of BACT and the BACT recommendation in the permit application is not approved in whole or in part by DEQ, the subsequent resolution of the appropriate selection of BACT shall be based upon the facility's pre-application physical configuration."

This language clarifies the determination is Based on what the facility was before the application was submitted and not what the facility was after unapproved BACT construction was undertaken.

Importantly, this preconstruction activity policy and proposed rules do not apply to PSD at all, nor do they apply to non-attainment NSR, which, fortunately, is not relevant today in Oklahoma since we are currently in attainment for all the NAAQs.

Switching gears, I want to go back into 252:100-7-15. You'll see a change in Section 100-7-15(a)(2)(B)(i) that is unrelated to the construction permit policy.

This rule change proposal is rule cleanup intended

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to align OAC rule language with terminology set forth in the federal rules. This rule change was originally presented at the June 2021 council meeting by Melanie Foster and was proposed by me at the October 2021 council meeting.

DEQ staff recommends that the council recommend these proposed rules changes to the Environmental Quality Board.

That concludes my presentation and I now welcome any questions or comments.

MR. ELLIOTT: That change was good, right on in what we were talking about there in the last meeting. That is very good wording.

MS. MADISON MILLER: Okay. Great. Thank you.

MR. ELLIOTT: But I do have a different question on that, just maybe for clarification.

In Subchapter 8(A), the (D), it says after submission of administratively complete minor NSR construction permit, dot, dot, dot, an applicant may begin construction but cannot make it operational such that it has the ability to emit any regulated pollutant.

So I know that some of the practices in the refining industry is -- you know, some of the changes that you're going to make require a complete shutdown of parts or all of the process.

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And so a lot of times what companies do is they'll do what's called a hot tap and they'll put a valve in, you know, a piece of pipe and blind it off and wait for a later part of the construction when they, you know, do that so they don't have to take the unit back down and everything.

Would that be considered a violation of this? Since if you put a valve and you've tapped it in, even though it has a blind on it, it's still technically has an AP 42 factor for a leak rate. So I was just curious if that's the intent of this order. I mean, starting up an incinerator and running it.

MR. PHILLIP FIELDER: Phillip Fielder, chief engineer of Air Quality. Yeah, a lot of these are going to be case by case. Obviously, I think we all know that. Sometimes it's just going to be a call.

The intent is that the unit does not have the potential to emit. And I don't know if I can give an exact answer on that one, but that's obviously an extreme example of what we're looking at.

If there is some other thing that makes it clear that that unit or that project cannot operate and create potential to emit, it might be clear. There might be something else that you could do as part of that project to assure.

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MR. ELLIOTT: But a valve is a valve, and it has emissions factors, but. So, okay.

MR. PHILLIP FIELDER: Yeah, yeah, I hear what you're saying.

MR. ELLIOTT: That matches with my direction I've given on this, so I'm just seeing if that's kind of where we're at. So it sounds like we are.

MR. LANDERS: Would there be any difference in installing a valve not related to a project that you're trying to permit, I'm just calling it a valve and running a line somewhere --

MR. ELLIOTT: You could do that all day long, but as part of a project, it now requires a construction permit. That valve has leak potential and you don't have your permit, that's technically emitting VOCs --

MR. PHILLIP FIELDER: Right, yeah.

MR. ELLIOTT: -- even though it's a minute tiny bit. It's still tied up with the permit that you're waiting on; whereas, if you're just doing a maintenance activity and, you know, putting a line in, it doesn't trigger any permit.

MR. LANDERS: I don't pretend to even speak for the DEQ, but it just seems to me if it -- it's intended that you can't go start up that source before the application which you've submitted to start emitting,

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but I understand what you're saying.

MR. ELLIOTT: That matches me.

CHAIR LODES: And I agree, you can't emit anything. But at the same time -- I'm trying to remember where it is. Okay. So several years ago we changed to clarify when we had to file for an operating permit, and we said it's when the first piece of equipment becomes operational for its intended use.

And so we kind of excluded some of the initial, like, hookup or whatever. And I was trying to see if I could flip through and find out.

That's in subchapter 8, isn't it?

MR. PHILLIP FIELDER: So what we added in Subchapter 8 was exactly that. As soon as any of the equipment commenced operations --

CHAIR LODES: -- for the purpose of which it was intended.

MR. PHILLIP FIELDER: -- intended to produce and those types of things. And there's always been the site exclusion that I don't think any regulation -- again, we have a bunch of these scenarios --

CHAIR LODES: Right.

MR. PHILLIP FIELDER: -- where, you know, you got the break-in of a piece of equipment and there's EPA guidance -- not in their rules either, much less ours --

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where a piece of equipment being taken down is continued to operate while a new piece of equipment is actually started, and it's not considered to have commenced operation because it's in break-in mode. So, again, EPA's done that through policy.

CHAIR LODES: I just wondered if that wasn't something that would be -- because that would be a thing where you would have maybe the valves hooked up, but it hasn't started.

In theory, we have a valve, which is a leak, but we haven't considered that start of operation --

MR. ELLIOTT: Because the rest of the line is not there.

CHAIR LODES: Exactly. So is that where we're talking about here?

MR. PHILLIP FIELDER: You do have a bit of a fuzzy area there between when we use the term has not created the potential to emit versus commenced operation under --

CHAIR LODES: Right. I was trying to remember where that is.

MR. ELLIOTT: I don't know how pertinent, this it kind of tied with the construction.

CHAIR LODES: Correct.

MR. PHILLIP FIELDER: Okay. Yeah.

MR. ELLIOTT: Okay. I'm good.
MS. CHERYL BRADLEY: Any other questions from the council?
Seeing none, then we can move on to the questions, comments, and discussion by the public.
And I have a notice of request for oral comment from Jeremy Jewell.
MR. JEREMY JEWELL: Jeremy Jewell here on behalf of the Environmental Federation of Oklahoma, just wanting to express our support for these changes as proposed. That's all.
MS. CHERYL BRADLEY: Thank you.
Any other comments from the public?
Okay. Seeing none, let's move on to the discussion and possible action by the council.
CHAIR LODES: Any further questions from the council?
MR. CAVES: Yeah, I have a question, Chairman Lodes. You were talking about the operational. The language as presented making any new, modified, or reconstructed unit operational such that it has the ability to emit, is that the condition kind of along with what you're stating?
CHAIR LODES: Yeah, that's what I was talking about. So the definition -- it used to be people would

wait to file an operating permit at a Title V source until all the equipment became operational. So you might end up having an operating permit not get filed for, like, three or four hundred days, basically, as they phased in equipment.
It was really common in late-stage construction in some of these big refineries. So we changed that several years ago, probably even longer than I realize, to define it as the first piece of equipment for which the operation of the project was intended.
And that's what I was trying to flip through and find it. And that's why we started that clause. And so that's why I was asking, does that definition -- because we kind of clarified that a bit -- if that fell into this at all. But I don't know that it does, and I haven't flipped and found it fast enough.
Any other questions or discussion by the council?
Staff has recommended that we approve the rule package as presented today.
Do I have a motion?
MR. ELLIOTT: I make a motion that we approve the rules as presented today.
MR. LANDERS: I'll second.
CHAIR LODES: I have a motion and second.
Quiana, will you please call roll.

MS. FIELDS: Mr. Caves.
MR. CAVES: Yes.
MS. FIELDS: Dr. Delano.
DR. DELANO: Yes.
MS. FIELDS: Mr. Elliott.
MR. ELLIOTT: Yes.
MS. FIELDS: Mr. Landers.
MR. LANDERS: Yes.
MS. FIELDS: Ms. Lodes.
CHAIR LODES: Yes.
MS. FIELDS: Motion passed.
MS. CHERYL BRADLEY: We'll move on to hearing 5(B).
Malcolm Zachariah will present for the staff Chapter 100, Air Pollution Control; Subchapter 47, Control of Emissions of Existing Municipal Solid Waste landfills.
Malcolm.
MR. ZACHARIAH: Thank you. Madame Chair, members of the council, ladies and gentlemen, my name is it Malcolm Zachariah, Environmental Programs Specialist with the Air Quality Rules and Planning Section.
As I presented at the October 2021 council meeting, DEQ has prepared revisions to Chapter 100, Subchapter 47, Control of Emissions from Existing Municipal Solid

Waste Landfills to incorporate federal guidelines into state rules.
Last summer, EPA finalized its federal plan for implementing 2016 landfill gas regulations on existing Oklahoma municipal solid waste landfills. DEQ is now resuming our state rulemaking so that we can revise our state plan and replace the federal plan.
We have worked with our Land Protection Division counterparts throughout this process. And I also presented a preview of this work at the September 2021 Solid Waste Management Advisory Council meeting. We are in contact with the staff at EPA Region 6 who are currently managing the federal plan.
Here is a condensed background of what has happened. In 2016, EPA published new landfill gas rules that overlap older rules which DEQ has already incorporated. These rules lowered the emission threshold that would require installation of a gas collection and control system, GCCS, for landfills with design capacities over 2.5 million megagrams and 2.5 million cubic meters whose nonmethane organic compound, NMOC, emissions exceed 50 megagrams per year.
DEQ has already incorporated the New Source Performance Standards in 40 CFR Part 60, Subpart XXX because they immediately went into effect. NSPS XXX

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applies to landfills that are new or modified after July 2014. The Emission Guidelines Subpart Cf applies to existing landfills which have not modified after 2014.

Emission guidelines are not directly applicable to landfills; states must incorporate the requirement into their state rules and then submit a plan to EPA. If states do not submit a plan, EPA will issue a federal plan instead.

Due to litigation, comments DEQ received, and federal delays in implementation of these rules, DEQ paused its rulemaking. Finally, in 2021, EPA finalized its federal plan and DEQ restarted its rulemaking.

In large part, the rule requirements are much the same as before, and the distinction between NSPS and EG is very minor. Landfills above the 2.5 million megagram and cubic meter design capacity were already required to get a Title V air permit under the old rules.

The landfills were already required to test or estimate NMOC emissions, now with an additional option of surface monitoring. And the landfills were already required to install a GCCS when NMOC emissions reached a specific threshold. The biggest change is lowering of the threshold.

Our proposal is nearly identical to what was

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proposed in October. Here's the first page of the rule text to revise several sections in Subchapter 47. We have chosen to incorporate by reference the emission guidelines into Subchapter 2 and Appendix Q and point to the relevant sections in our rules.

We believe this addresses comments we received from the council and stakeholders, and this mirrors the original rule structure. This example also shows how we added wording like the legacy controlled landfill category that was only found in the federal plan.

We received formal comments from EPA Region 6 on the October rule proposal, which is included in your packet. We have not received any other formal comments.

Based on EPA's comments, DEQ has modified the definition of existing municipal solid waste landfill to more accurately reflect the date ranges specified in the federal rules. DEQ staff also made minor proofreading changes to the other sections of the rule.

After publication of the rule, one of our staff noted the parenthetical 3 in subsection 47-5(a) was not underlined even though it was new language. We have since fixed that error and included that in your folder.

In conclusion, DEQ requests the Council to recommend the proposed Subchapter 47 amendments, with the typographical correction presented today, to the

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Environmental Quality Board for adoption as a permanent rule. Thank you.

MS. CHERYL BRADLEY: Questions and discussion by the council?

MR. LANDERS: Just out of curiosity, do you expect this to significantly impact a municipal or municipals out there?

MR. ZACHARIAH: We don't seem to see many -- or almost any landfills that are currently now required to install a system. A lot of them already installed them with this newer lower threshold.

So, also, because of the NSPS, they kind of overlapped. It really doesn't matter what status they are in, they're going to have the same requirements. And the federal plan has been in place, so technically they should be following the federal plan right now.

MR. LANDERS: Thank you.

MS. CHERYL BRADLEY: Any other questions from the council?

Okay. Hearing none, we'll go on to taking questions, comments, and discussion from the public.

I've received notice that Pete Schultze -- I apologize for obliterating your name.

MR. PETE SCHULTZE: Close enough. We're good.

My name is Pete Schultze. I am from Waste

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Management. I manage our regional landfills for Oklahoma. Historically, I actually was part of our air compliance group for waste management and also managed all of our gas collection systems in the region and our waste-to-energy facilities in the region.

So, overall, waste management is very pleased. Correct, we have proceeded with starting to follow some of the federal rules. It has affected some of our landfills, but they are federal rules that have affected us.

Particularly, lowering the limit has caused some of the smaller landfills to trip into that, and we're in the process of starting to construct those gas collections facilities at those smaller -- what we consider smaller landfills. So these rules really aren't affecting that part of it.

I do have a few comments that I would like possibly to consider on this. And this was in review. And the state has done a great job of reaching out to stakeholders.

In looking at some of the changes that were made, there were a few things that, I think, that may trip up and affect us. And so first thing would be in 100-47-6(C)(3), which is on page 3.

There's two components that were added and left in

there, particularly the (B) which starts awards contracts to initiate on-site construction or installation and collection of controlled equipment within 20 months of the applicable start date; and (C) commence on-site construction, installation, and collection.

Sections -- you know, I would ask that these increments in progresses -- you know, are they really needed for legacy control plans. If not, you know, could we possibly remove those?

Historically, landfill staff and consultants are not used to these in the WWW, which doesn't have them, and may result in a noncompliance for missing reports or even through landfills on track and compliance at the end of the 30-months installation period.

You know, really, in a nutshell, you know, I think that something that's -- we don't see that the EPA requires, and this is kind of adding on and adds an additional timeline that may trip up a lot of people if they're not paying attention to it.

So that would be --

CHAIR LODES: Steve? Can I interrupt? Can I interrupt you briefly?

MR. PETE SCHULTZE: Yeah. Go ahead.

CHAIR LODES: Okay. So I'm trying to follow

along with where you're saying. So you're saying it's on the 47-6(C)? Is that what we're talking about?

MR. PETE SCHULTZE: (C)(3), and then there's (A), (B), and (C), which are -- you know, capital letters A, B, and C. And the (B) and the (C), you know, we feel are a little bit in addition, you know, and above what the EPA is recommending in their requirements and that we've seen in other places where we've -- you know, the states had to have rules for these, so that would be something --

CHAIR LODES: So you're saying the federal rule doesn't have a 20-month timeline?

MR. PETE SCHULTZE: No, it's going to only -- only the 12 and 30. Correct.

CHAIR LODES: Okay.

MR. PETE SCHULTZE: And then the second part of what we saw that may be a concern is 47-6(B). It's on page 2, and it highlights construction permits.

(B) says construction permits, the owner or operator of any existing MSW landfill that installs an MSW landfill collection -- or gas collection and control system is required to obtain construction permits provided.

One of the things that concerns us on that is that we would potentially like to see just "landfill control

system." When you start talking about an MSW landfill gas collection, you start including wells, you know, fittings, valves.

And so are we going to be required, every time we have to put in a new well -- and not to go into too much detail -- on a landfill gas collection system, that our permit and our design plan is basically mapped out for the entire life of the facility.

So we have to provide a plan that shows every well based on spacing, you know, putting across the landfill to make sure that we're adequately collecting the gas collection system.

If we include that verbiage of, you know, landfill gas collection, you know, part of it, then potentially I'm having to get a construction permit for every well that I put into that facility.

And if I have to replace the well, because you can imagine in a landfill, if they settle we're putting plastic piping to collect these wells, and they typically don't last, you know, the entire life. I'm having to redrill them.

So for me to go and potentially have to do a permit mod for any kind of construction work every time I'm doing it, that would be a bit cumbersome. So I think if we left that "control system" and not add that -- that

interpretation could kind of trip us up a little bit and cause us some extra, you know, permitting, you know, extra time, and then also DEQ having spend extra time to review that when we've already got that control under our permit plan.

So, but -- I know these are kind of small components, but I think overall they're components that, you know, are not completely required by the federal rules; and, two, it's just adding some additional time for both us and the DEQ.

MR. LANDERS: Are those wells considered a source, though, a source of emissions?

MR. PETE SCHULTZE: No, the source of emission -- well, the whole landfill is considered a source of emission. So that's -- when we test -- you know, they're talking about the limits that we have on that, those limits are actually done through a testing of punching holes in so many square feet across the landfill and then determining the amount of emissions coming from that specific hole. That's not specifically from each well whenever we determine the emission rate.

MR. LANDERS: So the emission rate is not dependent upon 10 wells or 30 wells.

MR. PETE SCHULTZE: No, it's the surface of the landfill and the flare or whatever the destruction

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device is. You know, whether it's a, you know, taking engines and making electricity out of them or converting the gas into, you know, some sort of wax or cleaning it up and putting it back in the pipeline, which is a lot of our projects that we have and utilize at our landfills.

MR. CAVES: Mr. Schultze, I did have a question. When you're talking about, in 100-47-6(B), landfill gas collection and control system, I read that as one. It's a collection and control system.

MR. PETE SCHULTZE: Right.

MR. CAVES: Are you under the belief that's two separate?

MR. PETE SCHULTZE: I'm saying the control system covers everything. And if we leave gas collection, that could be interpreted as wells and things that already are covered under control system.

And our concern is that when you start talking gas collection, that goes to those wells and potentially could have us having to redo the permit every time we have to repair, install, a new well because we've added more landfill space to our landfill.

CHAIR LODES: So, Kendal or Phillip, is that how you all have interpreted it, where installing a well would be part of the collection system?

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MR. LANDERS: And, plus, he just said, "I've expanded my landfill."

CHAIR LODES: Well, that's different.

MR. PETE SCHULTZE: Well, now, and, see, and that's always been the tough -- you know, why we consider the entire landfill when we do these calculations. It's the -- it's the potential air space in our permitted site.

Because, as you can imagine, when we build a cell or we have landfill, we build -- let's say we start out and build 20 acres. You know, when that 20 acres fills up, then I add 10 more acres.

So the rules require us, as the trash sits there for two years, then once that sat there, then we have to put a well into that gas system.

CHAIR LODES: So you're thinking that if you add 10 more acres, you should not have to get a construction permit?

MR. PETE SCHULTZE: That's correct, because we already have an existing permit. Right now we don't have to. And so that's our concern, is by doing this it may cause us to have to do a permit every time I expand my gas system or even expand my landfill, because -- and when I say "expand my landfill," if we do expand a landfill, let's say my total permit is 100 acres and

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then I buy the property next to it, then, yes, that is an expansion that we have to redo our permit and modify that.

So our concern is to make sure that, on our existing permit with the solid waste group, that if I add -- build more cells within that existing permit, that I'm going to have to update my air permit every time I install a new well.

CHAIR LODES: Okay. So you're permitted for 100 acres and you're still building within your 100 acres.

MR. PETE SCHULTZE: Correct. That's what we're saying is we feel -- and we've seen it in other states where that kind of became a question. And, you know, it caused us to have to do additional permitting within the existing permit that we have.

MS. STEGMANN: Okay. I have a question. On your existing air permit, does -- is that hundred acres included in that air permit?

MR. PETE SCHULTZE: It is included, yes, because we have to calculate based on the potential size of that air space for our permit.

MS. STEGMANN: It's included as -- you're not asking -- you're not linear -- it wouldn't be a modification. That's what I'm worried about.

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MR. PETE SCHULTZE: Correct.

And talking about these rules, let's make sure we're clear. I wouldn't have to install a gas system until we trip those numbers. Used to be 50, now it's 34. So, it's very confusing.

Go ahead.

MR. TOM RICHARDSON: I'm Tom Richardson. I'm an engineer in the Rules and Planning Section. So just to answer the question about what our interpretation is, so I think up till now our interpretation has been a landfill gas collection control system is a system.

So that would necessitate a construction permit when you go over, in this case, would be 34 megagrams per year, previously it was 50.

So that system requirement initiates the construction permit, but it's kind of an additional -- like, adding a new gas collection well would not be something that would necessitate a new permit -- or a construction permit, rather. It would just be an ongoing, you know, process of working through the operation of that system.

But I think you raise a point that maybe we need to give some consideration to if it could be interpreted that way, even though we haven't so far been interpreting that way ourselves.

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Did that --

MR. PETE SCHULTZE: Yeah, no, no.

MR. TOM RICHARDSON: Thank you.

MR. LANDERS: Just wondering how is that different from my facility? I have an air permit and -- but if I can make a physical change or a change in operation, it doesn't -- even though I have a permit to emit a hundred tons of VOC every year and my change is going to stay below that, it doesn't prevent me from going and having to at least do an analysis to determine whether it needs a new construction permit. And it may require a permit.

So I'm not sure I see the difference.

CHAIR LODES: That was kind of my question, because all the other facilities, yes, they may be permitted for a hundred acres, to use your analogy, but if they haven't built all those out as part of the original construction permitted before they went to operating, when they go to make the next physical change they have to file for a permit amendment, whether it's a Tier I or a minor mod or not.

And so, Phillip, is that not what the landfills do when they do -- if they permit for a hundred acres, do they not have to do permits along the way?

MR. PHILLIP FIELDER: Phillip Fielder,

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Engineering, Air Quality. So we're hitting on an exact issue that the EPA has started communication with the states regarding modifications at landfills and the problem with what that means under a landfill.

A lot of EPA's issues are facilities -- or that land divisions and air quality divisions kind of get confused between the way that the rules affect both divisions, and what a modification means.

And they're really referring to Title V when these facilities move under what is a modification from a minor to a Title V, but still it's part of the overall issue about what is a modification at a landfill.

None of these rules gets us around the NSR criteria. So expanding -- doing a physical change at a landfill to expand your control system is something that needs to be evaluated, in my mind, as far as what I know is not an exclusion. There is no exclusion from the NSR criteria to do that.

Would this type of system trigger that? Since the control systems are going to flares and the way that -- it's just the way that it's fugitive equipment -- I mean it's fugitive sources until you put control equipment in, and the way it all works is a little bit different. I think we all recognize that.

But I think just my overall opinion, anyway, is

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that there is no exclusion from the NSR process for air quality permitting anyway.

But I would -- I would back up Tom's position that the original installation of the control -- the collection and control system, I think, is what we were trying to get at there.

And then modification, again, for NSR is still something we got to look at, or they need to look at, but for the NSPS, I don't -- I think that was in there possibly for the NSPS purposes and those types of things, but -- to get that permitted originally.

But, yeah, it's -- it's something that there's been recent discussion over the past couple of years about some of these interpretations.

So we haven't done a lot of that permitting as far as modifications of the facilities that expand, those types of systems. And so we haven't addressed what specific criteria would trigger that.

So that's my history of the issue.

MR. PETE SCHULTZE: Which I would agree.

And, I guess, to maybe clarify what we're asking is that, you know, the control system, the flare, you know, or whichever system we're using burning it as -- make electricity, changing it over into natural gas, however, is the control system. And so once you get past that,

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that's where it gets gray.

And in the past that's something that we've never had to change our permit. It was -- typically, we submitted that we were going to expand our gas system, add wells, and that was submitted to the -- that's submitted to the DEQ, and then they -- I'm sorry -- to the Solid Waste Group. They look at our existing gas collection plan for the entire state facility and make sure that it matches what that original plan was for the entire facility.

And so that's typically what the process is now, and we feel that that's what the EPA's intentions were, to keep that. And so, again, our concern is when you start talking about gas collection, you're talking about wells in the system.

Control system is what we're okay with because that's what we feel the intent of the rule is.

CHAIR LODES: So you're proposing that in (B), just the phrase gas collection -- basically, the three words "gas collection and" would be struck, and then it would just be municipal solid waste landfill control systems required.

MR. PETE SCHULTZE: Correct.

CHAIR LODES: And then back here on big (B) and (C), you're wanting -- those additional timelines,

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you're saying, are beyond what the federal rules have?
MR. PETE SCHULTZE: Yes. And those would be stricken.
CHAIR LODES: Mr. Zachariah, do you want to the address that a moment, or Madison?
MS. MADISON MILLER: Yeah. Madison Miller, supervising attorney for the Air Quality division.
To the question of the -- I didn't bring my rule up here. Big (B) and (C) -- 47-6(C)(3), (B) and (C), so those requirements came directly out of the FIP. And in order to replace the FIP with a SIP, we have to instate something that is as restrictive as the FIP. So we pulled those numbers directly out of there.
And, Cheryl, I don't know if you want to say anything about how to replace a FIP with a SIP.
I think that's all I have on that right now.
Okay. Is that all, Malcolm?
MR. ZACHARIAH: Malcolm Zachariah.
Also, those increments of progress are not in the emission guidelines themselves. They were added to the federal plan because the plan deadline had passed, and so EPA had to give more prescriptive increments in their federal plan. So that's why we're copying that, because we've also missed our deadline for our plan.
CHAIR LODES: Okay. That's why those need to

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stay in there, because they're part of the FIP. Okay.
Does that answer your question on this?
MR. PETE SCHULTZE: Yes. Yes, it does.
CHAIR LODES: Okay. So I don't know if there's much we can do about those if they're part of a FIP.
MR. PETE SCHULTZE: I would agree.
CHAIR LODES: As much as I might like to.
MR. PETE SCHULTZE: Right.
CHAIR LODES: Okay. So now we come back to the question of your comment on the phrase "gas collection control system."
MR. PETE SCHULTZE: Right.
CHAIR LODES: And so, Malcolm, Madison, what are your thoughts about striking that phrase "gas collection" and just calling it "control system"?
MS. CHERYL BRADLEY: Gas, do we -- actually, it's landfill gas that's being controlled. Do we want to strike the word "gas"? Does it have -- we want to leave word "gas."
MR. PETE SCHULTZE: I'd agree with that, gas collection system, yes.
CHAIR LODES: Okay. We're really just striking the words "collection and."
MR. PETE SCHULTZE: I would agree.
CHAIR LODES: Okay.

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MR. LANDERS: I still have to ask a question.
You have a permit for certain emissions, which is dependent, by the way, on the amount of gas you send to the flare?
MR. PETE SCHULTZE: No, it's going to be the potential for the life of the site. So there's actually a model that -- I mean, it's not that much different than a refinery. It's just that we're projecting that -- the entire life of the site.
MR. LANDERS: Understood. But let's say it's two years down the road since I've installed this system, now I'm going to put in new wells. I guess I don't see that any different than another air emitting facility in the state making a physical -- or changing a method of operational change, which requires a permit. And that may not require a permit. May be able to do it under operational flexibility.
But that analysis should probably be done. And, I guess, to back up what Phil said, you know, potentially a new source of emitting.
MR. ELLIOTT: Yeah, I agree.
MR. PETE SCHULTZE: That would be the first -- that may be the first way that's handled in the United States, that the federal regulations -- and that's our concern, is the way that it's written it potentially

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opens up that to happen.
And so the way that the federal regulations have always regulated us on that behalf is that we've had the ability to expand because then you potentially -- if I have a well that gets plugged up or I have to redrill it, you know, it's watered in for whatever reason, I'm having -- the timelines are going to become very difficult to maintain. Because we do have timelines that once a component, a well, you know, a watered-out header line that's within the landfill, you know, has to be repaired, we do have a timeline that we have to get that back up and running.
And so if we go into a permitting process every time we have to do that, it's going to become difficult and make it hard for us to comply.
MR. ELLIOTT: I think that wasn't the issue. The issue was you've been operating for a few years with 20 acres and two more years down the road you want to expand out, because if you do something like that, that's maintenance activity.
It's not a permitting activity to go fix your well, even if you have to do another one that's replacing it, but adding a whole six or seven new wells is a significant construction activity, potentially, and it needs a permitting analysis for the air emissions.

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And then you look back and say, okay, your permit that you got for this hundred acres, you're checking your permit analysis to say this is what we modeled, this is what we actually have -- I mean, I -- and I'm not as familiar with these rules --

MR. PETE SCHULTZE: We do that -- when we submit a Title V in the plan, an NSPS plan, we do that upfront. All that's down upfront. All that modeling is done upfront.

MR. ELLIOTT: Right, but true reality may be your model may have missed it. And now you're going to add a bunch more wells and you're already doing more now. And so I'm kind of with Phillip, I think it needs a permitting analysis at a minimum to do that.

MR. LANDERS: May not require a permit, but may be under operational flexibility requirement, but I've got a Title V permit, too. That's for a lot of stuff, if I go make a physical change, I have to compare these new emissions to a baseline over the past ten years.

So I just don't see this is as being any different from that. Now, you know, us being the first ones in the country to do that? That sounds --

MR. ELLIOTT: Did you say you had some operations in another state that was starting to do this as well?

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MR. PETE SCHULTZE: Yeah, but we don't -- the way it was written -- the way it was written in those rules was control system. Gas control system.

MS. STEGMANN: I have a question. This comment, landfill gas collection and control system, is that a defined term in the regulation, that whole phrase?

MR. ZACHARIAH: In the federal rule that is. And that's why they keep the two things together as a unit of division control.

MS. MADISON MILLER: And something else that I want to add is that this -- this is existing language from the rules that are already in the rules. And so I don't know if, when we go to propose this to EPA, if they would have a problem with us changing, you know, something that's already there.

CHAIR LODES: That is the way the defined term is written?

MS. MADISON MILLER: Yeah.

CHAIR LODES: Okay. If that's way the line is written, and that's the way it's defined in the federal rules, I don't know that we can take out the phrase "collection and control system." Just the "collection and" part of it.

And I also -- if we -- Kendal was telling me if we

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don't pass this today, we continue underneath the feds for another year because this will be our last opportunity to get it before the Environmental Quality Board within this legislative session, so.

MS. STEGMANN: Yes, that is correct.

CHAIR LODES: So, I mean, I want to address your concerns and things like that, but that -- if that's been there, I guess, how have you all treated it before, since that phrase was in there prior to this rulemaking?

MR. PETE SCHULTZE: Well, as long as it's continued to be interpreted like it was before, then we'll be okay.

CHAIR LODES: Okay. So that is a defined term in the federal rules? Okay.

MS. MADISON MILLER: Yes.

MR. PETE SCHULTZE: Well, thank you.

MS. CHERYL BRADLEY: Any more comments or questions from the public?

Seeing none, we'll go on to the discussion by the council and possible action.

CHAIR LODES: Any other comments or discussion from the council?

Staff has recommended that the Air Quality Advisory Council pass this rule as presented today for approval.

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Do I have a motion?

MR. CAVES: I'll make the motion.

MR. LANDERS: I will second.

CHAIR LODES: I have a motion and a second. Quiana, please call roll.

MS. FIELDS: Mr. Caves.

MR. CAVES: Yes.

MS. FIELDS: Dr. Delano.

DR. DELANO: Yes.

MS. FIELDS: Mr. Elliott.

MR. ELLIOTT: Yes.

MS. FIELDS: Mr. Landers.

MR. LANDERS: Yes.

MS. FIELDS: Ms. Lodes.

CHAIR LODES: Yes.

MS. FIELDS: Motion passed.

MS. CHERYL BRADLEY: That concludes the hearing portion of our meeting today.

(End of record.)

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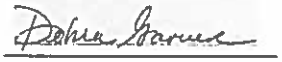
STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)

C E R T I F I C A T E

I, DEBRA GARVER, a certified shorthand reporter within and for the State of Oklahoma, certify that the foregoing transcription of the Department of Environmental Quality Air Quality Advisory Council Public Meeting, January 19, 2022, at 9:00 a.m., at the Oklahoma Department of Environmental Quality, 707 North Robinson, First Floor, Multi-Purpose Room, in Oklahoma City, Oklahoma, was taken by me in stenotype and simultaneously transcribed by computer, and the foregoing is a true and correct transcript of said proceedings, and that I am not an attorney for or a relative of any party, or otherwise interested in this action.

Witness my hand and seal of office
January 26, 2022.



DEBRA GARVER, CSR, RPR
State of Oklahoma CSR#1370
Certificate exp. 12/31/2022

OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR QUALITY ADVISORY COUNCIL

Attendance Record
January 19, 2022
Oklahoma City, Oklahoma

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Molly Williams	OGE	
Brad Ground	EFO	

Scott A. Thompson
Executive Director

OKLAHOMA Environmental Quality

Kevin Stitt
Governor

MEMORANDUM

DATE: September 21, 2022

TO: Members of the Air Quality Advisory Council

FROM: Kendal Stegmann, Director KS
Air Quality Division

SUBJECT: CY2023 Air Quality Advisory Council Meeting Schedule

Suggested Council meeting dates for calendar year 2023 are listed below. You will be asked to approve or amend the schedule at the October 5, 2022 meeting.

Staff suggestions are:

Wednesday, January 11, 2023 (inclement weather date January 18) – Oklahoma City
Wednesday, June 21, 2023 – Tulsa
Wednesday, October 4, 2023 – Oklahoma City

The proposed dates for Environmental Quality Board meetings in 2023 are as follows:

Friday, February 17, 2023 – Oklahoma City, OK
Tuesday, June 13, 2023 – Oklahoma City, OK
Tuesday, September 12, 2023 – Bixby, OK
Tuesday, November 7, 2023 – Duncan, OK

KS/gg

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City of Mustang

Council-Manager Form of Government

405-376-4521 1501 N. Mustang Road, Mustang, Oklahoma 73064

July 26, 2022

Oklahoma Air Quality Council
Oklahoma Department of Environmental Quality
Attn: Travis J. Couch, Esq.
P.O. Box 1677
Oklahoma City, Oklahoma 73101

Re: City of Mustang - Proposed ordinance to continue requirement for air curtains for open burning in land clearing operations

Dear Mr. Couch:

This letter is to follow up our discussions relating to the City of Mustang's desire to include in its Code of Ordinances a requirement that air curtains be used when conducting open burning for land clearing purposes. Enclosed with this letter is a copy of the City of Mustang's proposed ordinance, together with a report from the City's Fire Marshal explaining the reason for continuing this requirement within the City of Mustang and addressing the reasonableness and technical feasibility of the request. Pursuant to 27A Okla. Stat. §2-5-103(A)(1)(a), this proposed ordinance is submitted fir review and requested approval from the Air Quality Council.

I understand that this matter will be included on the agenda of the Air Quality Council's October 5, 2022 meeting. Please let me know if there is anything else needed from the City of Mustang before that meeting.

Please call if there are any questions.

Sincerely,

Jonathan E. Miller

JEM/slf

cc: CPT Eric Halter, Mustang Fire Marshal

Mustang Fire Department
465 W. SH 152
Mustang, OK 73064

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City of Mustang Fire Marshal Office Air Quality Economic/Environmental Review

Economic Impact/Environmental Benefit Statement

More Stringent Rules Than: SB 246 Sec. 1 Chapter 230.

The proposed City of Mustang Ordinance is more stringent than its corresponding federal rule and current state rule in the following way:

The current state rules for SB 246 Sec. 1 Chapter 230 reads:

A. 1. The Department of Environmental Quality shall not require the use of an air curtain incinerator for fires purposely set for land clearing operations except in counties or areas that:

   a. are or have been designated nonattainment for a National Ambient Air Quality Standard, or
   b. are located within a metropolitan statistical area and have a population of greater five hundred thousand (500,000) people according to the latest Federal Decennial Census.

2. For the purposes of this section, "air curtain incinerator" means an incineration unit, operating by forcefully projecting a curtain of air across an open integrated combustion chamber or open pit or trench, in which combustion occurs.

B. The Department shall not require the use of an air curtain incinerator for fires purposely set for the burning of clean wood waste or yard brush except in counties or areas that:

   a. are or have been designated nonattainment for a National Ambient Air Quality Standard, or

b. are located within a metropolitan statistical area and have a population of greater than five hundred thousand (500,000) people according to the latest Federal Decennial Census.

C. The Department may promulgate rules to limit accumulation of clean wood waste or yard brush.

D. The burning of clean wood waste or yard brush shall not create a public nuisance.

E. The Department shall promulgate rules to carry out the provisions of this section.

SECTION 2. This act shall become effective November 1, 2021.

The City of Mustang wants to adopt a city ordinance that would require an air curtain incinerator for fires purposely set for land clearing operations in the City of Mustang city limits. The City of Mustang is in Canadian County which falls under the 500,000 population threshold that is currently set in the state rule.

Background:

In 2013 the State of Oklahoma rules were as follows:

252:100-13-7. Allowed open burning

* * *

(4) **Land management and land clearing operations.**

Open burning is allowed for the following land management and land clearing operations:

(A) Fires purposely set to forest, crop, or range lands for a specific reason in the management of forests, crops, or game, in accordance with practices recommended by the Oklahoma Department of Wildlife Conservation, the Oklahoma State Department of Agriculture, Food, and Forestry, and the United States Forest Service.

(B) Fires purposely set for land clearing operations if conducted at least 500 feet upwind of any occupied residence other than those located on the property on which the burning is conducted. Such burning shall be conducted using an air curtain incinerator in counties or areas that are or have been designated nonattainment, or in the two Metropolitan Statistical Area (MSAs) with a population of greater than nine hundred thousand. The Oklahoma City MSA consists of Canadian, Cleveland, Grady, Lincoln, Logan, McClain, and Oklahoma Counties.

In 2019 the rule was adopted into SB 246 which had the same regulations as the above 2013 rule.

In 2021 the SB 246 was amended to exclude all the counties except Oklahoma and Tulsa counties or any county with a population of 500,000.

Rationale: The reason for the more stringent rules is as follows:

The City of Mustang is 2 miles wide and 6 miles long and is an urban-wildland interface. The original SB 246 had all the counties that touched Oklahoma and Tulsa counties following the air curtain rules. This was not practical for all of those counties because many counties that touched Oklahoma and Tulsa Counties have vast amounts of rural land that should not require air curtains. However, cities like Mustang need air curtain regulations because of the proximity of our neighborhoods and undeveloped land. When land clearing occurs in Mustang, the smoke from the burning directly affects our neighborhoods, schools, and business districts. When SB 246 was amended, the City of Mustang was no longer covered by state law that required air curtains. The City of Mustang intends to enact a local ordinance that would follow DEQ requirements for air curtain incinerators but exclude any population requirements. The land clearing that has happened in Mustang since 2013 has required air curtains and contractors have had no difficulty getting the air curtain incinerator equipment. As of the date of this

report, two rental companies within the area have available equipment to meet the air curtain incinerator requirements. Before 2013, a contractor completed an open burn to dispose of storm debris. Citizens in a neighborhood near the burn area sued the contractor for air quality/smoke concerns. The history of open burn problems relating to smoke/air quality within our City, the fact that Mustang has required air curtains since 2013, and the reduction of problems since requiring air curtain incinerators is the reason the City proposes an ordinance continuing the use of air curtain incinerators for land clearing within the City.

Environmental Benefit:

The proposed city ordinance should result in improved public health and safety for the citizens of Mustang. The air quality will be improved if we require open burning for land clearing to use air curtain incinerators. The citizens of Mustang would be exposed in their homes, schools, and businesses to smoke-filled air during land clearing open burns without air curtains due to the city's layout.

Economic Impact:

The City of Mustang anticipates no significant economic impact as a result of the proposed ordinance. The availability of air curtains and the choice to rent by day, week, or month have assisted contractors in current clearing needs since 2013.

Scott A. Thompson
Executive Director

OKLAHOMA Environmental Quality

Kevin Stitt
Governor

MEMORANDUM

DATE: September 21, 2022

TO: Members of the Air Quality Advisory Council

FROM: Kendal Stegmann, Director KS
Air Quality Division

SUBJECT: Proposed Update of OAC 252:100-2, and Appendix Q, Incorporation By Reference

The Department is proposing to update OAC 252:100, Appendix Q, Incorporation By Reference, to incorporate the latest changes to EPA regulations. The update will include changes or additions to 40 C.F.R. Part 60, New Source Performance Standards (NSPS), 40 C.F.R. Parts 61 and 63, National Emission Standards for Hazardous Air Pollutants (NESHAP), and other EPA regulations referenced in Chapter 100. In addition, the Department is proposing to update language in Subchapter 2, Incorporation By Reference, to reflect the latest date of incorporation of EPA regulations in Appendix Q.

These proposals are part of the annual review and update of incorporation by reference of federal regulations. The Oklahoma Rules on Rulemaking dictate the procedure of revoking the old and creating an entirely new appendix. Copies of the proposed rule and revoked and new appendices are enclosed, along with a copy of the Rule Impact Statement.

No additions are proposed to be added to Appendix Q this year. This update incorporates those federal regulations currently listed in Appendix Q, including any amendments, as they existed on June 30, 2022. A list of the subparts that have been amended by EPA (and are listed in Appendix Q), is attached.

Notice of the proposed rule changes was published in the *Oklahoma Register* on September 1, 2022. The notice requested written comments from the public and other interested parties. No comments have been received as of September 21, 2022. At the October meeting, staff will ask the Council to recommend the proposed rule changes to the Environmental Quality Board for adoption as permanent rules.

Enclosures: Proposed Amendments to OAC 252:100-2
Proposed OAC 252:100, Appendix Q [REVOKED]
Proposed OAC 252:100, Appendix Q [NEW]
Rule Impact Statement
List of amended subparts in Appendix Q

TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 100. AIR POLLUTION CONTROL

SUBCHAPTER 2. INCORPORATION BY REFERENCE

252:100-2-3. Incorporation by reference

Except as provided under this section, the provisions of 40 CFR listed in Appendix Q are hereby incorporated by reference as they existed on ~~June 30, 2021~~June 30, 2022.

(1) **Inclusion of 40 CFR citations and definitions.** When a provision of 40 CFR is incorporated by reference, all citations contained therein are also incorporated by reference.

(2) **Inconsistencies or duplications of requirements or incorporation dates.**

(A) In the event that there are inconsistencies or duplications between the requirements of this Chapter and the requirements of those provisions incorporated by reference in Appendix Q or elsewhere in this Chapter, the more stringent requirements shall apply.

(B) In the event that a specific date of incorporation is indicated in Appendix Q or a subchapter of this Chapter, the specified date of incorporation shall apply.

(3) **Terminology related to 40 CFR.** For purposes of interfacing with 40 CFR and unless the context clearly indicates otherwise, the following terms apply.

(A) "Administrator" is synonymous with "Executive Director."

(B) "U. S. Environmental Protection Agency" or "EPA" is synonymous with "Department of Environmental Quality" or "DEQ."

APPENDIX Q. INCORPORATION BY REFERENCE [REVOKED]

Except as provided under OAC 252:100-2-3, the following provisions of Title 40 of the Code of Federal Regulations are hereby incorporated by reference as they existed on June 30, 2021, unless otherwise noted.

PART	SUBPART	DESCRIPTION
50	n/a	Appendix B to Part 50 - Reference Method for the Determination of Suspended Particulate Matter in the Atmosphere (High-Volume Method)
50	n/a	Appendix J to Part 50 - Reference Method for the Determination of Particulate Matter as PM_{10} in the Atmosphere
51	A	Table 1 to Appendix A only of Subpart A—Emission Thresholds by Pollutant for Treatment as Point Source Under 40 CFR 51.30
51	F	Paragraph 51.100(s)(1) only of Subpart F, Procedural Requirements
51	n/a	Appendix P to Part 51 - Minimum Emission Monitoring Requirements
51	n/a	Appendix W to Part 51 – Guideline on Air Quality Models
58	n/a	Appendix A to Part 58 - Quality Assurance Requirements for Monitors used in Evaluations of National Ambient Air Quality Standards
58	n/a	Appendix B to Part 58 – Quality Assurance Requirements for Prevention of Significant Deterioration (PSD) Air Monitoring
60	A	General Provisions [Except 60.4, 60.9, 60.10 and 60.16]
60	Cf	Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills
60	D	Standards of Performance for Fossil-Fuel-Fired Steam Generators
60	Da	Standards of Performance for Electric Utility Steam Generating Units
60	Db	Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units

PART	SUBPART	DESCRIPTION
60	Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units
60	E	Standards of Performance for Incinerators
60	Ea	Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989 and on or Before September 20, 1994
60	Eb	Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996
60	Ec	Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996
60	F	Standards of Performance for Portland Cement Plants
60	G	Standards of Performance for Nitric Acid Plants
60	Ga	Standards of Performance for Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011
60	H	Standards of Performance for Sulfuric Acid Plants
60	I	Standards of Performance for Hot Mix Asphalt Facilities
60	J	Standards of Performance for Petroleum Refineries
60	Ja	Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007
60	K	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978
60	Ka	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984
60	Kb	Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for

PART	SUBPART	DESCRIPTION
		Which Construction, Reconstruction, or Modification Commenced After July 23, 1984
60	L	Standards of Performance for Secondary Lead Smelters
60	M	Standards of Performance for Secondary Brass and Bronze Production Plants
60	N	Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973
60	Na	Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983
60	O	Standards of Performance for Sewage Treatment Plants
60	P	Standards of Performance for Primary Copper Smelters
60	Q	Standards of Performance for Primary Zinc Smelters
60	R	Standards of Performance for Primary Lead Smelters
60	S	Standards of Performance for Primary Aluminum Reduction Plants
60	T	Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants
60	U	Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants
60	V	Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants
60	W	Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants
60	X	Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities
60	Y	Standards of Performance for Coal Preparation and Processing Plants
60	Z	Standards of Performance for Ferroalloy Production Facilities

PART	SUBPART	DESCRIPTION
60	AA	Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983
60	AAa	Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983
60	BB	Standards of Performance for Kraft Pulp Mills
60	BBa	Standards of Performance for Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013
60	CC	Standards of Performance for Glass Manufacturing Plants
60	DD	Standards of Performance for Grain Elevators
60	EE	Standards of Performance for Surface Coating of Metal Furniture
60	GG	Standards of Performance for Stationary Gas Turbines
60	HH	Standards of Performance for Lime Manufacturing Plants
60	KK	Standards of Performance for Lead-Acid Battery Manufacturing Plants
60	LL	Standards of Performance for Metallic Mineral Processing Plants
60	MM	Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations
60	NN	Standards of Performance for Phosphate Rock Plants
60	PP	Standards of Performance for Ammonium Sulfate Manufacture
60	QQ	Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing
60	RR	Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations
60	SS	Standards of Performance for Industrial Surface Coating: Large Appliances
60	TT	Standards of Performance for Metal Coil Surface Coating

PART	SUBPART	DESCRIPTION
60	UU	Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture
60	VV	Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006
60	VVa	Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006
60	WW	Standards of Performance for the Beverage Can Surface Coating Industry
60	XX	Standards of Performance for Bulk Gasoline Terminals
60	BBB	Standards of Performance for the Rubber Tire Manufacturing Industry
60	DDD	Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry
60	FFF	Standards of Performance for Flexible Vinyl and Urethane Coating and Printing
60	GGG	Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006
60	GGGa	Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006
60	HHH	Standards of Performance for Synthetic Fiber Production Facilities
60	III	Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes
60	JJJ	Standards of Performance for Petroleum Dry Cleaners

PART	SUBPART	DESCRIPTION
60	KKK	Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants
60	LLL	Standards of Performance for SO_2 Emissions From Onshore Natural Gas Processing: SO_2 Emissions
60	NNN	Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations
60	OOO	Standards of Performance for Nonmetallic Mineral Processing Plants
60	PPP	Standard of Performance for Wool Fiberglass Insulation Manufacturing Plants
60	QQQ	Standards of Performance for VOC Emissions From Petroleum Refinery Wastewater Systems
60	RRR	Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes
60	SSS	Standards of Performance for Magnetic Tape Coating Facilities
60	TTT	Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines
60	UUU	Standards of Performance for Calciners and Dryers in Mineral Industries
60	VVV	Standards of Performance for Polymeric Coating of Supporting Substrates Facilities
60	WWW	Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification on or After May 30, 1991, but Before July 18, 2014
60	XXX	Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014
60	AAAA	Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001

PART	SUBPART	DESCRIPTION
60	CCCC	New Source Performance Standards for Commercial/Industrial Solid Waste Incinerators constructed after November 30, 1999
60	DDDD	Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units, Model Rule only, Sections 60.2575 through 60.2875, including Tables 1 through 9
60	EEEE	Standards of Performance for Other Solid Waste Incineration Units for Which Construction Is Commenced After December 9, 2004, or for Which Modification or Reconstruction Is Commenced on or After June 16, 2006
60	IIII	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
60	JJJJ	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
60	KKKK	Standards of Performance for Stationary Combustion Turbines
60	LLLL	Standards of Performance for New Sewage Sludge Incineration Units
60	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
60	OOOOa	Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced after September 18, 2015
60	TTTT	Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units
60	n/a	Appendix A to Part 60 - Test Methods
60	n/a	Appendix B to Part 60 - Performance Specifications
61	A	General Provisions
61	C	National Emission Standard for Beryllium
61	D	National Emission Standard for Beryllium Rocket Motor Firing
61	E	National Emission Standard for Mercury
61	F	National Emission Standard for Vinyl Chloride

PART	SUBPART	DESCRIPTION
61	J	National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene
61	L	National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants
61	M	National Emission Standard for Asbestos
61	N	National Emission Standard for Inorganic Arsenic Emissions From Glass Manufacturing Plants
61	O	National Emission Standard for Inorganic Arsenic Emissions From Primary Copper Smelters
61	P	National Emission Standard for Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities
61	V	National Emission Standard for Equipment Leaks (Fugitive Emission Sources)
61	Y	National Emission Standard for Benzene Emissions From Benzene Storage Vessels
61	BB	National Emission Standard for Benzene Emissions From Benzene Transfer Operations
61	FF	National Emission Standard for Benzene Waste Operations
63	A	General Provisions
63	B	Sections 63.41, 63.43 and 63.44 only of Subpart B, Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j)
63	F	National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry
63	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
63	H	National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks

PART	SUBPART	DESCRIPTION
63	I	National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks
63	J	National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production
63	L	National Emission Standards for Coke Oven Batteries
63	M	National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities
63	N	National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks
63	O	Ethylene Oxide Emissions Standards for Sterilization Facilities
63	Q	National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers
63	R	National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)
63	S	National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry
63	T	National Emission Standards for Halogenated Solvent Cleaning
63	U	National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins
63	W	National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production
63	X	National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting
63	Y	National Emission Standards for Marine Tank Vessel Loading Operations
63	AA	National Emission Standards for Hazardous Air Pollutants From Phosphoric Acid Manufacturing Plants
63	BB	National Emission Standards for Hazardous Air Pollutants From Phosphate Fertilizers Production Plants

PART	SUBPART	DESCRIPTION
63	CC	National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries
63	DD	National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations
63	EE	National Emission Standards for Magnetic Tape Manufacturing Operations
63	GG	National Emission Standards for Aerospace Manufacturing and Rework Facilities
63	HH	National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities
63	II	National Emission Standards for Shipbuilding and Ship Repair (Surface Coating)
63	JJ	National Emission Standards for Wood Furniture Manufacturing Operations
63	KK	National Emission Standards for the Printing and Publishing Industry
63	LL	National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants
63	MM	National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills
63	NN	National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing at Area Sources
63	OO	National Emission Standards for Tanks - Level 1
63	PP	National Emission Standards for Containers
63	QQ	National Emission Standards for Surface Impoundments
63	RR	National Emission Standards for Individual Drain Systems
63	SS	National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process
63	TT	National Emission Standards for Equipment Leaks – Control Level 1

PART	SUBPART	DESCRIPTION
63	UU	National Emission Standards for Equipment Leaks - Control Level 2 Standards
63	VV	National Emission Standards for Oil-Water Separators and Organic-Water Separators
63	WW	National Emission Standards for Storage Vessels (Tanks) - Control Level 2
63	XX	National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations
63	YY	National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards
63	CCC	National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants
63	DDD	National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production
63	EEE	National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors
63	GGG	National Emission Standards for Pharmaceuticals Production
63	HHH	National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities
63	III	National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production
63	JJJ	National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins
63	LLL	National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry
63	MMM	National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production
63	NNN	National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing
63	OOO	National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins

PART	SUBPART	DESCRIPTION
63	PPP	National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production
63	QQQ	National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting
63	RRR	National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production
63	TTT	National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting
63	UUU	National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units
63	VVV	National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works
63	XXX	National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese
63	AAAA	National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills
63	CCCC	National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast
63	DDDD	National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products
63	EEEE	National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline)
63	FFFF	National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing
63	GGGG	National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production
63	HHHH	National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production
63	IIII	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks
63	JJJJ	National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating

PART	SUBPART	DESCRIPTION
63	KKKK	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans
63	MMMM	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products
63	NNNN	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances
63	OOOO	National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles
63	PPPP	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products
63	QQQQ	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products
63	RRRR	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture
63	SSSS	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil
63	TTTT	National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations
63	UUUU	National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing
63	VVVV	National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing
63	WWWW	National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production
63	XXXX	National Emissions Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing
63	YYYY	National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines
63	ZZZZ	National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines
63	AAAAA	National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants

PART	SUBPART	DESCRIPTION
63	BBBBB	National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing
63	CCCCC	National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks
63	DDDDD	National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters
63	EEEEE	National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries
63	FFFFF	National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities
63	GGGGG	National Emission Standards for Hazardous Air Pollutants: Site Remediation
63	HHHHH	National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing
63	IIIII	National Emission Standards for Hazardous Air Pollutants: Mercury Emissions From Mercury Cell Chlor-Alkali Plants
63	JJJJJ	National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing
63	KKKKK	National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing
63	LLLLL	National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing
63	MMMMM	National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations
63	NNNNN	National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production
63	PPPPP	National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stands
63	QQQQQ	National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities
63	RRRRR	National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing

PART	SUBPART	DESCRIPTION
63	SSSSS	National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing
63	TTTTT	National Emission Standards for Hazardous Air Pollutants for Primary Magnesium Refining
63	UUUUU	National Emission Standards for Hazardous Air Pollutants: Coal and Oil-fired Electric Utility Steam Generating Units
63	WWWWW	National Emission Standards for Hospital Ethylene Oxide Sterilizers
63	YYYYY	National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities
63	ZZZZZ	National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources
63	BBBBBB	National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities
63	CCCCCC	National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities
63	DDDDDD	National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources
63	EEEEEE	National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources
63	FFFFFF	National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources
63	GGGGGG	National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources - Zinc, Cadmium, and Beryllium
63	HHHHHH	National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources
63	JJJJJJ	National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources
63	LLLLLL	National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources

PART	SUBPART	DESCRIPTION
63	MMMMMM	National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources
63	NNNNNN	National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds
63	OOOOOO	National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources
63	PPPPPP	National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources
63	QQQQQQ	National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources
63	RRRRRR	National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources
63	SSSSSS	National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources
63	TTTTTT	National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources
63	VVVVVV	National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources
63	WWWWWW	National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations
63	XXXXXX	National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Nine Metal Fabrication and Finishing Source Categories
63	YYYYYY	National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities
63	ZZZZZZ	National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries
63	AAAAAAA	National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing
63	BBBBBBB	National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry

PART	SUBPART	DESCRIPTION
63	CCCCCCC	National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing
63	DDDDDDD	National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing
63	EEEEEEE	National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and Production Area Source Category
63	HHHHHHH	National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production
64	n/a (All Sections)	Compliance Assurance Monitoring (CAM)
72	All Subparts	Permits Regulation (for Acid Rain Sources)
98	A	Table A-1 only to Subpart A of Part 98 – Global Warming Potentials
241	n/a	Solid Wastes Used as Fuels or Ingredients in Combustion Units

APPENDIX Q. INCORPORATION BY REFERENCE [NEW]

Except as provided under OAC 252:100-2-3, the following provisions of Title 40 of the Code of Federal Regulations are hereby incorporated by reference as they existed on June 30, 2022, unless otherwise noted.

PART	SUBPART	DESCRIPTION
50	n/a	Appendix B to Part 50 - Reference Method for the Determination of Suspended Particulate Matter in the Atmosphere (High-Volume Method)
50	n/a	Appendix J to Part 50 - Reference Method for the Determination of Particulate Matter as PM_{10} in the Atmosphere
51	A	Table 1 to Appendix A only of Subpart A—Emission Thresholds by Pollutant for Treatment as Point Source Under 40 CFR 51.30
51	F	Paragraph 51.100(s)(1) only of Subpart F, Procedural Requirements
51	n/a	Appendix P to Part 51 - Minimum Emission Monitoring Requirements
51	n/a	Appendix W to Part 51 – Guideline on Air Quality Models
58	n/a	Appendix A to Part 58 - Quality Assurance Requirements for Monitors used in Evaluations of National Ambient Air Quality Standards
58	n/a	Appendix B to Part 58 – Quality Assurance Requirements for Prevention of Significant Deterioration (PSD) Air Monitoring
60	A	General Provisions [Except 60.4, 60.9, 60.10 and 60.16]
60	Cf	Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills
60	D	Standards of Performance for Fossil-Fuel-Fired Steam Generators
60	Da	Standards of Performance for Electric Utility Steam Generating Units
60	Db	Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units

PART	SUBPART	DESCRIPTION
60	Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units
60	E	Standards of Performance for Incinerators
60	Ea	Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989 and on or Before September 20, 1994
60	Eb	Standards of Performance for Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996
60	Ec	Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996
60	F	Standards of Performance for Portland Cement Plants
60	G	Standards of Performance for Nitric Acid Plants
60	Ga	Standards of Performance for Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011
60	H	Standards of Performance for Sulfuric Acid Plants
60	I	Standards of Performance for Hot Mix Asphalt Facilities
60	J	Standards of Performance for Petroleum Refineries
60	Ja	Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007
60	K	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978
60	Ka	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984
60	Kb	Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for

PART	SUBPART	DESCRIPTION
		Which Construction, Reconstruction, or Modification Commenced After July 23, 1984
60	L	Standards of Performance for Secondary Lead Smelters
60	M	Standards of Performance for Secondary Brass and Bronze Production Plants
60	N	Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973
60	Na	Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983
60	O	Standards of Performance for Sewage Treatment Plants
60	P	Standards of Performance for Primary Copper Smelters
60	Q	Standards of Performance for Primary Zinc Smelters
60	R	Standards of Performance for Primary Lead Smelters
60	S	Standards of Performance for Primary Aluminum Reduction Plants
60	T	Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants
60	U	Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants
60	V	Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants
60	W	Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants
60	X	Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities
60	Y	Standards of Performance for Coal Preparation and Processing Plants
60	Z	Standards of Performance for Ferroalloy Production Facilities

PART	SUBPART	DESCRIPTION
60	AA	Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983
60	AAa	Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983
60	BB	Standards of Performance for Kraft Pulp Mills
60	BBa	Standards of Performance for Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013
60	CC	Standards of Performance for Glass Manufacturing Plants
60	DD	Standards of Performance for Grain Elevators
60	EE	Standards of Performance for Surface Coating of Metal Furniture
60	GG	Standards of Performance for Stationary Gas Turbines
60	HH	Standards of Performance for Lime Manufacturing Plants
60	KK	Standards of Performance for Lead-Acid Battery Manufacturing Plants
60	LL	Standards of Performance for Metallic Mineral Processing Plants
60	MM	Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations
60	NN	Standards of Performance for Phosphate Rock Plants
60	PP	Standards of Performance for Ammonium Sulfate Manufacture
60	QQ	Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing
60	RR	Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations
60	SS	Standards of Performance for Industrial Surface Coating: Large Appliances
60	TT	Standards of Performance for Metal Coil Surface Coating

PART	SUBPART	DESCRIPTION
60	UU	Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture
60	VV	Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006
60	VVa	Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006
60	WW	Standards of Performance for the Beverage Can Surface Coating Industry
60	XX	Standards of Performance for Bulk Gasoline Terminals
60	BBB	Standards of Performance for the Rubber Tire Manufacturing Industry
60	DDD	Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry
60	FFF	Standards of Performance for Flexible Vinyl and Urethane Coating and Printing
60	GGG	Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006
60	GGGa	Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006
60	HHH	Standards of Performance for Synthetic Fiber Production Facilities
60	III	Standards of Performance for Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes
60	JJJ	Standards of Performance for Petroleum Dry Cleaners

PART	SUBPART	DESCRIPTION
60	KKK	Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants
60	LLL	Standards of Performance for SO_2 Emissions From Onshore Natural Gas Processing: SO_2 Emissions
60	NNN	Standards of Performance for Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations
60	OOO	Standards of Performance for Nonmetallic Mineral Processing Plants
60	PPP	Standard of Performance for Wool Fiberglass Insulation Manufacturing Plants
60	QQQ	Standards of Performance for VOC Emissions From Petroleum Refinery Wastewater Systems
60	RRR	Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes
60	SSS	Standards of Performance for Magnetic Tape Coating Facilities
60	TTT	Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines
60	UUU	Standards of Performance for Calciners and Dryers in Mineral Industries
60	VVV	Standards of Performance for Polymeric Coating of Supporting Substrates Facilities
60	WWW	Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification on or After May 30, 1991, but Before July 18, 2014
60	XXX	Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014
60	AAAA	Standards of Performance for Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001

PART	SUBPART	DESCRIPTION
60	CCCC	New Source Performance Standards for Commercial/Industrial Solid Waste Incinerators constructed after November 30, 1999
60	DDDD	Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units, Model Rule only, Sections 60.2575 through 60.2875, including Tables 1 through 9
60	EEEE	Standards of Performance for Other Solid Waste Incineration Units for Which Construction Is Commenced After December 9, 2004, or for Which Modification or Reconstruction Is Commenced on or After June 16, 2006
60	IIII	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
60	JJJJ	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
60	KKKK	Standards of Performance for Stationary Combustion Turbines
60	LLLL	Standards of Performance for New Sewage Sludge Incineration Units
60	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
60	OOOOa	Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced after September 18, 2015
60	TTTT	Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units
60	n/a	Appendix A to Part 60 - Test Methods
60	n/a	Appendix B to Part 60 - Performance Specifications
61	A	General Provisions
61	C	National Emission Standard for Beryllium
61	D	National Emission Standard for Beryllium Rocket Motor Firing
61	E	National Emission Standard for Mercury
61	F	National Emission Standard for Vinyl Chloride

PART	SUBPART	DESCRIPTION
61	J	National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene
61	L	National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants
61	M	National Emission Standard for Asbestos
61	N	National Emission Standard for Inorganic Arsenic Emissions From Glass Manufacturing Plants
61	O	National Emission Standard for Inorganic Arsenic Emissions From Primary Copper Smelters
61	P	National Emission Standard for Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities
61	V	National Emission Standard for Equipment Leaks (Fugitive Emission Sources)
61	Y	National Emission Standard for Benzene Emissions From Benzene Storage Vessels
61	BB	National Emission Standard for Benzene Emissions From Benzene Transfer Operations
61	FF	National Emission Standard for Benzene Waste Operations
63	A	General Provisions
63	B	Sections 63.41, 63.43 and 63.44 only of Subpart B, Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j)
63	F	National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry
63	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
63	H	National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks

PART	SUBPART	DESCRIPTION
63	I	National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks
63	J	National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production
63	L	National Emission Standards for Coke Oven Batteries
63	M	National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities
63	N	National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks
63	O	Ethylene Oxide Emissions Standards for Sterilization Facilities
63	Q	National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers
63	R	National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)
63	S	National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry
63	T	National Emission Standards for Halogenated Solvent Cleaning
63	U	National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins
63	W	National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production
63	X	National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting
63	Y	National Emission Standards for Marine Tank Vessel Loading Operations
63	AA	National Emission Standards for Hazardous Air Pollutants From Phosphoric Acid Manufacturing Plants
63	BB	National Emission Standards for Hazardous Air Pollutants From Phosphate Fertilizers Production Plants

PART	SUBPART	DESCRIPTION
63	CC	National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries
63	DD	National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations
63	EE	National Emission Standards for Magnetic Tape Manufacturing Operations
63	GG	National Emission Standards for Aerospace Manufacturing and Rework Facilities
63	HH	National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities
63	II	National Emission Standards for Shipbuilding and Ship Repair (Surface Coating)
63	JJ	National Emission Standards for Wood Furniture Manufacturing Operations
63	KK	National Emission Standards for the Printing and Publishing Industry
63	LL	National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants
63	MM	National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills
63	NN	National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing at Area Sources
63	OO	National Emission Standards for Tanks - Level 1
63	PP	National Emission Standards for Containers
63	QQ	National Emission Standards for Surface Impoundments
63	RR	National Emission Standards for Individual Drain Systems
63	SS	National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process
63	TT	National Emission Standards for Equipment Leaks – Control Level 1

PART	SUBPART	DESCRIPTION
63	UU	National Emission Standards for Equipment Leaks - Control Level 2 Standards
63	VV	National Emission Standards for Oil-Water Separators and Organic-Water Separators
63	WW	National Emission Standards for Storage Vessels (Tanks) - Control Level 2
63	XX	National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations
63	YY	National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards
63	CCC	National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants
63	DDD	National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production
63	EEE	National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors
63	GGG	National Emission Standards for Pharmaceuticals Production
63	HHH	National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities
63	III	National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production
63	JJJ	National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins
63	LLL	National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry
63	MMM	National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production
63	NNN	National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing
63	OOO	National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins

PART	SUBPART	DESCRIPTION
63	PPP	National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production
63	QQQ	National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting
63	RRR	National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production
63	TTT	National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting
63	UUU	National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units
63	VVV	National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works
63	XXX	National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese
63	AAAA	National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills
63	CCCC	National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast
63	DDDD	National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products
63	EEEE	National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline)
63	FFFF	National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing
63	GGGG	National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production
63	HHHH	National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production
63	IIII	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks
63	JJJJ	National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating

PART	SUBPART	DESCRIPTION
63	KKKK	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans
63	MMMM	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products
63	NNNN	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances
63	OOOO	National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles
63	PPPP	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products
63	QQQQ	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products
63	RRRR	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture
63	SSSS	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil
63	TTTT	National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations
63	UUUU	National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing
63	VVVV	National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing
63	WWWW	National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production
63	XXXX	National Emissions Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing
63	YYYY	National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines
63	ZZZZ	National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines
63	AAAAA	National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants

PART	SUBPART	DESCRIPTION
63	BBBBB	National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing
63	CCCCC	National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks
63	DDDDD	National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters
63	EEEEE	National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries
63	FFFFF	National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities
63	GGGGG	National Emission Standards for Hazardous Air Pollutants: Site Remediation
63	HHHHH	National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing
63	IIIII	National Emission Standards for Hazardous Air Pollutants: Mercury Emissions From Mercury Cell Chlor-Alkali Plants
63	JJJJJ	National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing
63	KKKKK	National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing
63	LLLLL	National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing
63	MMMMM	National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations
63	NNNNN	National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production
63	PPPPP	National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stands
63	QQQQQ	National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities
63	RRRRR	National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing

PART	SUBPART	DESCRIPTION
63	SSSSS	National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing
63	TTTTT	National Emission Standards for Hazardous Air Pollutants for Primary Magnesium Refining
63	UUUUU	National Emission Standards for Hazardous Air Pollutants: Coal and Oil-fired Electric Utility Steam Generating Units
63	WWWWW	National Emission Standards for Hospital Ethylene Oxide Sterilizers
63	YYYYY	National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities
63	ZZZZZ	National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources
63	BBBBBB	National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities
63	CCCCCC	National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities
63	DDDDDD	National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources
63	EEEEEE	National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources
63	FFFFFF	National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources
63	GGGGGG	National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources - Zinc, Cadmium, and Beryllium
63	HHHHHH	National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources
63	JJJJJJ	National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources
63	LLLLLL	National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources

PART	SUBPART	DESCRIPTION
63	MMMMMM	National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources
63	NNNNNN	National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds
63	OOOOOO	National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources
63	PPPPPP	National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources
63	QQQQQQ	National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources
63	RRRRRR	National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources
63	SSSSSS	National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources
63	TTTTTT	National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources
63	VVVVVV	National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources
63	WWWWWW	National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations
63	XXXXXX	National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Nine Metal Fabrication and Finishing Source Categories
63	YYYYYY	National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities
63	ZZZZZZ	National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper, and Other Nonferrous Foundries
63	AAAAAAA	National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing
63	BBBBBBB	National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry

PART	SUBPART	DESCRIPTION
63	CCCCCCC	National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing
63	DDDDDDD	National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing
63	EEEEEEE	National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and Production Area Source Category
63	HHHHHHH	National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production
64	n/a (All Sections)	Compliance Assurance Monitoring (CAM)
72	All Subparts	Permits Regulation (for Acid Rain Sources)
98	A	Table A-1 only to Subpart A of Part 98 – Global Warming Potentials
241	n/a	Solid Wastes Used as Fuels or Ingredients in Combustion Units

TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY
CHAPTER 100. AIR POLLUTION CONTROL

Before the Air Quality Advisory Council on October 5, 2022
Before the Environmental Quality Board on November 8, 2022

RULE IMPACT STATEMENT

Subchapter 2. Incorporation By Reference
252:100-2-3 [AMENDED]
APPENDIX Q. Incorporation By Reference [REVOKED]
APPENDIX Q. Incorporation By Reference [NEW]

DESCRIPTION: The Department of Environmental Quality (Department or DEQ) is proposing to update OAC 252:100, Appendix Q, Incorporation By Reference, to incorporate the latest changes to U.S. Environmental Protection Agency (EPA) regulations, primarily those relating to the National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 C.F.R. Parts 61 and 63, and New Source Performance Standards (NSPS) in 40 C.F.R. Part 60. No new standards are to be added this year, but several standards have been amended and updated. In addition, the Department is proposing to update language in Subchapter 2, Incorporation By Reference, to reflect the latest date of incorporation of EPA regulations in Appendix Q. The gist of this rule change and the underlying reason for the rulemaking is to incorporate changes the EPA has made to its regulations and ensure that the state's rules are up to date.

CLASSES OF PERSONS AFFECTED: The classes of persons affected are the owners and operators of facilities that are subject to the regulations incorporated by reference.

CLASSES OF PERSONS WHO WILL BEAR COSTS: The classes of persons who will bear costs are the owners and operators of facilities that are subject to the regulations incorporated by reference. However, no additional costs are expected to be incurred by these persons because the facilities are already subject to the federal regulations that will be incorporated by reference.

INFORMATION ON COST IMPACTS FROM PRIVATE/PUBLIC ENTITIES: The Department has not received any information on cost impacts as of this date.

CLASSES OF PERSONS BENEFITTED: The citizens of Oklahoma and owners and operators of the facilities subject to these regulations will benefit by the assurance that the most current regulations available are in place to protect public health and welfare. The owners and operators will benefit from consistency in state and federal rules.

PROBABLE ECONOMIC IMPACT ON AFFECTED CLASSES OF PERSONS: There should be no new economic impacts on affected classes of persons subject to this rule.

PROBABLE ECONOMIC IMPACT ON POLITICAL SUBDIVISIONS: The Department anticipates no economic impact on political subdivisions.

POTENTIAL ADVERSE EFFECT ON SMALL BUSINESS: The Department anticipates no adverse effect on small business.

LISTING OF ALL FEE CHANGES, INCLUDING A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE: The Department is not proposing any fee changes in this rule.

PROBABLE COSTS AND BENEFITS TO DEQ TO IMPLEMENT AND ENFORCE: The Department anticipates there will be no significant increased costs associated with the implementation and enforcement of these proposed amendments. The Department will benefit from the proposal because it will allow state implementation and enforcement of these federal requirements.

PROBABLE COSTS AND BENEFITS TO OTHER AGENCIES TO IMPLEMENT AND ENFORCE: There are none. No other agencies will be implementing or enforcing these regulations.

SOURCE OF REVENUE TO BE USED TO IMPLEMENT AND ENFORCE RULE: Fees and federal grants will continue to be used to implement and enforce these regulations.

PROJECTED NET LOSS OR GAIN IN REVENUES FOR DEQ AND/OR OTHER AGENCIES, IF IT CAN BE PROJECTED: The Department expects no net loss or gain in revenues from these amendments.

COOPERATION OF POLITICAL SUBDIVISIONS REQUIRED TO IMPLEMENT OR ENFORCE RULE: None is required. The Department will be responsible for all aspects of implementation and enforcement of these regulations.

EXPLANATION OF THE MEASURES THE DEQ TOOK TO MINIMIZE COMPLIANCE COSTS: The proposed changes will allow the Department to implement and enforce the federal regulations rather than EPA, which generally results in lower compliance costs for those affected.

DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY OR LESS INTRUSIVE METHODS OF ACHIEVING THE PURPOSE OF THE PROPOSED RULE: The Department has determined that there are no less costly or nonregulatory or less intrusive methods of achieving the purpose of the proposed rule.

DETERMINATION OF THE EFFECT ON PUBLIC HEALTH, SAFETY AND ENVIRONMENT: The proposed changes will have a positive effect on public health, safety, and the environment by updating the existing standards that were established to protect public health and welfare.

IF THE PROPOSED RULE IS DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT, EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULE WILL REDUCE THE RISK: The proposed changes will have a positive effect on public health, safety,

and the environment by updating the existing standards that were established to protect public health and welfare.

DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED: If the proposed changes are not implemented, the updated standards will be enforced by the federal government rather than the State.

PROBABLE QUANTITATIVE AND QUALITATIVE IMPACT ON BUSINESS ENTITIES (INCLUDE QUANTIFIABLE DATA WHERE POSSIBLE): There will be no new quantitative impact on business entities since the proposed changes will align state standards with the current federal standards. The owners and/or operators of businesses subject to federal standards will benefit from consistent state and federal standards.

THIS RULE IMPACT STATEMENT WAS PREPARED ON: September 1, 2022
MODIFIED ON:

CHANGES TO APPENDIX Q THROUGH JUNE 30, 2022

Amendments To Current Subparts Listed In APPENDIX Q (since July 1, 2021):

Part 60, Subpart XXX – Standards of Performance for Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014
60.761 Amended 8202
60.762 (b)(2)(i) and (ii)(A) revised..... 8203
60.767 (d) introductory text revised..... 8203

Part 61, Subpart A – General Provisions
61.04 (b)(43) revised; eff. 7-18-22 30108

Part 63, Subpart A – General Provisions
63.14 (n)(l) revised 66039
63.14 (h)(104) through (118) redesignated as (h)(105) through (119); new (h)(104) added; (e)(l), (h)(86), and (n)(4) revised 66062
63.14 (h)(105) through (117) redesignated as (h)(107) through (119); (h)(63) through (104) redesignated as (h)(64) through new (105); new (h)(63) and new (106) added 66121
63.14 (h)(63) through (116) redesignated as (h)(64) through (103), (105), (106) and (108) through (119); new (h)(63), new (104), and new (107) added 31186

Part 63, Subpart YY - National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards
63.1101 Amended 66122
63.1102 (a) introductory text revised; (d) and (e) added 66122
63.1103 (f)(3)(i), (g)(l)(ii), and (3) revised; (f)(3)(iii) through (v), (4), (5), (g)(5)(vi), and (6) added; (f) Table 8, (g) Table 9, and (2) amended 66123
63.1104 (c) revised 66126
63.1108 (a) introductory text, (4)(i), (b)(l)(ii), (2) introductory text, (4)(ii)(A), and (B) revised 66127
63.1110 (a) introductory text, (7), (10)(i) introductory text, (A) through (C), (ii), and (d)(2) revised 66127
63.1111 (a) introductory text, (b) introductory text, and (c) introductory text revised.....66129

Part 63, Subpart AAAA - National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills
63.1960 (a)(4)(i) introductory text revised 8203
63.1961 (a)(5)(vi) introductory text, (vi)(A), and (vii) revised; (a)(5)(vi)(C) and (D) added...8203
63.1975 Introductory text revised..... 8204
63.1981 (j)(2) and (n) introductory text revised 8204
63.1985 (c) revised 8204
63.1930-63.1990 (Subpart AAAA) Table 1 amended 8204

Part 63, Subpart IIII - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks