

SEPTEMBER 7, 2007 SEC HEARING
Regulation Information Guide

LCB File No. R057-07, Adoption by reference amendments (NAC 445B.221)

Described below are the federal New Source Performance Standards (codified in 40 CFR Part 60) and National Emission Standards for Hazardous Air Pollutants (codified in 40 CFR Parts 61 and 63) that are proposed for adoption by reference in LCB File No. R057-07.

PART 60 (NAC 445B.221 subsections 5 and 6)

Subpart A, General Provisions (amendments)

May 16, 2007, FR Pages 27437-27443.

Revisions to Standards of Performance for New Stationary Sources, National Emission Standards for Hazardous Air Pollutants, and National Emission Standards for Hazardous Air Pollutants for Source Categories

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action promulgates revisions to the General Provisions for Standards of Performance for New Stationary Sources, for National Emission Standards for Hazardous Air Pollutants, and for National Emission Standards for Hazardous Air Pollutants for Source Categories to allow for extensions to the deadline imposed for source owners and operators to conduct an initial or subsequent performance test required by applicable regulations. The General Provisions do not currently provide for extensions of the deadlines for conducting performance tests.

DATES: This final rule is effective on May 16, 2007.

Subpart A, D, Da, Db, Dc, Appendices B and F (amendments; adding App. F: Quality Assurance Procedures)

June 13, 2007, FR Pages 32709-32768.

Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971; Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978; Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units; and Standards of Performance for Small Industrial-Commercial- Institutional Steam Generating Units

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final reconsideration.

SUMMARY: EPA is amending the new source performance standards (NSPS) for electric utility steam generating units and industrial-commercial- institutional steam generating units. These amendments to the regulations are to add compliance alternatives for owners and operators of certain affected sources, revise certain recordkeeping and reporting requirements, correct technical and editorial errors, and update the grammatical style of the four subparts to be more consistent across all of the subparts.

DATES: This rule is effective on June 13, 2007. The incorporation by reference of certain publications listed in these rules is approved by the Director of the Federal Register as of June 13, 2007.

Subpart Db (amendments)

November 16, 2006, FR Pages 66681-66685.

Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: New source performance standards (NSPS) limiting emissions of, among other pollutants, nitrogen oxides (NO_x) from industrial-commercial-institutional steam generating units capable of combusting more than 100 million British thermal units (Btu) per hour were promulgated on November 25, 1986. The standards limit NO_x emissions from the combustion of fossil fuels either solely or in combination with other fuels or wastes. The standards include provisions for the establishment of facility-specific NO_x standards for steam generating units which simultaneously combust fossil fuel and chemical byproduct/waste under certain conditions. This amendment promulgates a facility-specific NO_x standard for a steam generating unit which simultaneously combusts fossil fuel and chemical byproduct offgas at the Innovene USA LLC facility located in Lima, Ohio.

DATES: This direct final rule will be effective on January 16, 2007 without further notice, unless EPA receives material adverse comments by December 18, 2006, unless a hearing is requested by November 27, 2006. If a timely hearing request is submitted, the hearing will be held on December 1, 2006 and we must receive written comments on or before January 2, 2007. If EPA receives such comments, it will publish a timely withdrawal in the Federal Register indicating the amendment is being withdrawn due to adverse comments.

Subpart EEEE (technical correction)

November 24, 2006, FR Pages 67802-67807.

Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Other Solid Waste Incineration Units

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule; technical correction.

SUMMARY: EPA is taking direct final action to make a technical correction to the emission guidelines and new source performance standards (NSPS) for other solid waste incineration (OSWI) units. We are correcting the averaging time for measuring opacity.

DATES: The direct final rule technical correction is effective on January 23, 2007 unless EPA receives significant material adverse comments by December 26, 2006. If EPA receives significant adverse comments, EPA will publish a timely withdrawal of the direct final rule in the Federal Register.

Subparts A and IIII (IIII is a new rule)

July 11, 2006, FR Pages 39153-39185.

Standards of Performance for Stationary Compression Ignition Internal Combustion Engines

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is promulgating standards of performance for stationary compression ignition (CI) internal combustion engines (ICE). The standards will implement section 111(b) of the Clean Air Act (CAA) and are based on the Administrator's determination that stationary CI ICE cause, or contribute significantly to, air pollution that may reasonably be anticipated to endanger public health or welfare. The intended effect of the standards is to require all new, modified, and reconstructed stationary CI ICE to use the best demonstrated system of continuous emission reduction, considering costs, non-

air quality health, and environmental and energy impacts, not just with add-on controls, but also by eliminating or reducing the formation of these pollutants. The final standards will reduce nitrogen oxides (NO_x) by an estimated 38,000 tons per year (tpy), particulate matter (PM) by an estimated 3,000 tpy, sulfur dioxide (SO₂) by an estimated 9,000 tpy, non-methane hydrocarbons (NMHC) by an estimated 600 tpy, and carbon monoxide (CO) by an estimated 18,000 tpy in the year 2015.

DATES: The final rule is effective on September 11, 2006. The incorporation by reference of a certain publication listed in the final rule is approved by the Director of the Federal Register as of September 11, 2006.

PART 61 (NAC 445B.221 subsection 7)

Subpart A, General Provisions (amendments)

May 16, 2007, FR Pages 27437-27443.

Revisions to Standards of Performance for New Stationary Sources, National Emission Standards for Hazardous Air Pollutants, and National Emission Standards for Hazardous Air Pollutants for Source Categories

AGENCY: Environmental Protection Agency (EPA).
ACTION: Final rule.

SUMMARY: This action promulgates revisions to the General Provisions for Standards of Performance for New Stationary Sources, for National Emission Standards for Hazardous Air Pollutants, and for National Emission Standards for Hazardous Air Pollutants for Source Categories to allow for extensions to the deadline imposed for source owners and operators to conduct an initial or subsequent performance test required by applicable regulations. The General Provisions do not currently provide for extensions of the deadlines for conducting performance tests.

DATES: This final rule is effective on May 16, 2007.

PART 63 (NAC 445B.221 subsection 8)

Subpart A, General Provisions (amendments)

May 16, 2007, FR Pages 27437-27443.

Revisions to Standards of Performance for New Stationary Sources, National Emission Standards for Hazardous Air Pollutants, and National Emission Standards for Hazardous Air Pollutants for Source Categories

AGENCY: Environmental Protection Agency (EPA).
ACTION: Final rule.

SUMMARY: This action promulgates revisions to the General Provisions for Standards of Performance for New Stationary Sources, for National Emission Standards for Hazardous Air Pollutants, and for National Emission Standards for Hazardous Air Pollutants for Source Categories to allow for extensions to the deadline imposed for source owners and operators to conduct an initial or subsequent performance test required by applicable regulations. The General Provisions do not currently provide for extensions of the deadlines for conducting performance tests.

DATES: This final rule is effective on May 16, 2007.

Subparts F and G (amendments)

December 21, 2006, FR Pages 76603-76615.

National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry

AGENCY: Environmental Protection Agency (EPA).
ACTION: Final rule.

SUMMARY: In 1994, EPA promulgated national emission standards for hazardous air pollutants (NESHAP) for the synthetic organic chemical manufacturing industry. This rule is commonly known as the hazardous organic NESHAP (HON) and established maximum achievable control technology standards to regulate the emissions of hazardous air pollutants from production processes that are located at major sources.

The Clean Air Act directs EPA to assess the risk remaining (residual risk) after the application of the maximum achievable control technology standards and to promulgate additional standards if required to provide an ample margin of safety to protect public health or prevent an adverse environmental effect. The Clean Air Act also requires us to review and revise maximum achievable control technology standards, as necessary, every 8 years, taking into account developments in practices, processes, and control technologies that have occurred during that time.

On June 14, 2006, EPA proposed two options regarding whether to amend the current emission standards for synthetic organic chemical manufacturing industry units. This action finalizes one of those options, and reflects our decision not to impose further controls and not to revise the existing standards based on the residual risk and technology review. It also amends the existing regulations in certain aspects.

DATES: This final rule is effective on December 21, 2006.

Subpart M (amendments)

July 27, 2006, FR Pages 42723-42746

National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities

AGENCY: Environmental Protection Agency (EPA).
ACTION: Final rule.

SUMMARY: EPA is promulgating revised standards to limit emissions of perchloroethylene (PCE) from existing and new dry cleaning facilities. On September 22, 1993, EPA promulgated technology-based emission standards to control emissions of PCE from dry cleaning facilities. EPA has reviewed these standards and is promulgating revisions to take into account new developments in production practices, processes, and control technologies. In addition, EPA has evaluated the remaining risk to public health and the environment following implementation of the technology-based rule and is promulgating more stringent standards for major sources in order to protect public health with an ample margin of safety. The final standards are expected to provide further reductions of PCE beyond the 1993 national emission standards for hazardous air pollutants (NESHAP), based on application of equipment and work practice standards and, in certain situations, disallowing the use of PCE at dry cleaning facilities. In addition, EPA is taking this opportunity to make some technical corrections to the 1993 Dry Cleaning NESHAP.

DATES: Effective Date: This final rule is effective July 27, 2006.

Subpart T (amendments)

May 3, 2007, FR Pages 25137-25159.

National Air Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning

AGENCY: Environmental Protection Agency (EPA).
ACTION: Final rule.

SUMMARY: EPA is promulgating revised standards to limit emissions of methylene chloride (MC), trichloroethylene (TCE) and Perchloroethylene (PCE) from facilities engaged in halogenated solvent cleaning. On December 2, 1994, EPA promulgated technology-based emission standards to control HAP emissions of halogenated solvents from halogenated solvent cleaning. Pursuant to the Clean Air Act (CAA) section 112(f), EPA has evaluated the remaining risk to public health and the environment following implementation of the technology-based rule and is promulgating more stringent standards in order to provide an ample margin of safety to protect public health. These final standards will provide further reductions of MC, PCE, and TCE beyond the 1994 national emission standards for hazardous air pollutants (NESHAP), through application of a facility-wide total MC, PCE, and TCE emission standard. In addition, EPA has reviewed the standards as required by section 112(d)(6) of the CAA and has determined that, taking into account developments in practices, processes, and control technologies, no further action beyond what is required under CAA section 112(f) is necessary at this time.

EFFECTIVE DATE: This final rule is effective May 3, 2007.

Subparts A and HH (amendments)

January 3, 2007, FR Pages 26-43.

National Emission Standards for Hazardous Air Pollutants for Source Categories From Oil and Natural Gas Production Facilities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action promulgates national emission standards for hazardous air pollutants to regulate hazardous air pollutant emissions from oil and natural gas production facilities that are area sources. The final national emission standards for hazardous air pollutants for major sources was promulgated on June 17, 1999, but final action with respect to area sources was deferred. Oil and natural gas production is identified in the Urban Air Toxics Strategy as an area source category for regulation under section 112(c)(3) of the Clean Air Act because of benzene emissions from triethylene glycol dehydration units located at such facilities. This final rule also amends a general provision in the regulation to allow the use of an ASTM standard as an alternative test method to EPA Method 18 in the National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities.

DATES: This final rule is effective on January 3, 2007. The incorporation by reference of certain publications listed in these rules is approved by the Director of the Federal Register as of January 3, 2007.

Subpart EEE (amends effective date)

October 25, 2006, FR Pages 62388-62394.

NESHAP: National Emission Standards for Hazardous Air Pollutants:
Standards for Hazardous Waste Combustors (Amendment)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The EPA is amending the effective date of the standard for particulate matter for new cement kilns that burn hazardous waste. EPA promulgated this standard as part of the national emission standards for hazardous air pollutants (NESHAP) for hazardous waste combustors that were issued on October 12, 2005, under section 112 of the Clean Air Act. EPA agreed to reconsider the standard and proposed to change it on March 23, 2006 (71 FR 14665). This amendment suspends the obligation of new cement kilns to comply with the particulate matter standard until EPA

takes final action on this proposal. This amendment does not affect other standards applicable to new or existing hazardous waste burning cement kilns.

DATES: The final rule is effective on October 25, 2006.

Subpart LLL (amendments)

December 20, 2006, Pages 76517-76552.

National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: On June 14, 1999, under the authority of section 112 of the Clean Air Act (CAA), EPA promulgated national emission standards for hazardous air pollutants (NESHAP) for new and existing sources in the Portland cement manufacturing industry. On December 15, 2000, the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit) remanded parts of the NESHAP for the Portland cement manufacturing industry to EPA to consider, among other things, setting standards based on the performance of the maximum achievable control technology (MACT) floor standards for hydrogen chloride (HCl), mercury, and total hydrocarbons (THC), and metal hazardous air pollutants (HAP).

EPA published a proposed response to the court's remand on December 2, 2005. We received over 1700 comments on the proposed response. This action promulgates EPA's final rule amendments in response to the court's remand and the comments received on the proposed amendments.

DATES: This final rule is effective on December 20, 2006.

Subparts A and EEEE (amendments)

July 28, 2006, FR Pages 42897-42925.

National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; amendments; notice of final action on reconsideration.

SUMMARY: EPA is promulgating amendments to the national emission standards for hazardous air pollutants for organic liquids distribution (non-gasoline) (OLD NESHAP), which EPA promulgated on February 3, 2004. After promulgation of the final OLD NESHAP, the Administrator received petitions for administrative reconsideration of the promulgated rule, and several petitions for judicial review of the final rule were filed in the United States Court of Appeals for the District of Columbia Circuit. On November 14, 2005, pursuant to a settlement agreement between some of the parties to the litigation, EPA published a notice of proposed amendments to address some of the concerns raised in the petitions and requested comments on the proposed amendments. In this action, EPA is promulgating those amendments, adding additional vapor balancing options, and making technical corrections to the final rule.

DATES: The final rule amendments are effective on July 28, 2006. The incorporation by reference of certain publications listed in the final rule is approved by the Director of the Federal Register as of July 28, 2006.

Subpart FFFF (amendments)

July 14, 2006, FR Pages 40315-40342.

National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; amendments.

SUMMARY: On November 10, 2003, EPA promulgated national emission standards for hazardous air pollutants for miscellaneous organic chemical manufacturing. Several petitions for judicial review of the final rule were filed in the United States Court of Appeals for the District of Columbia Circuit. Petitioners expressed concern with various requirements in the final rule, including applicability of specific operations and processes, the leak detection and repair requirements for connectors, criteria to define affected wastewater streams requiring control, control requirements for wastewater streams that contain only soluble hazardous air pollutants, the definition of "process condensers," and recordkeeping requirements for Group 2 batch process vents. In this action, EPA amends the final rule to address these issues and to correct inconsistencies that have been discovered during the review process.

DATES: Effective Date: July 14, 2006.

Subparts IIII, MMMM and PPPP (amendments; IIII and PPPP were not previously adopted)

December 22, 2006, FR Pages 76922-76927.

National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action on amendments to the National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks (Automobiles and Light-Duty Trucks NESHAP) which were promulgated on April 26, 2004, under the authority of section 112(d) of the Clean Air Act. The direct final rule amendments provide the option of including surface coating of heavier motor vehicles under this rule. This action also makes direct final rule amendments to the National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products (Miscellaneous Metal Parts NESHAP) and the National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products (Plastic Parts NESHAP) to maintain consistency between these rules and the Automobiles and Light-Duty Trucks NESHAP.

DATES: The direct final rule is effective on February 20, 2007 without further notice, unless EPA receives adverse written comment by January 22, 2007 or by February 5, 2007 if a public hearing is requested by January 2, 2007. If adverse comments are received, EPA will publish a timely withdrawal in the Federal Register indicating which amendments, sections, or paragraphs will become effective and which are being withdrawn due to adverse comment. If anyone contacts EPA requesting to speak at a public hearing, a public hearing will be held on January 8, 2007.

Subparts IIII and PPPP (amendments; IIII and PPPP were not previously adopted)

April 24, 2007, FR Pages 20227-20237.

National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks; National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action on amendments to the National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks (Automobiles and Light-Duty Trucks NESHAP) which were promulgated on April 26, 2004, under the authority of section 112(d) of the Clean Air Act. The direct final rule amends provisions in the Automobiles and Light-Duty Trucks NESHAP to clarify the interaction between the Automobiles and Light-Duty Trucks NESHAP and the National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products (Plastic Parts NESHAP), to clarify the meaning of certain regulatory provisions, and to correct certain errors identified in the regulatory text. EPA is also taking direct final action on amendments to the Plastic Parts NESHAP to clarify that screen printing is not subject to that rule.

DATES: The direct final rule is effective on June 25, 2007 without further notice,

Subpart FFFFF (amendments)

July 13, 2006, FR Pages 39579-39592.

National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action amends the national emission standards for hazardous air pollutants (NESHAP) for integrated iron and steel manufacturing facilities. The final amendments add a new compliance option, revise emission limitations, reduce the frequency of repeat performance tests for certain emission units, add corrective action requirements, and clarify monitoring, recordkeeping, and reporting requirements.

DATES: Effective Date: This final rule is effective on July 13, 2006.

Subpart GGGGG (amendments; not previously adopted)

November 29, 2006, FR Pages 69011-69022.

National Emission Standards for Hazardous Air Pollutants: Site Remediation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action amends the national emission standards for hazardous air pollutants (NESHAP) for site remediation activities. This final rule revises specific provisions in the rule to resolve issues and questions subsequent to promulgation; correct technical omissions; and correct typographical, cross-reference, and grammatical errors.

DATES: This final rule is effective on November 29, 2006.

Subpart HHHHH (amendments; not previously adopted)

October 4, 2006, FR Pages 58499-58504.

National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action promulgates amendments to the national emission standards for hazardous air pollutants for miscellaneous coating manufacturing. The amendments clarify that coating

manufacturing means the production of coatings using operations such as mixing and blending, not reaction or separation processes used in chemical manufacturing. The amendments extend the compliance date for certain coating manufacturing equipment that is also part of a chemical manufacturing process unit. The amendments also clarify that operations by end users that modify a purchased coating prior to application at the purchasing facility are exempt. These changes clarify applicability of the rule and minimize the compliance burden.

EFFECTIVE DATE: October 4, 2006.

Subpart A and DDDDD (amendments)

December 6, 2006, FR Pages 70651-70665.

National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters: Reconsideration of Emissions Averaging Provision and Technical Corrections

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; notice of final action on reconsideration.

SUMMARY: EPA is promulgating amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Industrial, Commercial, and Institutional Boilers and Process Heaters. After promulgation of this final rule, the Administrator received petitions for reconsideration of certain provisions in the final rule. Subsequently, EPA published a notice of the reconsideration and requested public comment on proposed amendments to the NESHAP. After evaluating public comments, we are adopting each of the amendments that we proposed.

DATES: This final rule is effective on February 5, 2007. The incorporation by reference of certain publications listed in this final rule is approved by the Director of the Office of Federal Register as of February 5, 2007.

Subpart A and DDDDDD, EEEEE, FFFFF and GGGGG (new rules)

January 23, 2007, FR Pages 2929-2961.

National Emission Standards for Hazardous Air Pollutants for Area Sources: Polyvinyl Chloride and Copolymers Production, Primary Copper Smelting, Secondary Copper Smelting, and Primary Nonferrous Metals: Zinc, Cadmium, and Beryllium

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rules.

SUMMARY: EPA is issuing national emission standards for hazardous air pollutants (NESHAP) for four area source categories. These final NESHAP include emissions limits and/or work practice standards that reflect the generally available control technologies (GACT) and/or management practices in each of these area source categories.

DATES: These final rules are effective on January 23, 2007. The incorporation by reference of certain publications listed in these rules is approved by the Director of the Federal Register as of January 23, 2007.