TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

AGENDA ITEM REQUEST

for State Plan Adoption

AGENDA REQUESTED: April 22, 2009

DATE OF REQUEST: April 3, 2009

NAME & NUMBER OF PERSON TO CONTACT REGARDING CHANGES TO THIS REQUEST, IF NEEDED: Michael Parrish, 239-2548

CAPTION: Docket No. 2008-1346-MIS. Consideration of the adoption of the Federal Clean Air Act (FCAA), Sections 111(d) and 129 State Plan for Small Municipal Waste Combustion Units, Commercial and Industrial Solid Waste Incineration Units, and Other Solid Waste Incineration Units.

The adopted FCAA, Sections 111(d) and 129 State Plan and the corresponding adopted Chapter 113 rulemaking are required under the FCAA, Section 129 and the emission guidelines contained in 40 Code of Federal Regulations Part 60, Subparts BBBB, DDDD, and FFFF for incineration and combustion units. States must adopt and submit to the United States Environmental Protection Agency for approval, a State Plan to implement and enforce the emission guidelines. (Lisa Martin/Terry Salem) (Rule Project No. 2008-007-113-PR)

Dan Eden
Deputy Director

Division Director

Agenda Coordinator

Copy to CCC Secretary? NO___ YES_X

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Commissioners **Date:** April 3, 2009

Thru: LaDonna Castañuela, Chief Clerk
Mark R. Vickery, P.G., Executive Director

From: DE Dan Eden, Deputy Director
Office of Permitting and Registration

Docket No.: 2008-1346-MIS

Subject: Commission Approval for State Plan Adoption
Federal Clean Air Act, §111(d)/129 State Plan for Small Municipal Waste Combustion Units, Commercial and Industrial Solid Waste Incineration Units, and Other Solid Waste Incineration Units
New Emission Guidelines
Rule Project No. 2008-007-113-PR

Scope of the state plan:

The United States Environmental Protection Agency (EPA) adopted new emission guidelines for incineration and combustion units. The Texas Commission on Environmental Quality (TCEQ) would incorporate these emission guidelines into 30 Texas Administrative Code (30 TAC) Chapter 113, Subchapter D (Designated Facilities and Pollutants), new Divisions 3 - 5, and into the state plan.

Reasons for the state plan:

States are required under the Federal Clean Air Act (FCAA), §111 and §129 to develop and submit to the EPA a plan for implementing and enforcing standards of performance for existing sources and emission guidelines adopted by the EPA.

The EPA adopted emission guidelines to fulfill requirements of the FCAA. The emission guidelines include emission standards, work practice standards, and compliance schedules for incineration and combustion units that would protect public health by reducing exposure to air pollution. The EPA amended Title 40 Code of Federal Regulations (40 CFR) Part 60, Standards of Performance for New Stationary Sources, to include the following new subparts: Subpart BBBB, Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999; Subpart DDDD, Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999; and Subpart FFFF, Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004. To receive delegation of these guidelines, the TCEQ must either adopt the EPA's model rules into 30 TAC or use alternative language that is as protective as the EPA rules. This adopted state plan includes the accompanying rule adoption that includes the content of the model rules that is contained in the emission guidelines promulgated by the EPA into TCEQ rules in Chapter 113, Subchapter D, new Divisions 3 - 5 with the administrative changes noted in the rule preamble.

Re: Docket No. 2008-1346-MIS

Statutory Authority:

The new sections would be adopted under Texas Health and Safety Code, Texas Clean Air Act, §382.002, Policy and Purpose; §382.011, General Powers and Duties; §382.012, State Air Control Plan; §382.016, Monitoring Requirements; Examination of Records; §382.017, Rules; and §382.051, Permitting Authority of Commission; Rules. The new sections would also be adopted under the commission's general authority in Texas Water Code, §5.103, Rules; and §5.105, General Policy.

Potentially controversial matters:

The staff does not expect any controversy regarding the Chapter 113 revisions and FCAA, §111(d)/129 State Plan.

Public comment:

The commission held a public hearing on the proposed Chapter 113 rules and FCAA, §111(d)/129 State Plan in Austin, Texas, on January 5, 2009. The comment period closed January 7, 2009. The commission received one written comment from the EPA regarding the proposed rules and state plan. The EPA commented that it strongly supports the proposed rule revision and the EPA also stated that it believes the Chapter 113 amendments to be in compliance with 40 CFR Part 60, Subparts BBBB, DDDD, and FFFF.

Significant changes from proposal:

The staff does not recommend any significant changes to the adopted §111(d)/129 State Plan from proposal.

Key points in adoption state plan schedule:

***Texas Register* rule proposal and Notice of Public Hearing publication date: November 21, 2008**
Six-month *Texas Register* filing deadline for state plan: N/A
Anticipated *Texas Register* publication date for state plan: N/A

Agency contacts:
Lisa Martin, Rule Project Manager, 239-1966, Air Permits Division
Terry Salem, Staff Attorney, 239-0469
Michael Parrish, Texas Register Coordinator, 239-2548

Attachments

cc: Chief Clerk, 5 copies
Executive Director's Office
David C. Schanbacher, P.E.
Daniel Womack
Kevin Patteson
Betsy Bird
Office of General Counsel
Lisa Martin
Michael Parrish

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Commissioners **Date:** October 17, 2008

Thru: LaDonna Castañuela, Chief Clerk
Mark R. Vickery, P.G., Executive Director

From: Dan Eden, Deputy Director
Office of Permitting, Remediation, and Registration

Docket No.: 2008-1346-MIS

Subject: Commission Approval for Proposed State Plan
Federal Clean Air Act, §111(d)/129 State Plan for Small Municipal Waste Combustion Units, Commercial and Industrial Solid Waste Incineration Units, and Other Solid Waste Incineration Units
New Emission Guidelines
Rule Project No. 2008-007-113-PR

Reasons for the state plan:

States are required under the Federal Clean Air Act (FCAA), §111 and §129 to develop and submit to the United States Environmental Protection Agency (EPA) a plan for implementing and enforcing standards of performance for new sources and emission guidelines adopted by the EPA.

The EPA adopted emission guidelines to fulfill requirements of the FCAA. The emission guidelines include emission standards, work practice standards, and compliance schedules for incineration and combustion units that would protect public health by reducing exposure to air pollution. The EPA amended Title 40 Code of Federal Regulations (40 CFR) Part 60, Standards of Performance for New Stationary Sources, to include the following new subparts: Subpart BBBB, Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999; Subpart DDDD, Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999; and Subpart FFFF, Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004. To receive delegation of these guidelines, the Texas Commission on Environmental Quality (TCEQ) must either adopt the EPA's model rules into 30 Texas Administrative Code or use alternative language that is as protective as the EPA rules. This proposed state plan includes the accompanying rule proposal that includes the content of the model rules that are contained in the emission guidelines promulgated by the EPA into TCEQ rules in Chapter 113, Subchapter D, Designated Facilities and Pollutants, new Divisions 3 - 5 with the administrative changes noted in the rule preamble.

- **Under what authority are we proposing this state plan?** The new sections would be proposed under Texas Health and Safety Code, Texas Clean Air Act, §382.002, Policy and Purpose; §382.011, General Powers and Duties; §382.012, State Air Control Plan; §382.016, Monitoring Requirements; Examination of Records; §382.017, Rules; and §382.051, Permitting Authority of Commission; Rules. The new sections would also be proposed under the commission's general authority in Texas Water Code, §5.103, Rules; and §5.105, General Policy.

- **Is this state plan required by federal rule or state statute? Which ones?** The FCAA, §111 and §129 and 40 CFR Part 60, Subpart B contain the requirements for the EPA to develop 40 CFR Part 60, Subparts BBBB, DDDD, and FFFF. The rulemaking and FCAA, §111(d)/129 State Plan are

required under Subparts BBBB, DDDD, and FFFF for the TCEQ to receive delegation from the EPA of the emission guidelines contained in these three subparts. If a state does not submit an approvable state plan under these subparts, the EPA will develop a federal plan. The FCAA, §502, requires that states have federal operating permit programs that enable states to issue permits and assure compliance with each applicable standard, regulation, or requirement of the FCAA.

- **Are there any legal deadlines by which the state plan and rules must be proposed, adopted, or effective?** The rules in new Divisions 3 - 5 and the FCAA, §111(d)/129 State Plan should be completed as soon as possible so that the TCEQ receives delegation from the EPA. Once the TCEQ submits the state plan, the EPA is required to act on it within six months, and the compliance schedules contained within the state plan for the affected units begin once EPA approval is complete and the TCEQ publishes notice in the *Texas Register* of state plan approval.

- **What issue(s) or problem(s) are we trying to solve?** The new rules and FCAA, §111(d)/129 State Plan are necessary to meet the EPA's requirements for state delegation of the emission guidelines contained in 40 CFR Part 60, Subparts BBBB, DDDD, and FFFF.

- **Why is it important that we do this state plan?** The new rules and FCAA, §111(d)/129 State Plan will allow the state to enforce the emission standards, and this enforcement will result in greater compliance and reduced public exposure to air pollutants.

- **Other important background or historical information.** None.

Scope of the state plan:

The EPA adopted new emission guidelines for incineration and combustion units. The TCEQ would incorporate these emission guidelines into Chapter 113, Subchapter D, new Divisions 3 - 5, and into the state plan.

- **Changes required by federal rule:** The EPA requires states to implement new standards regarding incineration and combustion units. One way for TCEQ to implement the new standards is to incorporate the model rules from 40 CFR into Chapter 113 to receive delegation of the emission guidelines.

- **Changes required by state statute:** N/A.

  Staff recommendations that are not expressly required by federal rule or state statute: The staff would propose various changes to the EPA model rules that would be incorporated into Chapter 113 primarily to revise rule subdivision formatting and cross-references to conform with the publication requirements of the Texas Register. Throughout the rules, where appropriate, the staff also proposes additional changes to the model rule language for administrative ease and clarity, including: changing the word "Administrator" to "executive director" so that when the Chapter 113 rules and state plan are approved by the EPA, the rules reflect that the commission will enforce the rules, rather than the EPA; changing the EPA's subpart references to the appropriate TCEQ division references; defining acronyms as they are used in each section; and revising legal citations so that they will clearly identify the federal statute, such as the Federal Clean Air Act. Finally, the staff proposes minor spelling, capitalization, and grammatical revisions, such as the addition of "United States" before "Environmental Protection Agency" and consistent use of the term "operating permit" throughout the rules. These nonsubstantive changes conform to both Texas Register formatting

requirements and agency style conventions. Additional proposed changes to the EPA model rules are described in the Chapter 113 rule preamble in the SECTION BY SECTION DISCUSSION.

Impact on the regulated community:

- **Who will be affected?** Owners or operators of small municipal waste combustion units constructed on or before August 30, 1999; owners or operators of commercial and industrial solid waste incineration units that commenced construction on or before November 30, 1999; and other solid waste incineration units that commenced construction on or before December 9, 2004, are affected. For each of the divisions, the proposed rules would require air curtain incinerator owners or operators to obtain Title V permits and perform opacity testing according to EPA Test Method 9.

- **Does it create a group of affected persons who were not affected previously? How?** No.

- **Will there be a fiscal impact? If so, estimate.** For all entities, regulated parties would be required to obtain a Title V permit and pay annual emissions fees. In addition, entities may have to pay associated public notice costs. Staff expects that most owners or operators of larger units that are subject to 40 CFR Part 60, Subpart DDDD, will already have obtained the required Title V permit and pay the emissions fee because they are located at major sources. However, under current rules, owners or operators of existing units subject to 40 CFR Part 60, Subparts BBBB and FFFF and air curtain incinerators subject to any of the three subparts are not generally required to obtain Title V permits. To meet the emission guidelines, regulated entities may also have to incur other costs to come into compliance, such as monitoring costs. The commission is not imposing any new costs through this proposed rulemaking that would not have been imposed by the EPA.

Impact on the public:

- **Who will be affected?** The incorporation of the emission guidelines would allow the state to enforce the standards, resulting in greater compliance and reduced public exposure to air pollutants.

- **Does it create a group of affected persons who were not affected previously? How?** The TCEQ's adoption of the new emission guidelines from 40 CFR Part 60 does not create any new affected entities.

- **Will there be a fiscal impact? If so, estimate.** There will be no fiscal impact for the general public.

Impact on agency programs:

The Air Permits Division will incorporate the emission guidelines into new and revised Title V operating permits. Enforcement of the adopted emission guidelines may result in additional workload for TCEQ staff in the Office of Compliance and Enforcement. Also, the FCAA, §111(d)/129 State Plan requirements include a provision for annual state progress reporting to the EPA regarding the affected units. The program areas affected are the Air Permits Division, Chief Engineer's Office, and the Office of Compliance and Enforcement.

Re: Docket No. 2008-1346-MIS

Stakeholder meetings:

- **Have any stakeholder meetings been held?** No. Because the TCEQ would incorporate the model EPA rules into Chapter 113, no stakeholder meetings were held; however, the staff will ensure that the required notice and comment procedures are followed in this rulemaking process, including a public hearing.

- **With whom?** N/A.

- **What were the general sentiments?** N/A.

- **Were any changes made in response to stakeholder concerns?** N/A.

Policy issues:

- **What policy issues are affected?** None.

- **Are any policies that are not currently based on rule being made into a rule?** No.

- **What are the consequences if this state plan is not approved to go forward?** If the TCEQ does not complete the rulemaking and FCAA, §111(d)/129 State Plan, the EPA will not delegate responsibility to the agency, and the EPA will provide a federal plan. The EPA may issue a notice of deficiency for the federal operating permit program if the TCEQ does not have authority to issue and enforce federal operating permits including these requirements.

- **Are there alternatives?** An alternative would be for the TCEQ to not revise Chapter 113 and not provide an FCAA, §111(d)/129 State Plan to the EPA. Under these circumstances, the EPA would provide a federal plan, and owners and operators of the affected units would be required to comply with the federal plan, rather than a state plan.

Potentially controversial matters:

The staff does not expect any controversy regarding the Chapter 113 revisions and FCAA, §111(d)/129 State Plan.

Key points in proposed state plan schedule:

- **Anticipated proposal date:** November 5, 2008
- **Anticipated *Texas Register* publication date for Notice of Public Hearing and proposed rules:** November 21, 2008
- **Public hearing date (if any):** January 5, 2009
- **Public comment period:** November 10, 2008 - January 7, 2009
- **Anticipated adoption date:** April 15, 2009

Re: Docket No. 2008-1346-MIS

Agency contacts:

Lisa Martin, Rule Project Manager, 239-1966, Air Permits Division
Terry Salem, Staff Attorney, 239-0469
Michael Parrish, Texas Register Coordinator, 239-2548

cc: Chief Clerk, 5 copies
Executive Director's Office
David C. Schanbacher, P.E.
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Lisa Martin
Michael Parrish

FEDERAL CLEAN AIR ACT, SECTION 111(d)/129 STATE PLAN

FOR

SMALL MUNCIPAL WASTE COMBUSTION UNITS,

COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS,

AND

OTHER SOLID WASTE INCINERATION UNITS

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. BOX 13087
AUSTIN, TEXAS 78711-3087

RULE PROJECT NO. 2008-007-113-PR

Adopted
April 22, 2009

I. INTRODUCTION

To meet the requirements of the Federal Clean Air Act (FCAA), §111 and §129, the United States Environmental Protection Agency (EPA) developed regulations to control air pollutant emissions from small municipal waste combustion (MWC) units, commercial and industrial solid waste incineration (CISWI) units, and other solid waste incineration (OSWI) units.

The Federal Clean Air Act (FCAA), §111 (Standards of Performance for New Stationary Sources) and §129 (Solid Waste Combustion) require the United States Environmental Protection Agency (EPA) to develop and adopt performance standards and other requirements for each category of solid waste incineration units. The standards are required to include emissions limitations and other requirements applicable to new units and other requirements applicable to existing units. The new source performance standards (NSPS) apply to new stationary sources, in which construction begins after the NSPS is proposed or that are reconstructed or modified on or after a specified date. Emission guidelines are similar to the NSPS, except that they apply to existing sources, in which construction begins on or before the date the NSPS is proposed or that are reconstructed or modified before a specified date. Unlike the NSPS, emission guidelines are not enforceable until the EPA approves a state plan or adopts a federal plan for implementing and enforcing them, and the state or federal plan becomes effective. The emission guidelines proposed for incorporation to accompany this state plan are for certain solid waste incineration units. Under the FCAA, §129, the NSPS and emission guidelines adopted for solid waste incineration units must meet maximum achievable control technology, or the maximum degree of reduction in emissions of air pollutants that the EPA determines is achievable, taking into consideration the cost of achieving reductions and any non-air quality health and environmental impacts and energy requirements.

Additionally, states are required under the FCAA, §129 and the emission guidelines, to adopt and submit to the EPA for approval, a state plan to implement and enforce the emission guidelines. The state plan is required to be at least as protective as the emission guidelines. The emission guidelines are located in 40 Code of Federal Regulations (CFR) Part 60, Standards of Performance for New Stationary Sources. The *Federal Register* publications and effective dates for these three emission guidelines are as follows:

Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999 (Subpart BBBB) - December 6, 2000, issue of the *Federal Register* (65 FR 76378), Effective: February 5, 2001;

Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999 (Subpart DDDD) - December 1, 2000, issue of the *Federal Register* (65 FR 75338), Effective: January 30, 2001;

Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004 (Subpart FFFF) - December 16, 2005, issue of the *Federal Register* (70 FR 74870), Effective: February 14, 2006.

See Appendix A to view the EPA's 40 CFR Part 60, Subparts BBBB, DDDD, and FFFF published emission guidelines.

The FCAA, §129 requires the EPA to develop, implement, and enforce a federal plan if a state fails to submit a satisfactory state plan. The EPA promulgated a federal plan to implement 40 CFR Part 60, Subpart BBBB for existing small MWC units on January 31, 2003, in 40 CFR Part 62, Subpart JJJ. This federal plan became effective on January 31, 2003. The EPA also promulgated a federal plan to implement 40 CFR Part 60, Subpart DDDD for existing CISWI units on October 3, 2003, in 40 CFR Part 62, Subpart III. This federal plan became effective on November 3, 2003. While the EPA proposed a federal plan to implement 40 CFR Part 60, Subpart FFFF for OSWI units on December 18, 2006 (40 CFR Part 62, Subpart KKK), the EPA has not yet finalized the federal plan.

The Texas Commission on Environmental Quality (TCEQ or commission) is the agency responsible for developing a state plan as required by FCAA, §111(d) and §129 (the §111(d)/129 State Plan) to implement the EPA's emission guidelines. The emission guidelines set emission standards, work practice standards, and compliance schedules for the affected units. Upon the TCEQ's submittal of the §111(d)/129 State Plan, the EPA is required to act on it within six months. EPA approval is a critical milestone, since the compliance schedules contained in the §111(d)/129 State Plan begin once EPA approval is complete. As stated in 40 CFR §§60.1515(a), 60.2515(a), and 60.2983(a) (What must I include in my State plan?), there are nine required elements for each of the emission guidelines. The nine elements are listed as follows, and addressed individually in the DISCUSSION OF THE NINE ELEMENTS portion of this document:

(1) An inventory of affected MWC, CISWI, and OSWI units, including those that have ceased operation but have not been dismantled;

(2) An inventory of emissions from affected MWC, CISWI, and OSWI units in the state;

(3) Compliance schedules for affected MWC, CISWI, and OSWI units in the state;

(4) Good combustion practices and emission limits, operator training and qualification requirements, a waste management plan, and operating parameter requirements for affected MWC, CISWI, and OSWI units that are at least as protective as those in the emission guidelines;

(5) Stack testing, continuous emission monitoring, performance testing, recordkeeping, and reporting requirements for affected MWC, CISWI, and OSWI units;

(6) Certification that the public hearing(s) on the §111(d)/129 State Plan was held, a list of commenters and their organizational affiliations, if any, appearing at the hearing, a written transcript of the public hearing(s), and a brief written summary of each presentation or written submission;

(7) Provisions for state progress reporting to the EPA;

(8) Identification of enforceable state mechanisms selected by the state for implementing the emission guidelines;

(9) A demonstration of the state's legal authority to carry out the §111(d)/129 State Plan.

In addition to the §111(d)/129 State Plan, the TCEQ must also adopt the EPA's emission guidelines. The TCEQ has adopted these emission guidelines into 30 Texas Administrative Code (30 TAC) Chapter 113, Standards of Performance for Hazardous Air Pollutants and for Designated Facilities and Pollutants; Subchapter D, Designated Facilities and Pollutants, as follows:

Division 3: §§113.2100 - 113.2174 (40 CFR §§60.1585 - 60.1940), Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999;

Division 4: §§113.2200 - 113.2261 (40 CFR §§60.2575 - 60.2875), Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units That Commenced Construction On or Before November 30, 1999;

Division 5: §§113.2300 - 113.2357 (40 CFR §§60.3000 - 60.3078), Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004.

See Appendix B to view the TCEQ's 30 TAC Chapter 113, Subchapter D, Divisions 3 - 5 adoption preamble and adopted rules.

II. DISCUSSION OF THE NINE ELEMENTS

(1) An inventory of affected MWC, CISWI, and OSWI units, including those that have ceased operation but have not been dismantled

See Appendix D to view the 2005 inventory of affected MWC, CISWI, and OSWI units that are subject to 40 CFR Part 60, Subparts BBBB, DDDD, and FFFF or this §111(d)/129 State Plan. The inventory also includes the status of each unit to indicate whether the unit is active, idle, shut down, or demolished. Facilities in more than 50 counties throughout the state of Texas are included in the inventory.

(A) Subpart BBBB MWC inventory

As stated in Subpart BBBB, the following Standard Industrial Classification (SIC) code facilities are likely to be regulated by the rules in Subpart BBBB: 4953 and 9511. The categories of facilities included in these two SIC codes are: industry, federal government, and state/local/tribal governments.

Within the state of Texas, only SIC code 4953 is affected, and five facilities are subject to Subpart BBBB and the §111(d)/129 State Plan and corresponding rules in Chapter 113, upon EPA approval:

1) Clean Harbors Deer Park LP, Harris County;

2) MD Anderson Cancer Center;
3) Veolia ES Technical Solutions LLC, Jefferson County;
4) Waste Control Specialists Inc., Andrews County; and
5) Waste Management of Texas Inc., Bexar County.

These five facilities contain several types of MWC units, including hazardous waste incinerators, boilers, and ash handling facilities. If the commission discovers a source that had ceased operation and wished to reopen after EPA approval of the §111(d)/129 State Plan, that source would be considered a new source subject to the new source performance standards in 40 CFR Part 60, Subpart AAAA.

(B) Subpart DDDD CISWI inventory

As stated in Subpart DDDD, the following major SIC code facilities are likely to be regulated by the rules in Subpart DDDD: 28, 34, 36, 24, and 25. Any facility using a solid waste incinerator as defined in the regulations is included in these SIC codes. The specific types of industries included are: manufacturers of chemicals and allied products (28); manufacturers of electronic equipment (34); manufacturers of wholesale trade, durable goods (36); and manufacturers of lumber and wood furniture (24 and 25).

Within the state of Texas, 201 facilities are subject to Subpart DDDD and the §111(d)/129 State Plan and corresponding rules in Chapter 113, upon EPA approval. They are located throughout the state; however, the largest number of facilities is under major SIC code 28, manufacturers of chemicals and allied products, and these facilities are primarily located in the east and southeastern portions of the state. These 201 facilities contain several types of CISWI units, including furnaces, ovens, and heaters. If the commission discovers a source that had ceased operation and wished to reopen after EPA approval of the §111(d)/129 State Plan, that source would be considered a new source subject to the new source performance standards in 40 CFR Part 60, Subpart CCCC.

(C) Subpart FFFF OSWI inventory

As stated in Subpart FFFF, the following SIC code facilities are likely to be regulated by the rules in Subpart FFFF: 4953 and 9511; 9223, 8211, 7999, and 9711; 8221 and 8222; 8661; and 8641. The categories of facilities included in these SIC codes are: any state, local, or tribal government using a very small MWC unit; institutions using an institutional waste incineration unit; and any federal government agency, college or university, church or convent, or civic or religious organization using an OSWI unit as defined in Subpart FFFF.

The specific types of regulated entities included are: solid waste combustion units burning municipal waste collected from the general public and from residential, commercial, institutional, and industrial sources (4953 and 9511); correctional institutions, primary and secondary schools, camps, and national parks (9223, 8211, and 7999); the Department of Defense (labs, military bases, and munitions facilities) (9711); universities, colleges, and community colleges (8221 and 8222); churches and convents (8661); and civic and fraternal associations (8641).

Within the state of Texas, only SIC codes 4953, 9711, and 8221 are affected, and 12 facilities are subject to Subpart FFFF and the §111(d)/129 State Plan and corresponding rules in Chapter 113, upon EPA approval:

1) Baylor College of Medicine, Harris County;
2) Clean Harbors Deer Park LP, Harris County;
3) Corpus Christi Army Depot, Nueces County;
4) DFW Recycling and Disposal Facility, Denton County;
5) Randolph Air Force Base, Bexar County;
6) Red River Army Depot, Bowie County;
7) University of Texas Southwestern, Dallas County;
8) U.S. Air Force, Bexar County;
9) U.S. Army Air Defense Artillery, El Paso County;
10) U.S. Naval Air Station Joint Reserve Base, Fort Worth, Tarrant County;
11) Veolia ES Technical Solutions LLC, Jefferson County; and
12) Waste Control Specialists Inc., Andrews County.

These 12 facilities contain several types of OSWI units, including boilers, furnaces, dryers, and heaters. If the commission discovers a source that had ceased operation and wished to reopen after EPA approval of the §111(d)/129 State Plan, that source would be considered a new source subject to the new source performance standards in 40 CFR Part 60, Subpart EEEE.

(D) Subparts BBBB, DDDD, and FFFF Air Curtain Incinerator Units

Within the state of Texas, approximately 471 owners or operators of air curtain incinerator units are subject to either Subpart BBBB, DDDD, or FFFF and the §111(d)/129 State Plan and corresponding rules in Chapter 113, upon EPA approval. If the commission discovers a source that had ceased operation and wished to operate after EPA approval of the §111(d)/129 State Plan, that source would be considered a new source subject to the new source performance standards in 40 CFR Part 60, Subparts AAAA, CCCC, or EEEE.

(2) An inventory of emissions from affected MWC, CISWI, and OSWI units in the state

See Appendix D to view an inventory of emissions of affected MWC, CISWI, and OSWI units that are subject to 40 CFR Part 60, Subparts BBBB, DDDD, and FFFF or this §111(d)/129 State Plan. The inventory also includes the status of each unit to indicate whether the unit is active, idle, shut down, or demolished.

(3) Compliance schedules for affected MWC, CISWI, and OSWI units in the state

(A) For MWC units, the following compliance and increments of progress schedule, located in 30 TAC §113.2174 (Tables Relating to Division 3), applies:

Table 1. Compliance Schedules and Increments of Progress for MWC Units

Affected Units	Increment 1 (Submit Final Control Plan)	Increment 2 (Award Contracts)	Increment 3 (Begin Onsite Construction)	Increment 4 (Complete Onsite Construction)	Increment 5 (Final Compliance)
All Class I Units[a]	Within 60 days from the date the TCEQ publishes notice in the *Texas Register* of state plan approval	No later than 18 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval	No later than 24 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval	No later than 34 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval	No later than 36 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval[b]
All Class II Units[c]	Within 60 days from the date the TCEQ publishes notice in the *Texas Register* of state plan approval	N/A	N/A	N/A	No later than 36 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval

[a]Class I units mean small municipal waste combustion units subject to this section that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See 30 TAC §113.2100 for definitions.

[b]For Class I units that began construction, reconstruction, or modification after June 26, 1987, comply with the dioxins/furans and mercury limits by the later of two dates:

1. 1 year after the effective date of state plan approval.
2. 1 year after the issuance of a revised construction or operating permit, if a permit modification is required.
3. Final compliance with the dioxins/furans limits must be achieved no later than December 6, 2005, even if the date 1 year after the issuance of a revised construction or operating permit is after December 6, 2005.

[c]Class II units mean all small municipal combustion units subject to 30 TAC §113.2172 that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See 30 TAC §113.2100 for definitions.

(B) For CISWI units, the following compliance and increments of progress schedule, located in 30 TAC §113.2261 (Tables Relating to Division 4), applies:

Table 1. Increments of Progress and Compliance Schedules for CISWI Units

Increment of Progress	Compliance Dates
Increment 1: Submit Final Control Plan	No later than 12 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval
Increment 2: Final Compliance	No later than 36 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval

(C) For OSWI units, the following compliance and increments of progress schedule, located in 30 TAC §113.2357 (Tables Relating to Division 5), applies:

Table 1. Compliance Schedule for OSWI Units

Compliance Action	Date
Final Compliance[a]	December 16, 2010

[a]Final compliance means that you complete all process changes and retrofit of control devices so that, when the incineration unit is brought on line, all process changes and air pollution control devices necessary to meet the emission limitations operate as designed.

(4) Good combustion practices and emission limits, operator training and qualification requirements, a waste management plan, and operating parameter requirements for affected MWC, CISWI, and OSWI units that are at least as protective as those in the emission guidelines

As stated in the emission guidelines for MWC units, 40 CFR §60.1570 (What is the "model rule" in this subpart?), "The model rule is the portion of the emission guidelines (§§ 60.1585 through 60.1905) that addresses the regulatory requirements applicable to small municipal waste combustion units. The model rule provides the requirements in a regulation format." Similar language is repeated in 40 CFR §60.2560 for CISWI units, and in 40 CFR §60.2996 for OSWI units.

The EPA also states in the emission guidelines for MWC units, 40 CFR §60.1575, that "The model rule may be used to satisfy the State plan requirements specified in § 60.1515(a)(4) and (5). Alternative language may be used in your State plan, but only if you can demonstrate that the alternative language is as protective as the model rule." Similar language is repeated in 40 CFR §60.2565 for CISWI units, and in 40 CFR §60.2997 for OSWI units.

To meet federal requirements for its §111(d)/129 State Plan, the TCEQ has opted to use the

model language provided by the EPA in 40 CFR, and incorporated, with minor administrative changes, the EPA rules into 30 TAC Chapter 113, Standards of Performance for Hazardous Air Pollutants and for Designated Facilities and Pollutants; Subchapter D, Designated Facilities and Pollutants; new Divisions 3 - 5.

See Appendix C for derivation tables for each new division, which show the equivalent EPA subpart. Division 3 (40 CFR Part 60, Subpart BBBB) incorporated the emission guidelines for MWC units, Division 4 (40 CFR Part 60, Subpart DDDD) incorporated the emission guidelines for CISWI units, and Division 5 (40 CFR Part 60, Subpart FFFF) incorporated the emission guidelines for OSWI units.

(5) Stack testing, continuous emission monitoring, performance testing, recordkeeping, and reporting requirements for affected MWC, CISWI, and OSWI units

As described in Element (4), the TCEQ has opted to use the model language provided by the EPA in 40 CFR, and has incorporated, with minor administrative changes, the EPA rules into 30 TAC Chapter 113, Standards of Performance for Hazardous Air Pollutants and for Designated Facilities and Pollutants; Subchapter D, Designated Facilities and Pollutants; new Divisions 3 - 5. See Appendix C for derivation tables for each new division, which show the equivalent EPA subpart. Division 3 (40 CFR Part 60, Subpart BBBB) incorporated the emission guidelines for MWC units, Division 4 (40 CFR Part 60, Subpart DDDD) incorporated the emission guidelines for CISWI units, and Division 5 (40 CFR Part 60, Subpart FFFF) incorporated the emission guidelines for OSWI units.

(6) Certification that the public hearing(s) on the §111(d)/129 State Plan was held, a list of witnesses and their organizational affiliations, if any, appearing at the hearing, and a brief written summary of each presentation or written submission

Public participation is an important component in developing, adopting, and implementing §111(d)/129 State Plans. As stated in 40 CFR §60.23(c)(1) and (d) - (f) (Adoption and submittal of State plans; public hearings), the minimum public participation requirements include:

(A) One or more public hearing(s) conducted at a location within the state;

(B) Reasonable notice for the public hearing(s), which the EPA defines as at least 30 days;

(C) The date, time, and location of public hearing(s) prominently advertised in each region affected;

(D) The availability of the proposed §111(d)/129 State Plan for public inspection in at least one location in each region affected;

(E) Notification of public hearing(s) provided to the following: the EPA Administrator; affected local air pollution control agencies; and other affected states;

(F) A record of public hearing(s) for a minimum of two years for public inspection, which contains a list of the commenters, their affiliation, a summary of each presentation or comment, and the state's responses to the comments;

(G) Certification that the public hearing(s) was conducted according to the requirements in 40 CFR 60, Subpart B, and state requirements.

See Appendix E for information regarding §111(d)/129 State Plan comments and the TCEQ responses. The TCEQ has met all of the §111(d)/129 State Plan public participation requirements listed in *(A)* - *(G)*, and did not receive any adverse comment on the proposed 30 TAC Chapter 113 rules or §111(d)/129 State Plan.

(7) Provisions for state progress reports to the EPA

As stated in 40 CFR §60.25(e) (Emission inventories, source surveillance, reports), states are required to submit reports on progress in plan enforcement to the EPA Administrator on an annual basis. The following information will be included in the annual reporting as required by §60.25(f). Because of the voluminous nature of the reporting listed in (B) and (F), the TCEQ will work with the EPA Administrator to provide the best format and content for this information. Detailed information to be included in the annual reporting is required by 40 CFR §51.321 (Annual source emissions and State action report):

(A) Enforcement actions initiated against designated facilities during the reporting period, under any emission standard or compliance schedule of the plan;

(B) Identification of the achievement of any increment of progress required by the applicable plan during the reporting period;

(C) Identification of designated facilities that have ceased operation during the reporting period;

(D) Submission of emission inventory data described in §60.25(a) for designated facilities that were not in operation at the time of plan development but began operation during the reporting period;

(E) Submission of additional data as necessary to update the information submitted under §60.25(a) or in previous progress reports;

(F) Submission of copies of technical reports on all performance testing on designated facilities conducted under §60.25(b)(2), complete with concurrently recorded process data.

The TCEQ will provide the required information annually to the EPA upon approval of the §111(d)/129 State Plan.

(8) Identification of enforceable state mechanisms selected by the state for implementing the emission guidelines

To meet federal requirements for its §111(d)/129 State Plan, the TCEQ has opted to use the model language provided by the EPA in 40 CFR, and has incorporated the EPA rules into 30 TAC Chapter 113, Standards of Performance for Hazardous Air Pollutants and for Designated Facilities and Pollutants; Subchapter D, Designated Facilities and Pollutants; new Divisions 3 - 5, with minor administrative changes, as described in the adopted rulemaking.

See Appendix C for derivation tables for each new division, which show the equivalent EPA subpart. Division 3 (40 CFR Part 60, Subpart BBBB) incorporated the emission guidelines for MWC units, Division 4 (40 CFR Part 60, Subpart DDDD) incorporated the emission guidelines for CISWI units, and Division 5 (40 CFR Part 60, Subpart FFFF) incorporated the emission guidelines for OSWI units.

By adopting the regulations into 30 TAC, the TCEQ ensures an adequate and enforceable rule mechanism for implementing Subparts BBBB, DDDD, and FFFF.

In addition, monitoring compliance with emission limits for §111(d) pollutants will be accomplished through the existing source surveillance procedures of the commission. The specific legal authority for the commission to conduct source surveillance, compliance assurance, and enforcement is detailed in Appendix F. The 16 regional offices conduct site visits for compliance determinations and inspections at all permitted and registered facilities. The regional air staff does complaint investigation at permitted and nonpermitted facilities based on citizen request. The Office of Compliance and Enforcement also will develop enforcement actions for most types of air violations identified during inspections and/or complaint investigations. This would include state adopted standards for designated facilities.

The enforcement functions are initially conducted by the regional offices, the Enforcement Division, and the Litigation Division. Most air violations discovered during inspections are quickly corrected in response to notices of violations. However, if serious and/or continuing air violations are identified during an inspection, the regional office will refer the violation(s) for administrative enforcement action, potentially resulting in an administrative order with penalties, and in some cases, criminal prosecution. In the event an enforcement action initiated by the TCEQ is not agreed upon, or the nature and/or circumstances of the violation(s) are deemed not appropriate for TCEQ to resolve, the Enforcement Division or the Litigation Division can refer the violation(s) to the Office of the Attorney General, the EPA, or other appropriate agency for enforcement. Where possible, the TCEQ encourages expeditious settlement of enforcement actions by offering a penalty reduction for settlements that occur within 60 days. If settlement does not occur within these 60 days, the Litigation Division will start the process that can lead to an administrative hearing, or initiate other actions as referred to earlier in this paragraph. The commission has ultimate approval of all TCEQ administrative enforcement orders.

(9) A demonstration of the state's legal authority to carry out the §111(d)/129 State Plan

The Texas Clean Air Act (TCAA) states that the TCEQ is the state air pollution agency and is the

principal authority in the state on matters relating to air quality. The powers and duties of the TCEQ are contained in the Texas Health and Safety Code (THSC), Chapter 382 and the Texas Water Code (TWC), Chapters 5 and 7. The following is a summary of the commission's legal authority, as required by 40 CFR §60.26(a)(1) - (4).

Appendix F contains the full text of the statutes listed, including information showing that the legal authorities specified in this section are available to the state at the time of submission of this plan.

§60.26(a)(1) Adopt emission standards and compliance schedules applicable to designated facilities.
THSC, §382.011, General Powers and Duties, provides the commission the authority to control the quality of the state's air; §382.012, State Air Control Plan, requires the commission to develop a comprehensive plan for the control of the state's air; §382.013, Air Quality Control Regions, authorizes the commission to designate air quality control regions as necessary to implement air quality standards; §382.014, Emission Inventory, authorizes the commission to require submission of emission data; and §382.017, Rules, provides the commission the authority to adopt rules and to differentiate among particular conditions, particular sources, and particular areas of the state. TWC, §5.013, General Jurisdiction of Commission, establishes the commission's jurisdiction over the TCAA.

§60.26(a)(2) Enforce applicable laws, regulations, standards, and compliance schedules, and seek injunctive relief.
THSC, §382.0541, Administration and Enforcement of Federal Operating Permit, establishes the commission's authority to administer the federal operating permit program; TWC, §5.102, General Powers, provides the commission the power to perform any acts necessary and convenient to the exercise of its jurisdiction and powers; TWC, §7.002, Enforcement Authority, authorizes the commission to institute legal proceedings to compel compliance; §7.032, Injunctive Relief, provides that injunctive relief may be sought by the executive director; and §7.302, Grounds for Revocation or Suspension of Permit, provides authority to the commission to revoke or suspend any air quality permit.

§60.26(a)(3) Obtain information necessary to determine whether designated facilities are in compliance with applicable laws, regulations, standards, and compliance schedules.
THSC, §382.015, Power to Enter Property, provides the commission the authority to enter property to inspect and investigate conditions relating to emissions of air contaminants; §382.016, Monitoring Requirements; Examination of Records, authorizes the commission to require monitoring, recordkeeping, and access to records; §382.021, Sampling Methods and Procedures, authorizes the commission to prescribe sampling methods and procedures; §382.022, Investigations, authorizes the executive director to conduct and require investigations; §382.029, Hearing Powers, provides the commission power to conduct hearings, administer oaths, receive evidence, issue subpoenas, and make findings of fact and decisions; §382.034, Research and Investigations, authorizes the commission to conduct investigations; and TWC, §5.102, General Powers, provides the commission the power to perform any acts necessary and convenient to the exercise of its jurisdiction and powers.

§60.26(a)(3) Require recordkeeping and to make inspections and conduct tests of designated facilities.
THSC, §382.015, Power to Enter Property, authorizes the commission to enter property to inspect and investigate conditions relating to air emissions; and §382.016, Monitoring Requirements; Examination of

Records, authorizes the commission to require monitoring, recordkeeping, and access to records.

§60.26(a)(4) Require owners or operators of designated facilities to install, maintain, and use emission monitoring devices and to make periodic reports to the state.
THSC, §382.0514, Sampling, Monitoring, and Certification, provides the commission authority to require sampling, monitoring, certification of compliance, and reporting of same by federal sources; and §382.016, Monitoring Requirements; Examination of Records, authorizes the commission to require monitoring, recordkeeping, and access to records.

§60.26(a)(4) Make emissions data available to the public.
THSC, §382.014, Emission Inventory, authorizes the commission to require submission of emission data; §382.040, Documents; Public Property, provides that information, documents, and data collected by the commission are state property and public records; and §382.041, Confidential Information, prohibits the commission from disclosing only certain material identified as confidential when submitted.

III. Appendices

Appendix A - 40 CFR Part 60, Subparts BBBB, DDDD, and FFFF

Appendix B - Preamble and Rule Language: 30 TAC Chapter 113, Subchapter D, Divisions 3 - 5

Appendix C - Derivation Tables for 30 TAC Chapter 113, Subchapter D, new Divisions 3 - 5 and Equivalent 40 CFR Part 60, Subpart BBBB, DDDD, and FFFF Federal Rules

Appendix D - An Inventory of Affected Municipal Waste Combustion (MWC), Commercial and Industrial Solid Waste Incineration (CISWI), and Other Solid Waste Incineration (OSWI) Units, Including Those That Have Ceased Operation but Have Not Been Dismantled and an Inventory of MWC, CISWI, and OSWI Units in the State

Appendix E - Response to Public Comments

Appendix F - TCEQ Legal Authority

ORDER ADOPTING NEW RULES AND
REVISION TO THE FEDERAL CLEAN AIR ACT,
§§ 111(d) AND 129 STATE PLAN

Docket Nos. 2008-0132-RUL, 2008-1346-MIS

On April 22, 2009, the Texas Commission on Environmental Quality (Commission), during a public meeting, considered adoption of new §§ 113.2100 - 113.2174, §§ 113.2200 - 113.2261, and §§ 113.2300 - 113.2357. The Commission adopts the new rules in 30 TAC Chapter 113, Standards of Performance for Hazardous Air Pollutants and for Designated Facilities and Pollutants; Subchapter D, Designated Facilities and Pollutants, new Divisions 3 - 5; and corresponding revision to the Federal Clean Air Act (FCAA), §§ 111(d) and 129 State Plan. Under Tex. Health & Safety Code Ann., §§ 382.011, 382.012, and 382.023 (Vernon 2001), the Commission has the authority to control the quality of the state's air and to issue orders consistent with the policies and purposes of the Texas Clean Air Act, Chapter 382 of the Tex. Health & Safety Code. The proposed rules were published for comment in the November 21, 2008, issue of the *Texas Register* (33 TexReg 9371).

Pursuant to Tex. Health & Safety Code Ann., § 382.017 (Vernon 2001), Tex. Gov't Code, Chapter 2001 (Vernon 2000 & Vernon Supp. 2005), and 40 Code of Federal Regulations § 60.23, and after proper notice, the Commission conducted a public hearing to consider the new rules and revision to the FCAA, §§ 111(d) and 129 State Plan. Proper notice included prominent advertisement in the areas affected at least 30 days prior to the date of the hearing. A public hearing was held in Austin, Texas, on January 5, 2009.

The Commission circulated hearing notices of its intended action to the public, including interested persons, the Regional Administrator of the EPA, and all applicable local air pollution control agencies. The public was invited to submit data, views, and recommendations on the proposed new rules and FCAA, §§ 111(d) and 129 State Plan revision, either orally or in writing, at the hearing or during the comment period. Prior to the scheduled hearing, copies of the proposed new rules and FCAA, §§ 111(d) and 129 State Plan revision were available for public inspection at the Commission's central office and on the Commission's Web site.

Data, views, and recommendations of interested persons regarding the proposed new rules and FCAA, §111(d) and 129 State Plan revision were submitted to the Commission during the comment period, and were considered by the Commission as reflected in the analysis of testimony incorporated by reference to this Order. The Commission finds that the analysis of testimony includes the names of all interested groups or associations offering comment on the proposed new rules and the FCAA, §§ 111(d) and 129 State Plan revision and their position concerning the same.

IT IS THEREFORE ORDERED BY THE COMMISSION that the new rules and revision to the FCAA, §§ 111(d) and 129 State Plan incorporated by reference to this Order are hereby adopted. The Commission further authorizes staff to make any non-substantive revisions to the rules necessary to comply with *Texas Register* requirements. The adopted rules, the preamble to the adopted rules, and the revision to the FCAA, §§ 111(d) and 129 State Plan are incorporated by reference in this Order as if set forth at length verbatim in this Order.

IT IS FURTHER ORDERED BY THE COMMISSION that on behalf of the Commission, the Chairman should transmit a copy of this Order, together with the adopted rules and revision to the FCAA, §§ 111(d) and 129 State Plan, to the Regional Administrator of EPA as a proposed revision to the Texas FCAA, §§ 111(d) and 129 State Plan pursuant to the FCAA, codified at 42 U.S. Code Ann., §§ 7401 - 7671q, as amended.

This Order constitutes the Order of the Commission required by the Administrative Procedure Act, Tex. Gov't Code, § 2001.033 (Vernon 2000 & Vernon Supp. 2005).

If any portion of this Order is for any reason held to be invalid by a court of competent jurisdiction, the invalidity of any portion shall not affect the validity of the remaining portions.

Date issued:

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

_____

Buddy Garcia, Chairman

APPENDIX A

40 CFR PART 60

SUBPARTS BBBB, DDDD, AND FFFF

Federal Register

Wednesday,
December 6, 2000

Part III

Environmental Protection Agency

40 CFR Part 60

Emission Guidelines for Existing Small Municipal Waste Combustion Units; Final Rule

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[AD–FRL–6899–5]

RIN 2060–AI51

Emission Guidelines for Existing Small Municipal Waste Combustion Units

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

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

DATES: *Effective date.* February 5, 2001.

The incorporation by reference of certain publications listed in this rule are approved by the Director of the Office of the Federal Register as of February 5, 2001.

Applicability date. The emission guidelines apply to small MWC units that commenced construction on or before August 30, 1999.

ADDRESSES: Docket No. A–98–18 and associated Docket Nos. A–90–45 and A–89–08 contain supporting information for the emission guidelines. The dockets are available for public inspection and copying between 8:00 a.m. and 5:30 p.m., Monday through Friday, at EPA's Air and Radiation Docket and Information Center (Mail Code-6102), 401 M Street SW, Washington, DC 20460, or by calling (202) 260–7548. The dockets are located at the above address in Room M–1500, Waterside Mall (ground floor). A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Rick Copland at (919) 541–5265, Combustion Group, Emission Standards Division (MD–13), U.S. Environmental Protection Agency, Research Triangle Park, NC 27711, e-mail: copland.rick@epa.gov.

SUPPLEMENTARY INFORMATION:

Public Comments

Emission guidelines and companion new source performance standards (NSPS) for small MWC units were proposed on August 30, 1999 (64 FR 47276), and 48 comment letters were received on the proposals. Verbal comments were also received at the October 5, 1999 public hearing. The comment letters and a transcript of the public hearing are available in Docket No. A–98–18. A summary of and responses to the public comments are contained in ''Small Municipal Waste Combustors: Background Information Document for New Source Performance Standards and Emission Guidelines-Public Comments and Responses (EPA–453/R–00–001).'' In response to the public comments, EPA adjusted the final emission guidelines where appropriate. A copy of the background information document is located in Docket No. A–98–18.

World Wide Web

Electronic versions of this action, the regulatory text, and other background information, including the response to comments document, are available at the Technology Transfer Network web site (TTN Web) that EPA has established for the emission guidelines for small MWC units: ''http://www.epa.gov/ttn/uatw/129/mwc/rimwc2.html.'' For assistance in downloading files, call the EPA's TTN Web Help Line at (919) 541–5384.

Regulated Entities

No entities are directly regulated by this action because these are emission guidelines. Additional State or Federal action is required for implementation of the emission guidelines. However, adoption of State or Federal plans implementing the emission guidelines will affect the following categories of sources:

Category	NAICS codes	SIC codes	Examples of regulated entities
Industry, Federal government, and State/local/tribal governments.	562213, 92411	4953 9511	Solid waste combustors or incinerators at waste-to-energy facilities that generate electricity or steam from the combustion of garbage (typically municipal waste); and solid waste combustors or incinerators at facilities that combust garbage (typically municipal waste) and do not recover energy from the waste.

The above list is not intended to be exhaustive, but rather provides a guide regarding the entities EPA expects to be regulated by applicable State or Federal plans implementing the emission guidelines for small MWC units. Not all facilities classified under the NAICS and SIC codes will be affected. Other types of entities not listed could also be affected. To determine whether your facility will be regulated by State or Federal plans implementing the emission guidelines, carefully examine the applicability criteria in §§ 60.1550 through 60.1565 of the emission guidelines.

Judicial Review

Today's action of adopting a final rule for small MWC units constitutes final administrative action on the proposed emission guidelines for small MWC units. Under section 307(b)(1) of the Clean Air Act (CAA), judicial review of this final rule is available only by filing a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit by February 5, 2001. Under section 307(d)(7)(B) of the CAA, only an objection to this final rule that was raised with reasonable specificity during the period for public comment can be raised during judicial review. Moreover, under section 307(b)(2) of the CAA, the requirements established by today's final action may not be challenged separately in any civil or criminal proceeding brought by EPA to enforce the requirements.

Organization of This Document

The following outline is provided to aid in locating information in this preamble.

I. Background Information
II. Summary of the Emission Guidelines
A. Sources Regulated by the Emission Guidelines

B. Subcategorization of the Small MWC Unit Population
C. Pollutants Regulated by the Emission Guidelines
D. Format of the Emission Limits
E. Summary of the Emission Guidelines
III. Changes to the Emission Guidelines
IV. Impacts of the Emission Guidelines
A. Air Impacts
B. Cost and Economic Impacts
V. Companion Rule for New Small MWC Units
VI. Amendments to 40 CFR Part 60, Subpart B
VII. Administrative Requirements
A. Executive Order 12866: Regulatory Planning and Review
B. Executive Order 13132: Federalism
C. Executive Order 13084: Consultation and Coordination with Indian Tribal Governments
D. Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks
E. Unfunded Mandates Reform Act
F. Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 601 *et seq.*
G. Paperwork Reduction Act
H. National Technology Transfer and Advancement Act
I. Congressional Review Act

Abbreviations and Acronyms Used in This Document

ASME American Society of Mechanical Engineers
CFR Code of Federal Regulations
EIA Economic Impact Analysis
EPA U.S. Environmental Protection Agency
FR **Federal Register**
ICR Information Collection Request
kg/year Kilograms per year
MACT Maximum achievable control technology
Mg/year Megagrams per year
MSW Municipal solid waste
MWC Municipal waste combustion
NAICS North American Industrial Classification System
NSPS New source performance standards
NTTAA National Technology Transfer and Advancement Act
OAQPS Office of Air Quality Planning and Standards
OMB Office of Management and Budget
OP Office of Policy
Pub. L. Public Law
RFA Regulatory Flexibility Act
SBREFA Small Business Regulatory Enforcement Fairness Act
SIC Standard Industrial Classification
TTN Technology Transfer Network
UMRA Unfunded Mandates Reform Act
U.S. United States
U.S.C. United States Code

I. Background Information

On December 19, 1995, EPA promulgated emission guidelines for large and small MWC units under 40 CFR part 60, subpart Cb. The emission guidelines covered existing MWC units located at plants with an aggregate plant combustion capacity greater than 35 megagrams per day of municipal solid waste (MSW)(approximately 39 tons per day of MSW). The 1995 emission guidelines divided the MWC unit population into MWC units located at large MWC plants and MWC units located at small MWC plants. Plant size was based on the total aggregate capacity of all individual MWC units at a MWC plant.

Litigation followed the promulgation of the 1995 emission guidelines. In 1997, the U.S. Court of Appeals for the District of Columbia Circuit ruled that EPA must develop regulations for small MWC units (units with an individual MWC capacity of 250 tons per day or less) separately from regulations for large MWC units (units with an individual MWC unit capacity greater than 250 tons per day), indicating that the 1995 emission guidelines were not consistent with section 129 of the CAA. The court directed EPA to revise the 1995 emission guidelines so that they applied only to large MWC units, and the court vacated the 1995 emission guidelines as they applied to small MWC units. In response to the court ruling, EPA amended the 1995 emission guidelines on August 25, 1997 so that they applied only to existing large MWC units. Then, on August 30, 1999, EPA proposed emission guidelines for small MWC units with an individual unit capacity of 35 to 250 tons per day.

Today's final rule reestablishes emission guidelines for existing small MWC units with capacities of 35 to 250 tons per day of MSW under 40 CFR part 60, subpart BBBB.

II. Summary of the Emission Guidelines

The following summarizes the final emission guidelines for small MWC units, including identification of the subcategories used in the final emission guidelines. Overall, the emission guidelines for small MWC units are equivalent to the 1995 emission guidelines for small MWC units.

A. Sources Regulated by the Emission Guidelines

Today's emission guidelines do not directly regulate any MWC units, but they require States to develop plans to limit air emissions from existing small MWC units. In subpart BBBB and in associated State plans, the emission limits and requirements will apply to each existing small MWC unit that has a design combustion capacity of 35 to 250 tons per day of MSW and commenced construction on or before August 30, 1999. Small MWC units that commenced construction after August 30, 1999 are not covered under the emission guidelines (subpart BBBB). Those units will be subject to the NSPS for new small MWC units (subpart AAAA) which are published separately in today's **Federal Register**.

B. Subcategorization of the Small MWC Unit Population

Within the emission guidelines, the small MWC unit population is subcategorized based on aggregate capacity of the plant where the individual small MWC unit is located. The resulting subcategories are as follows: Class I units are small MWC units located at plants with an aggregate plant capacity greater than 250 tons per day of MSW; Class II units are small MWC units located at plants with an aggregate plant capacity less than or equal to 250 tons per day of MSW.

C. Pollutants Regulated by the Emission Guidelines

Section 129 of the CAA requires EPA to establish numerical emission limits for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, sulfur dioxide, hydrogen chloride, nitrogen oxides, and carbon monoxide. Section 129 specifies that EPA may also:

> * * * promulgate numerical emission limitations or provide for the monitoring of post-combustion concentrations of surrogate substances, parameters, or periods of residence times in excess of stated temperatures with respect to pollutants other than those listed [above] * * *.

Therefore, in addition to emission limits, EPA is establishing requirements for MWC unit operating load, flue gas temperature at the particulate matter control device inlet, and carbon feed rate as part of the good combustion practice requirements. The EPA is also establishing requirements for the control of fugitive ash emissions. All of those requirements were contained in the 1995 emission guidelines.

D. Format of the Emission Limits

The format of the emission limits is identical to the format of the emission limits in the 1995 emission guidelines: emission limits based on pollutant concentration. Alternative percentage reduction requirements are provided for mercury, sulfur dioxide, and hydrogen chloride. Opacity and fugitive ash requirements are the same as the 1995 emission guidelines. In addition to controlling stack emissions, the emission guidelines incorporate good combustion practice requirements (*i.e.*, operator training, operator certification, and MWC unit operating requirements).

E. Summary of the Emission Guidelines

A concise summary of the emission guidelines can be found in Tables 2 through 4 of subpart BBBB.

III. Changes to the Emission Guidelines

For the majority of small MWC units that will be subject to emission guideline requirements, the final emission guidelines are identical to the emission guidelines proposed in August 1999. However, one change made in the final emission guidelines affects requirements for about five MWC plants. That change is summarized in the following three paragraphs and is also discussed in the background information document described earlier under ''Public Comments.''

In the proposal, different emission limits were proposed for MWC units in Class A and Class B. Class A MWC units were nonrefractory MWC units located at MWC plants with an aggregate plant capacity greater than 250 tons per day. Class B MWC units were refractory units located at MWC plants with an aggregate plant capacity greater than 250 tons per day. The 1999 proposal included different emission limits for Class A and Class B units because it had been brought to EPA's attention that different flue gas flow rates per ton of MSW combusted were expected to occur at Class A and Class B units. The 1995 emission guidelines did not make the distinction in flue gas flow rates and treated Class A and Class B units as a combined class with the same requirements.

Some comments on the proposal indicated that the proposed subcategorization with different control requirements for Class A and Class B was appropriate. However, other comments on the proposal indicated that the technical bases for the Class A and Class B subcategorization was no longer valid for today's MWC units and the subcategory was inappropriate. The EPA reanalyzed the issue and has concluded that the flue gas flow rates for Class A and Class B MWC units are not significantly different. As a result, the Class A units and the Class B units are combined into a single Class I category in the final emission guidelines as had been done in the 1995 emission guidelines.

Maximum achievable control technology (MACT) floors were then calculated for the Class I units, and then new MACT limits were selected. Uniform emission limits now apply to all Class I MWC units. With the exception of nitrogen oxides, the final emission limits for Class I units are identical to the 1995 emission limits for Class I units. The full set of final emission limits for Class I and Class II can be found in Tables 2, 3 and 4 of Subpart BBBB. See the background information document for a discussion of other comments on the proposed emission guidelines.

IV. Impacts of the Emission Guidelines

The following describes the impacts (*i.e.*, air, water, solid waste, energy, cost, and economic impacts) of the emission guidelines for small MWC units. The impact analysis conducted to evaluate the 1995 emission guidelines still applies because the air pollution control requirements in the final emission guidelines are the same as the 1995 emission guidelines. The 1995 analysis is available at 59 FR 48228. The discussion in this preamble focuses only on the air, cost, and economic impacts of the final emission guidelines.

As discussed in the preamble for the 1995 emission guidelines, EPA determined that the water, solid waste, and energy impacts associated with the emission guidelines were not significant. Today's action affects only a subset of the MWC units that were addressed in the earlier impact analysis. Accordingly, EPA has concluded that the water, solid waste, and energy impacts associated with today's action are not significant.

For further information on the impacts of the emission guidelines, refer to ''Economic Impact Analysis (EIA): Small Municipal Waste Combustion Units—Emission Guidelines and New Source Performance Standards'' March 2000 (EPA–452/R–00–001).

A. Air Impacts

As discussed in the EIA, the EPA estimates that 90 small MWC units operating at 41 plants will be affected by the emission guidelines. The total MSW combustion capacity of the 90 units was 8,551 tons per day in 1998.

Table 1 of this preamble presents the national air emission reductions for existing small MWC units that will result from full implementation of the emission guidelines compared to 1998 baseline levels without the emission guidelines.

TABLE 1.—NATIONAL AIR EMISSION IMPACTS OF THE EMISSION GUIDELINES FOR SMALL MWC UNITS

Pollutant	Air emissions reduction	Emission level [a]
Dioxins/ Furans[b].	2.7 kg/year	97
Cadmium	310 kg/year	85
Lead	12.9 Mg/year	92
Mercury	4.1 Mg/year	95
Particulate Matter.	369 Mg/year	77
Sulfur Dioxide	1,368 Mg/year ..	56
Hydrogen Chloride.	2,456 Mg/year ..	88
Nitrogen Oxides.	384 Mg/year	9

[a] Percent reduction from 1998 baseline.
[b] Percent national emission reduction relative to national baseline emissions that would occur in the absence of the emission guidelines.
[c] Total mass of tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

B. Cost and Economic Impacts

To estimate the costs of the emission guidelines, EPA has taken into account all of the existing air pollution control equipment currently in operation at small MWC units. The cost estimates presented here are incremental costs over the control equipment already in use. For more details on the cost and economic analysis, refer to the EIA.

The total annual cost (including annualized capital and operating costs) of the final emission guidelines would be approximately $68 million, which is equivalent to $25.30 per ton of MSW combusted.

V. Companion Rule for New Small MWC Units

A companion rule to reestablish NSPS for new small MWC units is being published separately in today's **Federal Register**. The NSPS for new small MWC units are contained in 40 CFR part 60, subpart AAAA.

VI. Amendments to 40 CFR Part 60, Subpart B

Also included in today's **Federal Register** is a rule to amend subpart B of part 60, ''Adoption and Submittal of State Plans for Designated Facilities.'' The EPA proposed two amendments to subpart B, which are fully described in the proposal to reestablish emission guidelines for small MWC units (64 FR 47241). The EPA received no comments on the amendments to subpart B; therefore, the amendments are being promulgated as proposed.

VII. Administrative Requirements

A. Executive Order 12866: Regulatory Planning and Review

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the EPA must determine whether the regulatory action

is ''significant,'' and, therefore, subject to Office of Management and Budget (OMB) review and the requirements of the Executive Order. The Executive Order defines ''significant regulatory action'' as one that is likely to lead to a rule that may:

(1) Have an annual effect on the economy of $100 million or more, or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of Executive Order 12866, EPA has determined that this final rule is not a ''significant regulatory action'' and, therefore, is not subject to OMB review. The EPA submitted the 1995 rulemaking package (which included requirements for new and existing large MWC units and requirements for new and existing small MWC units) to OMB for review (60 FR 65405, December 19, 1995) and OMB approved the rulemaking package for adoption. The emission guidelines promulgated today only apply to small MWC units and are projected to have an impact of approximately $68 million annually.

B. Executive Order 13132: Federalism

Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999), requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' are defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.''

Under Section 6 of Executive Order 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. The EPA also may not issue a regulation that has federalism implications and that preempts State law, unless EPA consults with State and local officials early in the process of developing the proposed regulation.

This final rule does not have federalism implications. It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, because State plans are used to implement the rule. Thus, the requirements of section 6 of the Executive Order do not apply to this final rule. Although section 6 of Executive Order 13132 does not apply to this final rule, EPA did consult with State and local officials in developing this final rule. A list of those consultations is provided in the preamble to the 1995 emission guidelines (60 FR 65405–65412, December 19, 1995).

C. Executive Order 13084: Consultation and Coordination With Indian Tribal Governments

Under Executive Order 13084, EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies by consulting, Executive Order 13084 requires EPA to provide to OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments ''to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities.''

Today's final rule does not significantly or uniquely affect the communities of Indian tribal governments. The EPA is not aware of any small MWC units located in Indian territory. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this final rule.

D. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

Executive Order 13045, ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), applies to any rule that: (1) Is determined to be ''economically significant'' as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, EPA must evaluate the environmental health or safety effects of the planned rule on children and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by EPA.

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required under section 5–501 of the Executive Order has the potential to influence the regulation. This final rule is not subject to Executive Order 13045 because it is not economically significant as defined in Executive Order 12866. Further, it is based on technology performance and not on health and safety risks.

E. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, or tribal governments and the private sector. Under section 202 of the UMRA, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, or tribal governments, in the aggregate, or to the private sector, of $100 million or more in any 1 year. Before promulgating a rule for which a written statement is needed, section 205 of the UMRA generally requires EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective, or least burdensome alternative if the Administrator publishes with the final

rule an explanation why that alternative was not adopted. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must have developed under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

The EPA has determined that the emission guidelines do not contain a Federal mandate that may result in expenditures of $100 million or more for State, local, or tribal governments, in the aggregate, or the private sector in any 1 year. The EIA shows that the total annual costs of the emission guidelines is about $68 million per year, starting on the 5th year after the rule is promulgated. Thus, today's emission guidelines are not subject to the requirements of sections 202 and 205 of the UMRA. Although the emission guidelines are not subject to UMRA, EPA prepared a cost-benefit analysis under section 202 of the UMRA for the 1995 emission guidelines. For a discussion of how EPA complied with the UMRA for the 1995 emission guidelines, including its extensive consultations with State and local governments, see the preamble to the 1995 emission guidelines. Because today's final emission guidelines are equivalent to the 1995 emission guidelines, no additional consultations were necessary.

F. Regulatory Flexibility Act (RFA), as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 601 et seq.

The RFA generally requires Federal agencies to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental jurisdictions.

For purposes of assessing the impacts of today's final rule on small entities, a small entity is defined as: (1) A small business in the regulated industry that has a gross annual revenue less than $6 million; (2) a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; or (3) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field.

After considering the economic impacts of today's final rule on small entities, EPA has determined that this action will not have a significant economic impact on a substantial number of small entities. The EPA has determined in a regulatory flexibility analysis that eight existing small MWC units (operated by one small business and seven small governments) that would be subject to the emission guidelines are considered ''small entities'' according to the Small Business Administration's definitions for the affected industries. Also in the initial analysis, EPA calculated compliance costs as a percentage of sales for business and a percentage of income (total household income) for the relevant population of owning governments for the MWC units that are considered small entities. The estimated annual compliance cost as a percentage of income is 0.03 percent for the seven small potentially affected government entities and 39 percent for the one small business. For the seven potentially affected government entities, the maximum compliance cost was 0.25 percent. None of the governmental impacts are considered significant. The impact on the one small business is considered significant but one small business is not a substantial number of entities.

Although this final rule will not have a significant economic impact on a substantial number of small entities, EPA has tried to reduce the impact of this final rule on small entities by establishing different requirements for Class I and Class II MWC units and establishing provisions for less frequent testing for Class II MWC units. In addition, EPA involved representatives of small entities in the development of the emission guidelines.

G. Paperwork Reduction Act

The OMB has approved the information collection requirements in the emission guidelines under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* and has assigned OMB control number 2060–0424.

The information will be used to ensure that the small MWC unit requirements are implemented properly and are complied with on a continuous basis. Records and reports are necessary to identify small MWC units that might not be in compliance with the emission guidelines. Based on reported information, the implementing agency will decide which small MWC units should be inspected and what records or processes should be inspected. Records that owners and operators of small MWC units maintain indicate whether personnel are operating and maintaining control equipment properly.

The recordkeeping and reporting requirements are specifically authorized by section 114 of the CAA (42 U.S.C. 7414). All information submitted to the EPA for which a claim of confidentiality is made will be safeguarded according to EPA policies in 40 CFR part 2, subpart B, Confidentiality of Business Information.

The emission guidelines are projected to affect approximately 90 small MWC units located at 41 plants. The estimated average annual burden for industry for the first 3 years after promulgation of the emission guidelines would be 1,297 person-hours annually. There will be no capital costs for monitoring or recordkeeping during the first 3 years. The estimated average annual burden, over the first 3 years, for the implementing agency would be 773 hours with a cost of $30,869 (including travel expenses) per year.

Burden means total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. That includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15. The EPA is amending the table in 40 CFR part 9 of currently approved information collection request (ICR) control numbers issued by OMB for various regulations to list the information collection requirements contained in this final rule.

H. National Technology Transfer and Advancement Act

As noted in the proposed rule, section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law No. 104–113, section 12(d) (15 U.S.C. 272 note), directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, materials specifications, test methods, sampling procedures, business practices) developed or adopted by one or more voluntary consensus standards bodies. The NTTAA directs EPA to provide Congress, through annual reports to OMB, explanations when EPA decides not to use available and applicable voluntary consensus standards.

Consistent with the NTTAA, EPA conducted searches to identify voluntary consensus standards applicable to the small MWC emission guidelines that could be used in process and emissions monitoring. The search for emissions monitoring procedures identified 29 voluntary consensus standards that initially appeared to have possible use in lieu of EPA standard reference methods. After reviewing the available standards, EPA determined that 21 of the candidate consensus standards identified for measuring emissions or surrogates subject to emission standards in the final rule would not be practical due to lack of equivalency, documentation, validation data and other important technical and policy considerations. The seven remaining candidate consensus standards are under development or currently under EPA review. The EPA plans to follow, review and consider adopting those standards after their development and further review by EPA is completed.

One consensus standard, American Society for Testing and Materials (ASTM) D6216–98, is practical for EPA use in EPA Performance Specification 1 (PS–1) (40 CFR part 60, appendix B). The ASTM D6216 can best be used in place of the design specification verification procedures currently in sections 5 and 6 of PS–1. On September 23, 1998, EPA proposed incorporating by reference ASTM D6216–98 under a separate rulemaking (63 FR 50824). Comments from the proposal have been addressed, and EPA expects to complete that action in the near future. For the above reasons, EPA does not in this final rulemaking adopt ASTM D6216–98 in lieu of PS–1 requirements as it would be impractical for EPA to act independently from another rulemaking activity already undergoing promulgation, and because ASTM D6216 does not address all of the requirements specified in PS–1.

The EPA also conducted searches to identify voluntary consensus standards for process monitoring and process operation. Candidate voluntary consensus standards for process monitoring and process operation were identified for MWC unit load level (steam output); designing, constructing, installing, calibrating, and using nozzles and orifices; and MWC plant operator certification requirements.

One consensus standard by the American Society of Mechanical Engineers (ASME) was identified for potential use in this final rule for the measurement of MWC unit load level (steam output). The EPA believes the standard is practical to use in this final rule as the method to measure MWC unit load. The EPA has already incorporated by reference ''ASME Power Test Codes: Test Code for Steam Generating Units, Power Test Code 4.1—1964 (R1991)'' in 40 CFR 60.17(h)(3).

A second consensus standard by ASME was identified for potential use in this final rule for designing, constructing, installing, calibrating, and using nozzles and orifices. The EPA believes the standard is practical to use for the design, construction, installation, calibration, and use of nozzles and orifices. The EPA has already incorporated by reference ''American Society of Mechanical Engineers Interim Supplement 19.5 on Instruments and Apparatus: Application, Part II of Fluid Meters, 6th edition (1971)'' in 40 CFR 60.17(h)(3).

A third consensus standard by ASME (QRO–1–1994) was identified for potential use in this final rule for MWC plant operator certification requirements instead of developing new operator certification procedures. The EPA believes the standard is practical to use in the emission guidelines that require a chief facility operator and shift supervisor to successfully complete the operator certification procedures developed by ASME. The EPA has already incorporated by reference (QRO–1–1994) in 40 CFR 60.17(h)(1).

Tables 5, 6 and 7 of subpart BBBB list the EPA testing methods and performance standards included in this final rule. Most of the standards have been used by States and industry for more than 10 years. Nevertheless, under § 60.8 of subpart A of part 60, the standard also allows any State or source to apply to EPA for permission to use alternative methods in place of any of the EPA testing methods or performance standards listed in the final rule.

I. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801, *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this final rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the final rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2). This final rule will be effective February 5, 2001.

List of Subjects in 40 CFR Part 60

Environmental protection, Administrative practice and procedure, Air pollution control, Incorporation by reference, Municipal waste combustion, Reporting and recordkeeping requirements.

Dated: November 3, 2000.

Carol M. Browner,

Administrator.

For the reasons stated in the preamble, title 40, chapter I, part 60 of the Code of Federal Regulations is amended as follows:

PART 60—[AMENDED]

1. The authority citation for part 60 continues to read as follows:

Authority: 42 U.S.C. 7401–7601.

Subpart A—General Provisions

2. Section 60.17 is amended by revising paragraphs (h)(1), (h)(2) and (h)(3) to read as follows:

§ 60.17 Incorporations by reference.

* * * * *

(h) * * *

(1) ASME QRO–1–1994, Standard for the Qualification and Certification of Resource Recovery Facility Operators, IBR approved for §§ 60.56a, 60.54b(a), 60.54b(b), 60.1675(a), and 60.1675(c)(2).

(2) ASME PTC 4.1–1964 (Reaffirmed 1991), Power Test Codes: Test Code for Steam Generating Units (with 1968 and 1969 Addenda), IBR approved for §§ 60.46b, 60.58a(h)(6)(ii), 60.58b(i)(6)(ii), and 60.1810(a)(3).

(3) ASME Interim Supplement 19.5 on Instruments and Apparatus: Application, Part II of Fluid Meters, 6th Edition (1971), IBR approved for §§ 60.58a(h)(6)(ii), 60.58b(i)(6)(ii), and 60.1810(a)(4).

* * * * *

Subpart B—Adoption and Submittal of State Plans for Designated Facilities

3. Section 60.24 is amended by revising paragraph (e)(1) to read as follows:

§ 60.24 Emission standards and compliance schedules.

* * * * *

(e)(1) Any compliance schedule extending more than 12 months from the date required for submittal of the plan must include legally enforceable increments of progress to achieve compliance for each designated facility or category of facilities. Unless otherwise specified in the applicable subpart, increments of progress must include, where practicable, each increment of progress specified in § 60.21(h) and must include such additional increments of progress as may be necessary to permit close and effective supervision of progress toward final compliance.

* * * * *

4. Section 60.27 is amended by revising paragraph (f) to read as follows:

§ 60.27 Actions by the Administrator.

* * * * *

(f) Prior to promulgation of a plan under paragraph (d) of this section, the Administrator will provide the opportunity for at least one public hearing in either:

(1) Each State that failed to hold a public hearing as required by § 60.23(c); or

(2) Washington, DC or an alternate location specified in the **Federal Register**.

4. Part 60 is amended by adding a new subpart BBBB to read as follows:

Subpart BBBB—Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999

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Introduction

§ 60.1500 What is the purpose of this subpart?

This subpart establishes emission guidelines and compliance schedules for the control of emissions from existing small municipal waste combustion units. The pollutants addressed by the emission guidelines are listed in Tables 2, 3, 4, and 5 of this subpart. The emission guidelines are developed in accordance with sections 111(d) and 129 of the Clean Air Act (CAA) and subpart B of this part.

§ 60.1505 Am I affected by this subpart?

(a) If you are the Administrator of an air quality program in a State or United States protectorate with one or more existing small municipal waste combustion units that commenced construction on or before August 30, 1999, you must submit a State plan to the U.S. Environmental Protection Agency (EPA) that implements the emission guidelines contained in this subpart.

(b) You must submit the State plan to EPA by December 6, 2001.

§ 60.1510 Is a State plan required for all States?

No, you are not required to submit a State plan if there are no existing small municipal waste combustion units in your State and you submit a negative declaration letter in place of the State plan.

§ 60.1515 What must I include in my State plan?

(a) Include nine items:

(1) Inventory of affected municipal waste combustion units, including those that have ceased operation but have not been dismantled.

(2) Inventory of emissions from affected municipal waste combustion units in your State.

(3) Compliance schedules for each affected municipal waste combustion unit.

(4) Good combustion practices and emission limits for affected municipal waste ombustion units that are at least as protective as the emission guidelines contained in this subpart.

(5) Stack testing, continuous emission monitoring, recordkeeping, and reporting requirements.

(6) Certification that the hearing on the State plan was held, a list of witnesses and their organizational affiliations, if any, appearing at the hearing, and a brief written summary of each presentation or written submission.

(7) Provision for State progress reports to EPA.

(8) Identification of enforceable State mechanisms that you selected for implementing the emission guidelines of this subpart.

(9) Demonstration of your State's legal authority to carry out the CAA sections 111(d) and 129 State plan.

(b) Your State plan can deviate from the format and content of the emission guidelines contained in this subpart. However, if your State plan does deviate, you must demonstrate that your State plan is as protective as the emission guidelines contained in this subpart. Your State plan must address

regulatory applicability, increments of progress for retrofit, operator training and certification, operating practice, emission limits, continuous emission monitoring, stack testing, recordkeeping, reporting, and air curtain incinerator requirements.

(c) Follow the requirements of subpart B of this part in your State plan.

§ 60.1520 Is there an approval process for my State plan?

The EPA will review your State plan according to § 60.27.

§ 60.1525 What if my State plan is not approvable?

If you do not submit an approvable State plan (or a negative declaration letter), EPA will develop a Federal plan, according to § 60.27 to implement the emission guidelines contained in this subpart. Owners and operators of municipal waste combustion units not covered by an approved and currently effective State plan must comply with the Federal plan. The Federal plan is an interim action and, by its own terms, will cease to apply when your State plan is approved and becomes effective.

§ 60.1530 Is there an approval process for a negative declaration letter?

No, the EPA has no formal review process for negative declaration letters. Once your negative declaration letter has been received, EPA will place a copy in the public docket and publish a notice in the **Federal Register**. If, at a later date, an existing small municipal waste combustion unit is identified in your State, the Federal plan implementing the emission guidelines contained in this subpart will automatically apply to that municipal waste combustion unit until your State plan is approved.

§ 60.1535 What compliance schedule must I include in my State plan?

(a) Your State plan must include compliance schedules that require small municipal waste combustion units to achieve final compliance or cease operation as expeditiously as practicable but not later than the earlier of two dates:

(1) December 6, 2005.

(2) Three years after the effective date of State plan approval.

(b) For compliance schedules longer than 1 year after the effective date of State plan approval, State plans must include two items:

(1) Dates for enforceable increments of progress as specified in § 60.1590.

(2) For Class I units (see definition in § 60.1940), dioxins/furans stack test results for at least one test conducted during or after 1990. The stack tests must have been conducted according to the procedures specified under § 60.1790.

(c) Class I units that commenced construction after June 26, 1987 must comply with the dioxins/furans and mercury limits specified in Tables 2 and 3 of this subpart by the later of two dates:

(1) One year after the effective date of State plan approval.

(2) One year following the issuance of a revised construction or operation permit, if a permit modification is required.

§ 60.1540 Are there any State plan requirements for this subpart that supersede the requirements specified in subpart B?

Subpart B of this part establishes general requirements for developing and processing CAA section 111(d) plans. This subpart applies instead of the requirements in subpart B of this part, for two items:

(a) *Option for case-by-case less stringent emission standards and longer compliance schedules.* State plans developed to implement this subpart must be as protective as the emission guidelines contained in this subpart. State plans must require all municipal waste combustion units to comply no later than December 6, 2005. That requirement applies instead of the option for case-by-case less stringent emission standards and longer compliance schedules in § 60.24(f).

(b) *Increments of progress requirements.* For Class II units (see definition in § 60.1940), a State plan must include at least two increments of progress for the affected municipal waste combustion units. The two minimum increments are the final control plan submittal date and final compliance date in § 60.21(h)(1) and (5). That requirement applies instead of the requirement of § 60.24(e)(1) that would require a State plan to include all five increments of progress for all municipal waste combustion units. For Class I units under this subpart, the final control plan must contain the five increments of progress in § 60.24(e)(1).

§ 60.1545 Does this subpart directly affect municipal waste combustion unit owners and operators in my State?

(a) No, this subpart does not directly affect municipal waste combustion unit owners and operators in your State. However, municipal waste combustion unit owners and operators must comply with the State plan you developed to implement the emission guidelines contained in this subpart. Some States may incorporate the emission guidelines contained in this subpart into their State plans by direct incorporation by reference. Others may include the model rule text directly in their State plan.

(b) All municipal waste combustion units must be in compliance with the requirements established in this subpart by December 6, 2005, whether the municipal waste combustion unit is regulated under a State or Federal plan.

Applicability of State Plans

§ 60.1550 What municipal waste combustion units must I address in my State plan?

(a) Your State plan must address all existing small municipal waste combustion units in your State that meet two criteria:

(1) The municipal waste combustion unit has the capacity to combust at least 35 tons per day of municipal solid waste but no more than 250 tons per day of municipal solid waste or refuse-derived fuel.

(2) The municipal waste combustion unit commenced construction on or before August 30, 1999.

(b) If an owner or operator of a municipal waste combustion unit makes changes that meet the definition of modification or reconstruction after June 6, 2001 for subpart AAAA of this part, the municipal waste combustion unit becomes subject to subpart AAAA of this part and the State plan no longer applies to that unit.

(c) If an owner or operator of a municipal waste combustion unit makes physical or operational changes to an existing municipal waste combustion unit primarily to comply with your State plan, subpart AAAA of this part (New Source Performance Standards for New Small Municipal Waste Combustion Units) does not apply to that unit. Such changes do not constitute modifications or reconstructions under subpart AAAA of this part.

§ 60.1555 Are any small municipal waste combustion units exempt from my State plan?

(a) *Small municipal waste combustion units that combust less than 11 tons per day.* Units are exempt from your State plan if four requirements are met:

(1) The municipal waste combustion unit is subject to a federally enforceable permit limiting the amount of municipal solid waste combusted to less than 11 tons per day.

(2) You are notified by the owner or operator that the unit qualifies for the exemption.

(3) You receive from the owner or operator of the unit a copy of the federally enforceable permit.

(4) The owner or operator of the unit keeps daily records of the amount of municipal solid waste combusted.

(b) *Small power production units.* Units are exempt from your State plan if four requirements are met:

(1) The unit qualifies as a small power production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).

(2) The unit combusts homogeneous waste (excluding refuse-derived fuel) to produce electricity.

(3) You are notified by the owner or operator that the unit qualifies for the exemption.

(4) You receive documentation from the owner or operator that the unit qualifies for the exemption.

(c) *Cogeneration units.* Units are exempt from your State plan if four requirements are met:

(1) The unit qualifies as a cogeneration facility under section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)).

(2) The unit combusts homogeneous waste (excluding refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(3) You are notified by the owner or operator that the unit qualifies for the exemption.

(4) You receive documentation from the owner or operator that the unit qualifies for the exemption.

(d) *Municipal waste combustion units that combust only tires.* Units are exempt from your State plan if three requirements are met:

(1) The municipal waste combustion unit combusts a single-item waste stream of tires and no other municipal waste (the unit can co-fire coal, fuel oil, natural gas, or other nonmunicipal solid waste).

(2) You are notified by the owner or operator that the unit qualifies for the exemption.

(3) You receive documentation from the owner or operator that the unit qualifies for the exemption.

(e) *Hazardous waste combustion units.* Units are exempt from your State plan if the units have received a permit under section 3005 of the Solid Waste Disposal Act.

(f) *Materials recovery units.* Units are exempt from your State plan if the units combust waste mainly to recover metals. Primary and secondary smelters may qualify for the exemption.

(g) *Co-fired units.* Units are exempt from your State plan if four requirements are met:

(1) The unit has a federally enforceable permit limiting municipal solid waste combustion to 30 percent of the total fuel input by weight.

(2) You are notified by the owner or operator that the unit qualifies for the exemption.

(3) You receive from the owner or operator of the unit a copy of the federally enforceable permit.

(4) The owner or operator records the weights, each quarter, of municipal solid waste and of all other fuels combusted.

(h) *Plastics/rubber recycling units.* Units are exempt from your State plan if four requirements are met:

(1) The pyrolysis/combustion unit is an integrated part of a plastics/rubber recycling unit as defined under ''Definitions'' (§ 60.1940).

(2) The owner or operator of the unit records the weight, each quarter, of plastics, rubber, and rubber tires processed.

(3) The owner or operator of the unit records the weight, each quarter, of feed stocks produced and marketed from chemical plants and petroleum refineries.

(4) The owner or operator of the unit keeps the name and address of the purchaser of the feed stocks.

(i) *Units that combust fuels made from products of plastics/rubber recycling plants.* Units are exempt from your State plan if two requirements are met:

(1) The unit combusts gasoline, diesel fuel, jet fuel, fuel oils, residual oil, refinery gas, petroleum coke, liquified petroleum gas, propane, or butane produced by chemical plants or petroleum refineries that use feed stocks produced by plastics/rubber recycling units.

(2) The unit does not combust any other municipal solid waste.

(j) *Cement kilns.* Cement kilns that combust municipal solid waste are exempt from your State plan.

(k) *Air curtain incinerators.* If an air curtain incinerator (see § 60.1940 for definition) combusts 100 percent yard waste, then those units must only meet the requirements under ''Model Rule—Air Curtain Incinerators That Burn 100 Percent Yard Waste'' (§§ 60.1910 through 60.1930).

§ 60.1560 Can an affected municipal waste combustion unit reduce its capacity to less than 35 tons per day rather than comply with my State plan?

(a) Yes, an owner or operator of an affected municipal waste combustion unit may choose to reduce, by your final compliance date, the maximum combustion capacity of the unit to less than 35 tons per day of municipal solid waste rather than comply with your State plan. They must submit a final control plan and the notifications of achievement of increments of progress as specified in § 60.1610.

(b) The final control plan must, at a minimum, include two items:

(1) A description of the physical changes that will be made to accomplish the reduction.

(2) Calculations of the current maximum combustion capacity and the planned maximum combustion capacity after the reduction. Use the equations specified under § 60.1935(d) and (e) to calculate the combustion capacity of a municipal waste combustion unit.

(c) A permit restriction or a change in the method of operation does not qualify as a reduction in capacity. Use the equations specified under § 60.1935(d) and (e) to calculate the combustion capacity of a municipal waste combustion unit.

§ 60.1565 What subcategories of small municipal waste combustion units must I include in my State plan?

This subpart specifies different requirements for different subcategories of municipal waste combustion units. You must use those same two subcategories in your State plan. Those two subcategories are based on the aggregate capacity of the municipal waste combustion plant as follows:

(a) *Class I units.* Class I units are small municipal waste combustion units that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. (*See* the definition of ''municipal waste combustion plant capacity'' in § 60.1940 for specification of which units at a plant are included in the aggregate capacity calculation.)

(b) *Class II units.* Class II units are small municipal waste combustion units that are located at municipal waste combustion plants with an aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. (*See* the definition of ''municipal waste combustion plant capacity'' in § 60.1940 for specification of which units at a plant are included in the aggregate capacity calculation.)

Use of Model Rule

§ 60.1570 What is the ''model rule'' in this subpart?

(a) The model rule is the portion of the emission guidelines (§§ 60.1585 through 60.1905) that addresses the regulatory requirements applicable to small municipal waste combustion units. The model rule provides the requirements in a regulation format.

(b) In the model rule, ''you'' means the owner or operator of a small municipal waste combustion unit.

§ 60.1575 How does the model rule relate to the required elements of my State plan?

The model rule may be used to satisfy the State plan requirements specified in § 60.1515(a)(4) and (5). Alternative language may be used in your State plan, but only if you can demonstrate that the alternative language is as protective as the model rule.

§ 60.1580 What are the principal components of the model rule?

The model rule contains five major components:

(a) Increments of progress toward compliance.

(b) Good combustion practices:

(1) Operator training.

(2) Operator certification.

(3) Operating requirements.

(c) Emission limits.

(d) Monitoring and stack testing.

(e) Recordkeeping and reporting.

Model Rule—Increments of Progress

§ 60.1585 What are my requirements for meeting increments of progress and achieving final compliance?

(a) *Class I units.* If you plan to achieve compliance more than 1 year following the effective date of State plan approval and a permit modification is not required, or more than 1 year following the date of issuance of a revised construction or operation permit if a permit modification is required, you must meet five increments of progress:

(1) Submit a final control plan.

(2) Submit a notification of retrofit contract award.

(3) Initiate onsite construction.

(4) Complete onsite construction.

(5) Achieve final compliance.

(b) *Class II units.* If you plan to achieve compliance more than 1 year following the effective date of State plan approval and a permit modification is not required, or more than 1 year following the date of issuance of a revised construction or operation permit if a permit modification is required, you must meet two increments of progress:

(1) Submit a final control plan.

(2) Achieve final compliance.

§ 60.1590 When must I complete each increment of progress?

Table 1 of this subpart specifies compliance dates for each of the increments of progress for Class I and II units. (*See* § 60.1940 for definitions of classes.)

§ 60.1595 What must I include in the notifications of achievement of my increments of progress?

Your notification of achievement of increments of progress must include three items:

(a) Notification that the increment of progress has been achieved.

(b) Any items required to be submitted with the increment of progress (§§ 60.1610 through 60.1630).

(c) The notification must be signed by the owner or operator of the municipal waste combustion unit.

§ 60.1600 When must I submit the notifications of achievement of increments of progress?

Notifications of the achievement of increments of progress must be postmarked no later than 10 days after the compliance date for the increment.

§ 60.1605 What if I do not meet an increment of progress?

If you fail to meet an increment of progress, you must submit a notification to the Administrator postmarked within 10 business days after the specified date in Table 1 of this subpart for achieving that increment of progress. The notification must inform the Administrator that you did not meet the increment. You must include in the notification an explanation of why the increment of progress was not met and your plan for meeting the increment as expeditiously as possible. You must continue to submit reports each subsequent month until the increment of progress is met.

§ 60.1610 How do I comply with the increment of progress for submittal of a control plan?

For your control plan increment of progress, you must complete two items:

(a) Submit the final control plan, including a description of the devices for air pollution control and process changes that you will use to comply with the emission limits and other requirements of this subpart.

(b) You must maintain an onsite copy of the final control plan.

§ 60.1615 How do I comply with the increment of progress for awarding contracts?

You must submit a signed copy of the contracts awarded to initiate onsite construction, initiate onsite installation of emission control equipment, and incorporate process changes. Submit the copy of the contracts with the notification that the increment of progress has been achieved. You do not need to include documents incorporated by reference or the attachments to the contracts.

§ 60.1620 How do I comply with the increment of progress for initiating onsite construction?

You must initiate onsite construction and installation of emission control equipment and initiate the process changes outlined in the final control plan.

§ 60.1625 How do I comply with the increment of progress for completing onsite construction?

You must complete onsite construction and installation of emission control equipment and complete process changes outlined in the final control plan.

§ 60.1630 How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must complete two items:

(a) Complete all process changes and complete retrofit construction as specified in the final control plan.

(b) Connect the air pollution control equipment with the municipal waste combustion unit identified in the final control plan and complete process changes to the municipal waste combustion unit so that if the affected municipal waste combustion unit is brought online, all necessary process changes and air pollution control equipment are operating as designed.

§ 60.1635 What must I do if I close my municipal waste combustion unit and then restart my municipal waste combustion unit?

(a) If you close your municipal waste combustion unit but will reopen it prior to the final compliance date in your State plan, you must meet the increments of progress specified in § 60.1585.

(b) If you close your municipal waste combustion unit but will restart it after your final compliance date, you must complete emission control retrofit and meet the emission limits and good combustion practices on the date your municipal waste combustion unit restarts operation.

§ 60.1640 What must I do if I plan to permanently close my municipal waste combustion unit and not restart it?

(a) If you plan to close your municipal waste combustion unit rather than comply with the State plan, you must submit a closure notification, including the date of closure, to the Administrator by the date your final control plan is due.

(b) If the closure date is later than 1 year after the effective date of State plan approval, you must enter into a legally binding closure agreement with the

Administrator by the date your final control plan is due. The agreement must specify the date by which operation will cease.

Model Rule—Good Combustion Practices: Operator Training

§ 60.1645 What types of training must I do?

There are two types of required training:

(a) Training of operators of municipal waste combustion units using the EPA or a State-approved training course.

(b) Training of plant personnel using a plant-specific training course.

§ 60.1650 Who must complete the operator training course? By when?

(a) Three types of employees must complete the EPA or State-approved operator training course:

(1) Chief facility operators.

(2) Shift supervisors.

(3) Control room operators.

(b) Those employees must complete the operator training course by the later of three dates:

(1) One year after the effective date of State plan approval.

(2) Six months after your municipal waste combustion unit starts up.

(3) The date before an employee assumes responsibilities that affect operation of the municipal waste combustion unit.

(c) The requirement in paragraph (a) of this section does not apply to chief facility operators, shift supervisors, and control room operators who have obtained full certification from the American Society of Mechanical Engineers on or before the effective date of State plan approval.

(d) You may request that the EPA Administrator waive the requirement in paragraph (a) of this section for chief facility operators, shift supervisors, and control room operators who have obtained provisional certification from the American Society of Mechanical Engineers on or before the effective date of State plan approval.

§ 60.1655 Who must complete the plant-specific training course?

All employees with responsibilities that affect how a municipal waste combustion unit operates must complete the plant-specific training course. Include at least six types of employees:

(a) Chief facility operators.

(b) Shift supervisors.

(c) Control room operators.

(d) Ash handlers.

(e) Maintenance personnel.

(f) Crane or load handlers.

§ 60.1660 What plant-specific training must I provide?

For plant-specific training, you must do four things:

(a) For training at a particular plant, develop a specific operating manual for that plant by the later of two dates:

(1) Six months after your municipal waste combustion unit starts up.

(2) One year after the effective date of State plan approval.

(b) Establish a program to review the plant-specific operating manual with people whose responsibilities affect the operation of your municipal waste combustion unit. Complete the initial review by the later of three dates:

(1) One year after the effective date of State plan approval.

(2) Six months after your municipal waste combustion unit starts up.

(3) The date before an employee assumes responsibilities that affect operation of the municipal waste combustion unit.

(c) Update your manual annually.

(d) Review your manual with staff annually.

§ 60.1665 What information must I include in the plant-specific operating manual?

You must include 11 items in the operating manual for your plant:

(a) A summary of all applicable requirements in this subpart.

(b) A description of the basic combustion principles that apply to municipal waste combustion units.

(c) Procedures for receiving, handling, and feeding municipal solid waste.

(d) Procedures to be followed during periods of startup, shutdown, and malfunction of the municipal waste combustion unit.

(e) Procedures for maintaining a proper level of combustion air supply.

(f) Procedures for operating the municipal waste combustion unit in compliance with the requirements contained in this subpart.

(g) Procedures for responding to periodic upset or off-specification conditions.

(h) Procedures for minimizing carryover of particulate matter.

(i) Procedures for handling ash.

(j) Procedures for monitoring emissions from the municipal waste combustion unit.

(k) Procedures for recordkeeping and reporting.

§ 60.1670 Where must I keep the plant-specific operating manual?

You must keep your operating manual in an easily accessible location at your plant. It must be available for review or inspection by all employees who must review it and by the Administrator.

Model Rule—Good Combustion Practices: Operator Certification

§ 60.1675 What types of operator certification must the chief facility operator and shift supervisor obtain and by when must they obtain it?

(a) Each chief facility operator and shift supervisor must obtain and keep a current provisional operator certification from the American Society of Mechanical Engineers (QRO–1–1994) (incorporated by reference in § 60.17(h)(1)) or a current provisional operator certification from your State certification program.

(b) Each chief facility operator and shift supervisor must obtain a provisional certification by the later of three dates:

(1) For Class I units, 12 months after the effective date of State plan approval. For Class II units, 18 months after the effective date of State plan approval.

(2) Six months after the municipal waste combustion unit starts up.

(3) Six months after they transfer to the municipal waste combustion unit or 6 months after they are hired to work at the municipal waste combustion unit.

(c) Each chief facility operator and shift supervisor must take one of three actions:

(1) Obtain a full certification from the American Society of Mechanical Engineers or a State certification program in your State.

(2) Schedule a full certification exam with the American Society of Mechanical Engineers (QRO–1–1994) (incorporated by reference in § 60.17(h)(1)).

(3) Schedule a full certification exam with your State certification program.

(d) The chief facility operator and shift supervisor must obtain the full certification or be scheduled to take the certification exam by the later of the following dates:

(1) For Class I units, 12 months after the effective date of State plan approval. For Class II units, 18 months after the effective date of State plan approval.

(2) Six months after the municipal waste combustion unit starts up.

(3) Six months after they transfer to the municipal waste combustion unit or 6 months after they are hired to work at the municipal waste combustion unit.

§ 60.1680 After the required date for operator certification, who may operate the municipal waste combustion unit?

After the required date for full or provisional certification, you must not operate your municipal waste combustion unit unless one of four employees is on duty:

(a) A fully certified chief facility operator.

(b) A provisionally certified chief facility operator who is scheduled to take the full certification exam.

(c) A fully certified shift supervisor.

(d) A provisionally certified shift supervisor who is scheduled to take the full certification exam.

§ 60.1685 What if all the certified operators must be temporarily offsite?

If the certified chief facility operator and certified shift supervisor both are unavailable, a provisionally certified control room operator at the municipal waste combustion unit may fulfill the certified operator requirement. Depending on the length of time that a certified chief facility operator and certified shift supervisor are away, you must meet one of three criteria:

(a) When the certified chief facility operator and certified shift supervisor are both offsite for 12 hours or less and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without notice to, or approval by, the Administrator.

(b) When the certified chief facility operator and certified shift supervisor are offsite for more than 12 hours, but for 2 weeks or less, and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without notice to, or approval by, the Administrator. However, you must record the periods when the certified chief facility operator and certified shift supervisor are offsite and include the information in the annual report as specified under § 60.1885(l).

(c) When the certified chief facility operator and certified shift supervisor are offsite for more than 2 weeks, and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without notice to, or approval by, the Administrator. However, you must take two actions:

(1) Notify the Administrator in writing. In the notice, state what caused the absence and what you are doing to ensure that a certified chief facility operator or certified shift supervisor is onsite.

(2) Submit a status report and corrective action summary to the Administrator every 4 weeks following the initial notification. If the Administrator notifies you that your status report or corrective action summary is disapproved, the municipal waste combustion unit may continue operation for 90 days, but then must cease operation. If corrective actions are taken in the 90-day period such that the Administrator withdraws the disapproval, municipal waste combustion unit operation may continue.

Model Rule—Good Combustion Practices: Operating Requirements

§ 60.1690 What are the operating practice requirements for my municipal waste combustion unit?

(a) You must not operate your municipal waste combustion unit at loads greater than 110 percent of the maximum demonstrated load of the municipal waste combustion unit (4-hour block average), as specified under ''Definitions'' (§ 60.1940).

(b) You must not operate your municipal waste combustion unit so that the temperature at the inlet of the particulate matter control device exceeds 17°C above the maximum demonstrated temperature of the particulate matter control device (4-hour block average), as specified under ''Definitions'' (§ 60.1940).

(c) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must maintain an 8-hour block average carbon feed rate at or above the highest average level established during the most recent dioxins/furans or mercury test.

(d) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must evaluate total carbon usage for each calendar quarter. The total amount of carbon purchased and delivered to your municipal waste combustion plant must be at or above the required quarterly usage of carbon. At your option, you may choose to evaluate required quarterly carbon usage on a municipal waste combustion unit basis for each individual municipal waste combustion unit at your plant. Calculate the required quarterly usage of carbon using equation 4 or 5 in § 60.1935(f).

(e) Your municipal waste combustion unit is exempt from limits on load level, temperature at the inlet of the particulate matter control device, and carbon feed rate during any of five situations:

(1) During your annual tests for dioxins/furans.

(2) During your annual mercury tests (for carbon feed rate requirements only).

(3) During the 2 weeks preceding your annual tests for dioxins/furans.

(4) During the 2 weeks preceding your annual mercury tests (for carbon feed rate requirements only).

(5) Whenever the Administrator or delegated State authority permits you to do any of five activities:

(i) Evaluate system performance.

(ii) Test new technology or control technologies.

(iii) Perform diagnostic testing.

(iv) Perform other activities to improve the performance of your municipal waste combustion unit.

(v) Perform other activities to advance the state of the art for emission controls for your municipal waste combustion unit.

§ 60.1695 What happens to the operating requirements during periods of startup, shutdown, and malfunction?

(a) The operating requirements of this subpart apply at all times except during periods of municipal waste combustion unit startup, shutdown, or malfunction.

(b) Each startup, shutdown, or malfunction must not last for longer than 3 hours.

Model Rule—Emission Limits

§ 60.1700 What pollutants are regulated by this subpart?

Eleven pollutants, in four groupings, are regulated:

(a) *Organics.* Dioxins/furans.

(b) *Metals.*

(1) Cadmium.

(2) Lead.

(3) Mercury.

(4) Opacity.

(5) Particulate matter.

(c) *Acid gases.*

(1) Hydrogen chloride.

(2) Nitrogen oxides.

(3) Sulfur dioxide.

(d) *Other.*

(1) Carbon monoxide.

(2) Fugitive ash.

§ 60.1705 What emission limits must I meet? By when?

(a) After the date the initial stack test and continuous emission monitoring system evaluation are required or completed (whichever is earlier), you must meet the applicable emission limits specified in the four tables of this subpart:

(1) For Class I units, see Tables 2 and 3 of this subpart.

(2) For Class II units, see Table 4 of this subpart.

(3) For carbon monoxide emission limits for both classes of units, see Table 5 of this subpart.

(b) If your Class I municipal waste combustion unit began construction, reconstruction, or modification after June 26, 1987, then you must comply with the dioxins/furans and mercury emission limits specified in Table 2 of this subpart as applicable by the later of the following two dates:

(1) One year after the effective date of State plan approval.

(2) One year after the issuance of a revised construction or operating

permit, if a permit modification is required. Final compliance with the dioxins/furans limits must be achieved no later than December 6, 2005, even if the date 1 year after the issuance of a revised construction or operation permit is later than December 6, 2005.

§ 60.1710 What happens to the emission limits during periods of startup, shutdown, and malfunction?

(a) The emission limits of this subpart apply at all times except during periods of municipal waste combustion unit startup, shutdown, or malfunction.

(b) Each startup, shutdown, or malfunction must not last for longer than 3 hours.

(c) A maximum of 3 hours of test data can be dismissed from compliance calculations during periods of startup, shutdown, or malfunction.

(d) During startup, shutdown, or malfunction periods longer than 3 hours, emissions data cannot be discarded from compliance calculations and all provisions under § 60.11(d) apply.

Model Rule—Continuous Emission Monitoring

§ 60.1715 What types of continuous emission monitoring must I perform?

To continuously monitor emissions, you must perform four tasks:

(a) Install continuous emission monitoring systems for certain gaseous pollutants.

(b) Make sure your continuous emission monitoring systems are operating correctly.

(c) Make sure you obtain the minimum amount of monitoring data.

(d) Install a continuous opacity monitoring system.

§ 60.1720 What continuous emission monitoring systems must I install for gaseous pollutants?

(a) You must install, calibrate, maintain, and operate continuous emission monitoring systems for oxygen (or carbon dioxide), sulfur dioxide, and carbon monoxide. If you operate a Class I municipal waste combustion unit, also install, calibrate, maintain, and operate a continuous emission monitoring system for nitrogen oxides. Install the continuous emission monitoring systems for sulfur dioxide, nitrogen oxides, and oxygen (or carbon dioxide) at the outlet of the air pollution control device.

(b) You must install, evaluate, and operate each continuous emission monitoring system according to the ''Monitoring Requirements'' in § 60.13.

(c) You must monitor the oxygen (or carbon dioxide) concentration at each location where you monitor sulfur dioxide and carbon monoxide. Additionally, if you operate a Class I municipal waste combustion unit, you must also monitor the oxygen (or carbon dioxide) concentration at the location where you monitor nitrogen oxides.

(d) You may choose to monitor carbon dioxide instead of oxygen as a diluent gas. If you choose to monitor carbon dioxide, then an oxygen monitor is not required and you must follow the requirements in § 60.1745.

(e) If you choose to demonstrate compliance by monitoring the percent reduction of sulfur dioxide, you must also install continuous emission monitoring systems for sulfur dioxide and oxygen (or carbon dioxide) at the inlet of the air pollution control device.

(f) If you prefer to use an alternative sulfur dioxide monitoring method, such as parametric monitoring, or cannot monitor emissions at the inlet of the air pollution control device to determine percent reduction, you can apply to the Administrator for approval to use an alternative monitoring method under § 60.13(i).

§ 60.1725 How are the data from the continuous emission monitoring systems used?

You must use data from the continuous emission monitoring systems for sulfur dioxide, nitrogen oxides, and carbon monoxide to demonstrate continuous compliance with the applicable emission limits specified in Tables 2, 3, 4, and 5 of this subpart. To demonstrate compliance for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash, see § 60.1780.

§ 60.1730 How do I make sure my continuous emission monitoring systems are operating correctly?

(a) Conduct initial, daily, quarterly, and annual evaluations of your continuous emission monitoring systems that measure oxygen (or carbon dioxide), sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide.

(b) Complete your initial evaluation of the continuous emission monitoring systems within 180 days after your final compliance date.

(c) For initial and annual evaluations, collect data concurrently (or within 30 to 60 minutes) using your oxygen (or carbon dioxide) continuous emission monitoring system, your sulfur dioxide, nitrogen oxides, or carbon monoxide continuous emission monitoring systems, as appropriate, and the appropriate test methods specified in Table 6 of this subpart. Collect the data during each initial and annual evaluation of your continuous emission monitoring systems following the applicable performance specifications in appendix B of this part. Table 7 of this subpart shows the performance specifications that apply to each continuous emission monitoring system.

(d) Follow the quality assurance procedures in Procedure 1 of appendix F of this part for each continuous emission monitoring system. The procedures include daily calibration drift and quarterly accuracy determinations.

§ 60.1735 Am I exempt from any appendix B or appendix F requirements to evaluate continuous emission monitoring systems?

Yes, the accuracy tests for your sulfur dioxide continuous emission monitoring system require you to also evaluate your oxygen (or carbon dioxide) continuous emission monitoring system. Therefore, your oxygen (or carbon dioxide) continuous emission monitoring system is exempt from two requirements:

(a) Section 2.3 of Performance Specification 3 in appendix B of this part (relative accuracy requirement).

(b) Section 5.1.1 of appendix F of this part (relative accuracy test audit).

§ 60.1740 What is my schedule for evaluating continuous emission monitoring systems?

(a) Conduct annual evaluations of your continuous emission monitoring systems no more than 13 months after the previous evaluation was conducted.

(b) Evaluate your continuous emission monitoring systems daily and quarterly as specified in appendix F of this part.

§ 60.1745 What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?

You must establish the relationship between oxygen and carbon dioxide during the initial evaluation of your continuous emission monitoring systems. You may reestablish the relationship during annual evaluations. To establish the relationship use three procedures:

(a) Use EPA Reference Method 3A or 3B in appendix A of this part to determine oxygen concentration at the location of your carbon dioxide monitor.

(b) Conduct at least three test runs for oxygen. Make sure each test run represents a 1-hour average and that sampling continues for at least 30 minutes in each hour.

(c) Use the fuel-factor equation in EPA Reference Method 3B in appendix A of this part to determine the relationship between oxygen and carbon dioxide.

§ 60.1750 What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems and is the data collection requirement enforceable?

(a) Where continuous emission monitoring systems are required, obtain 1-hour arithmetic averages. Make sure the averages for sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide are in parts per million by dry volume at 7 percent oxygen (or the equivalent carbon dioxide level). Use the 1-hour averages of oxygen (or carbon dioxide) data from your continuous emission monitoring system to determine the actual oxygen (or carbon dioxide) level and to calculate emissions at 7 percent oxygen (or the equivalent carbon dioxide level).

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average. Section 60.13(e)(2) requires your continuous emission monitoring systems to complete at least one cycle of operation (sampling, analyzing, and data recording) for each 15-minute period.

(c) Obtain valid 1-hour averages for 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal solid waste or refuse-derived fuel.

(d) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you are in violation of the data collection requirement regardless of the emission level monitored, and you must notify the Administrator according to § 60.1885(e).

(e) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you must still use all valid data from the continuous emission monitoring systems in calculating emission concentrations and percent reductions in accordance with § 60.1755.

§ 60.1755 How do I convert my 1-hour arithmetic averages into appropriate averaging times and units?

(a) Use the equation in § 60.1935(a) to calculate emissions at 7 percent oxygen.

(b) Use EPA Reference Method 19 in appendix A of this part, section 4.3, to calculate the daily geometric average concentrations of sulfur dioxide emissions. If you are monitoring the percent reduction of sulfur dioxide, use EPA Reference Method 19 in appendix A of this part, section 5.4, to determine the daily geometric average percent reduction of potential sulfur dioxide emissions.

(c) If you operate a Class I municipal waste combustion unit, use EPA Reference Method 19 in appendix A of this part, section 4.1, to calculate the daily arithmetic average for concentrations of nitrogen oxides.

(d) Use EPA Reference Method 19 in appendix A of this part, section 4.1, to calculate the 4-hour or 24-hour daily block averages (as applicable) for concentrations of carbon monoxide.

§ 60.1760 What is required for my continuous opacity monitoring system and how are the data used?

(a) Install, calibrate, maintain, and operate a continuous opacity monitoring system.

(b) Install, evaluate, and operate each continuous opacity monitoring system according to § 60.13.

(c) Complete an initial evaluation of your continuous opacity monitoring system according to Performance Specification 1 in appendix B of this part. Complete the evaluation by 180 days after your final compliance date.

(d) Complete each annual evaluation of your continuous opacity monitoring system no more than 13 months after the previous evaluation.

(e) Use tests conducted according to EPA Reference Method 9 in appendix A of this part, as specified in § 60.1790, to determine compliance with the opacity limit in Table 2 or 4 of this subpart. The data obtained from your continuous opacity monitoring system are not used to determine compliance with the opacity limit.

§ 60.1765 What additional requirements must I meet for the operation of my continuous emission monitoring systems and continuous opacity monitoring system?

Use the required span values and applicable performance specifications in Table 8 of this subpart.

§ 60.1770 What must I do if any of my continuous emission monitoring systems are temporarily unavailable to meet the data collection requirements?

Refer to Table 8 of this subpart. It shows alternate methods for collecting data when systems malfunction or when repairs, calibration checks, or zero and span checks keep you from collecting the minimum amount of data.

Model Rule—Stack Testing

§ 60.1775 What types of stack tests must I conduct?

Conduct initial and annual stack tests to measure the emission levels of dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

§ 60.1780 How are the stack test data used?

You must use results of stack tests for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash to demonstrate compliance with the applicable emission limits in Tables 2 and 4 of this subpart. To demonstrate compliance for carbon monoxide, nitrogen oxides, and sulfur dioxide, see § 60.1725.

§ 60.1785 What schedule must I follow for the stack testing?

(a) Conduct initial stack tests for the pollutants listed in § 60.1775 by 180 days after your final compliance date.

(b) Conduct annual stack tests for the same pollutants after the initial stack test. Conduct each annual stack test no later than 13 months after the previous stack test.

§ 60.1790 What test methods must I use to stack test?

(a) Follow Table 8 of this subpart to establish the sampling location and to determine pollutant concentrations, number of traverse points, individual test methods, and other specific testing requirements for the different pollutants.

(b) Make sure that stack tests for all the pollutants consist of at least three test runs, as specified in § 60.8. Use the average of the pollutant emission concentrations from the three test runs to determine compliance with the applicable emission limits in Tables 2 and 4 of this subpart.

(c) Obtain an oxygen (or carbon dioxide) measurement at the same time as your pollutant measurements to determine diluent gas levels, as specified in § 60.1720.

(d) Use the equations in § 60.1935(a) to calculate emission levels at 7 percent oxygen (or an equivalent carbon dioxide basis), the percent reduction in potential hydrogen chloride emissions, and the reduction efficiency for mercury emissions. See the individual test methods in Table 6 of this subpart for other required equations.

(e) You can apply to the Administrator for approval under § 60.8(b) to use a reference method with minor changes in methodology, use an equivalent method, use an alternative method the results of which the Administrator has determined are adequate for demonstrating compliance, waive the requirement for a performance test because you have demonstrated by other means that you are in compliance, or use a shorter sampling time or smaller sampling volume.

§ 60.1795 May I conduct stack testing less often?

(a) You may test less often if you own or operate a Class II municipal waste combustion unit and if all stack tests for a given pollutant over 3 consecutive years show you comply with the emission limit. In that case, you are not required to conduct a stack test for that pollutant for the next 2 years. However, you must conduct another stack test within 36 months of the anniversary date of the third consecutive stack test that shows you comply with the emission limit. Thereafter, you must perform stack tests every 3rd year but no later than 36 months following the previous stack tests. If a stack test shows noncompliance with an emission limit, you must conduct annual stack tests for that pollutant until all stack tests over 3 consecutive years show compliance with the emission limit for that pollutant. The provision applies to all pollutants subject to stack testing requirements: dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

(b) You can test less often for dioxins/furans emissions if you own or operate a municipal waste combustion plant that meets two conditions. First, you have multiple municipal waste combustion units onsite that are subject to this subpart. Second, all those municipal waste combustion units have demonstrated levels of dioxins/furans emissions less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, for 2 consecutive years. In that case, you may choose to conduct annual stack tests on only one municipal waste combustion unit per year at your plant. The provision only applies to stack testing for dioxins/furans emissions.

(1) Conduct the stack test no more than 13 months following a stack test on any municipal waste combustion unit subject to this subpart at your plant. Each year, test a different municipal waste combustion unit subject to this subpart and test all municipal waste combustion units subject to this subpart in a sequence that you determine. Once you determine a testing sequence, it must not be changed without approval by the Administrator.

(2) If each annual stack test shows levels of dioxins/furans emissions less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, you may continue stack tests on only one municipal waste combustion unit subject to this subpart per year.

(3) If any annual stack test indicates levels of dioxins/furans emissions greater than 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, conduct subsequent annual stack tests on all municipal waste combustion units subject to this subpart at your plant. You may return to testing one municipal waste combustion unit subject to this subpart per year if you can demonstrate dioxins/furans emissions levels less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, for all municipal waste combustion units at your plant subject to this subpart for 2 consecutive years.

§ 60.1800 May I deviate from the 13-month testing schedule if unforeseen circumstances arise?

You may not deviate from the 13-month testing schedules specified in §§ 60.1785(b) and 60.1795(b)(1) unless you apply to the Administrator for an alternative schedule, and the Administrator approves your request for alternate scheduling prior to the date on which you would otherwise have been required to conduct the next stack test.

Model Rule—Other Monitoring Requirements

§ 60.1805 Must I meet other requirements for continuous monitoring?

You must also monitor three operating parameters:

(a) Load level of each municipal waste combustion unit.

(b) Temperature of flue gases at the inlet of your particulate matter air pollution control device.

(c) Carbon feed rate if activated carbon is used to control dioxins/furans or mercury emissions.

§ 60.1810 How do I monitor the load of my municipal waste combustion unit?

(a) If your municipal waste combustion unit generates steam, you must install, calibrate, maintain, and operate a steam flowmeter or a feed water flowmeter and meet five requirements:

(1) Continuously measure and record the measurements of steam (or feed water) in kilograms (or pounds) per hour.

(2) Calculate your steam (or feed water) flow in 4-hour block averages.

(3) Calculate the steam (or feed water) flow rate using the method in ''American Society of Mechanical Engineers Power Test Codes: Test Code for Steam Generating Units, Power Test Code 4.1—1964 (R1991),'' section 4 (incorporated by reference in § 60.17(h)(2)).

(4) Design, construct, install, calibrate, and use nozzles or orifices for flow rate measurements, using the recommendations in ''American Society of Mechanical Engineers Interim Supplement 19.5 on Instruments and Apparatus: Application, Part II of Fluid Meters,'' 6th Edition (1971), chapter 4 (incorporated by reference in § 60.17(h)(3)).

(5) Before each dioxins/furans stack test, or at least once a year, calibrate all signal conversion elements associated with steam (or feed water) flow measurements according to the manufacturer instructions.

(b) If your municipal waste combustion units do not generate steam, or, if your municipal waste combustion units have shared steam systems and steam load cannot be estimated per unit, you must determine, to the satisfaction of the Administrator, one or more operating parameters that can be used to continuously estimate load level (for example, the feed rate of municipal solid waste or refuse-derived fuel). You must continuously monitor the selected parameters.

§ 60.1815 How do I monitor the temperature of flue gases at the inlet of my particulate matter control device?

You must install, calibrate, maintain, and operate a device to continuously measure the temperature of the flue gas stream at the inlet of each particulate matter control device.

§ 60.1820 How do I monitor the injection rate of activated carbon?

If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must meet three requirements:

(a) Select a carbon injection system operating parameter that can be used to calculate carbon feed rate (for example, screw feeder speed).

(b) During each dioxins/furans and mercury stack test, determine the average carbon feed rate in kilograms (or pounds) per hour. Also, determine the average operating parameter level that correlates to the carbon feed rate. Establish a relationship between the operating parameter and the carbon feed rate in order to calculate the carbon feed rate based on the operating parameter level.

(c) Continuously monitor the selected operating parameter during all periods when the municipal waste combustion unit is operating and combusting waste

and calculate the 8-hour block average carbon feed rate in kilograms (or pounds) per hour, based on the selected operating parameter. When calculating the 8-hour block average, do two things:

(1) Exclude hours when the municipal waste combustion unit is not operating.

(2) Include hours when the municipal waste combustion unit is operating but the carbon feed system is not working correctly.

§ 60.1825 What is the minimum amount of monitoring data I must collect with my continuous parameter monitoring systems and is the data collection requirement enforceable?

(a) Where continuous parameter monitoring systems are used, obtain 1-hour arithmetic averages for three parameters:

(1) Load level of the municipal waste combustion unit.

(2) Temperature of the flue gases at the inlet of your particulate matter control device.

(3) Carbon feed rate if activated carbon is used to control dioxins/furans or mercury emissions.

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average.

(c) Obtain valid 1-hour averages for at least 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal solid waste or refuse-derived fuel.

(d) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you are in violation of the data collection requirement, and you must notify the Administrator according to § 60.1885(e).

Model Rule—Recordkeeping

§ 60.1830 What records must I keep?

You must keep four types of records:

(a) Operator training and certification.

(b) Stack tests.

(c) Continuously monitored pollutants and parameters.

(d) Carbon feed rate.

§ 60.1835 Where must I keep my records and for how long?

(a) Keep all records onsite in paper copy or electronic format unless the Administrator approves another format.

(b) Keep all records on each municipal waste combustion unit for at least 5 years.

(c) Make all records available for submittal to the Administrator, or for onsite review by an inspector.

§ 60.1840 What records must I keep for operator training and certification?

You must keep records of six items:

(a) *Records of provisional certifications.* Include three items:

(1) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room operators who are provisionally certified by the American Society of Mechanical Engineers or an equivalent State-approved certification program.

(2) Dates of the initial provisional certifications.

(3) Documentation showing current provisional certifications.

(b) *Records of full certifications.* Include three items:

(1) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room operators who are fully certified by the American Society of Mechanical Engineers or an equivalent State-approved certification program.

(2) Dates of initial and renewal full certifications.

(3) Documentation showing current full certifications.

(c) *Records showing completion of the operator training course.* Include three items:

(1) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room operators who have completed the EPA or State municipal waste combustion operator training course.

(2) Dates of completion of the operator training course.

(3) Documentation showing completion of operator training course.

(d) *Records of reviews for plant-specific operating manuals.* Include three items:

(1) Names of persons who have reviewed the operating manual.

(2) Date of the initial review.

(3) Dates of subsequent annual reviews.

(e) *Records of when a certified operator is temporarily offsite.* Include two main items:

(1) If the certified chief facility operator and certified shift supervisor are offsite for more than 12 hours, but for 2 weeks or less, and no other certified operator is onsite, record the dates that the certified chief facility operator and certified shift supervisor were offsite.

(2) When all certified chief facility operators and certified shift supervisors are offsite for more than 2 weeks and no other certified operator is onsite, keep records of four items:

(i) Your notice that all certified persons are offsite.

(ii) The conditions that cause those people to be offsite.

(iii) The corrective actions you are taking to ensure a certified chief facility operator or certified shift supervisor is onsite.

(iv) Copies of the written reports submitted every 4 weeks that summarize the actions taken to ensure that a certified chief facility operator or certified shift supervisor will be onsite.

(f) *Records of calendar dates.* Include the calendar date on each record.

§ 60.1845 What records must I keep for stack tests?

For stack tests required under § 60.1775, you must keep records of four items:

(a) The results of the stack tests for eight pollutants or parameters recorded in the appropriate units of measure specified in Table 2 or 4 of this subpart:

(1) Dioxins/furans.

(2) Cadmium.

(3) Lead.

(4) Mercury.

(5) Opacity.

(6) Particulate matter.

(7) Hydrogen chloride.

(8) Fugitive ash.

(b) Test reports including supporting calculations that document the results of all stack tests.

(c) The maximum demonstrated load of your municipal waste combustion units and maximum temperature at the inlet of your particulate matter control device during all stack tests for dioxins/furans emissions.

(d) The calendar date of each record.

§ 60.1850 What records must I keep for continuously monitored pollutants or parameters?

You must keep records of eight items.

(a) *Records of monitoring data.* Document six parameters measured using continuous monitoring systems:

(1) All 6-minute average levels of opacity.

(2) All 1-hour average concentrations of sulfur dioxide emissions.

(3) For Class I municipal waste combustion units only, all 1-hour average concentrations of nitrogen oxides emissions.

(4) All 1-hour average concentrations of carbon monoxide emissions.

(5) All 1-hour average load levels of your municipal waste combustion unit.

(6) All 1-hour average flue gas temperatures at the inlet of the particulate matter control device.

(b) *Records of average concentrations and percent reductions.* Document five parameters:

(1) All 24-hour daily block geometric average concentrations of sulfur dioxide emissions or average percent reductions of sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, all 24-hour daily arithmetic average concentrations of nitrogen oxides emissions.

(3) All 4-hour block or 24-hour daily block arithmetic average concentrations of carbon monoxide emissions.

(4) All 4-hour block arithmetic average load levels of your municipal waste combustion unit.

(5) All 4-hour block arithmetic average flue gas temperatures at the inlet of the particulate matter control device.

(c) *Records of exceedances.* Document three items:

(1) Calendar dates whenever any of the five pollutant or parameter levels recorded in paragraph (b) of this section or the opacity level recorded in paragraph (a)(1) of this section did not meet the emission limits or operating levels specified in this subpart.

(2) Reasons you exceeded the applicable emission limits or operating levels.

(3) Corrective actions you took, or are taking, to meet the emission limits or operating levels.

(d) *Records of minimum data.* Document three items:

(1) Calendar dates for which you did not collect the minimum amount of data required under §§ 60.1750 and 60.1825. Record those dates for five types of pollutants and parameters:

(i) Sulfur dioxide emissions.

(ii) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(iii) Carbon monoxide emissions.

(iv) Load levels of your municipal waste combustion unit.

(v) Temperatures of the flue gases at the inlet of the particulate matter control device.

(2) Reasons you did not collect the minimum data.

(3) Corrective actions you took or are taking to obtain the required amount of data.

(e) *Records of exclusions.* Document each time you have excluded data from your calculation of averages for any of the following five pollutants or parameters and the reasons the data were excluded:

(1) Sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(3) Carbon monoxide emissions.

(4) Load levels of your municipal waste combustion unit.

(5) Temperatures of the flue gases at the inlet of the particulate matter control device.

(f) *Records of drift and accuracy.* Document the results of your daily drift tests and quarterly accuracy determinations according to Procedure 1 of appendix F of this part. Keep those records for the sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide continuous emissions monitoring systems.

(g) *Records of the relationship between oxygen and carbon dioxide.* If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, document the relationship between oxygen and carbon dioxide, as specified in § 60.1745.

(h) *Records of calendar dates.* Include the calendar date on each record.

§ 60.1855 What records must I keep for municipal waste combustion units that use activated carbon?

For municipal waste combustion units that use activated carbon to control dioxins/furans or mercury emissions, you must keep records of five items:

(a) *Records of average carbon feed rate.* Document five items:

(1) Average carbon feed rate in kilograms (or pounds) per hour during all stack tests for dioxins/furans and mercury emissions. Include supporting calculations in the records.

(2) For the operating parameter chosen to monitor carbon feed rate, average operating level during all stack tests for dioxins/furans and mercury emissions. Include supporting data that document the relationship between the operating parameter and the carbon feed rate.

(3) All 8-hour block average carbon feed rates in kilograms (or pounds) per hour calculated from the monitored operating parameter.

(4) Total carbon purchased and delivered to the municipal waste combustion plant for each calendar quarter. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant. Include supporting documentation.

(5) Required quarterly usage of carbon for the municipal waste combustion plant, calculated using equation 4 or 5 in § 60.1935(f). If you choose to evaluate required quarterly usage for carbon on a municipal waste combustion unit basis, record the required quarterly usage for each municipal waste combustion unit at your plant. Include supporting calculations.

(b) *Records of low carbon feed rates.* Document three items:

(1) The calendar dates when the average carbon feed rate over an 8-hour block was less than the average carbon feed rates determined during the most recent stack test for dioxins/furans or mercury emissions (whichever has a higher feed rate).

(2) Reasons for the low carbon feed rates.

(3) Corrective actions you took or are taking to meet the 8-hour average carbon feed rate requirement.

(c) *Records of minimum carbon feed rate data.* Document three items:

(1) Calendar dates for which you did not collect the minimum amount of carbon feed rate data required under § 60.1825.

(2) Reasons you did not collect the minimum data.

(3) Corrective actions you took or are taking to get the required amount of data.

(d) *Records of exclusions.* Document each time you have excluded data from your calculation of average carbon feed rates and the reasons the data were excluded.

(e) *Records of calendar dates.* Include the calendar date on each record.

Model Rule—Reporting

§ 60.1860 What reports must I submit and in what form?

(a) Submit an initial report and annual reports, plus semiannual reports for any emission or parameter level that does not meet the limits specified in this subpart.

(b) Submit all reports on paper, postmarked on or before the submittal dates in §§ 60.1870, 60.1880, and 60.1895. If the Administrator agrees, you may submit electronic reports.

(c) Keep a copy of all reports required by §§ 60.1875, 60.1885, and 60.1900 onsite for 5 years.

§ 60.1865 What are the appropriate units of measurement for reporting my data?

See Tables 2, 3, 4 and 5 of this subpart for appropriate units of measurement.

§ 60.1870 When must I submit the initial report?

As specified in § 60.7(c), submit your initial report by 180 days after your final compliance date.

§ 60.1875 What must I include in my initial report?

You must include seven items:

(a) The emission levels measured on the date of the initial evaluation of your continuous emission monitoring systems for all of the following five pollutants or parameters as recorded in accordance with § 60.1850(b).

(1) The 24-hour daily geometric average concentration of sulfur dioxide emissions or the 24-hour daily

geometric percent reduction of sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, the 24-hour daily arithmetic average concentration of nitrogen oxides emissions.

(3) The 4-hour block or 24-hour daily arithmetic average concentration of carbon monoxide emissions.

(4) The 4-hour block arithmetic average load level of your municipal waste combustion unit.

(5) The 4-hour block arithmetic average flue gas temperature at the inlet of the particulate matter control device.

(b) The results of the initial stack tests for eight pollutants or parameters (use appropriate units as specified in Table 2 or 4 of this subpart):

(1) Dioxins/furans.
(2) Cadmium.
(3) Lead.
(4) Mercury.
(5) Opacity.
(6) Particulate matter.
(7) Hydrogen chloride.
(8) Fugitive ash.

(c) The test report that documents the initial stack tests including supporting calculations.

(d) The initial performance evaluation of your continuous emissions monitoring systems. Use the applicable performance specifications in appendix B of this part in conducting the evaluation.

(e) The maximum demonstrated load of your municipal waste combustion unit and the maximum demonstrated temperature of the flue gases at the inlet of the particulate matter control device. Use values established during your initial stack test for dioxins/furans emissions and include supporting calculations.

(f) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, the average carbon feed rates that you recorded during the initial stack tests for dioxins/furans and mercury emissions. Include supporting calculations as specified in § 60.1855(a)(1) and (2).

(g) If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, documentation of the relationship between oxygen and carbon dioxide, as specified in § 60.1745.

§ 60.1880 When must I submit the annual report?

Submit the annual report no later than February 1 of each year that follows the calendar year in which you collected the data. If you have an operating permit for any unit under title V of the CAA, the permit may require you to submit semiannual reports. Parts 70 and 71 of this chapter contain program requirements for permits.

§ 60.1885 What must I include in my annual report?

Summarize data collected for all pollutants and parameters regulated under this subpart. Your summary must include twelve items:

(a) The results of the annual stack test, using appropriate units, for eight pollutants, as recorded under § 60.1845(a):

(1) Dioxins/furans.
(2) Cadmium.
(3) Lead
(4) Mercury.
(5) Opacity.
(6) Particulate matter.
(7) Hydrogen chloride.
(8) Fugitive ash.

(b) A list of the highest average levels recorded, in the appropriate units. List those values for five pollutants or parameters:

(1) Sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(3) Carbon monoxide emissions.

(4) Load level of the municipal waste combustion unit.

(5) Temperature of the flue gases at the inlet of the particulate matter air pollution control device (4-hour block average).

(c) The highest 6-minute opacity level measured. Base the value on all 6-minute average opacity levels recorded by your continuous opacity monitoring system (§ 60.1850(a)(1)).

(d) For municipal waste combustion units that use activated carbon for controlling dioxins/furans or mercury emissions, include four records:

(1) The average carbon feed rates recorded during the most recent dioxins/furans and mercury stack tests.

(2) The lowest 8-hour block average carbon feed rate recorded during the year.

(3) The total carbon purchased and delivered to the municipal waste combustion plant for each calendar quarter. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant.

(4) The required quarterly carbon usage of your municipal waste combustion plant calculated using equation 4 or 5 in § 60.1935(f). If you choose to evaluate required quarterly usage for carbon on a municipal waste combustion unit basis, record the required quarterly usage for each municipal waste combustion unit at your plant.

(e) The total number of days that you did not obtain the minimum number of hours of data for six pollutants or parameters. Include the reasons you did not obtain the data and corrective actions that you have taken to obtain the data in the future. Include data on:

(1) Sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(3) Carbon monoxide emissions.

(4) Load level of the municipal waste combustion unit.

(5) Temperature of the flue gases at the inlet of the particulate matter air pollution control device.

(6) Carbon feed rate.

(f) The number of hours you have excluded data from the calculation of average levels (include the reasons for excluding it). Include data for six pollutants or parameters:

(1) Sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(3) Carbon monoxide emissions.

(4) Load level of the municipal waste combustion unit.

(5) Temperature of the flue gases at the inlet of the particulate matter air pollution control device.

(6) Carbon feed rate.

(g) A notice of your intent to begin a reduced stack testing schedule for dioxins/furans emissions during the following calendar year if you are eligible for alternative scheduling (§ 60.1795(a) or (b)).

(h) A notice of your intent to begin a reduced stack testing schedule for other pollutants during the following calendar year if you are eligible for alternative scheduling (§ 60.1795(a)).

(i) A summary of any emission or parameter level that did not meet the limits specified in this subpart.

(j) A summary of the data in paragraphs (a) through (d) of this section from the year preceding the reporting year which gives the Administrator a summary of the performance of the municipal waste combustion unit over a 2-year period.

(k) If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, documentation of the relationship between oxygen and carbon dioxide, as specified in § 60.1745.

(l) Documentation of periods when all certified chief facility operators and certified shift supervisors are offsite for more than 12 hours.

§ 60.1890 What must I do if I am out of compliance with the requirements of this subpart?

You must submit a semiannual report on any recorded emission or parameter

level that does not meet the requirements specified in this subpart.

§ 60.1895 If a semiannual report is required, when must I submit it?

(a) For data collected during the first half of a calendar year, submit your semiannual report by August 1 of that year.

(b) For data you collected during the second half of the calendar year, submit your semiannual report by February 1 of the following year.

§ 60.1900 What must I include in the semiannual out-of-compliance reports?

You must include three items in the semiannual report:

(a) For any of the following six pollutants or parameters that exceeded the limits specified in this subpart, include the calendar date they exceeded the limits, the averaged and recorded data for that date, the reasons for exceeding the limits, and your corrective actions:

(1) Concentration or percent reduction of sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, concentration of nitrogen oxides emissions.

(3) Concentration of carbon monoxide emissions.

(4) Load level of your municipal waste combustion unit.

(5) Temperature of the flue gases at the inlet of your particulate matter air pollution control device.

(6) Average 6-minute opacity level. The data obtained from your continuous opacity monitoring system are not used to determine compliance with the limit on opacity emissions.

(b) If the results of your annual stack tests (as recorded in § 60.1845(a)) show emissions above the limits specified in Table 2 or 4 of this subpart as applicable for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash, include a copy of the test report that documents the emission levels and your corrective actions.

(c) For municipal waste combustion units that apply activated carbon to control dioxins/furans or mercury emissions, include two items:

(1) Documentation of all dates when the 8-hour block average carbon feed rate (calculated from the carbon injection system operating parameter) is less than the highest carbon feed rate established during the most recent mercury and dioxins/furans stack test (as specified in § 60.1855(a)(1)). Include four items:

(i) Eight-hour average carbon feed rate.

(ii) Reasons for occurrences of low carbon feed rates.

(iii) The corrective actions you have taken to meet the carbon feed rate requirement.

(iv) The calendar date.

(2) Documentation of each quarter when total carbon purchased and delivered to the municipal waste combustion plant is less than the total required quarterly usage of carbon. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant. Include five items:

(i) Amount of carbon purchased and delivered to the plant.

(ii) Required quarterly usage of carbon.

(iii) Reasons for not meeting the required quarterly usage of carbon.

(iv) The corrective actions you have taken to meet the required quarterly usage of carbon.

(v) The calendar date.

§ 60.1905 Can reporting dates be changed?

(a) If the Administrator agrees, you may change the semiannual or annual reporting dates.

(b) See § 60.19(c) for procedures to seek approval to change your reporting date.

Model Rule—Air Curtain Incinerators That Burn 100 Percent Yard Waste

§ 60.1910 What is an air curtain incinerator?

An air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. Incinerators of that type can be constructed above or below ground and with or without refractory walls and floor.

§ 60.1915 What is yard waste?

Yard waste is grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. They come from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(a) Construction, renovation, and demolition wastes that are exempt from the definition of ''municipal solid waste'' in § 60.1940.

(b) Clean wood that is exempt from the definition of ''municipal solid waste'' in § 60.1940.

§ 60.1920 What are the emission limits for air curtain incinerators that burn 100 percent yard waste?

If your air curtain incinerator combusts 100 percent yard waste, you must only meet the emission limits in this section.

(a) By 180 days after your final compliance date, you must meet two limits:

(1) The opacity limit is 10 percent (6-minute average) for air curtain incinerators that can combust at least 35 tons per day of municipal solid waste and no more than 250 tons per day of municipal solid waste.

(2) The opacity limit is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) Except during malfunctions, the requirements of this subpart apply at all times. Each malfunction must not exceed 3 hours.

§ 60.1925 How must I monitor opacity for air curtain incinerators that burn 100 percent yard waste?

(a) Use EPA Reference Method 9 in appendix A of this part to determine compliance with the opacity limit.

(b) Conduct an initial test for opacity as specified in § 60.8.

(c) After the initial test for opacity, conduct annual tests no more than 13 calendar months following the date of your previous test.

§ 60.1930 What are the recordkeeping and reporting requirements for air curtain incinerators that burn 100 percent yard waste?

(a) Provide a notice of construction that includes four items:

(1) Your intent to construct the air curtain incinerator.

(2) Your planned initial startup date.

(3) Types of fuels you plan to combust in your air curtain incinerator.

(4) The capacity of your incinerator, including supporting capacity calculations, as specified in § 60.1935(d) and (e).

(b) Keep records of results of all opacity tests onsite in either paper copy or electronic format unless the Administrator approves another format.

(c) Keep all records for each incinerator for at least 5 years.

(d) Make all records available for submittal to the Administrator or for onsite review by an inspector.

(e) Submit the results (each 6-minute average) of the opacity tests by February 1 of the year following the year of the opacity emission test.

(f) Submit reports as a paper copy on or before the applicable submittal date. If the Administrator agrees, you may submit reports on electronic media.

(g) If the Administrator agrees, you may change the annual reporting dates (see § 60.19(c)).

(h) Keep a copy of all reports onsite for a period of 5 years.

Equations

§ 60.1935 What equations must I use?

(a) *Concentration correction to 7 percent oxygen.* Correct any pollutant concentration to 7 percent oxygen using equation 1 of this section:

$$C_{7\%} = C_{unc} * (13.9) * \left(1 / \left(20.9 - CO_2\right)\right) \qquad \text{(Eq. 1)}$$

Where:

$C_{7\%}$ = concentration corrected to 7 percent oxygen.

C_{unc} = uncorrected pollutant concentration.

CO_2 = concentration of oxygen (percent).

(b) *Percent reduction in potential mercury emissions.* Calculate the percent reduction in potential mercury emissions ($\%P_{Hg}$) using equation 2 of this section:

$$\%P_{Hg} = \left(E_i - E_o\right) * \left(100 / E_i\right) \qquad \text{(Eq. 2)}$$

Where:

$\%P_{Hg}$ = percent reduction of potential mercury emissions

E_i = mercury emission concentration as measured at the air pollution control device inlet, corrected to 7 percent oxygen, dry basis

E_o = mercury emission concentration as measured at the air pollution control device outlet, corrected to 7 percent oxygen, dry basis

(c) *Percent reduction in potential hydrogen chloride emissions.* Calculate the percent reduction in potential hydrogen chloride emissions ($\%P_{HC1}$) using equation 3 of this section:

$$\%P_{HCl} = \left(E_i - E_o\right) * \left(100 / E_i\right) \qquad \text{(Eq. 3)}$$

Where:

$\%P_{HC1}$ = percent reduction of the potential hydrogen chloride emissions

E_i = hydrogen chloride emission concentration as measured at the air pollution control device inlet, corrected to 7 percent oxygen, dry basis

E_o = hydrogen chloride emission concentration as measured at the air pollution control device outlet, corrected to 7 percent oxygen, dry basis

(d) *Capacity of a municipal waste combustion unit.* For a municipal waste combustion unit that can operate continuously for 24-hour periods, calculate the municipal waste combustion unit capacity based on 24 hours of operation at the maximum charge rate. To determine the maximum charge rate, use one of two methods:

(1) For municipal waste combustion units with a design based on heat input capacity, calculate the maximum charging rate based on the maximum heat input capacity and one of two heating values:

(i) If your municipal waste combustion unit combusts refuse-derived fuel, use a heating value of 12,800 kilojoules per kilogram (5,500 British thermal units per pound).

(ii) If your municipal waste combustion unit combusts municipal solid waste, use a heating value of 10,500 kilojoules per kilogram (4,500 British thermal units per pound).

(2) For municipal waste combustion units with a design not based on heat input capacity, use the maximum designed charging rate.

(e) *Capacity of a batch municipal waste combustion unit.* Calculate the capacity of a batch municipal waste combustion unit as the maximum design amount of municipal solid waste they can charge per batch multiplied by the maximum number of batches they can process in 24 hours. Calculate the maximum number of batches by dividing 24 by the number of hours needed to process one batch. Retain fractional batches in the calculation. For example, if one batch requires 16 hours, the municipal waste combustion unit can combust 24/16, or 1.5 batches, in 24 hours.

(f) *Quarterly carbon usage.* If you use activated carbon to comply with the dioxins/furans or mercury limits, calculate the required quarterly usage of carbon using equation 4 of this section for plant basis or equation 5 of this section for unit basis:

(1) Plant basis.

$$C = \sum_{i=1}^{n} f_i * h_i \qquad \text{(Eq. 4)}$$

Where:

C = required quarterly carbon usage for the plant in kilograms (or pounds).

f_i = required carbon feed rate for the municipal waste combustion unit in kilograms (or pounds) per hour. That is the average carbon feed rate during the most recent mercury or dioxins/furans stack tests (whichever has a higher feed rate).

h_i = number of hours the municipal waste combustion unit was in operation during the calendar quarter (hours).

n = number of municipal waste combustion units, i, located at your plant.

(2) Unit basis.

$$C = f * h \qquad \text{(Eq. 5)}$$

Where:

C = required quarterly carbon usage for the unit in kilograms (or pounds).

f = required carbon feed rate for the municipal waste combustion unit in kilograms (or pounds) per hour. That is the average carbon feed rate during the most recent mercury or dioxins/furans stack tests (whichever has a higher feed rate).

h = number of hours the municipal waste combustion unit was in operation during the calendar quarter (hours).

Definitions

§ 60.1940 What definitions must I know?

Terms used but not defined in this section are defined in the CAA and in subparts A and B of this part.

Administrator means the Administrator of the U.S. Environmental Protection Agency or his/her authorized representative or the Administrator of a State Air Pollution Control Agency.

Air curtain incinerator means an incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of that type can be constructed above or below ground and with or without refractory walls and floor.

Batch municipal waste combustion unit means a municipal waste combustion unit designed so it cannot combust municipal solid waste continuously 24 hours per day because the design does not allow waste to be fed to the unit or ash to be removed during combustion.

Calendar quarter means three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

Calendar year means 365 (or 366 consecutive days in leap years) consecutive days starting on January 1 and ending on December 31.

Chief facility operator means the person in direct charge and control of the operation of a municipal waste combustion unit. That person is responsible for daily onsite supervision, technical direction, management, and overall performance of the municipal waste combustion unit.

Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See the definition in this section of ''municipal waste combustion plant capacity'' for specification of which units at a plant site are included in the aggregate capacity calculation.

Class II units mean small municipal combustion units subject to this subpart that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See the definition in this section of ''municipal waste combustion plant capacity'' for specification of which units at a plant site are included in the aggregate capacity calculation.

Clean wood means untreated wood or untreated wood products including clean untreated lumber, tree stumps (whole or chipped), and tree limbs (whole or chipped). Clean wood does not include two items:

(1) ''Yard waste,'' which is defined elsewhere in this section.

(2) Construction, renovation, or demolition wastes (for example, railroad ties and telephone poles) that are exempt from the definition of ''municipal solid waste'' in this section.

Co-fired combustion unit means a unit that combusts municipal solid waste with nonmunicipal solid waste fuel (for example, coal, industrial process waste). To be considered a co-fired combustion unit, the unit must be subject to a federally enforceable permit that limits it to combusting a fuel feed stream which is 30 percent or less (by weight) municipal solid waste as measured each calendar quarter.

Continuous burning means the continuous, semicontinuous, or batch feeding of municipal solid waste to dispose of the waste, produce energy, or provide heat to the combustion system in preparation for waste disposal or energy production. Continuous burning does not mean the use of municipal solid waste solely to thermally protect the grate or hearth during the startup period when municipal solid waste is not fed to the grate or hearth.

Continuous emission monitoring system means a monitoring system that continuously measures the emissions of a pollutant from a municipal waste combustion unit.

Dioxins/furans mean tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

Effective date of State plan approval means the effective date that the EPA approves the State plan. The **Federal Register** specifies the date in the notice that announces EPA's approval of the State plan.

Eight-hour block average means the average of all hourly emission concentrations or parameter levels when the municipal waste combustion unit operates and combusts municipal solid waste measured over any of three 8-hour periods of time:

(1) 12:00 midnight to 8:00 a.m.

(2) 8:00 a.m. to 4:00 p.m.

(3) 4:00 p.m. to 12:00 midnight.

Federally enforceable means all limits and conditions the Administrator can enforce (including the requirements of 40 CFR parts 60, 61, and 63), requirements in a State's implementation plan, and any permit requirements established under 40 CFR 52.21 or under 40 CFR 51.18 and 40 CFR 51.24.

First calendar half means the period that starts on January 1 and ends on June 30 in any year.

Fluidized bed combustion unit means a unit where municipal waste is combusted in a fluidized bed of material. The fluidized bed material may remain in the primary combustion zone or may be carried out of the primary combustion zone and returned through a recirculation loop.

Four-hour block average or *4-hour block average* means the average of all hourly emission concentrations or parameter levels when the municipal waste combustion unit operates and combusts municipal solid waste measured over any of six 4-hour periods:

(1) 12:00 midnight to 4:00 a.m.

(2) 4:00 a.m. to 8:00 a.m.

(3) 8:00 a.m. to 12:00 noon.

(4) 12:00 noon to 4:00 p.m.

(5) 4:00 p.m. to 8:00 p.m.

(6) 8:00 p.m. to 12:00 midnight.

Mass burn refractory municipal waste combustion unit means a field-erected municipal waste combustion unit that combusts municipal solid waste in a refractory wall furnace. Unless otherwise specified, that includes municipal waste combustion units with a cylindrical rotary refractory wall furnace.

Mass burn rotary waterwall municipal waste combustion unit means a field-erected municipal waste combustion unit that combusts municipal solid waste in a cylindrical rotary waterwall furnace.

Mass burn waterwall municipal waste combustion unit means a field-erected municipal waste combustion unit that combusts municipal solid waste in a waterwall furnace.

Maximum demonstrated load of a municipal waste combustion unit means the highest 4-hour block arithmetic average municipal waste combustion unit load achieved during 4 consecutive hours in the course of the most recent dioxins/furans stack test that demonstrates compliance with the applicable emission limit for dioxins/furans specified in this subpart.

Maximum demonstrated temperature of the particulate matter control device means the highest 4-hour block arithmetic average flue gas temperature measured at the inlet of the particulate matter control device during 4 consecutive hours in the course of the most recent stack test for dioxins/furans emissions that demonstrates compliance with the limits specified in this subpart.

Medical/infectious waste means any waste meeting the definition of ''medical/infectious waste'' in § 60.51c.

Mixed fuel-fired (pulverized coal/refuse-derived fuel) combustion unit means a combustion unit that combusts coal and refuse-derived fuel simultaneously, in which pulverized coal is introduced into an air stream that carries the coal to the combustion chamber of the unit where it is combusted in suspension. That includes both conventional pulverized coal and micropulverized coal.

Modification or *modified municipal waste combustion unit* means a municipal waste combustion unit you have changed after June 6, 2001 and that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the unit (not including the cost of land) updated to current costs.

(2) Any physical change in the municipal waste combustion unit or change in the method of operating it that increases the emission level of any air pollutant for which new source performance standards have been established under section 129 or section 111 of the CAA. Increases in the emission level of any air pollutant are determined when the municipal waste combustion unit operates at 100 percent of its physical load capability and are measured downstream of all air pollution control devices. Load restrictions based on permits or other nonphysical operational restrictions cannot be considered in the determination.

Modular excess-air municipal waste combustion unit means a municipal waste combustion unit that combusts municipal solid waste, is not field-erected, and has multiple combustion chambers, all of which are designed to operate at conditions with combustion air amounts in excess of theoretical air requirements.

Modular starved-air municipal waste combustion unit means a municipal waste combustion unit that combusts municipal solid waste, is not field-erected, and has multiple combustion chambers in which the primary combustion chamber is designed to operate at substoichiometric conditions.

Municipal solid waste or *municipal-type solid waste* means household, commercial/retail, or institutional waste. Household waste includes material discarded by residential dwellings, hotels, motels, and other similar permanent or temporary housing. Commercial/retail waste includes material discarded by stores, offices, restaurants, warehouses, nonmanufacturing activities at industrial facilities, and other similar establishments or facilities. Institutional waste includes materials discarded by schools, by hospitals (nonmedical), by nonmanufacturing activities at prisons and government facilities, and other similar establishments or facilities. Household, commercial/retail, and institutional waste does include yard waste and refuse-derived fuel. Household, commercial/retail, and institutional waste does not include used oil; sewage sludge; wood pallets; construction, renovation, and demolition wastes (which include railroad ties and telephone poles); clean wood; industrial process or manufacturing wastes; medical waste; or motor vehicles (including motor vehicle parts or vehicle fluff).

Municipal waste combustion plant means one or more municipal waste combustion units at the same location as specified under Applicability of State Plans (§ 60.1550(a)).

Municipal waste combustion plant capacity means the aggregate municipal waste combustion capacity of all municipal waste combustion units at the plant that are not subject to subparts Ea, Eb, or AAAA of this part.

Municipal waste combustion unit means any setting or equipment that combusts solid, liquid, or gasified municipal solid waste including, but not limited to, field-erected combustion units (with or without heat recovery), modular combustion units (starved-air or excess-air), boilers (for example, steam generating units), furnaces (whether suspension-fired, grate-fired, mass-fired, air curtain incinerators, or fluidized bed-fired), and pyrolysis/combustion units. Two criteria further define municipal waste combustion units:

(1) Municipal waste combustion units do not include pyrolysis or combustion units located at a plastics or rubber recycling unit as specified under Applicability of State Plans (§ 60.1555(h) and (i)). Municipal waste combustion units do not include cement kilns that combust municipal solid waste as specified under Applicability of State Plans (§ 60.1555(j)). Municipal waste combustion units also do not include internal combustion engines, gas turbines, or other combustion devices that combust landfill gases collected by landfill gas collection systems.

(2) The boundaries of a municipal waste combustion unit are defined as follows. The municipal waste combustion unit includes, but is not limited to, the municipal solid waste fuel feed system, grate system, flue gas system, bottom ash system, and the combustion unit water system. The municipal waste combustion unit does not include air pollution control equipment, the stack, water treatment equipment, or the turbine-generator set. The municipal waste combustion unit boundary starts at the municipal solid waste pit or hopper and extends through three areas:

(i) The combustion unit flue gas system, which ends immediately after the heat recovery equipment or, if there is no heat recovery equipment, immediately after the combustion chamber.

(ii) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

(iii) The combustion unit water system, which starts at the feed water pump and ends at the piping that exits the steam drum or superheater.

Particulate matter means total particulate matter emitted from municipal waste combustion units as measured using EPA Reference Method 5 in appendix A of this part and the procedures specified in § 60.1790.

Plastics or rubber recycling unit means an integrated processing unit for which plastics, rubber, or rubber tires are the only feed materials (incidental contaminants may be in the feed materials). The feed materials are processed and marketed to become input feed stock for chemical plants or petroleum refineries. The following three criteria further define a plastics or rubber recycling unit:

(1) Each calendar quarter, the combined weight of the feed stock that a plastics or rubber recycling unit produces must be more than 70 percent of the combined weight of the plastics, rubber, and rubber tires that recycling unit processes.

(2) The plastics, rubber, or rubber tires fed to the recycling unit may originate from separating or diverting plastics, rubber, or rubber tires from municipal or industrial solid waste. The feed materials may include manufacturing scraps, trimmings, and off-specification plastics, rubber, and rubber tire discards.

(3) The plastics, rubber, and rubber tires fed to the recycling unit may contain incidental contaminants (for example, paper labels on plastic bottles or metal rings on plastic bottle caps).

Potential hydrogen chloride emissions means the level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without emission controls for acid gases.

Potential mercury emissions means the level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without controls for mercury emissions.

Potential sulfur dioxide emissions means the level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without emission controls for acid gases.

Pyrolysis/combustion unit means a unit that produces gases, liquids, or solids by heating municipal solid waste. The gases, liquids, or solids produced are combusted and the emissions vented to the atmosphere.

Reconstruction means rebuilding a municipal waste combustion unit and meeting two criteria:

(1) The reconstruction begins after June 6, 2001.

(2) The cumulative cost of the construction over the life of the unit exceeds 50 percent of the original cost of building and installing the municipal waste combustion unit (not including land) updated to current costs (current dollars). To determine what systems are within the boundary of the municipal waste combustion unit used to calculate the costs, see the definition in this section of ''municipal waste combustion unit.''

Refractory unit or *refractory wall furnace* means a municipal waste combustion unit that has no energy recovery (such as through a waterwall) in the furnace of the municipal waste combustion unit.

Refuse-derived fuel means a type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. That includes all classes of refuse-derived fuel including two fuels:

(1) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(2) Pelletized refuse-derived fuel.

Same location means the same or contiguous properties under common ownership or control, including those separated only by a street, road, highway, or other public right-of-way. Common ownership or control includes properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, subdivision, or any combination thereof. Entities may include a municipality, other governmental unit, or any quasi-governmental authority (for example, a public utility district or regional authority for waste disposal).

Second calendar half means the period that starts on July 1 and ends on December 31 in any year.

Shift supervisor means the person who is in direct charge and control of operating a municipal waste combustion unit and who is responsible for onsite supervision, technical direction, management, and overall performance of the municipal waste combustion unit during an assigned shift.

Spreader stoker, mixed fuel-fired (coal/refuse-derived fuel) combustion unit means a municipal waste combustion unit that combusts coal and refuse-derived fuel simultaneously, in which coal is introduced to the combustion zone by a mechanism that throws the fuel onto a grate from above. Combustion takes place both in suspension and on the grate.

Standard conditions when referring to units of measure mean a temperature of 20 °C and a pressure of 101.3 kilopascals.

Startup period means the period when a municipal waste combustion unit begins the continuous combustion of municipal solid waste. It does not include any warmup period during which the municipal waste combustion unit combusts fossil fuel or other solid waste fuel but receives no municipal solid waste.

State means any of the 50 United States and the protectorates of the United States.

State plan means a plan submitted pursuant to sections 111(d) and 129(b)(2) of the CAA and subpart B of this part, that implements and enforces this subpart.

Stoker (refuse-derived fuel) combustion unit means a steam generating unit that combusts refuse-derived fuel in a semisuspension combusting mode, using air-fed distributors.

Total mass dioxins/furans or *total mass* means the total mass of tetra- through octachlorinated dibenzo-p-dioxins and dibenzofurans as determined using EPA Reference Method 23 in appendix A of this part and the procedures specified in § 60.1790.

Twenty-four hour daily average or *24-hour daily average* means either the arithmetic mean or geometric mean (as specified) of all hourly emission concentrations when the municipal waste combustion unit operates and combusts municipal solid waste measured during the 24 hours between 12:00 midnight and the following midnight.

Untreated lumber means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Untreated lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

Waterwall furnace means a municipal waste combustion unit that has energy (heat) recovery in the furnace (for example, radiant heat transfer section) of the combustion unit.

Yard waste means grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. They come from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(1) Construction, renovation, and demolition wastes that are exempt from the definition of ''municipal solid waste'' in this section.

(2) Clean wood that is exempt from the definition of ''municipal solid waste'' in this section.

Tables

TABLE 1 OF SUBPART BBBB—MODEL RULE—COMPLIANCE SCHEDULES AND INCREMENTS OF PROGRESS

Affected units	Increment 1 (Submit final control plan)	Increment 2 (Award contracts)	Increment 3 (Begin onsite construction)	Increment 4 (Complete onsite construction)	Increment 5 (Final compliance)
1. All Class I units [a b]	(Dates to be specified in State plan).	(Dates to be specified in State plan).	(Dates to be specified in State plan).	(Dates to be specified in State plan).	(Dates to be specified in State plan) [c d].
2. All Class II units [a e]	(Dates to be specified in State plan).	Not applicable	Not applicable	Not applicable	(Dates to be specified in State plan) [c].

[a] Plant specific schedules can be used at the discretion of the State.

[b] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See § 60.1940 for definitions.

[c] The date can be no later than 3 years after the effective date of State plan approval or December 6, 2005.

[d] For Class I units that began construction, reconstruction, or modification after June 26, 1987, comply with the dioxins/furans and mercury limits by the later of two dates:

1. One year after the effective date of State plan approval.
2. One year after the issuance of a revised construction or operation permit, if a permit modification is required.
3. Final compliance with the dioxins/furans limits must be achieved no later than December 6, 2005, even if the date one year after the issuance of a revised construction or operation permit is after December 6, 2005.

[e] Class II units mean all small municipal combustion units subject to this subpart that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See § 60.1940 for definitions.

TABLE 2 OF SUBPART BBBB—MODEL RULE—CLASS I EMISSION LIMITS FOR EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS [a]

For the following pollutants	You must meet the following emission limits [b]	Using the following averaging times	And determine compliance by the following methods
1. Organics:			
Dioxins/Furans (total mass basis).	30 nanograms per dry standard cubic meter for municipal waste combustion units that do not employ an electrostatic precipitator-based emission control system -or-. 60 nanograms per dry standard cubic meter for municipal waste combustion units that employ an electrostatic precipitator-based emission control system.	3-run average (minimum run duration is 4 hours).	Stack test.
2. Metals:			
Cadmium	0.040 milligrams per dry standard cubic meter	3-run average (run duration specified in test method).	Stack test.
Lead	0.490 milligrams per dry standard cubic meter	3-run average (run duration specified in test method).	Stack test.
Mercury	0.080 milligrams per dry standard cubic meter 85 percent reduction of potential mercury emissions.	3-run average (run duration specified in test method).	Stack test.
Opacity	10 percent	Thirty 6-minute averages	Stack test.
Particulate Matter	27 milligrams per dry standard cubic meter	3-run average (run duration specified in test method).	Stack test.
3. Acid Gases:			
Hydrogen Chloride	31 parts per million by dry volume 95 percent reduction of potential hydrogen chloride emissions.	3-run average (minimum run duration is 1 hour).	Stack test.
Sulfur Dioxide	31 parts per million by dry volume 75 percent reduction of potential sulfur dioxide emissions.	24-hour daily block geometric average concentration percent reduction.	Continuous emission monitoring system.
4. Other:			
Fugitive Ash	Visible emissions for no more than 5 percent of hourly observation period.	Three 1-hour observation periods.	Visible emission test.

[a] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See § 60.1940 for definitions.

[b] All emission limits (except for opacity) are measured at 7 percent oxygen.

TABLE 3 OF SUBPART BBBB—MODEL RULE—CLASS I NITROGEN OXIDES EMISSION LIMITS FOR EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS [a,b,c]

Municipal waste combustion technology	Limits for class I municipal waste combustion units
1. Mass burn waterwall	200 parts per million by dry volume.
2. Mass burn rotary waterwall	170 parts per million by dry volume.
3. Refuse-derived fuel	250 parts per million by dry volume.
4. Fluidized bed	220 parts per million by dry volume.
5. Mass burn refractory	350 parts per million by dry volume.
6. Modular excess air	190 parts per million by dry volume.
7. Modular starved air	380 parts per million by dry volume.

[a] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See § 60.1940 for definitions.

[b] Nitrogen oxides limits are measured at 7 percent oxygen.

[c] All limits are 24-hour daily block arithmetic average concentration. Compliance is determined for Class I units by continuous emission monitoring systems.

TABLE 4 OF SUBPART BBBB—MODEL RULE—CLASS II EMISSION LIMITS FOR EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNIT[a]

For the following pollutants	You must meet the following emission following determine limits[b]	Using the following averaging times	And determine compliance by the following methods
1. Organics:			
Dioxins/Furans (total mass basis)	125 nanorgrams per dry standard cubic meter.	3-run average (minimum run duration is 4 hours).	Stack test.
2. Metals:			
Cadmium	0.10 milligrams per dry standard cubic meter.	3-run average (run duration specified in test method).	Stack test.
Lead	1.6 milligrams per dry standard cubic meter.	3-run average (run duration specified in test method).	Stack test.
Mercury	0.080 milligrams per dry standard cubic meter.	3-run average (run duration specified in test method).	Stack test.
	85 percent reduction of potential mercury emissions.		
Opacity	10 percent	Thirty 6-minute average	Stack test.
Particulate Matter	70 milligrams per dry standard cubic meter.	3-run average (run duration specified in test method).	Stack test.
3. Acid Gases:			
Hydrogen Chloride	250 parts per million by volume -or-.	3-run average (minimum run duration is 1 hour).	Stack test.
	50 percent reduction of potential hydrogen chloride emissions.		
Sulfur Dioxide	77 parts per million by dry volume -or-.	24-hour daily block geometric average concentration -or- percent reduction.	Continuous emission monitoring system.
	50 percent reduction of potential sulfur dioxides emissions.		
4. Other:			
Fugitive Ash	Visible emissions for no more than 5 percent of hourly observation period.	Three 1-hour observation periods.	Visible emission test.

[a] Class II units mean all small municipal combustion units subject to this subpart that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See § 60.1940 for definitions.
[b] All emission limits (except for opacity) are measured at 7 percent oxygen.
[c] No monitoring, testing, recordkeeping or reporting is required to demonstrate compliance with the nitrogen oxides limit for Class II units.

TABLE 5 OF SUBPART BBBB—MODEL RULE—CARBON MONOXIDE EMISSION LIMITS FOR EXISTING SMALL MUNICIPAL WASTE COMBUSTION UNITS

For the following municipal waste combustion units	You must meet the following carbon monoxide limits[a]	Using the following averaging times[b]
1. Fluidized bed	100 parts per million by dry volume	4-hour.
2. Fluidized bed, mixed fuel, (wood/refuse-derived fuel)	200 parts per million by dry volume	24-hour[c].
3. Mass burn rotary refractory	100 parts per million by dry volume	4-hour.
4. Mass burn rotary waterwall	250 parts per million by dry volume	24-hour.
5. Mass burn waterwall and refractory	100 parts per million by dry volume	4-hour.
6. Mixed fuel-fired, (pulverized coal/refuse-derived fuel)	150 parts per million by dry volume	4-hour.
7. Modular starved-air and excess air	50 parts per million by dry volume	4-hour.
8. Spreader stoker, mixed fuel-fired (coal/refuse-derived fuel).	200 parts per million by dry volume	24-hour daily.
9. Stoker, refuse-derived fuel	200 parts per million by dry volume	24-hour daily.

[a] All emission limits (except for opacity) are measured at 7 percent oxygen. Compliance is determined by continuous emission monitoring systems.
[b] Block averages, arithmetic mean. See § 60.1940 for definitions.
[c] 24-hour block average, geometric mean.

TABLE 6 OF SUBPART BBBB—MODEL RULE—REQUIREMENTS FOR VALIDATING CONTINUOUS EMISSION MONITORING SYSTEMS (CEMS)

For the following continuous emission monitoring systems	Use the following methods in appendix A of this part to validate poollutant concentratin levels	Use the following methods in appendix A of this part to measure oxygen (or carbon dioxide)
1. Nitrogen Oxides (Class I units only)[a]	Method 7, 7A, 7B,7C, 7D, or 7E	Method 3 or 3A.
2. Sulfur Dioxide	Method 6 or 6C	Method 3 or 3A.
3. Carbon Monoxide	Method 10, 10A, or 10B	Method 3 or 3A.

[a] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See § 60.1940 for definitions.

TABLE 7 OF SUBPART BBBB—''MODEL RULE—REQUIREMENTS FOR CONTINUOUS EMISSION MONITORING SYSTEMS (CEMS)

For the following pollutants	Use the following span values for CEMS	Use the following performance specifications in appendix B of this part for your CEMS	If needed to meet minimum data requirements, use the folloiwng alternate methods in appendix A of this part to collect data
1. Opacity	100 percent opacity	P.S. 1	Method 9.
2. Nitrogen Oxides (Class I units only).	Control device outlet: 125 percent of the maximum expected hourly potential nitrogen oxides emissions of the municipal waste combustion unit.	P.S. 2	Method 7E.
3. Sulfur Dioxide	Inlet to control device: 125 percent of the maximum expected hourly potential sulfur dioxide emissions of the municipal waste combustion unit. Control device outlet: 50 percent of the maximum expected hourly potential sulfur dioxide emissions of the municipal waste combustion unit.	P.S. 2	Method 6C.
4. Carbon Monoxide	125 percent of the maximum expected hourly potential carbon monoxide emissions of the municipal waste combustion unit.	P.S. 4A	Method 10 with alternative interference trap.
5. Oxygen or Carbon Dioxide.	25 percent oxygen or 25 percent carbon dioxide	P.S. 3	Method 3A or 3B.

TABLE 8 OF SUBPART BBBB—MODEL RULE—REQUIREMENTS FOR STACK TESTS

To measure the following pollutants	Use the following methods in appendix A of this part to determine the sampling location	Use the following methods in appendix A of this part to measure pollutant concentration	Also note the following additional information
1. Organics			
Dioxins/Furans	Method 1	Method 23[a]	The minimum sampling time must be 4 hours per test run while the municipal waste combustion unit is operating at full load.
2. Metals			
Cadmium	Method 1	Method 29[a]	Compliance testing must be performed while the municipal waste combustion unit is operating at full load.
Lead	Method 1	Method 29[a]	Compliance testing must be performed while the municipal waste combustion unit is operating at full load.
Mercury	Method 1	Method 29[a]	Compliance testing must be performed while the municipal waste combustion unit is operating at full load.
Opacity	Method 9	Method 9	Use Method 9 to determine compliance with opacity limits. 3-hour observation period (thirty 6-minute averages).
Particulate Matter	Method 1	Method 5 or 29	The minimum sample volume must be 1.0 cubic meters. The probe and filter holder heating systems in the sample train must be set to provide a gas temperature no greater than 160 ±14 °C. The minimum sampling time is 1 hour.
3. Acid Gases[b]			
Hydrogen Chloride	Method 1	Method 26 or 26A[a]	Test runs must be at least 1 hour long while the municipal waste combustion unit is operating at full load.
4. Other[b]			

TABLE 8 OF SUBPART BBBB—MODEL RULE—REQUIREMENTS FOR STACK TESTS—Continued

To measure the following pollutants	Use the following methods in appendix A of this part to determine the sampling location	Use the following methods in appendix A of this part to measure pollutant concentration	Also note the following additional information
Fugitive Ash	Not applicable	Method 22 (visible emissions).	The three 1-hour observation period must include periods when the facility transfers fugitive ash from the municipal waste combustion unit to the area where the fugitive ash is stored or loaded into containers or trucks.

[a] Must simultaneously measure oxygen (or carbon dioxide) using Method 3A or 3B in appendix A of this part.
[b] Use CEMS to test sulfur dioxide, nitrogen oxide, and carbon monoxide. Stack tests are not required except for quality assurance requirements in Appendix F of this part.

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Part II

Environmental Protection Agency

40 CFR Part 60

Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units; Final Rule

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[AD–FRL–6905–1]

RIN 2060–AF91

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final standards and guidelines.

SUMMARY: We are promulgating standards and guidelines for new and existing commercial and industrial solid waste incineration (CISWI) units. These standards and guidelines fulfill the requirements of sections 111 and 129 of the Clean Air Act (CAA), which require us to promulgate standards and guidelines for CISWI units. The final standards and guidelines will protect public health by reducing exposure to air pollution, including several hazardous air pollutants (HAP) that can cause toxic effects such as eye, nose, throat, and skin irritation; reproductive effects; and cancer. These standards and guidelines apply only to CISWI units burning nonhazardous wastes.

EFFECTIVE DATE: January 30, 2001.

ADDRESSES: *Docket.* Docket No. A–94–63 contains the supporting information used in developing the final standards and guidelines and is available for public inspection and copying between 8 a.m. and 5:30 p.m., Monday through Friday, at the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, telephone (202) 260–7548, fax (202) 260–4000. The docket is available at the above address in Room M–1500, Waterside Mall (ground floor, central mall). A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Fred Porter, Combustion Group, Emission Standards Division (MD–13), U.S. EPA, Research Triangle Park, North Carolina 27711, (919) 541–5251, e-mail: *porter.fred@epa.gov*.

SUPPLEMENTARY INFORMATION:

Background Information. A list of combustion related rules is available on the Combustion Group website on the EPA Technology Transfer Network website (TTN Web) at *http://www.epa.gov/ttn/uatw/combust/list.html*. You may obtain **Federal Register** notices, supporting information, and docket indices for these combustion related rules.

Regulated Entities. These standards and guidelines affect the following North American Industrial Classification System (NAICS) and Standard Industrial Classification (SIC) codes:

Category	NAICS Code	SIC Code	Examples of potentially regulated entities
Any industry using a solid waste incinerator as defined in the regulations.	325	28	Manufacturers of chemicals and allied products.
	325	34	Manufacturers of electronic equipment.
	421	36	Manufacturers of wholesale trade, durable goods.
	321, 337	24, 25	Manufacturers of lumber and wood furniture.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists examples of the types of entities that could be affected by this action. Other types of entities not listed in this table could also be affected. To determine whether your facility, company, business organization, etc., is regulated by this action, you should carefully examine the applicability criteria in 40 CFR 60.2010 of subpart CCCC and 40 CFR 60.2505 of subpart DDDD.

Judicial Review. We proposed this rule for CISWI units in the **Federal Register** on November 30, 1999 (64 FR 67092). This action adopting a rule for CISWI units constitutes final administrative action on that proposal. Under section 307(b)(1) of the CAA, judicial review of this final rule is available only by filing a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit by January 30, 2001. Under section 307(d)(7)(B) of the CAA, only an objection to this rule that was raised with reasonable specificity during the period for public comment can be raised during judicial review. Moreover, under section 307(b)(2) of the CAA, the requirements established by today's final action may not be challenged separately in any civil or criminal proceeding brought by the EPA to enforce these requirements.

Organization of this Document. The following outline is provided to aid in locating information in this preamble. With the exception of section V, which covers various administrative requirements, each section heading of the preamble is presented as a question, and the text in the section answers the question.

I. Background Information

A. What information is covered in this preamble?
B. Where in the Code of Federal Regulations will these standards and guidelines be codified?
C. What is the regulatory development background for these standards and guidelines?
D. What is the statutory authority for these standards and guidelines?
E. What are new source performance standards?
F. What are emission guidelines?
G. How are the emission guidelines implemented?

II. Summary of the NSPS and EG

A. Do the standards and guidelines apply to me?
B. What emission limitations must I meet?
C. What operating limits must I meet?
D. What are the other requirements?
E. What are the requirements for air curtain incinerators?

III. Significant Issues and Changes

A. Are very small municipal waste combustion units covered?
B. Are cyclonic barrel burners covered?
C. Has the definition of a CISWI unit or solid waste changed?
D. Which elements of the definition of solid waste have been retained and clarified?
E. Were significant issues raised regarding EPA's approach to setting the proposed standards and guidelines, and has EPA made any changes?

IV. Impacts of the Final NSPS and EG

A. What are the air impacts for new units?
B. What are the air impacts for existing units?

V. Administrative Requirements

A. Executive Order 12866: Regulatory Planning and Review
B. Executive Order 13132: Federalism
C. Executive Order 13084: Consultation and Coordination with Indian Tribal Governments
D. Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks
E. Unfunded Mandates Reform Act
F. Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory

Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 601 *et seq.*
G. Paperwork Reduction Act
H. National Technology Transfer and Advancement Act
I. Congressional Review Act

Abbreviations and Acronyms Used in This Document

BDT Best demonstrated technology
Btu British thermal units
CAA Clean Air Act
CFR Code of Federal Regulations
CISWI Commercial and industrial solid waste incineration
EG Emission guidelines
EPA Environmental Protection Agency
FACA Federal Advisory Committee Act
FR **Federal Register**
HMIWI Hospital/medical/infectious waste incineration
HWI Hazardous waste incinerator
ICCR Industrial Combustion Coordinated Rulemaking
ICR Information Collection Request
kg/hr Kilograms per hour
lbs/hr Pounds per hour
MACT Maximum achievable control technology
mg/dscm Milligrams per dry standard cubic meter
Mg/yr Megagrams per year
MWC Municipal waste combustion
NAICS North American Industrial Classification System
ng/dscm Nanograms per dry standard cubic meter
NSPS New source performance standards
NTTAA National Technology Transfer and Advancement Act
OMB Office of Management and Budget
ppm Parts per million
RFA Regulatory Flexibility Act
SBA Small Business Administration
SBREFA Small Business Regulatory Enforcement Fairness Act
SIC Standard Industrial Classification
SWDA Solid Waste Disposal Act
TEQ Toxic equivalency
TTN Web Technology Transfer Network Website
UMRA Unfunded Mandates Reform Act
U.S.C. United States Code

I. Background Information

A. What Information is Covered in This Preamble?

We summarize the important features of the standards and guidelines that apply to CISWI units in this preamble. The preamble also outlines the significant issues and changes in response to public comments, the environmental impacts of these standards and guidelines, and the administrative requirements relative to this action.

B. Where in the Code of Federal Regulations Will These Standards and Guidelines be Codified?

The Code of Federal Regulations (CFR) is a codification of the general and permanent rules published in the **Federal Register** by the Executive departments and agencies of the Federal Government. The code is divided into 50 titles that represent broad areas subject to Federal regulation. The final standards and guidelines for CISWI units will be published in Title 40, Protection of the Environment. Part 60 of title 40 includes standards of performance for new stationary sources and emission guidelines and compliance times for existing sources. The table below lists the subparts in which the standards and guidelines will be codified.

Title of the regulation	Subpart in title 40, part 60
Standards of Performance for New Stationary Sources: Commercial and Industrial Solid Waste Incineration Units	Subpart CCCC.
Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units	Subpart DDDD.

C. What is the Regulatory Development Background for These Standards and Guidelines?

Section 129 of the CAA requires us to develop new source performance standards (NSPS) and emission guidelines (EG) for ''solid waste incineration units combusting commercial or industrial waste.'' We refer to these units as ''commercial and industrial solid waste incineration'' (CISWI) units. On December 28, 1994 (59 FR 66850), the EPA published an advance notice of proposed rulemaking in the **Federal Register**. That notice requested information and data concerning the operation, location, emissions, and emission controls for CISWI units.

In September 1996, we chartered the Industrial Combustion Coordinated Rulemaking (ICCR) advisory committee under the Federal Advisory Committee Act (FACA). The committee's objective was to develop recommendations for regulations for several combustion source categories under sections 112 and 129 of the CAA. The ICCR advisory committee, known as the Coordinating Committee, formed Source Work Groups for the various combustor types covered under the ICCR. One work group, the Incinerator Work Group, was formed to research issues related to CISWI units. The Incinerator Work Group submitted recommendations, information, and data analysis results to the Coordinating Committee, which in turn considered them and submitted recommendations and information to us. We have reviewed and considered the Committee's recommendations in developing these regulations for CISWI units. The Committee's 2-year charter expired in September 1998.

Pursuant to a February 1995 consent decree (as modified in July 1997), the Administrator was required to sign a notice of proposed rulemaking for CISWI units by November 15, 1999 for publication in the **Federal Register**. The consent decree also requires the Administrator to sign a notice of final rulemaking for CISWI units by November 15, 2000 for publication in the **Federal Register**.

The proposed rule satisfies the first requirement in the consent decree, and this final rule satisfies the second requirement.

D. What is the Statutory Authority for These Standards and Guidelines?

Section 129 of the CAA requires us to develop and adopt NSPS and EG for CISWI units pursuant to section 111 of the CAA. Section 111(b) requires us to establish NSPS for new sources, and section 111(d) requires us to establish EG for existing sources. Under section 129, the NSPS and EG adopted for CISWI units must reflect maximum achievable control technology (MACT). This term ''MACT'' is defined in section 129 of the CAA as the maximum degree of reduction in emissions of air pollutants that the Administrator determines is achievable, taking into consideration the cost of achieving the reductions and any nonair quality health and environmental impacts and energy requirements.

E. What are New Source Performance Standards?

The NSPS apply to new stationary sources, that is, sources whose construction begins after the NSPS is proposed or sources that are reconstructed or modified on or after a specified date. The following are the key elements in an NSPS.

1. *Source category* means the industry or type of process that is regulated. The source category in today's final standards is CISWI units.

2. *Affected facility* means the equipment subject to the NSPS. The

affected facility in today's final standards is each individual CISWI unit.

3. *Pollutants* means the particular air pollutants emitted by the affected facility that the standards regulate. Section 129 requires us to regulate nine pollutants: cadmium, carbon monoxide, dioxins/furans, fine and total particulate matter, hydrogen chloride, lead, mercury, oxides of nitrogen, and sulfur dioxide. Under section 129, opacity standards may also be required as appropriate.

4. *Maximum achievable control technology* means the technology on which the emission standards will be based. Section 129(a)(2) specifies that standards be based on ''the maximum degree of reduction in emissions . . . that the Administrator, taking into consideration the cost of achieving such emission reduction, and any nonair quality health and environmental impacts and energy requirements, determines is achievable * * *.'' (Note that the basis of these solid waste incineration standards is different from that of the typical NSPS under section 111. The basis of the typical NSPS is ''best demonstrated technology.'' These solid waste incineration NSPS are based on MACT and, in this sense, therefore, are similar to national emission standards for hazardous air pollutants (NESHAP) for new sources under section 112.)

5. *Format* means the form in which the standards are expressed; for example, as pollutant concentration emission limitations, as a percent reduction in emissions, or as equipment or work practice requirements.

6. *Standards* generally means emission limitations based on the level of reduction that the MACT can achieve. Under certain circumstances, it may not be possible to develop emission limitations if the level of performance cannot be identified. Only in unusual cases do standards require that a specific technology be used. In general, the source owner or operator may select any method for complying with the emission limitations.

7. *Other considerations.* In addition to emission limitations, NSPS usually include monitoring requirements, performance test methods and compliance procedures, and reporting and recordkeeping requirements. Section 129 also directs EPA to establish siting requirements for new incineration units and operator certification and training requirements for all units.

F. What Are Emission Guidelines?

The EG are similar to the NSPS, except that they apply to existing sources, that is, sources whose construction begins on or before the date the NSPS is proposed, or sources that are reconstructed or modified before a specified date. Unlike NSPS, the EG are not enforceable until EPA approves a State plan or adopts a Federal plan for implementing and enforcing them, and the State or Federal plan becomes effective. (Note that the basis of these solid waste incineration guidelines is different from that of the typical EG under section 111. The basis of the typical EG is ''best demonstrated technology.'' These solid waste incineration EG are based on MACT and, in this sense, therefore, are similar to national emission standards for hazardous air pollutants (NESHAP) for existing sources under section 112.)

G. How Are the Emission Guidelines Implemented?

When EG are promulgated under sections 111(d) and 129(b), the CAA requires States to adopt and submit to EPA for approval a State plan implementing the EG within 1 year after the promulgation of the EG (section 129(b)(2)). Section 129 requires that the State plan must be at least as protective as the EG and must provide for compliance by affected facilities no later than 3 years after the Administrator approves the State plan, but no later than 5 years after EPA promulgates the EG. Sections 111(d) and 129(b) also require EPA to develop, implement, and enforce a Federal plan if a State fails to submit a satisfactory State plan.

II. Summary of the NSPS and EG

This preamble discusses the major requirements of the NSPS and EG as they apply to you, the owner or operator of a new or existing CISWI unit.

A. Do the Standards and Guidelines Apply to Me?

The standards and guidelines apply to you if you own or operate a combustion device that combusts commercial and industrial waste (as defined in § 60.2265 of the NSPS and § 60.2875 of the EG). Commercial and industrial waste is solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field-erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility.

Fifteen types of combustion units, which are listed in § 60.2020 of the NSPS and § 60.2555 of the EG, are exempt from these standards and guidelines.

If you began the construction of your CISWI unit on or before November 30, 1999, it is considered an existing CISWI unit and is subject to the EG. If you began the construction of your CISWI unit after November 30, 1999, it is considered a new CISWI unit and is subject to the NSPS.

If you began reconstruction or modification of your CISWI unit prior to June 1, 2001, it is considered an existing CISWI unit and is subject to the EG. Likewise, if you began reconstruction or modification of your CISWI unit on or after June 1, 2001, it is considered a new CISWI unit and is subject to the NSPS.

B. What Emission Limitations Must I Meet?

As the owner or operator of a new or existing CISWI unit, you are required to meet the emission limitations specified in Table 1 of this preamble. You must conduct a performance test to show compliance within 60 days after a new CISWI unit reaches the charge rate at which it will operate, but no later than 180 days after the unit's initial startup.

As the owner or operator of an existing CISWI unit, you are required to meet the emission limitations specified in Table 1 within 3 years after the Administrator approves the State plan or promulgates a Federal plan. Each existing CISWI unit must be in compliance within 5 years of promulgation of the EG.

TABLE 1.—EMISSION LIMITATIONS FOR NEW AND EXISTING CISWI UNITS

For these pollutants	You must meet these emission limitations [a]	And determine compliance using these methods [b]
Cadmium	0.004 mg/dscm	EPA Method 29.
Carbon Monoxide	157 ppm by dry volume	EPA Methods 10, 10A, or 10B.
Dioxins/Furans (TEQ basis)	0.41 ng/dscm	EPA Method 23.
Hydrogen Chloride	62 ppm by dry volume	EPA Method 26A.

TABLE 1.—EMISSION LIMITATIONS FOR NEW AND EXISTING CISWI UNITS—Continued

For these pollutants	You must meet these emission limitations [a]	And determine compliance using these methods [b]
Lead	0.04 mg/dscm	EPA Method 29.
Mercury	0.47 mg/dscm	EPA Method 29.
Opacity	10 percent	EPA Method 9.
Oxides of Nitrogen	388 ppm by dry volume	EPA Methods 7, 7A, 7C, 7D, or 7E.
Particulate Matter	70 mg/dscm	EPA Method 5 or 29.
Sulfur Dioxide	20 ppm by dry volume	EPA Method 6 or 6c.

[a] All emission limitations (except opacity) are measured at 7 percent oxygen, dry basis at standard conditions.
[b] These methods are in 40 CFR part 60, appendix A.

C. What Operating Limits Must I Meet?

If you are using a wet scrubber to comply with the emission limitations, you must establish the maximum and minimum site-specific operating limits indicated in Table 2 of this preamble. You must then operate the CISWI unit and wet scrubber so that the operating parameters do not deviate from the established operating limits.

TABLE 2.—OPERATING LIMITS FOR NEW AND EXISTING CISWI UNITS USING WET SCRUBBERS

For these operating parameters	You must establish these operating limits	And monitor continuously using these recording times
Charge rate	Maximum charge rate	Every hour.
Pressure drop across the wet scrubber, or amperage to the wet scrubber.	Minimum pressure drop or amperage	Every 15 minutes.
Scrubber liquor flow rate	Minimum flow rate	Do.
Scrubber liquor pH	Minimum pH	Do.

Note: Compliance is determined on a 3-hour rolling average basis, except charge rate for batch incinerators, which is determined on a daily basis.

If you are using an air pollution control device other than a wet scrubber to comply with the emission limitations, you must petition the Administrator for other site-specific operating limits to be established during the initial performance test and continuously monitored thereafter. The required components of the petition are described in § 60.2115 of the NSPS and § 60.2680 of the EG.

If you are using a fabric filter to comply with the emission limitations, in addition to other operating limits as approved by the Administrator, you must operate the fabric filter system such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during a 6-month period.

D. What are the other requirements?

As the owner or operator of a new or existing CISWI unit, you are required to meet the following additional requirements.

Siting Analysis (new units only):

• Submit a report that evaluates site-specific air pollution control alternatives that minimize potential risks to public health or the environment, considering costs, energy impacts, nonair environmental impacts, or any other factors related to the practicability of the alternatives.

Waste Management Plan:

• Submit a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream to reduce or eliminate toxic emissions from incinerated waste.

Operator Training and Qualification Requirements:

• Qualify operators or their supervisors (at least one per facility) by ensuring that they complete an operator training course and annual review or refresher course.

Testing Requirements:

• Conduct initial performance tests for cadmium, carbon monoxide, dioxins/furans, hydrogen chloride, lead, mercury, nitrogen oxides, opacity, particulate matter, and sulfur dioxide and establish operating limits (i.e., maximum or minimum values for operating parameters).

• Conduct annual performance tests for particulate matter and hydrogen chloride emissions and opacity. (An owner or operator may conduct less frequent testing if the facility demonstrates that it is in compliance with the emission limitations for 3 consecutive years.)

Monitoring Requirements:

• If using a wet scrubber to comply with the emission limitations, continuously monitor the following operating parameters: charge rate, pressure drop across the wet scrubber (or amperage), and scrubber liquid flow rate and pH.

• If something other than a wet scrubber is used to comply with the emission limitations, monitor other operating parameters, as approved by the Administrator.

• If using a fabric filter to comply with the emission limitations, in addition to monitoring other operating parameters as approved by the Administrator, you must install and operate a bag leak detection system with an alarm.

Recordkeeping and Reporting Requirements:

• Maintain for 5 years records of the initial performance tests and all subsequent performance tests, operating parameters, any maintenance, the siting analysis (for new units only), and operator training and qualification.

• Submit the results of the initial performance tests and all subsequent performance tests and values for the operating parameters.

E. What Are the Requirements for Air Curtain Incinerators?

The NSPS and EG establish opacity limitations for air curtain CISWI units burning:

- 100 percent wood wastes,
- 100 percent clean lumber, or
- 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

The opacity limitation is 10 percent, except 35 percent opacity is allowed during startup periods that are within the first 30 minutes of operation.

III. Significant Issues and Changes

A total of 95 comments letters were received during the public comment period for the proposed CISWI rule, which ended on January 31, 2000. Among the comments received, the most significant issues addressed applicability, the definition of solid waste, and the MACT floor approach and emission limitations. The issues are addressed below, and other issues raised in the comments are addressed in a comment and response document contained in the docket.

A. Are very small municipal waste combustion units covered?

Commenters questioned whether very small municipal waste combustion (MWC) units (*i.e.*, units that combust less than 35 tons (31.8 megragrams (Mg)) of municipal solid waste per day) are covered by the proposed NSPS and EG. We did not intend to cover very small MWC units, and the final NSPS and EG have been clarified to ensure they are not covered.

The intent of the NSPS and EG for CISWI units is to cover incinerators burning commercial and industrial solid waste, not combustors burning municipal solid waste.

B. Are cyclonic barrel burners covered?

Several commenters questioned whether cyclonic barrel burners are covered by the proposed NSPS and EG. We did not intend to cover cyclonic barrel burners, and the final NSPS and EG have been clarified to ensure they are not covered.

A cyclonic barrel burner is a portable device for burning materials that can be attached to a 55 gallon, open-head drum. The device consists of a lid that fits onto the drum and is connected to a blower that feeds combustion air to the drum in a cyclonic or swirling manner to enhance the combustion of the material. We were not aware of the small combustion devices when developing the proposed regulations, and, as a result, had no information on the devices. Information on cyclonic barrel burners is currently being gathered, and the devices will be evaluated separately from the CISWI category.

C. Has the Definition of a CISWI Unit or Solid Waste Changed?

Section 129(g)(1) and (6) create a specialized definition of ''solid waste incineration unit'' that depends in part on the definition of ''solid waste'' contained in section 1004(27) of the Resource Conservation and Recovery Act (RCRA). The overall intent of the CAA provisions is that section 129 rules are to apply to devices conventionally regarded as incinerators, that is, devices burning wastes in order to destroy the wastes. For purposes of promulgating regulations applicable to commercial and industrial solid waste incinerators, it is particularly important to distinguish between units that will be regulated as boilers as well as other devices whose primary purpose is energy recovery (such as process heaters), and devices that will be regulated as incinerators under section 129 of the CAA. The distinction is necessary to avoid dual regulation of the many combustion units in use at commercial and industrial facilities that function as energy recovery devices and may be subject to regulation under other sections of the CAA.

Our proposed definitions of solid waste and CISWI unit reflected this broad principle of distinguishing boilers and other energy recovery devices from incinerators. However, as explained below, our proposed definitions proved inadequate to distinguish boilers from incinerators within the category of sources. Therefore, in the final NSPS and EG, we have modified our definitions of solid waste and CISWI unit.

For purposes of this rule, we are adopting a revised definition of solid waste that reflects the definition in the Solid Waste Disposal Act (SWDA) and which is reiterated in the regulation promulgated by the Administrator pursuant to the SWDA. We emphasize that the definition is adopted solely for purposes of section 129 in order to implement the principles of that section. We note that the RCRA regulatory definition of solid waste, which effectively determines the scope of the regulatory program for hazardous wastes (since hazardous wastes are a subset of solid wastes (see RCRA section 1004(5)), defines secondary materials burned for energy recovery as solid wastes (40 CFR 261.2(c)(2)). The classification implements both an explicit directive in RCRA to regulate wastes burned for energy recovery (RCRA sections 3004(q), (r) and (s)), as well as the RCRA statutory definition of solid waste. See also *Horsehead Resource Development Corp.* v. *Browner,* 16 F. 3d 1246 (D.C. Cir. 1994) (upholding the rules implementing RCRA section 3004(q)). We reemphasize that the final CISWI NSPS and EG in no way affect those existing (and long-standing) RCRA provisions or reflect any type of Agency decision about the permissible scope of the RCRA statutory definition of solid waste. Our purpose here is only to adapt that definition to reflect the regulatory purpose of CAA section 129.

Many commenters stated that the definitions of solid waste and CISWI unit in the proposed NSPS and EG were too broad, and, therefore, would inappropriately cover some boilers, process heaters, and possibly other units that recover energy from the burning of fuels. The commenters stated their belief that commercial and industrial combustion units that recover energy were intended to be regulated under section 112 of the CAA, and that only incinerators that burn wastes for destruction alone were intended to be regulated as CISWI units.

The comments pointed to two primary reasons why the proposed NSPS and EG for CISWI units would inadvertently cover some units that recover energy, such as boilers and process heaters. First, many legitimate energy recovery units are physically separated from their associated energy recovery systems. The units would not meet the requirement that heat recovery must be part of a unit's ''integral'' design for it not to be considered a CISWI unit. Second, the universe of materials burned for energy recovery is much broader than those defined as ''fuels.'' For example, several of today's combustion technologies and some new emerging technologies can burn materials for energy recovery having heat values less than the proposed 5,000 British thermal units per pound (Btu/lb) threshold for considering a material a fuel.

As a result, the commenters suggested that the NSPS and EG for CISWI units be changed so that units that recover energy not be considered incinerators. Without such a change, units could be regulated both as CISWI units under section 129 and as boilers, for example, under section 112. Such a potential overlap in regulations could create confusion as well as inconsistent and conflicting regulatory requirements, according to some commenters.

We agree that units physically separated from their associated energy recovery systems may be legitimate energy recovery devices. Therefore, we

have deleted from the final NSPS and EG the requirement for energy recovery to be part of the unit's ''integral'' design for it not to be considered a CISWI unit. Additionally, we have added a definition of energy recovery. Furthermore, we agree that several of today's combustion technologies, including some emerging technologies, may be capable of burning materials with a heat value of less than 5,000 Btu/lb to recover energy. Therefore, we have deleted the requirement from the definition of solid waste in the final NSPS and EG.

As we indicated in the preamble to the November 1999 proposal, the main purpose of the proposed definition of nonhazardous solid waste was to identify which materials when burned by CISWI units would be subject to regulations developed under section 129, and which materials when burned would be subject to regulations to be developed under section 112. Consideration of the above comments led us to conclude that the proposed definitions of ''CISWI unit'' and ''solid waste'' created the potential for overlap with rules we are developing under section 112, such as the boiler MACT.

The primary difference between incinerators and boilers is that incinerators burn materials for the purpose of disposal, whereas boilers burn materials for the purpose of recovering energy. Thus, we believe the concept of energy recovery is the key to distinguishing between CISWI units (which will be regulated under section 129) and boilers (which will be regulated under section 112). Specifically, commercial and industrial units burning materials without energy recovery are disposing of the materials, that is, they are treating such materials as commercial or industrial waste, and they should be regulated as CISWI units under section 129. In contrast, commercial and industrial units burning materials with energy recovery, that is, treating such materials as fuel, should be regulated under section 112.

In order to address the concerns raised by commenters, and to provide a clear distinction between CISWI units and combustion devices that will be covered by regulations promulgated under section 112 of the CAA, we have included in the final NSPS and EG a definition of ''commercial and industrial waste.'' We define commercial and industrial waste as any solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field-erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility.

With the changes, we believe the final NSPS and EG will avoid the possibility of double coverage under section 129 and section 112.

D. Which Elements of the Definition of Solid Waste Have Been Retained and Clarified?

For additional clarity, the exemptions from the CISWI rules for units burning municipal solid waste, hospital/medical/infectious waste, and hazardous wastes under the RCRA have been retained and are now included in the applicability sections (§ 60.2020 of the NSPS; § 60.2555 of the EG). The solid waste definition refers to the exemptions from the CISWI NSPS and EG. In addition, the exemption for units that burn materials for the purpose of recovering their chemical constituents is now included in the applicability sections of the CISWI NSPS and EG. The exemption has also been expanded by increasing the list of units that burn materials for the purpose of recovering their chemical constituents. Owners or operators who believe their unit is not a CISWI unit may petition the Administrator to add their unit to the list.

Finally, one commenter stated that the definition of solid waste in 40 CFR part 261 applies to nonhazardous solid waste. Therefore, the commenter believes that EPA must use that definition and is not free to redefine solid waste for the purpose of section 129.

Section 129 does not define nonhazardous solid waste, but directs EPA to use the meaning of solid waste established by the Administrator pursuant to the SWDA. To develop and implement the hazardous waste regulatory program authorized by the SWDA, the Administrator adopted a definition of hazardous waste pursuant to the SWDA. It is true that 40 CFR part 261 defines solid waste; however, 40 CFR 261.1(b)(1) states explicitly that the definition is only for the purpose of materials that are hazardous wastes.

The Administrator has included in the final NSPS and EG the definition of solid waste from the SWDA and is establishing the definition jointly under the authority of the CAA and the SWDA. The purpose of the definition is solely to identify nonhazardous solid waste for the purpose of the CISWI regulations.

E. Were Significant Issues Raised Regarding EPA's Approach to Setting the Proposed Standards and Guidelines, and Has EPA Made Any Changes?

The significant comments received on EPA's approach to setting the standards and guidelines, and the changes that have been made in response to these comments, are discussed below.

1. What Is EPA's General Approach to Setting the MACT Floors?

One commenter stated that EPA's technology-based approach to determining the MACT floors is unlawful and that the resulting MACT floors do not reasonably reflect the actual performance of the best performing 12 percent of existing units or the expected performance of the best controlled similar unit. Moreover, the commenter stated that the ''worst emission test result for any unit using a particular technology does not reasonably reflect the actual performance of the best performing unit.'' As a result, the commenter concluded that the MACT emission limitations are not as stringent as the CAA requires. Generally, we disagree with the commenter for the following reasons.

Section 129(a)(2) of the CAA specifies that the emission limitations for existing units shall not be less stringent than the average emission limitation achieved by the best performing 12 percent of units in the category, and for new units shall not be less stringent than the emission control that is achieved in practice by the best controlled similar unit. The emission limitation associated with the above criteria for a pollutant is referred to as the ''MACT floor'' for that pollutant. With respect to new units, EPA interprets ''achieved in practice'' to mean achieved under the worst foreseeable circumstances, consistent with *National Lime Ass'n* v. *EPA,* 627 F. 2d 416, 431 n.46 (DC Cir. 1980). Moreover, EPA views the phrase ''best controlled similar source'' as encompassing all units using the same control technology as the unit with the best observed performance, rather than just that unit itself. Consequently, the MACT floor for new units is based on the highest data point from a unit using the ''best'' technology, since such a value is a reasonable estimate of the performance of the ''best controlled similar unit'' under the worst foreseeable circumstances. The approach is reasonable because the most informative way to predict the worst reasonably foreseeable performance of the best controlled unit, with the available data, is to examine the

performance of other units that use the same control technology. In other words, EPA considers all units with the same control technology to be equally well controlled, and each unit with the best control technology is a ''best controlled similar unit'' even if the emissions test results from such units vary considerably.

As discussed at proposal, to determine the MACT floors for the pollutants listed in section 129 of the CAA, we examined our CISWI unit database to identify the various emission control technologies (including the absence of emission control technology) that were in use on CISWI units. We then ranked the technologies on a pollutant-by-pollutant basis in terms of their emission control performance capabilities. For example, wet scrubbers (and fabric filters in the case of particulate emissions) were ranked higher than other technologies because they are capable of greater emissions reductions.

Using the ranking of emission control technologies, we were able to identify for each pollutant the best performing CISWI units. Because comprehensive emission test data are not available for each of the best performing CISWI units, we were unable to identify the specific emission control performance achieved by each unit. As a result, we considered the best performing CISWI units which used the same emission control technology as equally well controlled.

We then examined the best performing 12 percent of CISWI units, as well as the best performing CISWI unit, to identify the emission control technology which represents the MACT floor for each pollutant for existing and new CISWI units. For existing units, this was accomplished by identifying the emission control technology used by the median of the best performing 12 percent of units (*i.e.,* the CISWI unit representing the 94th percentile). (Because technologies cannot be ''averaged'' in the same way that numbers are averaged, the average performance of the emission control technology used by the best performing 12 percent of units is best represented by the technology in the middle of the range of the best performing 12 percent of units, *i.e.,* the median.) Similarly, for new units, this was accomplished by identifying the emission control technology used by the best performing CISWI unit for each pollutant.

Using this approach, the emission control technology identified as representing the MACT floor for each pollutant was determined to be the same for both new and existing CISWI units. As discussed at proposal, the use of a wet scrubbing system, or other equivalent emission control technology (such as use of a fabric filter system for particulate matter control), is the emission control technology which represents the MACT floor for both existing and new CISWI units. The MACT floor can be identified, therefore, by determining the emission limitations which are achieved by wet scrubbing systems on CISWI units.

As a result, having identified the emission control technology which represents the MACT floor, it was then necessary to determine the emission limitations ''achieved'' by this emission control technology for each pollutant. This determination is not, as this one commenter appears to suggest, simply a matter of looking at the test results from a single CISWI unit or generating a numerical average of the test data from all CISWI units employing the MACT technology. Such an approach fails to consider the inherent and unavoidable variability associated with the incinerators in the CISWI category. Consequently, such an approach does not accurately identify the actual emissions performance of existing units that use the MACT technology, or the level of performance which is achievable by a CISWI unit operating with this emission control technology under the worst reasonably foreseeable circumstances.

Examining emission data from a number of CISWI units using the same emission control technology gives us the best picture of the actual performance and the performance capability of this technology. It enables us to take into consideration the inherent variability associated with the incinerators in the CISWI category, and it allows us to identify the emission limitations achieved in practice under the worst reasonably foreseeable circumstances.

There are between 4 and 14 emission tests available for CISWI units controlled by wet scrubbing systems for each pollutant (with the exception of dioxins/furans, mercury, and hydrogen chloride, where fewer tests are available). As expected, there is considerable variation among the emission values from the emission tests for each pollutant as a result of the unavoidable process and operational variability within CISWI units (*e.g.,* variations in waste combusted, incinerator design and operation, etc.). Because this variability occurs among all CISWI units and because there is no clear explanation for this variability, it is reasonable to expect that there will always be a variation in emissions among CISWI units controlled by wet scrubbing systems.

Another way to view this emission variability among CISWI units is to consider each emission test as a ''snapshot'' of actual performance taken at one moment in time. Taken together, the snapshots provide a picture of the unavoidable variation in emissions expected to occur and recur over time at every similarly controlled CISWI unit. Absent additional information, there is no reason to believe that any observed emission value (*i.e.,* the emission level measured during a test) from a CISWI unit controlled with wet scrubbing could be prevented from occurring at any other CISWI unit also controlled by wet scrubbing.

As a result, the most reasonable methodology for determining the performance of wet scrubbing systems on CISWI units (*i.e.,* the MACT floor) is to examine the emission values for all similarly controlled CISWI units (excluding any emission values from tests that did not represent a proper functioning CISWI unit or wet scrubbing system). Thus, for a given pollutant, the most reasonable estimate of the MACT floor emission limitation ''achieved'' by the best performing 12 percent of CISWI units (or the best performing CISWI unit) is represented by the highest emission value observed from a CISWI unit using wet scrubbing.

We adopted this approach to ensure that the MACT floor emission limitations represent, as accurately as possible, what the best performing 12 percent of existing units is actually achieving, and what the best performing CISWI unit can be reasonably expected to achieve. Despite the commenters objections, we continue to believe that this is the most appropriate methodology for evaluating the performance of units in the CISWI category, given the inherent and unavoidable variability in emissions among these units and the limited emissions data available. Therefore, we continue using this approach to determine the MACT floors.

2. Will EPA Allow Compliance on a Percent Reduction Basis?

Several commenters recommended that we include percent reduction requirements for some pollutants, as alternatives to the emission limitations, to accommodate the variability in emissions among CISWI units.

As outlined above, we believe the emission limitations in the final standards and guidelines reasonably incorporate the variability associated with CISWI units using wet scrubbing systems (which is the basis for MACT as well as the MACT floor). Thus, we do not believe that alternative percentage

reduction requirements are necessary or would serve to provide emission limitation alternatives more representative of the actual performance of CISWI units. For these reasons, EPA is not including percent reduction requirements in the final rule.

3. How did EPA Establish Emission Limitations for Dioxins/Furans, Mercury, and Hydrogen Chloride?

Some commenters stated that the emission test data upon which several of the MACT emission limitations were based at proposal were extremely limited and, as a result, the limitations are not necessarily achievable in practice because they may not be representative of actual CISWI unit performance. Several of the commenters suggested that we consider the use of emission data from rulemakings which establish standards for sources that utilize similar emission control equipment under conditions comparable to units in the CISWI category.

As discussed above, a number of emission tests from CISWI units were available to determine the MACT emission limitations for most pollutants. However, for three pollutants, dioxins/furans, mercury, and hydrogen chloride, there were only one or two emission tests from CISWI units. As we noted at proposal, such limited data may not provide a sufficient basis to establish MACT emission limitations for the pollutants in this category (particularly given the degree of variability among CISWI units). Consequently, we decided not to rely only on the emission tests to determine the MACT emission limitations for the three pollutants.

While the provisions of section 129 identify a general minimum stringency for MACT emission limitations, there is nothing about how MACT emission limitations are to be calculated, that is, the provisions do not identify a specific procedure or type of information that EPA must use. Thus, we generally have wide latitude in determining the extent of data gathering necessary to establish emission limitations. We believe it is appropriate to use any data available (such as emission test results, operating permit limitations, engineering calculations, control equipment specifications, or other reliable information) that provide information useful for generating a reasonable estimate of the performance of units within a category.

Accordingly, where the emission data from units within a category are incomplete, we may augment our analysis with supplementary information to determine MACT emission limitations. Provided that the augmented emission data we use to generate the MACT emission limitations provide a good proxy for the best performing units in the category, it is irrelevant that the actual test data available from units in the category are incomplete. Similarly, if our analysis provides a reasonable representation of the actual performance of units in the category, we may consider relevant supplemental information from any available source. Courts have ruled that EPA need not invest resources to conduct the perfect study, provided that our approach bears a rational relationship to the reality it purports to represent (See *Sierra Club* v. *EPA,* 167 F. 3d 658, 663 (D.C. Cir. 1999)).

Thus, because emission data for dioxins/furans, mercury, and hydrogen chloride emissions from CISWI units controlled by wet scrubbing systems are extremely limited, we have augmented the data with emission data from similarly controlled units outside of the CISWI category. This approach allows us to better characterize the actual dioxins/furans, mercury, and hydrogen chloride emission limitations achieved by units in the CISWI category by providing additional information regarding the performance of wet scrubbers under conditions similar to those experienced by CISWI units.

Hazardous waste incinerator (HWI) units without waste heat recovery that are controlled with wet scrubbing systems serve as a valuable source of supplementary data for emissions of dioxins/furans. (Units in the CISWI category that were used to establish the emission limitations did not incorporate waste heat recovery, and it is not the intent of this rulemaking to cover such units.) These types of HWI units are generally similar to CISWI units that are controlled by wet scrubbing systems. Thus, it is reasonable to conclude that the emissions performance of HWI units without waste heat boilers and controlled with wet scrubbing systems is comparable to that of CISWI units controlled with wet scrubbing systems.

As a result, we combined dioxins/furans emission data from HWI units without waste heat recovery boilers and controlled with wet scrubbing systems with the dioxins/furans emission data for CISWI units controlled with wet scrubbing systems. We then determined the MACT emission limitation for dioxins/furans as discussed above. The resulting emission limitation included in the final NSPS and EG is 0.41 nanograms per dry standard cubic meter (ng/dscm) toxic eqivalency (TEQ) (Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units; Notice of Data Availability, August 28, 2000, 65 FR 52058).

Unfortunately, with respect to the other two pollutants for which CISWI test data are extremely limited (mercury and hydrogen chloride), it is inappropriate to use emission data from HWI units to supplement the CISWI unit data. The mercury and hydrogen chloride emission data available from HWI units are based on the use of a different emission control technology than wet scrubbing systems, and this prevents us from combining mercury and hydrogen chloride emission data from HWI units with that from CISWI units. Since appropriate HWI data were not available, we identified another source of data to augment mercury and hydrogen chloride emission data from CISWI units controlled by wet scrubbing systems.

Hospital, medical, and infectious waste incinerator (HMIWI) units controlled with wet scrubbing systems serve as a valuable source of supplementary data for mercury and hydrogen chloride. Those HMIWI units are also generally similar to CISWI units that are controlled by wet scrubbing systems. Thus, it is reasonable to conclude that the mercury and hydrogen chloride emission performance achieved by HMIWI units controlled with wet scrubbing systems is comparable to that of CISWI units controlled with wet scrubbing systems.

As a result, we combined mercury and hydrogen chloride emission data from HMIWI units controlled with wet scrubbing systems with the mercury and hydrogen chloride emission data from CISWI units controlled with wet scrubbing systems. We then determined the emission limitations for mercury and hydrogen chloride as discussed above. The resulting emission limitations included in the final NSPS and EG are 0.47 mg/dscm for mercury and 62 parts per million by volume, dry basis (ppmdv) for hydrogen chloride (Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units; Notice of Data Availability, August 28, 2000, 65 FR 52058).

This process for augmenting the CISWI data with appropriate HWI or HMIWI data results in dioxins/furans, mercury, and hydrogen chloride emission limitations which more accurately represent the levels of such emissions actually achieved by CISWI units employing the MACT technology

(wet scrubbing systems). This approach to developing the emission limitations provides a reasonable proxy for the actual performance of the best performing CISWI units and is the most appropriate method, under the circumstances, for EPA to identify the emission limitations that are achieved by such units.

(**Note:** While we believe that emission data for dioxins/furans, mercury, and hydrogen chloride from the HWI and HMIWI categories are useful for augmenting the CISWI data where insufficient CISWI emission data are available, we do not believe that HWI, HMIWI, and CISWI units should generally be characterized as similar units for the purpose of determining MACT emission limitations for all CISWI pollutants.)

4. How did EPA Establish Emission Limitations for Lead and Cadmium?

In reviewing the CISWI database to address comments following proposal, we found that, despite our earlier efforts to rigorously screen the database, the unit responsible for the highest recorded emissions of lead and cadmium (which drove the MACT emission limitations for the pollutants) was not a CISWI unit. As a result, this unit was removed from the CISWI database, resulting in a change in the lead and cadmium MACT emission limitations. Following the methodology outlined above, the final MACT emission limitations included in the final NSPS and EG are 0.04 mg/dscm for lead and 0.004 mg/dscm for cadmium.

IV. Impacts of the Final NSPS and EG

The air impacts of the NSPS and EG were reestimated as a result of revising the emission limitations for new and existing CISWI units. Because the estimates of water, solid waste, energy, cost, and economic impacts depend solely on the technology upon which the MACT limits are based, and because the technology remains the same as proposed, there were no changes in other impacts.

A. What Are the Air Impacts for New Units?

To illustrate the potential emissions reductions achieved by the NSPS with respect to new CISWI units, we modeled hypothetical CISWI units with capacities of 100 and 1,500 pounds per hour (lb/hr) (45 and 680 kilograms per hour (kg/hr)) and estimated the impacts associated with application of wet scrubbers. The resulting impact estimates (i.e., the difference in emissions between a CISWI unit with a wet scrubber and an uncontrolled CISWI unit) are presented in Table 3 of this preamble.

TABLE 3.—EMISSIONS REDUCTIONS ON A MODEL UNIT BASIS

Pollutant	Emissions Reduction, tons/yr (Mg/yr)			
	100 lb/hr		1500 lb/hr	
	(45 kg/hr)	Capacity	(680 kg/hr)	Capacity
Cadmium	1.5×10^{-5}	(1.4×10^{-5})	3.1×10^{-4}	(2.8×10^{-4})
Dioxins/furans (TEQ)	2.0×10^{-9}	(1.8×10^{-9})	4.2×10^{-8}	(3.9×10^{-8})
Hydrogen chloride	1.5	(1.4)	32.3	(29.3)
Lead	1.9×10^{-4}	(1.7×10^{-4})	4.0×10^{-3}	(3.6×10^{-3})
Mercury	6.5×10^{-4}	(5.9×10^{-4})	0.01	(0.01)
Particulate matter	0.50	(0.45)	10.8	(9.8)
Sulfur dioxide	0.38	(0.35)	7.9	(7.2)

B. What are the air impacts for existing units?

Table 4 of this preamble summarizes the national air emission impacts of the EG. The impacts are expressed in two ways. First, the impacts are expressed as annual nationwide mass emissions reductions; and second, as percent reductions compared to current estimated national emissions for existing CISWI units.

TABLE 4.—EMISSIONS REDUCTIONS FOR EXISTING CISWI UNITS

Pollutant	National Emissions Reduction		Percent [1]
	Tons/yr	(Mg/yr)	
Cadmium	0.01	(0.01)	56
Dioxins/furans (TEQ)	1.8×10^{-6}	(1.6×10^{-6})	65
Hydrogen chloride	1315	(1193)	89
Lead	0.15	(0.14)	62
Mercury	0.56	(0.51)	34
Particulate matter	409	(371)	71
Sulfur dioxide	324	(294)	72

[1] Percent reduction from current (baseline) emissions.

V. Administrative Requirements

A. Executive Order 12866: Regulatory Planning and Review

Under Executive Order 12866 (58 FR 51735, October 4, 1993), we must determine whether a regulatory action is ''significant'' and, therefore, subject to Office of Management and Budget (OMB) review and the requirements of the Executive Order. The Executive Order defines ''significant regulatory action'' as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of $100 million or more, or adversely affects in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of Executive Order 12866, OMB has notified us that it considers this a ''significant regulatory action'' within the meaning of the Executive Order. As a result, we submitted this action to OMB for review. Changes made in response to OMB suggestions or recommendations are documented in the public record.

Section 129 of the CAA requires EPA to adopt NSPS and EG for CISWI units. These NSPS and EG must be based on MACT, which is defined as the maximum degree of reduction in emissions of air pollutants, taking into consideration the cost of achieving the reductions and any nonair quality health and environmental impacts and energy requirements, that the Administrator determines is achievable. The MACT for the NSPS must be no less stringent than the emission reduction achieved by the best controlled source, and MACT for the EG must be no less stringent that the emission reduction achieved by the average of the best controlled 12 percent of sources. These minimum requirements are referred to as the floor, and more stringent requirements are referred to as beyond-the-floor.

To determine MACT, we examined two alternatives. The first reflected the floor (i.e., wet scrubbing); the second reflected a beyond-the-floor option (i.e., wet scrubbing followed by carbon injection and a fabric filter). Taking into consideration the cost of achieving the emission reductions and any nonair quality health and environmental impacts and energy requirements, the Administrator determined that the first alternative is MACT.

The total national annualized cost impact of this regulatory action is estimated as $11.6 million per year, assuming those CISWI units currently operating without wet scrubbers would install wet scrubbers in order to comply with the emission limits in the NSPS and EG. As a result, emissions (consisting primarily of hydrogen chloride, particulate matter, and sulfur dioxide) would be reduced by 2048 tons per year.

B. Executive Order 13132: Federalism

Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999), requires us to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' are defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.''

Under section 6 of Executive Order 13132, we may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or we consult with State and local officials early in the process of developing the regulation. We also may not issue a regulation that has federalism implications and that preempts State law unless we consult with State and local officials early in the process of developing the proposed regulation.

If we comply by consulting, Executive Order 13132 requires us to provide to the OMB, in a separately identified section of the preamble to the rule, a federalism summary impact statement. The federalism summary impact statement must include a description of the extent of our prior consultation with State and local officials, a summary of the nature of their concerns and our position supporting the need to issue the regulation, and a statement of the extent to which the concerns of State and local officials have been met. Also, when we transmit a draft final rule with federalism implications to OMB for review pursuant to Executive Order 12866, we must include a certification from the agency's federalism official stating that we have met the requirements of Executive Order 13132 in a meaningful and timely manner.

This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. This rule establishes national performance standards and other requirements for certain solid waste incineration units. We are required by section 129 of the CAA, 42 U.S.C. 7429, to establish the standards and guidelines embodied in this rule. This regulation primarily affects private industry and does not impose significant economic costs on State or local governments. The standards established by this rule apply to new facilities that operate commercial or industrial incineration units (and the owners or operators of such facilities) and require States to submit State plans that include standards applicable to existing incineration units that are at least as protective as the standards specified in the rule. If a State does not submit an approvable plan, any covered incineration units in that State will become subject to a Federal plan to implement this rule. The regulation does not include an express provision preempting State or local regulations. However, once a State or Federal plan is in effect, covered facilities would be subject to the standards established by this rule, regardless of any less protective State or local regulations that contain emission limitations for the pollutants addressed by this rule. To the extent that this might preempt State or local regulations, it does not significantly affect the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government. Thus, the requirements of section 6 of the Executive Order do not apply to this rule; and we have complied with the requirements of section 4(e), to the extent that they may be applicable to the regulations, by providing notice to potentially affected State and local officials through publication of this rule.

Although section 6 of Executive Order 13132 does not apply to this rule, we consulted with representatives of State and local governments to enable them to provide meaningful and timely input into the development of this rule. This consultation took place during the ICCR FACA committee meetings, where members representing State and local governments participated in developing recommendations for our combustion-related rulemakings, including this rule. Additionally, we sponsored the Small Communities Outreach Project, which involved meetings with elected officials and other government representative to provide them with information about this rule and to solicit their comments. The concerns raised by representatives of State and local governments were considered during the development of this rule.

C. Executive Order 13084: Consultation and Coordination With Indian Tribal Governments

Under Executive Order 13084, we may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance

costs incurred by the tribal governments, or we consult with those governments. If we comply by consulting, Executive Order 13084 requires us to provide to OMB, in a separately identified section of the preamble to the rule, a description of the extent of our prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires us to develop an effective process permitting elected officials and other representatives of Indian tribal governments to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities.

Today's final rule does not significantly or uniquely affect the communities of Indian tribal governments. We know of no CISWI units owned by Indian tribal governments. However, if there are any, the effect of these rules on communities of tribal governments would not be unique or disproportionate to the effect on other communities. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply.

D. Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks

Executive Order 13045 (62 FR 19885, April 23, 1997) applies to any rule that we determine: (1) Is ''economically significant'' as defined under Executive Order 12866, (2) is based on health or safety risks, and (3) for which we have reason to believe may disproportionately affect children. If the regulatory action meets these criteria, we must evaluate the environmental health or safety effects of the planned rule on children and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives we considered.

We interpret Executive Order 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required under section 5–501 of the Executive Order has the potential to influence the regulation. This final rule is not subject to Executive Order 13045 because it is based on technology performance and not on health or safety risks. Additionally, this final rule is not economically significant as defined by Executive Order 12866.

E. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Pub. L. 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, we generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any 1 year.

Before promulgating a rule for which a written statement is needed, section 205 of the UMRA generally requires us to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows us to adopt an alternative other than the least costly, most cost-effective or least burdensome alternative if the Administrator publishes with the final rule an explanation of why that alternative was not adopted.

Before we establish any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, we must develop under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, thereby enabling officials of affected small governments to have meaningful and timely input in the development of the regulatory proposal with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

We have determined that this rule does not contain a Federal mandate that may result in expenditures of $100 million or more for State, local, and tribal governments, in the aggregate, or the private sector in any 1 year. Thus, this rule is not subject to the requirements of sections 202 and 205 of the UMRA. Additionally, we have determined that this rule contains no regulatory requirements that might significantly or uniquely affect small governments.

F. Regulatory Flexibility Act (RFA) as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 601 et seq.

The RFA generally requires Federal agencies to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include businesses, small not-for-profit enterprises, and small governmental jurisdictions. For purposes of assessing the impacts of today's rule on small entities, a small entity is defined as: (1) a small business who has less than 500 employees, (2) a small governmental jurisdiction that is a government of a city, county, town, school district, or special district with a population of less than 50,000, and (3) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field. The SBA guidelines define a small business based on number of employees or annual revenues, and the size standards vary from industry to industry. Generally, businesses covered by the Standard Industry Codes (SIC) affected by this final rule are considered small if they have less than 500 employees or less than $5 million in annual sales.

The regulation will affect 112 existing facilities owned by 90 parent companies. Based on Small Business Administration guidelines, 26 of the companies are small businesses. The lumber and wood products industry includes the largest number (seven) of the small businesses, followed by fabricated metals, veterinary hospitals (burning less than 90 percent pathological waste), and wholesale trade sectors with three companies each. The remaining small businesses are distributed across six different industries. If add-on controls are employed to meet the standards, a total of 15 small businesses have cost-to-sales ratios greater than 1 percent; and of the 15 small businesses, 9 have cost-to-sales ratios that exceed 3 percent (ranging from 3.4 to 27.7 percent with a median of 4 percent). The nine entities with cost-to-sales ratios greater than three percent incinerate relatively small amounts of material. Therefore, it is reasonable to assume the businesses will seek an alternative method of disposal rather than bearing the cost of installing add-on equipment. Since the median amount of material incinerated by the nine companies is only about 50 tons per year, the alternative net cost for sending waste to a landfill for many of the facilities is expected to be less than the control costs, based on an estimated total alternative disposal cost (*i.e.,* transportation and storage costs plus tipping fee) of about $58 per ton. The cost of using an off-site landfill for the median amount of material is estimated to be about $2,900 per year. Thus, it

may be economically feasible for some of these small entities to switch to an alternative disposal method, such as off-site landfills, and lower their net compliance costs.

Based on the low number of affected small entities in each individual market, the alternative method of waste disposal available, and the relatively low control cost, this analysis suggests that the regulation should not generate a significant small business impact on a substantial number of small entities in the commercial and industrial sectors. EPA has determined that it is not necessary to prepare a regulatory flexibility analysis in connection with this final rule. EPA has also determined that this rule wil not have a significant economic impact on a substantial number of small entities.

G. Paperwork Reduction Act

The information collection requirements in this final rule have been submitted for approval to OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* The Information Collection Request (ICR) documents have been prepared (ICR No. 1926.02 for subpart CCCC and 1927.02 for subpart DDDD), and copies may be obtained from Sandy Farmer by mail at U.S. Environmental Protection Agency, Office of Environmental Information, Collection Strategies Division (2822), 1200 Pennsylvania Avenue, NW., Washington, DC 20460, by e-mail at farmer.sandy@epa.gov, or by calling (202) 260–2740. Copies may also be downloaded from the internet at *http://www.epa.gov/icr*.

The NSPS and EG contain monitoring, reporting, and recordkeeping requirements. The information will be used to identify new, modified, or reconstructed incineration units subject to the NSPS and to ensure that new incineration units undergo a siting analysis and that the analysis is reviewed by the public. Records and reports are necessary to enable us to identify waste incineration units that may not be in compliance with the requirements. Based on reported information, we would decide which units and what records or processes should be inspected.

These recordkeeping and reporting requirements are specifically authorized by section 114 of the CAA (42 U.S.C. 7414). All information submitted to us for which a claim of confidentiality is made will be safeguarded according to our policies in 40 CFR part 2, subpart B, Confidentiality of Business Information.

The estimated average annual burden for the first 3 years after promulgation of the NSPS for industry and the implementing agency is outlined below.

Affected entity	Total hours	Labor costs	Capital costs	O&M costs	Total costs
Industry	11,209	$685,269	$13,440	$1,266	$699,975
Implementing agency	794	$32,608	0	0	$32,608

We expect the NSPS to affect 18 CISWI units over the first 3 years, based on the assumption that six existing units will be replaced by six new units each year. We estimate the total annualized capital and startup costs for these new units to be $13,440. Continuous parameter monitoring equipment would be required for new units. When a wet scrubber is used to meet the emission limitation, monitoring equipment must be installed to monitor maximum charge rate, minimum pressure drop across the wet scrubber (or minimum amperage), minimum scrubber liquor flow rate, and minimum scrubber liquor pH. The estimated total operation, maintenance, and purchase costs for the monitoring equipment averaged over the first 3 years are expected to be $1,266. The implementing agency would not incur any capital or startup costs.

The estimated average annual burden for the first 3 years after promulgation of the emission guidelines for industry and the implementing agency is outlined below.

Affected entity	Total hours	Labor costs	Capital costs	O&M costs	Total costs
Industry	9,145	$407,067	$0	$0	$407,067
Implementing agency	1,817	$48,386	0	0	$48,386

We expect the EG to affect a maximum of 116 units over the first 3 years. We assume that six existing units will be replaced by six new units each year. There are no capital, startup, or operation and maintenance costs for existing units during the first 3 years. The implementing agency would not incur any capital or startup costs.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for our regulations are listed in 40 CFR part 9 and 48 CFR chapter 15.

H. National Technology Transfer and Advancement Act

As noted in the proposed rule, section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law No. 104–113, section 12(d) (15 U.S.C. 272 note), directs us to use voluntary consensus standards in our regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs us to provide Congress, through OMB, explanations when we decide not to use available and applicable voluntary consensus standards.

Consistent with the NTTAA, we conducted searches to identify voluntary consensus standards for use in process and emissions monitoring.

The search for emissions monitoring procedures identified six voluntary consensus standards that appeared to have possible use in lieu of our standard reference methods. However, after reviewing available standards, we determined that these candidate consensus standards would not be practical due to the potential lack of equivalency, documentation, validation data and other important technical and policy considerations. These six candidate consensus standards are under development and we plan to follow, review and consider adopting them at a later date.

I. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. We will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register.** A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2). This rule will be effective January 30, 2001.

List of Subjects in 40 CFR Part 60

Environmental protection, Air pollution control, Carbon monoxide, Metals, Nitrogen dioxide, Particulate matter, Sulfur oxides, Waste treatment and disposal.

Dated: November 15, 2000.

Carol M. Browner,

Administrator.

For the reasons stated in the preamble, title 40, chapter I, part 60 of the Code of Federal Regulations is amended as follows:

PART 60—[AMENDED]

1. The authority citation for part 60 continues to read as follows:

Authority: 42 U.S.C. 7401, 7411, 7414, 7416, 7429, and 7601.

2. Part 60 is amended by adding subpart CCCC to read as follows:

Subpart CCCC—Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001.

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Introduction

§ 60.2000 What does this subpart do?

This subpart establishes new source performance standards for commercial and industrial solid waste incineration (CISWI) units.

§ 60.2005 When does this subpart become effective?

This subpart takes effect on June 1, 2001. Some of the requirements in this subpart apply to planning the CISWI unit and must be completed even before construction is initiated on the CISWI unit (i.e., the preconstruction requirements in §§ 60.2045 and 60.2050). Other requirements such as the emission limitations and operating limits apply after the CISWI unit begins operation.

Applicability

§ 60.2010 Does this subpart apply to my incineration unit?

Yes, if your incineration unit meets all the requirements specified in paragraphs (a) through (c) of this section.

(a) Your incineration unit is a new incineration unit as defined in § 60.2015.

(b) Your incineration unit is a CISWI unit as defined in § 60.2265.

(c) Your incineration unit is not exempt under § 60.2020.

§ 60.2015 What is a new incineration unit?

(a) A new incineration unit is an incineration unit that meets either of the two criteria specified in paragraph (a)(1) or (2) of this section.

(1) Commenced construction after November 30, 1999.

(2) Commenced reconstruction or modification on or after June 1, 2001.

(b) This subpart does not affect your incineration unit if you make physical or operational changes to your incineration unit primarily to comply with the emission guidelines in subpart DDDD of this part (Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units). Such changes do not qualify as reconstruction or modification under this subpart.

§ 60.2020 What combustion units are exempt from this subpart?

This subpart exempts fifteen types of units described in paragraphs (a) through (o) of this section.

(a) *Pathological waste incineration units.* Incineration units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste as defined in § 60.2265 are not subject to this subpart if you meet the two requirements specified in paragraphs (a)(1) and (2) of this section.

(1) Notify the Administrator that the unit meets these criteria.

(2) Keep records on a calendar quarter basis of the weight of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste burned, and the weight of all other fuels and wastes burned in the unit.

(b) *Agricultural waste incineration units.* Incineration units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of agricultural wastes as defined in § 60.2265 are not subject to this subpart if you meet the two requirements specified in paragraphs (b)(1) and (2) of this section.

(1) Notify the Administrator that the unit meets these criteria.

(2) Keep records on a calendar quarter basis of the weight of agricultural waste burned, and the weight of all other fuels and wastes burned in the unit.

(c) *Municipal waste combustion units.* Incineration units that meet either of the two criteria specified in paragraph (c)(1) or (2) of this section.

(1) Are regulated under subpart Ea of this part (Standards of Performance for Municipal Waste Combustors); subpart Eb of this part (Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994); subpart Cb of this part (Emission Guidelines and Compliance Time for Large Municipal Combustors that are Constructed on or Before September 20, 1994); AAAA of this part (Standards of Performance for New Stationary Sources: Small Municipal Waste Combustion Units); or subpart BBBB of this part (Emission Guidelines for Existing Stationary Sources: Small Municipal Waste Combustion Units).

(2) Burn greater than 30 percent municipal solid waste or refuse-derived fuel, as defined in subpart Ea, subpart Eb, subpart AAAA, and subpart BBBB of this part, and that have the capacity to burn less than 35 tons (32 megagrams) per day of municipal solid waste or refuse-derived fuel, if you meet the two requirements in paragraphs (c)(2)(i) and (ii) of this section.

(i) Notify the Administrator that the unit meets these criteria.

(ii) Keep records on a calendar quarter basis of the weight of municipal solid waste burned, and the weight of all other fuels and wastes burned in the unit.

(d) *Medical waste incineration units.* Incineration units regulated under subpart Ec of this part (Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996) or subpart Ce of this part (Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators).

(e) *Small power production facilities.* Units that meet the three requirements specified in paragraphs (e)(1) through (3) of this section.

(1) The unit qualifies as a small power-production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity.

(3) You notify the Administrator that the unit meets all of these criteria.

(f) *Cogeneration facilities.* Units that meet the three requirements specified in paragraphs (f)(1) through (3) of this section.

(1) The unit qualifies as a cogeneration facility under section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(3) You notify the Administrator that the unit meets all of these criteria.

(g) *Hazardous waste combustion units.* Units that meet either of the two criteria specified in paragraph (g)(1) or (2) of this section.

(1) Units for which you are required to get a permit under section 3005 of the Solid Waste Disposal Act.

(2) Units regulated under subpart EEE of 40 CFR part 63 (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors).

(h) *Materials recovery units.* Units that combust waste for the primary purpose of recovering metals, such as primary and secondary smelters.

(i) *Air curtain incinerators.* Air curtain incinerators that burn only the materials listed in paragraphs (i)(1) through (3) of this section are only required to meet the requirements under ''Air Curtain Incinerators'' (§§ 60.2245 through 60.2260).

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

(j) *Cyclonic barrel burners.* (See § 60.2265)

(k) *Rack, part, and drum reclamation units.* (See § 60.2265)

(l) *Cement kilns.* Kilns regulated under subpart LLL of part 63 of this chapter (National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry).

(m) *Sewage sludge incinerators.* Incineration units regulated under subpart O of this part (Standards of Performance for Sewage Treatment Plants).

(n) *Chemical recovery units.* Combustion units burning materials to recover chemical constituents or to produce chemical compounds where there is an existing commercial market for such recovered chemical constituents or compounds. The seven types of units described in paragraphs (n)(1) through (7) of this section are considered chemical recovery units.

(1) Units burning only pulping liquors (*i.e.,* black liquor) that are reclaimed in a pulping liquor recovery process and reused in the pulping process.

(2) Units burning only spent sulfuric acid used to produce virgin sulfuric acid.

(3) Units burning only wood or coal feedstock for the production of charcoal.

(4) Units burning only manufacturing byproduct streams/residues containing catalyst metals which are reclaimed and reused as catalysts or used to produce commercial grade catalysts.

(5) Units burning only coke to produce purified carbon monoxide that is used as an intermediate in the production of other chemical compounds.

(6) Units burning only hydrocarbon liquids or solids to produce hydrogen, carbon monoxide, synthesis gas, or other gases for use in other manufacturing processes.

(7) Units burning only photographic film to recover silver.

(o) *Laboratory Analysis Units.* Units that burn samples of materials for the purpose of chemical or physical analysis.

§ 60.2025 What if my chemical recovery unit is not listed in § 60.2020(n)?

(a) If your chemical recovery unit is not listed in § 60.2020(n), you can petition the Administrator to add your unit to the list. The petition must contain the six items in paragraphs (a)(1) through (6) of this section.

(1) A description of the source of the materials being burned.

(2) A description of the composition of the materials being burned, highlighting the chemical constituents in these materials that are recovered.

(3) A description (including a process flow diagram) of the process in which the materials are burned, highlighting the type, design, and operation of the equipment used in this process.

(4) A description (including a process flow diagram) of the chemical constituent recovery process, highlighting the type, design, and operation of the equipment used in this process.

(5) A description of the commercial markets for the recovered chemical constituents and their use.

(6) The composition of the recovered chemical constituents and the composition of these chemical constituents as they are bought and sold in commercial markets.

(b) Until the Administrator approves your petition, the incineration unit is covered by this subpart.

(c) If a petition is approved, the Administrator will amend § 60.2020(n) to add the unit to the list of chemical recovery units.

§ 60.2030 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by the U.S. Environmental Protection Agency (EPA), or a delegated authority such as your State, local, or tribal agency. If the EPA Administrator has delegated authority to your State, local, or tribal agency, then that agency (as well as EPA) has the authority to implement and enforce this subpart. You should contact your EPA Regional Office to find out if this subpart is delegated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency, the authorities contained in paragraph (c) of this section are retained by the EPA Administrator and are not transferred to the State, local, or tribal agency.

(c) The authorities that will not be delegated to State, local, or tribal agencies are specified in paragraphs (c)(1) through (7) of this section.

(1) Approval of alternatives to the emission limitations in Table 1 of this subpart and operating limits established under § 60.2110.

(2) Approval of major alternatives to test methods.

(3) Approval of major alternatives to monitoring.

(4) Approval of major alternatives to recordkeeping and reporting.

(5) The requirements in § 60.2025.

(6) The requirements in § 60.2115.

(7) The requirements in § 60.2100(b)(2).

§ 60.2035 How are these new source performance standards structured?

These new source performance standards contain the eleven major components listed in paragraphs (a) through (k) of this section.

(a) Preconstruction siting analysis.

(b) Waste management plan.

(c) Operator training and qualification.

(d) Emission limitations and operating limits.

(e) Performance testing.

(f) Initial compliance requirements.

(g) Continuous compliance requirements.

(h) Monitoring.

(i) Recordkeeping and reporting.

(j) Definitions.

(k) Tables.

§ 60.2040 Do all eleven components of these new source performance standards apply at the same time?

No. You must meet the preconstruction siting analysis and waste management plan requirements before you commence construction of the CISWI unit. The operator training and qualification, emission limitations, operating limits, performance testing and compliance, monitoring, and most recordkeeping and reporting requirements are met after the CISWI unit begins operation.

Preconstruction Siting Analysis

§ 60.2045 Who must prepare a siting analysis?

(a) You must prepare a siting analysis if you plan to commence construction of a CISWI unit after December 1, 2000.

(b) You must prepare a siting analysis if you are required to submit an initial application for a construction permit under 40 CFR part 51, subpart I, or 40 CFR part 52, as applicable, for the reconstruction or modification of your CISWI unit.

§ 60.2050 What is a siting analysis?

(a) The siting analysis must consider air pollution control alternatives that minimize, on a site-specific basis, to the maximum extent practicable, potential risks to public health or the environment. In considering such alternatives, the analysis may consider costs, energy impacts, nonair environmental impacts, or any other factors related to the practicability of the alternatives.

(b) Analyses of your CISWI unit's impacts that are prepared to comply with State, local, or other Federal regulatory requirements may be used to

satisfy the requirements of this section, provided they include the consideration of air pollution control alternatives specified in paragraph (a) of this section.

(c) You must complete and submit the siting requirements of this section as required under § 60.2190(c) prior to commencing construction.

Waste Management Plan

§ 60.2055 What is a waste management plan?

A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste.

§ 60.2060 When must I submit my waste management plan?

You must submit a waste management plan prior to commencing construction.

§ 60.2065 What should I include in my waste management plan?

A waste management plan must include consideration of the reduction or separation of waste-stream elements such as paper, cardboard, plastics, glass, batteries, or metals; or the use of recyclable materials. The plan must identify any additional waste management measures and implement those measures the source considers practical and feasible, considering the effectiveness of waste management measures already in place, the costs of additional measures, the emissions reductions expected to be achieved, and any other environmental or energy impacts they might have.

Operator Training and Qualification

§ 60.2070 What are the operator training and qualification requirements?

(a) No CISWI unit can be operated unless a fully trained and qualified CISWI unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified CISWI unit operator may operate the CISWI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified CISWI unit operators are temporarily not accessible, you must follow the procedures in § 60.2100.

(b) Operator training and qualification must be obtained through a State-approved program or by completing the requirements included in paragraph (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (c)(1) through (3) of this section.

(1) Training on the eleven subjects listed in paragraphs (c)(1)(i) through (xi) of this section.

(i) Environmental concerns, including types of emissions.

(ii) Basic combustion principles, including products of combustion.

(iii) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures.

(iv) Combustion controls and monitoring.

(v) Operation of air pollution control equipment and factors affecting performance (if applicable).

(vi) Inspection and maintenance of the incinerator and air pollution control devices.

(vii) Actions to correct malfunctions or conditions that may lead to malfunction.

(viii) Bottom and fly ash characteristics and handling procedures.

(ix) Applicable Federal, State, and local regulations, including Occupational Safety and Health Administration workplace standards.

(x) Pollution prevention.

(xi) Waste management practices.

(2) An examination designed and administered by the instructor.

(3) Written material covering the training course topics that may serve as reference material following completion of the course.

§ 60.2075 When must the operator training course be completed?

The operator training course must be completed by the later of the three dates specified in paragraphs (a) through (c) of this section.

(a) Six months after your CISWI unit startup.

(b) December 3, 2001.

(c) The date before an employee assumes responsibility for operating the CISWI unit or assumes responsibility for supervising the operation of the CISWI unit.

§ 60.2080 How do I obtain my operator qualification?

(a) You must obtain operator qualification by completing a training course that satisfies the criteria under § 60.2070(b).

(b) Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under § 60.2070(c)(2).

§ 60.2085 How do I maintain my operator qualification?

To maintain qualification, you must complete an annual review or refresher course covering, at a minimum, the five topics described in paragraphs (a) through (e) of this section.

(a) Update of regulations.

(b) Incinerator operation, including startup and shutdown procedures, waste charging, and ash handling.

(c) Inspection and maintenance.

(d) Responses to malfunctions or conditions that may lead to malfunction.

(e) Discussion of operating problems encountered by attendees.

§ 60.2090 How do I renew my lapsed operator qualification?

You must renew a lapsed operator qualification by one of the two methods specified in paragraphs (a) and (b) of this section.

(a) For a lapse of less than 3 years, you must complete a standard annual refresher course described in § 60.2085.

(b) For a lapse of 3 years or more, you must repeat the initial qualification requirements in § 60.2080(a).

§ 60.2095 What site-specific documentation is required?

(a) Documentation must be available at the facility and readily accessible for all CISWI unit operators that addresses the ten topics described in paragraphs (a)(1) through (10) of this section. You must maintain this information and the training records required by paragraph (c) of this section in a manner that they can be readily accessed and are suitable for inspection upon request.

(1) Summary of the applicable standards under this subpart.

(2) Procedures for receiving, handling, and charging waste.

(3) Incinerator startup, shutdown, and malfunction procedures.

(4) Procedures for maintaining proper combustion air supply levels.

(5) Procedures for operating the incinerator and associated air pollution control systems within the standards established under this subpart.

(6) Monitoring procedures for demonstrating compliance with the incinerator operating limits.

(7) Reporting and recordkeeping procedures.

(8) The waste management plan required under §§ 60.2055 through 60.2065.

(9) Procedures for handling ash.

(10) A list of the wastes burned during the performance test.

(b) You must establish a program for reviewing the information listed in paragraph (a) of this section with each incinerator operator.

(1) The initial review of the information listed in paragraph (a) of this section must be conducted within

6 months after the effective date of this subpart or prior to an employee's assumption of responsibilities for operation of the CISWI unit, whichever date is later.

(2) Subsequent annual reviews of the information listed in paragraph (a) of this section must be conducted not later than 12 months following the previous review.

(c) You must also maintain the information specified in paragraphs (c)(1) through (3) of this section.

(1) Records showing the names of CISWI unit operators who have completed review of the information in § 60.2095(a) as required by § 60.2095(b), including the date of the initial review and all subsequent annual reviews.

(2) Records showing the names of the CISWI operators who have completed the operator training requirements under § 60.2070, met the criteria for qualification under § 60.2080, and maintained or renewed their qualification under § 60.2085 or § 60.2090. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(3) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

§ 60.2100 What if all the qualified operators are temporarily not accessible?

If all qualified operators are temporarily not accessible (i.e., not at the facility and not able to be at the facility within 1 hour), you must meet one of the two criteria specified in paragraphs (a) and (b) of this section, depending on the length of time that a qualified operator is not accessible.

(a) When all qualified operators are not accessible for more than 8 hours, but less than 2 weeks, the CISWI unit may be operated by other plant personnel familiar with the operation of the CISWI unit who have completed a review of the information specified in § 60.2095(a) within the past 12 months. However, you must record the period when all qualified operators were not accessible and include this deviation in the annual report as specified under § 60.2210.

(b) When all qualified operators are not accessible for 2 weeks or more, you must take the two actions that are described in paragraphs (b)(1) and (2) of this section.

(1) Notify the Administrator of this deviation in writing within 10 days. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible.

(2) Submit a status report to the Administrator every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible and requesting approval from the Administrator to continue operation of the CISWI unit. You must submit the first status report 4 weeks after you notify the Administrator of the deviation under paragraph (b)(1) of this section. If the Administrator notifies you that your request to continue operation of the CISWI unit is disapproved, the CISWI unit may continue operation for 90 days, then must cease operation. Operation of the unit may resume if you meet the two requirements in paragraphs (b)(2)(i) and (ii) of this section.

(i) A qualified operator is accessible as required under § 60.2070(a).

(ii) You notify the Administrator that a qualified operator is accessible and that you are resuming operation.

Emission Limitations and Operating Limits

§ 60.2105 What emission limitations must I meet and by when?

You must meet the emission limitations specified in Table 1 of this subpart 60 days after your CISWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup.

§ 60.2110 What operating limits must I meet and by when?

(a) If you use a wet scrubber to comply with the emission limitations, you must establish operating limits for four operating parameters (as specified in Table 2 of this subpart) as described in paragraphs (a)(1) through (4) of this section during the initial performance test.

(1) Maximum charge rate, calculated using one of the two different procedures in paragraph (a)(1)(i) or (ii), as appropriate.

(i) For continuous and intermittent units, maximum charge rate is 110 percent of the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(ii) For batch units, maximum charge rate is 110 percent of the daily charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(2) Minimum pressure drop across the wet scrubber, which is calculated as 90 percent of the average pressure drop across the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations; or minimum amperage to the wet scrubber, which is calculated as 90 percent of the average amperage to the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(3) Minimum scrubber liquor flow rate, which is calculated as 90 percent of the average liquor flow rate at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(4) Minimum scrubber liquor pH, which is calculated as 90 percent of the average liquor pH at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with the HCl emission limitation.

(b) You must meet the operating limits established during the initial performance test 60 days after your CISWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup.

(c) If you use a fabric filter to comply with the emission limitations, you must operate each fabric filter system such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during a 6-month period. In calculating this operating time percentage, if inspection of the fabric filter demonstrates that no corrective action is required, no alarm time is counted. If corrective action is required, each alarm shall be counted as a minimum of 1 hour. If you take longer than 1 hour to initiate corrective action, the alarm time shall be counted as the actual amount of time taken by you to initiate corrective action.

§ 60.2115 What if I do not use a wet scrubber to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber, or limit emissions in some other manner, to comply with the emission limitations under § 60.2105, you must petition the Administrator for specific operating limits to be established during the initial performance test and continuously monitored thereafter. You must not conduct the initial performance test until after the petition has been approved by the Administrator. Your petition must include the five items listed in paragraphs (a) through (e) of this section.

(a) Identification of the specific parameters you propose to use as additional operating limits.

(b) A discussion of the relationship between these parameters and emissions of regulated pollutants, identifying how emissions of regulated pollutants change with changes in these parameters, and how limits on these parameters will serve to limit emissions of regulated pollutants.

(c) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the operating limits on these parameters.

(d) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments.

(e) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

§ 60.2120 What happens during periods of startup, shutdown, and malfunction?

(a) The emission limitations and operating limits apply at all times except during CISWI unit startups, shutdowns, or malfunctions.

(b) Each malfunction must last no longer than 3 hours.

Performance Testing

§ 60.2125 How do I conduct the initial and annual performance test?

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

(b) You must document that the waste burned during the performance test is representative of the waste burned under normal operating conditions by maintaining a log of the quantity of waste burned (as required in § 60.2175(b)(1)) and the types of waste burned during the performance test.

(c) All performance tests must be conducted using the minimum run duration specified in Table 1 of this subpart.

(d) Method 1 of appendix A of this part must be used to select the sampling location and number of traverse points.

(e) Method 3A or 3B of appendix A of this part must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B of appendix A of this part must be used simultaneously with each method.

(f) All pollutant concentrations, except for opacity, must be adjusted to 7 percent oxygen using Equation 1 of this section:

$$C_{adj} = C_{meas} (20.9–7)/(20.9-\%O_2) \quad \text{(Eq. 1)}$$

Where:

C_{adj} = pollutant concentration adjusted to 7 percent oxygen;

C_{meas} = pollutant concentration measured on a dry basis;

(20.9–7) = 20.9 percent oxygen − 7 percent oxygen (defined oxygen correction basis);

20.9 = oxygen concentration in air, percent; and

$\%O_2$ = oxygen concentration measured on a dry basis, percent.

(g) You must determine dioxins/furans toxic equivalency by following the procedures in paragraphs (g)(1) through (3) of this section.

(1) Measure the concentration of each dioxin/furan tetra-through octachlorinated-congener emitted using EPA Method 23.

(2) For each dioxin/furan (tetra-through octachlorinated) congener measured in accordance with paragraph (g)(1) of this section, multiply the congener concentration by its corresponding toxic equivalency factor specified in Table 3 of this subpart.

(3) Sum the products calculated in accordance with paragraph (g)(2) of this section to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

§ 60.2130 How are the performance test data used?

You use results of performance tests to demonstrate compliance with the emission limitations in Table 1 of this subpart.

Initial Compliance Requirements

§ 60.2135 How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

You must conduct an initial performance test, as required under § 60.8, to determine compliance with the emission limitations in Table 1 of this subpart and to establish operating limits using the procedure in § 60.2110 or § 60.2115. The initial performance test must be conducted using the test methods listed in Table 1 of this subpart and the procedures in § 60.2125.

§ 60.2140 By what date must I conduct the initial performance test?

The initial performance test must be conducted within 60 days after your CISWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup.

Continuous Compliance Requirements

§ 60.2145 How do I demonstrate continuous compliance with the emission limitations and the operating limits?

(a) You must conduct an annual performance test for particulate matter, hydrogen chloride, and opacity for each CISWI unit as required under § 60.8 to determine compliance with the emission limitations. The annual performance test must be conducted using the test methods listed in Table 1 of this subpart and the procedures in § 60.2125.

(b) You must continuously monitor the operating parameters specified in § 60.2110 or established under § 60.2115. Operation above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. Three-hour rolling average values are used to determine compliance (except for baghouse leak detection system alarms) unless a different averaging period is established under § 60.2115. Operating limits do not apply during performance tests.

(c) You must only burn the same types of waste used to establish operating limits during the performance test.

§ 60.2150 By what date must I conduct the annual performance test?

You must conduct annual performance tests for particulate matter, hydrogen chloride, and opacity within 12 months following the initial performance test. Conduct subsequent annual performance tests within 12 months following the previous one.

§ 60.2155 May I conduct performance testing less often?

(a) You can test less often for a given pollutant if you have test data for at least 3 years, and all performance tests for the pollutant (particulate matter, hydrogen chloride, or opacity) over 3 consecutive years show that you comply with the emission limitation. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the 3rd year and no more than 36 months following the previous performance test.

(b) If your CISWI unit continues to meet the emission limitation for particulate matter, hydrogen chloride, or opacity, you may choose to conduct performance tests for these pollutants every 3rd year, but each test must be within 36 months of the previous performance test.

(c) If a performance test shows a deviation from an emission limitation for particulate matter, hydrogen chloride, or opacity, you must conduct annual performance tests for that pollutant until all performance tests over a 3-year period show compliance.

§ 60.2160 May I conduct a repeat performance test to establish new operating limits?

(a) Yes. You may conduct a repeat performance test at any time to establish new values for the operating limits. The Administrator may request a repeat performance test at any time.

(b) You must repeat the performance test if your feed stream is different than the feed streams used during any performance test used to demonstrate compliance.

Monitoring

§ 60.2165 What monitoring equipment must I install and what parameters must I monitor?

(a) If you are using a wet scrubber to comply with the emission limitation under § 60.2105, you must install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in Table 2 of this subpart. These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in Table 2 of this subpart at all times except as specified in § 60.2170(a).

(b) If you use a fabric filter to comply with the requirements of this subpart, you must install, calibrate, maintain, and continuously operate a bag leak detection system as specified in paragraphs (b)(1) through (8) of this section.

(1) You must install and operate a bag leak detection system for each exhaust stack of the fabric filter.

(2) Each bag leak detection system must be installed, operated, calibrated, and maintained in a manner consistent with the manufacturer's written specifications and recommendations.

(3) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 10 milligrams per actual cubic meter or less.

(4) The bag leak detection system sensor must provide output of relative or absolute particulate matter loadings.

(5) The bag leak detection system must be equipped with a device to continuously record the output signal from the sensor.

(6) The bag leak detection system must be equipped with an alarm system that will sound automatically when an increase in relative particulate matter emissions over a preset level is detected. The alarm must be located where it is easily heard by plant operating personnel.

(7) For positive pressure fabric filter systems, a bag leak detection system must be installed in each baghouse compartment or cell. For negative pressure or induced air fabric filters, the bag leak detector must be installed downstream of the fabric filter.

(8) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(c) If you are using something other than a wet scrubber to comply with the emission limitations under § 60.2105, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in § 60.2115.

§ 60.2170 Is there a minimum amount of monitoring data I must obtain?

(a) Except for monitor malfunctions, associated repairs, and required quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments of the monitoring system), you must conduct all monitoring at all times the CISWI unit is operating.

(b) Do not use data recorded during monitor malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this subpart, including data averages and calculations. You must use all the data collected during all other periods in assessing compliance with the operating limits.

Recordkeeping and Reporting

§ 60.2175 What records must I keep?

You must maintain the fourteen items (as applicable) as specified in paragraphs (a) through (n) of this section for a period of at least 5 years:

(a) Calendar date of each record.

(b) Records of the data described in paragraphs (b)(1) through (6) of this section:

(1) The CISWI unit charge dates, times, weights, and hourly charge rates.

(2) Liquor flow rate to the wet scrubber inlet every 15 minutes of operation, as applicable.

(3) Pressure drop across the wet scrubber system every 15 minutes of operation or amperage to the wet scrubber every 15 minutes of operation, as applicable.

(4) Liquor pH as introduced to the wet scrubber every 15 minutes of operation, as applicable.

(5) For affected CISWI units that establish operating limits for controls other than wet scrubbers under § 60.2115, you must maintain data collected for all operating parameters used to determine compliance with the operating limits.

(6) If a fabric filter is used to comply with the emission limitations, you must record the date, time, and duration of each alarm and the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective action taken. You must also record the percent of operating time during each 6-month period that the alarm sounds, calculated as specified in § 60.2110(c).

(c) Identification of calendar dates and times for which monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (except for downtime associated with zero and span and other routine calibration checks). Identify the operating parameters not measured, the duration, reasons for not obtaining the data, and a description of corrective actions taken.

(d) Identification of calendar dates, times, and durations of malfunctions, and a description of the malfunction and the corrective action taken.

(e) Identification of calendar dates and times for which data show a deviation from the operating limits in Table 2 of this subpart or a deviation from other operating limits established under § 60.2115 with a description of the deviations, reasons for such deviations, and a description of corrective actions taken.

(f) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations.

(g) All documentation produced as a result of the siting requirements of §§ 60.2045 and 60.2050.

(h) Records showing the names of CISWI unit operators who have completed review of the information in § 60.2095(a) as required by § 60.2095(b), including the date of the initial review and all subsequent annual reviews.

(i) Records showing the names of the CISWI operators who have completed the operator training requirements under § 60.2070, met the criteria for qualification under § 60.2080, and maintained or renewed their qualification under § 60.2085 or § 60.2090. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(j) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

(k) Records of calibration of any monitoring devices as required under § 60.2165.

(l) Equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment.

(m) The information listed in § 60.2095(a).

(n) On a daily basis, keep a log of the quantity of waste burned and the types of waste burned (always required).

§ 60.2180 Where and in what format must I keep my records?

All records must be available onsite in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the Administrator.

§ 60.2185 What reports must I submit?

See Table 4 of this subpart for a summary of the reporting requirements.

§ 60.2190 What must I submit prior to commencing construction?

You must submit a notification prior to commencing construction that includes the five items listed in paragraphs (a) through (e) of this section.

(a) A statement of intent to construct.

(b) The anticipated date of commencement of construction.

(c) All documentation produced as a result of the siting requirements of § 60.2050.

(d) The waste management plan as specified in §§ 60.2055 through 60.2065.

(e) Anticipated date of initial startup.

§ 60.2195 What information must I submit prior to initial startup?

You must submit the information specified in paragraphs (a) through (e) of this section prior to initial startup.

(a) The type(s) of waste to be burned.

(b) The maximum design waste burning capacity.

(c) The anticipated maximum charge rate.

(d) If applicable, the petition for site-specific operating limits under § 60.2115.

(e) The anticipated date of initial startup.

§ 60.2200 What information must I submit following my initial performance test?

You must submit the information specified in paragraphs (a) through (c) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager.

(a) The complete test report for the initial performance test results obtained under § 60.2135, as applicable.

(b) The values for the site-specific operating limits established in § 60.2110 or § 60.2115.

(c) If you are using a fabric filter to comply with the emission limitations, documentation that a bag leak detection system has been installed and is being operated, calibrated, and maintained as required by § 60.2165(b).

§ 60.2205 When must I submit my annual report?

You must submit an annual report no later than 12 months following the submission of the information in § 60.2200. You must submit subsequent reports no more than 12 months following the previous report. (If the unit is subject to permitting requirements under title V of the Clean Air Act, you may be required by the permit to submit these reports more frequently.)

§ 60.2210 What information must I include in my annual report?

The annual report required under § 60.2205 must include the ten items listed in paragraphs (a) through (j) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§ 60.2215, 60.2220, and 60.2225.

(a) Company name and address.

(b) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(c) Date of report and beginning and ending dates of the reporting period.

(d) The values for the operating limits established pursuant to § 60.2110 or § 60.2115.

(e) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the operating limits was inoperative, inactive, malfunctioning or out of control.

(f) The highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(g) Information recorded under § 60.2175(b)(6) and (c) through (e) for the calendar year being reported.

(h) If a performance test was conducted during the reporting period, the results of that test.

(i) If you met the requirements of § 60.2155(a) or (b), and did not conduct a performance test during the reporting period, you must state that you met the requirements of § 60.2155(a) or (b), and, therefore, you were not required to conduct a performance test during the reporting period.

(j) Documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours, but less than 2 weeks.

§ 60.2215 What else must I report if I have a deviation from the operating limits or the emission limitations?

(a) You must submit a deviation report if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit established under this subpart, if the bag leak detection system alarm sounds for more than 5 percent of the operating time for the 6-month reporting period, or if a performance test was conducted that deviated from any emission limitation.

(b) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

§ 60.2220 What must I include in the deviation report?

In each report required under § 60.2215, for any pollutant or parameter that deviated from the emission limitations or operating limits specified in this subpart, include the six items described in paragraphs (a) through (f) of this section.

(a) The calendar dates and times your unit deviated from the emission limitations or operating limit requirements.

(b) The averaged and recorded data for those dates.

(c) Durations and causes of each deviation from the emission limitations or operating limits and your corrective actions.

(d) A copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels.

(e) The dates, times, number, duration, and causes for monitor downtime incidents (other than downtime associated with zero, span, and other routine calibration checks).

(f) Whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.

§ 60.2225 What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

(a) If all qualified operators are not accessible for 2 weeks or more, you must take the two actions in paragraphs (a)(1) and (2) of this section.

(1) Submit a notification of the deviation within 10 days that includes the three items in paragraphs (a)(1)(i) through (iii) of this section.

(i) A statement of what caused the deviation.

(ii) A description of what you are doing to ensure that a qualified operator is accessible.

(iii) The date when you anticipate that a qualified operator will be available.

(2) Submit a status report to the Administrator every 4 weeks that includes the three items in paragraphs (a)(2)(i) through (iii) of this section.

(i) A description of what you are doing to ensure that a qualified operator is accessible.

(ii) The date when you anticipate that a qualified operator will be accessible.

(iii) Request approval from the Administrator to continue operation of the CISWI unit.

(b) If your unit was shut down by the Administrator, under the provisions of § 60.2100(b)(2), due to a failure to provide an accessible qualified operator, you must notify the Administrator that you are resuming operation once a qualified operator is accessible.

§ 60.2230 Are there any other notifications or reports that I must submit?

Yes. You must submit notifications as provided by § 60.7.

§ 60.2235 In what form can I submit my reports?

Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates.

§ 60.2240 Can reporting dates be changed?

If the Administrator agrees, you may change the semiannual or annual reporting dates. See § 60.19(c) for procedures to seek approval to change your reporting date.

Title V Operating Permits

§ 60.2242 Am I required to apply for and obtain a title V operating permit for my unit?

Yes. Each CISWI unit must operate pursuant to a permit issued under section 129(e) and title V of the Clean Air Act by the later of the two dates in paragraphs (a) and (b) of this section.

(a) Thirty-six months after December 1, 2000.

(b) The effective date of the title V permit program to which your unit is subject. If your unit is subject to title V as a result of some triggering requirement(s) other than this subpart (for example, being a major source), then your unit may be required to apply for and obtain a title V permit prior to the deadlines noted above. If more than one requirement triggers the requirement to apply for a title V permit, the 12-month timeframe for filing a title V application is triggered by the requirement which first causes the source to be subject to title V.

Air Curtain Incinerators

§ 60.2245 What is an air curtain incinerator?

(a) An air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

(b) Air curtain incinerators that burn only the materials listed in paragraphs (b)(1) through (3) of this section are only required to meet the requirements under ''Air Curtain Incinerators'' (§§ 60.2245 through 60.2260).

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

§ 60.2250 What are the emission limitations for air curtain incinerators?

(a) Within 60 days after your air curtain incinerator reaches the charge rate at which it will operate, but no later than 180 days after its initial startup, you must meet the two limitations specified in paragraphs (a)(1) and (2) of this section.

(1) The opacity limitation is 10 percent (6-minute average), except as described in paragraph (a)(2) of this section.

(2) The opacity limitation is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) Except during malfunctions, the requirements of this subpart apply at all times, and each malfunction must not exceed 3 hours.

§ 60.2255 How must I monitor opacity for air curtain incinerators?

(a) Use Method 9 of appendix A of this part to determine compliance with the opacity limitation.

(b) Conduct an initial test for opacity as specified in § 60.8.

(c) After the initial test for opacity, conduct annual tests no more than 12 calendar months following the date of your previous test.

§ 60.2260 What are the recordkeeping and reporting requirements for air curtain incinerators?

(a) Prior to commencing construction on your air curtain incinerator, submit the three items described in paragraphs (a)(1) through (3) of this section.

(1) Notification of your intent to construct the air curtain incinerators.

(2) Your planned initial startup date.

(3) Types of materials you plan to burn in your air curtain incinerator.

(b) Keep records of results of all initial and annual opacity tests onsite in either paper copy or electronic format, unless the Administrator approves another format, for at least 5 years.

(c) Make all records available for submittal to the Administrator or for an inspector's onsite review.

(d) You must submit the results (each 6-minute average) of the initial opacity tests no later than 60 days following the initial test. Submit annual opacity test results within 12 months following the previous report.

(e) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date.

(f) Keep a copy of the initial and annual reports onsite for a period of 5 years.

Definitions

§ 60.2265 What definitions must I know?

Terms used but not defined in this subpart are defined in the Clean Air Act and subpart A (General Provisions) of this part.

Administrator means the Administrator of the U.S. Environmental Protection Agency or his/her authorized representative or Administrator of a State Air Pollution Control Agency.

Agricultural waste means vegetative agricultural materials such as nut and grain hulls and chaff (e.g., almond, walnut, peanut, rice, and wheat), bagasse, orchard prunings, corn stalks, coffee bean hulls and grounds, and other vegetative waste materials generated as a result of agricultural operations.

Air curtain incinerator means an incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and

floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

Auxiliary fuel means natural gas, liquified petroleum gas, fuel oil, or diesel fuel.

Bag leak detection system means an instrument that is capable of monitoring particulate matter loadings in the exhaust of a fabric filter (i.e., baghouse) in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, light transmittance, or other principle to monitor relative particulate matter loadings.

Calendar quarter means three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

Calendar year means 365 consecutive days starting on January 1 and ending on December 31.

Chemotherapeutic waste means waste material resulting from the production or use of antineoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

Clean lumber means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

Commercial and industrial solid waste incineration (CISWI) unit means any combustion device that combusts commercial and industrial waste, as defined in this subpart. The boundaries of a CISWI unit are defined as, but not limited to, the commercial or industrial solid waste fuel feed system, grate system, flue gas system, and bottom ash. The CISWI unit does not include air pollution control equipment or the stack. The CISWI unit boundary starts at the commercial and industrial solid waste hopper (if applicable) and extends through two areas:

(1) The combustion unit flue gas system, which ends immediately after the last combustion chamber.

(2) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

Commercial and industrial waste means solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field-erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility.

Contained gaseous material means gases that are in a container when that container is combusted.

Cyclonic barrel burner means a combustion device for waste materials that is attached to a 55 gallon, open-head drum. The device consists of a lid, which fits onto and encloses the drum, and a blower that forces combustion air into the drum in a cyclonic manner to enhance the mixing of waste material and air.

Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emission limitation, operating limit, or operator qualification and accessibility requirement in this subpart during startup, shutdown, or malfunction, regardless or whether or not such failure is permitted by this subpart.

Dioxins/furans means tetra- through octachlorinated dibenzo-p-dioxins and dibenzofurans.

Discard means, for purposes of this subpart and 40 CFR part 60, subpart DDDD, only, burned in an incineration unit without energy recovery.

Drum reclamation unit means a unit that burns residues out of drums (e.g., 55 gallon drums) so that the drums can be reused.

Energy recovery means the process of recovering thermal energy from combustion for useful purposes such as steam generation or process heating.

Fabric filter means an add-on air pollution control device used to capture particulate matter by filtering gas streams through filter media, also known as a baghouse.

Low-level radioactive waste means waste material which contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable Federal or State standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

Modification or *modified CISWI unit* means a CISWI unit you have changed later than June 1, 2001 and that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including the cost of land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.

(2) Any physical change in the CISWI unit or change in the method of operating it that increases the amount of any air pollutant emitted for which section 129 or section 111 of the Clean Air Act has established standards.

Part reclamation unit means a unit that burns coatings off parts (e.g., tools, equipment) so that the parts can be reconditioned and reused.

Particulate matter means total particulate matter emitted from CISWI units as measured by Method 5 or Method 29 of appendix A of this part.

Pathological waste means waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

Rack reclamation unit means a unit that burns the coatings off racks used to hold small items for application of a coating. The unit burns the coating overspray off the rack so the rack can be reused.

Reconstruction means rebuilding a CISWI unit and meeting two criteria:

(1) The reconstruction begins on or after June 1, 2001.

(2) The cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit

used to calculate these costs, see the definition of CISWI unit.

Refuse-derived fuel means a type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(1) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(2) Pelletized refuse-derived fuel.

Shutdown means the period of time after all waste has been combusted in the primary chamber.

Solid waste means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1342), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2014). For purposes of this subpart and 40 CFR part 60, subpart DDDD, only, solid waste does not include the waste burned in the fifteen types of units described in § 60.2020.

Standard conditions, when referring to units of measure, means a temperature of 68°F (20°C) and a pressure of 1 atmosphere (101.3 kilopascals).

Startup period means the period of time between the activation of the system and the first charge to the unit.

Wet scrubber means an add-on air pollution control device that utilizes an aqueous or alkaline scrubbing liquor to collect particulate matter (including nonvaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

Wood waste means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

(1) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

(2) Construction, renovation, or demolition wastes.

(3) Clean lumber.

TABLE 1 TO SUBPART CCCC—EMISSION LIMITATIONS

For the air pollutant	You must meet this emission limitation [a]	Using this averaging time	And determining compliance using this method
Dioxins/furans (toxic equivalency basis).	0.41 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 23 of Appendix A of this part).
Hydrogen chloride	62 parts per million by dry volume	3-run average (1 hour volume minimum sample time per run).	Performance test (Method 26A of appendix A of this part).
Lead	0.04 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of this part).
Mercury	0.47 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of this part).
Opacity	10 percent	6-minute averages	Performance test (Method 9 of appendix A of this part).
Oxides of nitrogen	388 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Method 7, 7A, 7C, 7D, or 7E of appendix A of this part)
Particulate matter	70 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 5 or 29 of appendix A of this part).
Sulfur dioxide	20 parts per million by dry volume	3-run average (1 hour volume minimum sample time per run).	Performance test (Method 6 or 6c of appendix A of this part).

[a] All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions.

TABLE 2 TO SUBPART CCCC—OPERATING LIMITS FOR WET SCRUBBERS

For these operating parameters	You must establish these operating limits	And monitoring using these minimum frequencies		
		Data measurement	Data recording	Averaging time
Charge rate	Maximum charge rate	Continuous	Every hour	Daily (batch units) 3-hour rolling (continuous and intermittent units) [a]
Pressure drop across the wet scrubber or amperage to wet scrubber.	Minimum pressure drop or amperage.	Continuous	Every 15 minutes	3-hour rolling [a]
Scrubber liquor flow rate	Minimum flow rate	Continuous	Every 15 minutes	3-hour rolling [a]
Scrubber liquor pH	Minimum pH	Continuous	Every 15 minutes	3-hour rolling [a]

[a] Calculated each hour as the average of the previous 3 operating hours.

TABLE 3 TO SUBPART CCCC—TOXIC EQUIVALENCY FACTORS

Dioxin/furan congener	Toxic equivalency factor
2,3,7,8-tetrachlorinated dibenzo-p-dioxin	1
1,2,3,7,8-pentachlorinated dibenzo-p-dioxin	0.5
1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin	0.01
octachlorinated dibenzo-p-dioxin	0.001
2,3,7,8-tetrachlorinated dibenzofuran	0.1
2,3,4,7,8-pentachlorinated dibenzofuran	0.5
1,2,3,7,8-pentachlorinated dibenzofuran	0.05
1,2,3,4,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,7,8,9-hexachlorinated dibenzofuran	0.1
2,3,4,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzofuran	0.01
1,2,3,4,7,8,9-heptachlorinated dibenzofuran	0.01
octachlorinated dibenzofuran	0.001

TABLE 4 TO SUBPART CCCC—SUMMARY OF REPORTING REQUIREMENTS [a]

Report	Due date	Contents	Reference
Preconstruction report	Prior to commencing construction	• Statement of intent to construct • Anticipated date of commencement of construction • Documentation for siting requirements • Waste management plan • Anticipated date of initial startup	§ 60.2190
Startup notification	Prior to initial startup	• Type of waste to be burned • Maximum design waste burning capacity • Anticipated maximum charge rate • If applicable, the petition for site-specific operating limits	§ 60.2195
Initial test report	No later than 60 days following the initial performance test	• Complete test report for the initial performance test • The values for the site-specific operating limits • Installation of bag leak detection system for fabric filter	§ 60.2200
Annual report	No later than 12 months following the submission of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report.	• Name and address • Statement and signature by responsible official • Date of report • Values for the operating limits • If no deviations or malfunctions were reported, a statement that no deviations occurred during the reporting period • Highest recorded 3-hour average and the lowest 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported • Information for deviations or malfunctions recorded under § 60.2175(b)(6) and (c) through (e) • If a performance test was conducted during the reporting period, the results of the test • If a performance test was not conducted during the reporting period, a statement that the requirements of § 60.2155(a) or (b) were met • Documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours but less than 2 weeks	§§ 60.2205 and 60.2210

TABLE 4 TO SUBPART CCCC—SUMMARY OF REPORTING REQUIREMENTS [a]—Continued

Report	Due date	Contents	Reference
Emission limitation or operating limit deviation report.	By August 1 of that year for data collected during the first half of the calendar year. By February 1 of the following year for data collected during the second half of the calendar year.	• Dates and times of deviation • Averaged and recorded data for those dates • Duration and causes of each deviation and the corrective actions taken • Copy of operating limit monitoring data and any test reports • Dates, times, and causes for monitor downtime incidents • Whether each deviation occurred during a period of startup, shutdown, or malfunction	§ 60.2215 and 60.2220
Qualified operator deviation notification.	Within 10 days of deviation	• Statement of cause of deviation • Description of efforts to have an accessible qualified operator • The date a qualified operator will be accessible	§ 60.2225(a)(1)
Qualified operator deviation status report.	Every 4 weeks following deviation	• Description of efforts to have an accessible qualified operator • The date a qualified operator will be accessible • Request for approval to continue operation	§ 60.2225(a)(2)
Qualified operator deviation notification of resumed operation.	Prior to resuming operation	• Notification that you are resuming operation	§ 60.2225(b)

[a] This table is only a summary, see the referenced sections of the rule for the complete requirements.

3. Part 60 is amended by adding subpart DDDD to read as follows:

Subpart DDDD—Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999

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Introduction

§ 60.2500 What is the purpose of this subpart?

This subpart establishes emission guidelines and compliance schedules for the control of emissions from commercial and industrial solid waste incineration (CISWI) units. The pollutants addressed by these emission guidelines are listed in Table 2 of this subpart. These emission guidelines are developed in accordance with sections 111(d) and 129 of the Clean Air Act and subpart B of this part.

§ 60.2505 Am I affected by this subpart?

(a) If you are the Administrator of an air quality program in a State or United States protectorate with one or more existing CISWI units that commenced construction on or before November 30, 1999, you must submit a State plan to U.S. Environmental Protection Agency (EPA) that implements the emission guidelines contained in this subpart.

(b) You must submit the State plan to EPA by December 3, 2001.

§ 60.2510 Is a State plan required for all States?

No. You are not required to submit a State plan if there are no existing CISWI units in your State, and you submit a negative declaration letter in place of the State plan.

§ 60.2515 What must I include in my State plan?

(a) You must include the nine items described in paragraphs (a)(1) through (9) of this section in your State plan.

(1) Inventory of affected CISWI units, including those that have ceased operation but have not been dismantled.

(2) Inventory of emissions from affected CISWI units in your State.

(3) Compliance schedules for each affected CISWI unit.

(4) Emission limitations, operator training and qualification requirements, a waste management plan, and operating limits for affected CISWI units that are at least as protective as the emission guidelines contained in this subpart.

(5) Performance testing, recordkeeping, and reporting requirements.

(6) Certification that the hearing on the State plan was held, a list of witnesses and their organizational affiliations, if any, appearing at the hearing, and a brief written summary of each presentation or written submission.

(7) Provision for State progress reports to EPA.

(8) Identification of enforceable State mechanisms that you selected for implementing the emission guidelines of this subpart.

(9) Demonstration of your State's legal authority to carry out the sections 111(d) and 129 State plan.

(b) Your State plan may deviate from the format and content of the emission guidelines contained in this subpart. However, if your State plan does deviate in content, you must demonstrate that your State plan is at least as protective as the emission guidelines contained in this subpart. Your State plan must address regulatory applicability, increments of progress for retrofit, operator training and qualification, a waste management plan, emission limitations, performance testing, operating limits, monitoring, recordkeeping and reporting, and air curtain incinerator requirements.

(c) You must follow the requirements of subpart B of this part (Adoption and Submittal of State Plans for Designated Facilities) in your State plan.

§ 60.2520 Is there an approval process for my State plan?

Yes. The EPA will review your State plan according to § 60.27.

§ 60.2525 What if my State plan is not approvable?

If you do not submit an approvable State plan (or a negative declaration letter) by December 2, 2002, EPA will develop a Federal plan according to § 60.27 to implement the emission guidelines contained in this subpart. Owners and operators of CISWI units not covered by an approved State plan must comply with the Federal plan. The Federal plan is an interim action and will be automatically withdrawn when your State plan is approved.

§ 60.2530 Is there an approval process for a negative declaration letter?

No. The EPA has no formal review process for negative declaration letters. Once your negative declaration letter has been received, EPA will place a

copy in the public docket and publish a notice in the **Federal Register**. If, at a later date, an existing CISWI unit is found in your State, the Federal plan implementing the emission guidelines contained in this subpart would automatically apply to that CISWI unit until your State plan is approved.

§ 60.2535 What compliance schedule must I include in my State plan?

(a) Your State plan must include compliance schedules that require CISWI units to achieve final compliance as expeditiously as practicable after approval of the State plan but not later than the earlier of the two dates specified in paragraphs (a)(1) and (2) of this section.

(1) December 1, 2005.

(2) Three years after the effective date of State plan approval.

(b) For compliance schedules more than 1 year following the effective date of State plan approval, State plans must include dates for enforceable increments of progress as specified in § 60.2580.

§ 60.2540 Are there any State plan requirements for this subpart that apply instead of the requirements specified in subpart B?

Yes. Subpart B establishes general requirements for developing and processing section 111(d) plans. This subpart applies instead of the requirements in subpart B of this part for paragraphs (a) and (b) of this section:

(a) State plans developed to implement this subpart must be as protective as the emission guidelines contained in this subpart. State plans must require all CISWI units to comply by December 1, 2005 or 3 years after the effective date of State plan approval, whichever is sooner. This applies instead of the option for case-by-case less stringent emission standards and longer compliance schedules in § 60.24(f).

(b) State plans developed to implement this subpart are required to include two increments of progress for the affected CISWI units. These two minimum increments are the final control plan submittal date and final compliance date in § 60.21(h)(1) and (5). This applies instead of the requirement of § 60.24(e)(1) that would require a State plan to include all five increments of progress for all CISWI units.

§ 60.2545 Does this subpart directly affect CISWI unit owners and operators in my State?

(a) No. This subpart does not directly affect CISWI unit owners and operators in your State. However, CISWI unit owners and operators must comply with the State plan you develop to implement the emission guidelines contained in this subpart. States may choose to incorporate the model rule text directly in their State plan.

(b) If you do not submit an approvable plan to implement and enforce the guidelines contained in this subpart by December 2, 2002, the EPA will implement and enforce a Federal plan, as provided in § 60.2525, to ensure that each unit within your State reaches compliance with all the provisions of this subpart by December 1, 2005.

Applicability of State Plans

§ 60.2550 What CISWI units must I address in my State plan?

(a) Your State plan must address incineration units that meet all three criteria described in paragraphs (a)(1) through (3) of this section.

(1) Incineration units in your State that commenced construction on or before November 30, 1999.

(2) Incineration units that meet the definition of a CISWI unit as defined in § 60.2875.

(3) Incineration units not exempt under § 60.2555.

(b) If the owner or operator of a CISWI unit makes changes that meet the definition of modification or reconstruction on or after June 1, 2001, the CISWI unit becomes subject to subpart CCCC of this part and the State plan no longer applies to that unit.

(c) If the owner or operator of a CISWI unit makes physical or operational changes to an existing CISWI unit primarily to comply with your State plan, subpart CCCC of this part does not apply to that unit. Such changes do not qualify as modifications or reconstructions under subpart CCCC of this part.

§ 60.2555 What combustion units are exempt from my State plan?

This subpart exempts fifteen types of units described in paragraphs (a) through (o) of this section.

(a) *Pathological waste incineration units.* Incineration units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste as defined in § 60.2875 are not subject to this subpart if you meet the two requirements specified in paragraphs (a)(1) and (2) of this section.

(1) Notify the Administrator that the unit meets these criteria.

(2) Keep records on a calendar quarter basis of the weight of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste burned, and the weight of all other fuels and wastes burned in the unit.

(b) *Agricultural waste incineration units.* Incineration units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of agricultural wastes as defined in § 60.2875 are not subject to this subpart if you meet the two requirements specified in paragraphs (b)(1) and (2) of this section.

(1) Notify the Administrator that the unit meets these criteria.

(2) Keep records on a calendar quarter basis of the weight of agricultural waste burned, and the weight of all other fuels and wastes burned in the unit.

(c) *Municipal waste combustion units.* Incineration units that meet either of the two criteria specified in paragraphs (c)(1) or (2) of this section.

(1) Are regulated under subpart Ea of this part (Standards of Performance for Municipal Waste Combustors); subpart Eb of this part (Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994); subpart Cb of this part (Emission Guidelines and Compliance Time for Large Municipal Combustors that are Constructed on or Before September 20, 1994); subpart AAAA of this part (Standards of Performance for New Stationary Sources: Small Municipal Waste Combustion Units); or subpart BBBB of this part (Emission Guidelines for Existing Stationary Sources: Small Municipal Waste Combustion Units).

(2) Burn greater than 30 percent municipal solid waste or refuse-derived fuel, as defined in subpart Ea, subpart Eb, subpart AAAA, and subpart BBBB, and that have the capacity to burn less than 35 tons (32 megagrams) per day of municipal solid waste or refuse-derived fuel, if you meet the two requirements in paragraphs (c)(2)(i) and (ii) of this section.

(i) Notify the Administrator that the unit meets these criteria.

(ii) Keep records on a calendar quarter basis of the weight of municipal solid waste burned, and the weight of all other fuels and wastes burned in the unit.

(d) *Medical waste incineration units.* Incineration units regulated under subpart Ec of this part (Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996) or subpart Ca of this part (Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators).

(e) *Small power production facilities.* Units that meet the three requirements

specified in paragraphs (e)(1) through (3) of this section.

(1) The unit qualifies as a small power-production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity.

(3) You notify the Administrator that the unit meets all of these criteria.

(f) *Cogeneration facilities.* Units that meet the three requirements specified in paragraphs (f)(1) through (3) of this section.

(1) The unit qualifies as a cogeneration facility under section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(3) You notify the Administrator that the unit meets all of these criteria.

(g) *Hazardous waste combustion units.* Units that meet either of the two criteria specified in paragraph (g)(1) or (2) of this section.

(1) Units for which you are required to get a permit under section 3005 of the Solid Waste Disposal Act.

(2) Units regulated under subpart EEE of 40 CFR part 63 (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors).

(h) *Materials recovery units.* Units that combust waste for the primary purpose of recovering metals, such as primary and secondary smelters.

(i) *Air curtain incinerators.* Air curtain incinerators that burn only the materials listed in paragraphs (i)(1) through (3) of this section are only required to meet the requirements under ''Air Curtain Incinerators'' (§§ 60.2810 through 60.2870).

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

(j) *Cyclonic barrel burners.* (See § 60.2875)

(k) *Rack, part, and drum reclamation units.* (See § 60.2875)

(l) *Cement kilns.* Kilns regulated under subpart LLL of part 63 of this chapter (National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry).

(m) *Sewage sludge incinerators.* Incineration units regulated under subpart O of this part (Standards of Performance for Sewage Treatment Plants).

(n) *Chemical recovery units.* Combustion units burning materials to recover chemical constituents or to produce chemical compounds where there is an existing commercial market for such recovered chemical constituents or compounds. The seven types of units described in paragraphs (n)(1) through (7) of this section are considered chemical recovery units.

(1) Units burning only pulping liquors (*i.e.*, black liquor) that are reclaimed in a pulping liquor recovery process and reused in the pulping process.

(2) Units burning only spent sulfuric acid used to produce virgin sulfuric acid.

(3) Units burning only wood or coal feedstock for the production of charcoal.

(4) Units burning only manufacturing byproduct streams/residues containing catalyst metals which are reclaimed and reused as catalysts or used to produce commercial grade catalysts.

(5) Units burning only coke to produce purified carbon monoxide that is used as an intermediate in the production of other chemical compounds.

(6) Units burning only hydrocarbon liquids or solids to produce hydrogen, carbon monoxide, synthesis gas, or other gases for use in other manufacturing processes.

(7) Units burning only photographic film to recover silver.

(o) *Laboratory analysis units.* Units that burn samples of materials for the purpose of chemical or physical analysis.

§ 60.2558 What if a chemical recovery unit is not listed in § 60.2555(n)?

(a) If a chemical recovery unit is not listed in § 60.2555(n), the owner or operator of the unit can petition the Administrator to add the unit to the list. The petition must contain the six items in paragraphs (a)(1) through (6) of this section.

(1) A description of the source of the materials being burned.

(2) A description of the composition of the materials being burned, highlighting the chemical constituents in these materials that are recovered.

(3) A description (including a process flow diagram) of the process in which the materials are burned, highlighting the type, design, and operation of the equipment used in this process.

(4) A description (including a process flow diagram) of the chemical constituent recovery process, highlighting the type, design, and operation of the equipment used in this process.

(5) A description of the commercial markets for the recovered chemical constituents and their use.

(6) The composition of the recovered chemical constituents and the composition of these chemical constituents as they are bought and sold in commercial markets.

(b) Until the Administrator approves the petition, the incineration unit is covered by this subpart.

(c) If a petition is approved, the Administrator will amend § 60.2555(n) to add the unit to the list of chemical recovery units.

Use of Model Rule

§ 60.2560 What is the ''model rule'' in this subpart?

(a) The model rule is the portion of these emission guidelines (§§ 60.2575 through 60.2875) that addresses the regulatory requirements applicable to CISWI units. The model rule provides these requirements in regulation format. You must develop a State plan that is at least as protective as the model rule. You may use the model rule language as part of your State plan. Alternative language may be used in your State plan if you demonstrate that the alternative language is at least as protective as the model rule contained in this subpart.

(b) In the model rule of §§ 60.2575 to 60.2875, ''you'' means the owner or operator of a CISWI unit.

§ 60.2565 How does the model rule relate to the required elements of my State plan?

Use the model rule to satisfy the State plan requirements specified in § 60.2515(a)(4) and (5).

§ 60.2570 What are the principal components of the model rule?

The model rule contains the eleven major components listed in paragraphs (a) through (k) of this section.

(a) Increments of progress toward compliance.

(b) Waste management plan.

(c) Operator training and qualification.

(d) Emission limitations and operating limits.

(e) Performance testing.

(f) Initial compliance requirements.

(g) Continuous compliance requirements.

(h) Monitoring.

(i) Recordkeeping and reporting.

(j) Definitions.

(k) Tables.

Model Rule—Increments of Progress

§ 60.2575 What are my requirements for meeting increments of progress and achieving final compliance?

If you plan to achieve compliance more than 1 year following the effective date of State plan approval, you must meet the two increments of progress specified in paragraphs (a) and (b) of this section.

(a) Submit a final control plan.
(b) Achieve final compliance.

§ 60.2580 When must I complete each increment of progress?

Table 1 of this subpart specifies compliance dates for each of the increments of progress.

§ 60.2585 What must I include in the notifications of achievement of increments of progress?

Your notification of achievement of increments of progress must include the three items specified in paragraphs (a) through (c) of this section.

(a) Notification that the increment of progress has been achieved.

(b) Any items required to be submitted with each increment of progress.

(c) Signature of the owner or operator of the CISWI unit.

§ 60.2590 When must I submit the notifications of achievement of increments of progress?

Notifications for achieving increments of progress must be postmarked no later than 10 business days after the compliance date for the increment.

§ 60.2595 What if I do not meet an increment of progress?

If you fail to meet an increment of progress, you must submit a notification to the Administrator postmarked within 10 business days after the date for that increment of progress in Table 1 of this subpart. You must inform the Administrator that you did not meet the increment, and you must continue to submit reports each subsequent calendar month until the increment of progress is met.

§ 60.2600 How do I comply with the increment of progress for submittal of a control plan?

For your control plan increment of progress, you must satisfy the two requirements specified in paragraphs (a) and (b) of this section.

(a) Submit the final control plan that includes the five items described in paragraphs (a)(1) through (5) of this section.

(1) A description of the devices for air pollution control and process changes that you will use to comply with the emission limitations and other requirements of this subpart.

(2) The type(s) of waste to be burned.

(3) The maximum design waste burning capacity.

(4) The anticipated maximum charge rate.

(5) If applicable, the petition for site-specific operating limits under § 60.2680.

(b) Maintain an onsite copy of the final control plan.

§ 60.2605 How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must complete all process changes and retrofit construction of control devices, as specified in the final control plan, so that, if the affected CISWI unit is brought online, all necessary process changes and air pollution control devices would operate as designed.

§ 60.2610 What must I do if I close my CISWI unit and then restart it?

(a) If you close your CISWI unit but will restart it prior to the final compliance date in your State plan, you must meet the increments of progress specified in § 60.2575.

(b) If you close your CISWI unit but will restart it after your final compliance date, you must complete emission control retrofits and meet the emission limitations and operating limits on the date your unit restarts operation.

§ 60.2615 What must I do if I plan to permanently close my CISWI unit and not restart it?

If you plan to close your CISWI unit rather than comply with the State plan, submit a closure notification, including the date of closure, to the Administrator by the date your final control plan is due.

Model Rule—Waste Management Plan

§ 60.2620 What is a waste management plan?

A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste.

§ 60.2625 When must I submit my waste management plan?

You must submit a waste management plan no later than the date specified in Table 1 of this subpart for submittal of the final control plan.

§ 60.2630 What should I include in my waste management plan?

A waste management plan must include consideration of the reduction or separation of waste-stream elements such as paper, cardboard, plastics, glass, batteries, or metals; or the use of recyclable materials. The plan must identify any additional waste management measures, and the source must implement those measures considered practical and feasible, based on the effectiveness of waste management measures already in place, the costs of additional measures, the emissions reductions expected to be achieved, and any other environmental or energy impacts they might have.

Model Rule—Operator Training and Qualification

§ 60.2635 What are the operator training and qualification requirements?

(a) No CISWI unit can be operated unless a fully trained and qualified CISWI unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified CISWI unit operator may operate the CISWI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified CISWI unit operators are temporarily not accessible, you must follow the procedures in § 60.2665.

(b) Operator training and qualification must be obtained through a State-approved program or by completing the requirements included in paragraph (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (c)(1) through (3) of this section.

(1) Training on the eleven subjects listed in paragraphs (c)(1)(i) through (xi) of this section.

(i) Environmental concerns, including types of emissions.

(ii) Basic combustion principles, including products of combustion.

(iii) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures.

(iv) Combustion controls and monitoring.

(v) Operation of air pollution control equipment and factors affecting performance (if applicable).

(vi) Inspection and maintenance of the incinerator and air pollution control devices.

(vii) Actions to correct malfunctions or conditions that may lead to malfunction.

(viii) Bottom and fly ash characteristics and handling procedures.

(ix) Applicable Federal, State, and local regulations, including Occupational Safety and Health Administration workplace standards.

(x) Pollution prevention.

(xi) Waste management practices.

(2) An examination designed and administered by the instructor.

(3) Written material covering the training course topics that can serve as

reference material following completion of the course.

§ 60.2640 When must the operator training course be completed?

The operator training course must be completed by the later of the three dates specified in paragraphs (a) through (c) of this section.

(a) The final compliance date (Increment 2).

(b) Six months after CISWI unit startup.

(c) Six months after an employee assumes responsibility for operating the CISWI unit or assumes responsibility for supervising the operation of the CISWI unit.

§ 60.2645 How do I obtain my operator qualification?

(a) You must obtain operator qualification by completing a training course that satisfies the criteria under § 60.2635(b).

(b) Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under § 60.2635(c)(2).

§ 60.2650 How do I maintain my operator qualification?

To maintain qualification, you must complete an annual review or refresher course covering, at a minimum, the five topics described in paragraphs (a) through (e) of this section.

(a) Update of regulations.

(b) Incinerator operation, including startup and shutdown procedures, waste charging, and ash handling.

(c) Inspection and maintenance.

(d) Responses to malfunctions or conditions that may lead to malfunction.

(e) Discussion of operating problems encountered by attendees.

§ 60.2655 How do I renew my lapsed operator qualification?

You must renew a lapsed operator qualification by one of the two methods specified in paragraphs (a) and (b) of this section.

(a) For a lapse of less than 3 years, you must complete a standard annual refresher course described in § 60.2650.

(b) For a lapse of 3 years or more, you must repeat the initial qualification requirements in § 60.2645(a).

§ 60.2660 What site-specific documentation is required?

(a) Documentation must be available at the facility and readily accessible for all CISWI unit operators that addresses the ten topics described in paragraphs (a)(1) through (10) of this section. You must maintain this information and the training records required by paragraph (c) of this section in a manner that they can be readily accessed and are suitable for inspection upon request.

(1) Summary of the applicable standards under this subpart.

(2) Procedures for receiving, handling, and charging waste.

(3) Incinerator startup, shutdown, and malfunction procedures.

(4) Procedures for maintaining proper combustion air supply levels.

(5) Procedures for operating the incinerator and associated air pollution control systems within the standards established under this subpart.

(6) Monitoring procedures for demonstrating compliance with the incinerator operating limits.

(7) Reporting and recordkeeping procedures.

(8) The waste management plan required under §§ 60.2620 through 60.2630.

(9) Procedures for handling ash.

(10) A list of the wastes burned during the performance test.

(b) You must establish a program for reviewing the information listed in paragraph (a) of this section with each incinerator operator.

(1) The initial review of the information listed in paragraph (a) of this section must be conducted by the later of the three dates specified in paragraphs (b)(1)(i) through (iii) of this section.

(i) The final compliance date (Increment 2).

(ii) Six months after CISWI unit startup.

(iii) Six months after being assigned to operate the CISWI unit.

(2) Subsequent annual reviews of the information listed in paragraph (a) of this section must be conducted no later than 12 months following the previous review.

(c) You must also maintain the information specified in paragraphs (c)(1) through (3) of this section.

(1) Records showing the names of CISWI unit operators who have completed review of the information in § 60.2660(a) as required by § 60.2660(b), including the date of the initial review and all subsequent annual reviews.

(2) Records showing the names of the CISWI operators who have completed the operator training requirements under § 60.2635, met the criteria for qualification under § 60.2645, and maintained or renewed their qualification under § 60.2650 or § 60.2655. Records must include documentation of training, the dates of the initial refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(3) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

§ 60.2665 What if all the qualified operators are temporarily not accessible?

If all qualified operators are temporarily not accessible (i.e., not at the facility and not able to be at the facility within 1 hour), you must meet one of the two criteria specified in paragraphs (a) and (b) of this section, depending on the length of time that a qualified operator is not accessible.

(a) When all qualified operators are not accessible for more than 8 hours, but less than 2 weeks, the CISWI unit may be operated by other plant personnel familiar with the operation of the CISWI unit who have completed a review of the information specified in § 60.2660(a) within the past 12 months. However, you must record the period when all qualified operators were not accessible and include this deviation in the annual report as specified under § 60.2770.

(b) When all qualified operators are not accessible for 2 weeks or more, you must take the two actions that are described in paragraphs (b)(1) and (2) of this section.

(1) Notify the Administrator of this deviation in writing within 10 days. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible.

(2) Submit a status report to the Administrator every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible and requesting approval from the Administrator to continue operation of the CISWI unit. You must submit the first status report 4 weeks after you notify the Administrator of the deviation under paragraph (b)(1) of this section. If the Administrator notifies you that your request to continue operation of the CISWI unit is disapproved, the CISWI unit may continue operation for 90 days, then must cease operation. Operation of the unit may resume if you meet the two requirements in paragraphs (b)(2)(i) and (ii) of this section.

(i) A qualified operator is accessible as required under § 60.2635(a).

(ii) You notify the Administrator that a qualified operator is accessible and that you are resuming operation.

Model Rule—Emission Limitations and Operating Limits

§ 60.2670 What emission limitations must I meet and by when?

You must meet the emission limitations specified in Table 2 of this subpart on the date the initial performance test is required or completed (whichever is earlier).

§ 60.2675 What operating limits must I meet and by when?

(a) If you use a wet scrubber to comply with the emission limitations, you must establish operating limits for four operating parameters (as specified in Table 3 of this subpart) as described in paragraphs (a)(1) through (4) of this section during the initial performance test.

(1) Maximum charge rate, calculated using one of the two different procedures in paragraph (a)(1)(i) or (ii), as appropriate.

(i) For continuous and intermittent units, maximum charge rate is 110 percent of the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(ii) For batch units, maximum charge rate is 110 percent of the daily charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(2) Minimum pressure drop across the wet scrubber, which is calculated as 90 percent of the average pressure drop across the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations; or minimum amperage to the wet scrubber, which is calculated as 90 percent of the average amperage to the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(3) Minimum scrubber liquor flow rate, which is calculated as 90 percent of the average liquor flow rate at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(4) Minimum scrubber liquor pH, which is calculated as 90 percent of the average liquor pH at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with the HCl emission limitation.

(b) You must meet the operating limits established during the initial performance test on the date the initial performance test is required or completed (whichever is earlier).

(c) If you use a fabric filter to comply with the emission limitations, you must operate each fabric filter system such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during a 6-month period. In calculating this operating time percentage, if inspection of the fabric filter demonstrates that no corrective action is required, no alarm time is counted. If corrective action is required, each alarm shall be counted as a minimum of 1 hour. If you take longer than 1 hour to initiate corrective action, the alarm time shall be counted as the actual amount of time taken by you to initiate corrective action.

§ 60.2680 What if I do not use a wet scrubber to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber, or limit emissions in some other manner, to comply with the emission limitations under § 60.2670, you must petition the Administrator for specific operating limits to be established during the initial performance test and continuously monitored thereafter. You must not conduct the initial performance test until after the petition has been approved by the Administrator. Your petition must include the five items listed in paragraphs (a) through (e) of this section.

(a) Identification of the specific parameters you propose to use as additional operating limits.

(b) A discussion of the relationship between these parameters and emissions of regulated pollutants, identifying how emissions of regulated pollutants change with changes in these parameters, and how limits on these parameters will serve to limit emissions of regulated pollutants.

(c) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the operating limits on these parameters.

(d) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments.

(e) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

§ 60.2685 What happens during periods of startup, shutdown, and malfunction?

(a) The emission limitations and operating limits apply at all times except during CISWI unit startups, shutdowns, or malfunctions.

(b) Each malfunction must last no longer than 3 hours.

Model Rule—Performance Testing

§ 60.2690 How do I conduct the initial and annual performance test?

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

(b) You must document that the waste burned during the performance test is representative of the waste burned under normal operating conditions by maintaining a log of the quantity of waste burned (as required in § 60.2740(b)(1)) and the types of waste burned during the performance test.

(c) All performance tests must be conducted using the minimum run duration specified in Table 2 of this subpart.

(d) Method 1 of appendix A of this part must be used to select the sampling location and number of traverse points.

(e) Method 3A or 3B of appendix A of this part must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B of appendix A of this part must be used simultaneously with each method.

(f) All pollutant concentrations, except for opacity, must be adjusted to 7 percent oxygen using Equation 1 of this section:

$$C_{adj} = C_{meas}\,(20.9 - 7)/(20.9 - \%O_2) \quad \text{(Eq. 1)}$$

Where:

C_{adj} = pollutant concentration adjusted to 7 percent oxygen;

C_{meas} = pollutant concentration measured on a dry basis;

$(20.9 - 7)$ = 20.9 percent oxygen − 7 percent oxygen (defined oxygen correction basis);

20.9 = oxygen concentration in air, percent; and

$\%O_2$ = oxygen concentration measured on a dry basis, percent.

(g) You must determine dioxins/furans toxic equivalency by following the procedures in paragraphs (g)(1) through (3) of this section.

(1) Measure the concentration of each dioxin/furan tetra- through octa-congener emitted using EPA Method 23.

(2) For each dioxin/furan congener measured in accordance with paragraph (g)(1) of this section, multiply the congener concentration by its corresponding toxic equivalency factor specified in Table 4 of this subpart.

(3) Sum the products calculated in accordance with paragraph (g)(2) of this section to obtain the total concentration

of dioxins/furans emitted in terms of toxic equivalency.

§ 60.2695 How are the performance test data used?

You use results of performance tests to demonstrate compliance with the emission limitations in Table 2 of this subpart.

Model Rule—Initial Compliance Requirements

§ 60.2700 How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

You must conduct an initial performance test, as required under § 60.8, to determine compliance with the emission limitations in Table 2 of this subpart and to establish operating limits using the procedure in § 60.2675 or § 60.2680. The initial performance test must be conducted using the test methods listed in Table 2 of this subpart and the procedures in § 60.2690.

§ 60.2705 By what date must I conduct the initial performance test?

The initial performance test must be conducted no later than 180 days after your final compliance date. Your final compliance date is specified in Table 1 of this subpart.

Model Rule—Continuous Compliance Requirements

§ 60.2710 How do I demonstrate continuous compliance with the emission limitations and the operating limits?

(a) You must conduct an annual performance test for particulate matter, hydrogen chloride, and opacity for each CISWI unit as required under § 60.8 to determine compliance with the emission limitations. The annual performance test must be conducted using the test methods listed in Table 2 of this subpart and the procedures in § 60.2690.

(b) You must continuously monitor the operating parameters specified in § 60.2675 or established under § 60.2680. Operation above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. Three-hour rolling average values are used to determine compliance (except for baghouse leak detection system alarms) unless a different averaging period is established under § 60.2680. Operating limits do not apply during performance tests.

(c) You must only burn the same types of waste used to establish operating limits during the performance test.

§ 60.2715 By what date must I conduct the annual performance test?

You must conduct annual performance tests for particulate matter, hydrogen chloride, and opacity within 12 months following the initial performance test. Conduct subsequent annual performance tests within 12 months following the previous one.

§ 60.2720 May I conduct performance testing less often?

(a) You can test less often for a given pollutant if you have test data for at least 3 years, and all performance tests for the pollutant (particulate matter, hydrogen chloride, or opacity) over 3 consecutive years show that you comply with the emission limitation. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the third year and no more than 36 months following the previous performance test.

(b) If your CISWI unit continues to meet the emission limitation for particulate matter, hydrogen chloride, or opacity, you may choose to conduct performance tests for these pollutants every third year, but each test must be within 36 months of the previous performance test.

(c) If a performance test shows a deviation from an emission limitation for particulate matter, hydrogen chloride, or opacity, you must conduct annual performance tests for that pollutant until all performance tests over a 3-year period show compliance.

§ 60.2725 May I conduct a repeat performance test to establish new operating limits?

(a) Yes. You may conduct a repeat performance test at any time to establish new values for the operating limits. The Administrator may request a repeat performance test at any time.

(b) You must repeat the performance test if your feed stream is different than the feed streams used during any performance test used to demonstrate compliance.

Model Rule—Monitoring

§ 60.2730 What monitoring equipment must I install and what parameters must I monitor?

(a) If you are using a wet scrubber to comply with the emission limitation under § 60.2670, you must install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in Table 3 of this subpart. These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in Table 3 of this subpart at all times except as specified in § 60.2735(a).

(b) If you use a fabric filter to comply with the requirements of this subpart, you must install, calibrate, maintain, and continuously operate a bag leak detection system as specified in paragraphs (b)(1) through (8) of this section.

(1) You must install and operate a bag leak detection system for each exhaust stack of the fabric filter.

(2) Each bag leak detection system must be installed, operated, calibrated, and maintained in a manner consistent with the manufacturer's written specifications and recommendations.

(3) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 10 milligrams per actual cubic meter or less.

(4) The bag leak detection system sensor must provide output of relative or absolute particulate matter loadings.

(5) The bag leak detection system must be equipped with a device to continuously record the output signal from the sensor.

(6) The bag leak detection system must be equipped with an alarm system that will sound automatically when an increase in relative particulate matter emissions over a preset level is detected. The alarm must be located where it is easily heard by plant operating personnel.

(7) For positive pressure fabric filter systems, a bag leak detection system must be installed in each baghouse compartment or cell. For negative pressure or induced air fabric filters, the bag leak detector must be installed downstream of the fabric filter.

(8) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(c) If you are using something other than a wet scrubber to comply with the emission limitations under § 60.2670, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in § 60.2680.

§ 60.2735 Is there a minimum amount of monitoring data I must obtain?

(a) Except for monitoring malfunctions, associated repairs, and required quality assurance or quality control activities (including, as

applicable, calibration checks and required zero and span adjustments of the monitoring system), you must conduct all monitoring at all times the CISWI unit is operating.

(b) Do not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this subpart, including data averages and calculations. You must use all the data collected during all other periods in assessing compliance with the operating limits.

Model Rule—Recordkeeping and Reporting

§ 60.2740 What records must I keep?

You must maintain the 13 items (as applicable) as specified in paragraphs (a) through (m) of this section for a period of at least 5 years:

(a) Calendar date of each record.

(b) Records of the data described in paragraphs (b)(1) through (6) of this section:

(1) The CISWI unit charge dates, times, weights, and hourly charge rates.

(2) Liquor flow rate to the wet scrubber inlet every 15 minutes of operation, as applicable.

(3) Pressure drop across the wet scrubber system every 15 minutes of operation or amperage to the wet scrubber every 15 minutes of operation, as applicable.

(4) Liquor pH as introduced to the wet scrubber every 15 minutes of operation, as applicable.

(5) For affected CISWI units that establish operating limits for controls other than wet scrubbers under § 60.2680, you must maintain data collected for all operating parameters used to determine compliance with the operating limits.

(6) If a fabric filter is used to comply with the emission limitations, you must record the date, time, and duration of each alarm and the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective action taken. You must also record the percent of operating time during each 6-month period that the alarm sounds, calculated as specified in § 60.2675(c).

(c) Identification of calendar dates and times for which monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (except for downtime associated with zero and span and other routine calibration checks). Identify the operating parameters not measured, the duration, reasons for not obtaining the data, and a description of corrective actions taken.

(d) Identification of calendar dates, times, and durations of malfunctions, and a description of the malfunction and the corrective action taken.

(e) Identification of calendar dates and times for which data show a deviation from the operating limits in Table 3 of this subpart or a deviation from other operating limits established under § 60.2680 with a description of the deviations, reasons for such deviations, and a description of corrective actions taken.

(f) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations.

(g) Records showing the names of CISWI unit operators who have completed review of the information in § 60.2660(a) as required by § 60.2660(b), including the date of the initial review and all subsequent annual reviews.

(h) Records showing the names of the CISWI operators who have completed the operator training requirements under § 60.2635, met the criteria for qualification under § 60.2645, and maintained or renewed their qualification under § 60.2650 or § 60.2655. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(i) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

(j) Records of calibration of any monitoring devices as required under § 60.2730.

(k) Equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment.

(l) The information listed in § 60.2660(a).

(m) On a daily basis, keep a log of the quantity of waste burned and the types of waste burned (always required).

§ 60.2745 Where and in what format must I keep my records?

All records must be available onsite in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the Administrator.

§ 60.2750 What reports must I submit?

See Table 5 of this subpart for a summary of the reporting requirements.

§ 60.2755 When must I submit my waste management plan?

You must submit the waste management plan no later than the date specified in Table 1 of this subpart for submittal of the final control plan.

§ 60.2760 What information must I submit following my initial performance test?

You must submit the information specified in paragraphs (a) through (c) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager.

(a) The complete test report for the initial performance test results obtained under § 60.2700, as applicable.

(b) The values for the site-specific operating limits established in § 60.2675 or § 60.2680.

(c) If you are using a fabric filter to comply with the emission limitations, documentation that a bag leak detection system has been installed and is being operated, calibrated, and maintained as required by § 60.2730(b).

§ 60.2765 When must I submit my annual report?

You must submit an annual report no later than 12 months following the submission of the information in § 60.2760. You must submit subsequent reports no more than 12 months following the previous report. (If the unit is subject to permitting requirements under title V of the Clean Air Act, you may be required by the permit to submit these reports more frequently.)

§ 60.2770 What information must I include in my annual report?

The annual report required under § 60.2765 must include the ten items listed in paragraphs (a) through (j) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§ 60.2775, 60.2780, and 60.2785.

(a) Company name and address.

(b) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(c) Date of report and beginning and ending dates of the reporting period.

(d) The values for the operating limits established pursuant to § 60.2675 or § 60.2680.

(e) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the operating limits

was inoperative, inactive, malfunctioning or out of control.

(f) The highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(g) Information recorded under § 60.2740(b)(6) and (c) through (e) for the calendar year being reported.

(h) If a performance test was conducted during the reporting period, the results of that test.

(i) If you met the requirements of § 60.2720(a) or (b), and did not conduct a performance test during the reporting period, you must state that you met the requirements of § 60.2720(a) or (b), and, therefore, you were not required to conduct a performance test during the reporting period.

(j) Documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours, but less than 2 weeks.

§ 60.2775 What else must I report if I have a deviation from the operating limits or the emission limitations?

(a) You must submit a deviation report if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit established under this subpart, if the bag leak detection system alarm sounds for more than 5 percent of the operating time for the 6-month reporting period, or if a performance test was conducted that deviated from any emission limitation.

(b) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

§ 60.2780 What must I include in the deviation report?

In each report required under § 60.2775, for any pollutant or parameter that deviated from the emission limitations or operating limits specified in this subpart, include the six items described in paragraphs (a) through (f) of this section.

(a) The calendar dates and times your unit deviated from the emission limitations or operating limit requirements.

(b) The averaged and recorded data for those dates.

(c) Duration and causes of each deviation from the emission limitations or operating limits and your corrective actions.

(d) A copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels.

(e) The dates, times, number, duration, and causes for monitoring downtime incidents (other than downtime associated with zero, span, and other routine calibration checks).

(f) Whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.

§ 60.2785 What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

(a) If all qualified operators are not accessible for 2 weeks or more, you must take the two actions in paragraphs (a)(1) and (2) of this section.

(1) Submit a notification of the deviation within 10 days that includes the three items in paragraphs (a)(1)(i) through (iii) of this section.

(i) A statement of what caused the deviation.

(ii) A description of what you are doing to ensure that a qualified operator is accessible.

(iii) The date when you anticipate that a qualified operator will be available.

(2) Submit a status report to the Administrator every 4 weeks that includes the three items in paragraphs (a)(2)(i) through (iii) of this section.

(i) A description of what you are doing to ensure that a qualified operator is accessible.

(ii) The date when you anticipate that a qualified operator will be accessible.

(iii) Request approval from the Administrator to continue operation of the CISWI unit.

(b) If your unit was shut down by the Administrator, under the provisions of § 60.2665(b)(2), due to a failure to provide an accessible qualified operator, you must notify the Administrator that you are resuming operation once a qualified operator is accessible.

§ 60.2790 Are there any other notifications or reports that I must submit?

Yes. You must submit notifications as provided by § 60.7.

§ 60.2795 In what form can I submit my reports?

Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates.

§ 60.2800 Can reporting dates be changed?

If the Administrator agrees, you may change the semiannual or annual reporting dates. See § 60.19(c) for procedures to seek approval to change your reporting date.

Model Rule—Title V Operating Permits

§ 60.2805 Am I required to apply for and obtain a title V operating permit for my unit?

Yes. Each CISWI unit must operate pursuant to a permit issued under section 129(e) and title V of the Clean Air Act by the later of the two dates in paragraphs (a) and (b) of this section.

(a) Thirty-six months after December 1, 2000.

(b) The effective date of the title V permit program to which your unit is subject. If your unit is subject to title V as a result of some triggering requirement(s) other than this subpart (for example, being a major source), then your unit may be required to apply for and obtain a title V permit prior to the deadlines noted above. If more than one requirement triggers the requirement to apply for a title V permit, the 12-month timeframe for filing a title V application is triggered by the requirement which first causes the source to be subject to title V.

Model Rule—Air Curtain Incinerators

§ 60.2810 What is an air curtain incinerator?

(a) An air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

(b) Air curtain incinerators that burn only the materials listed in paragraphs (b)(1) through (3) of this section are only required to meet the requirements under ''Air Curtain Incinerators'' (§§ 60.2810 through 60.2870).

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

§ 60.2815 What are my requirements for meeting increments of progress and achieving final compliance?

If you plan to achieve compliance more than 1 year following the effective date of State plan approval, you must meet the two increments of progress specified in paragraphs (a) and (b) of this section.

(a) Submit a final control plan.

(b) Achieve final compliance.

§ 60.2820 When must I complete each increment of progress?

Table 1 of this subpart specifies compliance dates for each of the increments of progress.

§ 60.2825 What must I include in the notifications of achievement of increments of progress?

Your notification of achievement of increments of progress must include the three items described in paragraphs (a) through (c) of this section.

(a) Notification that the increment of progress has been achieved.

(b) Any items required to be submitted with each increment of progress (see § 60.2840).

(c) Signature of the owner or operator of the incinerator.

§ 60.2830 When must I submit the notifications of achievement of increments of progress?

Notifications for achieving increments of progress must be postmarked no later than 10 business days after the compliance date for the increment.

§ 60.2835 What if I do not meet an increment of progress?

If you fail to meet an increment of progress, you must submit a notification to the Administrator postmarked within 10 business days after the date for that increment of progress in Table 1 of this subpart. You must inform the Administrator that you did not meet the increment, and you must continue to submit reports each subsequent calendar month until the increment of progress is met.

§ 60.2840 How do I comply with the increment of progress for submittal of a control plan?

For your control plan increment of progress, you must satisfy the two requirements specified in paragraphs (a) and (b) of this section.

(a) Submit the final control plan, including a description of any devices for air pollution control and any process changes that you will use to comply with the emission limitations and other requirements of this subpart.

(b) Maintain an onsite copy of the final control plan.

§ 60.2845 How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must complete all process changes and retrofit construction of control devices, as specified in the final control plan, so that, if the affected incinerator is brought online, all necessary process changes and air pollution control devices would operate as designed.

§ 60.2850 What must I do if I close my air curtain incinerator and then restart it?

(a) If you close your incinerator but will reopen it prior to the final compliance date in your State plan, you must meet the increments of progress specified in § 60.2815.

(b) If you close your incinerator but will restart it after your final compliance date, you must complete emission control retrofits and meet the emission limitations on the date your incinerator restarts operation.

§ 60.2855 What must I do if I plan to permanently close my air curtain incinerator and not restart it?

If you plan to close your incinerator rather than comply with the State plan, submit a closure notification, including the date of closure, to the Administrator by the date your final control plan is due.

§ 60.2860 What are the emission limitations for air curtain incinerators?

(a) After the date the initial stack test is required or completed (whichever is earlier), you must meet the limitations in paragraphs (a)(1) and (2) of this section.

(1) The opacity limitation is 10 percent (6-minute average), except as described in paragraph (a)(2) of this section.

(2) The opacity limitation is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) Except during malfunctions, the requirements of this subpart apply at all times, and each malfunction must not exceed 3 hours.

§ 60.2865 How must I monitor opacity for air curtain incinerators?

(a) Use Method 9 of appendix A of this part to determine compliance with the opacity limitation.

(b) Conduct an initial test for opacity as specified in § 60.8 no later than 180 days after your final compliance date.

(c) After the initial test for opacity, conduct annual tests no more than 12 calendar months following the date of your previous test.

§ 60.2870 What are the recordkeeping and reporting requirements for air curtain incinerators?

(a) Keep records of results of all initial and annual opacity tests onsite in either paper copy or electronic format, unless the Administrator approves another format, for at least 5 years.

(b) Make all records available for submittal to the Administrator or for an inspector's onsite review.

(c) Submit an initial report no later than 60 days following the initial opacity test that includes the information specified in paragraphs (c)(1) and (2) of this section.

(1) The types of materials you plan to combust in your air curtain incinerator.

(2) The results (each 6-minute average) of the initial opacity tests.

(d) Submit annual opacity test results within 12 months following the previous report.

(e) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date and keep a copy onsite for a period of 5 years.

Model Rule—Definitions

§ 60.2875 What definitions must I know?

Terms used but not defined in this subpart are defined in the Clean Air Act and subparts A and B of this part.

Administrator means the Administrator of the U.S. Environmental Protection Agency or his/her authorized representative or Administrator of a State Air Pollution Control Agency.

Agricultural waste means vegetative agricultural materials such as nut and grain hulls and chaff (e.g., almond, walnut, peanut, rice, and wheat), bagasse, orchard prunings, corn stalks, coffee bean hulls and grounds, and other vegetative waste materials generated as a result of agricultural operations.

Air curtain incinerator means an incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

Auxiliary fuel means natural gas, liquified petroleum gas, fuel oil, or diesel fuel.

Bag leak detection system means an instrument that is capable of monitoring particulate matter loadings in the exhaust of a fabric filter (i.e., baghouse) in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, light transmittance, or other principle to monitor relative particulate matter loadings.

Calendar quarter means three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

Calendar year means 365 consecutive days starting on January 1 and ending on December 31.

Chemotherapeutic waste means waste material resulting from the production or use of antineoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

Clean lumber means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

Commercial and industrial solid waste incineration (CISWI) unit means any combustion device that combusts commercial and industrial waste, as defined in this subpart. The boundaries of a CISWI unit are defined as, but not limited to, the commercial or industrial solid waste fuel feed system, grate system, flue gas system, and bottom ash. The CISWI unit does not include air pollution control equipment or the stack. The CISWI unit boundary starts at the commercial and industrial solid waste hopper (if applicable) and extends through two areas:

(1) The combustion unit flue gas system, which ends immediately after the last combustion chamber.

(2) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

Commercial and industrial waste means solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field-erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility.

Contained gaseous material means gases that are in a container when that container is combusted.

Cyclonic barrel burner means a combustion device for waste materials that is attached to a 55 gallon, open-head drum. The device consists of a lid, which fits onto and encloses the drum, and a blower that forces combustion air into the drum in a cyclonic manner to enhance the mixing of waste material and air.

Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emission limitation, operating limit, or operator qualification and accessibility requirement in this subpart during startup, shutdown, or malfunction, regardless or whether or not such failure is permitted by this subpart.

Dioxins/furans means tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

Discard means, for purposes of this subpart and 40 CFR part 60, subpart DDDD, only, burned in an incineration unit without energy recovery.

Drum reclamation unit means a unit that burns residues out of drums (e.g., 55 gallon drums) so that the drums can be reused.

Energy recovery means the process of recovering thermal energy from combustion for useful purposes such as steam generation or process heating.

Fabric filter means an add-on air pollution control device used to capture particulate matter by filtering gas streams through filter media, also known as a baghouse.

Low-level radioactive waste means waste material which contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable Federal or State standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or by-product material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

Modification or *modified CISWI unit* means a CISWI unit you have changed later than June 1, 2001 and that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including the cost of land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.

(2) Any physical change in the CISWI unit or change in the method of operating it that increases the amount of any air pollutant emitted for which section 129 or section 111 of the Clean Air Act has established standards.

Part reclamation unit means a unit that burns coatings off parts (e.g., tools, equipment) so that the parts can be reconditioned and reused.

Particulate matter means total particulate matter emitted from CISWI units as measured by Method 5 or Method 29 of appendix A of this part.

Pathological waste means waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

Rack reclamation unit means a unit that burns the coatings off racks used to hold small items for application of a coating. The unit burns the coating overspray off the rack so the rack can be reused.

Reconstruction means rebuilding a CISWI unit and meeting two criteria:

(1) The reconstruction begins on or after June 1, 2001.

(2) The cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.

Refuse-derived fuel means a type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(1) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(2) Pelletized refuse-derived fuel.

Shutdown means the period of time after all waste has been combusted in the primary chamber.

Solid waste means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community

activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1342), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2014). For purposes of this subpart and subpart CCCC, only, solid waste does not include the waste burned in the fifteen types of units described in § 60.2555.

Standard conditions, when referring to units of measure, means a temperature of 68°F (20°C) and a pressure of 1 atmosphere (101.3 kilopascals).

Startup period means the period of time between the activation of the system and the first charge to the unit.

Wet scrubber means an add-on air pollution control device that utilizes an aqueous or alkaline scrubbing liquor to collect particulate matter (including nonvaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

Wood waste means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

(1) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

(2) Construction, renovation, or demolition wastes.

(3) Clean lumber.

TABLE 1 TO SUBPART DDDD—MODEL RULE—INCREMENTS OF PROGRESS AND COMPLIANCE SCHEDULES

Comply with these increments of progress	By these dates [a]
Increment 1—Submit final control plan	(Dates to be specified in State plan)
Increment 2—Final compliance	(Dates to be specified in State plan) [b]

[a] Site-specific schedules can be used at the discretion of the State.
[b] The date can be no later than 3 years after the effective date of State plan approval or December 1, 2005.

TABLE 2 TO SUBPART DDDD—MODEL RULE—EMISSION LIMITATIONS

For the air pollutant	You must meet this emission limitation [a]	Using this averaging time	And determining compliance using this method
Cadmium	0.004 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of this part)
Carbon monoxide	157 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Method 10, 10A, or 10B, of appendix A of this part)
Dioxins/furans (toxic equivalency basis).	0.41 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 23 of appendix A of this part)
Hydrogen chloride	62 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Method 26A of appendix A of this part)
Lead	0.04 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of this part)
Mercury	0.47 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of this part)
Opacity	10 percent	6-minute averages	Performance test (Method 9 of appendix A of this part)
Oxides of nitrogen	388 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Methods 7, 7A, 7C, 7D, or 7E of appendix A of this part)
Particulate matter	70 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 5 or 29 of appendix A of ths part)
Sulfur dioxide	20 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Method 6 or 6c of appendix A of this part)

[a] All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions.

TABLE 3 TO SUBPART DDDD—MODEL RULE—OPERATING LIMITS FOR WET SCRUBBERS

For these operating parameters	You must establish these operating limits	And monitor using these minimum frequencies		
		Data measurement	Data recording	Averaging time
Charge rate	Maximum charge rate.	Continuous	Every hour	Daily (batch units). 3-hour rolling (continuous and intermittent units) [a]
Pressure drop across the wet scrubber or amperage to wet scrubber.	Minimum pressure drop or amperage.	Continuous	Every 15 minutes	3-hour rolling [a]
Scrubber liquor flow rate.	Minimum flow rate	Continuous	Every 15 minutes	3-hour rolling [a]
Scrubber liquor pH	Minimum pH	Continuous	Every 15 minutes	3-hour rolling [a]

[a] Calculated each hour as the average of the previous 3 operating hours.

TABLE 4 TO SUBPART DDDD—MODEL RULE—TOXIC EQUIVALENCY FACTORS

Dioxin/furan congener	Toxic equivalency factor
2,3,7,8-tetrachlorinated dibenzo-p-dioxin	1
1,2,3,7,8-pentachlorinated dibenzo-p-dioxin	0.5
1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin	0.01
octachlorinated dibenzo-p-dioxin	0.001
2,3,7,8-tetrachlorinated dibenzofuran	0.1
2,3,4,7,8-pentachlorinated dibenzofuran	0.5
1,2,3,7,8-pentachlorinated dibenzofuran	0.05
1,2,3,4,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,7,8,9-hexachlorinated dibenzofuran	0.1
2,3,4,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzofuran	0.01
1,2,3,4,7,8,9-heptachlorinated dibenzofuran	0.01
octachlorinated dibenzofuran	0.001

TABLE 5 TO SUBPART DDDD—MODEL RULE—SUMMARY OF REPORTING REQUIREMENTS [a]

Report	Due date	Contents	Reference
Waste Management Plan.	No later than the date specified in table 1 for submittal of the final control plan.	• Waste management plan	§ 60.2755.
Initial Test Report	No later than 60 days following the initial performance test.	• Complete test report for the initial performance test • The values for the site-specific operating limits • Installation of bag leak detection systems for fabric filters	§ 60.2760.
Annual Report	No later than 12 months following the submission of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report.	• Name and address • Statement and signature by responsible official • Date of report • Values for the operating limits • If no deviations or malfunctions were reported, a statement that no deviations occurred during the reporting period • Highest recorded 3-hour average and the lowest 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported • Information for deviations or malfunctions recorded under § 60.2740(b)(6) and (c) through (e) • If a performance test was conducted during the reporting period, the results of the test • If a performance test was not conducted during the reporting period, a statement that the requirements of § 60.2155(a) or (b) were met • Documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours but less than 2 weeks	§§ 60.2765 and 60.2770.
Emission Limitation or Operating Limit Deviation Report.	By August 1 of that year for data collected during the first half of the calendar year. By February 1 of the following year for data collected during the second half of the calendar year.	• Dates and times of deviations • Averaged and recorded data for these dates • Duration and causes for each deviation and the corrective actions taken • Copy of operating limit monitoring data and any test reports • Dates, times, and causes for monitor downtime incidents • Whether each deviation occurred during a period of startup, shutdown, or malfunction	§§ 60.2775 and 60.2780.

TABLE 5 TO SUBPART DDDD—MODEL RULE—SUMMARY OF REPORTING REQUIREMENTS [a]—Continued

Report	Due date	Contents	Reference
Qualified Operator Deviation Notification.	Within 10 days of deviation	• Statement of cause of deviation • Description of efforts to have an accessible qualified operator • The date a qualified operator will be accessible	§ 60.2785(a)(1).
Qualified Operator Deviation Status Report.	Every 4 weeks following deviation	• Description of efforts to have an accessible qualified operator • The date a qualified operator will be accessible • Request for approval to continue operation	§ 60.2785(a)(2).
Qualified Operator Deviation Notification of Resumed Operation.	Prior to resuming operation	• Notification that you are resuming operation	§ 60.2785(b)

[a] This table is only a summary, see the referenced sections of the rule for the complete requirements.

[FR Doc. 00–29875 Filed 11–30–00; 8:45 am]

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Federal Register

Friday,
December 16, 2005

Part II

Environmental Protection Agency

40 CFR Part 60

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

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[EPA–HQ–OAR–2003–0156; FRL–8005–5]

RIN 2060–AG31

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is promulgating new source performance standards (NSPS) and emission guidelines for new and existing ''other'' solid waste incineration units (OSWI). The final rules for OSWI units fulfill the requirements of sections 111 and 129 of the Clean Air Act (CAA), which require EPA to promulgate NSPS and emission guidelines for solid waste incineration units. The final rules, which address only the incineration of nonhazardous solid wastes, will protect public health by reducing exposure to air pollution.

DATES: Amendments to § 60.17 are effective February 14, 2006. The standards for new sources in subpart EEEE of 40 CFR part 60 (sections 60.2880 through 60.2977) are effective June 16, 2006. The incorporation by reference of certain publications listed in the NSPS is approved by the Director of the Federal Register as of June 16, 2006. The emission guidelines for existing sources in subpart FFFF of 40 CFR part 60 (sections 60.2980 through 60.3078) are effective February 14, 2006. The incorporation by reference of certain publications listed in the emission guidelines is approved by the Director of the Federal Register as of February 14, 2006.

ADDRESSES: Docket. EPA has established a docket for this action under Docket ID No. EPA–HQ–OAR–2003–0156. All documents in the docket are listed on the *http://www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, *i.e.*, confidential business information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through *http://www.regulations.gov* or in hard copy at EPA Docket Center (EPA/DC), EPA West Building, Room B102, 1301 Constitution Ave., NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the EPA Docket Center is (202) 566–1742.

FOR FURTHER INFORMATION CONTACT: Ms. Mary Johnson, Combustion Group, Emission Standards Division (C439–01), U.S. EPA, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–5025; e-mail address: *johnson.mary@epa.gov.*

SUPPLEMENTARY INFORMATION:

Regulated Entities. Categories and entities potentially regulated by the final rules are very small municipal waste combustion (VSMWC) units and institutional waste incineration (IWI) units. The final OSWI emission guidelines and NSPS potentially affect the following categories of sources:

Category	NAICS code	SIC code	Examples of potentially regulated entities
Any State, local, or Tribal government using a VSMWC unit as defined in the regulations.	562213, 92411	4953, 9511	Solid waste combustion units burning municipal waste collected from the general public and from residential, commercial, institutional, and industrial sources.
Institutions using an IWI unit as defined in the regulations.	922, 6111, 623, 7121	9223, 8211, 7999	Correctional institutions, primary and secondary schools, camps and national parks.
Any Federal government agency using an OSWI unit as defined in the regulations.	928	9711	Department of Defense (labs, military bases, munitions facilities).
Any college or university using an OSWI unit as defined in the regulations.	6113, 6112	8221, 8222	Universities, colleges and community colleges.
Any church or convent using an OSWI unit as defined in the regulations.	8131	8661	Churches and convents.
Any civic or religious organization using an OSWI unit as defined in the regulations.	8134	8641	Civic association and fraternal associations.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by the final rules. To determine whether your facility is regulated by the final rules, you should examine the applicability criteria in the NSPS for new sources located at 40 CFR 60.2885 through 60.2888 of subpart EEEE, and in the emission guidelines for existing sources located at 40 CFR 60.2991 through 60.2994 of subpart FFFF. If you have any questions regarding the applicability of the final rules to a particular entity, contact the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

Docket. The docket number for the final NSPS (40 CFR part 60, subpart EEEE) and emission guidelines (40 CFR part 60, subpart FFFF) is Docket ID No. EPA–HQ–OAR–2003–0156.

Worldwide Web (WWW). In addition to being available in the docket, an electronic copy of the final rules is available on the WWW through the Technology Transfer Network Website (TTN Web). Following signature, EPA will post a copy of the final rules on the TTN's policy and guidance page for newly proposed or promulgated rules at *http://www.epa.gov/ttn/oarpg.* The TTN provides information and technology exchange in various areas of air pollution control.

Judicial Review. Under CAA section 307(b)(1), judicial review of the final rules is available only by filing a petition for review in the U.S. Court of Appeals for the District of Columbia by February 14, 2006. Under CAA section 307(d)(7)(B), only an objection to the final rules that was raised with reasonable specificity during the period for public comment can be raised during judicial review. Moreover, under CAA section 307(b)(2), the requirements established by today's final action may not be challenged separately in any civil or criminal proceedings brought by EPA to enforce these requirements.

Section 307(d)(7)(B) of the CAA further provides that ''[o]nly an objection to a rule or procedure which was raised with reasonable specificity during the period for public comment (including any public hearing) may be raised during judicial review.'' This section also provides a mechanism for the EPA to convene a proceeding for

reconsideration, ''[i]f the person raising an objection can demonstrate to the EPA that it was impracticable to raise such objection within [the period for public comment] or if the grounds for such objection arose after the period for public comment (but within the time specified for judicial review) and if such objection is of central relevance to the outcome of the rule.'' Any person seeking to make such a demonstration to the EPA should submit a Petition for Reconsideration to the Office of the Administrator, U.S. EPA, Room 3000, Ariel Rios Building, 1200 Pennsylvania Ave., NW., Washington, DC 20460, with a copy to both the person(s) listed in the preceding **FOR FURTHER INFORMATION CONTACT** section, and the Director of the Air and Radiation Law Office, Office of General Counsel (Mail Code 2344A), U.S. EPA, 1200 Pennsylvania Ave., NW., Washington, DC 20004.

Organization of This Document. The following outline is provided to aid in locating information in this preamble.

I. Background
II. Summary of the Final Rules
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B. What emission limits must I meet?
C. What operating limits must I meet?
D. What are the other requirements?
E. What are the requirements for air curtain incinerators?
F. What title V permit requirements must I meet?
III. What are the changes to the rules since proposal?
IV. Significant Issues and Changes-Public Comments
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V. Impacts of the Final Rules
A. What are the impacts for new units?
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VI. Statutory and Executive Order Reviews
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B. Paperwork Reduction Act
C. Regulatory Flexibility Act
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E. Executive Order 13132: Federalism
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G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks
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I. National Technology Transfer Advancement Act
J. Congressional Review Act

I. Background

Section 129 of the CAA, entitled ''Solid Waste Combustion,'' requires EPA to develop and adopt NSPS and emission guidelines for solid waste incineration units pursuant to CAA section 111. Section 111(b) of the CAA requires EPA to establish NSPS for new sources, and CAA section 111(d) requires EPA to establish procedures for States to submit plans for implementing emission guidelines for existing sources. Under CAA section 111, NSPS and emission guidelines must be developed for new and existing stationary sources that cause or contribute significantly to air pollution that may reasonably be anticipated to endanger public health or welfare.

Congress specifically added section 129 to the CAA to address concerns about emissions from solid waste combustion units. Section 129(a)(1) of the CAA identifies five categories of solid waste incineration units:

(1) Units with a capacity of greater than 250 tons per day (tpd) combusting municipal waste;

(2) Units with a capacity equal to or less than 250 tpd combusting municipal waste;

(3) Units combusting hospital, medical and infectious waste;

(4) Units combusting commercial or industrial waste; and

(5) Unspecified ''other categories of solid waste incineration units.''

Section 129(g)(1) of the CAA identifies several types of units that are not solid waste incineration units, including units required to have a permit under section 3005 of the Solid Waste Disposal Act (SWDA); materials recovery facilities; certain qualifying small power production facilities or qualifying cogeneration facilities which burn homogeneous waste; and certain air curtain incinerators that meet opacity limitations established by EPA.

For each category of incineration unit identified under CAA section 129, EPA must establish numerical emission limits for at least nine specified pollutants (particulate matter (PM), sulfur dioxide (SO_2), hydrogen chloride (HC1), nitrogen oxides (NO_X), carbon monoxide (CO), lead (Pb), cadmium (Cd), mercury (Hg), and dioxins and dibenzofurans), and for opacity as appropriate. Section 129 of the CAA provides EPA with the discretion to establish emission limitations for other pollutants as well. (See CAA section 129(a)(4).)

Under CAA section 129, the NSPS and emission guidelines adopted for solid waste combustion units must reflect the maximum achievable control technology (MACT). Accordingly, EPA=s standards under CAA section 129 must ''reflect the maximum degree of reduction in emissions of [the listed] air pollutants * * * that the Administrator, taking into consideration the cost of achieving such emissions reductions, and any non-air quality health and environmental impacts and energy requirements, determines is achievable for new or existing units in each category * * *.'' (See CAA section 129(a)(2).) However, the standards for new units must not be less stringent than the emissions control that is achieved in practice by the best controlled similar unit, and the standards for existing sources must not be less stringent than the average emissions limitations achieved by the best performing 12 percent of units in the category.

EPA previously developed regulations for each of the listed categories of solid waste incineration unit except for the undefined ''other categories of solid waste incineration units.'' Four notices have been published regarding OSWI regulatory development (58 FR 31358, June 2, 1993; 58 FR 58498, November 2, 1993; 65 FR 67367, November 9, 2000; 69 FR 71472, December 9, 2004). In the November 9, 2000 notice, EPA revised the OSWI regulatory schedule to include a November 2005 date for promulgation of final regulations. This deadline was subsequently incorporated into a consent decree, requiring that EPA propose regulations for the OSWI source category by November 30, 2004, and promulgate final rules by November 30, 2005. On December 9, 2004, EPA proposed NSPS and emission guidelines for OSWI units (69 FR 71472). EPA received 26 public comment letters from a variety of sources, consisting mainly of government agencies, environmental organizations, incinerator manufacturers, and various incinerator owners/operators. By today's notice EPA promulgates final regulations for ''other'' (or OSWI) units.

II. Summary of the Final Rules

A. Do the final rules apply to me?

The final OSWI rules apply to you if you own or operate either of the following:

(1) An incineration unit with a capacity less than 35 tpd burning municipal solid waste (MSW) (as defined in CAA section 129, 40 CFR 60.2977 of subpart EEEE, and 40 CFR 60.3078 of subpart FFFF); or

(2) An incineration unit located at an institutional facility burning institutional waste (as defined in 40 CFR 60.2977 of subpart EEEE and 40 CFR 60.3078 of subpart FFFF) generated at that facility.

Requirements for air curtain incineration units that would otherwise be VSMWC or IWI units, but for the fact

that they burn certain materials, are discussed later in this preamble. If your incineration unit is currently meeting emission limitations and other requirements of another CAA section 129 regulation (i.e., small or large municipal waste combustion (MWC) units; hospital, medical, infectious waste incineration (HMIWI) units; or commercial and industrial solid waste incineration (CISWI) units), the final OSWI rules do not apply to you. Likewise, if an institutional combustion unit is covered under the CAA section 112 national emission standards for hazardous air pollutants (NESHAP) for industrial, commercial, and institutional boilers and process heaters (boilers NESHAP), it is not subject to the final OSWI rules. Certain types of combustion units listed in 40 CFR 60.2887 of subpart EEEE and 40 CFR 60.2993 of subpart FFFF are also excluded from the final OSWI rules.

If you began construction of your incineration unit on or before December 9, 2004, it is considered an existing unit and is subject to the emission guidelines (40 CFR part 60, subpart FFFF). If you began construction of your incineration unit after December 9, 2004, it is considered a new unit and is subject to the NSPS (40 CFR part 60, subpart EEEE).

If you began reconstruction or modification of your incineration unit prior to June 16, 2006, it is considered an existing unit and is subject to the emission guidelines. Likewise, if you begin reconstruction or modification of your incineration unit on or after June 16, 2006, it is considered a new unit and is subject to the NSPS.

B. What emission limits must I meet?

As the owner or operator of a new OSWI unit, you must meet the emission limits specified in table 1 of this preamble. You must conduct an initial performance test to show compliance within 60 days after a new OSWI unit reaches the charge rate at which it will operate, but no later than 180 days after the unit's initial startup.

As the owner or operator of an existing OSWI unit, you must meet the emission limits specified in table 1 of this preamble within 3 years after the effective date of State plan approval or by a compliance date to be established when EPA promulgates a Federal plan, but no later than December 16, 2010. The December 16, 2010 deadline is set by the statute. (See CAA section 129(f)). Thus, if EPA approves a State plan in 2009, December 16, 2010 will still be the deadline for complying. EPA plans to promulgate a Federal plan that will require compliance by December 16, 2010 in those areas that fail to submit an approvable State plan.

TABLE 1.—EMISSION LIMITS FOR NEW AND EXISTING OSWI UNITS

For these pollutants	You must meet these emission limits [a]	And determine compliance using these methods [b c]
Cd	18 micrograms per dry standard cubic meter (µg/dscm).	EPA Method 29.
CO	40 parts per million dry volume (ppmdv)	EPA Methods 10, 10A or 10B.
Dioxins/Furans (total mass basis)	33 nanograms per dry standard cubic meter (ng/dscm).	EPA Method 23.
HCl	15 ppmdv	EPA Method 26A.
Pb	226 µg/dscm	EPA Method 29.
Hg	74 µg/dscm	EPA Method 29.
Opacity	10%	EPA Method 9.
NO_X	103 ppmdv	EPA Methods 7, 7A, 7C, 7D, or 7E. [d]
PM	0.013 grains per dry standard cubic foot (gr/dscf).	EPA Method 5 or 29.
SO_2	3.1 ppmdv	EPA Method 6 or 6C. [e]

[a] All emission limits (except opacity) are measured at 7 percent oxygen, dry basis at standard conditions.
[b] These methods are in 40 CFR part 60, appendix A.
[c] Compliance with the CO emission limit is determined on a 12-hour rolling average basis using continuous emission monitoring system data. Compliance for the other emission limits is determined by stack testing.
[d] ASME PTC 19–10–1981–Part 10 is an acceptable alternative to only Methods 7 and 7C.
[e] ASME PTC 19–10–1981–Part 10 is an acceptable alternative to only Method 6.

C. What operating limits must I meet?

If you use a wet scrubber to comply with the emission limits, you must establish the maximum and minimum site-specific operating limits indicated in table 2 of this preamble. You must then operate the OSWI unit so that the charge rate does not exceed the established maximum charge rate. You must operate the wet scrubber so that the pressure drop or amperage, scrubber liquor flow rate, and scrubber liquor pH do not fall below the minimum established operating limits.

TABLE 2.—OPERATING LIMITS FOR NEW AND EXISTING OSWI UNITS USING WET SCRUBBERS

For these operating parameters	You must establish these operating limits	And monitor continuously using these recording times
Charge rate	Maximum charge rate	Every hour.
Pressure drop across the wet scrubber, or amperage to the wet scrubber.	Minimum pressure drop or amperage	Every 15 minutes.
Scrubber liquor flow rate	Minimum flow rate	Every 15 minutes.
Scrubber liquor pH	Minimum pH	Every 15 minutes.

Note: Compliance is determined on a 3-hour rolling average basis, except charge rate for batch incinerators, which is determined on a 24-hour basis.

If you use an air pollution control device other than a wet scrubber to comply with the emission limits, you must petition the EPA for approval of other site-specific operating limits to be established during the initial performance test and continuously monitored thereafter. The information you must include in your petition is described in 40 CFR 60.2917 of subpart EEEE and 40 CFR 60.3024 of subpart FFFF.

D. What are the other requirements?

As the owner or operator of a new or existing OSWI unit, you must meet the following additional requirements.

Siting Analysis (new units only):

- Submit a report that evaluates site-specific air pollution control alternatives that minimize potential risks to public health or the environment, considering costs, energy impacts, non-air environmental impacts, or any other factors related to the practicability of the alternatives.

Waste Management Plan:

- Submit a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream to reduce or eliminate toxic emissions from incinerated waste.

Operator Training and Qualification Requirements:

- Qualify operators or their supervisors (at least one per facility) by ensuring that they complete an operator training course and annual review or refresher course.

Testing Requirements:

- Conduct initial performance tests for Cd, CO, dioxins/furans, HCl, Pb, Hg, NO_X, opacity, PM, and SO_2 and establish operating limits (i.e., maximum or minimum values for operating parameters).
- Conduct annual performance tests for all nine pollutants and opacity. (An owner or operator may conduct less frequent testing if the facility demonstrates that it is in compliance with the emission limits for three consecutive performance tests.)

Monitoring Requirements:

- Continuously monitor CO emissions.
- If using a wet scrubber to comply with the emission limits, continuously monitor the following operating parameters: charge rate, pressure drop across the wet scrubber (or amperage), and scrubber liquid flow rate and pH.
- If using something other than a wet scrubber to comply with the emission limits, monitor other operating parameters, as approved by the EPA.

Recordkeeping and Reporting Requirements:

- Maintain for 5 years records of the initial performance tests and all subsequent performance tests, operating parameters, any maintenance, the siting analysis (for new units only), and operator training and qualification. Each record must be kept on site for at least 2 years. The records may be kept off site for the remaining 3 years.
- Submit the results of the initial performance tests and all subsequent performance tests and values for the operating parameters.
- Submit annual compliance reports and semiannual reports of any deviations from the emission limits, operating limits, or other requirements.
- Apply for and obtain a title V operating permit.

E. What are the requirements for air curtain incinerators?

The final OSWI rules establish opacity limitations for air curtain incineration units that would otherwise meet the definitions of IWI or VSMWC units, but burn only:

- 100 percent wood wastes;
- 100 percent clean lumber;
- 100 percent yard waste; or
- 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

The opacity limit is 10 percent. However, 35 percent opacity is allowed during startup periods that are within the first 30 minutes of operation. Air curtain incinerators burning only these materials must meet the opacity limits and certain monitoring, recordkeeping, and reporting requirements, and must apply for and obtain a title V operating permit.

Air curtain incinerators burning other institutional waste or municipal waste must meet the requirements of the final OSWI rules including all emission limits in table 1 of this preamble and the associated testing, permitting, monitoring, recordkeeping, and reporting requirements.

F. What title V permit requirements must I meet?

All new and existing OSWI units and air curtain incinerators regulated by the final OSWI rules must apply for and obtain a title V operating permit. These title V operating permits assure compliance with all applicable Federal requirements for regulated incineration units, including all applicable CAA section 129 requirements. (See 40 CFR 70.6(a)(1), 70.2, 71.6(a)(1) and 71.2.)

The permit application deadline for a CAA section 129 source applying for a title V operating permit depends on when the source first becomes subject to the relevant title V permits program. If a regulated incineration unit is a new unit and is not subject to an earlier permit application deadline, a complete title V permit application must be submitted on or before the relevant date below:

(1) For a unit that commenced operation as a new source on or before December 16, 2005, a complete title V permit application must be submitted not later than December 18, 2006; or

(2) For a unit that does not commence operation as a new source until after December 16, 2005, a complete title V permit application must be submitted not later than 12 months after the date the unit commences operation as a new source. (See CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i).)

If your incineration unit is an existing unit and is not subject to an earlier permit application deadline, a complete title V permit application must be submitted by the earlier of the following dates:

(1) Twelve months after the effective date of any applicable EPA-approved CAA section 111(d)/129 plan (i.e., an approved State or Tribal plan that implements the OSWI emission guidelines);

(2) Twelve months after the effective date of any applicable Federal plan; or

(3) December 16, 2008.

For any existing incineration unit not subject to an earlier permit application deadline, the application deadline of 36 months after the promulgation of 40 CFR part 60, subpart FFFF, applies regardless of whether or when any applicable Federal plan is effective, or whether or when any applicable CAA section 111(d)/129 plan is approved by EPA and becomes effective. (See CAA sections 129(e), 503(c), 503(d), and 502(a) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i).)

If your incineration unit is subject to title V as a result of some triggering requirement(s) other than those mentioned above (for example, a unit may be a major source or part of a major source), then you may be required to apply for a title V operating permit for that unit prior to the deadlines specified above. If more than one requirement triggers a source's obligation to apply for a title V operating permit, the 12-month timeframe for filing a title V permit application is triggered by the requirement which first causes the source to be subject to title V. (See CAA section 503(c) and 40 CFR 70.3(a) and (b), 70.5(a)(1)(i), 71.3(a) and (b), and 71.5(a)(1)(i).)

For additional background information on the interface between CAA section 129 and title V, including EPA's interpretation of CAA section 129(e), information on updating existing

title V operating permit applications and reopening existing title V permits, see the final Federal Plan for Commercial and Industrial Solid Waste Incinerators, October 3, 2003 (68 FR 57518, 57532), as well as the ''Summary of Public Comments and Responses'' document in the OSWI docket (EPA–HQ–OAR–2003–0156).

III. What are the changes to the rules since proposal?

We made several revisions to the OSWI rules since proposal. As previously stated, a summary of public comments and EPA's responses to those comments is located in the docket. The following is a summary of the most significant changes.

Definitions

- *Institutional facility*. Replaced the term ''institution,'' as defined at proposal, with the term ''institutional facility'', which was the term we intended to define. Clarified that the term ''institutional facility'' means land-based facility.
- *Institutional waste*. Revised the definition of ''institutional waste'' to be clearer and to eliminate redundancy while maintaining the same meaning as the proposed definition.
- *IWI unit and MWC unit*. Revised the definitions of ''institutional waste incineration unit'' and ''municipal waste combustion unit'' by adding ''cyclonic burn barrel'' as another example of an incinerator design.
- *Clean lumber and wood waste*. Clarified that the definitions of ''clean lumber'' and ''wood waste'' exclude wood products that contain adhesives.
- *Administrator and EPA*. Revised the definition of ''Administrator'' and added a definition for the term ''EPA'' to clarify our intent with respect to implementation of the final OSWI rules. ''Administrator'' now means (1) For approved and effective State section 111(d)/129 plans, the Director of the State air pollution control agency, or his or her delegatee; (2) For Federal section 111(d)/129 plans, the Administrator of the EPA, an employee of the EPA, the Director of the State air pollution control agency, or employee of the State air pollution control agency to whom the authority has been delegated by the Administrator of the EPA to perform the specified task; and (3) For NSPS, the Administrator of the EPA, an employee of the EPA, the Director of the State air pollution control agency, or employee of the State air pollution control agency to whom the authority has been delegated by the Administrator of the EPA to perform the specified task. ''EPA'' means the Administrator of the EPA or employee of the EPA that is delegated the authority to perform the specified task.
- *Waste heat recovery*. Clarified that ''waste heat recovery'' occurs outside of the combustion firebox.

Exclusions

- *Rural IWI exclusion*. Revised the rural IWI exclusion such that in addition to the proposed requirement that the unit must be more than 50 miles from the boundary of the nearest Metropolitan Statistical Area (MSA), the unit must also be in an area ''where alternative disposal options are not available or are economically infeasible.'' Also added provisions to require a facility to apply for the rural IWI exclusion and reapply for this exclusion every 5 years.
- *Temporary-use exclusion*. Added ice storms and high winds to the list of example disasters. Clarified that this exclusion includes air curtain incinerators. Restricted the exclusion to areas where a local, State, or Federal declaration of emergency or disaster has been proclaimed. Also revised the exclusion to require all temporary-use incinerators to submit notification if they will be used during a period that begins on the date the unit started operation and lasts more than 8 weeks within the boundaries of the current disaster area.
- *Prohibited goods exclusion*. Limited the exclusion to incinerators ''owned and/or operated by,'' not merely ''used by'' government agencies. Clarified that the exclusion applies only to goods confiscated by a government agency.
- *National security exclusion*. Determined that any IWI units used solely during military training field exercises to destroy national security materials integral to the field exercises are not subject to the final OSWI rules. Added a provision to allow other IWI units to apply for an exclusion if the units are used solely to destroy national security materials and a reliable alternative to incineration that would ensure acceptable destruction is not available.

Emission Limits

- *Carbon monoxide (CO) limit*. Revised the limit from 5 parts per million by volume (ppmv) to 40 ppmv on a 12-hour rolling average basis.
- *Hydrogen chloride (HCl) limit*. Revised the limit from 3.7 ppmv to 15 ppmv.

Testing

- Added procedures to follow when performing Method 26A tests that will improve accuracy for testing wet scrubber-equipped incinerators.
- Clarified annual testing requirements for air curtain incinerators. If an air curtain incinerator has been out of operation for more than 12 months, it must be tested upon startup.

Technical Corrections and Clarifications

- In addition to the listed revisions, EPA made several technical revisions to correct cross-referencing and typographical errors and to improve clarity of the rules.

IV. Significant Issues and Changes—Public Comments

A. Applicability

We received several comments on the scope and applicability of the proposed OSWI rules. These comments ranged from very specific ones dealing with a certain category of units, to more overarching comments concerning applicability of the OSWI rules in general. The following paragraphs contain the major discussions regarding applicability; additional details may be found in the summary of public comments and responses document in the docket.

1. General Applicability of OSWI Rules

Two commenters expressed concern that the applicability of the proposed rules is not broad enough and that too many source categories are excluded or exempt from regulation. One commenter contended that EPA's OSWI regulation must include CAA section 129 standards for every category of solid waste incinerator that is not already regulated under CAA section 129. The commenter contended that the CAA requires EPA to set section 129 standards for any facility that combusts any solid waste, with the exception of facilities specifically exempted under CAA section 129(g)(1). The commenter made similar comments on most of the excluded types of units, stating that they should be subject to regulation under OSWI if they burn any nonhazardous waste. On the other hand, another commenter expressed support for the rationale regarding which sources will be regulated as OSWI units. The commenter urged EPA to avoid any significant changes to this stated rationale.

The CAA is ambiguous regarding what categories of solid waste incineration units must be regulated under section 129(a)(1)(E). After discussing timelines for very specific categories of solid waste incinerators (e.g., large and small municipal waste

combustors, commercial and industrial waste incinerators, and hospital and medical waste incinerators), the CAA states only that EPA must publish a schedule for promulgating standards for ''other categories of solid waste incineration units.'' The statute does not unambiguously require, as implied by commenters, that the OSWI standards must apply to every other possible type of incineration unit burning any type of solid waste. If Congress had intended such a clear directive, it could have instructed EPA to regulate ''every'' other solid waste incineration unit. Yet Congress did not use such unambiguous language, leaving it to EPA to interpret the CAA in a reasonable manner. Moreover, the position adopted by commenters would lead to absurd results. Under their interpretation, a homeowner burning leaves in a barrel in his or her backyard must be subject to a CAA section 129 rule because the barrel is a unit combusting solid waste material. Congress cannot have intended that EPA regulate such sources under section 129, with all the attendant requirements. The language of section 129 suggests that Congress wanted to focus EPA's attention to specific, larger incineration units (e.g., MWC units and CISWI units). Under this commenter's interpretation of section 129, however, EPA would have to establish MACT floors and emissions standards for dozens of different types of small incineration units with potentially minimal emissions.[1] It takes an enormous effort and use of resources to develop a MACT floor and write a section 129 standard, and Congress cannot have meant that EPA would undertake that substantial effort a multitude of times merely by instructing EPA to address ''other'' categories of solid waste incineration units (assuming EPA even has the resources to undertake such efforts). Moreover, sources subject to section 129 standards must obtain title V operating permits and undertake extensive testing, monitoring, and recordkeeping even if EPA does not require additional controls under the section 129 standard, and regardless of the level of emissions from the sources. As noted elsewhere, EPA estimates that the costs of these requirements alone can more than quadruple the costs of owning and operating an incinerator. Again, Congress cannot have intended that every ''incineration'' unit as defined by the commenter, regardless of its size or its impact on public health and the environment, would have to shoulder these burdens merely by referencing an undefined ''other'' category of incineration units at section 129(a)(1)(E). Thus, the instructions to EPA to promulgate standards for ''other categories'' of solid waste incinerators inherently include the authority for EPA to reasonably delineate those ''other'' categories of solid waste incineration units.

Thus, appropriately, the first step in EPA's rulemaking process was determining what universe of sources will be subject to the regulations. The statutory provisions of CAA sections 129(a), (g) and (h) make it clear that EPA must, as a part of the regulatory process, define which combustion units should be subject to regulation under CAA section 129 and hence, to which categories of solid waste combustion units the standards for ''other categories of solid waste incineration units'' apply. For example, the reference in CAA section 129(g)(1) to a permit issued under section 3005 of the SWDA, refers to units burning hazardous solid waste. This effectively limits the scope of EPA's authority under CAA section 129 to the regulation of solid waste incineration units that burn nonhazardous solid waste. In determining the scope of OSWI, EPA collected and analyzed data to identify potential OSWI units and determined that the regulations should focus on two categories of waste combustion units that are not regulated elsewhere: IWI units and VSMWC units. In the proposed rules, we also clarified that certain types of units are not regulated by the OSWI rules. Some of these units are specifically excluded by CAA section 129 (e.g. hazardous waste combustion, small power production facilities, cogeneration facilities burning homogeneous waste). We also clarify that units are not covered under OSWI if they are already regulated under other CAA section 129 or CAA section 112 standards (e.g., small and large MWC, HMIWI, CISWI, boilers, cement kilns). The language of CAA section 129(h) makes clear the Congressional intent for CAA regulations under section 129 or section 112 to be mutually exclusive. Accordingly, sources subject to CAA section 112 standards are not OSWI units. Absence of regulation under CAA section 112, however, is not determinative of whether a unit is subject to the final OSWI rules.

Moreover, we do not agree that the ''small power production facilities'' or ''qualifying cogeneration facilities'' described in CAA section 129(g)(1) are the only types of energy recovery facilities that are properly excluded from the OSWI category. We do not read section 129(g)(1) to establish an exclusive list of excluded sources. (See *National Wildlife Federation* v. *Gorsuch,* 693 F.2d 156, 172 (D.C.Cir.1982) (use of the term ''includes'' allows for additional, unstated meanings); *Chemehuevi Indian Tribe* v. *California St. Bd. of Equalization,* 757 F.2d 1047, 1054 (9th Cir.1985), rev'd on different grounds, 106 S.Ct. 289 (1985) (''includes'' is a term of enlargement, not of limitation); *United States* v. *Huber,* 603 F.2d 387, 394 (2d Cir. 1979), cert. denied, 100 S.Ct. 1312 (1980) (use of the word ''includes,'' rather than a more restrictive term such as ''means,'' indicates that the list is not exhaustive but merely illustrative).)

As stated earlier, the final OSWI rules regulate IWI and VSMWC units. However, we determined that some subclasses of OSWI units should be handled differently due to unusual circumstances (e.g., unique geographic locations or climatic factors, temporary emergency use) that would prevent owners or operators of these units from having a feasible alternative waste disposal method. The availability of technically and economically feasible waste disposal alternatives is important because, as stated in the preamble to the proposed rules, CAA section 129 rules must contain testing, permitting, monitoring, recordkeeping, and reporting requirements. These requirements alone would easily double or triple the cost of operating a smaller incinerator like those covered by the final OSWI rules. Therefore, we expect CAA section 129 rules (even if they did not require air pollution controls) to force many incinerators to shut down and utilize alternative waste disposal options. However, for unique subclasses of units where such alternatives are not available, compliance with a rule would be infeasible yet shutdown of these units also is not an acceptable alternative. We excluded certain such subclasses from the final OSWI rules for the reasons described in the preamble to the proposed rules and in responses to comments. Of course, EPA and States may still regulate these subclasses under other provisions of the CAA, as necessary. (See CAA section 110(a)(2).)

2. Units With Energy Recovery and Other Types of Combustors

Two commenters questioned the rationale of excluding incinerators (one commenter specified IWI units) with energy recovery from the definition of solid waste incinerators, and believe that an incinerator burning waste should be regulated as a waste

[1] Total emissions of the regulated air pollutants from all units in the two subcategories regulated by the final OSWI rules are estimated to total only 2,272 tons per year.

incinerator, no matter how the produced heat is used.

First, we note that the energy recovery comment applies to IWI units, as all VSMWC units, with or without energy recovery, are subject to the final OSWI regulations. Those MWC units that recover energy serve dual purposes: (1) The disposal of municipal solid waste, and (2) energy recovery from the combustion of the waste. As a result of these dual purposes, MWC units are often boilers by design. The inclusion of a specific definition of ''municipal waste'' in CAA section 129 and other indications of Congressional intent support EPA's position that all MWC units should be regulated under section 129 of the CAA regardless of whether the MWC unit serves another purpose. The regulatory boundaries established in the rules for the large and small MWC units are quite clear that MWC units, regardless of their configuration, are regulated under section 129 of the CAA. Our intent is to maintain this interpretation in our regulation of VSMWC units under the final OSWI regulations. In summary, VSMWC units that are incinerators without energy recovery, incinerators with waste heat recovery, and boilers are all regulated under the final OSWI rules. See below for further discussion.

The regulatory boundaries for IWI units, however, are not clearly defined by the CAA. As we have discussed, for the IWI subcategory of OSWI, EPA must define which types of sources should be included in the subcategory. In the process of developing the OSWI rules, developing the boilers NESHAP (promulgated at 69 FR 55218, September 13, 2004), developing rules for area source boilers, promulgating requirements for electric utility steam generating units (70 FR 28606, May 18, 2005), and establishing rules applicable to other combustion sources, EPA must map the regulatory boundaries that identify which units are subject to section 129.

The distinction between IWI units and non-IWI combustion units is not readily apparent. For example, there is general agreement that coal that is combusted in a boiler is not waste, because coal is commonly thought of as a fuel. However, there are many other materials that are burned in institutional boilers for energy recovery. Such materials could include wood, paper, other biomass, plastics, and other items. Combustion of such materials, when burned in a boiler with energy recovery, is addressed under CAA section 112 regulations for boilers. EPA has determined that for purposes of the IWI subcategory of OSWI units, the critical consideration in determining whether the unit is burning institutional waste is the primary function of the combustion unit; and the primary indicator of function is whether or not a unit is designed and operated for energy recovery. On one hand, boiler units are specifically designed to recover the maximum amount of heat from combustion of a material. The boilers NESHAP covers combustion units at institutional facilities that burn solid materials and recover heat in the combustion firebox. Incineration units, on the other hand, are designed to discard materials by burning them at high temperatures and leaving as little residue as possible. Although incineration units do not have energy recovery in the combustion firebox, they may be followed by waste heat recovery units. Combustion units at institutional facilities that burn solid materials and do not recover heat in the combustion firebox, but do recover waste heat from the hot combustion gases following the combustion firebox, would not be covered by the boilers NESHAP. Waste heat recovery units are designed to cool the exhaust gas stream from an incineration unit, and/or recover, indirectly, the useful heat remaining in the exhaust gas. The presence of a waste heat recovery unit on the exhaust gas does not change the fact that the unit combusting the material is primarily an incineration unit burning waste for disposal purposes. EPA does not consider it appropriate to regulate such units as boilers. Therefore, we have determined that IWI units are those units that combust materials with only waste heat recovery (i.e., heat recovery outside of the combustion firebox) or without energy recovery.

Our focus on the primary function of the unit to identify institutional waste is consistent with the provisions in section 129 of the CAA that apply to MWC units. In section 129, Congress specifically defined municipal waste as ''refuse (and refuse-derived fuel) collected from the general public and from residential, commercial, institutional, and industrial sources * * *.'' (See 42 U.S.C. section 7429(g)(5).) This definition goes on to list specific materials included in municipal waste and exclude incineration units combusting 30 percent or less municipal waste from the MWC standards. This definition of municipal waste provides more specific meaning to the phrase ''solid waste * * * from the general public'' set forth in section 129(g)(1) of the CAA. Based on the definition of municipal waste in section 129(g)(5), EPA has interpreted section 129 to cover all MWC units, including waste-to-energy facilities that have energy recovery as part of their integral design. When CAA section 129 was developed, EPA had already taken steps to promulgate new source performance standards and emissions guidelines for MWC units under section 111 of the CAA. Thus, by defining ''municipal waste'' in this manner in section 129(g)(5), Congress determined that MWC units should be regulated as under section 129 even if the MWC unit serves another purpose (e.g., energy recovery). This determination is consistent with our approach in the final OSWI rules because a primary function of a MWC unit is waste disposal.

In contrast, Congress did not define ''other solid waste incineration unit'' or other types of ''waste.'' Thus, the CAA is ambiguous regarding whether every unit that burns material for energy recovery should be regulated under section 129 of the CAA. We have interpreted the CAA to allow EPA to consider the primary function of the combustion units in making the determination of whether particular units should be subject to CAA section 129. For reasons discussed earlier, this question is harder to answer in the context of institutional facilities where certain combustion units have been historically considered boilers, rather than incinerators, based on the combustion of solid materials commonly regarded as fuels. However, in the case of municipal waste combustors, there has been little or no disagreement among industry, government agencies, and environmental groups on the meaning of MSW and the fact that the section 129 rules cover all MWC units. Thus, we did not have to address this issue at length in the MWC rules. (See 69 FR 7394, n.5.)

One of the commenters also contended that EPA has not proposed standards for all solid waste combustion technologies. The commenter listed pyrolysis, thermal oxidation, catalytic cracking, plasma arcs, catalytic oxidation, flameless thermal oxidizers, and gasification as technologies that have been used to combust solid waste, despite not having the name ''incineration.''

EPA notes that the commenter did not provide any details regarding these other technologies or the materials that are processed by these technologies. Some of these types of units may well be covered under the CAA section 129 final OSWI rules. For example, pyrolysis/combustion units (two chamber incinerators with a starved air primary chamber followed by an

afterburner to complete combustion) within the VSMWC and IWI subcategories are considered OSWI units. In addition, thermal oxidizers, catalytic oxidizers, and flameless thermal oxidizers, if used to combust solid waste, could be subject to the final OSWI rules or other section 129 rules if they meet the appropriate applicability requirements. It is important to note, however, that these types of units often are used to combust uncontained gases (generally from industrial processes) and are not used to dispose of solid waste. Such units would not be subject to the final OSWI rules. The other types of units mentioned by the commenter appear to be either: (1) part of industrial processes (e.g. catalytic cracking) and are regulated under CAA section 112 and other standards for the specific industrial process; (2) noncombustion thermal technologies that operate with an external heat source (e.g. plasma arc); or (3) technologies that are specifically designed to prevent combustion reactions, and, instead are used to produce fuel or chemical feedstocks via controlled chemical reactions (e.g. gasification). Any of these technologies that are used to process hazardous waste are excluded from CAA section 129, and any of these technologies that are regulated as site remediation units under CAA section 112 are also not subject to section 129.

3. Potential OSWI Subcategories Where No Units Could Be Identified

One commenter contended that EPA's failure to identify any units burning manure or livestock bedding, wood waste, or construction and demolition waste does not excuse EPA from setting emission standards for such units.

EPA made significant attempts to identify incinerators in determining which types of sources to regulate under the final OSWI rules. As part of the industrial combustion coordinated rulemaking (ICCR), we sent a questionnaire to nearly 12,000 facilities identified as having a combustion unit (including boilers, heaters, and incinerators) burning non-fossil materials. This included every facility we could identify from Federal and State databases and stakeholder input. We received responses from the vast majority of these facilities, although many were no longer operating their incinerators. These responses provided design and operating information on over 1,100 combustion units burning wood. However, all of these sources were either boilers or process heaters with integral energy recovery that are being addressed under CAA section 112, or commercial or industrial incineration units that are appropriately regulated under CISWI. We are not aware of, nor has the commenter provided any information on, any other wood-fired units remaining for consideration as potential OSWI units.

Similarly, a few units were identified that combust agricultural residues such as bagasse, rice hulls, etc. for the purpose of energy recovery, and, thus, are all boilers and are being addressed under CAA section 112. Prior to proposal of the OSWI rules, we updated the ICCR list of potential OSWI units by searching the latest version of the national emissions inventory (NEI), which contains the latest data from State databases and various Federal programs, for incineration units burning non-fossil materials. We also contacted State agriculture departments to request information on agricultural incineration; contacted trade associations; contacted incinerator vendors to determine what types of incinerators they have been selling and to what markets; and performed Web searches. After these extensive efforts, we were not able to locate any incineration units in several potential subclasses described in the preamble to the proposed rules. This result is not surprising because vendor contacts and feedback from facilities that used to operate OSWI units have shown us that the use of incineration for waste disposal is declining, especially where the units do not recover energy. Given our prior efforts to identify these types of units and the trends in incineration, we do not believe that these types of units currently operate. Furthermore, public commenters on the proposed rules have not provided specific information on any such sources. Because we are unable to locate such units and have no data on them, we are not, and indeed cannot regulate them at this time.

Public commenters on the proposed rules have not provided any information demonstrating that there are agricultural waste incinerators, construction or demolition incinerators, or wood waste incinerators that are not boilers. EPA cannot set a standard under CAA section 129 without adequate operating, emissions, and control technology information for sources within the category. Thus, contrary to the commenter=s suggestion, EPA could not speculate or estimate and set a CAA section 129 standard Ajust in case.'' Therefore, because we are unable to locate any such units and have no data on how such hypothetical units, if used in the future, may operate, we are not including agricultural waste, construction or demolition, or wood waste incinerators as subcategories of OSWI.

4. Rural Institutional Waste Incinerators

Two commenters suggested that the exemption for rural IWI units is too broad. One commenter contended that the locations proposed to be exempted include many areas where solid waste collection and disposal services are readily available at reasonable cost, and, therefore, the exemption is not justified. The commenter also contended that this raises questions regarding environmental justice, as the exemption implies that economically disadvantaged communities should have worse air quality standards because they are economically disadvantaged. Furthermore, the commenter pointed out that U.S. Government facilities (i.e., Department of Defense) do not have the limited tax base and, therefore, EPA's reasons for the rural exemption do not apply. Both commenters recommended that the rural exemption be narrowed further to include only those areas where landfills or other nonincineration options are not available or feasible.

To address commenters' concerns, EPA is narrowing the rural IWI exclusion to apply only to those IWI units that are more than 50 miles from the boundary of the nearest MSA and where alternative disposal options are not available or are economically infeasible. In the final OSWI rules, there are provisions that specify how a facility may apply for this exclusion. For existing units, the application must be submitted to the Administrator at least 1 year before the final compliance date to ensure that there is adequate time for any additional dialogue necessary to determine if an exclusion is warranted, and, if the exclusion is denied, adequate time for the facility to install controls or otherwise arrange for disposal of their waste. For new units, the application must be submitted to and approved by the Administrator prior to initial startup.

By narrowing the exclusion to include only those areas Awhere alternative disposal options are not available or are economically infeasible,'' we have addressed the commenter=s concern that we should not exempt sources located where waste disposal alternatives are available at a reasonable cost. Our analysis of remote institutional waste disposal costs indicates that a 50 mile distance to dispose of waste is approximately the distance where the costs of operating an incinerator (without control technology) would equal those of taking the waste to a landfill, transfer station, or small or

large MWC unit. As such, we believe that 50 miles from a MSA is a minimum point where institutional facilities would be able to make a legitimate case that they qualify for the exclusion. To clarify the geographical criteria, the MSA definitions that will be used as one component of the exclusion are based upon those found in AUpdated Statistical Definitions and Their Uses' OMB Bulletin 05–02, February 22, 2005.

We realize that, over time, population density changes may cause revisions to the definitions of MSA that would affect the rural status of a rural IWI unit. Furthermore, there may be situations where alternative waste disposal options become available such that the unit may not be able to demonstrate adverse economic impacts of using an alternative means of disposal or the IWI unit is no longer necessary to the institutional facility. To address these situations, we are adding provisions that require sources granted an exclusion as a rural IWI unit to reapply for the exclusion every 5 years following the date the exclusion is granted by the Administrator. If the Administrator finds that the IWI unit no longer qualifies for the exclusion, then the unit is given 3 years to comply with the requirements of the final OSWI rules.

In response to the second issue put forth by the commenter, we disagree that we are implying that economically disadvantaged communities should have worse air quality. As we have discussed in the preamble to the proposed rules, some disposal alternatives to incineration, such as open burning, are worse for air quality than incineration. If the rural institutional facility is unable to afford compliance and there are no other disposal alternatives (*e.g.*, landfills, MWC), then the facility may resort to open burning, littering, or dumping. Open burning presents not only air pollution problems, but can also lead to an increased likelihood of accidental fires. Littering and dumping pose problems such as potential contamination of streams or other water bodies, and attracting vermin and wild animals, which could contribute to disease transmission. The facility, in applying for the rural IWI exclusion, must make a case that suitable alternatives, such as landfilling or hauling waste to a MWC unit, are not available or are not economically feasible. Although we discussed concerns about the local tax base for school districts in the preamble to the proposed rules, it was but one reason for the exclusion which applies to all rural IWI units, not just those located at schools. Thus, other institutions (*e.g.*, Federal facilities, churches) may apply for the exclusion, although we note that certain institutions with larger budgets may have a harder time showing that alternative waste disposal options are economically infeasible.

5. Alaskan Exclusion

Three commenters requested that the exclusion for incinerators in isolated areas of Alaska be broadened. Two commenters expressed concern that the proposed rules do not exempt VSMWC units used to combust municipal-type waste generated at oil-field base operations facilities and remote camps on Alaskan oil fields.

EPA stresses that the final OSWI rules apply only to VSMWC and IWI units, and they provide an exclusion for units used at solid waste disposal sites in Alaska that are classified as Class II or Class III municipal solid waste landfills. If the incinerators operated by the commenters meet the definition of VSMWC units and are used at solid waste disposal sites in Alaska that are classified as Class II or Class III municipal solid waste landfills, then they would be excluded from the final OSWI rules. We have insufficient information about the units operated by these commenters (e.g., operating at an oil exploration site or oil-field base camp) to determine if they are VSMWC units, but they appear to be operated by industrial or commercial entities and would likely not meet the definitions of a VSMWC or IWI unit in the final OSWI rules. To be a VSMWC unit under the final OSWI rules, the incinerator must be burning municipal solid waste collected from multiple sites. To be an IWI unit under the final OSWI rules, the incinerator must be located at an institutional facility (i.e., land-based facility owned and/or operated by an organization having a governmental, educational, civic, or religious purpose) and be burning waste generated at that institutional facility. Incinerators at an industrial or commercial facility that burn only waste generated on site at that facility are not VSMWC or IWI units. If the commenter's units are not VSMWC or IWI units, they would not be subject to the final OSWI rules. We recognize that the final CISWI rules do not currently cover commercial/industrial-owned/operated incinerators that burn only municipal-type waste. EPA intends to address regulation of such combustion units under future revisions to the final CISWI rules.

A commenter also expressed concern that the proposed definitions of institution and institutional waste are excessively restrictive and do not fit the unique situations that arise in Alaska. The commenter gave examples such as the existence of Aunorganized'' boroughs that have no local government or tax base.

EPA's understanding of the local government structure in Alaska is that there are two types of local government structures: boroughs and unorganized areas. Boroughs, like counties, are collections of one or more municipalities joined in a regional government. Unorganized areas are the non-borough areas where there is either (1) no intermediate government between the State and the tribal, village, or city council, and local government is strictly at the municipal level or (2) no governing body other than the State. We have provided an exclusion for units used at solid waste disposal sites in Alaska that are classified as Class II or Class III municipal solid waste landfills. The State of Alaska does not consider the local government structure in determining the class of a municipal solid waste landfill or waste disposal site. The Class II and III determinations are based on the anticipated waste volume and location of the waste disposal site. Further, the incinerators that dispose of municipal solid waste Acollected from'' these boroughs and unorganized areas would be VSMWC units, rather than IWI units, so the commenter's concerns regarding the definitions of institution and institutional waste with respect to incinerators serving these local government structures are not relevant.

We would also like to clarify that an incinerator operated by a commercial entity that is burning municipal solid waste that is Acollected from'' multiple residences and any local businesses would be considered a VSMWC unit subject to OSWI regulation, provided that it had a capacity of less than 35 tpd of municipal solid waste. This situation is quite common among the small and large MWC units, as several municipalities have contracted or partnered with commercial operators in the construction and operation of their local MWC facility.

In summary, the final OSWI rules apply only to VSMWC and IWI units. As previously described, we have provided an exclusion for units used at solid waste disposal sites in Alaska that are classified as Class II or Class III municipal solid waste landfills, as well as an exclusion for rural IWI units (for IWI located more than 50 miles from the boundary of the nearest MSA and where alternative disposal options are not available or are economically infeasible). These exclusions fully address small OSWI units in remote areas of Alaska that do not have

technically or economically feasible disposal alternatives, so the concerns raised by the commenters are addressed in the final OSWI rules.

6. Temporary-Use Incinerators

Exclusion Requirements. Commenters contended that the proposed requirements for temporary-use incinerators used in disaster recovery are too lax and invite abuse. The commenters pointed out that the Stafford Act, which provides for a State of Emergency or a major disaster to be declared by a State government or the President of the U.S., does not contain any provisions for declaring that the State of Emergency or disaster has ended. As such, under the proposed rules, these incinerators arguably would be allowed to operate indefinitely without any restrictions. One of these commenters contended that, under the proposed rules, operators of portable incinerators could declare Aemergencies' or Adisasters' at their discretion, and travel from place to place burning any sort of debris without any pollution controls, restrictions of location, or public and agency notification requirements. Another commenter stated that the exemption would allow an uncontrolled unit to operate for up to 8 weeks without adequate cause or approval from the proper authority and suggested earlier notification.

EPA agrees that incinerator owner/operators should not be allowed to declare their own Aemergencies' and that was not our intent. We have adjusted the rules as proposed to exclude temporary-use incinerators used to combust debris for a limited period of time from most requirements of these subparts only if they are used in areas that have been declared a State of Emergency by a State or local government, or if the President, under the authority of the Stafford Act, has declared that an emergency or major disaster exists in the area. The inclusion of local disaster area declarations in this exclusion encompasses those disasters that severely affect a municipality or county and require the local government to undertake disaster recovery actions, but where the economic losses are not large enough or sufficiently widespread to require extensive State or Federal financial assistance.

EPA also agrees that some notification and oversight should be required to avoid temporary-use incinerators being operated indefinitely in areas that are declared States of Emergency by the State, local or Federal government. The final rules require that operators of temporary-use incinerators combusting debris in declared emergency or disaster areas notify the Administrator if it is necessary for the units to combust debris within the boundaries of a given emergency or disaster area for more than 8 weeks from the date the units began operation, and request permission to continue to operate. EPA's intent is that if a unit is used during a period that begins on the date the unit started operation and lasts 8 weeks or less, then that unit is excluded from the requirements of the final rules. A unit that operates intermittently for 8 weeks or less over a period longer than 8 weeks from the date the unit started operation (e.g., over a 12-week period) does not meet the requirement for exclusion.

The notification must be submitted in writing by the date 8 weeks after the temporary-use incinerator begins operating within the boundaries of the current emergency or disaster area. The notification must contain the date the incinerator began operation within the current emergency or disaster area, identification of the disaster or emergency for which the incinerator is being used, a description of the types of materials being burned, information on the size and design of the incinerator, the reasons the incinerator must be operated for more than 8 weeks, and the additional amount of time for which permission to operate is requested, including a date for ceasing operation. Upon submittal of the notification, the temporary-use incinerator automatically may operate for another 8 weeks (a total of 16 weeks from the date the unit started operation). At the end of 16 weeks, the temporary-use incinerator must cease operation or comply with the OSWI emission limits and other requirements of the final OSWI rules unless the Administrator has approved the request to continue operation.

Given these changes, 16 weeks will be the maximum length of time a temporary-use incinerator can operate in a given area declared a State of Emergency or major disaster without specific permission to continue operation from the Administrator. The approval of the request to continue operating must establish a site-specific date to cease operation. We have chosen this approach, rather than setting a uniform maximum amount of time because a case-by-case approval process allows EPA and States to set the appropriate time limits for the specific situation.

We decided that the notification should be provided within 8 weeks after the start of operation to be consistent with the timing in the proposed rules for areas that had not been declared emergencies or major disasters by the State or Federal government. In emergency situations, quick removal of debris is of utmost importance to maintain public health and safety, and temporary-use incinerators may be best suited to dispose of debris. We have elected not to regulate incinerators used on a short-term basis to recover from an emergency or disaster under the final OSWI rules, because regulation would hinder the recovery effort and this impact would outweigh the benefits from regulation of the units. Recent events in the Gulf States due to Hurricanes Katrina, Rita, and Wilma have illustrated the importance of immediate recovery action following a disaster. This proactive approach, which addresses the terms for use of a temporary-use incinerator during declared emergencies or disasters, is better than an approach that requires EPA and others to react during or immediately after such an emergency or disaster strikes. We also point out that States and the Federal government have specific procedures that are followed in declaring an area a State of Emergency or a major disaster area. Their procedures involve extensive involvement by local, State, and Federal officials to conduct a preliminary damage assessment, develop debris removal plans, and coordinate and manage disaster assistance activities. Further information on the processes can be found on individual State Web sites and on the Federal Emergency Management Agency (FEMA) Web site (*http://www.fema.gov*). Given that there is already a coordination process and we do not intend to regulate temporary-use incinerators operated for 8 weeks or less, an earlier notification requirement in the final OSWI rules is not necessary or productive.

Finally, in responding to a separate comment regarding air curtain incinerators, we reviewed and clarified the exclusions for which air curtain incinerators may qualify. In doing this review, we realized that air curtain incinerators were not specifically mentioned in the exclusion for temporary-use incinerators used in disaster or emergency recovery efforts. To remedy this, we are clarifying that the temporary-use incinerators used in disaster or emergency recovery efforts exclusion includes air-curtain incinerators used for these purposes. We realize that air curtain incinerators may be particularly useful in disaster recovery efforts, and intend that they may also qualify for this particular exclusion.

Control Feasibility. Another commenter contended that EPA has not

explained why it is infeasible for temporary-use incinerators to include air pollution controls or how requiring controls would delay commencement of operation. Therefore, the commenter concluded, EPA has provided no basis for the assumption that controlling emissions from temporary-use incinerators would hinder recovery efforts.

Declared States of Emergency and major disasters are, by definition, serious events. In emergency situations, quick removal of debris is of utmost importance to maintain public health and safety. Depending on the type of emergency and the local situation, there may be no reasonable and safe alternatives to incineration. Regulation, under the final OSWI rules, of temporary-use incinerators used for disaster recovery efforts would discourage use of such incinerators, potentially hindering recovery efforts and impairing public health and safety. The emission limits in the final OSWI rules are based on wet scrubbing for any IWI and VSMWC units other than air curtain incinerators burning only clean lumber, wood waste, and yard waste. The annual cost of a wet scrubber and the monitoring, recordkeeping, and reporting required by the rules (including annualized capital cost of the scrubber and monitoring equipment, and annual operation and maintenance (O&M), permitting and reporting costs) may be more than six times the cost of owning and operating an uncontrolled incinerator. Even if the final OSWI rules were to require no add-on control of such incinerators, it is estimated that the annual cost of the testing, monitoring, recordkeeping and reporting required by CAA section 129 could more than quadruple the cost of owning and operating the incinerator. These sharp increases in regulatory compliance costs relative to the current cost of incineration would discourage use of incinerators. Furthermore, as evidenced by the recent recovery efforts due to Hurricanes Katrina, Rita, and Wilma, the water supply, handling and treatment capabilities required to operate the wet scrubber may be unavailable for long periods of time in the disaster areas, while the need for recovery is immediate. In such situations, the incinerator cannot stand idly by while awaiting ancillary services to operate the scrubber.

We also point out that the exclusion for emergency cleanup activities of short duration is not unique to the final OSWI rules. Other CAA programs and rules recognize the need to make allowances for similar situations. For example, the site remediation NESHAP (40 CFR part 63, subpart GGGGG) provide an exclusion for site remediation activities that are completed within 30 consecutive calendar days. The preamble for the proposed rule explained that, ''This exemption is intended to apply to contamination commonly caused by a spill where the cleanup is initiated soon after the spill event and is of very short duration (i.e., typically 30 days or less). The purpose of this exemption is to encourage prompt attention to remediating contaminant spills and leakages'' (67 FR 49407, June 30, 2002). Similarly, the OSWI exclusion of temporary-use incinerators encourages prompt clean-up of debris from emergencies and disasters and excludes only temporary-use incinerators that operate for a limited period of time within a declared disaster area.

7. Sewage Sludge Incinerators

Two commenters were unsure how the proposed rules treat sludge incinerators. Both commenters requested that EPA clarify if, and how, commercial and municipal sludge incinerators are addressed by the final OSWI standards.

Sewage sludge incinerators (SSI) are a source category that is being addressed under CAA section 112. As early as April 2000, EPA indicated that it no longer intended to regulate SSI under section 129 of the CAA:

> The Agency has decided not to regulate sewage sludge incinerators as a category under Section 129 of the Clean Air Act * * *. The Agency believes that sewage sludge generated by publicly-owned treatment works (POTWs) and combusted in SSIs is ''solid waste.'' However, this sludge is from a municipal source, and not from ''commercial or industrial establishments or the general public.'' Therefore, SSIs that combust this sludge are not ''solid waste incineration units'' and section 129 does not apply to them. Virtually all of the SSIs that would be candidates for regulation combust sludge from POTWs, and thus are not covered under Section 129.

(Unified Agenda, 65 FR 23459–01 (April 24, 2000).) In addition, EPA's intent to regulate these sources under CAA section 112 was made clear when SSI were included as an additional area source category listed pursuant to CAA sections 112(c)(3) and 112(k)(3)(B)(ii) in the June 26, 2002 **Federal Register** (67 FR 43113). As discussed previously, source categories regulated by CAA section 112 may not also be subject to a CAA section 129 regulation. In previous regulatory activities, EPA was unable to identify any SSI that were major sources. (See 67 FR 6521, February 12, 2002.) Therefore, the entire SSI source category consists of area sources, and will be addressed by the CAA sections 112(c) and 112(k) regulations. Sewage sludge incinerators do not meet the definitions of IWI or VSMWC units in the final OSWI rules and, thus, are not regulated as OSWI units.

8. National Security Incineration Units

In the preamble to the proposed OSWI rules, EPA requested comment on whether a subclass of IWI units that burn national security documents should be excluded from the final OSWI regulations. Three commenters opposed excluding incinerators that burn national security documents from regulation and contended that EPA did not explain or justify the reason to exclude these units. However, another commenter expressed concern that there could be situations in which the only viable alternative for the destruction of classified materials would be the use of an OSWI unit. Another commenter requested EPA provide an exclusion to the final OSWI rules for units used for sanitization of classified or otherwise sensitive materials by the U.S. Armed Forces, the Department of Energy, and other similar agencies.

We have determined that any IWI units used solely during military training field exercises to destroy national security materials integral to the field exercises are not subject to the final OSWI rules. We have determined that an outright exclusion for other IWI units used to destroy national security materials will not be provided in the final OSWI rules. However, the final rules contain provisions such that individual sources may apply for this type of exclusion as necessary. We understand that mechanical destruction or other alternatives to incineration are available for most, if not all, categories of national security materials. Thus, we think that, as a general matter, few incineration units will meet this exclusion on a long-term basis. Nonetheless, this exclusion is needed for two reasons. First, the government could change the acceptable means of disposing of one or more types of national security materials in the future. Second, there may be unexpected circumstances when mechanical or other alternative means of destruction are temporarily unavailable, requiring the use of backup incineration units during those periods. To be granted an exclusion, a source/governmental entity must demonstrate that the unit is used solely to incinerate national security materials and that a reliable alternative to ensure acceptable destruction of national security materials is unavailable on either a permanent or

temporary basis. An ''acceptable'' level of destruction is one that meets applicable regulations, guidelines, or instructions for the destruction of national security materials. For existing units, the request must be submitted to the Administrator prior to 1 year before the final compliance date, and the Administrator will either grant or deny the request for exclusion. For new units, the request must be submitted to and approved by the Administrator prior to initial startup. The final rules contain specific provisions for applying for this exclusion.

9. Various Other Applicability Issues

Cyclonic Burn Barrels. One commenter asked if cyclonic burn barrels are subject to the OSWI regulations. The commenter recommended that EPA explicitly include these devices as regulated entities subject to all the requirements of the final OSWI regulations.

It was our intent to regulate cyclonic burn barrels that meet the definition of an IWI unit or VSMWC unit under the final OSWI rules. An IWI unit is a combustion unit, regardless of size, located at an institutional facility (i.e., land-based facility owned and/or operated by an organization having a governmental, educational, civic, or religious purpose) that burns solid waste generated at that institutional facility. A VSMWC unit is a combustion unit that has the capacity to burn less than 35 tpd of municipal solid waste collected from residential, commercial, institutional, and industrial sources. We agree that cyclonic barrel burners are a type of incinerator because they provide an enclosure (barrel) in which the waste is burned and include a fan to provide high-velocity air flow and an exhaust outlet, and we did not exclude them in the proposal. To clarify our intent to regulate this type of OSWI unit, we are including ''cyclonic burn barrel'' as another example of an incinerator design in the final rules' definitions of IWI unit and MWC unit. We would like to note that the final OSWI rules regulate only IWI and VSMWC units. For example, if a cyclonic burn barrel is used at a commercial or industrial facility to burn commercial or industrial solid waste, then it would not be subject to the final OSWI rules.

Human Crematories. Two commenters objected to the exemption of human crematories from the proposed rules. Both commenters argued that the incineration of human bodies emits significant quantities of mercury and other hazardous air pollutants. One commenter objected to EPA's conclusion that human bodies are not solid waste and noted that EPA defines solid waste under the SWDA as any ''discarded material.'' The definition also clarifies that a material is ''discarded'' if it is ''burned or incinerated.''

Clean Air Act section 129 regulations deal solely with solid waste combustion units. As noted in the preamble to the proposed rules, in considering the nature of human crematories, EPA has determined that the human body should not be labeled or considered ''solid waste.'' Therefore, human crematories are not solid waste combustion units, and are not a subcategory of OSWI for regulation.

We disagree with the commenter's assertions that human bodies are discarded and that CAA section 129 rules must consider a material to be ''discarded'' if it is ''burned or incinerated.'' The definition of ''discarded'' referred to by the commenter is found in 40 CFR part 261, which defines ''hazardous waste'' for the purpose of implementing the hazardous waste program authorized by the SWDA. In defining ''hazardous waste,'' 40 CFR part 261 also defines ''solid waste'' and elaborates on the meaning of ''discarded,'' which is a term used in the definition of solid waste. However, in doing so, 40 CFR part 261 states explicitly in 40 CFR 261.1(b)(1) that this definition of solid waste is only for the purpose of materials that are hazardous wastes. Much of the complexity and specificity of the 40 CFR part 261 definitions is needed to assure that hazardous waste is properly identified, tracked, transported, and disposed of, and is not inappropriately discarded or abandoned. The 40 CFR part 261 details on the meaning of solid waste and discarded are not found in solid waste definitions within the Resource Conservation and Recovery Act (RCRA) rules pertaining to nonhazardous wastes (e.g., 40 CFR part 240 through 40 CFR 259). The regulatory definitions of ''solid waste'' and ''discarded'' found in 40 CFR part 261, therefore, do not apply to nonhazardous solid wastes. Section 129 of the CAA regulates only nonhazardous solid wastes. As described in previous **Federal Register** notices pertaining to the proposed and final CISWI rules (64 FR 67104, November 30, 1999 and 65 FR 75342, December 1, 2000) EPA has adopted, under the joint authority of the CAA and RCRA, a definition of solid waste that is used solely to identify nonhazardous solid waste for the regulatory programs authorized by CAA section 129, such as the final CISWI and OSWI rules. The definition of discarded cited by the commenter is not applicable to CAA section 129 rules. However, as stated in the preamble to the proposed OSWI rules, if EPA or States determine in the future that human crematories should be considered for regulation, they would be addressed under other authorities.

Animal Crematories. One commenter expressed support for the proposed decision to exclude animal crematories as a regulated subcategory of the proposed OSWI rules and supports the proposed exclusion of pathological waste incineration units. The commenter pointed out that the other alternatives to incineration, such as rendering, burial, composting or feeding of the carcass to exotic animals does not address the need for disposal of animal carcasses with an infectious disease. Another commenter contended that animal crematories are solid waste incineration units that must be regulated under CAA section 129.

EPA has not changed our decision to exclude animal crematories and pathological waste incineration units, based on our analysis of their emissions and the adverse impacts that would occur if these units were regulated under the final OSWI rules, as fully described in the preamble to the proposed rules and in the response to comments document.

Additional Possible Subcategories of OSWI Units. In the preamble to the proposed rules, we requested comment on whether other subclasses of OSWI units existed and if any special and/or extenuating circumstances existed that warranted their exclusion from regulation under OSWI. We received only one communication related to this request.

The U.S. Coast Guard (USCG) informed EPA that they were concerned that the rules, as proposed, could be interpreted to include incinerators located on ships. According to the USCG, some of its largest cutter classes have small shipboard solid waste incinerators that are used to dispose of solid waste generated aboard ship while the ship is at sea. The USCG indicated that they believed these incinerators should not be subject to the final OSWI rules.

It was never EPA's intent to regulate incinerators aboard USCG patrol ships or other ships, and EPA's analyses supporting the final OSWI rules have not included information about shipboard incinerators. Thus, EPA has not only replaced the definition of ''institution'' with ''institutional facility'' to be consistent with terminology used elsewhere in the final OSWI rules, but we also have defined

''institutional facility'' to apply to land-based incinerators.

We note that the use of wet scrubbers on ships raises the question of whether it is even technically feasible to locate wet scrubbers on ships (including the availability of fresh water for the scrubber systems), and, moreover, begs the question of how the ships would then dispose of the wastewater generated by the scrubbers. If a shipboard incinerator could not meet the standards, the incinerator would have to shut down. Yet, many ships have onboard incinerators to dispose of the solid waste generated on these ships while at sea (e.g., patrolling U.S. borders), without having to come into port or otherwise change their route in order to dispose of the solid waste using an alternative means.[2]

B. Definitions

1. ''Clean Lumber'' and ''Wood Waste'' Definition

Two commenters suggested that the definitions of ''clean lumber'' and ''wood waste'' found in 40 CFR 60.2977 and 40 CFR 60.3078 should explicitly exclude manufactured wood products containing adhesives. Examples of such products include plywood, particle board, flake board, and oriented-strand board (OSB). One commenter noted that questions regarding whether manufactured wood products are considered ''clean lumber'' or ''wood waste'' continue to arise, and recommended that EPA improve the final rules by specifically excluding these adhesive-treated wood products from the definitions of ''clean wood'' and ''wood waste.''

These definitions are important in the final OSWI rules because there are reduced requirements for air curtain incinerators that burn only clean lumber or wood waste. We agree with the commenter, and our intent was to exclude wood products manufactured with adhesives and resins from the definitions of ''clean lumber'' and ''wood waste.'' The proposed definition of ''clean lumber'' excluded wood that has been painted, stained or pressure-treated; and the proposed definition of ''wood waste'' limited wood waste to ''untreated'' wood and wood products, but did not specify the meaning of ''untreated.'' Adhesives, like paints, can contain hazardous pollutants and we did not intend for air curtain incinerators burning these materials to qualify for the reduced requirements. To clarify our intent, we have expanded the second sentence in the definition of clean lumber to state, ''Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).'' We have also revised the definition of ''wood waste'' by adding a fourth item to the list of items that wood waste does not include: ''(4) Treated wood and treated wood products, including wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).''

2. Municipal Solid Waste

One commenter noted that the definition of MSW in the proposed OSWI regulations is not the same definition used in previous CAA section 129 regulations (i.e., MWC regulations found in 40 CFR part 60, subparts Ea, Eb, AAAA, and BBBB). The commenter understands that EPA is using language from CAA section 129(g)(5) for the definition of MSW, but disagreed with the proposal's use of ''collected from'' in the definition of MSW. The commenter noted that units at apartment complexes or retail stores, or units located at industrial sites burning office paper are not covered as VSMWC units because of the ''collected from'' language in the proposed OSWI rules, and they are not covered by the final CISWI rules. The commenter contended that this would leave a very important type of incinerator unregulated, noting especially incinerators located at grocery stores.

We are retaining the proposed definition of ''municipal solid waste'' in the final OSWI rules to be consistent with CAA section 129, which defines ''municipal waste'' as ''refuse (and refuse derived fuel) collected from the general public and from residential, commercial, institutional, and industrial sources consisting of paper, wood, yard wastes, food wastes, plastics, leather, rubber and other combustible materials and non-combustible materials such as metal, glass and rock * * *.'' To be a VSMWC unit that is subject to the final OSWI rules, a unit must combust waste that is ''collected from'' multiple establishments. Under this definition, incinerators owned/operated by commercial businesses, such as grocery stores or apartments, that burn waste generated on site rather than collected from multiple establishments are not considered VSMWC units and are not covered by the final OSWI rules.

As the commenter points out, the final CISWI rules (40 CFR part 60, subparts CCCC and DDDD) currently exclude units burning MSW as defined in the final large and small MWC rules (40 CFR part 60, subparts Ea, Eb, AAAA, and BBBB). These other rules do not include the ''collected from'' language in their definitions of MSW. Therefore, the final CISWI rules currently exclude some industrial and commercial units that burn wastes such as paper, cardboard, and food wastes that are generated on site but are not associated with the manufacturing process. The commenter is concerned that such units will not be subject to any CAA section 129 rules. As stated in the preamble to the proposed OSWI rules (69 FR 71480, December 9, 2004), under the CAA section 129 definition of ''municipal waste,'' small incinerators that are located at commercial businesses (such as stores, restaurants and apartments) or industrial sites are not VSMWC units because they do not burn waste which has been ''collected from.'' Such units are properly addressed under the final CISWI rules, because of their location at commercial and industrial sites. EPA intends to address regulation of such combustion units under future revisions to the final CISWI rules.

C. MACT Floors and Emission Limits

1. MACT Floors

New Units. One commenter stated that EPA must base floors on emission levels achieved by the best controlled unit, not on the technology that the unit uses or emission levels that EPA deems achievable with such technology, and contended that EPA did not consider the effect of waste composition on a unit's performance when setting the MACT floor for new units. The commenter argues that because EPA has not demonstrated that medical waste is comparable to the waste combusted in a VSMWC or IWI unit, EPA has not supported the assumption that the average performance of a medical waste incinerator equipped with a wet scrubber is representative of the actual performance of the best performing VSMWC or IWI unit.

In the preamble to the proposed rules, we noted that EPA does not have emissions test data for the OSWI units

[2] In order to effectively police U.S. borders, help secure national security and carry out research activities, many of these ships must have the maximum flexibility to stay at sea as long as is necessary to accomplish their mission, with a minimum of disruption, such as having to come into port to dispose of solid waste.

in the OSWI inventory. Therefore, we were unable to determine the best controlled OSWI unit based on OSWI emission levels. However, our OSWI inventory indicated that only one OSWI unit contained an add-on control device. This control device is identified as a ''medium efficiency wet scrubber.'' EPA utilized information on control devices to help categorize the category of similar units whose actual emissions data would then be used to set the floor (i.e., the best performing similar unit, or an incinerator equipped with a medium efficiency wet scrubber in this case). As we discussed in the preamble to the proposed rules, we do have emissions test data for HMIWI units, which are similar to OSWI units. Our emissions data for HMIWI indicates whether the unit is equipped with a wet scrubber, but does not indicate the efficiency (e.g., low, medium, or high) for which the scrubber is designed. Therefore, to develop emission limits that are representative of what a medium efficiency wet scrubber can achieve, we averaged all emissions data for HMIWI units equipped with wet scrubbers. In using this approach, we have also accounted for the variability of emissions testing for waste combustion units. Any single emission test is merely a ''snapshot'' of the emission level from the unit. The same unit tested a month later may have a lower or higher emission rate. Thus, selecting the best single emission test (the lowest ''snapshot'') does not reflect the emission limit that is continuously achieved over time. Taking the average of emission tests from multiple units of similar design with wet scrubbers accounts for the inherent variability of the data. By taking the average of all performance data, we have considered data from wet scrubber-equipped units that are both better than, and worse than, the proposed emission limits, but should nonetheless be continuously achieved by a unit equipped with a medium efficiency wet scrubber. For perspective, we also note that this floor analysis approach results in limits for most pollutants that are more stringent than the limits for HMIWI units and large and small MWC units.

Although the data we used to develop the emission limits are from HMIWI units, the commenter does not contend that HMIWI and OSWI units are not similar in size, design, or operation. While the commenter argues that medical waste may not be comparable to MSW or institutional waste, they do not provide any data to support their concern or to demonstrate that emissions from OSWI units are lower than emissions from HMIWI units with the same control technology. To address these concerns, we have further considered the compositions of medical waste and MSW. Both types of waste contain a range of materials including paper, plastics, metal, glass, food waste, and other materials. However, within both categories there can be a wide variety of composition depending on the specific sources that generated the waste, geographic location, and any separation practices used prior to combustion. Given the variability within each waste type, we cannot conclude that incinerating one or the other would result in higher emissions. We find the wastes to be generally similar in composition based on the general types of materials contained in the waste and the very limited data available on the proportions of paper, plastic, metals, and other materials contained in the waste. Considering the similarities in combustion unit size, design, operations, and waste composition, we have determined that the emission levels actually achieved by HMIWI units equipped with wet scrubbers are an appropriate basis for setting the MACT floor for new OSWI units. Therefore, in the absence of emissions data on OSWI units, we have determined that HMIWI units are a similar source and we plan to continue to use the emission limits based on the HMIWI data as proposed, with the exception of revisions to the CO and HCl emission limits that were necessary to address other comments (discussed later in this section).

Existing Units. In a comment similar to that for new units, one commenter stated that floors for existing units do not reflect the average emission level achieved by the best performing 12 percent of units in each category or subcategory. The commenter argued that EPA's MACT floor approach for existing units ignored the effect of waste input on emissions performance. As an example, the commenter specifically points out that the lead floor level of 4,300 μg/dscm would be worse than the actual performance of an OSWI unit burning waste that did not contain lead, and that EPA has not provided any reason to believe that these units would burn any waste containing that level of lead.

As previously stated, we do not have data on actual emissions from OSWI units, thus we had to use emissions data from similar, existing units. EPA utilized information on control devices used at the best performing 12 percent of existing OSWI units not to set the floor number itself (as the commenter suggests), but to help characterize the category of similar units whose actual emissions data would then be used to set the floor—small, uncontrolled, modular/starved air MWC units.

With regard to the commenter's contention that, in determining the floor, EPA did not consider the effect of waste input on emissions performance, OSWI units combust diverse and heterogeneous mixtures of wastes. For example, VSMWC units burn MSW that contains metals including lead in varying amounts, and materials separation techniques cannot achieve complete removal of lead or other compounds. In setting emission limits for large and small MWC units under CAA sections 129 and 111, EPA examined materials separation techniques and proposed materials separation requirements, but ultimately decided not to require materials separation prior to combustion. We stated that ''the variable and heterogeneous nature of municipal solid waste makes quantification of such emission reductions associated with removal of various materials technically infeasible'' (56 FR 5496, February 11, 1991). Subsequent revisions of the section 129 large and small MWC rules in 1995, 1997, and 2000 also did not require materials separation or use it as the basis for determining the MACT floors. The same waste variability and materials separation considerations and constraints that applied in development of the final large and small MWC rules also apply to the final OSWI rules.

We acknowledge that there are limited emissions data available for the floor level of control (i.e., uncontrolled two-chamber incineration units), but also point out that we have gone beyond the floor in the selection of emission limits based upon the use of a wet scrubber. From a practical standpoint, any potential change in the floor emission levels would not have any effect on the final emission limits selected. Therefore, we do not see a need to re-evaluate the floor emission levels used in our prior analysis because it would most likely not lead us to establish different MACT limits.

Combined Subcategories. In the preamble to the proposed rules, we requested comment on whether we should combine the two subcategories (i.e., IWI and VSMWC) and determine a single MACT floor and emission limits for new OSWI units. Likewise, we made a similar request regarding combination of subcategories for existing units. We did not receive any public comments in response to these requests. We have not changed the subcategories or approach to determining the MACT floors.

2. Carbon Monoxide

Two commenters considered the CO emission limit of 5 parts per million (ppm) (at 7 percent oxygen (O_2)) to be unrealistically low. Another commenter contended that a medium efficiency wet scrubber cannot reduce CO to 5 ppm, as CO is not water soluble and water will not affect the concentration.

We agree with the commenters' assertions that a wet scrubber is not an effective control device for CO emissions. As we have discussed previously, we used emissions test data for wet scrubber-equipped HMIWI units to develop the proposed emission limits for new and existing OSWI units. As one commenter observed, the CO emission limit for HMIWI is 40 ppmv. The HMIWI emission limit was based on data from CO continuous emission monitoring systems (CEMS), and was determined to be the emission limit continuously achieved on a 12-hour rolling average basis. However, when we developed the proposed OSWI emission limits, we used performance test data from HMIWI units instead of CEMS data to develop CO and other pollutant emission limits. Although this approach for CO was simple and consistent with the other pollutants, it was not adequate to address the large quantity of data, including its variability, that was considered when the HMIWI CO emission limit was developed. Because CO is the only pollutant for which the final OSWI rules require CEMS for existing and new units, we are revising the emission limit to better account for the large volume of data generated by the CEMS and the amount of inherent variability that occurs when generating continuous data. The new CO limit is 40 ppmv over a 12-hour rolling average. This limit is consistent with a previously promulgated HMIWI emission limit for a source category similar to OSWI, and is also the lowest CO emission limit of any of the CAA section 129 rules.

3. Hydrochloric Acid

One commenter believes the proposed HCl standard is unachievable and should be revised to no lower than 20 ppm because EPA Method 26A generally is not adequate for demonstrating compliance with an HCl standard below 20 ppm at sources with wet scrubbers.

We have considered the commenter's assertion that EPA Method 26A is not adequate for demonstrating compliance with a HCl standard below 20 ppm when sampling sources with wet scrubbers. Although it is not evident that there is an outright problem, we now have a more mature understanding of applicability of EPA Method 26A in certain environments. Therefore, we acknowledge that a tester may need to take certain precautions to ensure that there is no bias when sampling streams with HCl concentrations at or below the 3.7 ppmv emission limit as proposed. For example, there is the need to precondition the filter with stack gas because the filter may absorb, adsorb, or react with some of the HCl in the stack gas resulting in a number biased low. Water droplets may also affect the results of the test. Additional procedures may be required to eliminate any droplets within the sampling train. As we discussed previously, we used test data from wet scrubber-equipped HMIWI units to develop the proposed emission limits for OSWI units. Unfortunately, we do not know if the personnel conducting the HMIWI compliance emission tests that we used to develop the 3.7 ppmv proposed OSWI emission limit took special precautions to prevent a low bias when sampling and testing for HCl. To address this uncertainty in the data and the commenter's concerns, we are amending the HCl emission limits in the final OSWI rules to 15 ppmv. This is the same limit contained in the final HMIWI rules, and HMIWI units equipped with wet scrubbers are demonstrating compliance with a 15 ppmv limit.

We also note that there were no public comments received on testing concerns for the 15 ppmv emission limit in the final HMIWI rules. Although this is higher than the proposed HCl emission limit, it is the lowest HCl emission limit of any CAA section 129 rule and is clearly achievable by wet scrubber-equipped units similar to OSWI units. To ensure that there is no bias in compliance test data, we are including provisions in the final OSWI rules that require sources to condition the filter before testing, and use a cyclone and post test purge if water droplets may be present.

D. Title V Operating Permits

1. Air Curtain Incinerators

We received a number of comments regarding air curtain incinerators and the title V operating permit requirements of the proposed OSWI rules. The majority of these pertained to air curtain incinerators burning only wood waste, clean lumber, and yard waste. For instance, several commenters contended that the requirement for air curtain incinerators burning only wood waste, clean lumber, and yard waste to obtain a title V operating permit is not justified either legally or in terms of environmental outcome and is inconsistent with previously promulgated solid waste combustion regulations.

We disagree with the commenters' conclusions and so noted in our response to similar comments in the final rule for the CISWI Federal plan (68 FR 57518, October 3, 2003). During proposal for the CISWI Federal plan, we clearly stated our interpretation that the CAA requires permitting under title V for sources subject to rules written pursuant to CAA sections 129 and 111. As is the case here, commenters questioned our position on this matter by contending that by not specifically referring to title V requirements in prior rulemakings, we were indirectly expressing our position that title V regulations were not applicable. To the contrary, we knew that 40 CFR part 70 or 40 CFR part 71 title V requirements would apply to any rules written under CAA section 129 or 111 and presumed no additional language was needed in those rules to convey the need to meet the title V requirements. Given prior comments to the effect that such presumptions were misplaced, we responded by first saying that we were specific in the proposal about the need for title V operating permits for air curtain incinerators subject to the CISWI Federal plan for the purpose of clarifying that need. We did so in order to clearly present EPA's view of such sources' title V obligations, and to answer questions such as those voiced by the prior commenters due to the absence of such specific language in the CISWI emission guidelines and NSPS. Those prior comments are similar to the comments now under discussion. At 68 FR 57527, we stated that EPA has consistently maintained that operating permits are needed for air curtain incinerators subject to NSPS and to State plans drafted pursuant to emission guidelines. However, communications we received following promulgation of the CISWI emission guidelines and NSPS pointed to the advisability of specifically clarifying the matter in the preamble to the CISWI Federal plan and in the final rule itself. Thus, to facilitate the application of title V to these sources, we specifically included in the CISWI Federal plan language describing the need for title V operating permits. To further eliminate any doubt as to the need for OSWI air curtain incinerators to obtain title V operating permits, as is the case for all other classes of air curtain incinerators, we clearly restated that requirement in 40 CFR 60.2994, subpart FFFF, as proposed.

Two commenters concluded that the term ''solid waste incineration unit'' is

defined in CAA section 129(g)(1) to specifically exclude ''air curtain incinerators provided that such incinerators only burn wood wastes, yard wastes and clean lumber and that such air curtain incinerators comply with opacity limitations to be established by the Administrator by rule.'' As a result, this means that permitting or other requirements applicable to ''solid waste incineration units'' in CAA section 129 do not apply to such air curtain incinerators in the same way that they do not apply to hazardous waste combustors, materials recovery facilities, and qualifying small power production facilities, all of which also are specifically excluded from the definition of ''solid waste incineration unit.'' In addition to questioning EPA's use of authority under CAA section 129 to require title V operating permits, commenters were cognizant that in the **Federal Register** notice promulgating the CISWI Federal plan that we had also expressed an opinion that section 129 also invokes authority of CAA section 111, thus triggering the provisions of CAA section 502. Section 502 of the CAA requires that sources subject to section 111 must obtain title V operating permits. Commenters expressed a number of opinions about the interplay of CAA section 502 to the purpose of trying to make a case that the section 502 provision for exempting classes of nonmajor sources should be applied in the case of OSWI air curtain incinerators.

EPA believes that a facility should have a title V operating permit in order to avail itself of the air curtain incinerator exclusion. Absent this exclusion and demonstrated compliance with the opacity limit therein, air curtain incinerators would be ''solid waste incineration units'' and, therefore, subject to a plethora of requirements under CAA section 129, including the requirement to obtain a title V operating permit. The initial step in effectuating the exemption is for EPA to use available statutory authority to establish applicable opacity limits. In this case, EPA clearly stated in the preamble to the proposed OSWI rules (69 FR 71482, December 9, 2004) that it is relying on the authority of CAA section 129 to establish these limits. Once EPA has established applicable opacity limits, it must have a mechanism for tracking compliance with the limit(s) and with the restrictions on the types of materials the air curtain incinerator unit in question can burn. The mechanism available through section 129 is an operating permit issued in accordance with title V of the CAA. Congress clearly evidenced an intent to require all units subject to requirements established pursuant to CAA section 129 to obtain a title V operating permit in enacting section 129(e) of the CAA, thus it is appropriate for EPA to use such permits to ensure that units which claim to be entitled to the benefit of the provision in section 129(g)(1) are in fact so entitled.

Two commenters requested that EPA acknowledge a distinction between air curtain incinerators that are ''portable'' and those that are ''stationary.'' One commenter noted that in the States that are using this approach, the ''portable'' unit is brought to a site and used on waste material generated on that site and a ''stationary'' unit has waste material brought to the unit from off site. The commenter suggested that ''portable'' applications should be subject to a simple permitting process that is no more complicated than an open burning permit. The other commenter asked that EPA clarify its position on whether air curtain incinerators are temporary or stationary sources.

First, regardless of whether an air curtain incinerator subject to CAA section 129 is transported from site to site or is used at the same site on a continuous basis, it is considered a stationary source under 40 CFR part 70 and 40 CFR part 71 and is required to obtain a title V operating permit. Air curtain incinerators that are transported from site to site are considered temporary sources as long as their operations are temporary and they are moved at least once during the term of their permits. (See 40 CFR 70.6(e) and 40 CFR 71.6(e).) Temporary-use incinerators (whether they are air curtain incinerators or other types of incinerators) used in disaster recovery and that meet the requirements of 40 CFR 60.2969 or 40 CFR 60.3061 are not, however, required to obtain a title V operating permit. This is because the exclusion-allowing provisions noted above (or a section 111(d) plan developed pursuant to them) do not trigger the requirement to apply for a title V permit. If the requirements in 40 CFR 60.2969 or 40 CFR 60.3061 are met, only temporary-use incinerators that are otherwise subject to title V permitting would be required to apply for and obtain a title V permit.

As to the commenter's concern regarding the process for permitting air curtain incinerators which are temporary sources, a permitting authority may issue a single permit to the owner or operator of these incinerators, thereby authorizing emissions by the same source owner or operator at multiple temporary locations. (See section 504(e) of the CAA and 40 CFR 70.6(e) and 40 CFR 71.6(e).) In order to track the location of temporary sources, the owners or operators of these sources must notify the relevant permitting authority at least 10 days in advance of each change in location. For more information regarding the requirements for temporary sources, see the statutory and regulatory cites noted above.

As mentioned earlier, there were a number of comments on air curtain incinerators and title V operating permits. While the above discussion covers the majority of the issues regarding these units and title V requirements, we encourage interested parties to review the response to comments document for a complete discourse on the title V comments we received and our response to those comments.

2. Unit Closure and Title V Operating Permits

One commenter expressed a concern that units planning to close within the 3 years allowed by the proposed emission guidelines would potentially have to apply for title V operating permits. The commenter asked EPA to clarify in the final rules that sources either need to close by the time their title V permit application is due or that a title V permit application is not required for sources closing by the final compliance date.

The timing of title V permit application deadlines is established by law (see sections 129(e), 503(c), 503(d), and 502(a) of the CAA). As such, EPA has no authority to exempt from this requirement sources planning to close. Sources planning to close after the permit application deadline may continue operations until the closure deadline as long as the permit application deadline is met. Sources cannot legally operate after the initial title V permit application deadline without having submitted a complete title V application by this deadline (see CAA section 503(c) and 40 CFR 70.5(a)(1)(i), 71.5(a)(1)(i), 70.7(b), and 71.7(b)). Sources planning to close can explain the procedures and timing associated with their closures in their title V permit applications. Such an explanation will provide the permitting authority with much needed information and will allow the permitting authority to take an anticipated closure into account as it drafts the source's title V permit.

E. Testing

One commenter noted that air curtain incinerators normally operate for a few weeks at any one project site. For these units, the commenter noted that the proposed rules require an initial test for opacity within 180 days after the final compliance date and annual tests to be conducted no more than 12 months following the date of the previous test. For stationary units or units frequently in operation, this may be acceptable, but for units that may go months or years between uses it is not clear when the opacity test would be required. As an addendum, the commenter also asked who would be responsible for conducting the test because these units are usually rented.

We acknowledge the commenter's concern regarding annual testing requirements for air curtain incinerators that may not be used for months or years. To address this, we are amending the testing requirements for air curtain incinerators that burn only wood waste, clean lumber and yard waste to require opacity testing upon startup if the unit has been unused and out of operation for more than 12 months following the last opacity test.

Regarding the commenter's question on testing responsibility if the unit is rented, we would generally expect the owner (lessor) of the unit to perform testing and maintain records of compliance testing for the unit being rented. In this situation, the operator (lessee) is responsible for obtaining all necessary documentation (e.g., performance test data) demonstrating that the unit is in compliance from the owner (lessor) and maintaining the documentation on site with the air curtain incinerator. The operator (lessee) in all situations is responsible for correctly operating the unit, burning only allowable materials, being aware of all compliance requirements (i.e., testing, monitoring, recordkeeping and reporting), and making sure the unit is in compliance while operating the unit. However, given the various arrangements that may exist between owners and operators, different lengths of time a unit may be operated at a particular site, etc., EPA and State regulatory and enforcement agencies have discretion to determine which of the parties is responsible for compliance activities or noncompliance issues on a case-by-case basis.

F. Impacts

One commenter contended that EPA's use of national average costs and ''typical'' units in determining impacts may have overlooked the impact that the OSWI rules would have on small local governments, school districts and small nonprofit organizations. The commenter expressed concern that EPA's certification that the rules, as proposed, will not have a significant economic impact on a substantial number of small entities is not based on an adequate analysis of IWI units operated by small entities.

The final OSWI rules provide exclusions for some sources that may find it unreasonably costly to comply with the rules or utilize alternative disposal options. These exclusions include such sources as rural IWI units and incinerators in isolated areas of Alaska. These, and the other exclusions, should provide relief for many small entities for which a reasonable disposal alternative is unavailable. For example, a small, rural school may apply for the rural IWI exclusion if they are located more than 50 miles from the boundary of the nearest MSA and can demonstrate that suitable waste disposal alternatives do not exist or are economically infeasible considering their budget. A small school located in an urban area will most likely find that alternative disposal options are readily available, and that they would incur no additional cost or perhaps a slight savings by shutting down their waste combustion unit. The exclusions provided should adequately cover those certain situations where feasible alternatives to incineration do not exist.

As for areas where alternatives to incineration do exist, we have found that the typical cost of incineration is the same as, or greater than, that of using a landfill or sending waste to a larger MWC (see tables 5 and 7 of OSWI Unit Control Options and Costs memorandum, Docket item EPA–HQ–OAR–2003–0156–0012). An additional, more detailed analysis of over 150 OSWI units was conducted to verify that this is the case. The analysis used parameters appropriate for each OSWI unit, including incinerator throughput, distance to nearby landfills, and landfill tipping fees. The analysis confirmed our initial belief that in the vast majority of cases an OSWI facility would incur no additional cost when switching to a landfill. This was also true for small entities. Information about this analysis is in the docket (see Impacts of Other Solid Waste Incinerator Rule on Affected Small Entities, November 2005).

There are several likely reasons that existing OSWI units have continued to operate rather than close and use a less expensive waste disposal method. Some sources may simply be unaware of other viable waste disposal options and their costs. The attention of other sources may be focused on their day-to-day operations, of which the incineration of waste represents a small piece, both with respect to overall operations and budget. Until an unanticipated event, such as a significant maintenance or repair expense or, in this instance, new regulatory requirements, causes a source to focus on the question of whether to continue to incinerate versus turn to another waste disposal method, the source may not have a reason to consider whether they are using the most economical waste disposal method. Moreover, some sources may not have considered other waste disposal options in lieu of incineration due to concerns regarding the nature of their waste stream (e.g., confidentiality or liability concerns).

As we point out in the preamble to the proposed rules, the OSWI population has been steadily declining over the past several years, and this trend would likely continue in the absence of an OSWI regulation. To ensure that the affected sources were aware of the proposed rules, EPA sent fact sheets to 361 of the existing OSWI units in our inventory (we were unable to determine the mailing address for the remaining 11 units in our inventory). The fact sheets explained the proposed regulations, the anticipated costs and impacts to their facilities, and how they could submit comments. None of these facilities submitted comments on the proposed rules and, in fact, about one-third of these facilities informed us that they no longer own or operate an incineration unit. In addition to the letters to the existing sources, we also identified 125 trade organizations and interest groups that represented potential OSWI owners/operators, such as school system administrators, private school headmasters, correctional facility administrators, religious organizations, associations of city and county governments, etc. and sent them copies of the fact sheet. None of these interest groups submitted comments on the proposed OSWI rules or on the cost or other impacts EPA anticipated due to the rules. We believe that this closure trend in absence of regulation exhibited by existing OSWI units, paired with the lack of comment on our impacts analysis by the soon-to-be regulated community, supports our analysis that it is often more economical to shut down OSWI units and use an alternative waste disposal method, and, therefore, that the final rules do not pose a significant impact to a substantial number of small entities.

However, to further address the commenter's concern, small entity

outreach surveys were sent to eight entities associated with schools (e.g., State-affiliated department of education, office of school facilities). The surveys requested information regarding the use of solid waste incinerators at schools the entities represent or are associated with. All responses, with one exception, indicate that incinerators are not being used by the respondents. The one exception regards an institution that owns/operates pathological waste incinerators, which are excluded from regulation under the subparts.

V. Impacts of the Final Rules

A. What are the impacts for new units?

As stated in the preamble to the proposed rules, information provided to EPA indicates that no or negative growth has been the trend for OSWI units for the past several years. The information indicates that this trend is expected to continue even in the absence of a regulation. Furthermore, as our experience with other CAA section 129 regulations has shown, sources will likely respond to the final rules by choosing not to construct new waste incineration units and will utilize alternative waste disposal options rather than incur the costs of compliance. The only potential new units identified by a public commenter were a type of unit that, as described by the commenter, would be an industrial unit rather than an OSWI unit or would qualify for the exclusion for units in isolated areas of Alaska.

Considering this information, EPA does not anticipate the construction of any new OSWI units that would be required to meet the emission limits. Therefore, EPA expects no impacts of the final NSPS for new units. However, for the sake of demonstrating that emissions reductions would result from the NSPS in the unlikely event that a new unit is constructed, EPA presented the expected emissions reductions for four OSWI model plants in the preamble to the proposed rules (69 FR 71490, December 9, 2004).

Since proposal, the emission limits for CO and HCl have been revised in response to comments, which result in different estimated emissions reductions than those that were shown at proposal. The expected emissions reductions for four OSWI model plants have been recalculated and are shown in table 3 of this preamble. There were no changes to the estimated cost, water, solid waste, and energy impacts on new OSWI units since proposal.

TABLE 3.—EMISSIONS REDUCTIONS ON A MODEL PLANT BASIS

Pollutant	Emission reduction for OSWI model plants tons per year (tpy)			
	1 tpd capacity	5 tpd capacity	15 tpd capacity	30 tpd capacity
Cd	3.8×10^{-4}	1.9×10^{-3}	5.6×10^{-3}	1.1×10^{-2}
CO	1.5×10^{-2}	7.5×10^{-2}	0.22	0.45
Dioxins/furans	3.5×10^{-7}	1.7×10^{-6}	5.1×10^{-6}	1.0×10^{-5}
HCl	0.97	4.7	14	28
Pb	5.4×10^{-3}	2.6×10^{-2}	7.8×10^{-2}	0.16
Hg	5.6×10^{-4}	2.7×10^{-3}	8.2×10^{-3}	1.6×10^{-2}
NO_X	0.28	1.4	4.1	8.2
PM	0.26	1.3	3.8	7.7
SO_2	0.69	3.4	10	20
Total	2.2	11	33	65

B. What are the impacts for existing units?

Information provided to EPA indicates that many existing OSWI units have closed in recent years. In fact, since proposal we have learned that at least one-third of the existing OSWI units in our inventory are no longer operating. As we stated at proposal, this trend is expected to continue even in the absence of a regulation. Furthermore, as our experience with other CAA section 129 regulations has shown, sources will likely respond to the final OSWI rules by choosing to shut down existing waste incineration units and will utilize alternative waste disposal options rather than incur the costs of compliance.

EPA's objective is not to encourage the use of alternatives or to discourage continued use of VSMWC units or IWI units; rather EPA's objective is to adopt emission guidelines for existing OSWI units that fulfill the requirements of CAA section 129. In doing so, the primary outcome associated with adoption of these emission guidelines is projected to be an increase in the use of alternative waste disposal and a decrease in the use of VSMWC units and IWI units. Consequently, EPA acknowledges and incorporates this outcome into the analyses of cost, environmental, and energy impacts associated with the emission guidelines, as discussed in the preamble to the proposed rules (69 FR 71490, December 9, 2004).

To account for the existing OSWI unit closure information (123 facilities indicated after proposal that they no longer own or operate an OSWI unit), we have reanalyzed the national emissions, cost, energy, and solid waste impacts presented in the preamble to the proposed rules.

1. What are the changes to the air impacts since proposal?

As discussed earlier, emission limit values for CO and HCl have been revised since proposal due to public comments. EPA then revised emission reduction estimates for each model unit, which are presented in table 3 of this preamble. Furthermore, as discussed above, EPA has learned since proposal that 123 of the existing OSWI units in our inventory at proposal were already closed. Both of these changes affected the estimated national emissions reductions presented in table 8 of the preamble to the proposed rules (69 FR 71491, December 9, 2004). Therefore, these emission reduction estimates were recalculated and are presented in table 4 of this preamble. As shown, total emissions reductions would be over 1,900 tpy if all the remaining existing units in the OSWI inventory complied with the emission guidelines by adding controls.

TABLE 4.—NATIONAL EMISSIONS REDUCTIONS IF ALL EXISTING OSWI UNITS COMPLY WITH THE EMISSION GUIDELINES

Pollutant	Emission reduction (tpy)		
	VSMWC	IWI	Total
Cd	6.1×10^{-2}	0.27	0.33
CO	2.4	11	13
Dioxins/furans	5.6×10^{-5}	2.5×10^{-4}	3.0×10^{-4}
HCl	154	684	837
Pb	0.85	3.8	4.6
Hg	8.9×10^{-2}	0.40	0.49
NO_X	45	199	245
PM	42	185	227
SO_2	110	488	598
Total	353	1,572	1,925

However, as we stated in the preamble to the proposed rules, EPA anticipates that most existing OSWI units will elect to shut down and utilize alternative waste disposal options (e.g., send waste to a landfill or a large or small MWC unit). If the remaining existing OSWI units closed and the waste was sent to a landfill, the anticipated emissions reductions would be over 400 tpy for VSMWC units and over 1,800 tpy for IWI units, which totals over 2,200 tpy for all OSWI units. These reductions occur despite a slight increase in landfill emissions due to the additional waste being landfilled rather than incinerated. By using EPA's Landfill Gas Emission Model (LandGEM), we calculated an increase of 27 tpy of emissions of the regulated pollutants would occur from landfills if all OSWI units closed and the waste was sent to landfills. However, as stated above, this results in net emissions reductions of 2,200 tpy from closure of all OSWI units.

2. What are the changes to the water and solid waste impacts since proposal?

At proposal, EPA estimated that the water impacts of the OSWI rule would be negligible. We have not changed this assessment of water impacts. At proposal, we estimated that the national OSWI population is used to dispose of approximately 85,000 tpy of solid waste. As mentioned before, we anticipate that most, if not all, OSWI units will shut down and the waste will be disposed of in alternative ways. At the time, we concluded that the amount of additional waste that would be sent to landfills due to adoption of the emission guidelines is insignificant. Due to the information we have received on OSWI unit closures since proposal, we have revised our estimate to approximately 60,000 tpy of waste being disposed of in OSWI units. This revision results in even less potential solid waste being diverted to landfills and large or small MWC units due to promulgation of the emission guidelines. For perspective, over 100 million tpy of municipal waste is disposed of in landfills. Therefore, we continue to maintain that the amount of additional waste that will be sent to landfills is insignificant.

3. What are the changes to the energy impacts since proposal?

At proposal, we concluded that the energy impacts would be negligible since we anticipated that most units would shut down rather than install and operate wet scrubbers. Since proposal, our inventory of existing OSWI units has decreased. Therefore, our assessment of negligible energy impacts at proposal remains unchanged.

4. What are the changes to the cost and economic impacts since proposal?

At proposal, EPA's analysis showed that the national total costs for all existing OSWI units to comply with the emission guidelines would be approximately $63 million a year. As discussed previously, we have learned that 123 of the existing OSWI units in our inventory at proposal are permanently shut down. The revised national total cost for the remaining existing OSWI units to comply with the emission guidelines is approximately $42 million.

The remainder of our cost and economic impact discussion in the preamble to the proposed rules (69 FR 71491, December 9, 2004), however, is unaffected by the revised national cost estimate, and remains valid for the final emission guidelines. As previously stated in this preamble, as well as in the preamble to the proposed rules, the cost of landfilling is less than the cost of incineration for most, if not all, OSWI units. Since there is a chance some potentially affected sources will obtain exemptions, we expect most of the affected VSMWC units and IWI units will close and utilize an economical alternative waste disposal method. Consequently, the net effect of the final emission guidelines will be a net decrease in costs to the universe of affected sources.

VI. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review

Under Executive Order 12866 (58 FR 51735, October 4, 1993), EPA must determine whether the regulatory action is ''significant'' and, therefore, subject to review by OMB and the requirements of the Executive Order. The Executive Order defines ''significant regulatory action'' as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities;

(2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or

(4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

Pursuant to the terms of Executive Order 12866, OMB has notified EPA that it considers the final rules a ''significant regulatory action'' within the meaning of the Executive Order. Consequently, the final rules were submitted to OMB for review. Changes made in response to OMB suggestions or recommendations are documented in the public record.

B. Paperwork Reduction Act

The information collection requirements in the final rules have been submitted for approval to OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* The Information Collection Request (ICR) documents have been prepared by EPA (ICR No. 2163.02 for subpart EEEE and 2164.02 for subpart FFFF), and copies may be obtained from Susan Auby by mail at the Collection Strategies Division, EPA (2822), 1200 Pennsylvania Avenue, NW., Washington, DC 20460, by e-mail at *auby.susan@epa.gov,* or by calling (202) 566–1672. A copy may also be downloaded off the Internet at *http://www.epa.gov/icr.* The information collection requirements are not enforceable until OMB approves them.

The final rules contain monitoring, reporting, and recordkeeping requirements. The information will be used by EPA to identify any new, modified, or reconstructed incineration units subject to the NSPS and to ensure that any new incineration units undergo a siting analysis and comply with the emission limits and other requirements. Similarly, the information specified in the emission guidelines will be used by States or EPA to identify existing units subject to the State or Federal plans that implement the emission guidelines, and to ensure that these units comply with their emission limits and other requirements. Records and reports are necessary to enable EPA or States to identify waste incineration units that may not be in compliance with the requirements. Based on reported information, EPA will decide which units and what records or processes should be inspected.

These recordkeeping and reporting requirements are specifically authorized by CAA section 114 (42 U.S.C. 7414). All information submitted to EPA for which a claim of confidentiality is made will be safeguarded according to EPA policies in 40 CFR part 2, subpart B, Confidentiality of Business Information.

EPA estimates that there is no burden for the first 3 years after promulgation of the NSPS for industry and the implementing agency. This is because EPA expects no new OSWI units to be constructed over this 3-year period.

The estimated average annual burden for the first 3 years after promulgation of the emission guidelines for industry and the implementing agency is outlined below.

Affected entity	Average annual hours	Labor costs	Capital costs	O&M costs	Total annual costs
Industry	3,818	$175,408	$0	$0	$174,703
Implementing agency	383	17,611	0	0	17,611

EPA expects the emission guidelines to affect a maximum of 248 OSWI units over the first 3 years. There are no capital, start-up, or operation and maintenance costs for existing units during the first 3 years, because compliance with the emission guidelines is not required until 5 years after promulgation of the emission guidelines (or 3 years after the effective date of approval of a State or Federal plan to implement the guidelines). Costs in the first 3 years include time to review the guidelines and the State or Federal plan. The implementing agency will not incur any capital or start-up costs.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations in 40 CFR are listed in 40 CFR part 9 and 48 CFR chapter 15. When the ICRs are approved by OMB, EPA will publish a technical amendment to 40 CFR part 9 in the **Federal Register** to display the OMB control numbers for the approved information collection requirements contained in the final rules.

C. Regulatory Flexibility Act

The Regulatory Flexibility Act generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental jurisdictions. EPA has determined that it is not necessary to prepare a regulatory flexibility analysis in connection with the final rules.

For purposes of assessing the impacts of the final rules on small entities, small entity is defined as follows:

1. A small business that is an ultimate parent entity in the regulated industry that has a gross annual revenue less than $6.0 million (this varies by industry category, ranging up to $10.5 million for North American Industrial Classification System (NAICS) code 562213 (VSMWC)), based on Small Business Administration's size standards;

2. A small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; or

3. A small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field.

After considering the economic impacts of the final rules on small entities, EPA has concluded that this action will not have a significant economic impact on a substantial number of small entities. The economic impacts on small entities will not be significant because the cost of the final rules is expected to range from negligible to actual cost savings. EPA expects that the majority of these entities may realize a cost savings under the likely response to the final rules (closure and using alternative waste disposal method).

Alternative waste disposal methods, such as landfilling, are available for OSWI units. Our analysis using model plants and a supplemental analysis using site specific data both support the idea that the annual cost to landfill waste is typically less than the annual cost of using an OSWI unit for waste disposal. Thus, the likely response to the final rules will be for small entities that own and operate OSWI units to close the units and use an alternative

waste disposal method. More detailed information about these analyses is available in the docket (see Revised Economic Analysis for Other Solid Waste Incineration (OSWI) Units, November 2005; and Impacts of Other Solid Waste Incinerator Rule on Affected Small Entities, November 2005).

The Small Business Administration's Office of Advocacy (SBA) expressed concerns that EPA's certification that the proposed standards and guidelines would not have a significant economic impact on a substantial number of small entities is not based on an adequate analysis of IWI units operated by small entities. In response to SBA's public comment, we conducted further detailed analyses (as summarized in this preamble and available in the docket) and sent small entity outreach surveys requesting information regarding the use of solid waste incinerators at schools to eight entities (identified by SBA) associated with schools. All responses from the small entity outreach survey, with one exception, indicate that incinerators are not being used by the respondents. The one exception regards an institution that owns/operates pathological waste incinerators, which are excluded from regulation under the standards and guidelines.

Although the final rules will not have a significant economic impact on a substantial number of small entities, EPA nonetheless has tried to reduce the impact of the rules on small entities. The final rules provide various exclusions for some sources that may find it unreasonably costly to comply with the rules or utilize alternative disposal options. These exclusions should provide relief for many small entities for which a reasonable disposal alternative is unavailable.

In addition, to ensure that affected sources were aware of the proposed rules, EPA sent fact sheets to 361 existing OSWI units in our inventory and an additional 125 fact sheets to trade organizations and interest groups that represented potential OSWI unit owners/operators. The fact sheets explained the proposed regulations, the anticipated costs and impacts to their facilities, and how they could submit comments. None of the facilities or interest groups submitted comments on the proposed OSWI rules or on the cost or other impacts EPA anticipated due to the rulemaking and, in fact, about one-third of the 361 facilities informed us that they no longer own or operate an incineration unit.

D. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act (UMRA) of 1995, Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and Tribal governments and the private sector. Under section 202 of the UMRA, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures by State, local, and Tribal governments, in the aggregate, or by the private sector, of $100 million or more in any 1 year. Before promulgating an EPA rule for which a written statement is needed, section 205 of the UMRA generally requires EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective, or least burdensome alternative if EPA publishes with the final rule an explanation why that alternative was not adopted.

Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including Tribal governments, EPA must develop a small government agency plan under section 203 of the UMRA. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA's regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

EPA has determined that the final rules do not contain a Federal mandate that may result in expenditures of $100 million or more for State, local, and Tribal governments, in the aggregate, or the private sector in any 1 year. The total annual cost, in any 1 year, for all OSWI units to comply with today's final rules is estimated at $42 million. However, as previously stated in this preamble, most OSWI units are expected to close and utilize an economical alternative waste disposal method rather than complying with the final rules. Therefore, the cost impacts are expected to be negligible. Thus, the final rules are not subject to the requirements of section 202 and 205 of the UMRA. In addition, EPA has determined that the final rules contain no regulatory requirements that might significantly or uniquely affect small governments because the burden is small and the regulations do not unfairly apply to small governments. Therefore, the final rules are not subject to the requirements of section 203 of the UMRA.

E. Executive Order 13132: Federalism

Executive Order 13132 (64 FR 43255, August 10, 1999), requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.''

The final rules do not have federalism implications. They will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. The final rules will not impose substantial direct compliance costs on State or local governments, and will not preempt State law. Thus, Executive Order 13132 does not apply to the final rules.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

Executive Order 13175, (65 FR 67249, November 9, 2000), requires EPA to develop an accountable process to ensure ''meaningful and timely input by Tribal officials in the development of regulatory policies that have Tribal implications.'' ''Policies that have Tribal implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on relationship between the Federal government and the Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes.''

The final rules do not have Tribal implications, as specified in Executive Order 13175. They will not have substantial direct effects on Tribal governments, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to the final rules.

G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

Executive Order 13045 (62 FR 19885, April 23, 1997), applies to any rule that: (1) Is determined to be ''economically significant'' as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, EPA must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives EPA considered.

EPA interprets Executive Order 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required under section 5–501 of the Executive Order has the potential to influence the regulation. The final rules are not subject to Executive Order 13045 because they are based on technology performance and not on health and safety risks.

H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution or Use

Executive Order 13211 (66 FR 28355, May 22, 2001) requires agencies to prepare and submit to the Administrator of the Office of Information and Regulatory Affairs, OMB, a Statement of Energy Effects for certain actions identified as ''significant energy actions.'' Section 4(b) of Executive Order 13211 defines ''significant energy actions'' as ''any action by an agency (normally published in the **Federal Register**) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking: (1)(i) That is a significant regulatory action under Executive Order 12866 or any successor order, and (ii) is likely to have a significant adverse on the supply, distribution, or use of energy; or (2) that is designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action * * *.'' Although the final rules are considered to be a significant regulatory action under Executive Order 12866, they are not a ''significant energy action'' because they are not likely to have a significant adverse effect on the supply, distribution, or use of energy. The basis for the determination follows.

EPA expects that few, if any, OSWI facilities will elect to continue to operate OSWI units, and that most facilities will respond to the final rules by closing existing OSWI units and using alternative waste disposal techniques. This response is likely because the annual cost of landfilling, an alternative waste disposal method, is typically less expensive than the annual cost of using an OSWI unit for waste disposal. In the few cases where an OSWI facility elects to comply with the final rules by installing a wet scrubber, the operation of the scrubber will result in a small increase in power consumption. However, due to the small size of these units (and the likelihood that very few of them will continue to operate), the energy impacts will be negligible.

Given the negligible change in energy consumption resulting from the final rules, EPA does not expect any price increase for any energy type. The cost of energy distribution should not be affected by the final rules at all since the final rules do not affect energy distribution facilities. EPA also expects that there would be no impact on the import of foreign energy supplies, and EPA does not expect other adverse outcomes to occur with regards to energy supplies.

Therefore, EPA concludes that the final rules are not likely to have a significant adverse effect on the supply, distribution, or use of energy.

I. National Technology Transfer Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) of 1995 (Pub. L. No. 104–113; 15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in their regulatory and procurement activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, business practices) developed or adopted by one or more voluntary consensus bodies. The NTTAA directs EPA to provide Congress, through annual reports to OMB, with explanations when an agency does not use available and applicable voluntary consensus standards.

The final rules involve technical standards. EPA cites the following standards in the final rules: EPA Methods 1, 2, 3A, 3B, 4, 5, 6 or 6C, 7 or 7A, 7C, 7D, or 7E, 9, 10, 10A or 10B, 23, 26A, and 29 of 40 CFR part 60, appendix A.

Consistent with the NTTAA, EPA conducted searches to identify voluntary consensus standards in addition to these EPA methods. No applicable voluntary consensus standards were identified for EPA Methods 7D and 9. The search and review results have been documented and are in the docket for the final rules. One voluntary consensus standard was identified as an acceptable alternative to EPA test methods for the purposes of the final rules. The voluntary consensus standard ASME PTC 19–10–1981—Part 10, ''Flue and Exhaust Gas Analyses,'' is cited in the final rules for its manual methods for measuring the nitrogen oxide, oxygen, and sulfur dioxide content of exhaust gas. These parts of ASME PTC 19–10–1981—Part 10 are acceptable alternatives to Methods 3B, 6, 7, and 7C.

The search for emissions measurement procedures identified 26 voluntary consensus standards potentially applicable to the final rules. EPA determined that 24 of the 26 candidate standards identified for measuring emissions of Cd, CO, dioxins/furans, HCl, Hg, Pb, PM, NO_X, and SO_2 subject to the emission limits were impractical alternatives to EPA test methods for the purposes of the final rules. Therefore, EPA does not intend to adopt the standards for this purpose. (See Docket ID No. EPA–HQ–OAR–2003–0156 for further information on the methods.) Two of the 26 voluntary consensus standards identified in this search were not available at the time the review was conducted because they are under development by a voluntary consensus body: ASME/BSR MFC 13M, ''Flow Measurement by Velocity Traverse,'' for EPA Method 2 (and possibly 1); and ASME/BSR MFC 12M, ''Flow in Closed Conduits Using Multiport Averaging Pitot Primary Flowmeters,'' for EPA Method 2.

Tables 1 and 3 to subpart EEEE of 40 CFR part 60 and tables 2 and 4 to subpart FFFF of 40 CFR part 60 list the EPA testing methods included in the final rules. Under 40 CFR 60.8(b) and 60.13(i) of subpart A (General Provisions), a source may apply to EPA for permission to use alternative test methods or alternative monitoring requirements in place of any of the EPA testing methods, performance specifications, or procedures.

J. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General

of the United States. EPA will submit a report containing the final rules and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the final rules in the **Federal Register**. The final rules are not ''major rules'' as defined by 5 U.S.C. 804(2). The final NSPS will be effective on June 16, 2006. The final emission guidelines are effective on February 14, 2006.

List of Subjects in 40 CFR Part 60

Environmental protection, Administrative practice and procedure, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: November 30, 2005.

Stephen L. Johnson,

Administrator.

■ For the reasons stated in the preamble, title 40, chapter I, of the Code of Federal Regulations is amended as follows:

PART 60—[AMENDED]

■ 1. The authority citation for part 60 continues to read as follows:

Authority: 42 U.S.C. 7401, et seq.

Subpart A—[Amended]

■ 2. Section 60.17 is amended by revising paragraph (h) introductory text and adding paragraph (h)(4) to read as follows:

§ 60.17 Incorporation by Reference.

* * * * *

(h) The following material is available for purchase from the American Society of Mechanical Engineers (ASME), Three Park Avenue, New York, NY 10016–5990.

* * * * *

(4) ANSI/ASME PTC 19.10–1981, Flue and Exhaust Gas Analyses [Part 10, Instruments and Apparatus], IBR approved for Tables 1 and 3 of subpart EEEE, and Tables 2 and 4 of subpart FFFF of this part.

* * * * *

■ 3. Part 60 is amended by adding subpart EEEE to read as follows:

Subpart 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.

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Subpart 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.

Introduction

§ 60.2880 What does this subpart do?

This subpart establishes new source performance standards for other solid waste incineration (OSWI) units. Other solid waste incineration units are very small municipal waste combustion units and institutional waste incineration units.

§ 60.2881 When does this subpart become effective?

This subpart takes effect June 16, 2006. Some of the requirements in this subpart apply to planning the incineration unit and must be completed even before construction is initiated on the unit (i.e., the preconstruction requirements in §§ 60.2894 and 60.2895). Other requirements such as the emission limitations and operating limits apply when the unit begins operation.

Applicability

§ 60.2885 Does this subpart apply to my incineration unit?

Yes, if your incineration unit meets all the requirements specified in paragraphs (a) through (c) of this section.

(a) Your incineration unit is a new incineration unit as defined in § 60.2886.

(b) Your incineration unit is an OSWI unit as defined in § 60.2977 or an air curtain incinerator subject to this subpart as described in § 60.2888(b). Other solid waste incineration units are very small municipal waste combustion units and institutional waste incineration units as defined in § 60.2977.

(c) Your incineration unit is not excluded under § 60.2887.

§ 60.2886 What is a new incineration unit?

(a) A new incineration unit is an incineration unit subject to this subpart that meets either of the two criteria specified in paragraphs (a)(1) or (2) of this section.

(1) Commenced construction after December 9, 2004.

(2) Commenced reconstruction or modification on or after June 16, 2006.

(b) This subpart does not affect your incineration unit if you make physical or operational changes to your incineration unit primarily to comply with the emission guidelines in subpart FFFF of this part. Such changes do not qualify as reconstruction or modification under this subpart.

§ 60.2887 What combustion units are excluded from this subpart?

This subpart excludes the types of units described in paragraphs (a) through (q) of this section, as long as you meet the requirements of this section.

(a) *Cement kilns.* Your unit is excluded if it is regulated under subpart LLL of part 63 of this chapter (National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry).

(b) *Co-fired combustors.* Your unit, that would otherwise be considered a very small municipal waste combustion unit, is excluded if it meets the five requirements specified in paragraphs (b)(1) through (5) of this section.

(1) The unit has a Federally enforceable permit limiting the combustion of municipal solid waste to 30 percent of the total fuel input by weight.

(2) You notify the Administrator that the unit qualifies for the exclusion.

(3) You provide the Administrator with a copy of the Federally enforceable permit.

(4) You record the weights, each calendar quarter, of municipal solid waste and of all other fuels combusted.

(5) You keep each report for 5 years. These records must be kept on site for at least 2 years. You may keep the records off site for the remaining 3 years.

(c) *Cogeneration facilities.* Your unit is excluded if it meets the three requirements specified in paragraphs (c)(1) through (3) of this section.

(1) The unit qualifies as a cogeneration facility under section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(3) You notify the Administrator that the unit meets all of these criteria.

(d) *Commercial and industrial solid waste incineration units.* Your unit is excluded if it is regulated under subparts CCCC or DDDD of this part and is required to meet the emission limitations established in those subparts.

(e) *Hazardous waste combustion units.* Your unit is excluded if it meets either of the two criteria specified in paragraph (e)(1) or (2) of this section.

(1) You are required to get a permit for your unit under section 3005 of the Solid Waste Disposal Act.

(2) Your unit is regulated under 40 CFR part 63, subpart EEE (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors).

(f) *Hospital/medical/infectious waste incinerators.* Your unit is excluded if it is regulated under subparts Ce or Ec of this part (New Source Performance Standards and Emission Guidelines for Hospital/Medical/Infectious Waste Incinerators).

(g) *Incinerators and air curtain incinerators in isolated areas of Alaska.* Your incineration unit is excluded if it is used at a solid waste disposal site in Alaska that is classified as a Class II or Class III municipal solid waste landfill, as defined in § 60.2977.

(h) *Rural institutional waste incinerators.* Your incineration unit is excluded if it is an institutional waste incineration unit, as defined in § 60.2977, and the application for exclusion described in paragraphs (h)(1) and (2) of this section has been approved by the Administrator.

(1) Prior to initial startup, an application and supporting documentation demonstrating that the institutional waste incineration unit meets the two requirements specified in paragraphs (h)(1)(i) and (ii) of this section must be submitted to and approved by the Administrator.

(i) The unit is located more than 50 miles from the boundary of the nearest Metropolitan Statistical Area,

(ii) Alternative disposal options are not available or are economically infeasible.

(2) The application described in paragraph (h)(1) of this section must be revised and resubmitted to the Administrator for approval every 5 years following the initial approval of the exclusion for your unit.

(3) If you re-applied for an exclusion pursuant to paragraph (h)(2) of this section and were denied exclusion by the Administrator, you have 3 years from the expiration date of the current exclusion to comply with the emission limits and all other applicable requirements of this subpart.

(i) *Institutional boilers and process heaters.* Your unit is excluded if it is regulated under 40 CFR part 63, subpart DDDDD (National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters).

(j) *Laboratory Analysis Units.* Your unit is excluded if it burns samples of materials only for the purpose of chemical or physical analysis.

(k) *Materials recovery units.* Your unit is excluded if it combusts waste for the primary purpose of recovering metals. Examples include primary and secondary smelters.

(l) *Pathological waste incineration units.* Your institutional waste incineration unit or very small municipal waste combustion unit is excluded from this subpart if it burns 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste as defined in § 60.2977 and you notify the Administrator that the unit meets these criteria.

(m) *Small or large municipal waste combustion units.* Your unit is excluded if it is regulated under subparts AAAA, BBBB, Ea, Eb, or Cb, of this part and is required to meet the emission limitations established in those subparts.

(n) *Small power production facilities.* Your unit is excluded if it meets the three requirements specified in paragraphs (n)(1) through (3) of this section.

(1) The unit qualifies as a small power-production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity.

(3) You notify the Administrator that the unit meets all of these criteria.

(o) *Temporary-use incinerators and air curtain incinerators used in disaster recovery.* Your incineration unit is excluded if it is used on a temporary basis to combust debris from a disaster or emergency such as a tornado, hurricane, flood, ice storm, high winds, or act of bioterrorism and you comply with the requirements in § 60.2969.

(p) *Units that combust contraband or prohibited goods.* Your incineration unit is excluded if the unit is owned or operated by a government agency such as police, customs, agricultural inspection, or a similar agency to destroy only illegal or prohibited goods such as illegal drugs, or agricultural food products that can not be transported into the country or across State lines to prevent biocontamination. The exclusion does not apply to items either confiscated or incinerated by private, industrial, or commercial entities.

(q) *Incinerators used for national security.* Your incineration unit is excluded if it meets the requirements specified in either (q)(1) or (2) of this section.

(1) The incineration unit is used solely during military training field exercises to destroy national security materials integral to the field exercises.

(2) The incineration unit is used solely to incinerate national security materials, its use is necessary to safeguard national security, you follow the exclusion request requirements in paragraphs (q)(2)(i) and (ii) of this section, and the Administrator has approved your request for exclusion.

(i) The request for exclusion and supporting documentation must demonstrate both that the incineration unit is used solely to destroy national security materials and that a reliable alternative to incineration that ensures acceptable destruction of national security materials is unavailable, on either a permanent or temporary basis.

(ii) The request for exclusion must be submitted to and approved by the Administrator prior to initial startup.

§ 60.2888 Are air curtain incinerators regulated under this subpart?

(a) Air curtain incinerators that burn less than 35 tons per day of municipal solid waste or air curtain incinerators located at institutional facilities burning any amount of institutional waste generated at that facility are subject to all requirements of this subpart, including the emission limitations specified in Table 1 of this subpart.

(b) Air curtain incinerators that burn only less than 35 tons per day of the materials listed in paragraphs (b)(1) through (4) of this section collected from the general public and from residential, commercial, institutional, and industrial sources; or, air curtain incinerators located at institutional facilities that burn only the materials listed in paragraphs (b)(1) through (4) of this section generated at that facility, are required to meet only the requirements in §§ 60.2970 through 60.2974 and are exempt from all other requirements of this subpart.

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent yard waste.

(4) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

§ 60.2889 Who implements and enforces this subpart?

(a) This subpart can be implemented and enforced by the U.S. Environmental Protection Agency (EPA), or a delegated authority such as your State, local, or tribal agency. If EPA has delegated authority to your State, local, or tribal agency, then that agency (as well as EPA) has the authority to implement and enforce this subpart. You should contact your EPA Regional Office to find out if this subpart is delegated to your State, local, or tribal agency.

(b) In delegating implementation and enforcement authority of this subpart to a State, local, or tribal agency, the authorities contained in paragraphs (b)(1) through (6) of this section are retained by EPA and are not transferred to the State, local, or tribal agency.

(1) Approval of alternatives to the emission limitations in Table 1 of this subpart and operating limits established under § 60.2916 and Table 2 of this subpart.

(2) Approval of petitions for specific operating limits in § 60.2917.

(3) Approval of major alternatives to test methods.

(4) Approval of major alternatives to monitoring.

(5) Approval of major alternatives to recordkeeping and reporting.

(6) The status report requirements in § 60.2911(c)(2).

§ 60.2890 How are these new source performance standards structured?

These new source performance standards contain nine major components, as follows:

(a) Preconstruction siting analysis.

(b) Waste management plan.

(c) Operator training and qualification.

(d) Emission limitations and operating limits.

(e) Performance testing.

(f) Initial compliance requirements.

(g) Continuous compliance requirements.

(h) Monitoring.

(i) Recordkeeping and reporting.

§ 60.2891 Do all components of these new source performance standards apply at the same time?

No, you must meet the preconstruction siting analysis and waste management plan requirements before you commence construction, reconstruction, or modification of the OSWI unit. The operator training and qualification, emission limitations, operating limits, performance testing and compliance, monitoring, and most recordkeeping and reporting requirements are met after the OSWI unit begins operation.

Preconstruction Siting Analysis

§ 60.2894 Who must prepare a siting analysis?

(a) You must prepare a siting analysis if you commence construction, reconstruction, or modification of an OSWI unit after June 16, 2006.

(b) If you commence construction, reconstruction, or modification of an OSWI unit after December 9, 2004, but before June 16, 2006, you are not required to prepare the siting analysis specified in this subpart.

§ 60.2895 What is a siting analysis?

(a) The siting analysis must consider air pollution control alternatives that minimize, on a site-specific basis, to the maximum extent practicable, potential risks to public health or the environment. In considering such alternatives, you may consider costs, energy impacts, nonair environmental impacts, or any other factors related to the practicability of the alternatives.

(b) Analyses of your OSWI unit's impacts that are prepared to comply with State, local, or other Federal regulatory requirements may be used to satisfy the requirements of this section, provided they include the consideration of air pollution control alternatives specified in paragraph (a) of this section.

(c) You must complete and submit the siting requirements of this section as required under § 60.2952(c) prior to commencing construction, reconstruction, or modification.

Waste Management Plan

§ 60.2899 What is a waste management plan?

A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste.

§ 60.2900 When must I submit my waste management plan?

You must submit a waste management plan prior to commencing construction, reconstruction, or modification.

§ 60.2901 What should I include in my waste management plan?

A waste management plan must include consideration of the reduction or separation of waste-stream elements such as paper, cardboard, plastics, glass, batteries, or metals; or the use of recyclable materials. The plan must identify any additional waste management measures and implement those measures the source considers practical and feasible, considering the effectiveness of waste management measures already in place, the costs of additional measures, the emissions reductions expected to be achieved, and any other environmental or energy impacts they might have.

Operator Training and Qualification

§ 60.2905 What are the operator training and qualification requirements?

(a) No OSWI unit can be operated unless a fully trained and qualified OSWI unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified OSWI unit operator may operate the OSWI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified OSWI unit operators are temporarily not accessible, you must follow the procedures in § 60.2911.

(b) Operator training and qualification must be obtained through a State-approved program or by completing the requirements included in paragraph (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (c)(1) through (3) of this section.

(1) Training on the thirteen subjects listed in paragraphs (c)(1)(i) through (xiii) of this section.

(i) Environmental concerns, including types of emissions.

(ii) Basic combustion principles, including products of combustion.

(iii) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures.

(iv) Combustion controls and monitoring.

(v) Operation of air pollution control equipment and factors affecting performance (if applicable).

(vi) Inspection and maintenance of the incinerator and air pollution control devices.

(vii) Methods to monitor pollutants (including monitoring of incinerator and control device operating parameters) and monitoring equipment calibration procedures, where applicable.

(viii) Actions to correct malfunctions or conditions that may lead to malfunction.

(ix) Bottom and fly ash characteristics and handling procedures.

(x) Applicable Federal, State, and local regulations, including Occupational Safety and Health Administration workplace standards.

(xi) Pollution prevention.

(xii) Waste management practices.

(xiii) Recordkeeping requirements.

(2) An examination designed and administered by the instructor.

(3) Written material covering the training course topics that may serve as reference material following completion of the course.

§ 60.2906 When must the operator training course be completed?

The operator training course must be completed by the latest of the three dates specified in paragraphs (a) through (c) of this section.

(a) Six months after your OSWI unit startup.

(b) December 18, 2006.

(c) The date before an employee assumes responsibility for operating the OSWI unit or assumes responsibility for supervising the operation of the OSWI unit.

§ 60.2907 How do I obtain my operator qualification?

(a) You must obtain operator qualification by completing a training course that satisfies the criteria under § 60.2905(c).

(b) Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under § 60.2905(c)(2).

§ 60.2908 How do I maintain my operator qualification?

To maintain qualification, you must complete an annual review or refresher course covering, at a minimum, the five topics described in paragraphs (a) through (e) of this section.

(a) Update of regulations.

(b) Incinerator operation, including startup and shutdown procedures, waste charging, and ash handling.

(c) Inspection and maintenance.

(d) Responses to malfunctions or conditions that may lead to malfunction.

(e) Discussion of operating problems encountered by attendees.

§ 60.2909 How do I renew my lapsed operator qualification?

You must renew a lapsed operator qualification by one of the two methods specified in paragraphs (a) and (b) of this section.

(a) For a lapse of less than 3 years, you must complete a standard annual refresher course described in § 60.2908.

(b) For a lapse of 3 years or more, you must repeat the initial qualification requirements in § 60.2907(a).

§ 60.2910 What site-specific documentation is required?

(a) Documentation must be available at the facility and readily accessible for all OSWI unit operators that addresses the nine topics described in paragraphs (a)(1) through (9) of this section. You must maintain this information and the training records required by paragraph (c) of this section in a manner that they can be readily accessed and are suitable for inspection upon request.

(1) Summary of the applicable standards under this subpart.

(2) Procedures for receiving, handling, and charging waste.

(3) Incinerator startup, shutdown, and malfunction procedures.

(4) Procedures for maintaining proper combustion air supply levels.

(5) Procedures for operating the incinerator and associated air pollution control systems within the standards established under this subpart.

(6) Monitoring procedures for demonstrating compliance with the operating limits established under this subpart.

(7) Reporting and recordkeeping procedures.

(8) The waste management plan required under §§ 60.2899 through 60.2901.

(9) Procedures for handling ash.

(b) You must establish a program for reviewing the information listed in paragraph (a) of this section with each incinerator operator.

(1) The initial review of the information listed in paragraph (a) of this section must be conducted by December 18, 2006 or prior to an employee's assumption of responsibilities for operation of the OSWI unit, whichever date is later.

(2) Subsequent annual reviews of the information listed in paragraph (a) of this section must be conducted not later than 12 months following the previous review.

(c) You must also maintain the information specified in paragraphs (c)(1) through (3) of this section.

(1) Records showing the names of OSWI unit operators who have completed review of the information in paragraph (a) of this section as required by paragraph (b) of this section, including the date of the initial review and all subsequent annual reviews.

(2) Records showing the names of the OSWI unit operators who have completed the operator training requirements under § 60.2905, met the criteria for qualification under § 60.2907, and maintained or renewed their qualification under § 60.2908 or § 60.2909. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(3) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

§ 60.2911 What if all the qualified operators are temporarily not accessible?

If all qualified operators are temporarily not accessible (i.e., not at the facility and not able to be at the facility within 1 hour), you must meet one of the three criteria specified in paragraphs (a) through (c) of this section, depending on the length of time that a qualified operator is not accessible.

(a) When all qualified operators are not accessible for 12 hours or less, the OSWI unit may be operated by other plant personnel familiar with the operation of the OSWI unit who have completed review of the information specified in § 60.2910(a) within the past 12 months. You do not need to notify the Administrator or include this as a deviation in your annual report.

(b) When all qualified operators are not accessible for more than 12 hours, but less than 2 weeks, the OSWI unit may be operated by other plant personnel familiar with the operation of the OSWI unit who have completed a review of the information specified in § 60.2910(a) within the past 12 months. However, you must record the period when all qualified operators were not accessible and include this deviation in the annual report as specified under § 60.2956.

(c) When all qualified operators are not accessible for 2 weeks or more, you must take the two actions that are described in paragraphs (c)(1) and (2) of this section.

(1) Notify the Administrator of this deviation in writing within 10 days. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible.

(2) Submit a status report to EPA every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible and requesting approval from EPA to continue operation of the OSWI unit. You must submit the first status report 4 weeks after you notify the Administrator of the deviation under paragraph (c)(1) of this section. If EPA notifies you that your request to continue operation of the OSWI unit is disapproved, the OSWI unit may continue operation for 90 days, then must cease operation. Operation of the unit may resume if you meet the two requirements in paragraphs (c)(2)(i) and (ii) of this section.

(i) A qualified operator is accessible as required under § 60.2905(a).

(ii) You notify EPA that a qualified operator is accessible and that you are resuming operation.

Emission Limitations and Operating Limits

§ 60.2915 What emission limitations must I meet and by when?

You must meet the emission limitations specified in Table 1 of this subpart 60 days after your OSWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup.

§ 60.2916 What operating limits must I meet and by when?

(a) If you use a wet scrubber to comply with the emission limitations, you must establish operating limits for four operating parameters (as specified in Table 2 of this subpart) as described in paragraphs (a)(1) through (4) of this section during the initial performance test.

(1) Maximum charge rate, calculated using one of the two different procedures in paragraphs (a)(1)(i) or (ii) of this section, as appropriate.

(i) For continuous and intermittent units, maximum charge rate is the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(ii) For batch units, maximum charge rate is the charge rate measured during the most recent performance test

demonstrating compliance with all applicable emission limitations.

(2) Minimum pressure drop across the wet scrubber, which is calculated as the average pressure drop across the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations; or minimum amperage to the wet scrubber, which is calculated as the average amperage to the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(3) Minimum scrubber liquor flow rate, which is calculated as the average liquor flow rate at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(4) Minimum scrubber liquor pH, which is calculated as the average liquor pH at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with the hydrogen chloride and sulfur dioxide emission limitations.

(b) You must meet the operating limits established during the initial performance test 60 days after your OSWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup.

§ 60.2917 What if I do not use a wet scrubber to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber or limit emissions in some other manner to comply with the emission limitations under § 60.2915, you must petition EPA for specific operating limits, the values of which are to be established during the initial performance test and then continuously monitored thereafter. You must not conduct the initial performance test until after the petition has been approved by EPA. Your petition must include the five items listed in paragraphs (a) through (e) of this section.

(a) Identification of the specific parameters you propose to use as operating limits.

(b) A discussion of the relationship between these parameters and emissions of regulated pollutants, identifying how emissions of regulated pollutants change with changes in these parameters, and how limits on these parameters will serve to limit emissions of regulated pollutants.

(c) A discussion of how you will establish the upper and/or lower values for these parameters that will establish the operating limits on these parameters.

(d) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments.

(e) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

§ 60.2918 What happens during periods of startup, shutdown, and malfunction?

The emission limitations and operating limits apply at all times except during OSWI unit startups, shutdowns, or malfunctions.

Performance Testing

§ 60.2922 How do I conduct the initial and annual performance test?

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

(b) All performance tests must be conducted using the methods in Table 1 of this subpart.

(c) All performance tests must be conducted using the minimum run duration specified in Table 1 of this subpart.

(d) Method 1 of appendix A of this part must be used to select the sampling location and number of traverse points.

(e) Method 3A or 3B of appendix A of this part must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B of appendix A of this part must be used simultaneously with each method.

(f) All pollutant concentrations, except for opacity, must be adjusted to 7 percent oxygen using Equation 1 in ''60.2975.

(g) Method 26A of appendix A of this part must be used for hydrogen chloride concentration analysis, with the additional requirements specified in paragraphs (g)(1) through (3) of this section.

(1) The probe and filter must be conditioned prior to sampling using the procedure described in paragraphs (g)(1)(i) through (iii) of this section.

(i) Assemble the sampling train(s) and conduct a conditioning run by collecting between 14 liters per minute (0.5 cubic feet per minute) and 30 liters per minute (1.0 cubic feet per minute) of gas over a one-hour period. Follow the sampling procedures outlined in section 8.1.5 of Method 26A of appendix A of this part. For the conditioning run, water can be used as the impinger solution.

(ii) Remove the impingers from the sampling train and replace with a fresh impinger train for the sampling run, leaving the probe and filter (and cyclone, if used) in position. Do not recover the filter or rinse the probe before the first run. Thoroughly rinse the impingers used in the preconditioning run with deionized water and discard these rinses.

(iii) The probe and filter assembly are conditioned by the stack gas and are not recovered or cleaned until the end of testing.

(2) For the duration of sampling, a temperature around the probe and filter (and cyclone, if used) between 120 °C (248 °F) and 134 °C (273 °F) must be maintained.

(3) If water droplets are present in the sample gas stream, the requirements specified in paragraphs (g)(3)(i) and (ii) of this section must be met.

(i) The cyclone described in section 6.1.4 of Method 26A of appendix A of this part must be used.

(ii) The post-test moisture removal procedure described in section 8.1.6 of Method 26A of appendix A of this part must be used.

§ 60.2923 How are the performance test data used?

You use results of performance tests to demonstrate compliance with the emission limitations in Table 1 of this subpart.

Initial Compliance Requirements

§ 60.2927 How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

You must conduct an initial performance test, as required under § 60.8, to determine compliance with the emission limitations in Table 1 of this subpart and to establish operating limits using the procedure in § 60.2916 or § 60.2917. The initial performance test must be conducted using the test methods listed in Table 1 of this subpart and the procedures in § 60.2922.

§ 60.2928 By what date must I conduct the initial performance test?

The initial performance test must be conducted within 60 days after your OSWI unit reaches the charge rate at which it will operate, but no later than 180 days after its initial startup.

Continuous Compliance Requirements

§ 60.2932 How do I demonstrate continuous compliance with the emission limitations and the operating limits?

(a) You must conduct an annual performance test for all of the pollutants in Table 1 of this subpart for each OSWI unit to determine compliance with the

emission limitations. The annual performance test must be conducted using the test methods listed in Table 1 of this subpart and the procedures in 60.2922.

(b) You must continuously monitor carbon monoxide emissions to determine compliance with the carbon monoxide emissions limitation. Twelve-hour rolling average values are used to determine compliance. A 12-hour rolling average value above the carbon monoxide emission limit in Table 1 of this subpart constitutes a deviation from the emission limitation.

(c) You must continuously monitor the operating parameters specified in § 60.2916 or established under § 60.2917. Three-hour rolling average values are used to determine compliance with the operating limits unless a different averaging period is established under § 60.2917. A 3-hour rolling average value (unless a different averaging period is established under § 60.2917) above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. Operating limits do not apply during performance tests.

§ 60.2933 By what date must I conduct the annual performance test?

You must conduct annual performance tests within 12 months following the initial performance test. Conduct subsequent annual performance tests within 12 months following the previous one.

§ 60.2934 May I conduct performance testing less often?

(a) You can test less often for a given pollutant if you have test data for at least three consecutive annual tests, and all performance tests for the pollutant over that period show that you comply with the emission limitation. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the 3rd year and no more than 36 months following the previous performance test.

(b) If your OSWI unit continues to meet the emission limitation for the pollutant, you may choose to conduct performance tests for that pollutant every 3rd year, but each test must be within 36 months of the previous performance test.

(c) If a performance test shows a deviation from an emission limitation for any pollutant, you must conduct annual performance tests for that pollutant until three consecutive annual performance tests for that pollutant all show compliance.

§ 60.2935 May I conduct a repeat performance test to establish new operating limits?

Yes, you may conduct a repeat performance test at any time to establish new values for the operating limits. The Administrator may request a repeat performance test at any time.

Monitoring

§ 60.2939 What continuous emission monitoring systems must I install?

(a) You must install, calibrate, maintain, and operate continuous emission monitoring systems for carbon monoxide and for oxygen. You must monitor the oxygen concentration at each location where you monitor carbon monoxide.

(b) You must install, evaluate, and operate each continuous emission monitoring system according to the ''Monitoring Requirements'' in § 60.13.

§ 60.2940 How do I make sure my continuous emission monitoring systems are operating correctly?

(a) Conduct initial, daily, quarterly, and annual evaluations of your continuous emission monitoring systems that measure carbon monoxide and oxygen.

(b) Complete your initial evaluation of the continuous emission monitoring systems within 60 days after your OSWI unit reaches the maximum load level at which it will operate, but no later than 180 days after its initial startup.

(c) For initial and annual evaluations, collect data concurrently (or within 30 to 60 minutes) using your carbon monoxide and oxygen continuous emission monitoring systems. To validate carbon monoxide concentration levels, use EPA Method 10, 10A, or 10B of appendix A of this part. Use EPA Method 3 or 3A to measure oxygen. Collect the data during each initial and annual evaluation of your continuous emission monitoring systems following the applicable performance specifications in appendix B of this part. Table 3 of this subpart shows the required span values and performance specifications that apply to each continuous emission monitoring system.

(d) Follow the quality assurance procedures in Procedure 1 of appendix F of this part for each continuous emission monitoring system. The procedures include daily calibration drift and quarterly accuracy determinations.

§ 60.2941 What is my schedule for evaluating continuous emission monitoring systems?

(a) Conduct annual evaluations of your continuous emission monitoring systems no more than 12 months after the previous evaluation was conducted.

(b) Evaluate your continuous emission monitoring systems daily and quarterly as specified in appendix F of this part.

§ 60.2942 What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems, and is the data collection requirement enforceable?

(a) Where continuous emission monitoring systems are required, obtain 1-hour arithmetic averages. Make sure the averages for carbon monoxide are in parts per million by dry volume at 7 percent oxygen. Use the 1-hour averages of oxygen data from your continuous emission monitoring system to determine the actual oxygen level and to calculate emissions at 7 percent oxygen.

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average. Section 60.13(e)(2) requires your continuous emission monitoring systems to complete at least one cycle of operation (sampling, analyzing, and data recording) for each 15-minute period.

(c) Obtain valid 1-hour averages for at least 75 percent of the operating hours per day for at least 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal or institutional solid waste.

(d) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you have deviated from the data collection requirement regardless of the emission level monitored.

(e) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you must still use all valid data from the continuous emission monitoring systems in calculating emission concentrations.

(f) If continuous emission monitoring systems are temporarily unavailable to meet the data collection requirements, refer to Table 3 of this subpart. It shows alternate methods for collecting data when systems malfunction or when repairs, calibration checks, or zero and span checks keep you from collecting the minimum amount of data.

§ 60.2943 How do I convert my 1-hour arithmetic averages into the appropriate averaging times and units?

(a) Use Equation 1 in § 60.2975 to calculate emissions at 7 percent oxygen.

(b) Use Equation 2 in § 60.2975 to calculate the 12-hour rolling averages for concentrations of carbon monoxide.

§ 60.2944 What operating parameter monitoring equipment must I install, and what operating parameters must I monitor?

(a) If you are using a wet scrubber to comply with the emission limitations under § 60.2915, you must install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in Table 2 of this subpart. These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in Table 2 of this subpart at all times.

(b) You must install, calibrate (to manufacturers' specifications), maintain, and operate a device or method for measuring the use of any stack that could be used to bypass the control device. The measurement must include the date, time, and duration of the use of the bypass stack.

(c) If you are using a method or air pollution control device other than a wet scrubber to comply with the emission limitations under § 60.2915, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in § 60.2917.

§ 60.2945 Is there a minimum amount of operating parameter monitoring data I must obtain?

(a) Except for monitor malfunctions, associated repairs, and required quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments of the monitoring system), you must conduct all monitoring at all times the OSWI unit is operating.

(b) You must obtain valid monitoring data for at least 75 percent of the operating hours per day for at least 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal or institutional solid waste.

(c) If you do not obtain the minimum data required in paragraphs (a) and (b) of this section, you have deviated from the data collection requirement regardless of the operating parameter level monitored.

(d) Do not use data recorded during monitor malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this subpart, including data averages and calculations. You must use all the data collected during all other periods in assessing compliance with the operating limits.

Recordkeeping and Reporting

§ 60.2949 What records must I keep?

You must maintain the 15 items (as applicable) as specified in paragraphs (a) through (o) of this section for a period of at least 5 years.

(a) Calendar date of each record.

(b) Records of the data described in paragraphs (b)(1) through (8) of this section.

(1) The OSWI unit charge dates, times, weights, and hourly charge rates.

(2) Liquor flow rate to the wet scrubber inlet every 15 minutes of operation, as applicable.

(3) Pressure drop across the wet scrubber system every 15 minutes of operation or amperage to the wet scrubber every 15 minutes of operation, as applicable.

(4) Liquor pH as introduced to the wet scrubber every 15 minutes of operation, as applicable.

(5) For OSWI units that establish operating limits for controls other than wet scrubbers under § 60.2917, you must maintain data collected for all operating parameters used to determine compliance with the operating limits.

(6) All 1-hour average concentrations of carbon monoxide emissions.

(7) All 12-hour rolling average values of carbon monoxide emissions and all 3-hour rolling average values of continuously monitored operating parameters.

(8) Records of the dates, times, and durations of any bypass of the control device.

(c) Identification of calendar dates and times for which continuous emission monitoring systems or monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (except for downtime associated with zero and span and other routine calibration checks). Identify the pollutant emissions or operating parameters not measured, the duration, reasons for not obtaining the data, and a description of corrective actions taken.

(d) Identification of calendar dates, times, and durations of malfunctions, and a description of the malfunction and the corrective action taken.

(e) Identification of calendar dates and times for which monitoring data show a deviation from the carbon monoxide emissions limit in Table 1 of this subpart or a deviation from the operating limits in Table 2 of this subpart or a deviation from other operating limits established under § 60.2917 with a description of the deviations, reasons for such deviations, and a description of corrective actions taken.

(f) Calendar dates when continuous monitoring systems did not collect the minimum amount of data required under §§ 60.2942 and 60.2945.

(g) For carbon monoxide continuous emissions monitoring systems, document the results of your daily drift tests and quarterly accuracy determinations according to Procedure 1 of appendix F of this part.

(h) Records of the calibration of any monitoring devices required under § 60.2944.

(i) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations and a description of the types of waste burned during the test.

(j) All documentation produced as a result of the siting requirements of §§ 60.2894 and 60.2895.

(k) Records showing the names of OSWI unit operators who have completed review of the information in § 60.2910(a) as required by § 60.2910(b), including the date of the initial review and all subsequent annual reviews.

(l) Records showing the names of the OSWI unit operators who have completed the operator training requirements under § 60.2905, met the criteria for qualification under § 60.2907, and maintained or renewed their qualification under § 60.2908 or § 60.2909. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(m) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

(n) Equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment.

(o) The information listed in § 60.2910(a).

§ 60.2950 Where and in what format must I keep my records?

(a) You must keep each record on site for at least 2 years. You may keep the records off site for the remaining 3 years.

(b) All records must be available in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the Administrator.

§ 60.2951 What reports must I submit?

See Table 4 of this subpart for a summary of the reporting requirements.

§ 60.2952 What must I submit prior to commencing construction?

You must submit a notification prior to commencing construction that includes the five items listed in paragraphs (a) through (e) of this section.

(a) A statement of intent to construct.

(b) The anticipated date of commencement of construction.

(c) All documentation produced as a result of the siting requirements of § 60.2895.

(d) The waste management plan as specified in §§ 60.2899 through 60.2901.

(e) Anticipated date of initial startup.

§ 60.2953 What information must I submit prior to initial startup?

You must submit the information specified in paragraphs (a) through (e) of this section prior to initial startup.

(a) The type(s) of waste to be burned.

(b) The maximum design waste burning capacity.

(c) The anticipated maximum charge rate.

(d) If applicable, the petition for site-specific operating limits under § 60.2917.

(e) The anticipated date of initial startup.

§ 60.2954 What information must I submit following my initial performance test?

You must submit the information specified in paragraphs (a) and (b) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager.

(a) The complete test report for the initial performance test results obtained under § 60.2927, as applicable.

(b) The values for the site-specific operating limits established in § 60.2916 or § 60.2917.

§ 60.2955 When must I submit my annual report?

You must submit an annual report no later than 12 months following the submission of the information in § 60.2954. You must submit subsequent reports no more than 12 months following the previous report.

§ 60.2956 What information must I include in my annual report?

The annual report required under § 60.2955 must include the ten items listed in paragraphs (a) through (j) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§ 60.2957 through 60.2959.

(a) Company name and address.

(b) Statement by the owner or operator, with their name, title, and signature, certifying the truth, accuracy, and completeness of the report. Such certifications must also comply with the requirements of 40 CFR 70.5(d) or 40 CFR 71.5(d).

(c) Date of report and beginning and ending dates of the reporting period.

(d) The values for the operating limits established pursuant to § 60.2916 or § 60.2917.

(e) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the emission limitations or operating limits was inoperative, inactive, malfunctioning or out of control.

(f) The highest recorded 12-hour average and the lowest recorded 12-hour average, as applicable, for carbon monoxide emissions and the highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(g) Information recorded under § 60.2949(b)(6) and (c) through (e) for the calendar year being reported.

(h) If a performance test was conducted during the reporting period, the results of that test.

(i) If you met the requirements of § 60.2934(a) or (b), and did not conduct a performance test during the reporting period, you must state that you met the requirements of § 60.2934(a) or (b), and, therefore, you were not required to conduct a performance test during the reporting period.

(j) Documentation of periods when all qualified OSWI unit operators were unavailable for more than 12 hours, but less than 2 weeks.

§ 60.2957 What else must I report if I have a deviation from the operating limits or the emission limitations?

(a) You must submit a deviation report if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit established under this subpart, if any recorded 12-hour average carbon monoxide emission rate is above the emission limitation, if the control device was bypassed, or if a performance test was conducted that showed a deviation from any emission limitation.

(b) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

§ 60.2958 What must I include in the deviation report?

In each report required under § 60.2957, for any pollutant or operating parameter that deviated from the emission limitations or operating limits specified in this subpart, include the seven items described in paragraphs (a) through (g) of this section.

(a) The calendar dates and times your unit deviated from the emission limitations or operating limit requirements.

(b) The averaged and recorded data for those dates.

(c) Durations and causes of each deviation from the emission limitations or operating limits and your corrective actions.

(d) A copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels.

(e) The dates, times, number, duration, and causes for monitor downtime incidents (other than downtime associated with zero, span, and other routine calibration checks).

(f) Whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.

(g) The dates, times, and durations of any bypass of the control device.

§ 60.2959 What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

(a) If all qualified operators are not accessible for 2 weeks or more, you must take the two actions in paragraphs (a)(1) and (2) of this section.

(1) Submit a notification of the deviation within 10 days that includes the three items in paragraphs (a)(1)(i) through (iii) of this section.

(i) A statement of what caused the deviation.

(ii) A description of what you are doing to ensure that a qualified operator is accessible.

(iii) The date when you anticipate that a qualified operator will be available.

(2) Submit a status report to EPA every 4 weeks that includes the three items in paragraphs (a)(2)(i) through (iii) of this section.

(i) A description of what you are doing to ensure that a qualified operator is accessible.

(ii) The date when you anticipate that a qualified operator will be accessible.

(iii) Request approval from EPA to continue operation of the OSWI unit.

(b) If your unit was shut down by EPA, under the provisions of § 60.2911(c)(2), due to a failure to provide an accessible qualified operator, you must notify EPA that you are resuming operation once a qualified operator is accessible.

§ 60.2960 Are there any other notifications or reports that I must submit?

Yes, you must submit notifications as provided by § 60.7.

§ 60.2961 In what form can I submit my reports?

Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates.

§ 60.2962 Can reporting dates be changed?

If the Administrator agrees, you may change the semiannual or annual reporting dates. See § 60.19(c) for procedures to seek approval to change your reporting date.

Title V Operating Permits

§ 60.2966 Am I required to apply for and obtain a title V operating permit for my unit?

Yes, if you are subject to this subpart, you are required to apply for and obtain a title V operating permit unless you meet the relevant requirements for an exemption specified in § 60.2887.

§ 60.2967 When must I submit a title V permit application for my new unit?

(a) If your new unit subject to this subpart is not subject to an earlier permit application deadline, a complete title V permit application must be submitted on or before one of the dates specified in paragraphs (a)(1) or (2) of this section. (See section 503(c) of the Clean Air Act and 40 CFR 70.5(a)(1)(i) and 40 CFR 71.5(a)(1)(i).)

(1) For a unit that commenced operation as a new source as of December 16, 2005, then a complete title V permit application must be submitted not later than December 18, 2006.

(2) For a unit that does not commence operation as a new source until after December 16, 2005, then a complete title V permit application must be submitted not later than 12 months after the date the unit commences operation as a new source.

(b) If your new unit subject to this subpart is subject to title V as a result of some triggering requirement(s) other than this subpart (for example, a unit subject to this subpart may be a major source or part of a major source), then your unit may be required to apply for a title V permit prior to the deadlines specified in paragraph (a) of this section. If more than one requirement triggers a source's obligation to apply for a title V permit, the 12-month timeframe for filing a title V permit application is triggered by the requirement that first causes the source to be subject to title V. (See section 503(c) of the Clean Air Act and 40 CFR 70.3(a) and (b), 40 CFR 70.5(a)(1)(i), 40 CFR 71.3(a) and (b), and 40 CFR 71.5(a)(1)(i).)

(c) A ''complete'' title V permit application is one that has been determined or deemed complete by the relevant permitting authority under section 503(d) of the Clean Air Act and 40 CFR 70.5(a)(2) or 40 CFR 71.5(a)(2). You must submit a complete permit application by the relevant application deadline in order to operate after this date in compliance with Federal law. (See sections 503(d) and 502(a) of the Clean Air Act and 40 CFR 70.7(b) and 40 CFR 71.7(b).)

Temporary-Use Incinerators and Air Curtain Incinerators Used in Disaster Recovery

§ 60.2969 What are the requirements for temporary-use incinerators and air curtain incinerators used in disaster recovery?

Your incinerator or air curtain incinerator is excluded from the requirements of this subpart if it is used on a temporary basis to combust debris from a disaster or emergency such as a tornado, hurricane, flood, ice storm, high winds, or act of bioterrorism. To qualify for this exclusion, the incinerator or air curtain incinerator must be used to combust debris in an area declared a State of Emergency by a local or State government, or the President, under the authority of the Stafford Act, has declared that an emergency or a major disaster exists in the area, and you must follow the requirements specified in paragraphs (a) through (c) of this section.

(a) If the incinerator or air curtain incinerator is used during a period that begins on the date the unit started operation and lasts 8 weeks or less within the boundaries of the same emergency or disaster declaration area, then it is excluded from the requirements of this subpart. You do not need to notify the Administrator of its use or meet the emission limitations or other requirements of this subpart.

(b) If the incinerator or air curtain incinerator will be used during a period that begins on the date the unit started operation and lasts more than 8 weeks within the boundaries of the same emergency or disaster declaration area, you must notify the Administrator that the temporary-use incinerator or air curtain incinerator will be used for more than 8 weeks and request permission to continue to operate the unit as specified in paragraphs (b)(1) and (2) of this section.

(1) The notification must be submitted in writing by the date 8 weeks after you start operation of the temporary-use incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area.

(2) The notification must contain the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, identification of the disaster or emergency for which the incinerator or air curtain incinerator is being used, a description of the types of materials being burned in the incinerator or air curtain incinerator, a brief description of the size and design of the unit (for example, an air curtain incinerator or a modular starved-air incinerator), the reasons the incinerator or air curtain incinerator must be operated for more than 8 weeks, and the amount of time for which you request permission to operate including the date you expect to cease operation of the unit.

(c) If you submitted the notification containing the information in paragraph (b)(2) by the date specified in paragraph (b)(1), you may continue to operate the incinerator or air curtain incinerator for another 8 weeks, which is a total of 16 weeks from the date the unit started operation within the boundaries of the current emergency or disaster declaration area. You do not have to meet the emission limitations or other requirements of this subpart during this period.

(1) At the end of 16 weeks from the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, you must cease operation of the unit or comply with all requirements of this subpart, unless the Administrator has approved in writing your request to continue operation.

(2) If the Administrator has approved in writing your request to continue operation, then you may continue to operate the incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area until the date specified in the approval, and you do not need to comply with any other requirements of this subpart during the approved time period.

Air Curtain Incinerators That Burn Only Wood Waste, Clean Lumber, and Yard Waste

§ 60.2970 What is an air curtain incinerator?

(a) An air curtain incinerator operates by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs. For the purpose of this subpart and subpart FFFF of this part only, air curtain incinerators include both firebox and trench burner units.

(b) Air curtain incinerators that burn only the materials listed in paragraphs (b)(1) through (4) of this section are required to meet only the requirements in §§ 60.2970 through 60.2974 and are exempt from all other requirements of this subpart.

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent yard waste.

(4) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

§ 60.2971 What are the emission limitations for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Within 60 days after your air curtain incinerator reaches the charge rate at which it will operate, but no later than 180 days after its initial startup, you must meet the two limitations specified in paragraphs (a)(1) and (2) of this section.

(1) The opacity limitation is 10 percent (6-minute average), except as described in paragraph (a)(2) of this section.

(2) The opacity limitation is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) The limitations in paragraph (a) of this section apply at all times except during malfunctions.

§ 60.2972 How must I monitor opacity for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Use Method 9 of appendix A of this part to determine compliance with the opacity limitation.

(b) Conduct an initial test for opacity as specified in § 60.8.

(c) After the initial test for opacity, conduct annual tests no more than 12 months following the date of your previous test.

(d) If the air curtain incinerator has been out of operation for more than 12 months following the date of the previous test, then you must conduct a test for opacity upon startup of the unit.

§ 60.2973 What are the recordkeeping and reporting requirements for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Prior to commencing construction on your air curtain incinerator, submit the three items described in paragraphs (a)(1) through (3) of this section.

(1) Notification of your intent to construct the air curtain incinerator.

(2) Your planned initial startup date.

(3) Types of materials you plan to burn in your air curtain incinerator.

(b) Keep records of results of all initial and annual opacity tests in either paper copy or computer-readable format that can be printed upon request, unless the Administrator approves another format, for at least 5 years. You must keep each record on site for at least 2 years. You may keep the records off site for the remaining 3 years.

(c) Make all records available for submittal to the Administrator or for an inspector's review.

(d) You must submit the results (each 6-minute average) of the initial opacity tests no later than 60 days following the initial test. Submit annual opacity test results within 12 months following the previous report.

(e) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date.

(f) Keep a copy of the initial and annual reports on site for a period of 5 years. You must keep each report on site for at least 2 years. You may keep the reports off site for the remaining 3 years.

§ 60.2974 Am I required to apply for and obtain a title V operating permit for my air curtain incinerator that burns only wood waste, clean lumber, and yard waste?

Yes, if your air curtain incinerator is subject to this subpart, you are required to apply for and obtain a title V operating permit as specified in §§ 60.2966 and 60.2967.

Equations

§ 60.2975 What equations must I use?

(a) *Percent oxygen.* Adjust all pollutant concentrations to 7 percent oxygen using equation 1 of this section.

$$C_{adj} = C_{meas} * (20.9 - 7)/(20.9 - \%O_2) \qquad \text{(Eq. 1)}$$

Where:

C_{adj} = pollutant concentration adjusted to 7 percent oxygen

C_{meas} = pollutant concentration measured on a dry basis

(20.9–7) = 20.9 percent oxygen–7 percent oxygen (defined oxygen correction basis)

20.9 = oxygen concentration in air, percent

$\%O_2$ = oxygen concentration measured on a dry basis, percent

(b) *Capacity of a very small municipal waste combustion unit.* For very small municipal waste combustion units that can operate continuously for 24-hour periods, calculate the unit capacity based on 24 hours of operation at the maximum charge rate. To determine the maximum charge rate, use one of two methods:

(1) For very small municipal waste combustion units with a design based on heat input capacity, calculate the maximum charging rate based on the maximum heat input capacity and one of two heating values:

(i) If your very small municipal waste combustion unit combusts refuse-derived fuel, use a heating value of 12,800 kilojoules per kilogram (5,500 British thermal units per pound).

(ii) If your very small municipal waste combustion unit combusts municipal solid waste, use a heating value of 10,500 kilojoules per kilogram (4,500 British thermal units per pound).

(2) For very small municipal waste combustion units with a design not based on heat input capacity, use the maximum design charging rate.

(c) *Capacity of a batch very small municipal waste combustion unit.* Calculate the capacity of a batch OSWI unit as the maximum design amount of municipal solid waste it can charge per batch multiplied by the maximum number of batches it can process in 24 hours. Calculate the maximum number of batches by dividing 24 by the number of hours needed to process one batch. Retain fractional batches in the calculation. For example, if one batch requires 16 hours, the unit can combust 24/16, or 1.5 batches, in 24 hours.

(d) *Carbon monoxide pollutant rate.* When hourly average pollutant rates (E_h) are obtained (*e.g.*, CEMS values), compute the rolling average carbon monoxide pollutant rate (E_a) for each 12-hour period using the following equation:

$$E_a = \frac{1}{12}\sum_{j=1}^{12} E_{hj} \qquad \text{(Eq. 2)}$$

Where:

E_a = Average carbon monoxide pollutant rate for the 12-hour period, ppm corrected to 7 percent O_2.

E_{hj} = Hourly arithmetic average pollutant rate for hour ''j,'' ppm corrected to 7 percent O_2.

Definitions

§ 60.2977 What definitions must I know?

Terms used but not defined in this subpart are defined in the Clean Air Act and subpart A (General Provisions) of this part.

Administrator means:

(1) For approved and effective State section 111(d)/129 plans, the Director of the State air pollution control agency, or his or her delegatee;

(2) For Federal section 111(d)/129 plans, the Administrator of the EPA, an employee of the EPA, the Director of the State air pollution control agency, or employee of the State air pollution control agency to whom the authority has been delegated by the Administrator of the EPA to perform the specified task; and

(3) For NSPS, the Administrator of the EPA, an employee of the EPA, the Director of the State air pollution control agency, or employee of the State air pollution control agency to whom the authority has been delegated by the Administrator of the EPA to perform the specified task.

Air curtain incinerator means an incineration unit operating by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs. For the purpose of this subpart and subpart FFFF of this part only, air curtain incinerators include both firebox and trench burner units.

Auxiliary fuel means natural gas, liquified petroleum gas, fuel oil, or diesel fuel.

Batch OSWI unit means an OSWI unit that is designed such that neither waste charging nor ash removal can occur during combustion.

Calendar quarter means three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

Calendar year means 365 consecutive days starting on January 1 and ending on December 31.

Chemotherapeutic waste means waste material resulting from the production or use of anti-neoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

Class II municipal solid waste landfill means a landfill that meets four criteria:

(1) Accepts, for incineration or disposal, less than 20 tons per day of municipal solid waste or other solid wastes based on an annual average;

(2) Is located on a site where there is no evidence of groundwater pollution caused or contributed to by the landfill;

(3) Is not connected by road to a Class I municipal solid waste landfill, as defined by Alaska regulatory code 18 AAC 60.300(c) or, if connected by road, is located more than 50 miles from a Class I municipal solid waste landfill; and

(4) Serves a community that meets one of two criteria:

(i) Experiences for at least three months each year, an interruption in access to surface transportation, preventing access to a Class I municipal solid waste landfill; or

(ii) Has no practicable waste management alternative, with a landfill located in an area that annually receives 25 inches or less of precipitation.

Class III municipal solid waste landfill is a landfill that is not connected by road to a Class I municipal solid waste landfill, as defined by Alaska regulatory code 18 AAC 60.300(c) or, if connected by road, is located more than 50 miles from a Class I municipal solid waste landfill, and that accepts, for disposal, either of the following two criteria:

(1) Ash from incinerated municipal waste in quantities less than 1 ton per day on an annual average, which ash must be free of food scraps that might attract animals; or

(2) Less than 5 tons per day of municipal solid waste, based on an annual average, and is not located in a place that meets either of the following criteria:

(i) Where public access is restricted, including restrictions on the right to move to the place and reside there; or

(ii) That is provided by an employer and that is populated totally by persons who are required to reside there as a condition of employment and who do not consider the place to be their permanent residence.

Clean lumber means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

Collected from means the transfer of material from the site at which the material is generated to a separate site where the material is burned.

Contained gaseous material means gases that are in a container when that container is combusted.

Continuous emission monitoring system or CEMS means a monitoring system for continuously measuring and recording the emissions of a pollutant from an OSWI unit.

Continuous OSWI unit means an OSWI unit that is designed to allow waste charging and ash removal during combustion.

Deviation means any instance in which a unit that meets the requirements in § 60.2885, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any unit that meets the requirements in § 60.2885 and is required to obtain such a permit; or

(3) Fails to meet any emission limitation, operating limit, or operator qualification and accessibility requirement in this subpart during startup, shutdown, or malfunction, regardless of whether or not such failure is allowed by this subpart.

Dioxins/furans means tetra- through octachlorinated dibenzo-p-dioxins and dibenzofurans.

Energy recovery means the process of recovering thermal energy from combustion for useful purposes such as steam generation or process heating.

EPA means the Administrator of the EPA or employee of the EPA that is delegated the authority to perform the specified task.

Institutional facility means a land-based facility owned and/or operated by an organization having a governmental, educational, civic, or religious purpose such as a school, hospital, prison, military installation, church, or other similar establishment or facility.

Institutional waste means solid waste (as defined in this subpart) that is combusted at any institutional facility using controlled flame combustion in an enclosed, distinct operating unit: whose design does not provide for energy recovery (as defined in this subpart); operated without energy recovery (as defined in this subpart); or operated with only waste heat recovery (as defined in this subpart). Institutional

waste also means solid waste (as defined in this subpart) combusted on site in an air curtain incinerator that is a distinct operating unit of any institutional facility.

Institutional waste incineration unit means any combustion unit that combusts institutional waste (as defined in this subpart) and is a distinct operating unit of the institutional facility that generated the waste. Institutional waste incineration units include field-erected, modular, cyclonic burn barrel, and custom built incineration units operating with starved or excess air, and any air curtain incinerator that is a distinct operating unit of the institutional facility that generated the institutional waste (except those air curtain incinerators listed in § 60.2888(b)).

Intermittent OSWI unit means an OSWI unit that is designed to allow waste charging, but not ash removal, during combustion.

Low-level radioactive waste means waste material that contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable Federal or State standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

Metropolitan Statistical Area means any areas listed as metropolitan statistical areas in OMB Bulletin No. 05–02 entitled ''Update of Statistical Area Definitions and Guidance on Their Uses'' dated February 22, 2005 (available on the Web at *http://www.whitehouse.gov/omb/bulletins/).*

Modification or modified unit means an incineration unit you have changed on or after June 16, 2006 and that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the unit (not including the cost of land) updated to current costs (current dollars). For an OSWI unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

(2) Any physical change in the unit or change in the method of operating it that increases the amount of any air pollutant emitted for which section 129 or section 111 of the Clean Air Act has established standards.

Municipal solid waste means refuse (and refuse-derived fuel) collected from the general public and from residential, commercial, institutional, and industrial sources consisting of paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustible materials and non-combustible materials such as metal, glass and rock, provided that: (1) the term does not include industrial process wastes or medical wastes that are segregated from such other wastes; and (2) an incineration unit shall not be considered to be combusting municipal solid waste for purposes of this subpart if it combusts a fuel feed stream, 30 percent or less of the weight of which is comprised, in aggregate, of municipal solid waste, as determined by § 60.2887(b).

Municipal waste combustion unit means, for the purpose of this subpart and subpart FFFF of this part, any setting or equipment that combusts municipal solid waste (as defined in this subpart) including, but not limited to, field-erected, modular, cyclonic burn barrel, and custom built incineration units (with or without energy recovery) operating with starved or excess air, boilers, furnaces, pyrolysis/combustion units, and air curtain incinerators (except those air curtain incinerators listed in § 60.2888(b)).

Other solid waste incineration (OSWI) unit means either a very small municipal waste combustion unit or an institutional waste incineration unit, as defined in this subpart. Unit types listed in § 60.2887 as being excluded from the subpart are not OSWI units subject to this subpart. While not all OSWI units will include all of the following components, an OSWI unit includes, but is not limited to, the municipal or institutional solid waste feed system, grate system, flue gas system, waste heat recovery equipment, if any, and bottom ash system. The OSWI unit does not include air pollution control equipment or the stack. The OSWI unit boundary starts at the municipal or institutional waste hopper (if applicable) and extends through two areas:

(1) The combustion unit flue gas system, which ends immediately after the last combustion chamber or after the waste heat recovery equipment, if any; and

(2) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. The OSWI unit includes all ash handling systems connected to the bottom ash handling system.

Particulate matter means total particulate matter emitted from OSWI units as measured by Method 5 or Method 29 of appendix A of this part.

Pathological waste means waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

Reconstruction means rebuilding an incineration unit and meeting two criteria:

(1) The reconstruction begins on or after June 16, 2006.

(2) The cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the unit (not including land) updated to current costs (current dollars). For an OSWI unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

Refuse-derived fuel means a type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(1) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(2) Pelletized refuse-derived fuel.

Shutdown means the period of time after all waste has been combusted in the primary chamber. For continuous OSWI, shutdown shall commence no less than 2 hours after the last charge to the incinerator. For intermittent OSWI, shutdown shall commence no less than 4 hours after the last charge to the incinerator. For batch OSWI, shutdown shall commence no less than 5 hours after the high-air phase of combustion has been completed.

Solid waste means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1342), or source, special nuclear, or byproduct material

as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2014).

Standard conditions, when referring to units of measure, means a temperature of 68 °F (20 °C) and a pressure of 1 atmosphere (101.3 kilopascals).

Startup period means the period of time between the activation of the system and the first charge to the OSWI unit. For batch OSWI, startup means the period of time between activation of the system and ignition of the waste.

Very small municipal waste combustion unit means any municipal waste combustion unit that has the capacity to combust less than 35 tons per day of municipal solid waste or refuse-derived fuel, as determined by the calculations in § 60.2975.

Waste heat recovery means the process of recovering heat from the combustion flue gases outside of the combustion firebox by convective heat transfer only.

Wet scrubber means an add-on air pollution control device that utilizes an aqueous or alkaline scrubbing liquor to collect particulate matter (including nonvaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

Wood waste means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

(1) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

(2) Construction, renovation, or demolition wastes.

(3) Clean lumber.

(4) Treated wood and treated wood products, including wood products that have been painted, pigment-stained, or pressure treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

Yard waste means grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. Yard waste comes from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(1) Construction, renovation, and demolition wastes.

(2) Clean lumber.

Tables to Subpart EEEE of Part 60

As stated in § 60.2915, you must comply with the following:

TABLE 1 TO SUBPART EEEE OF PART 60.—EMISSION LIMITATIONS

For the air pollutant	You must meet this emission limitation [a]	Using this averaging time	And determining compliance using this method
1. Cadmium	18 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of this part.
2. Carbon monoxide	40 parts per million by dry volume	3-run average (1 hour minimum sample time per run during performance test), and 12-hour rolling averages measured using CEMS.[b]	Method 10, 10A, or 10B of appendix A of this part and CEMS.
3. Dioxins/furans (total basis)	33 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample meter time per run).	Method 23 of appendix A of this part.
4. Hydrogen chloride	15 parts per million by dry volume	3-run average (1 hour minimum sample time per run).	Method 26A of appendix A of this part.
5. Lead	226 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of this part.
6. Mercury	74 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of this part.
7. Opacity	10 percent	6-run average (1 hour minimum sample time per run).	Method 9 of appendix A of this part.
8. Oxides of nitrogen	103 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 7, 7A, 7C, 7D, or 7E of appendix A of this part, or ANSI/ASME PTC 19.10–1981 (IBR, see § 60.17(h)) in lieu of Methods 7 and 7C only.
9. Particulate matter	0.013 grains per dry standard cubic foot.	3-run average (1 hour minimum sample time per run).	Method 5 or 29 of appendix A of this part.
10. Sulfur dioxide	3.1 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 6 or 6C of appendix A of this part, or ANSI/ASME PTC 19.10–1981 (IBR, see § 60.17(h)) in lieu of Method 6 only.

[a] All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions.
[b] Calculated each hour as the average of the previous 12 operating hours.

As stated in § 60.2916, you must comply with the following:

TABLE 2 TO SUBPART EEEE OF PART 60.—OPERATING LIMITS FOR INCINERATORS AND WET SCRUBBERS

For these operating parameters	You must establish these operating limits	And monitoring using these minimum frequencies		
		Data measurement	Data recording	Averaging time
1. Charge rate	Maximum charge rate	Continuous	Every hour	Daily for batch units. 3-hour rolling for continuous and intermittent units [a].
2. Pressure drop across the wet scrubber or amperage to wet scrubber.	Minimum pressure drop or amperage.	Continuous	Every 15 minutes	3-hour rolling [a].
3. Scrubber liquor flow rate	Minimum flow rate	Continuous	Every 15 minutes	3-hour rolling [a].
4. Scrubber liquor pH	Minimum pH	Continuous	Every 15 minutes	3-hour rolling [a].

[a] Calculated each hour as the average of the previous 3 operating hours.

As stated in § 60.2940, you must comply with the following:

TABLE 3 TO SUBPART EEEE OF PART 60.—REQUIREMENTS FOR CONTINUOUS EMISSION MONITORING SYSTEMS (CEMS)

For the following pollutants	Use the following span values for your CEMS	Use the following performance specifications (P.S.) in appendix B of this part for your CEMS	If needed to meet minimum data requirements, use the following alternate methods in appendix A of this part to collect data
1. Carbon Monoxide	125 percent of the maximum hourly potential carbon monoxide emissions of the waste combustion unit.	P.S.4A	Method 10.
2. Oxygen	25 percent oxygen	P.S.3	Method 3A or 3B, or ANSI/ASME PTC 19.10–1981 (IBR, see § 60.17(h)) in lieu of Method 3B only.

As stated in § 60.2951, you must comply with the following:

TABLE 4 TO SUBPART EEEE OF PART 60.—SUMMARY OF REPORTING REQUIREMENTS

Report	Due date	Contents	Reference
1. Preconstruction report	a. Prior to commencing construction.	i. Statement of intent to construct;	§ 60.2952.
		ii. Anticipated date of commencement of onstruction;	§ 60.2952.
		iii. Documentation for siting requirements;	§ 60.2952.
		iv. Waste management plan; and	§ 60.2952.
		v. Anticipated date of initial startup.	§ 60.2952.
2. Startup notification	a. Prior to initial startup	i. Types of waste to be burned;	§ 60.2953.
		ii. Maximum design waste burning capacity;	§ 60.2953.
		iii. Anticipated maximum charge rate;	§ 60.2953.
		iv. If applicable, the petition for site-specific operating limits; and	§ 60.2953.
		v. Anticipated date of initial startup.	§ 60.2953.
3. Initial test report	a. No later than 60 days following the initial performance test.	i. Complete test report for the initial performance test; and	§ 60.2954.
		ii. The values for the site-specific operating limits	§ 60.2954.
4. Annual report	a. No later than 12 months following the submission of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report.	i. Company Name and address;	§§ 60.2955 and 60.2956.
		ii. Statement and signature by the owner or operator;	§§ 60.2955 and 60.2956.
		iii. Date of report;	§§ 60.2955 and 60.2956.
		iv. Values for the operating limits;	§§ 60.2955 and 60.2956.
		v. If no deviations or malfunctions were reported, a statement that no deviations occurred during the reporting period;	§§ 60.2955 and 60.2956.
		vi. Highest and lowest recorded 12-hour averages, as applicable, for carbon monoxide emissions and highest and lowest recorded 3-hour averages, as applicable, for each operating parameter recorded for the calendar year being reported;	§§ 60.2955 and 60.2956.

TABLE 4 TO SUBPART EEEE OF PART 60.—SUMMARY OF REPORTING REQUIREMENTS—Continued

Report	Due date	Contents	Reference
		vii. Information for deviations or malfunctions recorded under § 60.2949(b)(6) and (c) through (e);	§§ 60.2955 and 60.2956.
		viii. If a performance test was conducted during the reporting period, the results of the test;	§§ 60.2955 and 60.2956.
		ix. If a performance test was not conducted during the reporting period, a statement that the requirements of § 60.2934 (a) or (b) were met; and	§§ 60.2955 and 60.2956.
		x. Documentation of periods when all qualified OSWI unit operators were unavailable for more than 12 hours but less than 2 weeks.	§§ 60.2955 and 60.2956.
5. Emission limitation or operating limit deviation report.	a. By August 1 of that year for data collected during the first half of the calendar year. By February 1 of the following year for data collected during the second half of the calendar year.	i. Dates and times of deviation;	§§ 60.2957 and 60.2958.
		ii. Averaged and recorded data for those dates;	§§ 60.2957 and 60.2958.
		iii. Duration and causes of each deviation and the corrective actions taken;	§§ 60.2957 and 60.2958.
		iv. Copy of operating limit monitoring data and any test reports;	§§ 60.2957 and 60.2958.
		v. Dates, times, and causes for monitor downtimes incidents;	§§ 60.2957 and 60.2958.
		vi. Whether each deviation occurred during a period of startup, shutdown, or malfunction; and	§§ 60.2957 and 60.2958.
		vii. Dates, times, and durations of any bypass of the control device.	§§ 60.2957 and 60.2958.
6. Qualified operator deviation notification.	a. Within 10 days of deviation.	i. Statement of cause of deviation;	§ 60.2959(a)(1).
		ii. Description of efforts to have an accessible qualified operator; and	§ 60.2959(a)(1)
		iii. The date a qualified operator will be accessible	§ 60.2959(a)(1).
7. Qualified operation deviation status report.	a. Every 4 weeks following deviation.	i. Description of efforts to have an accessible qualified operator;	§ 60.2959(a)(2).
		ii. The date a qualified operator will be accessible; and	§ 60.2959(a)(2).
		iii. Request to continue operation	§ 60.2959(a)(2).
8. Qualified operator deviation notification of resumed operation.	a. Prior to resuming operation.	i. Notification that you are resuming operation	§ 60.2959(b).

Note: This table is only a summary, see the referenced sections of the rule for the complete requirements.

■ 4. Part 60 is amended by adding subpart FFFF to read as follows:

Subpart FFFF—Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004

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Subpart FFFF—Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004

Introduction

§ 60.2980 What is the purpose of this subpart?

This subpart establishes emission guidelines and compliance schedules for the control of emissions from other solid waste incineration (OSWI) units. The pollutants addressed by these emission guidelines are listed in Table 2 of this subpart. These emission guidelines are developed in accordance with sections 111(d) and 129 of the Clean Air Act and subpart B of this part.

§ 60.2981 Am I affected by this subpart?

(a) If you are the Administrator of an air quality program in a State or United States protectorate with one or more existing OSWI units or air curtain incinerators subject to this subpart as described in § 60.2994(b) that commenced construction on or before December 9, 2004, you must submit a State plan to the U.S. Environmental Protection Agency (EPA) that implements the emission guidelines contained in this subpart.

(b) You must submit the State plan to EPA by December 18, 2006.

§ 60.2982 Is a State plan required for all States?

No, you are not required to submit a State plan if there are no existing OSWI units or air curtain incinerators subject to this subpart as described in § 60.2994(b) in your State and you submit a negative declaration letter in place of the State plan.

§ 60.2983 What must I include in my State plan?

(a) You must include the following nine items in your State plan:

(1) Inventory of affected incineration units, including those that have ceased operation but have not been dismantled.

(2) Inventory of emissions from affected incineration units in your State.

(3) Compliance schedules for each affected incineration unit.

(4) For each affected incineration unit, emission limitations, operator training and qualification requirements, a waste management plan, and operating parameter requirements that are at least as protective as the emission guidelines contained in this subpart.

(5) Stack testing, recordkeeping, and reporting requirements.

(6) Transcript of the public hearing on the State plan.

(7) Provision for State progress reports to EPA.

(8) Identification of enforceable State mechanisms that you selected for implementing the emission guidelines of this subpart.

(9) Demonstration of your State's legal authority to carry out the sections 111(d) and 129 in your State plan.

(b) Your State plan may deviate from the format and content of the emission guidelines contained in this subpart.

However, if your State plan does deviate, you must demonstrate that your State plan is at least as protective as the emission guidelines contained in this subpart. Your State plan must address regulatory applicability, compliance schedule, operator training and qualification, a waste management plan, emission limitations, stack testing, operating parameter requirements, monitoring, recordkeeping and reporting, and air curtain incinerator requirements.

(c) You must follow the requirements of subpart B of this part (Adoption and Submittal of State Plans for Designated Facilities) in your State plan.

§ 60.2984 Is there an approval process for my State plan?

Yes, EPA will review your State plan according to § 60.27.

§ 60.2985 What if my State plan is not approvable?

If you do not submit an approvable State plan (or a negative declaration letter) by December 17, 2007, EPA will develop a Federal plan according to § 60.27 to implement the emission guidelines contained in this subpart. Owners and operators of incineration units not covered by an approved State plan must comply with the Federal plan. The Federal plan is an interim action and applies to units until a State plan covering those units is approved and becomes effective.

§ 60.2986 Is there an approval process for a negative declaration letter?

No, EPA has no formal review process for negative declaration letters. Once we receive your negative declaration letter, we will place a copy in the public docket and publish a notice in the **Federal Register**. If, at a later date, an existing incineration unit is found in your State, the Federal plan implementing the emission guidelines contained in this subpart would automatically apply to that unit until your State plan is approved.

§ 60.2987 What compliance schedule must I include in my State plan?

Your State plan must include compliance schedules that require OSWI units and air curtain incinerators subject to this subpart as described in § 60.2994(b) to achieve final compliance as expeditiously as practicable after approval of the State plan but not later than the earlier of the following two dates:

(a) December 16, 2010.

(b) Three years after the effective date of State plan approval.

§ 60.2988 Are there any State plan requirements for this subpart that apply instead of the requirements specified in subpart B of this part?

Yes, subpart B of this part establishes general requirements for developing and processing section 111(d) plans. This subpart applies instead of the requirements in subpart B of this part for the following:

(a) State plans developed to implement this subpart must be as protective as the emission guidelines contained in this subpart. State plans must require all OSWI units and air curtain incinerators subject to this subpart as described in § 60.2994(b) to comply by December 16, 2010 or 3 years after the effective date of State plan approval, whichever is sooner. This applies instead of the option for case-by-case less stringent emission standards and longer compliance schedules in § 60.24(f).

(b) State plans developed to implement this subpart are required to include only one increment of progress for the affected incineration units. This increment is the final compliance date in § 60.21(h)(5). This applies instead of the requirement of § 60.24(e)(1).

§ 60.2989 Does this subpart directly affect incineration unit owners and operators in my State?

(a) No, this subpart does not directly affect incineration unit owners and operators in your State. However, unit owners and operators must comply with the State plan you develop to implement the emission guidelines contained in this subpart.

(b) If you do not submit an approvable plan to implement and enforce the guidelines contained in this subpart by December 17, 2007, EPA will implement and enforce a Federal plan, as provided in § 60.2985, to ensure that each unit within your State reaches compliance with all the provisions of this subpart by December 16, 2010.

§ 60.2990 What Authorities are withheld by EPA?

The following authorities are withheld by EPA and not transferred to the State, local or tribal agency:

(1) Approval of alternatives to the emission limitations in Table 2 of this subpart and operating limits established under § 60.3023 and Table 3 of this subpart.

(2) Approval of petitions for specific operating limits in § 60.3024.

(3) Approval of major alternatives to test methods.

(4) Approval of major alternatives to monitoring.

(5) Approval of major alternatives to recordkeeping and reporting.

(6) The status report requirements in § 60.3020(c)(2).

Applicability of State Plans

§ 60.2991 What incineration units must I address in my State plan?

Your State plan must address all incineration units in your State that meet all the requirements specified in paragraphs (a) through (c) of this section.

(a) The incineration unit is an existing incineration unit as defined in § 60.2992.

(b) The incineration unit is an OSWI unit as defined in § 60.3078 or an air curtain incinerator subject to this subpart as described in § 60.2994(b). OSWI units are very small municipal waste combustion units and institutional waste incineration units as defined in § 60.3078.

(c) The incineration unit is not excluded under § 60.2993.

§ 60.2992 What is an existing incineration unit?

An existing incineration unit is an OSWI unit or air curtain incinerator subject to this subpart that commenced construction on or before December 9, 2004, except as provided in paragraph (a) of this section.

(a) If the owner or operator of an incineration unit makes changes that meet the definition of modification or reconstruction on or after June 16, 2006, the unit becomes subject to subpart EEEE of this part (New Source Performance Standards for Other Solid Waste Incineration Units) and the State plan no longer applies to that unit.

(b) If the owner or operator of an existing incineration unit makes physical or operational changes to the unit primarily to comply with the State plan, then subpart EEEE of this part does not apply to that unit. Such changes do not qualify as modifications or reconstructions under subpart EEEE of this part.

§ 60.2993 Are any combustion units excluded from my State plan?

This subpart excludes the types of units described in paragraphs (a) through (q) of this section, as long as the owner/operator meets the requirements of this section.

(a) *Cement kilns*. The unit is excluded if it is regulated under subpart LLL of part 63 of this chapter (National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry).

(b) *Co-fired combustors*. The unit, that would otherwise be considered a very small municipal waste combustion unit, is excluded if the owner/operator of the

unit meets the five requirements specified in paragraphs (b)(1) through (5) of this section.

(1) Has a Federally enforceable permit limiting the combustion of municipal solid waste to 30 percent of the total fuel input by weight.

(2) Notifies the Administrator that the unit qualifies for the exclusion.

(3) Provides the Administrator with a copy of the Federally enforceable permit.

(4) Records the weights, each calendar quarter, of municipal solid waste and of all other fuels combusted.

(5) Keeps each report for 5 years. These records must be kept on site for at least 2 years, but may be kept off site for the remaining 3 years.

(c) *Cogeneration facilities*. The unit is excluded if it meets the three requirements specified in paragraphs (c)(1) through (3) of this section.

(1) The unit qualifies as a cogeneration facility under section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(3) The owner/operator of the unit notifies the Administrator that the unit meets all of these criteria.

(d) *Commercial and industrial solid waste incineration units*. The unit is excluded if it is regulated under subparts CCCC or DDDD of this part or subpart III of part 62 and is required to meet the emission limitations established in those subparts.

(e) *Hazardous waste combustion units*. The unit is excluded if it meets either of the two criteria specified in paragraph (e)(1) or (2) of this section.

(1) The owner/operator of the unit is required to get a permit for the unit under section 3005 of the Solid Waste Disposal Act.

(2) The unit is regulated under 40 CFR part 63, subpart EEE (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors).

(f) *Hospital/medical/infectious waste incinerators*. The unit is excluded if it is regulated under subparts Ce or Ec of this part (New Source Performance Standards and Emission Guidelines for Hospital/Medical/Infectious Waste Incinerators) or subpart HHH of part 62 (Federal Plan for Hospital/Medical/Infectious Waste Incinerators constructed on or before June 20, 1996).

(g) *Incinerators and air curtain incinerators in isolated areas of Alaska*. The incineration unit is excluded if it is used at a solid waste disposal site in Alaska that is classified as a Class II or Class III municipal solid waste landfill, as defined in § 60.3078.

(h) *Rural institutional waste incinerators*. The incineration unit is excluded if it is an institutional waste incinerator, as defined in § 60.3078, and the application for exclusion described in paragraphs (h)(1) and (2) of this section has been approved by the Administrator.

(1) Prior to 1 year before the final compliance date, an application and supporting documentation demonstrating that the institutional waste incineration unit meets the two requirements specified in paragraphs (h)(1)(i) and (ii) of this section must be submitted to the Administrator for approval.

(i) The unit is located more than 50 miles from the boundary of the nearest Metropolitan Statistical Area,

(ii) Alternative disposal options are not available or are economically infeasible.

(2) The application described in paragraph (h)(1) of this section must be revised and resubmitted to the Administrator for approval every 5 years following the initial approval of the exclusion for your unit.

(3) If you re-applied for an exclusion pursuant to paragraph (h)(2) of this section and were denied exclusion by the Administrator, you have 3 years from the expiration date of the current exclusion to comply with the emission limits and all other applicable requirements of this subpart.

(i) *Institutional boilers and process heaters*. The unit is excluded if it is regulated under 40 CFR part 63, subpart DDDDD (National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters).

(j) *Laboratory Analysis Units*. The unit is excluded if it burns samples of materials only for the purpose of chemical or physical analysis.

(k) *Materials recovery units*. The unit is excluded if it combusts waste for the primary purpose of recovering metals. Examples include primary and secondary smelters.

(l) *Pathological waste incineration units*. The institutional waste incineration unit or very small municipal waste combustion unit is excluded from this subpart if it burns 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste as defined in § 60.3078 and the owner/operator of the unit notifies the Administrator that the unit meets these criteria.

(m) *Small or large municipal waste combustion units*. The unit is excluded if it is regulated under subparts AAAA, BBBB, Ea, Eb, or Cb, of this part or subparts FFF or JJJ of part 62 and is required to meet the emission limitations established in those subparts.

(n) *Small power production facilities*. The unit is excluded if it meets the three requirements specified in paragraphs (n)(1) through (3) of this section.

(1) The unit qualifies as a small power-production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity.

(3) The owner/operator of the unit notifies the Administrator that the unit meets all of these criteria.

(o) *Temporary-use incinerators and air curtain incinerators used in disaster recovery*. The incineration unit is excluded if it is used on a temporary basis to combust debris from a disaster or emergency such as a tornado, hurricane, flood, ice storm, high winds, or act of bioterrorism and you comply with the requirements in § 60.3061.

(p) *Units that combust contraband or prohibited goods*. The incineration unit is excluded if the unit is owned or operated by a government agency such as police, customs, agricultural inspection, or a similar agency to destroy only illegal or prohibited goods such as illegal drugs, or agricultural food products that can not be transported into the country or across state lines to prevent biocontamination. The exclusion does not apply to items either confiscated or incinerated by private, industrial, or commercial entities.

(q) *Incinerators used for national security*. Your incineration unit is excluded if it meets the requirements specified in either (q)(1) or (2) of this section.

(1) The incineration unit is used solely during military training field exercises to destroy national security materials integral to the field exercises.

(2) The incineration unit is used solely to incinerate national security materials, its use is necessary to safeguard national security, you follow the exclusion request requirements in paragraphs (q)(2)(i) and (ii) of this section, and the Administrator has approved your request for exclusion.

(i) The request for exclusion and supporting documentation must demonstrate both that the incineration unit is used solely to destroy national

security materials and that a reliable alternative to incineration that ensures acceptable destruction of national security materials is unavailable, on either a permanent or temporary basis.

(ii) The request for exclusion must be submitted to the Administrator prior to 1 year before the final compliance date.

§ 60.2994 Are air curtain incinerators regulated under this subpart?

(a) Air curtain incinerators that burn less than 35 tons per day of municipal solid waste or air curtain incinerators located at institutional facilities burning any amount of institutional waste generated at that facility are subject to all requirements of this subpart, including the emission limitations specified in Table 2 of this subpart.

(b) Air curtain incinerators that burn only less than 35 tons per day of the materials listed in paragraphs (b)(1) through (4) of this section collected from the general public and from residential, commercial, institutional, and industrial sources; or, air curtain incinerators located at institutional facilities that burn only the materials listed in paragraphs (b)(1) through (4) of this section generated at that facility, are required to meet only the requirements in §§ 60.3062 through 60.3069 and are exempt from all other requirements of this subpart.

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent yard waste.

(4) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

Model Rule—Use of Model Rule

§ 60.2996 What is the purpose of the ''model rule'' in this subpart?

(a) The model rule provides the emission guidelines requirements in a standard regulation format. You must develop a State plan that is at least as protective as the model rule. You may use the model rule language as part of your State plan. Alternative language may be used in your State plan if you demonstrate that the alternative language is at least as protective as the model rule contained in this subpart.

(b) In the ''model rule'' of §§ 60.3000 through 60.3078, ''you'' means the owner or operator of an OSWI unit or air curtain incinerator subject to this subpart.

§ 60.2997 How does the model rule relate to the required elements of my State plan?

Use the model rule to satisfy the State plan requirements specified in § 60.2983(a)(4) and (5).

§ 60.2998 What are the principal components of the model rule?

The model rule contains nine major components, as follows:

(a) Compliance schedule.

(b) Waste management plan.

(c) Operator training and qualification.

(d) Emission limitations and operating limits.

(e) Performance testing.

(f) Initial compliance requirements.

(g) Continuous compliance requirements.

(h) Monitoring.

(i) Recordkeeping and reporting.

Model Rule—Compliance Schedule

§ 60.3000 When must I comply?

Table 1 of this subpart specifies the final compliance date. You must submit a notification to the Administrator stating whether final compliance has been achieved, postmarked within 10 business days after the final compliance date in Table 1 of this subpart.

§ 60.3001 What must I do if I close my OSWI unit and then restart it?

(a) If you close your OSWI unit but will reopen it prior to the final compliance date in your State plan, you must meet the final compliance date specified in Table 1 of this subpart.

(b) If you close your OSWI unit but will restart it after your final compliance date, you must complete emission control retrofit and meet the emission limitations on the date your OSWI unit restarts operation. You must conduct your initial performance test within 30 days of restarting your OSWI unit.

§ 60.3002 What must I do if I plan to permanently close my OSWI unit and not restart it?

You must close the unit before the final compliance date specified in Table 1 of this subpart.

Model Rule—Waste Management Plan

§ 60.3010 What is a waste management plan?

A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste.

§ 60.3011 When must I submit my waste management plan?

You must submit a waste management plan no later than 60 days following the initial performance test as specified in Table 5 of this subpart. Section 60.3031 specifies the date by which you are required to conduct your performance test.

§ 60.3012 What should I include in my waste management plan?

A waste management plan must include consideration of the reduction or separation of waste-stream elements such as paper, cardboard, plastics, glass, batteries, or metals; or the use of recyclable materials. The plan must identify any additional waste management measures and implement those measures the source considers practical and feasible, considering the effectiveness of waste management measures already in place, the costs of additional measures, the emissions reductions expected to be achieved, and any other environmental or energy impacts they might have.

Model Rule—Operator Training and Qualification

§ 60.3014 What are the operator training and qualification requirements?

(a) No OSWI unit can be operated unless a fully trained and qualified OSWI unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified OSWI unit operator may operate the OSWI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified OSWI unit operators are temporarily not accessible, you must follow the procedures in § 60.3020.

(b) Operator training and qualification must be obtained through a State-approved program or by completing the requirements included in paragraph (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (c)(1) through (3) of this section.

(1) Training on the 13 subjects listed in paragraphs (c)(1)(i) through (xiii) of this section.

(i) Environmental concerns, including types of emissions.

(ii) Basic combustion principles, including products of combustion.

(iii) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures.

(iv) Combustion controls and monitoring.

(v) Operation of air pollution control equipment and factors affecting performance (if applicable).

(vi) Inspection and maintenance of the incinerator and air pollution control devices.

(vii) Methods to monitor pollutants (including monitoring of incinerator and control device operating parameters)

and monitoring equipment calibration procedures, where applicable.

(viii) Actions to correct malfunctions or conditions that may lead to malfunction.

(ix) Bottom and fly ash characteristics and handling procedures.

(x) Applicable Federal, State, and local regulations, including Occupational Safety and Health Administration workplace standards.

(xi) Pollution prevention.

(xii) Waste management practices.

(xiii) Recordkeeping requirements.

(2) An examination designed and administered by the instructor.

(3) Written material covering the training course topics that may serve as reference material following completion of the course.

§ 60.3015 When must the operator training course be completed?

The operator training course must be completed by the latest of the three dates specified in paragraphs (a) through (c) of this section.

(a) The final compliance date specified in Table 1 of this subpart.

(b) Six months after your OSWI unit startup.

(c) Six months after an employee assumes responsibility for operating the OSWI unit or assumes responsibility for supervising the operation of the OSWI unit.

§ 60.3016 How do I obtain my operator qualification?

(a) You must obtain operator qualification by completing a training course that satisfies the criteria under § 60.3014(c).

(b) Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under § 60.3014(c)(2).

§ 60.3017 How do I maintain my operator qualification?

To maintain qualification, you must complete an annual review or refresher course covering, at a minimum, the five topics described in paragraphs (a) through (e) of this section.

(a) Update of regulations.

(b) Incinerator operation, including startup and shutdown procedures, waste charging, and ash handling.

(c) Inspection and maintenance.

(d) Responses to malfunctions or conditions that may lead to malfunction.

(e) Discussion of operating problems encountered by attendees.

§ 60.3018 How do I renew my lapsed operator qualification?

You must renew a lapsed operator qualification by one of the two methods specified in paragraphs (a) and (b) of this section.

(a) For a lapse of less than 3 years, you must complete a standard annual refresher course described in § 60.3017.

(b) For a lapse of 3 years or more, you must repeat the initial qualification requirements in § 60.3016(a).

§ 60.3019 What site-specific documentation is required?

(a) Documentation must be available at the facility and readily accessible for all OSWI unit operators that addresses the nine topics described in paragraphs (a)(1) through (9) of this section. You must maintain this information and the training records required by paragraph (c) of this section in a manner that they can be readily accessed and are suitable for inspection upon request.

(1) Summary of the applicable standards under this subpart.

(2) Procedures for receiving, handling, and charging waste.

(3) Incinerator startup, shutdown, and malfunction procedures.

(4) Procedures for maintaining proper combustion air supply levels.

(5) Procedures for operating the incinerator and associated air pollution control systems within the standards established under this subpart.

(6) Monitoring procedures for demonstrating compliance with the operating limits established under this subpart.

(7) Reporting and recordkeeping procedures.

(8) The waste management plan required under §§ 60.3010 through 60.3012.

(9) Procedures for handling ash.

(b) You must establish a program for reviewing the information listed in paragraph (a) of this section with each incinerator operator.

(1) The initial review of the information listed in paragraph (a) of this section must be conducted by the latest of three dates specified in paragraphs (b)(1)(i) through (iii) of this section.

(i) The final compliance date specified in Table 1 of this subpart.

(ii) Six months after your OSWI unit startup.

(iii) Six months after an employee assumes responsibility for operating the OSWI unit or assumes responsibility for supervising the operation of the OSWI unit.

(2) Subsequent annual reviews of the information listed in paragraph (a) of this section must be conducted not later than 12 months following the previous review.

(c) You must also maintain the information specified in paragraphs (c)(1) through (3) of this section.

(1) Records showing the names of OSWI unit operators who have completed review of the information in paragraph (a) of this section as required by paragraph (b) of this section, including the date of the initial review and all subsequent annual reviews.

(2) Records showing the names of the OSWI unit operators who have completed the operator training requirements under § 60.3014, met the criteria for qualification under § 60.3016, and maintained or renewed their qualification under § 60.3017 or § 60.3018. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(3) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

§ 60.3020 What if all the qualified operators are temporarily not accessible?

If all qualified operators are temporarily not accessible (*i.e.*, not at the facility and not able to be at the facility within 1 hour), you must meet one of the three criteria specified in paragraphs (a) through (c) of this section, depending on the length of time that a qualified operator is not accessible.

(a) When all qualified operators are not accessible for 12 hours or less, the OSWI unit may be operated by other plant personnel familiar with the operation of the OSWI unit who have completed review of the information specified in § 60.3019(a) within the past 12 months. You do not need to notify the Administrator or include this as a deviation in your annual report.

(b) When all qualified operators are not accessible for more than 12 hours, but less than 2 weeks, the OSWI unit may be operated by other plant personnel familiar with the operation of the OSWI unit who have completed a review of the information specified in § 60.3019(a) within the past 12 months. However, you must record the period when all qualified operators were not accessible and include this deviation in the annual report as specified under § 60.3051.

(c) When all qualified operators are not accessible for 2 weeks or more, you must take the two actions that are described in paragraphs (c)(1) and (2) of this section.

(1) Notify the Administrator of this deviation in writing within 10 days. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible,

and when you anticipate that a qualified operator will be accessible.

(2) Submit a status report to EPA every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible and requesting approval from EPA to continue operation of the OSWI unit. You must submit the first status report 4 weeks after you notify the Administrator of the deviation under paragraph (c)(1) of this section. If EPA notifies you that your request to continue operation of the OSWI unit is disapproved, the OSWI unit may continue operation for 90 days, then must cease operation. Operation of the unit may resume if you meet the two requirements in paragraphs (c)(2)(i) and (ii) of this section.

(i) A qualified operator is accessible as required under § 60.3014(a).

(ii) You notify EPA that a qualified operator is accessible and that you are resuming operation.

Model Rule—Emission Limitations and Operating Limits

§ 60.3022 What emission limitations must I meet and by when?

You must meet the emission limitations specified in Table 2 of this subpart on the date the initial performance test is required or completed (whichever is earlier). Section 60.3031 specifies the date by which you are required to conduct your performance test.

§ 60.3023 What operating limits must I meet and by when?

(a) If you use a wet scrubber to comply with the emission limitations, you must establish operating limits for four operating parameters (as specified in Table 3 of this subpart) as described in paragraphs (a)(1) through (4) of this section during the initial performance test.

(1) Maximum charge rate, calculated using one of the two different procedures in paragraphs (a)(1)(i) or (ii) of this section, as appropriate.

(i) For continuous and intermittent units, maximum charge rate is the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(ii) For batch units, maximum charge rate is the charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(2) Minimum pressure drop across the wet scrubber, which is calculated as the average pressure drop across the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations; or minimum amperage to the wet scrubber, which is calculated as the average amperage to the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(3) Minimum scrubber liquor flow rate, which is calculated as the average liquor flow rate at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(4) Minimum scrubber liquor pH, which is calculated as the average liquor pH at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with the hydrogen chloride and sulfur dioxide emission limitations.

(b) You must meet the operating limits established during the initial performance test beginning on the date 180 days after your final compliance date in Table 1 of this subpart.

§ 60.3024 What if I do not use a wet scrubber to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber or limit emissions in some other manner to comply with the emission limitations under § 60.3022, you must petition EPA for specific operating limits, the values of which are to be established during the initial performance test and then continuously monitored thereafter. You must not conduct the initial performance test until after the petition has been approved by EPA. Your petition must include the five items listed in paragraphs (a) through (e) of this section.

(a) Identification of the specific parameters you propose to use as operating limits.

(b) A discussion of the relationship between these parameters and emissions of regulated pollutants, identifying how emissions of regulated pollutants change with changes in these parameters, and how limits on these parameters will serve to limit emissions of regulated pollutants.

(c) A discussion of how you will establish the upper and/or lower values for these parameters that will establish the operating limits on these parameters.

(d) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments.

(e) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

§ 60.3025 What happens during periods of startup, shutdown, and malfunction?

The emission limitations and operating limits apply at all times except during OSWI unit startups, shutdowns, or malfunctions.

Model Rule—Performance Testing

§ 60.3027 How do I conduct the initial and annual performance test?

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

(b) All performance tests must be conducted using the methods in Table 2 of this subpart.

(c) All performance tests must be conducted using the minimum run duration specified in Table 2 of this subpart.

(d) Method 1 of appendix A of this part must be used to select the sampling location and number of traverse points.

(e) Method 3A or 3B of appendix A of this part must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B of appendix A of this part must be used simultaneously with each method.

(f) All pollutant concentrations, except for opacity, must be adjusted to 7 percent oxygen using Equation 1 in § 60.3076.

(g) Method 26A of appendix A of this part must be used for hydrogen chloride concentration analysis, with the additional requirements specified in paragraphs (g)(1) through (3) of this section.

(1) The probe and filter must be conditioned prior to sampling using the procedure described in paragraphs (g)(1)(i) through (iii) of this section.

(i) Assemble the sampling train(s) and conduct a conditioning run by collecting between 14 liters per minute (0.5 cubic feet per minute) and 30 liters per minute (1.0 cubic feet per minute) of gas over a 1-hour period. Follow the sampling procedures outlined in section 8.1.5 of Method 26A of appendix A of this part. For the conditioning run, water can be used as the impinger solution.

(ii) Remove the impingers from the sampling train and replace with a fresh impinger train for the sampling run, leaving the probe and filter (and cyclone, if used) in position. Do not recover the filter or rinse the probe before the first run. Thoroughly rinse the impingers used in the

preconditioning run with deionized water and discard these rinses.

(iii) The probe and filter assembly are conditioned by the stack gas and are not recovered or cleaned until the end of testing.

(2) For the duration of sampling, a temperature around the probe and filter (and cyclone, if used) between 120 °C (248 °F) and 134 °C (273 °F) must be maintained.

(3) If water droplets are present in the sample gas stream, the requirements specified in paragraphs (g)(3)(i) and (ii) of this section must be met.

(i) The cyclone described in section 6.1.4 of Method 26A of appendix A of this part must be used.

(ii) The post-test moisture removal procedure described in section 8.1.6 of Method 26A of appendix A of this part must be used.

§ 60.3028 How are the performance test data used?

You use results of performance tests to demonstrate compliance with the emission limitations in Table 2 of this subpart.

Model Rule—Initial Compliance Requirements

§ 60.3030 How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

You must conduct an initial performance test, as required under § 60.8, to determine compliance with the emission limitations in Table 2 of this subpart and to establish operating limits using the procedure in § 60.3023 or § 60.3024. The initial performance test must be conducted using the test methods listed in Table 2 of this subpart and the procedures in § 60.3027.

§ 60.3031 By what date must I conduct the initial performance test?

The initial performance test must be conducted no later than 180 days after your final compliance date. Your final compliance date is specified in Table 1 of this subpart.

Model Rule—Continuous Compliance Requirements

§ 60.3033 How do I demonstrate continuous compliance with the emission limitations and the operating limits?

(a) You must conduct an annual performance test for all of the pollutants in Table 2 of this subpart for each OSWI unit to determine compliance with the emission limitations. The annual performance test must be conducted using the test methods listed in Table 2 of this subpart and the procedures in § 60.3027.

(b) You must continuously monitor carbon monoxide emissions to determine compliance with the carbon monoxide emissions limitation. Twelve-hour rolling average values are used to determine compliance. A 12-hour rolling average value above the carbon monoxide emission limit in Table 2 constitutes a deviation from the emission limitation.

(c) You must continuously monitor the operating parameters specified in § 60.3023 or established under § 60.3024. Three-hour rolling average values are used to determine compliance with the operating limits unless a different averaging period is established under § 60.3024. A 3-hour rolling average value (unless a different averaging period is established under § 60.3024) above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. Operating limits do not apply during performance tests.

§ 60.3034 By what date must I conduct the annual performance test?

You must conduct annual performance tests within 12 months following the initial performance test. Conduct subsequent annual performance tests within 12 months following the previous one.

§ 60.3035 May I conduct performance testing less often?

(a) You can test less often for a given pollutant if you have test data for at least three consecutive annual tests, and all performance tests for the pollutant over that period show that you comply with the emission limitation. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the 3rd year and no more than 36 months following the previous performance test.

(b) If your OSWI unit continues to meet the emission limitation for the pollutant, you may choose to conduct performance tests for that pollutant every 3rd year, but each test must be within 36 months of the previous performance test.

(c) If a performance test shows a deviation from an emission limitation for any pollutant, you must conduct annual performance tests for that pollutant until three consecutive annual performance tests for that pollutant all show compliance.

§ 60.3036 May I conduct a repeat performance test to establish new operating limits?

Yes, you may conduct a repeat performance test at any time to establish new values for the operating limits. The Administrator may request a repeat performance test at any time.

Model Rule—Monitoring

§ 60.3038 What continuous emission monitoring systems must I install?

(a) You must install, calibrate, maintain, and operate continuous emission monitoring systems for carbon monoxide and for oxygen. You must monitor the oxygen concentration at each location where you monitor carbon monoxide.

(b) You must install, evaluate, and operate each continuous emission monitoring system according to the ''Monitoring Requirements'' in § 60.13.

§ 60.3039 How do I make sure my continuous emission monitoring systems are operating correctly?

(a) Conduct initial, daily, quarterly, and annual evaluations of your continuous emission monitoring systems that measure carbon monoxide and oxygen.

(b) Complete your initial evaluation of the continuous emission monitoring systems within 180 days after your final compliance date in Table 1 of this subpart.

(c) For initial and annual evaluations, collect data concurrently (or within 30 to 60 minutes) using your carbon monoxide and oxygen continuous emission monitoring systems. To validate carbon monoxide concentration levels, use EPA Method 10, 10A, or 10B of appendix A of this part. Use EPA Method 3 or 3A to measure oxygen. Collect the data during each initial and annual evaluation of your continuous emission monitoring systems following the applicable performance specifications in appendix B of this part. Table 4 of this subpart shows the required span values and performance specifications that apply to each continuous emission monitoring system.

(d) Follow the quality assurance procedures in Procedure 1 of appendix F of this part for each continuous emission monitoring system. The procedures include daily calibration drift and quarterly accuracy determinations.

§ 60.3040 What is my schedule for evaluating continuous emission monitoring systems?

(a) Conduct annual evaluations of your continuous emission monitoring systems no more than 12 months after the previous evaluation was conducted.

(b) Evaluate your continuous emission monitoring systems daily and quarterly as specified in appendix F of this part.

§ 60.3041 What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems, and is the data collection requirement enforceable?

(a) Where continuous emission monitoring systems are required, obtain 1-hour arithmetic averages. Make sure the averages for carbon monoxide are in parts per million by dry volume at 7 percent oxygen. Use the 1-hour averages of oxygen data from your continuous emission monitoring system to determine the actual oxygen level and to calculate emissions at 7 percent oxygen.

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average. Section 60.13(e)(2) requires your continuous emission monitoring systems to complete at least one cycle of operation (sampling, analyzing, and data recording) for each 15-minute period.

(c) Obtain valid 1-hour averages for at least 75 percent of the operating hours per day for at least 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal or institutional solid waste.

(d) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you have deviated from the data collection requirement regardless of the emission level monitored.

(e) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you must still use all valid data from the continuous emission monitoring systems in calculating emission concentrations.

(f) If continuous emission monitoring systems are temporarily unavailable to meet the data collection requirements, refer to Table 4 of this subpart. It shows alternate methods for collecting data when systems malfunction or when repairs, calibration checks, or zero and span checks keep you from collecting the minimum amount of data.

§ 60.3042 How do I convert my 1-hour arithmetic averages into the appropriate averaging times and units?

(a) Use Equation 1 in § 60.3076 to calculate emissions at 7 percent oxygen.

(b) Use Equation 2 in § 60.3076 to calculate the 12-hour rolling averages for concentrations of carbon monoxide.

§ 60.3043 What operating parameter monitoring equipment must I install, and what operating parameters must I monitor?

(a) If you are using a wet scrubber to comply with the emission limitations under § 60.3022, you must install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in Table 3 of this subpart. These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in Table 3 of this subpart at all times.

(b) You must install, calibrate (to manufacturers' specifications), maintain, and operate a device or method for measuring the use of any stack that could be used to bypass the control device. The measurement must include the date, time, and duration of the use of the bypass stack.

(c) If you are using a method or air pollution control device other than a wet scrubber to comply with the emission limitations under § 60.3022, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in § 60.3024.

§ 60.3044 Is there a minimum amount of operating parameter monitoring data I must obtain?

(a) Except for monitor malfunctions, associated repairs, and required quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments of the monitoring system), you must conduct all monitoring at all times the OSWI unit is operating.

(b) You must obtain valid monitoring data for at least 75 percent of the operating hours per day for at least 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal or institutional solid waste.

(c) If you do not obtain the minimum data required in paragraphs (a) and (b) of this section, you have deviated from the data collection requirement regardless of the operating parameter level monitored.

(d) Do not use data recorded during monitor malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this subpart, including data averages and calculations. You must use all the data collected during all other periods in assessing compliance with the operating limits.

Model Rule—Recordkeeping and Reporting

§ 60.3046 What records must I keep?

You must maintain the 14 items (as applicable) as specified in paragraphs (a) through (n) of this section for a period of at least 5 years.

(a) Calendar date of each record.

(b) Records of the data described in paragraphs (b)(1) through (8) of this section.

(1) The OSWI unit charge dates, times, weights, and hourly charge rates.

(2) Liquor flow rate to the wet scrubber inlet every 15 minutes of operation, as applicable.

(3) Pressure drop across the wet scrubber system every 15 minutes of operation or amperage to the wet scrubber every 15 minutes of operation, as applicable.

(4) Liquor pH as introduced to the wet scrubber every 15 minutes of operation, as applicable.

(5) For OSWI units that establish operating limits for controls other than wet scrubbers under § 60.3024, you must maintain data collected for all operating parameters used to determine compliance with the operating limits.

(6) All 1-hour average concentrations of carbon monoxide emissions.

(7) All 12-hour rolling average values of carbon monoxide emissions and all 3-hour rolling average values of continuously monitored operating parameters.

(8) Records of the dates, times, and durations of any bypass of the control device.

(c) Identification of calendar dates and times for which continuous emission monitoring systems or monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (except for downtime associated with zero and span and other routine calibration checks). Identify the pollutant emissions or operating parameters not measured, the duration, reasons for not obtaining the data, and a description of corrective actions taken.

(d) Identification of calendar dates, times, and durations of malfunctions, and a description of the malfunction and the corrective action taken.

(e) Identification of calendar dates and times for which monitoring data show a deviation from the carbon monoxide emissions limit in Table 2 of this subpart or a deviation from the operating limits in Table 3 of this subpart or a deviation from other operating limits established under § 60.3024 with a description of the deviations, reasons for such deviations, and a description of corrective actions taken.

(f) Calendar dates when continuous monitoring systems did not collect the minimum amount of data required under §§ 60.3041 and 60.3044.

(g) For carbon monoxide continuous emissions monitoring systems, document the results of your daily drift tests and quarterly accuracy determinations according to Procedure 1 of appendix F of this part.

(h) Records of the calibration of any monitoring devices required under § 60.3043.

(i) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations and a description of the types of waste burned during the test.

(j) Records showing the names of OSWI unit operators who have completed review of the information in § 60.3019(a) as required by § 60.3019(b), including the date of the initial review and all subsequent annual reviews.

(k) Records showing the names of the OSWI unit operators who have completed the operator training requirements under § 60.3014, met the criteria for qualification under § 60.3016, and maintained or renewed their qualification under § 60.3017 or § 60.3018. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(l) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

(m) Equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment.

(n) The information listed in § 60.3019(a).

§ 60.3047 Where and in what format must I keep my records?

(a) You must keep each record on site for at least 2 years. You may keep the records off site for the remaining 3 years.

(b) All records must be available in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the Administrator.

§ 60.3048 What reports must I submit?

See Table 5 of this subpart for a summary of the reporting requirements.

§ 60.3049 What information must I submit following my initial performance test?

You must submit the information specified in paragraphs (a) through (c) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager.

(a) The complete test report for the initial performance test results obtained under § 60.3030, as applicable.

(b) The values for the site-specific operating limits established in § 60.3023 or § 60.3024.

(c) The waste management plan, as specified in §§ 60.3010 through 60.3012.

§ 60.3050 When must I submit my annual report?

You must submit an annual report no later than 12 months following the submission of the information in § 60.3049. You must submit subsequent reports no more than 12 months following the previous report.

§ 60.3051 What information must I include in my annual report?

The annual report required under § 60.3050 must include the ten items listed in paragraphs (a) through (j) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§ 60.3052 through 60.3054.

(a) Company name and address.

(b) Statement by the owner or operator, with their name, title, and signature, certifying the truth, accuracy, and completeness of the report. Such certifications must also comply with the requirements of 40 CFR 70.5(d) or 40 CFR 71.5(d).

(c) Date of report and beginning and ending dates of the reporting period.

(d) The values for the operating limits established pursuant to § 60.3023 or § 60.3024.

(e) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the emission limitations or operating limits was inoperative, inactive, malfunctioning or out of control.

(f) The highest recorded 12-hour average and the lowest recorded 12-hour average, as applicable, for carbon monoxide emissions and the highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(g) Information recorded under § 60.3046(b)(6) and (c) through (e) for the calendar year being reported.

(h) If a performance test was conducted during the reporting period, the results of that test.

(i) If you met the requirements of § 60.3035(a) or (b), and did not conduct a performance test during the reporting period, you must state that you met the requirements of § 60.3035(a) or (b), and, therefore, you were not required to conduct a performance test during the reporting period.

(j) Documentation of periods when all qualified OSWI unit operators were unavailable for more than 12 hours, but less than 2 weeks.

§ 60.3052 What else must I report if I have a deviation from the operating limits or the emission limitations?

(a) You must submit a deviation report if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit established under this subpart, if any recorded 12-hour average carbon monoxide emission rate is above the emission limitation, if the control device was bypassed, or if a performance test was conducted that showed a deviation from any emission limitation.

(b) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

§ 60.3053 What must I include in the deviation report?

In each report required under § 60.3052, for any pollutant or operating parameter that deviated from the emission limitations or operating limits specified in this subpart, include the seven items described in paragraphs (a) through (g) of this section.

(a) The calendar dates and times your unit deviated from the emission limitations or operating limit requirements.

(b) The averaged and recorded data for those dates.

(c) Durations and causes of each deviation from the emission limitations or operating limits and your corrective actions.

(d) A copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels.

(e) The dates, times, number, duration, and causes for monitor downtime incidents (other than downtime associated with zero, span, and other routine calibration checks).

(f) Whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.

(g) The dates, times, and durations of any bypass of the control device.

§ 60.3054 What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

(a) If all qualified operators are not accessible for 2 weeks or more, you must take the two actions in paragraphs (a)(1) and (2) of this section.

(1) Submit a notification of the deviation within 10 days that includes the three items in paragraphs (a)(1)(i) through (iii) of this section.

(i) A statement of what caused the deviation.

(ii) A description of what you are doing to ensure that a qualified operator is accessible.

(iii) The date when you anticipate that a qualified operator will be available.

(2) Submit a status report to EPA every 4 weeks that includes the three items in paragraphs (a)(2)(i) through (iii) of this section.

(i) A description of what you are doing to ensure that a qualified operator is accessible.

(ii) The date when you anticipate that a qualified operator will be accessible.

(iii) Request approval from EPA to continue operation of the OSWI unit.

(b) If your unit was shut down by EPA, under the provisions of § 60.3020(c)(2), due to a failure to provide an accessible qualified operator, you must notify EPA that you are resuming operation once a qualified operator is accessible.

§ 60.3055 Are there any other notifications or reports that I must submit?

Yes, you must submit notifications as provided by § 60.7.

§ 60.3056 In what form can I submit my reports?

Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates.

§ 60.3057 Can reporting dates be changed?

If the Administrator agrees, you may change the semiannual or annual reporting dates. See § 60.19(c) for procedures to seek approval to change your reporting date.

Model Rule—Title V Operating Permits

§ 60.3059 Am I required to apply for and obtain a title V operating permit for my unit?

Yes, if you are subject to an applicable EPA-approved and effective Clean Air Act section 111(d)/129 State or Tribal plan or an applicable and effective Federal plan, you are required to apply for and obtain a title V operating permit unless you meet the relevant requirements for an exemption specified in § 60.2993.

§ 60.3060 When must I submit a title V permit application for my existing unit?

(a)(1) If your existing unit is not subject to an earlier permit application deadline, a complete title V permit application must be submitted on or before the earlier of the dates specified in paragraphs (a)(1)(i) through (iii) of this section. (See sections 129(e), 503(c), 503(d), and 502(a) of the Clean Air Act and 40 CFR 70.5(a)(1)(i) and 40 CFR 71.5(a)(1)(i).)

(i) 12 months after the effective date of any applicable EPA-approved Clean Air Act section 111(d)/129 State or Tribal plan.

(ii) 12 months after the effective date of any applicable Federal plan.

(iii) December 16, 2008.

(2) For any existing unit not subject to an earlier permit application deadline, the application deadline of 36 months after the promulgation of 40 CFR part 60, subpart FFFF, applies regardless of whether or when any applicable Federal plan is effective, or whether or when any applicable Clean Air Act section 111(d)/129 State or Tribal plan is approved by EPA and becomes effective.

(b) If your existing unit is subject to title V as a result of some triggering requirement(s) other than those specified in paragraph (a) of this section (for example, a unit may be a major source or part of a major source), then your unit may be required to apply for a title V permit prior to the deadlines specified in paragraph (a). If more than one requirement triggers a source's obligation to apply for a title V permit, the 12-month timeframe for filing a title V permit application is triggered by the requirement which first causes the source to be subject to title V. (See section 503(c) of the Clean Air Act and 40 CFR 70.3(a) and (b), 40 CFR 70.5(a)(1)(i), 40 CFR 71.3(a) and (b), and 40 CFR 71.5(a)(1)(i).)

(c) A ''complete'' title V permit application is one that has been determined or deemed complete by the relevant permitting authority under section 503(d) of the Clean Air Act and 40 CFR 70.5(a)(2) or 40 CFR 71.5(a)(2). You must submit a complete permit application by the relevant application deadline in order to operate after this date in compliance with Federal law. (See sections 503(d) and 502(a) of the Clean Air Act and 40 CFR 70.7(b) and 40 CFR 71.7(b).)

Model Rule—Temporary-Use Incinerators and Air Curtain Incinerators Used in Disaster Recovery

§ 60.3061 What are the requirements for temporary-use incinerators and air curtain incinerators used in disaster recovery?

Your incinerator or air curtain incinerator is excluded from the requirements of this subpart if it is used on a temporary basis to combust debris from a disaster or emergency such as a tornado, hurricane, flood, ice storm, high winds, or act of bioterrorism. To qualify for this exclusion, the incinerator or air curtain incinerator must be used to combust debris in an area declared a State of Emergency by a local or State government, or the President, under the authority of the Stafford Act, has declared that an emergency or a major disaster exists in the area, and you must follow the requirements specified in paragraphs (a) through (c) of this section.

(a) If the incinerator or air curtain incinerator is used during a period that begins on the date the unit started operation and lasts 8 weeks or less within the boundaries of the same emergency or disaster declaration area, then it is excluded from the requirements of this subpart. You do not need to notify the Administrator of its use or meet the emission limitations or other requirements of this subpart.

(b) If the incinerator or air curtain incinerator will be used during a period that begins on the date the unit started operation and lasts more than 8 weeks within the boundaries of the same emergency or disaster declaration area, you must notify the Administrator that the temporary-use incinerator or air curtain incinerator will be used for more than 8 weeks and request permission to continue to operate the unit as specified in paragraphs (b)(1) and (2) of this section.

(1) The notification must be submitted in writing by the date 8 weeks after you start operation of the temporary-use incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area.

(2) The notification must contain the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, identification of the disaster or emergency for which the incinerator or air curtain incinerator is being used, a description of the types of materials being burned in the incinerator or air curtain incinerator, a brief description of the size and design of the unit (for example, an air curtain incinerator or a modular starved-air incinerator), the reasons the incinerator

or air curtain incinerator must be operated for more than 8 weeks, and the amount of time for which you request permission to operate including the date you expect to cease operation of the unit.

(c) If you submitted the notification containing the information in paragraph (b)(2) by the date specified in paragraph (b)(1), you may continue to operate the incinerator or air curtain incinerator for another 8 weeks, which is a total of 16 weeks from the date the unit started operation within the boundaries of the current emergency or disaster declaration area. You do not have to meet the emission limitations or other requirements of this subpart during this period.

(1) At the end of 16 weeks from the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, you must cease operation of the unit or comply with all requirements of this subpart, unless the Administrator has approved in writing your request to continue operation.

(2) If the Administrator has approved in writing your request to continue operation, then you may continue to operate the incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area until the date specified in the approval, and you do not need to comply with any other requirements of this subpart during the approved time period.

Model Rule—Air Curtain Incinerators That Burn Only Wood Waste, Clean Lumber, and Yard Waste

§ 60.3062 What is an air curtain incinerator?

(a) An air curtain incinerator operates by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs. For the purpose of this subpart and subpart EEEE of this part only, air curtain incinerators include both firebox and trench burner units.

(b) Air curtain incinerators that burn only the materials listed in paragraphs (b)(1) through (4) of this section are required to meet only the requirements in §§ 60.3062 through 60.3069 and are exempt from all other requirements of this subpart.

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent yard waste.

(4) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

§ 60.3063 When must I comply if my air curtain incinerator burns only wood waste, clean lumber, and yard waste?

Table 1 of this subpart specifies the final compliance date. You must submit a notification to the Administrator postmarked within 10 business days after the final compliance date in Table 1 of this subpart.

§ 60.3064 What must I do if I close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and then restart it?

(a) If you close your incinerator but will reopen it prior to the final compliance date in your State plan, you must meet the final compliance date specified in Table 1 of this subpart.

(b) If you close your incinerator but will restart it after your final compliance date, you must meet the emission limitations on the date your incinerator restarts operation.

§ 60.3065 What must I do if I plan to permanently close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and not restart it?

You must close the unit before the final compliance date specified in Table 1 of this subpart.

§ 60.3066 What are the emission limitations for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Within 180 days after your final compliance date in Table 1 of this subpart, you must meet the two limitations specified in paragraphs (a)(1) and (2) of this section.

(1) The opacity limitation is 10 percent (6-minute average), except as described in paragraph (a)(2) of this section.

(2) The opacity limitation is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) The limitations in paragraph (a) of this section apply at all times except during malfunctions.

§ 60.3067 How must I monitor opacity for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Use Method 9 of appendix A of this part to determine compliance with the opacity limitation.

(b) Conduct an initial test for opacity as specified in § 60.8 within 180 days after the final compliance date in Table 1 of this subpart.

(c) After the initial test for opacity, conduct annual tests no more than 12 months following the date of your previous test.

(d) If the air curtain incinerator has been out of operation for more than 12 months following the date of your previous test, then you must conduct a test for opacity upon startup of the unit.

§ 60.3068 What are the recordkeeping and reporting requirements for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Keep records of results of all initial and annual opacity tests in either paper copy or computer-readable format that can be printed upon request, unless the Administrator approves another format, for at least 5 years. You must keep each record on site for at least 2 years. You may keep the records off site for the remaining 3 years.

(b) Make all records available for submittal to the Administrator or for an inspector's review.

(c) You must submit the results (each 6-minute average) of the initial opacity tests no later than 60 days following the initial test. Submit annual opacity test results within 12 months following the previous report.

(d) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date.

(e) Keep a copy of the initial and annual reports for a period of 5 years. You must keep each report on site for at least 2 years. You may keep the reports off site for the remaining 3 years.

§ 60.3069 Am I required to apply for and obtain a title V operating permit for my air curtain incinerator that burns only wood waste, clean lumber, and yard waste?

Yes, if your air curtain incinerator is subject to this subpart, you are required to apply for and obtain a title V operating permit as specified in §§ 60.3059 and 60.3060.

Model Rule—Equations

§ 60.3076 What equations must I use?

(a) *Percent oxygen.* Adjust all pollutant concentrations to 7 percent oxygen using Equation 1 of this section.

$$C_{adj} = C_{meas} * (20.9 - 7)/(20.9 - \%O_2) \qquad \text{(Eq. 1)}$$

Where:

C_{adj} = pollutant concentration adjusted to 7 percent oxygen

C_{meas} = pollutant concentration measured on a dry basis

(20.9–7) = 20.9 percent oxygen–7 percent oxygen (defined oxygen correction basis)

20.9 = oxygen concentration in air, percent

$\%O_2$ = oxygen concentration measured on a dry basis, percent

(b) *Capacity of a very small municipal waste combustion unit.* For very small municipal waste combustion units that can operate continuously for 24-hour periods, calculate the unit capacity based on 24 hours of operation at the maximum charge rate. To determine the maximum charge rate, use one of two methods:

(1) For very small municipal waste combustion units with a design based on heat input capacity, calculate the maximum charging rate based on the maximum heat input capacity and one of two heating values:

(i) If your very small municipal waste combustion unit combusts refuse-derived fuel, use a heating value of 12,800 kilojoules per kilogram (5,500 British thermal units per pound).

(ii) If your very small municipal waste combustion unit combusts municipal solid waste, use a heating value of 10,500 kilojoules per kilogram (4,500 British thermal units per pound).

(2) For very small municipal waste combustion units with a design not based on heat input capacity, use the maximum design charging rate.

(c) *Capacity of a batch very small municipal waste combustion unit.* Calculate the capacity of a batch OSWI unit as the maximum design amount of municipal solid waste it can charge per batch multiplied by the maximum number of batches it can process in 24 hours. Calculate the maximum number of batches by dividing 24 by the number of hours needed to process one batch. Retain fractional batches in the calculation. For example, if one batch requires 16 hours, the OSWI unit can combust 24/16, or 1.5 batches, in 24 hours.

(d) *Carbon monoxide pollutant rate.* When hourly average pollutant rates (E_h) are obtained (e.g., CEMS values), compute the rolling average carbon monoxide pollutant rate (E_a) for each 12-hour period using the following equation:

$$E_a = \frac{1}{12}\sum_{j=1}^{12} E_{hj} \qquad \text{(Eq. 2)}$$

Where:

E_a = Average carbon monoxide pollutant rate for the 12-hour period, ppm corrected to 7 percent O_2.

E_{hj} = Hourly arithmetic average pollutant rate for hour ''j,'' ppm corrected to 7 percent O_2.

Model Rule—Definitions

§ 60.3078 What definitions must I know?

Terms used but not defined in this subpart are defined in the Clean Air Act and subpart A (General Provisions) of this part.

Administrator means:

(1) For approved and effective State section 111(d)/129 plans, the Director of the State air pollution control agency, or his or her delegatee;

(2) For Federal section 111(d)/129 plans, the Administrator of the EPA, an employee of the EPA, the Director of the State air pollution control agency, or employee of the State air pollution control agency to whom the authority has been delegated by the Administrator of the EPA to perform the specified task; and

(3) For NSPS, the Administrator of the EPA, an employee of the EPA, the Director of the State air pollution control agency, or employee of the State air pollution control agency to whom the authority has been delegated by the Administrator of the EPA to perform the specified task.

Air curtain incinerator means an incineration unit operating by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs. For the purpose of this subpart and subpart EEEE only, air curtain incinerators include both firebox and trench burner units.

Auxiliary fuel means natural gas, liquified petroleum gas, fuel oil, or diesel fuel.

Batch OSWI unit means an OSWI unit that is designed such that neither waste charging nor ash removal can occur during combustion.

Calendar quarter means three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

Calendar year means 365 consecutive days starting on January 1 and ending on December 31.

Chemotherapeutic waste means waste material resulting from the production or use of anti-neoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

Class II municipal solid waste landfill means a landfill that meets four criteria:

(1) Accepts, for incineration or disposal, less than 20 tons per day of municipal solid waste or other solid wastes based on an annual average;

(2) Is located on a site where there is no evidence of groundwater pollution caused or contributed to by the landfill;

(3) Is not connected by road to a Class I municipal solid waste landfill, as defined by Alaska regulatory code 18 AAC 60.300(c) or, if connected by road, is located more than 50 miles from a Class I municipal solid waste landfill; and

(4) Serves a community that meets one of two criteria:

(i) Experiences for at least three months each year, an interruption in access to surface transportation, preventing access to a Class I municipal solid waste landfill; or

(ii) Has no practicable waste management alternative, with a landfill located in an area that annually receives 25 inches or less of precipitation.

Class III municipal solid waste landfill is a landfill that is not connected by road to a Class I municipal solid waste landfill, as defined by Alaska regulatory code 18 AAC 60.300(c) or, if connected by road, is located more than 50 miles from a Class I municipal solid waste landfill, and that accepts, for disposal, either of the following two criteria:

(1) Ash from incinerated municipal waste in quantities less than one ton per day on an annual average, which ash must be free of food scraps that might attract animals; or

(2) Less than five tons per day of municipal solid waste, based on an annual average, and is not located in a place that meets either of the following criteria:

(i) Where public access is restricted, including restrictions on the right to move to the place and reside there; or

(ii) That is provided by an employer and that is populated totally by persons who are required to reside there as a condition of employment and who do not consider the place to be their permanent residence.

Clean lumber means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

Collected from means the transfer of material from the site at which the material is generated to a separate site where the material is burned.

Contained gaseous material means gases that are in a container when that container is combusted.

Continuous emission monitoring system or CEMS means a monitoring system for continuously measuring and recording the emissions of a pollutant from an OSWI unit.

Continuous OSWI unit means an OSWI unit that is designed to allow waste charging and ash removal during combustion.

Deviation means any instance in which a unit that meets the requirements in § 60.2991, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any unit that meets requirements in § 60.2991 and is required to obtain such a permit; or

(3) Fails to meet any emission limitation, operating limit, or operator qualification and accessibility requirement in this subpart during startup, shutdown, or malfunction, regardless of whether or not such failure is allowed by this subpart.

Dioxins/furans means tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

Energy recovery means the process of recovering thermal energy from combustion for useful purposes such as steam generation or process heating.

EPA means the Administrator of the EPA or employee of the EPA that is delegated the authority to perform the specified task.

Institutional facility means a land-based facility owned and/or operated by an organization having a governmental, educational, civic, or religious purpose such as a school, hospital, prison, military installation, church, or other similar establishment or facility.

Institutional waste means solid waste (as defined in this subpart) that is combusted at any institutional facility using controlled flame combustion in an enclosed, distinct operating unit: Whose design does not provide for energy recovery (as defined in this subpart); operated without energy recovery (as defined in this subpart); or operated with only waste heat recovery (as defined in this subpart). Institutional waste also means solid waste (as defined in this subpart) combusted on site in an air curtain incinerator that is a distinct operating unit of any institutional facility.

Institutional waste incineration unit means any combustion unit that combusts institutional waste (as defined in this subpart) and is a distinct operating unit of the institutional facility that generated the waste. Institutional waste incineration units include field-erected, modular, cyclonic burn barrel, and custom built incineration units operating with starved or excess air, and any air curtain incinerator that is a distinct operating unit of the institutional facility that generated the institutional waste (except those air curtain incinerators listed in § 60.2994(b)).

Intermittent OSWI unit means an OSWI unit that is designed to allow waste charging, but not ash removal, during combustion.

Low-level radioactive waste means waste material that contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable Federal or State standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

Metropolitan Statistical Area means any areas listed as metropolitan statistical areas in OMB Bulletin No. 05–02 entitled ''Update of Statistical Area Definitions and Guidance on Their Uses'' dated February 22, 2005 (available on the Web at *http://www.whitehouse.gov/omb/bulletins/*).

Modification or modified unit means an incineration unit you have changed on or after June 16, 2006 and that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the unit (not including the cost of land) updated to current costs (current dollars). For an OSWI unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

(2) Any physical change in the OSWI unit or change in the method of operating it that increases the amount of any air pollutant emitted for which section 129 or section 111 of the Clean Air Act has established standards.

Municipal solid waste means refuse (and refuse-derived fuel) collected from the general public and from residential, commercial, institutional, and industrial sources consisting of paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustible materials and non-combustible materials such as metal, glass and rock, provided that: (1) The term does not include industrial process wastes or medical wastes that are segregated from such other wastes; and (2) an incineration unit shall not be considered to be combusting municipal solid waste for purposes of this subpart if it combusts a fuel feed stream, 30 percent or less of the weight of which is comprised, in aggregate, of municipal solid waste, as determined by § 60.2993(b).

Municipal waste combustion unit means, for the purpose of this subpart and subpart EEEE, any setting or equipment that combusts municipal solid waste (as defined in this subpart) including, but not limited to, field-erected, modular, cyclonic burn barrel, and custom built incineration units (with or without energy recovery) operating with starved or excess air, boilers, furnaces, pyrolysis/combustion units, and air curtain incinerators (except those air curtain incinerators listed in § 60.2994(b)).

Other solid waste incineration (OSWI) unit means either a very small municipal waste combustion unit or an institutional waste incineration unit, as defined in this subpart. Unit types listed in § 60.2993 as being excluded from the subpart are not OSWI units subject to this subpart. While not all OSWI units will include all of the following components, an OSWI unit includes, but is not limited to, the municipal or institutional solid waste feed system, grate system, flue gas system, waste heat recovery equipment, if any, and bottom ash system. The OSWI unit does not include air pollution control equipment or the stack. The OSWI unit boundary starts at the municipal or institutional waste hopper (if applicable) and extends through two areas:

(1) The combustion unit flue gas system, which ends immediately after the last combustion chamber or after the waste heat recovery equipment, if any; and

(2) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. The OSWI unit includes all ash handling systems connected to the bottom ash handling system.

Particulate matter means total particulate matter emitted from OSWI units as measured by Method 5 or Method 29 of appendix A of this part.

Pathological waste means waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

Reconstruction means rebuilding an incineration unit and meeting two criteria:

(1) The reconstruction begins on or after June 16, 2006.

(2) The cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the unit (not including land) updated to current costs (current dollars). For an OSWI unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

Refuse-derived fuel means a type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(1) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(2) Pelletized refuse-derived fuel.

Shutdown means the period of time after all waste has been combusted in the primary chamber. For continuous OSWI, shutdown shall commence no less than 2 hours after the last charge to the incinerator. For intermittent OSWI, shutdown shall commence no less than 4 hours after the last charge to the incinerator. For batch OSWI, shutdown shall commence no less than 5 hours after the high-air phase of combustion has been completed.

Solid waste means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1342), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2014).

Standard conditions, when referring to units of measure, means a temperature of 68°F (20°C) and a pressure of 1 atmosphere (101.3 kilopascals).

Startup period means the period of time between the activation of the system and the first charge to the OSWI unit. For batch OSWI, startup means the period of time between activation of the system and ignition of the waste.

Very small municipal waste combustion unit means any municipal waste combustion unit that has the capacity to combust less than 35 tons per day of municipal solid waste or refuse-derived fuel, as determined by the calculations in § 60.3076.

Waste heat recovery means the process of recovering heat from the combustion flue gases outside of the combustion firebox by convective heat transfer only.

Wet scrubber means an add-on air pollution control device that utilizes an aqueous or alkaline scrubbing liquor to collect particulate matter (including nonvaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

Wood waste means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

(1) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

(2) Construction, renovation, or demolition wastes.

(3) Clean lumber.

(4) Treated wood and treated wood products, including wood products that have been painted, pigment-stained, or pressure treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (*e.g.*, plywood, particle board, flake board, and oriented strand board).

Yard waste means grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. Yard waste comes from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(1) Construction, renovation, and demolition wastes.

(2) Clean lumber.

Tables to Subpart FFFF of Part 60

As stated in § 60.3000, you must comply with the following:

TABLE 1 TO SUBPART FFFF OF PART 60.—MODEL RULE—COMPLIANCE SCHEDULE

Complete this action	By this date [a]
Final compliance [b]	(Dates to be specified in State plan) [c].

[a] Site-specific schedules can be used at the discretion of the State.

[b] Final compliance means that you complete all process changes and retrofit of control devices so that, when the incineration unit is brought on line, all process changes and air pollution control devices necessary to meet the emission limitations operate as designed.

[c] The date can be no later than 3 years after the effective date of State plan approval or December 16, 2010, whichever is earlier.

As stated in § 60.3022, you must comply with the following:

TABLE 2 TO SUBPART FFFF OF PART 60.—MODEL RULE—EMISSION LIMITATIONS

For the air pollutant	You must meet this emission limitation[a]	Using this averaging time	And determining compliance using this method
1. Cadmium	18 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of this part.
2. Carbon monoxide	40 parts per million by dry volume.	3-run average (1 hour minimum sample time per run during performance test), and 12-hour rolling averages measured using CEMS [b].	Method 10, 10A, or 10B of appendix A of this part and CEMS.
3. Dioxins/furans (total basis).	33 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 23 of appendix A of this part.

TABLE 2 TO SUBPART FFFF OF PART 60.—MODEL RULE—EMISSION LIMITATIONS—Continued

For the air pollutant	You must meet this emission limitation[a]	Using this averaging time	And determining compliance using this method
4. Hydrogen chloride	15 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 26A of appendix A of this part.
5. Lead	226 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of this part.
6. Mercury	74 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of this part.
7. Opacity	10 percent	6-run average (1 hour minimum sample time per run).	Method 9 of appendix A of this part.
8. Oxides of nitrogen	103 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 7, 7A, 7C, 7D, or 7E of appendix A of this part, or ANSI/ASME PTC 19.10–1981 (IBR, see § 60.17(h)) in lieu of Methods 7 and 7C only.
9. Particulate matter	0.013 grains per dry standard cubic foot.	3-run average (1 hour minimum sample time per run).	Method 5 or 29 of appendix A of this part.
10. Sulfur dioxide	3.1 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 6 or 6C of appendix A of this part, or ANSI/ASME PTC 19.10–1981 (IBR, see § 60.17(h)) in lieu of Method 6 only.

[a] All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions.
[b] Calculated each hour as the average of the previous 12 operating hours.

As stated in § 60.3023, you must comply with the following:

TABLE 3 TO SUBPART FFFF OF PART 60.—MODEL RULE—OPERATING LIMITS FOR INCINERATORS AND WET SCRUBBERS

For these operating parameters	You must establish operating limits	And monitoring using these minimum frequencies		
		Data measurement	Data recording	Averaging time
1. Charge rate	Maximum charge rate	Continuous	Every hour	Daily for batch units. 3-hour rolling for continuous and intermittent units.[a]
2. Pressure drop across the wet scrubber or amperage to wet scrubber.	Minimum pressure drop or amperage.	Continuous	Every 15 minutes	3-hour rolling.[a]
3. Scrubber liquor flow rate	Minimum flow rate	Continuous	Every 15 minutes	3-hour rolling.[a]
4. Scrubber liquor pH	Minimum pH	Continuous	Every 15 minutes	3-hour rolling.[a]

[a] Calculated each hour as the average of the previous 3 operating hours.

As stated in § 60.3039, you must comply with the following:

TABLE 4 TO SUBPART FFFF OF PART 60.—MODEL RULE—REQUIREMENTS FOR CONTINUOUS EMISSION MONITORING SYSTEMS (CEMS)

For the following pollutants	Use the following span values for your CEMS	Use the following performance specifications (P.S.) in appendix B of this part for your CEMS	If needed to meet minimum data requirements, use the following alternate methods in appendix A of this part to collect data
1. Carbon Monoxide	125 percent of the maximum hourly potential carbon monoxide emissions of the waste combustion unit.	P.S.4A	Method 10.
2. Oxygen	25 percent oxygen	P.S.3	Method 3A or 3B, or ANSI/ASME PTC 19.10–1981 (IBR, see § 60.17(h)) in lieu of Method 3B only.

As stated in § 60.3048, you must comply with the following:

TABLE 5 TO SUBPART FFFF OF THE PART 60.—MODEL RULE—SUMMARY OF REPORTING REQUIREMENTS

Report	Due date	Contents	Reference
1. Initial test report	a. No later than 60 days following the initial performance test	i. Complete test report for the initial performance test; and.	§ 60.3049.
		ii. The values for the site-specific operating limits.	§ 60.3049.
2. Waste management plan	a. No later than 60 days following the initial performance test	i. Reduction or separation of recyclable materials; and.	§§ 60.3010 through 60.3012.
		ii. Identification of additional waste management measures and how they will be implemented.	§§ 60.3010 through 60.3012.
3. Annual Report	a. No later than 12 months following the submission of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report	i. Company Name and address; ..	§§ 60.3050 and 60.3051.
		ii. Statement and signature by the owner or operator;.	§§ 60.3050 and 60.3051.
		iii. Date of report;	§§ 60.3050 and 60.3051.
		iv. Values for the operation limits;	§§ 60.3050 and 60.3051.
		v. If no deviations or malfunctions were reported, a statement that no deviations occurred during the reporting period;.	§§ 60.3050 and 60.3051.
		vi. Highest and lowest recorded 12-hour averages, as applicable, for carbon monoxide emissions and highest and lowest recorded 3-hour averages, as applicable, for each operating parameter recorded for the calendar year being reported;.	§§ 60.3050 and 60.3051.
		vii. Information for deviations or malfunctions recorded under § 60.2949(b)(6) and (c) through (e);.	§§ 60.3050 and 60.3051.
		viii. If a performance test was conducted during the reporting period, the results of the test;.	§§ 60.3050 and 60.3051.
		ix. If a performance test was not conducted during the reporting period, a statement that the requirements of § 60.2934(a) or (b) were met; and.	§§ 60.3050 and 60.3051.
		x. Documentation of periods when all qualified OSWI unit operators were unavailable for more than 12 hours but less than 2 weeks.	§§ 60.3050 and 60.3051.
4. Emission limitation or operating limit deviation report.	a. By August 1 of that year for data collected during the first half of the calendar year. By February 1 of the following year for data collected during the second half of the calendar year	i. Dates and times of deviation;	§§ 60.3052 and 60.3053.
		ii. Averaged and recorded data for those dates;.	§§ 60.3052 and 60.3053.
		iii. Duration and causes of each deviation and the corrective actions taken..	§§ 60.3052 and 60.3053.
		iv. Copy of operating limit monitoring data and any test reports;.	§§ 60.3052 and 60.3053.
		v. Dates, times, and causes for monitor downtime incidents;.	§§ 60.3052 and 60.3053.
		vi. Whether each deviation occurred during a period of start-up, shutdown, or malfunction; and.	§§ 60.3052 and 60.3053.
		vii. Dates, times, and duration of any bypass of the control device.	§§ 60.3052 and 60.3053.

TABLE 5 TO SUBPART FFFF OF THE PART 60.—MODEL RULE—SUMMARY OF REPORTING REQUIREMENTS—Continued

Report	Due date	Contents	Reference
5. Qualified operator deviation notification.	a. Within 10 days of deviation	i. Statement of cause of deviation;	§ 60.3054(a)(1).
		ii. Description of efforts to have an accessible qualified operator; and.	§ 60.3054(a)(1).
		iii. The date a qualified operator will be accessible.	§ 60.3054(a)(1).
6. Qualified operation deviation status report.	a. Every 4 weeks following deviation	i. Description of efforts to have an accessible qualified operator;.	§ 60.3054(a)(2).
		ii. The date a qualified operator will be accessible; and.	§ 60.3054(a)(2).
		iii. Request to continue operation	§ 60.3054(a)(2).
7. Qualified operator deviation notification of resumed operation.	a. Prior to resuming operation	i. Notification that you are resuming operation.	§ 60.3054(b).

Note: This table is only a summary, see the referenced sections of the rule for the complete requirements.

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APPENDIX B

PREAMBLE AND RULE LANGUAGE

30 TAC CHAPTER 113, SUBCHAPTER D

DIVISIONS 3 - 5

The Texas Commission on Environmental Quality (TCEQ or commission) adopts Subchapter D, new Division 3, §§113.2100 - 113.2174; new Division 4, §§113.2200 - 113.2261; and new Division 5, §§113.2300 - 113.2357.

New §113.2317 and §113.2352 are adopted *with changes* to the proposed text as published in the November 21, 2008, issue of the *Texas Register* (33 TexReg 9371). Sections 113.2100 - 113.2174, 113.2200 - 113.2261, and 113.2300 - 113.2316, 113.2318 - 113.2351, and 113.2353 - 113.2357 are adopted *without changes* to the proposed text and will not be republished.

The commission will also include these adopted rules in the accompanying Federal Clean Air Act (FCAA), §111(d)/129 State Plan.

BACKGROUND AND SUMMARY OF THE FACTUAL BASIS FOR THE ADOPTED RULES

The adopted amendments to Chapter 113 would revise Subchapter D (Designated Facilities and Pollutants), to add new Division 3 (Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999), new Division 4 (Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999), and new Division 5 (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004) to incorporate the emission guidelines found in 40 Code of Federal Regulations (CFR) Part 60 (Standards of Performance for New Stationary Sources).

New Source Performance Standards and Emission Guidelines

The FCAA, §111 (Standards of Performance for New Stationary Sources) and §129 (Solid Waste Combustion) require the United States Environmental Protection Agency (EPA) to develop and adopt performance standards and other requirements for each category of solid waste incineration units. The standards are required to include emissions limitations and other requirements applicable to new units and other requirements applicable to existing units. The new source performance standards (NSPS) apply to new stationary sources in which construction begins after the NSPS is proposed or that are reconstructed or modified on or after a specified date. Emission guidelines are similar to the NSPS, except that they apply to existing sources in which construction begins on or before the date the NSPS is proposed or that are reconstructed or modified before a specified date. Unlike the NSPS, emission guidelines are not enforceable until the EPA approves a state plan or adopts a federal plan for implementing and enforcing them, and the state or federal plan becomes effective. The emission guidelines incorporated as part of this rulemaking are for certain solid waste incineration units, as specified in this preamble. Under the FCAA, §129, the NSPS and emission guidelines adopted for solid waste incineration units must meet maximum achievable control technology, or the maximum degree of reduction in emissions of air pollutants that the EPA determines is achievable, taking into consideration the cost of achieving reductions and any non-air quality health and environmental impacts and energy requirements.

Additionally, states are required under the FCAA, §129 and the emission guidelines, to adopt and submit to the EPA for approval, a state plan to implement and enforce the emission guidelines. The state plan is required to be at least as protective as the emission guidelines. The FCAA, §129 requires the EPA to develop, implement, and enforce a federal plan if a state fails to submit a satisfactory state plan. The EPA promulgated a federal plan to implement 40 CFR Part 60, Subpart BBBB for existing small municipal waste combustors on January 31, 2003, in 40 CFR Part 62, Subpart JJJ. This federal plan became

effective on January 31, 2003. The EPA also promulgated a federal plan to implement 40 CFR Part 60, Subpart DDDD for existing commercial and industrial solid waste incinerators (CISWIs) on October 3, 2003, in 40 CFR Part 62, Subpart III. This federal plan became effective on November 3, 2003. While the EPA proposed a federal plan to implement 40 CFR Part 60, Subpart FFFF for other solid waste incineration (OSWI) units on December 18, 2006 (40 CFR Part 62, Subpart KKK), the EPA has not yet finalized the federal plan. Interested persons may consult the emission guidelines and proposed and final federal plans for further information concerning the requirements that are the subject of this adopted rulemaking. The commission is adopting a state plan to implement and enforce the emission guidelines that are the subject of this adopted rulemaking as part of a separate, concurrent process.

40 CFR Part 60, Subparts BBBB, DDDD, and FFFF

To meet the requirements of the FCAA, §129, the commission adopts the incorporation of three new emission guidelines into Chapter 113: 40 CFR Part 60, Subpart BBBB (Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999) published in the December 6, 2000, issue of the *Federal Register* (65 FR 76378); Subpart DDDD (Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999) published in the December 1, 2000, issue of the *Federal Register* (65 FR 75338); and Subpart FFFF (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004) published in the December 16, 2005, issue of the *Federal Register* (70 FR 74870).

Copies of these emission guidelines are available through the EPA, the commission, or online from the EPA Federal Register Web site at: *http://www.epa.gov/fedrgstr/*.

40 CFR Part 60, Subpart BBBB, Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999

On December 6, 2000, the EPA promulgated emission guidelines for small municipal waste combustion (MWC) units constructed on or before August 30, 1999, defined as any MWC unit with a combustion design capacity of 35 to 250 tons per day. As required by the FCAA, §129, the emission guidelines establish numerical emission limits for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, sulfur dioxide, hydrogen chloride, nitrogen oxides, and carbon monoxide, in addition to other requirements.

40 CFR Part 60, Subpart DDDD, Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999

On December 1, 2000, the EPA promulgated emission guidelines for CISWI units that commenced construction on or before November 30, 1999, defined as any combustion device that combusts commercial and industrial waste, as defined in this subpart. As required by the FCAA, §129, the emission guidelines establish numerical emission limits for cadmium, carbon monoxide, dioxins/furans, hydrogen chloride, lead, mercury, opacity, oxides of nitrogen, particulate matter, and sulfur dioxide, in addition to other requirements.

40 CFR Part 60, Subpart FFFF, Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004

On December 16, 2005, the EPA promulgated emission guidelines for OSWI units that commenced construction on or before December 9, 2004, defined as either a very small MWC unit or an institutional waste incineration unit, as defined in this subpart. As required by the FCAA, §129, the emission guidelines establish numerical emission limits for cadmium, carbon monoxide, dioxins/furans, hydrogen chloride, lead, mercury, opacity, oxides of nitrogen, particulate matter, and sulfur dioxide, in addition to other requirements.

EPA Model Rules

In the emission guidelines for 40 CFR Part 60, Subparts BBBB, DDDD, and FFFF, the EPA included model rule language. The EPA states that the model rule is the portion of each of the emission guidelines that addresses the applicable requirements for each subpart in a standard regulation format, and that a state may either use the EPA's model rules as a part of its state plan, or may use alternative language if it is at least as protective as the model rule contained in each subpart.

To meet the federal requirements for its FCAA, §111(d)/129 State Plan, the commission opted to use the model language provided by the EPA in 40 CFR, and adopts the incorporation of the EPA rules into 30 TAC Chapter 113, Standards of Performance for Hazardous Air Pollutants and for Designated Facilities and Pollutants; Subchapter D, Designated Facilities and Pollutants; new Divisions 3 - 5, with the administrative changes noted in this preamble.

SECTION BY SECTION DISCUSSION

The commission adopts various changes to the EPA model rules to be incorporated into Chapter 113 primarily to revise rule subdivision formatting and cross-references to conform with the publication

requirements of the Texas Register. Throughout the rules, where appropriate, the commission also adopts additional changes to the model rule language for administrative ease and clarity, including: changing the word "Administrator" to "executive director" so that when the Chapter 113 rules and state plan are approved by the EPA, the rules reflect that the commission will enforce the rules, rather than the EPA; changing the EPA's subpart references to the appropriate TCEQ division references; defining acronyms as they are used in each section; and revising legal citations so that they will clearly identify the federal statute, such as the FCAA. Finally, the commission adopts minor spelling, capitalization, and grammatical revisions, such as the addition of "United States" before "Environmental Protection Agency" and consistent use of the term "operating permit" throughout the rules. These nonsubstantive changes conform to both Texas Register formatting requirements and agency style conventions.

Besides the general changes listed in the previous paragraph, throughout the rules, the commission also adopts specific changes that are noted in this preamble under the specific section number in which the change is adopted. The commission adopts these additional, specific changes to the EPA model rules to ensure clear understanding of the rule requirements and proper state enforcement of the rules.

Division 3, Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999 (40 CFR Part 60, Subpart BBBB)

§113.2100--Definitions.

The commission adopts new §113.2100, which defines terms used in new Division 3 that are either previously undefined or are used differently by the federal emission guidelines that are the basis for the rules. The definitions are taken from 40 CFR §60.1940 (What definitions must I know?).

§113.2101--What are my requirements for meeting increments of progress and achieving final compliance?

The commission adopts new §113.2101, which specifies what must be completed for both Class I and Class II units to meet final compliance. The adopted section states that the increments of progress for Class I units include the following: final control plan, notification of retrofit contract award, initiation of onsite construction, completion of onsite construction, and final compliance. Class II units need only submit a final control plan and achieve final compliance.

§113.2102--When must I complete each increment of progress?

The commission adopts new §113.2102, which specifies that the compliance dates for each of the increments of progress for Class I and Class II units are located in Table 1 of Division 3 (§113.2174).

§113.2103--What must I include in the notifications of achievement of my increments of progress?

The commission adopts new §113.2103, which specifies that notifications demonstrating achievement of increments of progress must include three items: notification that the increment of progress has been achieved; any items required to be submitted with the increment of progress; and signature on the notification by the owner or operator.

§113.2104--When must I submit the notifications of achievement of increments of progress?

The commission adopts new §113.2104, which specifies that notifications demonstrating compliance with the increments of progress must be postmarked no later than 10 days after the compliance date for the increment.

§113.2105--What if I do not meet an increment of progress?

The commission adopts new §113.2105, which describes what notification must be submitted to the executive director if an increment of progress is not completed. The adopted section states that the notification: must be postmarked within 10 business days after the specified date in Table 1 of Division 3 (§113.2174); and must convey to the executive director that the increment was not met, contain an explanation of why the increment was not met, and contain the plan to meet the requirements of the increment. The adopted section further states that the reports must continue to be submitted each subsequent month until the increment of progress is met.

For clarification, the commission adopts the specification that monthly progress reports be due on the first day of each month.

§113.2106--How do I comply with the increment of progress for submittal of a control plan?

The commission adopts new §113.2106, which describes two items that must be completed for the control plan increment of progress. The first item is to submit the complete final control plan as specified.

In paragraph (2), the commission adopts the specification that a copy of the final control plan must be maintained at the same location as the solid waste incineration unit.

§113.2107--How do I comply with the increment of progress for awarding contracts?

The commission adopts new §113.2107, which specifies that a signed copy of the contracts awarded must be submitted to initiate onsite construction, initiate onsite installation of emission control equipment, and incorporate process changes. The adopted section further states that the copy of the contracts with

notification that the increment of progress has been achieved must be submitted to comply with the increment of progress for awarding contracts.

For clarification, the commission specifies, in two locations of the section, that items for submittal must be provided to the executive director.

§113.2108--How do I comply with the increment of progress for initiating onsite construction?

The commission adopts new §113.2108, which specifies that onsite construction and installation of emission control equipment and process changes must be completed to achieve the increment of progress for initiating onsite construction.

§113.2109--How do I comply with the increment of progress for completing onsite construction?

The commission adopts new §113.2109, which specifies that onsite construction and installation of control equipment and process changes must be completed to achieve the increment of progress for completing onsite construction.

§113.2110--How do I comply with the increment of progress for achieving final compliance?

The commission adopts new §113.2110, which specifies the two items that must be completed to achieve the final compliance increment of progress. The adopted section states that this includes completion of all process changes and retrofit construction and connection of the air pollution control equipment with the MWC unit, as well as completion of process changes to the MWC unit.

§113.2111--What must I do if I close my municipal waste combustion unit and then restart my municipal waste combustion unit?

The commission adopts new §113.2111, which describes what must be met when an MWC unit is closed and restarted. The adopted section specifies different requirements, depending on whether the MWC unit reopens before or after the final compliance date in the state plan.

§113.2112--What must I do if I plan to permanently close my municipal waste combustion unit and not restart it?

The commission adopts new §113.2112, which states that a closure notification must be submitted by the date the final control plan is due if an MWC unit is permanently closed. The adopted section also states that if the closure date is later than 1 year after the effective date of state plan approval, the owner or operator must enter into a legally binding closure agreement with the executive director.

§113.2113--What types of training must I do?

The commission adopts new §113.2113, which describes the types of training that operators and plant personnel must receive.

§113.2114--Who must complete the operator training course? By when?

The commission adopts new §113.2114, which states the classifications of employees who must complete the operator training course and by what date. These employees include: chief facility operators, shift supervisors, and control room operators. The section specifies EPA or state-approved training courses, unless the employee has obtained full certification from the American Society of Mechanical Engineers on or before the effective date of state plan approval. The adopted section also states that if these

employees have obtained provisional certification from the American Society of Mechanical Engineers on or before the effective date of state plan approval, the EPA may waive the requirement for completion of the EPA or state-approved operator training course, if requested.

§113.2115--Who must complete the plant-specific training course?

The commission adopts new §113.2115, which states the classifications of employees who must complete the plant-specific training course. These employees include: chief facility operators, shift supervisors, control room operators, ash handlers, maintenance personnel, and crane or load handlers.

§113.2116--What plant-specific training must I provide?

The commission adopts new §113.2116, which details what must be included in the plant-specific training provided to employees, and when. This includes: developing a specific operating manual for that plant; establishing a program to review the manual with people whose responsibilities affect the operation of the MWC unit; updating the manual annually; and reviewing it with staff annually.

§113.2117--What information must I include in the plant-specific operating manual?

The commission adopts new §113.2117, which details what must be included in the plant-specific operating manual for the plant, such as a summary of applicable requirements, description of the basic combustion principles that apply to MWC units, and several specific procedures.

§113.2118--Where must I keep the plant-specific operating manual?

The commission adopts new §113.2118, which specifies that the plant-specific operating manual must be maintained in an easily accessible location at the plant. The adopted section further states that the manual

must be available for review or inspection by employees and the executive director.

§113.2119--What types of operator certification must the chief facility operator and shift supervisor obtain and by when must they obtain it?

The commission adopts new §113.2119, which details what types of operator certifications must be obtained and by when. The adopted section states that each chief facility operator and shift supervisor must receive certification from the American Society of Mechanical Engineers or a state certification program. The adopted section also describes the requirements and time frames for both provisional operator certification and full certification.

§113.2120--After the required date for operator certification, who may operate the municipal waste combustion unit?

The commission adopts new §113.2120, which specifies that the MWC unit cannot be operated unless one of four certified employees are on duty. These four employees include a fully certified chief facility operator, a provisionally certified chief facility operator, a fully certified shift supervisor, and a provisionally certified shift supervisor.

§113.2121--What if all the certified operators must be temporarily offsite?

The commission adopts new §113.2121, which details the three criteria that must be met if a certified operator is temporarily offsite and a provisionally certified control room operator is fulfilling the requirement. The adopted section states that these criteria are dependant upon how long the certified operator is temporarily offsite. For instance, if the certified operator is offsite for more than 2 weeks, the executive director must be notified.

For clarification, the commission adopts the word "prior" before "notice" in paragraph (3) to reflect that the provisionally certified control room operator may perform the necessary duties without first giving notice and receiving approval from the executive director. Though prior notice and approval is not necessary, in paragraph (3)(A), the owner or operator is required to follow up with a notification to the executive director, an explanation of what caused the absence of the certified operator, and what is being done to ensure that a certified operator is onsite. Paragraph (3)(B) then contains the required procedures for status reports and corrective action summaries.

In paragraph (3)(A), the commission adds clarification that the notification to the executive director must be done within 10 days after the end of the 2-week period in which a certified operator is required to be onsite. The 10-day clarification is consistent with the time period provided in §§113.2219, 113.2243, 113.2313, and 113.2341, and the commission adopts the clarification regarding the beginning of the 10-day period to clearly outline the rule requirements for regulated entities.

§113.2122--What are the operating practice requirements for my municipal waste combustion unit?
The commission adopts new §113.2122, which specifies the operating practice requirements for MWC units. These requirements include maximum loads, maximum temperatures, carbon feed rate, and total carbon usage. The adopted section states the conditions and time frames under which the MWC unit is exempt from requirements, as well as specific activities that are exempt.

For clarification, the commission modified the sentence in subsection (e)(5). This paragraph refers to both the executive director and the delegated state authority, and since the executive director is the

delegated state authority for Texas, the additional wording is unnecessary.

§113.2123--What happens to the operating requirements during periods of startup, shutdown, and malfunction?

The commission adopts new §113.2123, which states that all operating requirements apply at all times except during periods of startup, shutdown, or malfunction, which must last no longer than 3 hours.

§113.2124--What pollutants are regulated by this division?

The commission adopts new §113.2124, which lists the 11 pollutants that are regulated. The groups of pollutants include: organics, metals, acid gases, and other.

§113.2125--What emission limits must I meet? By when?

The commission adopts new §113.2125, which states the emission limits for Class I and II units in Tables 2 through 5 of Division 3 (§113.2174) that must be met, as applicable, after the date the initial stack test and continuous emission monitoring system evaluation are required or completed.

§113.2126--What happens to the emission limits during periods of startup, shutdown, and malfunction?

The commission adopts new §113.2126, which states that the emission limits of Division 3 apply at all times except during periods of startup, shutdown, or malfunction, which should last no longer than 3 hours. The adopted section states that a maximum of 3 hours of test data can be dismissed from compliance calculations during periods of startup, shutdown, or malfunction.

§113.2127--What types of continuous emission monitoring must I perform?

The commission adopts new §113.2127, which specifies the four tasks that must be performed to continuously monitor emissions. These tasks include: installing a continuous emission monitoring system; operating it correctly; obtaining the minimum amount of monitoring data; and installing a continuous opacity monitoring system.

§113.2128--What continuous emission monitoring systems must I install for gaseous pollutants?

The commission adopts new §113.2128, which states that a continuous emission monitoring system must be installed, calibrated, maintained, and operated for oxygen (or carbon dioxide), sulfur dioxide, and carbon monoxide. The adopted section states that the system must meet the monitoring requirements in 40 CFR §60.13 (Monitoring requirements).

§113.2129--How are the data from the continuous emission monitoring systems used?

The commission adopts new §113.2129, which states that the data from the continuous emission monitoring systems for sulfur dioxide, nitrogen oxides, and carbon monoxide must be used to demonstrate continuous compliance with the applicable emission limit tables of Division 3 (§113.2174).

§113.2130--How do I make sure my continuous emission monitoring systems are operating correctly?

The commission adopts new §113.2130, which describes how and when to verify that continuous emission monitoring systems are operating properly. The adopted section specifies that initial, daily, quarterly, and annual evaluations must be conducted, and that the initial evaluation must be completed within 180 days after the final compliance date. Verification includes evaluating the continuous emission monitoring system, collecting data, and following quality assurance procedures in 40 CFR Part 60, Appendix F (Quality Assurance Procedures).

§113.2131--Am I exempt from any 40 Code of Federal Regulations Part 60, Appendix B or Appendix F requirements to evaluate continuous emission monitoring systems?

The commission adopts new §113.2131, which states that the accuracy tests for sulfur dioxide continuous emission monitoring systems require evaluation of oxygen (or carbon dioxide) continuous emission monitoring systems; therefore, the oxygen system (or carbon dioxide) is exempt from two specific requirements in 40 CFR Part 60.

§113.2132--What is my schedule for evaluating continuous emission monitoring systems?

The commission adopts new §113.2132, which states that annual evaluations of continuous emission monitoring systems must be conducted no more than 13 months after the previous evaluations. This adopted section also states that continuous emission monitoring systems will be evaluated daily and quarterly as specified in 40 CFR Part 60, Appendix F.

§113.2133--What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?

The commission adopts new §113.2133, which states that if carbon dioxide is monitored instead of oxygen, the relationship between oxygen and carbon dioxide must be established during the initial evaluation of the continuous emission monitoring systems by three specific procedures.

§113.2134--What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems and is the data collection requirement enforceable?

The commission adopts new §113.2134, which details what monitoring data must be collected from the continuous emission monitoring systems and how often. In addition, requirements, including notifying

the executive director, are included if the minimum data requirements are not met.

§113.2135--How do I convert my 1-hour arithmetic averages into appropriate averaging times and units?

The commission adopts new §113.2135, which includes the specific equations and methods that must be used to convert 1-hour arithmetic averages into appropriate averaging times and units.

§113.2136--What is required for my continuous opacity monitoring system and how are the data used?

The commission adopts new §113.2136, which details the requirements for the continuous opacity monitoring system. The adopted section includes specific time frames, CFR cites, and table references for the opacity limit.

§113.2137--What additional requirements must I meet for the operation of my continuous emission monitoring systems and continuous opacity monitoring system?

The commission adopts new §113.2137, which requires the use of span values and applicable performance specifications in Table 8 of Division 3 (§113.2174) for the operation of continuous emission monitoring systems and continuous opacity monitoring system.

§113.2138--What must I do if any of my continuous emission monitoring systems are temporarily unavailable to meet the data collection requirements?

The commission adopts new §113.2138, which refers to Table 8 of Division 3 (§113.2174). This table provides alternate methods for collecting data when continuous emission monitoring systems are temporarily unavailable.

§113.2139--What types of stack tests must I conduct?

The commission adopts new §113.2139, which states that initial and annual stack tests must be conducted to measure emission levels of dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

§113.2140--How are the stack test data used?

The commission adopts new §113.2140, which requires the use of stack test results to demonstrate compliance with the applicable emission limits in Tables 2 and 4 of Division 3 (§113.2174) for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

§113.2141--What schedule must I follow for the stack testing?

The commission adopts new §113.2141, which requires that initial stack testing be conducted no later than 180 days after the final compliance date. The adopted section also states that annual stack tests must be conducted no later than 13 months after the previous stack test.

§113.2142--What test methods must I use to stack test?

The commission adopts new §113.2142, which describes the test methods that must be used for stack testing, including the criteria in Table 8 of Division 3 (§113.2174), number of test runs, determining diluent gas levels, calculating emission levels, and procedures for applying for an alternative method.

§113.2143--May I conduct stack testing less often?

The commission adopts new §113.2143, which allows testing less often for a Class II MWC unit for which all stack tests for a given pollutant over 3 consecutive years show compliance with the emission

limit. In addition, this adopted section allows testing less often for dioxins/furans emissions for an MWC plant that meets the following two conditions: multiple MWC units are onsite that are subject to this division; and all those MWC units have demonstrated levels of dioxins/furans emissions less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, for 2 consecutive years.

§113.2144--May I deviate from the 13-month testing schedule if unforeseen circumstances arise?

The commission adopts new §113.2144, which does not allow for deviation from the 13-month testing schedules, unless the executive director has approved an alternative schedule.

§113.2145--Must I meet other requirements for continuous monitoring?

The commission adopts new §113.2145, which specifies three other operating parameters for continuous monitoring: load level, flue gas temperature, and carbon feed rate.

§113.2146--How do I monitor the load of my municipal waste combustion unit?

The commission adopts new §113.2146, which specifies two ways to monitor the load of the MWC unit. If the unit generates steam, the owner or operator must install, calibrate, maintain, and operate a steam flowmeter or a feed water flowmeter. If the unit does not generate steam or units have shared steam systems, the owner or operator must determine one or more operating parameters that can be used to continuously estimate load level and receive approval from the executive director.

§113.2147--How do I monitor the temperature of flue gases at the inlet of my particulate matter control device?

The commission adopts new §113.2147, which states that to monitor the temperature of the flue gases, a device to continuously measure the temperature must be installed, calibrated, maintained, and operated.

§113.2148--How do I monitor the injection rate of activated carbon?

The commission adopts new §113.2148, which requires that owners or operators of MWC units using activated carbon to control dioxins/furans or mercury emissions do the following: select a carbon injection system operating parameter to calculate carbon feed rate; during stack tests, determine the average carbon feed rate; and continuously monitor the selected operating parameter during all periods when the unit is operating and combusting waste.

§113.2149--What is the minimum amount of monitoring data I must collect with my continuous parameter monitoring systems and is the data collection requirement enforceable?

The commission adopts new §113.2149, which details the parameter monitoring data collection requirements. If continuous parameter monitoring is used, a 1-hour arithmetic average must be calculated with at least two data points per hour. Valid 1-hour averages for at least 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter must be obtained. The adopted section states that failure to collect the minimum data requires notification to the executive director.

§113.2150--What records must I keep?

The commission adopts new §113.2150, which states that the four types of records that must be kept are: operator training and certification; stack tests; continuously monitored pollutants and parameters; and carbon feed rate.

§113.2151--Where must I keep my records and for how long?

The commission adopts new §113.2151, which requires that all records be maintained onsite in paper copy or electronic format for at least 5 years. The adopted section states that these records must be available for submittal to the executive director or for onsite review.

§113.2152--What records must I keep for operator training and certification?

The commission adopts new §113.2152, which requires records for operator training and certification of the following six items: provisional certifications; full certifications; completion of the operator training course; reviews for plant-specific operating manuals; records of when a certified operator is temporarily offsite; and calendar dates on each record.

§113.2153--What records must I keep for stack tests?

The commission adopts new §113.2153, which requires that stack test records contain the following four items: results of stack tests for eight pollutants or parameters; test reports; maximum demonstrated load and temperature; and calendar date of each record.

§113.2154--What records must I keep for continuously monitored pollutants or parameters?

The commission adopts new §113.2154, which requires that eight records be maintained for continuously monitored pollutants or parameters. These eight records are: monitoring data; average concentrations and percent reductions; exceedances; minimum data; exclusions; drift and accuracy; relationship between oxygen and carbon dioxide; and calendar dates.

§113.2155--What records must I keep for municipal waste combustion units that use activated carbon?

The commission adopts new §113.2155, which requires five records for MWC units that use activated carbon to control dioxins/furans or mercury emissions. These five records are: average carbon feed rate; low carbon feed rates; minimum carbon feed rate data; exclusions; and calendar dates.

§113.2156--What reports must I submit and in what form?

The commission adopts new §113.2156, which states what reports must be submitted and how. These reports include initial, semiannual, and annual reports and the section states that reports must be submitted on paper, postmarked on or before the submittal dates. The section further states that the executive director must approve submission of electronic reports, and that copies of all reports must be maintained onsite for 5 years.

The commission adds, for clarification, that electronic reporting must meet the specifications of 30 TAC Chapter 19 (Electronic Reporting).

§113.2157--What are the appropriate units of measurement for reporting my data?

The commission adopts new §113.2157, which refers readers to Tables 2 through 5 of Division 3 (§113.2174) for appropriate units of measurement to be used when reporting data.

§113.2158--When must I submit the initial report?

The commission adopts new §113.2158, which requires that the initial report be submitted no later than 180 days after the final compliance date. The final compliance date is contained in Table 1 of Division 3 (§113.2174), and for both Class I and Class II units, is no later than 36 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval.

§113.2159--What must I include in my initial report?

The commission adopts new §113.2159, which states the seven items that must be included in the initial report. These items include the following: emission levels measured on the date of the initial evaluation of the continuous emission monitoring systems; results of initial stack tests; the test report that documents initial stack tests; the initial performance evaluation of the continuous emissions monitoring systems; the maximum demonstrated load and temperature; the average carbon feed rate recorded during the initial stack tests; and documentation of the relationship between oxygen and carbon dioxide.

§113.2160--When must I submit the annual report?

The commission adopts new §113.2160, which states that annual reports must be submitted no later than February 1 of each year that follows the calendar year in which data was collected.

To clarify and simplify the requirements of this section, the commission deletes the reference to 40 CFR Part 71, since federal requirements are contained within this part and they are not necessary for state implementation of the rules.

§113.2161--What must I include in my annual report?

The commission adopts new §113.2161, which states that a summary of data collected for all pollutants and parameters regulated must be included in the annual report. The 12 items that must be included in the summary are: the results of the annual stack test; a list of the highest average levels recorded; the highest 6-minute opacity level measured; for MWC units that use activated carbon for controlling dioxins/furans or mercury emissions, four records; the total number of days that minimum number of hours of data were

not obtained; the number of hours of excluded data from the calculation of average levels; notice of intent to begin a reduced stack testing schedule for dioxins/furans; a summary of any emission or parameter level that did not meet the limits; a summary of data that gives a summary of the performance of the MWC unit; documentation of the relationship between oxygen and carbon dioxide; and documentation of periods when all certified chief facility operators and certified shift supervisors are offsite for more than 12 hours.

§113.2162--What must I do if I am out of compliance with the requirements of this division?

The commission adopts new §113.2162, which requires that a semiannual report be submitted on any recorded emission or parameter level that is out of compliance.

§113.2163--If a semiannual report is required, when must I submit it?

The commission adopts new §113.2163, which requires that the semiannual report be submitted by August 1 of the year for data collected during the first half of the calendar year. The section requires that data collected during the second half of the calendar year be submitted in the semiannual report by February 1 of the following year.

§113.2164--What must I include in the semiannual out-of-compliance reports?

The commission adopts new §113.2164, which requires that three items be included in the semiannual reports: calendar dates in which limits were exceeded, along with averaged and recorded data, the reasons for exceeding the limits, and corrective actions; if stack tests indicate that emissions are above specified limits, a copy of the test report that documents emission levels and corrective actions; and for MWC units that apply activated carbon to control dioxins/furans or mercury emissions, documentation of

all dates when the 8-hour block average carbon feed rate is less than the highest carbon feed rate established during the most recent mercury and dioxins/furans stack test and documentation of each quarter when total carbon purchased and delivered to the MWC plant is less than the total required quarterly usage of carbon.

§113.2165--Can reporting dates be changed?

The commission adopts new §113.2165, which states that if the executive director agrees, semiannual and annual reporting dates may be changed. The adopted section cites 40 CFR §60.19(c) (General notification and reporting requirements) for procedures to seek approval to change a reporting date.

§113.2166--What is an air curtain incinerator?

The commission adopts new §113.2166, which defines an air curtain incinerator. The adopted section states that an air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. The rules in this division require that owners or operators of air curtain incinerators obtain a Title V permit; however, these units are only required to comply with limited requirements, as opposed to larger entities.

§113.2167--What is yard waste?

The commission adopts new §113.2167, which defines yard waste as grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. The adopted section further states that yard waste comes from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Finally, the adopted section states that yard waste does not include construction, renovation, and demolition wastes that are exempt from the definition of "Municipal solid

waste" in §113.2100, or clean wood that is exempt from the definition of "Municipal solid waste" in §113.2100.

§113.2168--What are the emission limits for air curtain incinerators that burn 100 percent yard waste?

The commission adopts new §113.2168, which states that air curtain incinerators that burn 100 percent yard waste must meet an opacity limit of 10 percent (6-minute average) and 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation. The section states that the emission limits must be met by 180 days after the final compliance date.

§113.2169--How must I monitor opacity for air curtain incinerators that burn 100 percent yard waste?

The commission adopts new §113.2169, which requires the use of EPA Reference Method 9 in 40 CFR Part 60, Appendix A (Test Methods 1 through 30B), to determine compliance with the opacity limit. The adopted section states that an initial test must also be conducted as specified in 40 CFR §60.8 (Performance tests). Annual tests must be conducted no more than 13 calendar months following the date of the previous test. As discussed in the FISCAL NOTE: COSTS TO STATE AND LOCAL GOVERNMENT portion of the proposal preamble, there would be costs associated with training for conducting opacity testing.

§113.2170--What are the recordkeeping and reporting requirements for air curtain incinerators that burn 100 percent yard waste?

The commission adopts new §113.2170, which requires that a notice of construction be provided that includes four items: intent to construct; planned initial startup date; types of fuels to be combusted; and capacity of the incinerator. The adopted section states that records of opacity test results, as well as

copies of all reports, must be maintained onsite for each incinerator for at least 5 years and that all records must be made available to the executive director or for onsite review by an inspector. The adopted section further states that all opacity test results must be submitted by February 1 of the year following the year of the test as a paper copy, unless the executive director approves electronic submission.

§113.2171--What equations must I use?

The commission adopts new §113.2171, which details the equations that must be used in Division 3. Equations are provided to calculate the following: concentration correction to 7 percent oxygen; percent reduction in potential mercury emissions; percent reduction in potential hydrogen chloride emissions; capacity of an MWC unit; capacity of a batch MWC unit; and quarterly carbon usage, for plant basis and unit basis.

§113.2172--Does this subpart require me to obtain an operating permit under Title V of the Federal Clean Air Act?

The commission adopts new §113.2172, which states that units subject to Chapter 113, Subchapter D, Division 3 on the effective date of state plan approval or later are required to apply for and obtain a Title V operating permit. Because these rules and FCAA, §111(d)/129 State Plan are not enforceable by Texas until they are approved by the EPA, the commission proposes to state that applicants are subject to Division 3 on the effective date of state plan approval, rather than on the effective date of the division, which would be 20 days after the commission files the Chapter 113 rule adoption with the Texas Secretary of State's Office. Upon state plan approval, the commission will publish notice in the *Texas Register* and on the TCEQ Web site, to ensure that all affected entities are notified.

This section was not included in the emission guidelines published in the December 6, 2000, issue of the *Federal Register;* however, it was included in the federal plan promulgation that was published in the January 31, 2003, issue of the *Federal Register* (68 FR 5144), as 40 CFR Part 62, Subpart JJJ, §65.15020 (Can my small municipal waste combustion unit be exempt from this subpart?) and §62.15395 (Does this subpart require me to obtain an operating permit under title V of the Clean Air Act?). The federal plan promulgation, including this Title V requirement, became effective on December 6, 2002. Therefore, to ensure that the incorporated rules are as protective as the EPA's rules, as required by FCAA, §129, the commission included this section regarding the Title V permit requirement into its incorporation in Division 3.

In particular, the commission notes that 40 CFR §60.1555 (Are any small municipal waste combustion units exempt from my State plan?) has added some confusion to whether air curtain incinerators are obligated to apply for and obtain Title V permits, since §60.1555 provides that air curtain incinerators that burn 100 percent yard waste must only meet the requirements under §§60.1910 - 60.1930, which do not include the requirement to apply for and obtain a Title V operating permit. As noted above, the federal plan for these sources, 40 CFR Part 62, Subpart JJJ, in §62.15020, requires that air curtain incinerators that burn 100 yard waste must meet only the requirements of §§62.15365 - 62.15385 *and the Title V operating permit requirements of Subpart 62.*

§113.2173--When must I submit a Title V permit application for my existing small municipal waste combustion unit?

The commission adopts new §113.2173, which contains the deadlines for submitting a complete Title V permit application for existing small MWC units. The Title V application submittal date is based either

on the promulgation of 40 CFR Part 60, Subpart BBBB (December 6, 2003), or the effective date of the applicable state, tribal, or federal operating permits program, whichever is later. The section also defines a "complete" Title V permit application as one that has been determined or deemed complete by the relevant permitting authority under the FCAA, §503(d) and 40 CFR §70.5(a)(2).

To clarify and simplify the requirements of this section, the commission has deleted references to 40 CFR Part 71 in subsections (a) and (c), since federal requirements are contained within this part and they are not necessary for state implementation of the rules.

This section was not included in the emission guidelines published in the December 6, 2000, issue of the *Federal Register;* however, it was included in the federal plan promulgation that was published in the January 31, 2003, issue of the *Federal Register* (68 FR 5144), as 40 CFR Part 62, Subpart JJJ, §62.15400 (When must I submit a title V permit application for my existing small municipal waste combustion unit?). The federal plan promulgation, including this Title V requirement, became effective on December 6, 2002. Therefore, to ensure that the incorporated rules are as protective as the EPA's rules, as required by FCAA, §129, the commission included this section regarding the Title V permit requirement into its incorporation in Division 3.

§113.2174--Tables Relating to Division 3.

The commission adopts new §113.2174, which contains the tables referenced in Division 3. These tables include the following: Compliance Schedules and Increments of Progress; Class I Emission Limits for Existing Small Municipal Waste Combustion Units; Class I Nitrogen Oxides Emission Limits for Existing Small Municipal Waste Combustion Units; Class II Emission Limits for Existing Small

Municipal Waste Combustion Unit; Carbon Monoxide Emission Limits for Existing Small Municipal Waste Combustion Units; Requirements for Validating Continuous Emission Monitoring Systems (CEMS); Requirements for Continuous Emission Monitoring Systems (CEMS); and Requirements for Stack Tests.

Table 1 specifies the compliance schedules and increments of progress for Class I and Class II units. The emission guidelines for 40 CFR Part 60, Subpart BBBB define Class I units as small MWC units subject to the subpart that are located at MWC plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. Class II units are defined as small MWC units subject to the subpart that are located at MWC plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. If the owner or operator plans to achieve final compliance for a unit more than 1 year following the effective date of state plan approval, and a permit modification is not required, or more than 1 year following the date of issuance of a revised construction or operating permit if a permit modification is required, owners or operators of the units must meet the deadlines for defined increments of progress. Five increments of progress are required for Class I units, and two are required for Class II units. The last increment for both types of units is final compliance. The first increment for all units, which is submission of the final control plan, is within 60 days from the date the TCEQ publishes notice in the *Texas Register* of state plan approval. Class I units are required to meet three additional increments of progress before meeting the final compliance date, and these increment deadlines are: no later than 18 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval for Increment 2; no later than 24 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval for Increment 3; no later than 34 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval for Increment 4; and no later than 36

months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval for Increment 5. Class II units must only meet Increment 1 and then Increment 5, or final progress. Class II units are also given no later than 36 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval to meet Increment 5.

To clarify and simplify the information in the tables contained in this section, the commission adopts minor formatting changes and has also deleted information that may confuse regulated entities, such as references to past federal compliance dates.

Division 4, Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units That Commenced Construction On or Before November 30, 1999 (40 CFR Part 60, Subpart DDDD)

§113.2200--Definitions.

The commission adopts new §113.2200, which defines terms used in new Division 4 that are either previously undefined or are used differently by the federal emission guidelines that are the basis for the rules. The definitions are taken from 40 CFR §60.2875 (What definitions must I know?).

For clarification, the commission adopts a modification to paragraph (14)(C), under the definition of deviation. In the portion of the sentence in paragraph (14)(C) that states ". . . regardless or whether or not such failure is permitted by this division. . .," the commission adopts insertion of the word "of." Therefore, the sentence would read as ". . .regardless of whether or not such failure is permitted by this division."

Also for clarification, the commission adopts a modification of paragraph (16), under the definition of discard. This definition includes a reference both to Division 4 and to 40 CFR Part 60, Subpart DDDD, and because the Chapter 113 rules in Division 4 are equivalent to Subpart DDDD, the additional wording is unnecessary. The definition of solid waste, paragraph (30), contains a similar reference to Subpart CCCC, and the commission also adopts the deletion of this reference, because Subpart CCCC applies to new sources, not existing sources, which is the subject of Division 4.

In the September 22, 2005, issue of the *Federal Register* (70 FR 55568), the EPA published amended versions of the definitions for solid waste, commercial or industrial waste, and CISWI unit. Because a federal court has issued a full vacatur of these three definitions, the versions contained in this rule package are the versions as published in the December 1, 2000, issue of the *Federal Register* (65 FR 75338).

§113.2201--What are my requirements for meeting increments of progress and achieving final compliance?

The commission adopts new §113.2201, which states that to achieve compliance more than 1 year following the effective date of the state plan approval, a final control plan must be submitted and final compliance must be achieved.

§113.2202--When must I complete each increment of progress?

The commission adopts new §113.2202, which states that the compliance dates for each increment of progress are established in Table 1 of Division 4 (§113.2261).

§113.2203--What must I include in the notifications of achievement of increments of progress?

The commission adopts new §113.2203, which requires that the following three items be included in the notification of achievement of increments of progress: notification that the increment of progress has been achieved; items required to be submitted with each increment of progress; and signature of the owner or operator of the unit.

§113.2204--When must I submit the notifications of achievement of increments of progress?

The commission adopts new §113.2204, which states that the notifications of achievement of increments of progress must be postmarked no later than 10 business days after the compliance date for the increment.

§113.2205--What if I do not meet an increment of progress?

The commission adopts new §113.2205, which states that a notification must be submitted to the executive director postmarked within 10 business days if an increment of progress is not met. The adopted section also states that reports must continue to be submitted until the increment of progress is met.

§113.2206--How do I comply with the increment of progress for submittal of a control plan?

The commission adopts new §113.2206, which states that to be in compliance with the increment of progress for submittal of a control plan, the final control plan must include the following: description of control devices and process changes; type of waste burned; maximum design waste burning capacity; maximum charge rate; and petition for site-specific operating limits, if applicable. In addition, a copy of the final control plan must be maintained onsite.

§113.2207--How do I comply with the increment of progress for achieving final compliance?

The commission adopts new §113.2207, which requires that all process changes and retrofit construction be completed for the final compliance of the increment of progress.

§113.2208--What must I do if I close my commercial and industrial solid waste incineration unit and then restart it?

The commission adopts new §113.2208, which states that if a CISWI unit is closed and restarted before the final compliance date, the increments of progress must be met as specified in §113.2201. The section states that if the CISWI is restarted after the final compliance date, emission control retrofits must be completed and the emission limitations and operating limits must be met on the date the unit restarts.

§113.2209--What must I do if I plan to permanently close my commercial and industrial solid waste incineration unit and not restart it?

The commission adopts new §113.2209, which states that if the owner or operator chooses to permanently close the CISWI unit rather than comply with the state plan, a closure notification must be submitted to the executive director by the date the final control plan is due.

§113.2210--What is a waste management plan?

The commission adopts new §113.2210, which states that a waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream to reduce or eliminate toxic emissions from incinerated waste.

§113.2211--When must I submit my waste management plan?

The commission adopts new §113.2211, which specifies that Table 1 of Division 4 (§113.2261) contains the dates to submit the waste management plan.

§113.2212--What should I include in my waste management plan?

The commission adopts new §113.2212, which details what must be included in the waste management plan, such as consideration of the reduction or separation of waste-stream elements and any additional waste management measures. The adopted section states that measures that are considered practical and feasible, based on certain specific criteria, must be implemented.

§113.2213--What are the operator training and qualification requirements?

The commission adopts new §113.2213, which states that no CISWI unit can be operated unless a fully trained and qualified CISWI unit operator is accessible within 1 hour. The adopted section also states that operator training and qualification must be obtained through a state-approved program or an incinerator operator training course must be completed. The adopted section lists the three elements that the operator training course must include, which are: training on 11 topics as specified in this section; an examination designed and administered by the instructor; and written material covering the training course topics that can serve as a reference following completion of the course.

§113.2214--When must the operator training course be completed?

The commission adopts new §113.2214, which requires that the operator training course be completed by the later of the following: the final compliance date; six months after CISWI unit startup; or six months after an employee assumes responsibility for operating or supervising the operation of the CISWI unit.

§113.2215--How do I obtain my operator qualification?

The commission adopts new §113.2215, which states that operator qualification must be obtained by completing a training course. The adopted section also states that the qualification is valid from the date the training course is completed and the operator passes the examination successfully. As stated in §113.2216, operators must complete an annual review or refresher course to maintain qualification.

§113.2216--How do I maintain my operator qualification?

The commission adopts new §113.2216, which requires completion of an annual review or refresher course to maintain qualification. The section specifies that five topics must be included: update of regulations; incinerator operation; inspection and maintenance; malfunctions; and operating problems.

§113.2217--How do I renew my lapsed operator qualification?

The commission adopts new §113.2217, which requires completion of a standard annual refresher course or a repeat of the initial qualification requirements to renew a lapsed operator qualification. The requirement that applies is based on either a lapse of less than 3 years or 3 years or more.

§113.2218--What site-specific documentation is required?

The commission adopts new §113.2218, which requires the following for site-specific documentation: availability and accessibility of documents at the facility for all CISWI unit operators; establishment of a program for reviewing this information with each incinerator operator; and maintenance of specific CISWI unit operator information in the records.

§113.2219--What if all the qualified operators are temporarily not accessible?

The commission adopts new §113.2219, which states that a CISWI unit may be operated by other plant personnel familiar with the operation if all qualified operators are temporarily not accessible for more than 8 hours, but less than 2 weeks. The adopted section also states that if all qualified operators are not accessible for 2 weeks or more, the executive director must be notified within 10 days and a status report submitted every 4 weeks following the outlined conditions and procedures.

In paragraph (2)(A), the commission has added clarification that the notification to the executive director must be done within 10 days after the end of the 2-week period in which a certified operator is not accessible. The commission adopts the clarification regarding the beginning of the 10-day period to clearly outline the rule requirements for regulated entities, and similar clarification is added in §§113.2121, 113.2243, 113.2313, and 113.2341.

§113.2220--What emission limitations must I meet and by when?

The commission adopts new §113.2220, which requires that the emission limits specified in Table 2 of Division 4 (§113.2261) be met on the date the initial performance test is required or completed.

§113.2221--What operating limits must I meet and by when?

The commission adopts new §113.2221, which describes the operating limits based on whether a wet scrubber or fabric filter is used. In both cases, the operating limits established during the initial performance test must be met on the date the initial performance test is required or completed.

For clarification and for consistency with §113.2228, the commission has added the words "hydrogen

chloride" rather than HCl in subsection (a)(4).

§113.2222--What if I do not use a wet scrubber to comply with the emission limitations?

The commission adopts new §113.2222, which requires a petition to the executive director for specific operating limits to be established during the initial performance test and continuously monitored thereafter for use of an air pollution control device other than a wet scrubber. The section states that the initial performance test must not be conducted until after the petition has been approved, and specifies five items that must be included in the petition.

§113.2223--What happens during periods of startup, shutdown, and malfunction?

The commission adopts new §113.2223, which requires that emission limitations and operating limits apply at all times except during startups, shutdowns, or malfunctions of the CISWI unit. The adopted section further states that each malfunction must last no longer than 3 hours.

§113.2224--How do I conduct the initial and annual performance test?

The commission adopts new §113.2224, which details the requirements for conducting initial and annual performance tests. The requirements include conducting a minimum of three test runs, and documenting that the waste burned during the test is representative. The adopted section specifies minimum run duration and test methods. The adopted section also includes an equation regarding the pollutant concentration that must be adjusted to 7 percent oxygen, except for opacity.

§113.2225--How are the performance test data used?

The commission adopts new §113.2225, which states that the results of the performance tests must be

used to determine compliance with emission limitations in Table 2 of Division 4 (§113.2261).

§113.2226--How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

The commission adopts new §113.2226, which requires an initial performance test to determine compliance with emission limitations and to establish operating limits. The adopted section states that the initial performance test must be conducted using the methods in Table 2 of Division 4 (§113.2261) and §113.2224.

§113.2227--By what date must I conduct the initial performance test?

The commission adopts new §113.2227, which requires that the initial performance test be conducted no later than 180 days after final compliance. The section further states that final compliance dates are specified in Table 1 of Division 4 (§113.2261).

The commission has also added language to clarify that the initial performance test must be conducted no later than 180 days after the deadline for the final compliance date.

§113.2228--How do I demonstrate continuous compliance with the emission limitations and the operating limits?

The commission adopts new §113.2228, which requires an annual performance test for particulate matter, hydrogen chloride, and opacity to determine compliance with emission limitations. The adopted section also states that the operating parameters must be continuously monitored and only the same types of waste used to establish the operating limits must be burned.

§113.2229--By what date must I conduct the annual performance test?

The commission adopts new §113.2229, which requires that the annual performance tests for particulate matter, hydrogen chloride, and opacity be conducted within 12 months following the initial performance test. The adopted section further states that subsequent annual performance tests must be conducted within 12 months following the previous one.

§113.2230--May I conduct performance testing less often?

The commission adopts new §113.2230, which allows performance testing to be conducted less often if there is test data for at least 3 years and all performance tests for the pollutant over 3 consecutive years show compliance. In addition, if the CISWI unit continues to meet the emission limitations, performance tests may be conducted every third year, but within 36 months of the previous performance test, unless there is a deviation.

§113.2231--May I conduct a repeat performance test to establish new operating limits?

The commission adopts new §113.2231, which allows a repeat performance test to establish new values for operating limits. The performance test must be repeated if the feed stream is different than the feed streams during any performance test used to demonstrate compliance.

§113.2232--What monitoring equipment must I install and what parameters must I monitor?

The commission adopts new §113.2232, which specifies that if a wet scrubber is used to comply with emission limitations, devices for monitoring the value of the operating parameters must be installed, calibrated, maintained, and operated so that the wet scrubber complies with the operating limits listed in

Table 3 of Division 4 (§113.2261). The adopted section states that if a fabric filter is used, a bag leak detection system must be installed, calibrated, maintained, and continuously operated as specified in this section and if something other than a wet scrubber is used, equipment necessary to monitor compliance must be installed, calibrated, maintained, and operated.

§113.2233--Is there a minimum amount of monitoring data I must obtain?

The commission adopts new §113.2233, which requires that all monitoring be conducted at all times the CISWI unit is operating, except for monitoring malfunctions, associated repairs, and required quality assurance or quality control activities.

§113.2234--What records must I keep?

The commission adopts new §113.2234, which specifies the 13 items that must be recorded and maintained: calendar date of each record; records of various types of data; identification of calendar dates and times for which monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control; identification of calendar dates, times, and durations of malfunctions; identification of calendar dates and times for which data show a deviation from the operating limits in Table 3 of this division (§113.2261); the results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable; records showing the names of CISWI unit operators who have completed review of the required site-specific documentation; records showing the names of CISWI unit operators who have completed the operator training requirements, met the criteria for qualification, and maintained or renewed qualification; for each qualified operator, a phone and pager number; records of calibration of

any required monitoring devices; equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment; the information listed in §113.2218(a); and on a daily basis, a log of the quantity of waste burned and the types of waste burned. The section states that these records must be maintained for at least 5 years.

§113.2235--Where and in what format must I keep my records?

The commission adopts new §113.2235, which requires that records be available onsite, and in either paper or electronic format that can be printed upon request, unless an alternative format is approved by the executive director.

§113.2236--What reports must I submit?

The commission adopts new §113.2236, which states that the reporting requirements summary is contained in Table 5 of Division 4 (§113.2261).

§113.2237--When must I submit my waste management plan?

The commission adopts new §113.2237, which states that the dates for submittal of the waste management plan are located in Table 1 of Division 4 (§113.2261) for submittal of the final control plan.

§113.2238--What information must I submit following my initial performance test?

The commission adopts new §113.2238, which details the information that must be submitted no later than 60 days following the initial performance test. The adopted section states that these reports must be signed by the facilities manager.

§113.2239--When must I submit my annual report?

The commission adopts new §113.2239, which states that annual reports must be submitted no later than 12 months following the submittal of the information in §113.2238. The section also states that subsequent reports must be submitted no later than 12 months following the previous report.

§113.2240--What information must I include in my annual report?

The commission adopts new §113.2240, which details the ten items that must be included in the annual report. The ten items listed include: company name and address; statement by a responsible official, along with the official's name, title, and signature; date of report and beginning and ending dates of the reporting period; the values for the operating limits; if no deviation from any emission limitation or operating limit that applies to the owner or operator has been reported, a statement to that effect; the highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded by calendar year; information recorded under §113.2234(2)(F) and (3) through (5), by calendar year; if a performance test was conducted during the reporting period, the results of that test; if the requirements of §113.2230(a) or (b) were met, and a performance test was not conducted during the reporting period, a statement that the requirements of §113.2230(a) or (b) were met; and documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours, but less than 2 weeks. The section also states that deviation reports must be submitted to record a deviation from the operating limits or the emission limitations.

§113.2241--What else must I report if I have a deviation from the operating limits or the emission limitations?

The commission adopts new §113.2241, which states that a deviation report must be submitted if any

recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit established under this division, if the bag leak detection system alarm sounds for more than 5 percent of the operating time for the 6-month reporting period, or if a performance test was conducted that deviated from any emission limitation. The adopted section specifies that the deadline is August 1 for the first half of the calendar year, and February 1 for the second half of the calendar year.

§113.2242--What must I include in the deviation report?

The commission adopts new §113.2242, which details the six items that must be included in the deviation report: the calendar dates and times the unit deviated from the emission limitations or operating limit requirements; the averaged and recorded data; the duration and causes of each deviation from the emission limitations or operating limits and corrective actions; a copy of the operating limit monitoring date during each deviation and any test report that documents the emission levels; the dates, times, number, duration, and causes for monitoring downtime incidents; and whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.

§113.2243--What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

The commission adopts new §113.2243, which requires that if all qualified operators are not accessible for 2 weeks or more, a notification of the deviation must be submitted within 10 days and a status report must be submitted to the executive director every 4 weeks. The adopted section also states that a unit that was shut down by the executive director because of a failure to provide an accessible qualified operator requires notification to the executive director once operations resume and a qualified operator is accessible.

In subsection (a)(1), the commission has added clarification that the notification to the executive director must be done within 10 days after the end of the 2-week period in which a certified operator is not accessible. The commission adopts the clarification regarding the beginning of the 10-day period to clearly outline the rule requirements for regulated entities, and similar clarification is added in §§113.2121, 113.2219, 113.2313, and 113.2341.

§113.2244--Are there any other notifications or reports that I must submit?

The commission adopts new §113.2244, which requires that notifications or reports be submitted as required by 40 CFR §60.7 (Notification and record keeping).

§113.2245--In what form can I submit my reports?

The commission adopts new §113.2245, which allows initial, annual, and deviation reports to be submitted electronically or in paper format. The adopted section also specifies that reports must be postmarked on or before the submittal due dates.

§113.2246--Can reporting dates be changed?

The commission adopts new §113.2246, which allows semiannual or annual reporting dates to be changed if approved by the executive director. The section references 40 CFR §60.19(c) for procedures to seek approval to change a reporting date.

§113.2247--Am I required to apply for and obtain a Title V operating permit for my unit?

The commission adopts new §113.2247, which requires each CISWI unit owner or operator to obtain a

Title V permit. As required by the model rule, the Title V application submittal date is based either on the promulgation of 40 CFR Part 60, Subpart DDDD (December 1, 2003), or on the effective date of the Title V permit program to which the unit is subject.

For further clarity and precision, the commission has changed the reference to the deadlines "noted above" in paragraph (2) to the deadlines noted in "this section."

§113.2248--What is an air curtain incinerator?

The commission adopts new §113.2248, which states that an air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. The adopted section further states that incinerators of this type can be constructed above or below ground and with or without refractory walls and floor.

In particular, the commission notes that 40 CFR §60.2555 (What combustion units are exempt from my State plan?) and this section have added some confusion to whether air curtain incinerators are obligated to apply for and obtain Title V permits, since both sections provide that air curtain incinerators that burn only 100 percent wood waste, 100 percent clean lumber, and 100 percent mixture of only wood waste, clean lumber, and/or yard waste must only meet the requirements under §§60.2810 - 60.2870, which do not include the requirement to apply for and obtain a Title V operating permit. However, the federal plan for these sources, 40 CFR Part 62, Subpart III, §62.14525, requires that air curtain incinerators that burn 100 percent wood waste, 100 percent clean lumber, and 100 percent mixture of only wood waste, clean lumber, and/or yard waste must meet only the requirements of §§62.14765 - 62.14825 *and the Title V operating permit requirements of Subpart 62*. Therefore, to further clarify the requirements for air curtain

incinerators under §113.2248, the commission has added the following sentence at the end of subsection (b): "In addition, air curtain incinerators must meet the requirements of §113.2247 of this title (relating to Am I required to apply for and obtain a Title V operating permit for my unit?)."

§113.2249--What are my requirements for meeting increments of progress and achieving final compliance?

The commission adopts new §113.2249, which states that two increments of progress must be met if achieving compliance more than one year following the effective date of state plan approval: a final control plan must be submitted; and final compliance must be achieved.

§113.2250--When must I complete each increment of progress?

The commission adopts new §113.2250, which specifies that the compliance dates for each increment of progress are contained in Table 1 of Division 4 (§113.2261).

§113.2251--What must I include in the notifications of achievement of increments of progress?

The commission adopts new §113.2251, which states what must be included in the notification of achievement of increments of progress: notification of the achievement; any items required to be submitted with each increment of progress; and signature of the owner or operator of the incinerator.

§113.2252--When must I submit the notifications of achievement of increments of progress?

The commission adopts new §113.2252, which requires that the notifications of achievement of increments of progress be postmarked no later than 10 business days after the compliance date for the increment.

§113.2253--What if I do not meet an increment of progress?

The commission adopts new §113.2253, which states that if an increment of progress is not met, a notification must be submitted to the executive director postmarked within 10 business days after the date for that increment of progress. The adopted section further states that the submittal of reports must continue for each subsequent calendar month until the increment of progress is met.

§113.2254--How do I comply with the increment of progress for submittal of a control plan?

The commission adopts new §113.2254, which states that a control plan increment of progress must include submitting a final control plan and maintaining a copy onsite.

§113.2255--How do I comply with the increment of progress for achieving final compliance?

The commission adopts new §113.2255, which requires that all process changes and retrofit construction of control devices be completed for the final compliance increment of progress.

§113.2256--What must I do if I close my air curtain incinerator and then restart it?

The commission adopts new §113.2256, which states that if the incinerator is closed, but will reopen before the final compliance date, the increments of progress must be met. If the incinerator will restart after the final compliance date, emission control retrofits must be completed and emission limitations met on the date the incinerator restarts.

§113.2257--What must I do if I plan to permanently close my air curtain incinerator and not restart it?

The commission adopts new §113.2257, which states that if the incinerator will be closed rather than

comply with the state plan, a closure notification must be submitted to the executive director by the date the final control plan is due.

§113.2258--What are the emission limitations for air curtain incinerators?

The commission adopts new §113.2258, which states that air curtain incinerators must meet an opacity limit of 10 percent (6-minute average) and 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation. The adopted section states that the requirements apply at all times except during malfunctions, and each malfunction must not exceed three hours.

§113.2259--How must I monitor opacity for air curtain incinerators?

The commission adopts new §113.2259, which requires the use of EPA Reference Method 9 in 40 CFR Part 60, Appendix A to determine compliance with the opacity limit. The adopted section states that an initial test must be conducted no later than 180 days after the final compliance date, and that annual tests must be conducted thereafter, no more than 12 calendar months following the date of the previous test.

As discussed in the FISCAL NOTE: COSTS TO STATE AND LOCAL GOVERNMENT portion of the proposal preamble, there would be costs associated with training for conducting opacity testing.

§113.2260--What are the recordkeeping and reporting requirements for air curtain incinerators?

The commission adopts new §113.2260, which requires that records of opacity test results be maintained onsite for at least 5 years. The adopted section states that all records must be made available for submittal to the executive director or for an inspector's onsite review. Finally, the adopted section requires that an initial report be submitted no later than 60 days following the initial opacity test and that annual opacity

test results be submitted within 12 months following the previous report.

§113.2261--Tables Relating to Division 4.

The commission adopts new §113.2261, which contains the tables as referenced in Division 4. The tables include the following: Increments of Progress and Compliance Schedules; Emission Limitations; Operating Limits for Wet Scrubbers; Toxic Equivalency Factors; and Summary of Reporting Requirements.

Table 1 specifies the compliance schedules and increments of progress for units subject to this division. Increment 1 is for submission of the final control plan, and the compliance date is no later than 12 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval. Increment 2 is for final compliance, and the compliance date is no later than 36 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval.

To clarify and simplify the information in the tables contained in this section, the commission adopts minor formatting changes and has also deleted information that may confuse regulated entities, such as references to past federal compliance dates.

Division 5, Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004 (40 CFR Part 60, Subpart FFFF)

§113.2300--Definitions.

The commission adopts new §113.2300, which defines terms used in new Division 5 that are either previously undefined or are used differently by the federal emission guidelines that are the basis for the

rules. The definitions are taken from 40 CFR §60.3078 (What definitions must I know?).

For clarification, the commission has modified paragraph (1)(C), under the definition of administrator. The commission has added that the NSPS are located within 40 CFR Part 60.

Also for clarification, the commission has modified paragraph (2), under the definition of air curtain incinerator. This definition contains a reference both to Division 5 and to 40 CFR Part 60, Subpart EEEE. The commission has deleted the subpart reference, because Subpart EEEE applies to new sources, not existing sources, which is the subject of Division 5. The definition of MWC unit, paragraph (28), contains a similar reference to Subpart EEEE, and the commission has also deleted the subpart reference.

§113.2301--When must I comply?

The commission adopts new §113.2301, which specifies the final compliance date in Table 1 of Division 5 (§113.2357), as December 16, 2010. The adopted section also states that notification of final compliance must be submitted to the executive director and postmarked within 10 business days after the final compliance date.

§113.2302--What must I do if I close my other solid waste incineration unit and then restart it?

The commission adopts new §113.2302, which requires achievement of final compliance by the date specified in Table 1 of Division 5 (§113.2357) if the OSWI unit closes and then will restart before this date. If the OSWI unit will restart after the final compliance date, an emission control retrofit must be completed and emission limitations met when the OSWI restarts.

§113.2303--What must I do if I plan to permanently close my other solid waste incineration unit and not restart it?

The commission adopts new §113.2303, which states that an OSWI unit must permanently close before the final compliance date specified in Table 1 of Division 5 (§113.2357).

§113.2304--What is a waste management plan?

The commission adopts new §113.2304, which states that a waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream to reduce or eliminate toxic emissions from incinerated waste.

§113.2305--When must I submit my waste management plan?

The commission adopts new §113.2305, which requires that a waste management plan be submitted no later than 60 days following the initial performance test as specified in Table 5 of Division 5 (§113.2357).

§113.2306--What should I include in my waste management plan?

The commission adopts new §113.2306, which specifies what must be included in the waste management plan. The adopted section includes the following components: consideration of the reduction or separation of waste-stream elements; and identification of additional waste management measures and implementation of those measures that are considered practical and feasible, based on certain specific criteria.

§113.2307--What are the operator training and qualification requirements?

The commission adopts new §113.2307, which does not allow an OSWI unit to be operated unless a fully

trained and qualified OSWI unit operator is accessible to the facility within 1 hour. The adopted section also states that operator training and qualification must be obtained through a state-approved program or by completing an incinerator operator training course that includes at least three of the elements listed. The elements include: training on 13 specified subjects; an examination designed and administered by the instructor; and written material covering the training course topics that may be a reference following completion of the course.

§113.2308--When must the operator training course be completed?

The commission adopts new §113.2308, which requires that the operator training be completed by the latest of the following three dates: the final compliance date as specified in Table 1 of Division 5 (§113.2357); six months after OSWI unit startup; or six months after an employee assumes responsibility for operating the OSWI unit or for supervising operation of the OSWI unit.

§113.2309--How do I obtain my operator qualification?

The commission adopts new §113.2309, which requires that operator qualification be obtained by completing a training course that satisfies certain criteria. The adopted section further states that qualification is valid from the date on which the training course is completed and the operator successfully passes the required examination. As stated in §113.2310, operators must complete an annual review or refresher course to maintain qualification.

§113.2310--How do I maintain my operator qualification?

The commission adopts new §113.2310, which states that to maintain operator qualification, an annual review or refresher course must be completed. The adopted section specifies that, at a minimum, five

topics must be included: update of regulations; incinerator operation; inspection and maintenance; responses to malfunctions; and operating problems.

§113.2311--How do I renew my lapsed operator qualification?

The commission adopts new §113.2311, which states that if operator qualification lapses for less than 3 years, a standard annual refresher course must be completed. The adopted section states that if the lapse is 3 years or more, the initial qualification requirements must be repeated.

§113.2312--What site-specific documentation is required?

The commission adopts new §113.2312, which describes the site-specific documentation that is required to be in compliance. The adopted section specifies nine types of documents that must be available at the facility and readily accessible for all OSWI unit operators. The adopted section further states that a program for reviewing the information must be established with each incinerator operator by the dates specified. Finally, the adopted section includes the required training records.

§113.2313--What if all the qualified operators are temporarily not accessible?

The commission adopts new §113.2313, which states that depending on the length of time the qualified operator is not accessible, one of three criteria must be met. The criteria are: for 12 hours or less, the OSWI unit may be operated by other plant personnel familiar with the operation of the OSWI unit; for more than 12 hours, but less than 2 weeks, the OSWI unit may be operated by other plant personnel familiar with the operation of the OSWI unit; however, records of the period when the qualified operator was not accessible must be maintained and reported; for 2 weeks or more, the executive director must be notified of the deviation in writing within 10 days and status reports must be provided to the EPA every 4

weeks. The adopted section also states that status reports must outline what is being done to ensure that a qualified operator is accessible, when a qualified operator might be accessible, and contain a request for approval to continue operation.

In paragraph (3)(A), the commission has added clarification that the notification to the executive director must be done within 10 days after the end of the 2-week period in which a certified operator is not accessible. The commission adopts the clarification regarding the beginning of the 10-day period to clearly outline the rule requirements for regulated entities, and similar clarification has been added in §§113.2121, 113.2219, 113.2243, and 113.2341.

In paragraph (3)(B) and in paragraph (3)(B)(ii), the commission has changed the recipient of status reports and approval of continued operation from the EPA, as is stated in 40 CFR Part 60, Subpart FFFF, to the executive director. The commission adopts this change so that this section is consistent with §113.2121 (40 CFR §60.1685, Subpart BBBB) and with §113.2219 (40 CFR §60.2665, Subpart DDDD). The commission also adopts this change because it is appropriate that the TCEQ be informed of changes in the status of qualified operators for consistent and effective enforcement of the rules.

§113.2314--What emission limitations must I meet and by when?

The commission adopts new §113.2314, which states that the emission limitations that must be met on the date the initial performance test is required or completed are specified in Table 2 of Division 5 (§113.2357).

§113.2315--What operating limits must I meet and by when?

The commission adopts new §113.2315, which, for wet scrubbers, requires that operating limits for four operating parameters be established: maximum charge rate; minimum pressure drop across the wet scrubber; minimum scrubber liquor flow rate; and minimum scrubber liquor pH. The operating limits established during the initial performance test must be met beginning on the date 180 days after the final compliance date.

§113.2316--What if I do not use a wet scrubber to comply with the emission limitations?

The commission adopts new §113.2316, which states that if an air pollution control device other than a wet scrubber is used, or emissions are limited in some other manner to comply with the emission limitations, a petition must be submitted to the EPA for specific operating limits, the values of which are to be established during the initial performance test and then continuously monitored thereafter. The adopted section states that an initial performance test must not be conducted until after the petition has been approved by the EPA. A listing of what must be included in the petition is detailed in this section.

§113.2317--What happens during periods of startup, shutdown, and malfunction?

The commission adopts new §113.2317, which states that emission limitations and operating limits apply at all times, except during OSWI unit startups, shutdowns, or malfunctions.

For clarification, the commission has added that OSWI unit startups, shutdowns, and malfunctions must last no longer than 3 hours. This additional language will make this section consistent with similar sections in Division 3 (§113.2123) and Division 4 (§113.2223).

§113.2318--How do I conduct the initial and annual performance test?

The commission adopts new §113.2318, which requires that all performance tests be conducted using the methods and specifications listed in this section to be in compliance.

§113.2319--How are the performance test data used?

The commission adopts new §113.2319, which requires that the results of performance tests be used to demonstrate compliance with the emission limits in Table 2 of Division 5 (§113.2357).

§113.2320--How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

The commission adopts new §113.2320, which requires that an initial performance test be conducted to determine compliance with the emission limitations and to establish operating limits. The adopted section states that the requirements for emission limitations and the test methods for the initial performance test are found in Table 2 of Division 5 (§113.2357).

§113.2321--By what date must I conduct the initial performance test?

The commission adopts new §113.2321, which requires that the initial performance test be conducted no later than 180 days after the final compliance date listed in Table 1 of Division 5 (§113.2357).

§113.2322--How do I demonstrate continuous compliance with the emission limitations and the operating limits?

The commission adopts new §113.2322, which requires that an annual performance test be conducted for all the pollutants in Table 2 of Division 5 (§113.2357) for each OSWI unit to determine compliance with the emission limits. The adopted section also states that to determine compliance with the carbon

monoxide limits, carbon monoxide emissions and operating parameters must be continuously monitored.

§113.2323--By what date must I conduct the annual performance test?

The commission adopts new §113.2323, which requires that annual performance tests be conducted within 12 months of the initial performance test. The adopted section also states that subsequent annual performance tests must be conducted within 12 months following the previous one.

§113.2324--May I conduct performance testing less often?

The commission adopts new §113.2324, which allows performance tests to be conducted less often for a given pollutant if test data exists for at least three consecutive annual tests, and all performance tests over that period show compliance with the emission limit. The adopted section further states that if a performance test shows a deviation from an emission limitation for any pollutant, annual tests must be conducted for that pollutant until three consecutive annual performance tests for that pollutant all demonstrate compliance.

§113.2325--May I conduct a repeat performance test to establish new operating limits?

The commission adopts new §113.2325, which allows a repeat performance test to be conducted at any time to establish new operating limits. The adopted section also states that the executive director may request a repeat performance test at any time.

§113.2326--What continuous emission monitoring systems must I install?

The commission adopts new §113.2326, which requires that continuous emission monitoring systems be installed, calibrated, maintained, and operated for carbon monoxide and oxygen. The adopted section

states that each continuous emission monitoring system must be in compliance with 40 CFR §60.13.

§113.2327--How do I make sure my continuous emission monitoring systems are operating correctly?

The commission adopts new §113.2327, which details the four requirements for ensuring that the continuous emission monitoring systems are operating correctly. The adopted section specifies evaluation and quality assurance procedures that must be followed.

For clarification in subsection (c), the commission has specified that the reference to EPA Method 3 or 3A is located in 40 CFR Part 60, Appendix A.

§113.2328--What is my schedule for evaluating continuous emission monitoring systems?

The commission adopts new §113.2328, which requires that annual evaluations of the continuous emission monitoring systems be conducted no more than 12 months after the previous evaluation. The adopted section also states that daily and quarterly evaluations must be conducted in accordance with 40 CFR Part 60, Appendix F.

§113.2329--What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems, and is the data collection requirement enforceable?

The commission adopts new §113.2329, which details the minimum amount of monitoring data that is required to be collected from the continuous emission monitoring systems to be in compliance. The adopted section also states that a failure to obtain the minimum required data is a deviation from the data collection requirement. The adopted section further references Table 4 in Division 5 (§113.2357) for alternatives if continuous emission monitoring systems are temporarily unavailable to meet the data

collection requirements.

§113.2330--How do I convert my 1-hour arithmetic averages into the appropriate averaging times and units?

The commission adopts new §113.2330, which requires the use of equations in 30 TAC §113.2356 (What equations must I use?) to calculate emissions at 7 percent oxygen and the 12-hour rolling averages for concentrations of carbon monoxide.

§113.2331--What operating parameter monitoring equipment must I install, and what operating parameters must I monitor?

The commission adopts new §113.2331, which specifies required procedures for using a wet scrubber or a method or air pollution control device other than a wet scrubber to comply with the emission limitations.

§113.2332--Is there a minimum amount of operating parameter monitoring data I must obtain?

The commission adopts new §113.2332, which requires that monitoring be conducted at all times the OSWI unit is operating, except for monitor malfunctions, associated repairs, and required quality assurance or control activities. The adopted section states that valid data must be obtained for at least 75 percent of the operating hours per day for at least 90 percent of the operating days per calendar quarter and that to not obtain the minimum data is a deviation.

§113.2333--What records must I keep?

The commission adopts new §113.2333, which lists the 14 items that must be maintained for a period of at least 5 years: the calendar date of each record; several types of records as specified in the section; an

identification of calendar dates and times for which continuous emission monitoring systems or monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control; an identification of calendar dates, times, and durations of malfunctions; an identification of calendar dates and times for which monitoring data show a deviation from the carbon monoxide emissions limit in Table 2 of this division (§113.2357) or a deviation from the operating limits in Table 3 of this division (§113.2357) or a deviation from other operating limits established under §113.2316; calendar dates when continuous monitoring systems did not collect the minimum amount of data required under §113.2329 and §113.2332; for carbon monoxide continuous emissions monitoring systems, documentation of the results of the daily drift tests and quarterly accuracy determinations; records of the calibration of any monitoring devices required under §113.2331; the results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable; records showing the names of OSWI unit operators who have completed review of the information in §113.2312(a) as required by §113.2312(b); records showing the names of the OSWI unit operators who have completed the operator training requirements under §113.2307, met the criteria for qualification under §113.2309, and maintained or renewed their qualification under §113.2310 or §113.2311; for each qualified operator, the phone and/or pager number at which the operator can be reached; equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment; and the information listed in §113.2312(a).

§113.2334--Where and in what format must I keep my records?

The commission adopts new §113.2334, which requires that records be maintained on site for at least 2 years. The adopted section states that the records may be maintained off site for the remaining 3 years,

and that all records must be in paper or electronic format that can be printed upon request, unless an alternative format has been approved by the executive director.

For clarification, the commission has stated at the beginning of subsection (a) that each record must be maintained for at least 5 years. This additional language ensures that there is no conflict with the requirements of §113.2333.

§113.2335--What reports must I submit?

The commission adopts new §113.2335, which states that reporting requirements are located in Table 5 of Division 5 (§113.2357).

§113.2336--What information must I submit following my initial performance test?

The commission adopts new §113.2336, which states that the following information must be submitted no later than 60 days following the initial performance test: the complete test report; values for the site-specific operating limits; and the waste management plan.

§113.2337--When must I submit my annual report?

The commission adopts new §113.2337, which requires that the annual report be submitted no later than 12 months following the submission of information required in §113.2336. The adopted section further states that subsequent reports must be submitted no more than 12 months following the previous report.

§113.2338--What information must I include in my annual report?

The commission adopts new §113.2338, which lists the 10 items that are required to be included in the

annual report to be in compliance: company name and address; statement by the owner or operator certifying the truth, accuracy, and completeness of the report; the date of the report and beginning and ending dates of the reporting period; the values for the operating limits; if no deviation from any emission limitation or operating limit that applies to the owner or operator has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period; the highest recorded 12-hour average and the lowest recorded 12-hour average, as applicable, for carbon monoxide emissions and the highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported; information recorded under §113.2333(2)(F) and (3) through (5) for the calendar year being reported; if a performance test was conducted during the reporting period, the results of that test; if the requirements of §113.2324(a) or (b) were met, and a performance test was not conducted during the reporting period, a statement that the requirements of §113.2324(a) or (b) were met, and therefore, a performance test was not required during the reporting period; and documentation of periods when all qualified OSWI unit operators were unavailable for more than 12 hours, but less than 2 weeks.

To clarify and simplify the requirements of this section, the commission has deleted the reference to 40 CFR Part 71 in paragraph (2), since federal requirements are contained within this part and they are not necessary for state implementation of the rules.

§113.2339--What else must I report if I have a deviation from the operating limits or the emission limitations?

The commission adopts new §113.2339, which requires that a deviation report be submitted if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum

operating limit, if any recorded 12-hour average carbon monoxide emission rate is above the emission limitation, if the control device was bypassed, or if a performance test was conducted that showed a deviation from any emission limitation. The adopted section also states that the deviation report must be submitted by August 1 of the year the data was collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data collected during the second half of the calendar year (July 1 to December 31).

§113.2340--What must I include in the deviation report?

The commission adopts new §113.2340, which details the seven items that must be included in deviation reports for any pollutant or operating parameter that deviated from the emission limitations or operating limits: the calendar dates and times the unit deviated from the emission limitations or operating limit requirements; the averaged and recorded data for those dates; durations and causes of each deviation from the emission limitations or operating limits and your corrective actions; a copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels; the dates, times, number, duration, and causes for monitor downtime incidents; whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period; and the dates, times, and durations of any bypass of the control device.

§113.2341--What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

The commission adopts new §113.2341, which states that if all qualified operators are not accessible for 2 weeks or more, a notification of deviation must be submitted within 10 days and a status report must be submitted to the EPA every 4 weeks. In addition, the adopted section states that a request must be

submitted to the EPA to continue operation of the OSWI unit. The adopted section further states that the EPA must be notified once a qualified operator is accessible and operations have resumed if the unit was shut down by the EPA due to a failure to provide an accessible qualified operator.

In subsection (a)(1), the commission has added clarification that the notification to the executive director must be done within 10 days after the end of the 2-week period in which a certified operator is required to be onsite. The commission adopts the clarification regarding the beginning of the 10-day period to clearly outline the rule requirements for regulated entities, and similar clarification has been added in §§113.2121, 113.2219, 113.2243, and 113.2313.

In subsection (a)(2), subsection (a)(2)(C), and in subsection (b), the commission has changed the recipient of status reports and approval of continued operation from the EPA, as is stated in 40 CFR Part 60, Subpart FFFF, to the executive director. The commission adopts this change so that this section is consistent with §113.2243 (40 CFR §60.2785, Subpart DDDD). The commission also adopts this change because it is appropriate that the TCEQ be informed of changes in the status of qualified operators for consistent and effective enforcement of the rules.

§113.2342--Are there any other notifications or reports that I must submit?

The commission adopts new §113.2342, which requires that the notifications in 40 CFR §60.7 also be submitted.

§113.2343--In what form can I submit my reports?

The commission adopts new §113.2343, which requires that initial, annual, and deviation reports be

submitted electronically or in paper format, postmarked on or before the submittal due dates.

§113.2344--Can reporting dates be changed?

The commission adopts new §113.2344, which states that if the executive director agrees, the semiannual and annual reporting dates may be changed. The adopted section references 40 CFR §60.19(c) for the required procedures to seek approval to change a reporting date.

§113.2345--Am I required to apply for and obtain a Title V operating permit for my unit?

The commission adopts new §113.2345, which states that unless you meet the requirements for an exemption in 40 CFR §60.2993 (Are any combustion units excluded from my State plan?), if you are subject to an applicable EPA-approved and effective FCAA, §111(d)/129 state or tribal plan or an applicable and effective federal plan, you are required to apply for and obtain a Title V operating permit. The rules in this division require that owners or operators of air curtain incinerators obtain a Title V permit; however, these units are only required to comply with limited requirements, as opposed to larger entities.

§113.2346--When must I submit a Title V permit application for my existing unit?

The commission adopts new §113.2346, which provides the specific dates that a Title V permit application must be submitted for existing units: 12 months after the effective date of any applicable EPA-approved FCAA, §111(d)/129 state or tribal plan; 12 months after the effective date of any applicable federal plan; or December 16, 2008, whichever is earlier. Because there is currently no approved state or federal plan, December 16, 2008, is the required submission date for federal operating permit applications.

To clarify and simplify the requirements of this section, the commission has deleted references to 40 CFR Part 71 in subsections (a), (c), and (d), since federal requirements are contained within this part and they are not necessary for state implementation of the rules.

§113.2347--What are the requirements for temporary-use incinerators and air curtain incinerators used in disaster recovery?

The commission adopts new §113.2347, which states that temporary-use incinerators and air curtain incinerators used in disaster recovery are exempt from Division 5 if they follow certain requirements. The adopted section defines a disaster or emergency as a tornado, hurricane, flood, ice storm, high winds, or act of bioterrorism, and specifies that the exclusion only applies in an area declared a State of Emergency. The adopted section specifies the periods of time and required notifications for the exclusion from the rules in Division 5.

§113.2348--What is an air curtain incinerator?

The commission adopts new §113.2348, which states that an air curtain incinerator operates by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs. The adopted section also states that air curtain incinerators used to burn only 100 percent wood waste, clean lumber, yard waste, or a mixture of the three materials are required to meet only the requirements in §§113.2348 - 113.2355.

For clarification, the commission has modified the wording in subsection (a), which contains a reference both to Division 5 and to 40 CFR Part 60, Subpart EEEE. The commission has deleted the subpart

reference, because Subpart EEEE applies to new sources, not existing sources, which is the subject of Division 5.

§113.2349--When must I comply if my air curtain incinerator burns only wood waste, clean lumber, and yard waste?

The commission adopts new §113.2349, which requires air curtain incinerators that burn only wood waste, clean lumber, and yard waste to comply with the final compliance date listed in Table 1 of Division 5 (§113.2357). The adopted section states that notification to the executive director is required and must be postmarked within 10 business days after the final compliance date.

§113.2350--What must I do if I close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and then restart it?

The commission adopts new §113.2350, which states that if the incinerator is closed, but will reopen before the final compliance date, the final compliance date specified in Table 1 of Division 5 (§113.2357) must be met. If the incinerator is closed, but will restart after the final compliance date, the emission limitations must be met on the date the incinerator restarts operation.

§113.2351--What must I do if I plan to permanently close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and not restart it?

The commission adopts new §113.2351, which states that if the incinerator is permanently closed and will not restart, the unit must be closed before the final compliance date listed in Table 1 of Division 5 (§113.2357).

§113.2352--What are the emission limitations for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

The commission adopts new §113.2352, which states that within 180 days after the final compliance date in Table 1 of Division 5 (§113.2357), air curtain incinerators that burn only wood waste, clean lumber, and yard waste must meet an opacity limit of 10 percent (6-minute average) and 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

Upon adoption, for clarification, the commission has added in subsection (b) that malfunctions must last no longer than 3 hours. This additional language will make this section consistent with similar sections in Division 3 (§113.2123), Division 4 (§113.2223), and Division 5 (§113.2317).

§113.2353--How must I monitor opacity for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

The commission adopts new §113.2353, which requires the use of EPA Reference Method 9 in 40 CFR Part 60, Appendix A, to determine compliance with the opacity limit. An initial test would be conducted within 180 days after the final compliance date, and annual tests conducted thereafter. As discussed in the FISCAL NOTE: COSTS TO STATE AND LOCAL GOVERNMENT portion of the proposal preamble, there would be costs associated with training for conducting opacity testing.

§113.2354--What are the recordkeeping and reporting requirements for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

The commission adopts new §113.2354, which requires that records of results of all initial and annual opacity test results, as well as a copy of the initial and annual reports, be maintained for at least 5 years.

The adopted section also states that records of results must be kept in either paper copy or computer-readable format that can be printed upon request, and that all records must be made available to the executive director or for an inspector's review. The adopted section further states that an initial report must be submitted no later than 60 days following the initial opacity test and annual opacity test results must be submitted within 12 months following the previous report. As specified in the adopted section, initial and annual opacity test reports must be submitted as electronic or paper copy on or before the applicable submittal date.

§113.2355--Am I required to apply for and obtain a Title V operating permit for my air curtain incinerator that burns only wood waste, clean lumber, and yard waste?

The commission adopts new §113.2355, which specifies that if the air curtain incinerator is subject to Division 5, an application for a Title V operating permit must be submitted. 40 CFR §60.2993 contains a listing of types of units that are excluded from the requirements of the state plan, as long as the owner or operator meets the requirements of 40 CFR §60.2993.

§113.2356--What equations must I use?

The commission adopts new §113.2356, which contains the two equations that must be used in Division 5. The equations are for determining the following: pollutant concentration adjusted to 7 percent oxygen and average carbon monoxide pollutant rate for each 12-hour period.

For clarification and for consistency with the equation contained within subsection (a), the commission has used the word "oxygen," rather than using O_2 in subsection (d).

§113.2357--Tables Relating to Division 5.

The commission adopts new §113.2357, which contains the tables relating to Division 5. The tables are as follows: Compliance Schedule; Emission Limitations; Operating Limits for Incinerators and Wet Scrubbers; Requirements for Continuous Emission Monitoring Systems (CEMS); and Summary of Reporting Requirements.

Table 1 specifies the compliance schedule for units subject to this division. Final compliance is required by December 16, 2010.

To clarify and simplify the information in the tables contained in this section, the commission adopts minor formatting changes and has also deleted information that may confuse regulated entities, such as references to past federal compliance dates.

FINAL REGULATORY IMPACT ANALYSIS DETERMINATION

The commission reviewed the rulemaking in light of the regulatory impact analysis requirements of Texas Government Code, §2001.0225, and determined that the rulemaking does not meet the definition of a major environmental rule as defined in that statute, and in addition, if it did meet the definition, would not be subject to the requirement to prepare a regulatory impact analysis.

A major environmental rule means a rule, the specific intent of which is to protect the environment or reduce risks to human health from environmental exposure, and that may adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, or the public health and safety of the state or a sector of the state. The specific intent of these rules is to adopt emission

guidelines for existing certain solid waste incineration units mandated by 42 United States Code (USC), and required to be included in operating permits by 42 USC, §7661a, as specified elsewhere in this preamble. These sources are required to comply with the emission guidelines whether or not the commission adopts the emission guidelines or takes delegation from the EPA, due to the federal plans that are adopted by the EPA to implement and enforce the emission guidelines if states do not adopt state plans to do so. As discussed in the FISCAL NOTE portion of the proposal preamble, the adopted rules are not anticipated to add any significant additional costs to affected individuals or businesses beyond what is already required to comply with these federal standards on the economy, a sector of the economy, productivity, competition, jobs, the environment, or the public health and safety of the state or a sector of the state.

Additionally, the rulemaking does not meet any of the four applicability criteria for requiring a regulatory impact analysis for a major environmental rule, which are listed in Texas Government Code, §2001.0225(a). Texas Government Code, §2001.0225, applies only to a major environmental rule, the result of which is to: 1) exceed a standard set by federal law, unless the rule is specifically required by state law; 2) exceed an express requirement of state law, unless the rule is specifically required by federal law; 3) exceed a requirement of a delegation agreement or contract between the state and an agency or representative of the federal government to implement a state and federal program; or 4) adopt a rule solely under the general powers of the agency instead of under a specific state law.

Under 42 USC, §7661a, states are required to have federal operating permit programs that provide authority to issue permits and assure compliance with each applicable standard, regulation, or requirement under the FCAA, including emission guidelines, which are required under 42 USC, §7429. Similar to

requirements in 42 USC, §7410, regarding the requirement to adopt and implement plans to attain and maintain the national ambient air quality standards, states are not free to ignore requirements in 42 USC, §7661a, and must develop and submit programs to provide for operating permits for major sources that include all applicable requirements of the FCAA. Additionally, states are required by 42 USC, §7429 to adopt and implement plans to implement and enforce emission guidelines.

The requirement to provide a fiscal analysis of regulations in the Texas Government Code was amended by Senate Bill (SB) 633 during the 75th legislative session. The intent of SB 633 was to require agencies to conduct a regulatory impact analysis of extraordinary rules. These are identified in the statutory language as major environmental rules that will have a material adverse impact and will exceed a requirement of state law, federal law, or a delegated federal program, or are adopted solely under the general powers of the agency. With the understanding that this requirement would seldom apply, the commission provided a cost estimate for SB 633 that concluded "based on an assessment of rules adopted by the agency in the past, it is not anticipated that the bill will have significant fiscal implications for the agency due to its limited application." The commission also noted that the number of rules that would require assessment under the provisions of the bill was not large. This conclusion was based, in part, on the criteria set forth in the bill that exempted rules from the full analysis unless the rule was a major environmental rule that exceeds a federal law.

Because of the ongoing need to meet federal requirements, the commission routinely proposes and adopts rules incorporating or designed to satisfy specific federal requirements. The legislature is presumed to understand this federal scheme. If each rule proposed by the commission to meet a federal requirement was considered to be a major environmental rule that exceeds federal law, then each of those rules would

require the full regulatory impact analysis contemplated by SB 633. This conclusion is inconsistent with the conclusions reached by the commission in its cost estimate and by the Legislative Budget Board in its fiscal notes. Since the legislature is presumed to understand the fiscal impacts of the bills it passes, and that presumption is based on information provided by state agencies and the Legislative Budget Board, the commission believes that the intent of SB 633 was only to require the full regulatory impact analysis for rules that are extraordinary in nature. While the adopted rules may have a broad impact, that impact is no greater than is necessary or appropriate to meet the requirements of the FCAA, and in fact creates no additional impacts since the adopted rules do not modify the federal emission guidelines in any substantive aspect, but merely provide for minor administrative changes as described elsewhere in this preamble. For these reasons, the adopted rules fall under the exception in Texas Government Code, §2001.0225(a), because they are required by, and do not exceed, federal law.

The commission has consistently applied this construction to its rules since this statute was enacted in 1997. Since that time, the legislature has revised the Texas Government Code, but left this provision substantially unamended. It is presumed that "when an agency interpretation is in effect at the time the legislature amends the laws without making substantial change in the statute, the legislature is deemed to have accepted the agency's interpretation." (*Central Power & Light Co. v. Sharp*, 919 S.W.2d 485, 489 (Tex. App. Austin 1995), *writ denied with per curiam opinion respecting another issue*, 960 S.W.2d 617 (Tex. 1997); *Bullock v. Marathon Oil Co.*, 798 S.W.2d 353, 357 (Tex. App. Austin 1990, *no writ*). *Cf. Humble Oil & Refining Co. v. Calvert*, 414 S.W.2d 172 (Tex. 1967); *Dudney v. State Farm Mut. Auto Ins. Co.*, 9 S.W.3d 884, 893 (Tex. App. Austin 2000); *Southwestern Life Ins. Co. v. Montemayor*, 24 S.W.3d 581 (Tex. App. Austin 2000, *pet. denied*); and *Coastal Indust. Water Auth. v. Trinity Portland Cement Div.*, 563 S.W.2d 916 (Tex. 1978).)

The commission's interpretation of the regulatory impact analysis requirements is also supported by a change made to the Texas Administrative Procedure Act by the legislature in 1999. In an attempt to limit the number of rule challenges based upon Administrative Procedure Act requirements, the legislature clarified that state agencies are required to meet these sections of the Administrative Procedure Act against the standard of "substantial compliance" (Texas Government Code, §2001.035). The legislature specifically identified Texas Government Code, §2001.0225 as falling under this standard. As discussed in this analysis and elsewhere in this preamble, the commission has substantially complied with the requirements of Texas Government Code, §2001.0225.

The adopted rules implement requirements of the FCAA. The emission guidelines being incorporated into state law are federal standards that are required by 42 USC, §7429, required to be included in permits under 42 USC, §7661a, adopted with only minor administrative changes, and will not exceed any standard set by state or federal law. These rules are not an express requirement of state law. The adopted rules do not exceed a requirement of a delegation agreement or a contract between state and federal government, as the EPA will delegate implementation and enforcement of the emission guidelines to Texas if this rulemaking is adopted. The new rules were not developed solely under the general powers of the agency, but are authorized by specific sections of Texas Health and Safety Code, Chapter 382 (also known as the Texas Clean Air Act), and the Texas Water Code, which are cited in the STATUTORY AUTHORITY section of this preamble, including Texas Health and Safety Code, §§382.011, 382.012, and 382.017. Therefore, this adopted rulemaking action is not subject to the regulatory analysis provisions of Texas Government Code, §2001.0225(b).

The commission invited public comment regarding the draft regulatory impact analysis determination during the public comment period. The commission did not receive any comments.

TAKINGS IMPACT ASSESSMENT

Under Texas Government Code, §2007.002(5), taking means a governmental action that affects private real property, in whole or in part or temporarily or permanently, in a manner that requires the governmental entity to compensate the private real property owner as provided by the Fifth and Fourteenth Amendments to the United States Constitution or §17 or §19, Article I, Texas Constitution; or a governmental action that affects an owner's private real property that is the subject of the governmental action, in whole or in part or temporarily or permanently, in a manner that restricts or limits the owner's right to the property that would otherwise exist in the absence of the governmental action; and is the producing cause of a reduction of at least 25 percent in the market value of the affected private real property, determined by comparing the market value of the property as if the governmental action is not in effect and the market value of the property determined as if the governmental action is in effect.

The commission completed a takings impact analysis for the adopted rulemaking action under the Texas Government Code, §2007.043. The primary purpose of this rulemaking action, as discussed elsewhere in this preamble, is to adopt emission guidelines for certain solid waste incineration units, as specified elsewhere in this preamble, mandated by 42 USC, §7429 and required to be included in operating permits by 42 USC, §7661a and facilitate implementation and enforcement of the emission guidelines by the state. The adopted rules will not create any additional burden on private real property. Under federal law, the affected industries will be required to comply with the emission guidelines regardless of whether the commission or the EPA is the agency responsible for implementation of the emission guidelines. The

adopted rules will not affect private real property in a manner that would require compensation to private real property owners under the United States Constitution or the Texas Constitution. The adoption also will not affect private real property in a manner that restricts or limits an owner's right to the property that would otherwise exist in the absence of the governmental action. Therefore, the adopted rulemaking will not cause a taking under Texas Government Code, Chapter 2007.

CONSISTENCY WITH THE COASTAL MANAGEMENT PROGRAM

The commission reviewed the adopted rulemaking and found that the adoption is subject to the Texas Coastal Management Program (CMP) in accordance with the Coastal Coordination Act, Texas Natural Resources Code, §§33.201 *et seq*., and therefore must be consistent with all applicable CMP goals and policies. The commission conducted a consistency determination for the adopted rules in accordance with Coastal Coordination Act Implementation Rules, 31 TAC §505.22, and found the adopted rulemaking is consistent with the applicable CMP goals and policies.

CMP goals applicable to the adopted rules are to protect, preserve, restore, and enhance the diversity, quality, quantity, functions, and values of coastal natural resource areas. The CMP policy applicable to the adopted rules is the policy that commission rules comply with federal regulations in 40 CFR, to protect and enhance air quality in the coastal areas (31 TAC §501.32). These rules are consistent because the emission guidelines incorporated through this rulemaking implement state rules that are as strict as the minimum emission guidelines found in 40 CFR Part 60, Subparts BBBB, DDDD, and FFFF.

Promulgation and enforcement of these rules will not violate or exceed any standards identified in the applicable CMP goals and policies because the adopted rules are consistent with these CMP goals and

policies and because these rules do not create or have a direct or significant adverse effect on any coastal natural resource areas.

The commission invited public comment regarding the consistency with the coastal management program during the public comment period. The commission did not receive any comments.

EFFECT ON SITES SUBJECT TO THE FEDERAL OPERATING PERMITS PROGRAM

Chapter 113 is an applicable requirement under 30 TAC Chapter 122 (Federal Operating Permits Program). Owners or operators subject to the federal operating permit program must, consistent with the revision process in Chapter 122, upon the effective date of the adopted rulemaking, revise their operating permit to include the new Chapter 113 requirements. Additionally, sources subject to the emission guidelines may become subject to the federal operating permit program.

PUBLIC COMMENT

The commission held a public hearing on the proposed Chapter 113 rules and FCAA, §111(d)/129 State Plan in Austin, Texas, on January 5, 2009. The comment period closed January 7, 2009. The commission received one written comment on the proposed rulemaking, and it was from the U.S. Environmental Protection Agency (EPA).

RESPONSE TO COMMENTS

The EPA commented that it strongly supports the proposed rule revision and the EPA also stated that it believes the Chapter 113 amendments to be in compliance with 40 CFR Part 60, Subparts BBBB, DDDD, and FFFF.

The commission appreciates the EPA's support of the proposed rules and state plan.

SUBCHAPTER D: DESIGNATED FACILITIES AND POLLUTANTS

DIVISION 3: EMISSION GUIDELINES AND COMPLIANCE TIMES FOR SMALL MUNICIPAL WASTE COMBUSTION UNITS CONSTRUCTED ON OR BEFORE AUGUST 30, 1999

§§113.2100 - 113.2174

STATUTORY AUTHORITY

The new sections are adopted under Texas Water Code, §5.103, concerning Rules, and §5.105, concerning General Policy, which authorize the commission to adopt rules necessary to carry out its powers and duties under the Texas Water Code; and under Texas Health and Safety Code, §382.017, concerning Rules, which authorizes the commission to adopt rules consistent with the policy and purpose of the Texas Clean Air Act. The new sections are also adopted under Texas Health and Safety Code, §382.002, concerning Policy and Purpose, which establishes the commission's purpose to safeguard the state's air resources, consistent with the protection of public health, general welfare, and physical property; §382.011, concerning General Powers and Duties, which authorizes the commission to control the quality of the state's air; §382.012, concerning State Air Control Plan, which authorizes the commission to prepare and develop a general, comprehensive plan for the proper control of the state's air; §382.016, concerning Monitoring Requirements; Examination of Records, which authorizes the commission to prescribe reasonable requirements for measuring and monitoring the emissions of air contaminants; and §382.051, concerning Permitting Authority of Commission; Rules, which authorizes the commission to adopt rules as necessary to comply with changes in federal law or regulations applicable to permits issued under the Texas Clean Air Act. The new sections are also adopted under the

Texas Water Code, §7.002, Enforcement Authority, which authorizes the commission to institute legal proceedings to compel compliance; §7.032, Injunctive Relief, which provides that injunctive relief may be sought by the executive director; and §7.302, Grounds for Revocation or Suspension of Permit, which provides authority to the commission to revoke or suspend any air quality permit.

The adopted new sections implement Texas Health and Safety Code, §§382.002, 382.011, 382.012, 382.016, 382.017, and 382.051.

§113.2100. Definitions.

Terms used but not defined in this division are defined in the Federal Clean Air Act and in 40 Code of Federal Regulations Part 60, Subparts A and B.

(1) Administrator--The administrator of the United States Environmental Protection Agency or his/her authorized representative or the administrator of a state air pollution control agency.

(2) Air curtain incinerator--An incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of that type can be constructed above or below ground and with or without refractory walls and floor.

(3) Batch municipal waste combustion unit--A municipal waste combustion unit designed so it cannot combust municipal solid waste continuously 24 hours per day because the design does not allow waste to be fed to the unit or ash to be removed during combustion.

(4) Calendar quarter--Three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

(5) Calendar year--365 (or 366 consecutive days in leap years) consecutive days starting on January 1 and ending on December 31.

(6) Chief facility operator--The person in direct charge and control of the operation of a municipal waste combustion unit. That person is responsible for daily onsite supervision, technical direction, management, and overall performance of the municipal waste combustion unit.

(7) Class I units--Small municipal waste combustion units subject to this division that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See the definition in this section of "Municipal waste combustion plant capacity" for specification of which units at a plant site are included in the aggregate capacity calculation.

(8) Class II units--Small municipal combustion units subject to this division that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See the definition in this section of "Municipal waste combustion plant capacity" for specification of which units at a plant site are included in the aggregate capacity calculation.

(9) Clean wood--Untreated wood or untreated wood products including clean untreated lumber, tree stumps (whole or chipped), and tree limbs (whole or chipped). Clean wood does not include two items:

(A) "Yard waste," which is defined elsewhere in this section.

(B) Construction, renovation, or demolition wastes (for example, railroad ties and telephone poles) that are exempt from the definition of "Municipal solid waste" in this section.

(10) Co-fired combustion unit--A unit that combusts municipal solid waste with nonmunicipal solid waste fuel (for example, coal, industrial process waste). To be considered a co-fired combustion unit, the unit must be subject to a federally enforceable permit that limits it to combusting a fuel feed stream which is 30 percent or less (by weight) municipal solid waste as measured each calendar quarter.

(11) Continuous burning--The continuous, semicontinuous, or batch feeding of municipal solid waste to dispose of the waste, produce energy, or provide heat to the combustion system in preparation for waste disposal or energy production. Continuous burning does not mean the use of municipal solid waste solely to thermally protect the grate or hearth during the startup period when municipal solid waste is not fed to the grate or hearth.

(12) Continuous emission monitoring system--A monitoring system that continuously measures the emissions of a pollutant from a municipal waste combustion unit.

(13) Dioxins/furans--Tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

(14) Effective date of state plan approval--The effective date that the United States Environmental Protection Agency (EPA) approves the state plan. The *Federal Register* specifies the date in the notice that announces the EPA's approval of the state plan.

(15) Eight-hour block average--The average of all hourly emission concentrations or parameter levels when the municipal waste combustion unit operates and combusts municipal solid waste measured over any of three 8-hour periods of time:

(A) 12:00 midnight to 8:00 a.m.

(B) 8:00 a.m. to 4:00 p.m.

(C) 4:00 p.m. to 12:00 midnight.

(16) Federally enforceable--All limits and conditions the administrator can enforce (including the requirements of 40 Code of Federal Regulations (CFR) Parts 60, 61, and 63), requirements in a state's implementation plan, and any permit requirements established under 40 CFR §52.21 or under 40 CFR §51.18 and 40 CFR §51.24.

(17) First calendar half--The period that starts on January 1 and ends on June 30 in any

year.

(18) Fluidized bed combustion unit--A unit where municipal waste is combusted in a fluidized bed of material. The fluidized bed material may remain in the primary combustion zone or may be carried out of the primary combustion zone and returned through a recirculation loop.

(19) Four-hour block average or 4-hour block average--The average of all hourly emission concentrations or parameter levels when the municipal waste combustion unit operates and combusts municipal solid waste measured over any of six 4-hour periods:

(A) 12:00 midnight to 4:00 a.m.

(B) 4:00 a.m. to 8:00 a.m.

(C) 8:00 a.m. to 12:00 noon.

(D) 12:00 noon to 4:00 p.m.

(E) 4:00 p.m. to 8:00 p.m.

(F) 8:00 p.m. to 12:00 midnight.

(20) Mass burn refractory municipal waste combustion unit--A field-erected municipal

waste combustion unit that combusts municipal solid waste in a refractory wall furnace. Unless otherwise specified, that includes municipal waste combustion units with a cylindrical rotary refractory wall furnace.

(21) Mass burn rotary waterwall municipal waste combustion unit--A field-erected municipal waste combustion unit that combusts municipal solid waste in a cylindrical rotary waterwall furnace.

(22) Mass burn waterwall municipal waste combustion unit--A field-erected municipal waste combustion unit that combusts municipal solid waste in a waterwall furnace.

(23) Maximum demonstrated load of a municipal waste combustion unit--The highest 4-hour block arithmetic average municipal waste combustion unit load achieved during 4 consecutive hours in the course of the most recent dioxins/furans stack test that demonstrates compliance with the applicable emission limit for dioxins/furans specified in this division.

(24) Maximum demonstrated temperature of the particulate matter control device--The highest 4-hour block arithmetic average flue gas temperature measured at the inlet of the particulate matter control device during 4 consecutive hours in the course of the most recent stack test for dioxins/furans emissions that demonstrates compliance with the limits specified in this division.

(25) Medical/infectious waste--Any waste meeting the definition of "medical/infectious waste" in 40 Code of Federal Regulations §60.51c.

(26) Mixed fuel-fired (pulverized coal/refuse-derived fuel) combustion unit--A combustion unit that combusts coal and refuse-derived fuel simultaneously, in which pulverized coal is introduced into an air stream that carries the coal to the combustion chamber of the unit where it is combusted in suspension. That includes both conventional pulverized coal and micropulverized coal.

(27) Modification or modified municipal waste combustion unit--A municipal waste combustion unit you have changed after June 6, 2001, and that meets one of two criteria:

(A) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the unit (not including the cost of land) updated to current costs.

(B) Any physical change in the municipal waste combustion unit or change in the method of operating it that increases the emission level of any air pollutant for which new source performance standards have been established under the Federal Clean Air Act, §111 or §129. Increases in the emission level of any air pollutant are determined when the municipal waste combustion unit operates at 100 percent of its physical load capability and are measured downstream of all air pollution control devices. Load restrictions based on permits or other nonphysical operational restrictions cannot be considered in the determination.

(28) Modular excess-air municipal waste combustion unit--A municipal waste combustion unit that combusts municipal solid waste, is not field-erected, and has multiple combustion

chambers, all of which are designed to operate at conditions with combustion air amounts in excess of theoretical air requirements.

(29) Modular starved-air municipal waste combustion unit--A municipal waste combustion unit that combusts municipal solid waste, is not field-erected, and has multiple combustion chambers in which the primary combustion chamber is designed to operate at substoichiometric conditions.

(30) Municipal solid waste or municipal-type solid waste--Household, commercial/retail, or institutional waste. Household waste includes material discarded by residential dwellings, hotels, motels, and other similar permanent or temporary housing. Commercial/retail waste includes material discarded by stores, offices, restaurants, warehouses, nonmanufacturing activities at industrial facilities, and other similar establishments or facilities. Institutional waste includes materials discarded by schools, by hospitals (nonmedical), by nonmanufacturing activities at prisons and government facilities, and other similar establishments or facilities. Household, commercial/retail, and institutional waste does include yard waste and refuse-derived fuel. Household, commercial/retail, and institutional waste does not include used oil; sewage sludge; wood pallets; construction, renovation, and demolition wastes (which include railroad ties and telephone poles); clean wood; industrial process or manufacturing wastes; medical waste; or motor vehicles (including motor vehicle parts or vehicle fluff).

(31) Municipal waste combustion plant--One or more municipal waste combustion units - at the same location as specified under Applicability of State Plans (40 Code of Federal Regulations §60.1550(a)).

(32) Municipal waste combustion plant capacity--The aggregate municipal waste combustion capacity of all municipal waste combustion units at the plant that are not subject to 40 Code of Federal Regulations Part 60, Subparts Ea, Eb, or AAAA.

(33) Municipal waste combustion unit--Any setting or equipment that combusts solid, liquid, or gasified municipal solid waste including, but not limited to, field-erected combustion units (with or without heat recovery), modular combustion units (starved-air or excess-air), boilers (for example, steam generating units), furnaces (whether suspension-fired, grate-fired, mass-fired, air curtain incinerators, or fluidized bed-fired), and pyrolysis/combustion units. Two criteria further define municipal waste combustion units:

(A) Municipal waste combustion units do not include pyrolysis or combustion units located at a plastics or rubber recycling unit as specified under Applicability of State Plans (40 Code of Federal Regulations §60.1555(h) and (i)). Municipal waste combustion units do not include cement kilns that combust municipal solid waste. Municipal waste combustion units also do not include internal combustion engines, gas turbines, or other combustion devices that combust landfill gases collected by landfill gas collection systems.

(B) The boundaries of a municipal waste combustion unit are defined as follows. The municipal waste combustion unit includes, but is not limited to, the municipal solid waste fuel feed system, grate system, flue gas system, bottom ash system, and the combustion unit water system. The municipal waste combustion unit does not include air pollution control equipment, the stack, water

treatment equipment, or the turbine-generator set. The municipal waste combustion unit boundary starts at the municipal solid waste pit or hopper and extends through three areas.

(i) The combustion unit flue gas system, which ends immediately after the heat recovery equipment or, if there is no heat recovery equipment, immediately after the combustion chamber.

(ii) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

(iii) The combustion unit water system, which starts at the feed water pump and ends at the piping that exits the steam drum or superheater.

(34) Particulate matter--Total particulate matter emitted from municipal waste combustion units as measured using United States Environmental Protection Agency Reference Method 5 in 40 Code of Federal Regulations Part 60, Appendix A and the procedures specified in §113.2142 of this title (relating to What test methods must I use to stack test?).

(35) Plastics or rubber recycling unit--An integrated processing unit for which plastics, rubber, or rubber tires are the only feed materials (incidental contaminants may be in the feed materials). The feed materials are processed and marketed to become input feed stock for chemical plants or petroleum refineries. The following three criteria further define a plastics or rubber recycling unit:

(A) Each calendar quarter, the combined weight of the feed stock that a plastics or rubber recycling unit produces must be more than 70 percent of the combined weight of the plastics, rubber, and rubber tires that recycling unit processes.

(B) The plastics, rubber, or rubber tires fed to the recycling unit may originate from separating or diverting plastics, rubber, or rubber tires from municipal or industrial solid waste. The feed materials may include manufacturing scraps, trimmings, and off-specification plastics, rubber, and rubber tire discards.

(C) The plastics, rubber, and rubber tires fed to the recycling unit may contain incidental contaminants (for example, paper labels on plastic bottles or metal rings on plastic bottle caps).

(36) Potential hydrogen chloride emissions--The level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without emission controls for acid gases.

(37) Potential mercury emissions--The level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without controls for mercury emissions.

(38) Potential sulfur dioxide emissions--The level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without emission controls for

acid gases.

(39) Pyrolysis/combustion unit--A unit that produces gases, liquids, or solids by heating municipal solid waste. The gases, liquids, or solids produced are combusted and the emissions vented to the atmosphere.

(40) Reconstruction--Rebuilding a municipal waste combustion unit and meeting two criteria:

(A) The reconstruction begins after June 6, 2001.

(B) The cumulative cost of the construction over the life of the unit exceeds 50 percent of the original cost of building and installing the municipal waste combustion unit (not including land) updated to current costs (current dollars). To determine what systems are within the boundary of the municipal waste combustion unit used to calculate the costs, see the definition in this section of "Municipal waste combustion unit."

(41) Refractory unit or refractory wall furnace--A municipal waste combustion unit that has no energy recovery (such as through a waterwall) in the furnace of the municipal waste combustion unit.

(42) Refuse-derived fuel--A type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. That includes all classes of refuse-

derived fuel including two fuels:

(A) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(B) Pelletized refuse-derived fuel.

(43) Same location--The same or contiguous properties under common ownership or control, including those separated only by a street, road, highway, or other public right-of-way. Common ownership or control includes properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, subdivision, or any combination thereof. Entities may include a municipality, other governmental unit, or any quasi-governmental authority (for example, a public utility district or regional authority for waste disposal).

(44) Second calendar half--The period that starts on July 1 and ends on December 31 in any year.

(45) Shift supervisor--The person who is in direct charge and control of operating a municipal waste combustion unit and who is responsible for onsite supervision, technical direction, management, and overall performance of the municipal waste combustion unit during an assigned shift.

(46) Spreader stoker, mixed fuel-fired (coal/refuse-derived fuel) combustion unit--municipal waste combustion unit that combusts coal and refuse-derived fuel simultaneously, in which coal is introduced to the combustion zone by a mechanism that throws the fuel onto a grate from above.

Combustion takes place both in suspension and on the grate.

(47) Standard conditions--When referring to units of measure, a temperature of 20 degrees Celsius and a pressure of 101.3 kilopascals.

(48) Startup period--The period when a municipal waste combustion unit begins the continuous combustion of municipal solid waste. It does not include any warmup period during which the municipal waste combustion unit combusts fossil fuel or other solid waste fuel but receives no municipal solid waste.

(49) State--Any of the 50 United States and the protectorates of the United States.

(50) State plan--A plan submitted pursuant to the Federal Clean Air Act, §111(d) and §129(b)(2) and 40 Code of Federal Regulations Part 60, Subpart B, that implements and enforces this division.

(51) Stoker (refuse-derived fuel) combustion unit--A steam generating unit that combusts refuse-derived fuel in a semisuspension combusting mode, using air-fed distributors.

(52) Total mass dioxins/furans or total mass--The total mass of tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans as determined using United States Environmental Protection Agency Reference Method 23 in 40 Code of Federal Regulations Part 60, Appendix A and the procedures specified in §113.2142 of this title (relating to What test methods must I use to stack test?).

(53) Twenty-four hour daily average or 24-hour daily average--Either the arithmetic mean or geometric mean (as specified) of all hourly emission concentrations when the municipal waste combustion unit operates and combusts municipal solid waste measured during the 24 hours between 12:00 midnight and the following midnight.

(54) Untreated lumber--Wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Untreated lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

(55) Waterwall furnace--A municipal waste combustion unit that has energy (heat) recovery in the furnace (for example, radiant heat transfer section) of the combustion unit.

(56) Yard waste--Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. They come from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(A) Construction, renovation, and demolition wastes that are exempt from the definition of "Municipal solid waste" in this section.

(B) Clean wood that is exempt from the definition of "Municipal solid waste" in this section.

§113.2101. What are my requirements for meeting increments of progress and achieving final compliance?

(a) Class I units. If you plan to achieve compliance more than 1 year following the effective date of state plan approval and a permit modification is not required, or more than 1 year following the date of issuance of a revised construction or operating permit if a permit modification is required, you must meet five increments of progress:

(1) Submit a final control plan.

(2) Submit a notification of retrofit contract award.

(3) Initiate onsite construction.

(4) Complete onsite construction.

(5) Achieve final compliance.

(b) Class II units. If you plan to achieve compliance more than 1 year following the effective date of state plan approval and a permit modification is not required, or more than 1 year following the date of issuance of a revised construction or operating permit if a permit modification is required, you must meet two increments of progress:

(1) Submit a final control plan.

(2) Achieve final compliance.

§113.2102. When must I complete each increment of progress?

Table 1 in §113.2174 of this title (relating to Tables Relating to Division 3) specifies compliance dates for each of the increments of progress for Class I and II units. (See §113.2100 of this title (relating to Definitions) for definitions of classes.)

§113.2103. What must I include in the notifications of achievement of my increments of progress?

Your notification of achievement of increments of progress must include three items:

(1) Notification that the increment of progress has been achieved.

(2) Any items required to be submitted with the increment of progress (§§113.2106 through 113.2110 of this title (relating to How do I comply with the increment of progress for submittal of a control plan? How do I comply with the increment of progress for awarding contracts? How do I comply with the increment of progress for initiating onsite construction? How do I comply with the increment of progress for completing onsite construction? and How do I comply with the increment of progress for achieving final compliance?)).

(3) The notification must be signed by the owner or operator of the municipal waste combustion unit.

§113.2104. When must I submit the notifications of achievement of increments of progress?

Notifications of the achievement of increments of progress must be postmarked no later than 10 days after the compliance date for the increment.

§113.2105. What if I do not meet an increment of progress?

If you fail to meet an increment of progress, you must submit a notification to the executive director postmarked within 10 business days after the specified date in Table 1 in §113.2174 of this title (relating to Tables Relating to Division 3) for achieving that increment of progress. The notification must inform the executive director that you did not meet the increment. You must include in the notification an explanation of why the increment of progress was not met and your plan for meeting the increment as expeditiously as possible. You must continue to submit reports on the first day of each subsequent month until the increment of progress is met.

§113.2106. How do I comply with the increment of progress for submittal of a control plan?

For your control plan increment of progress, you must complete two items:

(1) Submit the final control plan, including a description of the devices for air pollution control and process changes that you will use to comply with the emission limits and other requirements of this division.

(2) You must maintain a copy of the final control plan at the same location as the solid waste incineration unit.

§113.2107. How do I comply with the increment of progress for awarding contracts?

You must submit to the executive director a signed copy of the contracts awarded to initiate onsite construction, initiate onsite installation of emission control equipment, and incorporate process changes. Submit the copy of the contracts with the notification that the increment of progress has been achieved to the executive director. You do not need to include documents incorporated by reference or the attachments to the contracts.

§113.2108. How do I comply with the increment of progress for initiating onsite construction?

You must initiate onsite construction and installation of emission control equipment and initiate the process changes outlined in the final control plan.

§113.2109. How do I comply with the increment of progress for completing onsite construction?

You must complete onsite construction and installation of emission control equipment and

complete process changes outlined in the final control plan.

§113.2110. How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must complete two items:

(1) Complete all process changes and complete retrofit construction as specified in the final control plan.

(2) Connect the air pollution control equipment with the municipal waste combustion unit identified in the final control plan and complete process changes to the municipal waste combustion unit so that if the affected municipal waste combustion unit is brought online, all necessary process changes and air pollution control equipment are operating as designed.

§113.2111. What must I do if I close my municipal waste combustion unit and then restart my municipal waste combustion unit?

(a) If you close your municipal waste combustion unit but will reopen it prior to the final compliance date in your state plan, you must meet the increments of progress specified in §113.2101 of this title (relating to What are my requirements for meeting increments of progress and achieving final compliance?).

(b) If you close your municipal waste combustion unit but will restart it after your final

compliance date, you must complete emission control retrofit and meet the emission limits and good combustion practices on the date your municipal waste combustion unit restarts operation.

§113.2112. What must I do if I plan to permanently close my municipal waste combustion unit and not restart it?

(a) If you plan to close your municipal waste combustion unit rather than comply with the state plan, you must submit a closure notification, including the date of closure, to the executive director by the date your final control plan is due.

(b) If the closure date is later than 1 year after the effective date of state plan approval, you must enter into a legally binding closure agreement with the executive director by the date your final control plan is due. The agreement must specify the date by which operation will cease.

§113.2113. What types of training must I do?

There are two types of required training:

(1) Training of operators of municipal waste combustion units using the United States Environmental Protection Agency or a state-approved training course.

(2) Training of plant personnel using a plant-specific training course.

§113.2114. Who must complete the operator training course? By when?

(a) Three types of employees must complete the United States Environmental Protection Agency (EPA) or state-approved operator training course:

(1) Chief facility operators.

(2) Shift supervisors.

(3) Control room operators.

(b) Those employees must complete the operator training course by the later of three dates:

(1) One year after the effective date of state plan approval.

(2) Six months after your municipal waste combustion unit starts up.

(3) The date before an employee assumes responsibilities that affect operation of the municipal waste combustion unit.

(c) The requirement in subsection (a) of this section does not apply to chief facility operators, shift supervisors, and control room operators who have obtained full certification from the American Society of Mechanical Engineers on or before the effective date of state plan approval.

(d) You may request that the EPA waive the requirement in subsection (a) of this section for chief facility operators, shift supervisors, and control room operators who have obtained provisional certification from the American Society of Mechanical Engineers on or before the effective date of state plan approval.

§113.2115. Who must complete the plant-specific training course?

All employees with responsibilities that affect how a municipal waste combustion unit operates must complete the plant-specific training course. Include at least six types of employees:

(1) Chief facility operators.

(2) Shift supervisors.

(3) Control room operators.

(4) Ash handlers.

(5) Maintenance personnel.

(6) Crane or load handlers.

§113.2116. What plant-specific training must I provide?

For plant-specific training, you must do four things:

(1) For training at a particular plant, develop a specific operating manual for that plant by the later of two dates:

(A) Six months after your municipal waste combustion unit starts up.

(B) One year after the effective date of state plan approval.

(2) Establish a program to review the plant-specific operating manual with people whose responsibilities affect the operation of your municipal waste combustion unit. Complete the initial review by the later of three dates:

(A) One year after the effective date of state plan approval.

(B) Six months after your municipal waste combustion unit starts up.

(C) The date before an employee assumes responsibilities that affect operation of the municipal waste combustion unit.

(3) Update your manual annually.

(4) Review your manual with staff annually.

§113.2117. What information must I include in the plant-specific operating manual?

You must include 11 items in the operating manual for your plant:

(1) A summary of all applicable requirements in this division.

(2) A description of the basic combustion principles that apply to municipal waste combustion units.

(3) Procedures for receiving, handling, and feeding municipal solid waste.

(4) Procedures to be followed during periods of startup, shutdown, and malfunction of the municipal waste combustion unit.

(5) Procedures for maintaining a proper level of combustion air supply.

(6) Procedures for operating the municipal waste combustion unit in compliance with the requirements contained in this division.

(7) Procedures for responding to periodic upset or off-specification conditions.

(8) Procedures for minimizing carryover of particulate matter.

(9) Procedures for handling ash.

(10) Procedures for monitoring emissions from the municipal waste combustion unit.

(11) Procedures for recordkeeping and reporting.

§113.2118. Where must I keep the plant-specific operating manual?

You must keep your operating manual in an easily accessible location at your plant. It must be available for review or inspection by all employees who must review it and by the executive director.

§113.2119. What types of operator certification must the chief facility operator and shift supervisor obtain and by when must they obtain it?

(a) Each chief facility operator and shift supervisor must obtain and keep a current provisional operator certification from the American Society of Mechanical Engineers (QRO - 1 - 1994) (incorporated by reference in 40 Code of Federal Regulations (CFR) §60.17(h)(1)) or a current provisional operator certification from your state certification program.

(b) Each chief facility operator and shift supervisor must obtain a provisional certification by the

later of three dates:

(1) For Class I units, 12 months after the effective date of state plan approval. For Class II units, 18 months after the effective date of state plan approval.

(2) Six months after the municipal waste combustion unit starts up.

(3) Six months after they transfer to the municipal waste combustion unit or 6 months after they are hired to work at the municipal waste combustion unit.

(c) Each chief facility operator and shift supervisor must take one of three actions:

(1) Obtain a full certification from the American Society of Mechanical Engineers or a state certification program in your state.

(2) Schedule a full certification exam with the American Society of Mechanical Engineers (QRO - 1 - 1994) (incorporated by reference in 40 CFR §60.17(h)(1)).

(3) Schedule a full certification exam with your state certification program.

(d) The chief facility operator and shift supervisor must obtain the full certification or be scheduled to take the certification exam by the later of the following dates:

(1) For Class I units, 12 months after the effective date of state plan approval. For Class II units, 18 months after the effective date of state plan approval.

(2) Six months after the municipal waste combustion unit starts up.

(3) Six months after they transfer to the municipal waste combustion unit or 6 months after they are hired to work at the municipal waste combustion unit.

§113.2120. After the required date for operator certification, who may operate the municipal waste combustion unit?

After the required date for full or provisional certification, you must not operate your municipal waste combustion unit unless one of four employees is on duty:

(1) A fully certified chief facility operator.

(2) A provisionally certified chief facility operator who is scheduled to take the full certification exam.

(3) A fully certified shift supervisor.

(4) A provisionally certified shift supervisor who is scheduled to take the full certification exam.

§113.2121. What if all the certified operators must be temporarily offsite?

If the certified chief facility operator and certified shift supervisor both are unavailable, a provisionally certified control room operator at the municipal waste combustion unit may fulfill the certified operator requirement. Depending on the length of time that a certified chief facility operator and certified shift supervisor are away, you must meet one of three criteria:

(1) When the certified chief facility operator and certified shift supervisor are both offsite for 12 hours or less and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without notice to, or approval by, the executive director.

(2) When the certified chief facility operator and certified shift supervisor are offsite for more than 12 hours, but for 2 weeks or less, and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without notice to, or approval by, the executive director. However, you must record the periods when the certified chief facility operator and certified shift supervisor are offsite and include the information in the annual report as specified under §113.2161(12) of this title (relating to What must I include in my annual report?).

(3) When the certified chief facility operator and certified shift supervisor are offsite for more than 2 weeks, and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without prior notice to, or approval by, the executive director. However, you must take two actions:

(A) Notify the executive director in writing within 10 days after the end of the 2-week period. In the notice, state what caused the absence and what you are doing to ensure that a certified chief facility operator or certified shift supervisor is onsite.

(B) Submit a status report and corrective action summary to the executive director every 4 weeks following the initial notification. If the executive director notifies you that your status report or corrective action summary is disapproved, the municipal waste combustion unit may continue operation for 90 days, but then must cease operation. If corrective actions are taken in the 90-day period such that the executive director withdraws the disapproval, municipal waste combustion unit operation may continue.

§113.2122. What are the operating practice requirements for my municipal waste combustion unit?

(a) You must not operate your municipal waste combustion unit at loads greater than 110 percent of the maximum demonstrated load of the municipal waste combustion unit (4-hour block average), as specified in §113.2100 of this title (relating to Definitions).

(b) You must not operate your municipal waste combustion unit so that the temperature at the inlet of the particulate matter control device exceeds 17 degrees Celsius above the maximum demonstrated temperature of the particulate matter control device (4-hour block average), as specified in §113.2100 of this title.

(c) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must maintain an 8-hour block average carbon feed rate at or above the highest average level established during the most recent dioxins/furans or mercury test.

(d) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must evaluate total carbon usage for each calendar quarter. The total amount of carbon purchased and delivered to your municipal waste combustion plant must be at or above the required quarterly usage of carbon. At your option, you may choose to evaluate required quarterly carbon usage on a municipal waste combustion unit basis for each individual municipal waste combustion unit at your plant. Calculate the required quarterly usage of carbon using equation 4 or 5 in §113.2171(f) of this title (relating to What equations must I use?).

(e) Your municipal waste combustion unit is exempt from limits on load level, temperature at the inlet of the particulate matter control device, and carbon feed rate during any of five situations:

(1) During your annual tests for dioxins/furans.

(2) During your annual mercury tests (for carbon feed rate requirements only).

(3) During the 2 weeks preceding your annual tests for dioxins/furans.

(4) During the 2 weeks preceding your annual mercury tests (for carbon feed rate

requirements only).

(5) Whenever the executive director permits you to do any of five activities:

(A) Evaluate system performance.

(B) Test new technology or control technologies.

(C) Perform diagnostic testing.

(D) Perform other activities to improve the performance of your municipal waste combustion unit.

(E) Perform other activities to advance the state of the art for emission controls for your municipal waste combustion unit.

§113.2123. What happens to the operating requirements during periods of startup, shutdown, and malfunction?

(a) The operating requirements of this division apply at all times except during periods of municipal waste combustion unit startup, shutdown, or malfunction.

(b) Each startup, shutdown, or malfunction must not last for longer than 3 hours.

§113.2124. What pollutants are regulated by this division?

Eleven pollutants, in four groupings, are regulated:

(1) Organics. Dioxins/furans.

(2) Metals.

(A) Cadmium.

(B) Lead.

(C) Mercury.

(D) Opacity.

(E) Particulate matter.

(3) Acid gases.

(A) Hydrogen chloride.

(B) Nitrogen oxides.

(C) Sulfur dioxide.

(4) Other.

(A) Carbon monoxide.

(B) Fugitive ash.

§113.2125. What emission limits must I meet? By when?

(a) After the date the initial stack test and continuous emission monitoring system evaluation are required or completed (whichever is earlier), you must meet the applicable emission limits specified in the four tables of this division:

(1) For Class I units, see Tables 2 and 3 in §113.2174 of this title (relating to Tables Relating to Division 3).

(2) For Class II units, see Table 4 in §113.2174 of this title.

(3) For carbon monoxide emission limits for both classes of units, see Table 5 in §113.2174 of this title.

(b) If your Class I municipal waste combustion unit began construction, reconstruction, or modification after June 26, 1987, then you must comply with the dioxins/furans and mercury emission limits specified in Table 2 in §113.2174 of this title as applicable by the later of the following two dates:

(1) One year after the effective date of state plan approval.

(2) One year after the issuance of a revised construction or operating permit, if a permit modification is required. Final compliance with the dioxins/furans limits must be achieved no later than December 6, 2005, even if the date 1 year after the issuance of a revised construction or operating permit is later than December 6, 2005.

§113.2126. What happens to the emission limits during periods of startup, shutdown, and malfunction?

(a) The emission limits of this division apply at all times except during periods of municipal waste combustion unit startup, shutdown, or malfunction.

(b) Each startup, shutdown, or malfunction must not last for longer than 3 hours.

(c) A maximum of 3 hours of test data can be dismissed from compliance calculations during periods of startup, shutdown, or malfunction.

(d) During startup, shutdown, or malfunction periods longer than 3 hours, emissions data cannot be discarded from compliance calculations and all provisions under 40 Code of Federal Regulations §60.11(d) apply.

§113.2127. What types of continuous emission monitoring must I perform?

To continuously monitor emissions, you must perform four tasks:

(1) Install continuous emission monitoring systems for certain gaseous pollutants.

(2) Make sure your continuous emission monitoring systems are operating correctly.

(3) Make sure you obtain the minimum amount of monitoring data.

(4) Install a continuous opacity monitoring system.

§113.2128. What continuous emission monitoring systems must I install for gaseous pollutants?

(a) You must install, calibrate, maintain, and operate continuous emission monitoring systems for oxygen (or carbon dioxide), sulfur dioxide, and carbon monoxide. If you operate a Class I municipal waste combustion unit, also install, calibrate, maintain, and operate a continuous emission monitoring system for nitrogen oxides. Install the continuous emission monitoring systems for sulfur dioxide, nitrogen oxides, and oxygen (or carbon dioxide) at the outlet of the air pollution control device.

(b) You must install, evaluate, and operate each continuous emission monitoring system according to the "Monitoring Requirements" in 40 Code of Federal Regulations (CFR) §60.13.

(c) You must monitor the oxygen (or carbon dioxide) concentration at each location where you monitor sulfur dioxide and carbon monoxide. Additionally, if you operate a Class I municipal waste combustion unit, you must also monitor the oxygen (or carbon dioxide) concentration at the location where you monitor nitrogen oxides.

(d) You may choose to monitor carbon dioxide instead of oxygen as a diluent gas. If you choose to monitor carbon dioxide, then an oxygen monitor is not required and you must follow the requirements in §113.2133 of this title (relating to What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?).

(e) If you choose to demonstrate compliance by monitoring the percent reduction of sulfur dioxide, you must also install continuous emission monitoring systems for sulfur dioxide and oxygen (or carbon dioxide) at the inlet of the air pollution control device.

(f) If you prefer to use an alternative sulfur dioxide monitoring method, such as parametric monitoring, or cannot monitor emissions at the inlet of the air pollution control device to determine percent reduction, you can apply to the executive director for approval to use an alternative monitoring method under 40 CFR §60.13(i).

§113.2129. How are the data from the continuous emission monitoring systems used?

You must use data from the continuous emission monitoring systems for sulfur dioxide, nitrogen oxides, and carbon monoxide to demonstrate continuous compliance with the applicable emission limits specified in Tables 2, 3, 4, and 5 in §113.2174 of this title (relating to Tables Relating to Division 3). To demonstrate compliance for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash, see §113.2140 of this title (relating to How are the stack test data used?).

§113.2130. How do I make sure my continuous emission monitoring systems are operating correctly?

(a) Conduct initial, daily, quarterly, and annual evaluations of your continuous emission monitoring systems that measure oxygen (or carbon dioxide), sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide.

(b) Complete your initial evaluation of the continuous emission monitoring systems within 180 days after your final compliance date.

(c) For initial and annual evaluations, collect data concurrently (or within 30 to 60 minutes) using your oxygen (or carbon dioxide) continuous emission monitoring system, your sulfur dioxide, nitrogen oxides, or carbon monoxide continuous emission monitoring systems, as appropriate, and the appropriate test methods specified in Table 6 in §113.2174 of this title (relating to Tables Relating to Division 3).

Collect the data during each initial and annual evaluation of your continuous emission monitoring systems following the applicable performance specifications in 40 Code of Federal Regulations (CFR) Part 60, Appendix B. Table 7 in §113.2174 of this title shows the performance specifications that apply to each continuous emission monitoring system.

(d) Follow the quality assurance procedures in Procedure 1 of 40 CFR Part 60, Appendix F for each continuous emission monitoring system. The procedures include daily calibration drift and quarterly accuracy determinations.

§113.2131. Am I exempt from any 40 Code of Federal Regulations Part 60, Appendix B or Appendix F requirements to evaluate continuous emission monitoring systems?

Yes, the accuracy tests for your sulfur dioxide continuous emission monitoring system require you to also evaluate your oxygen (or carbon dioxide) continuous emission monitoring system. Therefore, your oxygen (or carbon dioxide) continuous emission monitoring system is exempt from two requirements:

(1) Section 2.3 of Performance Specification 3 in 40 Code of Federal Regulations Part 60, Appendix B (relative accuracy requirement).

(2) Section 5.1.1 of 40 Code of Federal Regulations Part 60, Appendix F (relative accuracy test audit).

§113.2132. What is my schedule for evaluating continuous emission monitoring systems?

(a) Conduct annual evaluations of your continuous emission monitoring systems no more than 13 months after the previous evaluation was conducted.

(b) Evaluate your continuous emission monitoring systems daily and quarterly as specified in 40 Code of Federal Regulations Part 60, Appendix F.

§113.2133. What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?

You must establish the relationship between oxygen and carbon dioxide during the initial evaluation of your continuous emission monitoring systems. You may reestablish the relationship during annual evaluations. To establish the relationship use three procedures:

(1) Use United States Environmental Protection Agency (EPA) Reference Method 3A or 3B in 40 Code of Federal Regulations (CFR) Part 60, Appendix A to determine oxygen concentration at the location of your carbon dioxide monitor.

(2) Conduct at least three test runs for oxygen. Make sure each test run represents a 1-hour average and that sampling continues for at least 30 minutes in each hour.

(3) Use the fuel-factor equation in EPA Reference Method 3B in 40 CFR Part 60, Appendix A to determine the relationship between oxygen and carbon dioxide.

§113.2134. What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems and is the data collection requirement enforceable?

(a) Where continuous emission monitoring systems are required, obtain 1-hour arithmetic averages. Make sure the averages for sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide are in parts per million by dry volume at 7 percent oxygen (or the equivalent carbon dioxide level). Use the 1-hour averages of oxygen (or carbon dioxide) data from your continuous emission monitoring system to determine the actual oxygen (or carbon dioxide) level and to calculate emissions at 7 percent oxygen (or the equivalent carbon dioxide level).

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average. 40 Code of Federal Regulations §60.13(e)(2) requires your continuous emission monitoring systems to complete at least one cycle of operation (sampling, analyzing, and data recording) for each 15-minute period.

(c) Obtain valid 1-hour averages for 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal solid waste or refuse-derived fuel.

(d) If you do not obtain the minimum data required in subsections (a) through (c) of this section,

you are in violation of the data collection requirement regardless of the emission level monitored, and you must notify the executive director according to §113.2161(5) of this title (relating to What must I include in my annual report?).

(e) If you do not obtain the minimum data required in subsections (a) through (c) of this section, you must still use all valid data from the continuous emission monitoring systems in calculating emission concentrations and percent reductions in accordance with §113.2135 of this title (relating to How do I convert my 1-hour arithmetic averages into appropriate averaging times and units?).

§113.2135. How do I convert my 1-hour arithmetic averages into appropriate averaging times and units?

(a) Use the equation in §113.2171(a) of this title (relating to What equations must I use?) to calculate emissions at 7 percent oxygen.

(b) Use United States Environmental Protection Agency (EPA) Reference Method 19 in 40 Code of Federal Regulations (CFR) Part 60, Appendix A, §4.3, to calculate the daily geometric average concentrations of sulfur dioxide emissions. If you are monitoring the percent reduction of sulfur dioxide, use EPA Reference Method 19 in 40 CFR Part 60, Appendix A, §5.4, to determine the daily geometric average percent reduction of potential sulfur dioxide emissions.

(c) If you operate a Class I municipal waste combustion unit, use EPA Reference Method 19 in 40 CFR Part 60, Appendix A, §4.1, to calculate the daily arithmetic average for concentrations of nitrogen

oxides.

(d) Use EPA Reference Method 19 in 40 CFR Part 60, Appendix A, §4.1, to calculate the 4-hour or 24-hour daily block averages (as applicable) for concentrations of carbon monoxide.

§113.2136. What is required for my continuous opacity monitoring system and how are the data used?

(a) Install, calibrate, maintain, and operate a continuous opacity monitoring system.

(b) Install, evaluate, and operate each continuous opacity monitoring system according to 40 Code of Federal Regulations (CFR) §60.13.

(c) Complete an initial evaluation of your continuous opacity monitoring system according to Performance Specification 1 in 40 CFR Part 60, Appendix B. Complete the evaluation by 180 days after your final compliance date.

(d) Complete each annual evaluation of your continuous opacity monitoring system no more than 13 months after the previous evaluation.

(e) Use tests conducted according to United States Environmental Protection Agency Reference Method 9 in 40 CFR Part 60, Appendix A, as specified in §113.2142 of this title (relating to What test methods must I use to stack test?), to determine compliance with the opacity limit in Table 2 or 4 in

§113.2174 of this title (relating to Tables Relating to Division 3). The data obtained from your continuous opacity monitoring system are not used to determine compliance with the opacity limit.

§113.2137. What additional requirements must I meet for the operation of my continuous emission monitoring systems and continuous opacity monitoring system?

Use the required span values and applicable performance specifications in Table 8 in §113.2174 of this title (relating to Tables Relating to Division 3).

§113.2138. What must I do if any of my continuous emission monitoring systems are temporarily unavailable to meet the data collection requirements?

Refer to Table 8 in §113.2174 of this title (relating to Tables Relating to Division 3). It shows alternate methods for collecting data when systems malfunction or when repairs, calibration checks, or zero and span checks keep you from collecting the minimum amount of data.

§113.2139. What types of stack tests must I conduct?

Conduct initial and annual stack tests to measure the emission levels of dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

§113.2140. How are the stack test data used?

You must use results of stack tests for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash to demonstrate compliance with the applicable emission limits in Tables 2 and 4 in §113.2174 of this title (relating to Tables Relating to Division 3). To demonstrate compliance for carbon monoxide, nitrogen oxides, and sulfur dioxide, see §113.2129 of this title (relating to How are the data from the continuous emission monitoring systems used?).

§113.2141. What schedule must I follow for the stack testing?

(a) Conduct initial stack tests for the pollutants listed in §113.2139 of this title (relating to What types of stack tests must I conduct?) by 180 days after your final compliance date.

(b) Conduct annual stack tests for the same pollutants after the initial stack test. Conduct each annual stack test no later than 13 months after the previous stack test.

§113.2142. What test methods must I use to stack test?

(a) Follow Table 8 in §113.2174 of this title (relating to Tables Relating to Division 3) to establish the sampling location and to determine pollutant concentrations, number of traverse points, individual test methods, and other specific testing requirements for the different pollutants.

(b) Make sure that stack tests for all the pollutants consist of at least three test runs, as specified in 40 Code of Federal Regulations (CFR) §60.8. Use the average of the pollutant emission concentrations from the three test runs to determine compliance with the applicable emission limits in Tables 2 and 4 in

§113.2174 of this title.

(c) Obtain an oxygen (or carbon dioxide) measurement at the same time as your pollutant measurements to determine diluent gas levels, as specified in §113.2128 of this title (relating to What continuous emission monitoring systems must I install for gaseous pollutants?).

(d) Use the equations in §113.2171(a) of this title (relating to What equations must I use?) to calculate emission levels at 7 percent oxygen (or an equivalent carbon dioxide basis), the percent reduction in potential hydrogen chloride emissions, and the reduction efficiency for mercury emissions. See the individual test methods in Table 6 in §113.2174 of this title for other required equations.

(e) You can apply to the executive director for approval under 40 CFR §60.8(b) to use a reference method with minor changes in methodology, use an equivalent method, use an alternative method the results of which the executive director has determined are adequate for demonstrating compliance, waive the requirement for a performance test because you have demonstrated by other means that you are in compliance, or use a shorter sampling time or smaller sampling volume.

§113.2143. May I conduct stack testing less often?

(a) You may test less often if you own or operate a Class II municipal waste combustion unit and if all stack tests for a given pollutant over 3 consecutive years show you comply with the emission limit. In that case, you are not required to conduct a stack test for that pollutant for the next 2 years. However, you must conduct another stack test within 36 months of the anniversary date of the third consecutive

stack test that shows you comply with the emission limit. Thereafter, you must perform stack tests every 3rd year but no later than 36 months following the previous stack tests. If a stack test shows noncompliance with an emission limit, you must conduct annual stack tests for that pollutant until all stack tests over 3 consecutive years show compliance with the emission limit for that pollutant. The provision applies to all pollutants subject to stack testing requirements: dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

(b) You can test less often for dioxins/furans emissions if you own or operate a municipal waste combustion plant that meets two conditions. First, you have multiple municipal waste combustion units onsite that are subject to this division. Second, all those municipal waste combustion units have demonstrated levels of dioxins/furans emissions less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, for 2 consecutive years. In that case, you may choose to conduct annual stack tests on only one municipal waste combustion unit per year at your plant. The provision only applies to stack testing for dioxins/furans emissions.

(1) Conduct the stack test no more than 13 months following a stack test on any municipal waste combustion unit subject to this division at your plant. Each year, test a different municipal waste combustion unit subject to this division and test all municipal waste combustion units subject to this division in a sequence that you determine. Once you determine a testing sequence, it must not be changed without approval by the executive director.

(2) If each annual stack test shows levels of dioxins/furans emissions less than or equal to

15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, you may continue stack tests on only one municipal waste combustion unit subject to this division per year.

(3) If any annual stack test indicates levels of dioxins/furans emissions greater than 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, conduct subsequent annual stack tests on all municipal waste combustion units subject to this division at your plant. You may return to testing one municipal waste combustion unit subject to this division per year if you can demonstrate dioxins/furans emissions levels less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, for all municipal waste combustion units at your plant subject to this division for 2 consecutive years.

§113.2144. May I deviate from the 13-month testing schedule if unforeseen circumstances arise?

You may not deviate from the 13-month testing schedules specified in §113.2141(b) and §113.2143(b)(1) of this title (relating to What schedule must I follow for the stack testing? and May I conduct stack testing less often?) unless you apply to the executive director for an alternative schedule, and the executive director approves your request for alternate scheduling prior to the date on which you would otherwise have been required to conduct the next stack test.

§113.2145. Must I meet other requirements for continuous monitoring?

You must also monitor three operating parameters:

(1) Load level of each municipal waste combustion unit.

(2) Temperature of flue gases at the inlet of your particulate matter air pollution control device.

(3) Carbon feed rate if activated carbon is used to control dioxins/furans or mercury emissions.

§113.2146. How do I monitor the load of my municipal waste combustion unit?

(a) If your municipal waste combustion unit generates steam, you must install, calibrate, maintain, and operate a steam flowmeter or a feed water flowmeter and meet five requirements:

(1) Continuously measure and record the measurements of steam (or feed water) in kilograms (or pounds) per hour.

(2) Calculate your steam (or feed water) flow in 4-hour block averages.

(3) Calculate the steam (or feed water) flow rate using the method in "American Society of Mechanical Engineers Power Test Codes: Test Code for Steam Generating Units, Power Test Code 4.1 - 1964 (R1991)," section 4 (incorporated by reference in 40 Code of Federal Regulations (CFR)

§60.17(h)(2)).

(4) Design, construct, install, calibrate, and use nozzles or orifices for flow rate measurements, using the recommendations in "American Society of Mechanical Engineers Interim Supplement 19.5 on Instruments and Apparatus: Application, Part II of Fluid Meters," 6th Edition (1971), chapter 4 (incorporated by reference in 40 CFR §60.17(h)(3)).

(5) Before each dioxins/furans stack test, or at least once a year, calibrate all signal conversion elements associated with steam (or feed water) flow measurements according to the manufacturer instructions.

(b) If your municipal waste combustion units do not generate steam, or, if your municipal waste combustion units have shared steam systems and steam load cannot be estimated per unit, you must determine, to the satisfaction of the executive director, one or more operating parameters that can be used to continuously estimate load level (for example, the feed rate of municipal solid waste or refuse-derived fuel). You must continuously monitor the selected parameters.

§113.2147. How do I monitor the temperature of flue gases at the inlet of my particulate matter control device?

You must install, calibrate, maintain, and operate a device to continuously measure the temperature of the flue gas stream at the inlet of each particulate matter control device.

§113.2148. How do I monitor the injection rate of activated carbon?

If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must meet three requirements:

(1) Select a carbon injection system operating parameter that can be used to calculate carbon feed rate (for example, screw feeder speed).

(2) During each dioxins/furans and mercury stack test, determine the average carbon feed rate in kilograms (or pounds) per hour. Also, determine the average operating parameter level that correlates to the carbon feed rate. Establish a relationship between the operating parameter and the carbon feed rate in order to calculate the carbon feed rate based on the operating parameter level.

(3) Continuously monitor the selected operating parameter during all periods when the municipal waste combustion unit is operating and combusting waste and calculate the 8-hour block average carbon feed rate in kilograms (or pounds) per hour, based on the selected operating parameter. When calculating the 8-hour block average, do two things:

(A) Exclude hours when the municipal waste combustion unit is not operating.

(B) Include hours when the municipal waste combustion unit is operating but the carbon feed system is not working correctly.

§113.2149. What is the minimum amount of monitoring data I must collect with my continuous parameter monitoring systems and is the data collection requirement enforceable?

(a) Where continuous parameter monitoring systems are used, obtain 1-hour arithmetic averages for three parameters:

(1) Load level of the municipal waste combustion unit.

(2) Temperature of the flue gases at the inlet of your particulate matter control device.

(3) Carbon feed rate if activated carbon is used to control dioxins/furans or mercury emissions.

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average.

(c) Obtain valid 1-hour averages for at least 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal solid waste or refuse-derived fuel.

(d) If you do not obtain the minimum data required in subsections (a) through (c) of this section, you are in violation of the data collection requirement, and you must notify the executive director according to §113.2161(5) of this title (relating to What must I include in my annual report?).

§113.2150. What records must I keep?

You must keep four types of records:

(1) Operator training and certification.

(2) Stack tests.

(3) Continuously monitored pollutants and parameters.

(4) Carbon feed rate.

§113.2151. Where must I keep my records and for how long?

(a) Keep all records onsite in paper copy or electronic format unless the executive director approves another format.

(b) Keep all records on each municipal waste combustion unit for at least 5 years.

(c) Make all records available for submittal to the executive director, or for onsite review by an inspector.

§113.2152. What records must I keep for operator training and certification?

You must keep records of six items:

(1) Records of provisional certifications. Include three items:

(A) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room operators who are provisionally certified by the American Society of Mechanical Engineers or an equivalent state-approved certification program.

(B) Dates of the initial provisional certifications.

(C) Documentation showing current provisional certifications.

(2) Records of full certifications. Include three items:

(A) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room operators who are fully certified by the American Society of Mechanical Engineers or an equivalent state-approved certification program.

(B) Dates of initial and renewal full certifications.

(C) Documentation showing current full certifications.

(3) Records showing completion of the operator training course. Include three items:

(A) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room operators who have completed the United States Environmental Protection Agency or state municipal waste combustion operator training course.

(B) Dates of completion of the operator training course.

(C) Documentation showing completion of operator training course.

(4) Records of reviews for plant-specific operating manuals. Include three items:

(A) Names of persons who have reviewed the operating manual.

(B) Date of the initial review.

(C) Dates of subsequent annual reviews.

(5) Records of when a certified operator is temporarily offsite. Include two main items:

(A) If the certified chief facility operator and certified shift supervisor are offsite for more than 12 hours, but for 2 weeks or less, and no other certified operator is onsite, record the dates

that the certified chief facility operator and certified shift supervisor were offsite.

(B) When all certified chief facility operators and certified shift supervisors are offsite for more than 2 weeks and no other certified operator is onsite, keep records of four items:

(i) Your notice that all certified persons are offsite.

(ii) The conditions that cause those people to be offsite.

(iii) The corrective actions you are taking to ensure a certified chief facility operator or certified shift supervisor is onsite.

(iv) Copies of the written reports submitted every 4 weeks that summarize the actions taken to ensure that a certified chief facility operator or certified shift supervisor will be onsite.

(6) Records of calendar dates. Include the calendar date on each record.

§113.2153. What records must I keep for stack tests?

For stack tests required under §113.2139 of this title (relating to What types of stack tests must I conduct?), you must keep records of four items:

(1) The results of the stack tests for eight pollutants or parameters recorded in the appropriate units of measure specified in Table 2 or 4 in §113.2174 of this title (relating to Tables Relating to Division 3):

(A) Dioxins/furans.

(B) Cadmium.

(C) Lead.

(D) Mercury.

(E) Opacity.

(F) Particulate matter.

(G) Hydrogen chloride.

(H) Fugitive ash.

(2) Test reports including supporting calculations that document the results of all stack tests.

(3) The maximum demonstrated load of your municipal waste combustion units and maximum temperature at the inlet of your particulate matter control device during all stack tests for dioxins/furans emissions.

(4) The calendar date of each record.

§113.2154. What records must I keep for continuously monitored pollutants or parameters?

You must keep records of eight items.

(1) Records of monitoring data. Document six parameters measured using continuous monitoring systems:

(A) All 6-minute average levels of opacity.

(B) All 1-hour average concentrations of sulfur dioxide emissions.

(C) For Class I municipal waste combustion units only, all 1-hour average concentrations of nitrogen oxides emissions.

(D) All 1-hour average concentrations of carbon monoxide emissions.

(E) All 1-hour average load levels of your municipal waste combustion unit.

(F) All 1-hour average flue gas temperatures at the inlet of the particulate matter control device.

(2) Records of average concentrations and percent reductions. Document five parameters:

(A) All 24-hour daily block geometric average concentrations of sulfur dioxide emissions or average percent reductions of sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, all 24-hour daily arithmetic average concentrations of nitrogen oxides emissions.

(C) All 4-hour block or 24-hour daily block arithmetic average concentrations of carbon monoxide emissions.

(D) All 4-hour block arithmetic average load levels of your municipal waste combustion unit.

(E) All 4-hour block arithmetic average flue gas temperatures at the inlet of the particulate matter control device.

(3) Records of exceedances. Document three items:

(A) Calendar dates whenever any of the five pollutant or parameter levels recorded in paragraph (2) of this section or the opacity level recorded in paragraph (1)(A) of this section did not meet the emission limits or operating levels specified in this division.

(B) Reasons you exceeded the applicable emission limits or operating levels.

(C) Corrective actions you took, or are taking, to meet the emission limits or operating levels.

(4) Records of minimum data. Document three items:

(A) Calendar dates for which you did not collect the minimum amount of data required under §113.2134 and §113.2149 of this title (relating to What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems and is the data collection requirement enforceable? and What is the minimum amount of data I must collect with my continuous parameter monitoring systems and is the data collection requirement enforceable?). Record those dates for five types of pollutants and parameters:

(i) Sulfur dioxide emissions.

(ii) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(iii) Carbon monoxide emissions.

(iv) Load levels of your municipal waste combustion unit.

(v) Temperatures of the flue gases at the inlet of the particulate matter control device.

(B) Reasons you did not collect the minimum data.

(C) Corrective actions you took or are taking to obtain the required amount of data.

(5) Records of exclusions. Document each time you have excluded data from your calculation of averages for any of the following five pollutants or parameters and the reasons the data were excluded:

(A) Sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(C) Carbon monoxide emissions.

(D) Load levels of your municipal waste combustion unit.

(E) Temperatures of the flue gases at the inlet of the particulate matter control device.

(6) Records of drift and accuracy. Document the results of your daily drift tests and quarterly accuracy determinations according to Procedure 1 of 40 Code of Federal Regulations Part 60, Appendix F. Keep those records for the sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide continuous emissions monitoring systems.

(7) Records of the relationship between oxygen and carbon dioxide. If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, document the relationship between oxygen and carbon dioxide, as specified in §113.2133 of this title (relating to What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?).

(8) Records of calendar dates. Include the calendar date on each record.

§113.2155. What records must I keep for municipal waste combustion units that use activated carbon?

For municipal waste combustion units that use activated carbon to control dioxins/furans or mercury emissions, you must keep records of five items:

(1) Records of average carbon feed rate. Document five items:

(A) Average carbon feed rate in kilograms (or pounds) per hour during all stack tests for dioxins/furans and mercury emissions. Include supporting calculations in the records.

(B) For the operating parameter chosen to monitor carbon feed rate, average operating level during all stack tests for dioxins/furans and mercury emissions. Include supporting data that document the relationship between the operating parameter and the carbon feed rate.

(C) All 8-hour block average carbon feed rates in kilograms (or pounds) per hour calculated from the monitored operating parameter.

(D) Total carbon purchased and delivered to the municipal waste combustion plant for each calendar quarter. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant. Include supporting documentation.

(E) Required quarterly usage of carbon for the municipal waste combustion plant, calculated using equation 4 or 5 in §113.2171(f) of this title (relating to What equations must I use?). If you choose to evaluate required quarterly usage for carbon on a municipal waste combustion unit basis, record the required quarterly usage for each municipal waste combustion unit at your plant. Include supporting calculations.

(2) Records of low carbon feed rates. Document three items:

(A) The calendar dates when the average carbon feed rate over an 8-hour block was less than the average carbon feed rates determined during the most recent stack test for dioxins/furans or mercury emissions (whichever has a higher feed rate).

(B) Reasons for the low carbon feed rates.

(C) Corrective actions you took or are taking to meet the 8-hour average carbon feed rate requirement.

(3) Records of minimum carbon feed rate data. Document three items:

(A) Calendar dates for which you did not collect the minimum amount of carbon feed rate data required under §113.2149 of this title (relating to What is the minimum amount of monitoring data I must collect with my continuous parameter monitoring systems and is the data collection requirement enforceable?).

(B) Reasons you did not collect the minimum data.

(C) Corrective actions you took or are taking to get the required amount of data.

(4) Records of exclusions. Document each time you have excluded data from your calculation of average carbon feed rates and the reasons the data were excluded.

(5) Records of calendar dates. Include the calendar date on each record.

§113.2156. What reports must I submit and in what form?

(a) Submit an initial report and annual reports, plus semiannual reports for any emission or parameter level that does not meet the limits specified in this division.

(b) Submit all reports on paper, postmarked on or before the submittal dates in §§113.2158, 113.2160, and 113.2163 of this title (relating to When must I submit the initial report?, When must I submit the annual report?, and If a semiannual report is required, when must I submit it?). If the executive director agrees, you may submit electronic reports, as specified in Chapter 19 of this title (relating to Electronic Reporting).

(c) Keep a copy of all reports required by §§113.2159, 113.2161, and 113.2164 of this title (relating to What must I include in my initial report?, What must I include in my annual report?, and What must I include in the semiannual out-of-compliance reports?) onsite for 5 years.

§113.2157. What are the appropriate units of measurement for reporting my data?

See Tables 2, 3, 4, and 5 in §113.2174 of this title (relating to Tables Relating to Division 3) for appropriate units of measurement.

§113.2158. When must I submit the initial report?

As specified in 40 Code of Federal Regulations §60.7(c), submit your initial report by 180 days after your final compliance date.

§113.2159. What must I include in my initial report?

You must include seven items:

(1) The emission levels measured on the date of the initial evaluation of your continuous emission monitoring systems for all of the following five pollutants or parameters as recorded in accordance with §113.2154(2) of this title (relating to What records must I keep for continuously monitored pollutants or parameters?).

(A) The 24-hour daily geometric average concentration of sulfur dioxide emissions or the 24-hour daily geometric percent reduction of sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, the 24-hour daily arithmetic average concentration of nitrogen oxides emissions.

(C) The 4-hour block or 24-hour daily arithmetic average concentration of carbon monoxide emissions.

(D) The 4-hour block arithmetic average load level of your municipal waste combustion unit.

(E) The 4-hour block arithmetic average flue gas temperature at the inlet of the particulate matter control device.

(2) The results of the initial stack tests for eight pollutants or parameters (use appropriate units as specified in Table 2 or 4 in §113.2174 of this title (relating to Tables Relating to Division 3)):

(A) Dioxins/furans.

(B) Cadmium.

(C) Lead.

(D) Mercury.

(E) Opacity.

(F) Particulate matter.

(G) Hydrogen chloride.

(H) Fugitive ash.

(3) The test report that documents the initial stack tests including supporting calculations.

(4) The initial performance evaluation of your continuous emissions monitoring systems. Use the applicable performance specifications in 40 Code of Federal Regulations Part 60, Appendix B in conducting the evaluation.

(5) The maximum demonstrated load of your municipal waste combustion unit and the maximum demonstrated temperature of the flue gases at the inlet of the particulate matter control device. Use values established during your initial stack test for dioxins/furans emissions and include supporting calculations.

(6) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, the average carbon feed rates that you recorded during the initial stack tests for dioxins/furans and mercury emissions. Include supporting calculations as specified in §113.2155(1)(A) and (B) of this title (relating to What records must I keep for municipal waste combustion units that use activated carbon?).

(7) If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, documentation of the relationship between oxygen and carbon dioxide, as specified in §113.2133 of this title (relating to What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?).

§113.2160. When must I submit the annual report?

Submit the annual report no later than February 1 of each year that follows the calendar year in which you collected the data. If you have an operating permit for any unit under Title V of the Federal Clean Air Act, the permit may require you to submit semiannual reports. Title 40 Code of Federal Regulations Part 70 contains program requirements for permits.

§113.2161. What must I include in my annual report?

Summarize data collected for all pollutants and parameters regulated under this division. Your summary must include twelve items:

(1) The results of the annual stack test, using appropriate units, for eight pollutants, as recorded under §113.2153(1) of this title (relating to What records must I keep for stack tests?):

(A) Dioxins/furans.

(B) Cadmium.

(C) Lead.

(D) Mercury.

(E) Opacity.

(F) Particulate matter.

(G) Hydrogen chloride.

(H) Fugitive ash.

(2) A list of the highest average levels recorded, in the appropriate units. List those values for five pollutants or parameters:

(A) Sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(C) Carbon monoxide emissions.

(D) Load level of the municipal waste combustion unit.

(E) Temperature of the flue gases at the inlet of the particulate matter air pollution control device (4-hour block average).

(3) The highest 6-minute opacity level measured. Base the value on all 6-minute average opacity levels recorded by your continuous opacity monitoring system (§113.2154(1)(A) of this title (relating to What records must I keep for continuously monitored pollutants or parameters?)).

(4) For municipal waste combustion units that use activated carbon for controlling dioxins/furans or mercury emissions, include four records:

(A) The average carbon feed rates recorded during the most recent dioxins/furans and mercury stack tests.

(B) The lowest 8-hour block average carbon feed rate recorded during the year.

(C) The total carbon purchased and delivered to the municipal waste combustion plant for each calendar quarter. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant.

(D) The required quarterly carbon usage of your municipal waste combustion plant calculated using equation 4 or 5 in §113.2171(f) of this title (relating to What equations must I use?). If you choose to evaluate required quarterly usage for carbon on a municipal waste combustion unit basis, record the required quarterly usage for each municipal waste combustion unit at your plant.

(5) The total number of days that you did not obtain the minimum number of hours of data for six pollutants or parameters. Include the reasons you did not obtain the data and corrective actions that you have taken to obtain the data in the future. Include data on:

(A) Sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(C) Carbon monoxide emissions.

(D) Load level of the municipal waste combustion unit.

(E) Temperature of the flue gases at the inlet of the particulate matter air pollution control device.

(F) Carbon feed rate.

(6) The number of hours you have excluded data from the calculation of average levels (include the reasons for excluding it). Include data for six pollutants or parameters:

(A) Sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(C) Carbon monoxide emissions.

(D) Load level of the municipal waste combustion unit.

(E) Temperature of the flue gases at the inlet of the particulate matter air pollution control device.

(F) Carbon feed rate.

(7) A notice of your intent to begin a reduced stack testing schedule for dioxins/furans emissions during the following calendar year if you are eligible for alternative scheduling (§113.2143(a) or (b) of this title (relating to May I conduct stack testing less often?)).

(8) A notice of your intent to begin a reduced stack testing schedule for other pollutants during the following calendar year if you are eligible for alternative scheduling (§113.2143(a) of this title).

(9) A summary of any emission or parameter level that did not meet the limits specified in this division.

(10) A summary of the data in paragraphs (1) through (4) of this section from the year preceding the reporting year which gives the executive director a summary of the performance of the municipal waste combustion unit over a 2-year period.

(11) If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, documentation of the relationship between oxygen and carbon dioxide, as specified in §113.2133 of this title (relating to What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?).

(12) Documentation of periods when all certified chief facility operators and certified shift supervisors are offsite for more than 12 hours.

§113.2162. What must I do if I am out of compliance with the requirements of this division?

You must submit a semiannual report on any recorded emission or parameter level that does not meet the requirements specified in this division.

§113.2163. If a semiannual report is required, when must I submit it?

(a) For data collected during the first half of a calendar year, submit your semiannual report by August 1 of that year.

(b) For data you collected during the second half of the calendar year, submit your semiannual

report by February 1 of the following year.

§113.2164. What must I include in the semiannual out-of-compliance reports?

You must include three items in the semiannual report:

(1) For any of the following six pollutants or parameters that exceeded the limits specified in this division, include the calendar date they exceeded the limits, the averaged and recorded data for that date, the reasons for exceeding the limits, and your corrective actions:

(A) Concentration or percent reduction of sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, concentration of nitrogen oxides emissions.

(C) Concentration of carbon monoxide emissions.

(D) Load level of your municipal waste combustion unit.

(E) Temperature of the flue gases at the inlet of your particulate matter air pollution control device.

(F) Average 6-minute opacity level. The data obtained from your continuous

opacity monitoring system are not used to determine compliance with the limit on opacity emissions.

(2) If the results of your annual stack tests (as recorded in §113.2153(1) of this title (relating to What records must I keep for stack tests?)) show emissions above the limits specified in Table 2 or 4 in §113.2174 of this title (relating to Tables Relating to Division 3) as applicable for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash, include a copy of the test report that documents the emission levels and your corrective actions.

(3) For municipal waste combustion units that apply activated carbon to control dioxins/furans or mercury emissions, include two items:

(A) Documentation of all dates when the 8-hour block average carbon feed rate (calculated from the carbon injection system operating parameter) is less than the highest carbon feed rate established during the most recent mercury and dioxins/furans stack test (as specified in §113.2155(1)(A) of this title (relating to What records must I keep for municipal waste combustion units that use activated carbon?)). Include four items:

(i) Eight-hour average carbon feed rate.

(ii) Reasons for occurrences of low carbon feed rates.

(iii) The corrective actions you have taken to meet the carbon feed rate requirement.

(iv) The calendar date.

(B) Documentation of each quarter when total carbon purchased and delivered to the municipal waste combustion plant is less than the total required quarterly usage of carbon. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant. Include five items:

(i) Amount of carbon purchased and delivered to the plant.

(ii) Required quarterly usage of carbon.

(iii) Reasons for not meeting the required quarterly usage of carbon.

(iv) The corrective actions you have taken to meet the required quarterly usage of carbon.

(v) The calendar date.

§113.2165. Can reporting dates be changed?

(a) If the executive director agrees, you may change the semiannual or annual reporting dates.

(b) See 40 Code of Federal Regulations §60.19(c) for procedures to seek approval to change your reporting date.

§113.2166. What is an air curtain incinerator?

An air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. Incinerators of that type can be constructed above or below ground and with or without refractory walls and floor.

§113.2167. What is yard waste?

Yard waste is grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. They come from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(1) Construction, renovation, and demolition wastes that are exempt from the definition of "Municipal solid waste" in §113.2100 of this title (relating to Definitions).

(2) Clean wood that is exempt from the definition of "Municipal solid waste" in §113.2100 of this title.

§113.2168. What are the emission limits for air curtain incinerators that burn 100 percent yard

waste?

If your air curtain incinerator combusts 100 percent yard waste, you must only meet the emission limits in this section.

(1) By 180 days after your final compliance date, you must meet two limits:

(A) The opacity limit is 10 percent (6-minute average) for air curtain incinerators that can combust at least 35 tons per day of municipal solid waste and no more than 250 tons per day of municipal solid waste.

(B) The opacity limit is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(2) Except during malfunctions, the requirements of this division apply at all times. Each malfunction must not exceed 3 hours.

§113.2169. How must I monitor opacity for air curtain incinerators that burn 100 percent yard waste?

(a) Use United States Environmental Protection Agency Reference Method 9 in 40 Code of Federal Regulations (CFR) Part 60, Appendix A to determine compliance with the opacity limit.

(b) Conduct an initial test for opacity as specified in 40 CFR §60.8.

(c) After the initial test for opacity, conduct annual tests no more than 13 calendar months following the date of your previous test.

§113.2170. What are the recordkeeping and reporting requirements for air curtain incinerators that burn 100 percent yard waste?

(a) Provide a notice of construction that includes four items:

(1) Your intent to construct the air curtain incinerator.

(2) Your planned initial startup date.

(3) Types of fuels you plan to combust in your air curtain incinerator.

(4) The capacity of your incinerator, including supporting capacity calculations, as specified in §113.2171(d) and (e) of this title (relating to What equations must I use?).

(b) Keep records of results of all opacity tests onsite in either paper copy or electronic format unless the executive director approves another format.

(c) Keep all records for each incinerator for at least 5 years.

(d) Make all records available for submittal to the executive director or for onsite review by an inspector.

(e) Submit the results (each 6-minute average) of the opacity tests by February 1 of the year following the year of the opacity emission test.

(f) Submit reports as a paper copy on or before the applicable submittal date. If the executive director agrees, you may submit reports on electronic media.

(g) If the executive director agrees, you may change the annual reporting dates (see 40 Code of Federal Regulations §60.19(c)).

(h) Keep a copy of all reports onsite for a period of 5 years.

§113.2171. What equations must I use?

(a) Concentration correction to 7 percent oxygen. Correct any pollutant concentration to 7 percent oxygen using equation 1 of this section:

Figure: 30 TAC §113.2171(a)

$$C_{7\%} = C_{unc} * (13.9) * \left(\frac{1}{(20.9 - CO_2)} \right) \quad \text{(Eq. 1)}$$

Where:

$C_{7\%}$ = concentration corrected to 7 percent oxygen.

C_{unc} = uncorrected pollutant concentration.

CO_2 = concentration of oxygen (percent).

(b) Percent reduction in potential mercury emissions. Calculate the percent reduction in potential mercury emissions ($\%P_{Hg}$) using equation 2 of this section:

Figure: 30 TAC §113.2171(b)

$$\%P_{Hg} = (E_i - E_o) * \left(\frac{100}{E_i} \right) \quad \text{(Eq. 2)}$$

Where:

$\%P_{Hg}$ = percent reduction of potential mercury emissions

E_i = mercury emission concentration as measured at the air pollution control device inlet, corrected to 7 percent oxygen, dry basis

E_o = mercury emission concentration as measured at the air pollution control device outlet, corrected to 7 percent oxygen, dry basis

(c) Percent reduction in potential hydrogen chloride emissions. Calculate the percent reduction in potential hydrogen chloride emissions ($\%P_{HCl}$) using equation 3 of this section:

Figure: 30 TAC §113.2171(c)

$$\%P_{HCl} = (E_i - E_o) * \left(\frac{100}{E_i}\right) \text{ (Eq. 3)}$$

Where:

$\%P_{HCl}$ = percent reduction of the potential hydrogen chloride emissions

E_i = hydrogen chloride emission concentration as measured at the air pollution control device inlet, corrected to 7 percent oxygen, dry basis

E_o = hydrogen chloride emission concentration as measured at the air pollution control device outlet, corrected to 7 percent oxygen, dry basis

(d) Capacity of a municipal waste combustion unit. For a municipal waste combustion unit that can operate continuously for 24-hour periods, calculate the municipal waste combustion unit capacity based on 24 hours of operation at the maximum charge rate. To determine the maximum charge rate, use one of two methods:

(1) For municipal waste combustion units with a design based on heat input capacity, calculate the maximum charging rate based on the maximum heat input capacity and one of two heating values:

(A) If your municipal waste combustion unit combusts refuse-derived fuel, use a heating value of 12,800 kilojoules per kilogram (5,500 British thermal units per pound).

(B) If your municipal waste combustion unit combusts municipal solid waste, use a heating value of 10,500 kilojoules per kilogram (4,500 British thermal units per pound).

(2) For municipal waste combustion units with a design not based on heat input capacity, use the maximum designed charging rate.

(e) Capacity of a batch municipal waste combustion unit. Calculate the capacity of a batch municipal waste combustion unit as the maximum design amount of municipal solid waste it can charge per batch multiplied by the maximum number of batches it can process in 24 hours. Calculate the maximum number of batches by dividing 24 by the number of hours needed to process one batch. Retain fractional batches in the calculation. For example, if one batch requires 16 hours, the municipal waste combustion unit can combust 24/16, or 1.5 batches, in 24 hours.

(f) Quarterly carbon usage. If you use activated carbon to comply with the dioxins/furans or mercury limits, calculate the required quarterly usage of carbon using equation 4 of this section for plant basis or equation 5 of this section for unit basis:

(1) Plant basis.

Figure: 30 TAC §113.2171(f)(1)

$$C = \sum_{i=1}^{n} f_i * h_i \quad \text{(Eq. 4)}$$

Where:

C = required quarterly carbon usage for the plant in kilograms (or pounds).

f_i = required carbon feed rate for the municipal waste combustion unit in kilograms (or pounds) per hour. That is the average carbon feed rate during the most recent mercury or dioxins/furans stack tests (whichever has a higher feed rate).

h_i = number of hours the municipal waste combustion unit was in operation during the calendar quarter (hours).

n = number of municipal waste combustion units, i, located at your plant.

(2) Unit basis.

Figure: 30 TAC §113.2171(f)(2)

$$C = f * h \quad \text{(Eq. 5)}$$

Where:

C = required quarterly carbon usage for the unit in kilograms (or pounds).

f = required carbon feed rate for the municipal waste combustion unit in kilograms (or pounds) per hour. That is the average carbon feed rate during the most recent mercury or dioxins/furans stack tests (whichever has a higher feed rate).

h = number of hours the municipal waste combustion unit was in operation during the calendar quarter (hours).

§113.2172. Does this subpart require me to obtain an operating permit under Title V of the Federal Clean Air Act?

Yes. If you are subject to this division on the effective date of state plan approval or any time thereafter, you are required to apply for and obtain a Title V operating permit.

§113.2173. When must I submit a Title V permit application for my existing small municipal waste combustion unit?

(a) You must submit a complete Title V permit application within 12 months of when your source first becomes subject to a Title V permitting program. See 40 Code of Federal Regulations (CFR) §70.3(a) and (b) and §70.5(a)(1). As provided in the Federal Clean Air Act, §503(c), permitting authorities may establish permit application deadlines earlier than the 12-month deadline.

(b) If your existing small municipal waste combustion unit is not subject to an earlier permit application deadline, a complete Title V permit application must be submitted not later than the date 36 months after promulgation of 40 CFR Part 60, Subpart BBBB (December 6, 2003), or by the effective date of the applicable state, tribal, or federal operating permits program, whichever is later. For any existing small municipal waste combustion unit not subject to an earlier application deadline, this final application deadline applies regardless of when the federal plan is effective, or when the relevant state or tribal Federal Clean Air Act, §111(d)/129 plan is approved by the United States Environmental Protection Agency and becomes effective. See the Federal Clean Air Act, §§129(e), 503(c), 503(d), and 502(a).

(c) A "complete" Title V permit application is one that has been determined or deemed complete by the relevant permitting authority under the Federal Clean Air Act, §503(d) and 40 CFR §70.5(a)(2). You must submit a complete permit application by the relevant application deadline in order to operate after this date in compliance with federal law. See the Federal Clean Air Act, §503(d) and §502(a); 40 CFR §70.7(b).

§113.2174. Tables Relating to Division 3.

(a) Table 1 of this subsection specifies the compliance schedules and increments of progress for Division 3 of this subchapter.

Figure: 30 TAC §113.2174(a)

Table 1. Compliance Schedules and Increments of Progress

Affected Units	Increment 1	Increment	Increment 3	Increment 4	Increment 5

	(Submit Final Control Plan)	2 (Award Contracts)	(Begin Onsite Construction)	(Complete Onsite Construction)	(Final Compliance)
1. All Class I Units [a b]	Within 60 days from the date the TCEQ publishes notice in the *Texas Register* of state plan approval	No later than 18 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval	No later than 24 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval	No later than 34 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval	No later than 36 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval[b]
2. All Class II Units[c]	Within 60 days from the date the TCEQ publishes notice in the *Texas Register* of state plan approval	N/A	N/A	N/A	No later than 36 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval

[a]Class I units mean small municipal waste combustion units subject to this division that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §113.2100 of this title for definitions.

[b]For Class I units that began construction, reconstruction, or modification after June 26, 1987, comply with the dioxins/furans and mercury limits by the later of two dates:

1. One year after the effective date of state plan approval.
2. One year after the issuance of a revised construction or operating permit, if a permit modification is required.
3. Final compliance with the dioxins/furans limits must be achieved no later than December 6, 2005, even if the date one year after the issuance of a revised construction or operating permit is after December 6, 2005.

[c]Class II units mean all small municipal combustion units subject to this division that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See §113.2100 of this title for definitions.

(b) Table 2 of this subsection specifies the Class I emission limits for existing small municipal

waste combustion units for Division 3 of this subchapter.

Figure: 30 TAC §113.2174(b)

Table 2. Class I Emission Limits for Existing Small Municipal Waste Combustion Units[a]

Pollutant	Emission Limits[b]	Averaging Times	Compliance Method
1. Organics: Dioxins/Furans (total mass basis)	30 nanograms per dry standard cubic meter for municipal waste combustion units that do not employ an electrostatic precipitator-based emission control system -or- 60 nanograms per dry standard cubic meter for municipal waste combustion units that employ an electrostatic precipitator-based emission control system	3-run average (minimum run duration is 4 hours)	Stack test
2. Metals: Cadmium	0.040 milligrams per dry standard cubic meter	3-run average (run duration specified in test method)	Stack test
Lead	0.490 milligrams per dry standard cubic meter	3-run average (run duration specified in test method)	Stack test
Mercury	0.080 milligrams per dry standard cubic meter 85 percent reduction of potential mercury emissions	3-run average (run duration specified in test method)	Stack test
Opacity	10 percent	Thirty 6-minute averages	Stack test
Particulate Matter	27 milligrams per dry standard cubic meter	3-run average (run duration specified in test method)	Stack test
3. Acid Gases: Hydrogen Chloride	31 parts per million by dry volume 95 percent reduction of potential hydrogen chloride	3-run average (minimum run duration is 1 hour)	Stack test

	emissions		
Sulfur Dioxide	31 parts per million by dry volume 75 percent reduction of potential sulfur dioxide emissions	24-hour daily block geometric average concentration percent reduction	Continuous emission monitoring system
4. Other: Fugitive Ash	Visible emissions for no more than 5 percent of hourly observation period	Three 1-hour observation periods	Visible emission test

[a]Class I units mean small municipal waste combustion units subject to this division that are located at municipal waste combustion plants with an aggregate plan combustion capacity greater than 250 tons per day of municipal solid waste. See §113.2100 of this title for definitions.

[b]All emission limits (except for opacity) are measured at 7 percent oxygen.

(c) Table 3 of this subsection specifies the Class I nitrogen oxides emission limits for existing small municipal waste combustion units for Division 3 of this subchapter.

Figure: 30 TAC §113.2174(c)

Table 3. Class I Nitrogen Oxides Emission Limits for Existing Small Municipal Waste Combustion Units[a,b,c]

Municipal Waste Combustion Technology	Limits for Class I Municipal Waste Combustion Units
1. Mass burn waterwall	200 parts per million by dry volume
2. Mass burn rotary waterwall	170 parts per million by dry volume
3. Refuse-derived fuel	250 parts per million by dry volume
4. Fluidized bed	220 parts per million by dry volume
5. Mass burn refractory	350 parts per million by dry volume
6. Modular excess air	190 parts per million by dry volume
7. Modular starved air	380 parts per million by dry volume

[a]Class I units mean small municipal waste combustion units subject to this division that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §113.2100 of this title for definitions.

[b]Nitrogen oxides limits are measured at 7 percent oxygen.

[c]All limits are 24-hour daily block arithmetic average concentration. Compliance is determined for Class I units by continuous emission monitoring systems.

(d) Table 4 of this subsection specifies the Class II emission limits for existing small municipal waste combustion units for Division 3 of this subchapter.

Figure: 30 TAC §113.2174(d)

Table 4. Class II Emission Limits for Existing Small Municipal Waste Combustion Unit[a]

Pollutant	Emission Limits[b]	Averaging Times	Compliance Method
1. Organics: Dioxins/Furans (total mass basis)	125 nanograms per dry standard cubic meter	3-run average (minimum run duration is 4 hours)	Stack test
2. Metals: Cadmium	0.10 milligrams per dry standard cubic meter	3-run average (run duration specified in test method)	Stack test
Lead	1.6 milligrams per dry standard cubic meter	3-run average (run duration specified in test method)	Stack test
Mercury	0.080 milligrams per dry standard cubic meter 85 percent reduction of potential mercury emissions	3-run average (run duration specified in test method)	Stack test
Opacity	10 percent	Thirty 6-minute averages	Stack test
Particulate Matter	70 milligrams per dry standard cubic meter	3-run average (run duration specified in test method)	Stack test
3. Acid Gases: Hydrogen Chloride	250 parts per million by volume -or- 50 percent reduction of potential hydrogen chloride emissions	3-run average (minimum run duration is 1 hour)	Stack test
Sulfur Dioxide	77 parts per million by dry volume -or-	24-hour daily block geometric average concentration	Continuous emission monitoring system

	50 percent reduction of potential sulfur dioxide emissions	-or- percent reduction	
4. Other: Fugitive Ash	Visible emissions for no more than 5 percent of hourly observation period	Three 1-hour observation periods	Visible emission test

[a]Class II units mean all small municipal combustion units subject to this division that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See §113.2100 of this title for definitions.
[b]All emission limits (except for opacity) are measured at 7 percent oxygen.

[c]No monitoring, testing, recordkeeping or reporting is required to demonstrate compliance with the nitrogen oxides limit for Class II units.

(e) Table 5 of this subsection specifies the carbon monoxide emission limits for existing small municipal waste combustion units for Division 3 of this subchapter.

Figure: 30 TAC §113.2174(e)

Table 5. Carbon Monoxide Emission Limits for Existing Small Municipal Waste Combustion Units

Municipal Waste Combustion Unit	Carbon Monoxide Limits[a]	Averaging Times[b]
1. Fluidized bed	100 parts per million by dry volume	4-hour
2. Fluidized bed, mixed fuel, (wood/refuse-derived fuel)	200 parts per million by dry volume	24-hour[c]
3. Mass burn rotary refractory	100 parts per million by dry volume	4-hour
4. Mass burn rotary waterwall	250 parts per million by dry volume	24-hour
5. Mass burn waterwall and refractory	100 parts per million by dry volume	4-hour
6. Mixed fuel-fired, (pulverized coal/refuse-derived fuel)	150 parts per million by dry volume	4-hour
7. Modular starved-air and excess air	50 parts per million by dry volume	4-hour
8. Spreader stoker, mixed fuel-fired (coal/refuse-derived fuel)	200 parts per million by dry volume	24-hour daily
9. Stoker, refuse-derived fuel	200 parts per million by dry	24-hour daily

	volume	

[a]All emission limits (except for opacity) are measured at 7 percent oxygen. Compliance is determined by continuous emission monitoring systems.

[b]Block averages, arithmetic mean. See §113.2100 of this title for definitions.

[c]24-hour block average, geometric mean.

(f) Table 6 of this subsection specifies the requirements for validating continuous emission monitoring systems for Division 3 of this subchapter.

Figure: 30 TAC §113.2174(f)

Table 6. Requirements for Validating Continuous Emission Monitoring Systems (CEMS)

Continuous Emission Monitoring Systems	Method in 40 CFR Part 60, Appendix A to Validate Pollutant Concentration Levels	Method in 40 CFR Part 60, Appendix A to Measure Oxygen (or Carbon Dioxide)
1. Nitrogen Oxides (Class I units only)[a]	Method 7, 7A, 7B, 7C, 7D, or 7E	Method 3 or 3A
2. Sulfur Dioxide	Method 6 or 6C	Method 3 or 3A
3. Carbon Monoxide	Method 10, 10A, or 10B	Method 3 or 3A

[a]Class I units mean small municipal waste combustion units subject to this division that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §113.2100 of this title for definitions.

(g) Table 7 of this subsection specifies the requirements for continuous emission monitoring systems for Division 3 of this subchapter.

Figure: 30 TAC §113.2174(g)

Table 7. Requirements for Continuous Emission Monitoring Systems (CEMS)

Pollutant	Span Values for CEMS	Performance Specifications (P.S.) in 40 CFR Part 60,	If Needed to Meet Minimum Data Requirements, use the

		Appendix B for your CEMS	Following Alternate Methods in 40 CFR Part 60, Appendix A to Collect Data
1. Opacity	100 percent opacity	P.S. 1	Method 9
2. Nitrogen Oxides (Class I units only)	Control device outlet: 125 percent of the maximum expected hourly potential nitrogen oxides emissions of the municipal waste combustion unit	P.S. 2	Method 7E
3. Sulfur Dioxide	Inlet to control device: 125 percent of the maximum expected hourly potential sulfur dioxide emissions of the municipal waste combustion unit Control device outlet: 50 percent of the maximum expected hourly potential sulfur dioxide emissions of the municipal waste combustion unit	P.S. 2	Method 6C
4. Carbon Monoxide	125 percent of the maximum expected hourly potential carbon monoxide emissions of the municipal waste combustion unit	P.S. 4A	Method 10 with alternative interference trap
5. Oxygen or Carbon Dioxide	25 percent oxygen or 25 percent carbon dioxide	P.S. 3	Method 3A or 3B

(h) Table 8 of this subsection specifies the requirements for stack tests for Division 3 of this subchapter.

Figure: 30 TAC §113.2174(h)

Table 8. Requirements for Stack Tests

Pollutant	Method in 40 CFR Part 60, Appendix A to Determine Sampling Location	Method in 40 CFR Part 60, Appendix A to Measure Pollutant Concentration	Also Note the Following Information
1. Organics: Dioxins/Furans	Method 1	Method 23[a]	The minimum sampling time must be 4 hours per test run while the municipal waste combustion unit is operating at full load
2. Metals: Cadmium	Method 1	Method 29[a]	Compliance testing must be performed while the municipal waste combustion unit is operating at full load
Lead	Method 1	Method 29[a]	Compliance testing must be performed while the municipal waste combustion unit is operating at full load
Mercury	Method 1	Method 29[a]	Compliance testing must be performed while the municipal waste combustion unit is operating at full load
Opacity	Method 9	Method 9	Use Method 9 to determine compliance with opacity limits. 3-hour observation period (thirty 6-minute averages)
Particulate Matter	Method 1	Method 5 or 29	The minimum sample volume must be 1.0 cubic meters. The probe and filter holder heating systems in the

			sample train must be set to provide a gas temperature no greater than 160 ±14°C. The minimum sampling time is 1 hour
3. Acid Gases[b] Hydrogen Chloride	Method 1	Method 26 or 26A[a]	Test runs must be at least 1 hour long while the municipal waste combustion unit is operating at full load
4. Other[b] Fugitive Ash	Not applicable	Method 22 (visible emissions)	The three 1-hour observation period must include periods when the facility transfers fugitive ash from the municipal waste combustion unit to the area where the fugitive ash is stored or loaded into containers or trucks

[a]Must simultaneously measure oxygen (or carbon dioxide) using Method 3A or 3B in 40 CFR Part 60, Appendix A.

[b]Use CEMS to test sulfur dioxide, nitrogen oxide, and carbon monoxide. Stack tests are not required except for quality assurance requirements in 40 CFR Part 60, Appendix F.

SUBCHAPTER D: DESIGNATED FACILITIES AND POLLUTANTS

DIVISION 4: EMISSIONS GUIDELINES AND COMPLIANCE TIMES FOR COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS THAT COMMENCED CONSTRUCTION ON OR BEFORE NOVEMBER 30, 1999

§§113.2200 - 113.2261

STATUTORY AUTHORITY

The new sections are adopted under Texas Water Code, §5.103, concerning Rules, and §5.105, concerning General Policy, which authorize the commission to adopt rules necessary to carry out its powers and duties under the Texas Water Code; and under Texas Health and Safety Code, §382.017, concerning Rules, which authorizes the commission to adopt rules consistent with the policy and purpose of the Texas Clean Air Act. The new sections are also adopted under Texas Health and Safety Code, §382.002, concerning Policy and Purpose, which establishes the commission's purpose to safeguard the state's air resources, consistent with the protection of public health, general welfare, and physical property; §382.011, concerning General Powers and Duties, which authorizes the commission to control the quality of the state's air; §382.012, concerning State Air Control Plan, which authorizes the commission to prepare and develop a general, comprehensive plan for the proper control of the state's air; §382.016, concerning Monitoring Requirements; Examination of Records, which authorizes the commission to prescribe reasonable requirements for measuring and monitoring the emissions of air contaminants; and §382.051, concerning Permitting Authority of Commission; Rules, which authorizes the commission to adopt rules as necessary to comply with changes in federal law or regulations applicable to permits issued under the Texas Clean Air Act. The new sections are also adopted under the Texas Water Code, §7.002, Enforcement Authority, which authorizes the commission to institute legal

proceedings to compel compliance; §7.032, Injunctive Relief, which provides that injunctive relief may be sought by the executive director; and §7.302, Grounds for Revocation or Suspension of Permit, which provides authority to the commission to revoke or suspend any air quality permit.

The adopted new sections implement Texas Health and Safety Code, §§382.002, 382.011, 382.012, 382.016, 382.017, and 382.051.

§113.2200. Definitions.

Terms used but not defined in this division are defined in the Federal Clean Air Act and 40 Code of Federal Regulations Part 60, Subparts A and B.

(1) Administrator--The administrator of the United States Environmental Protection Agency or his/her authorized representative or administrator of a state air pollution control agency.

(2) Agricultural waste--Vegetative agricultural materials such as nut and grain hulls and chaff (e.g., almond, walnut, peanut, rice, and wheat), bagasse, orchard prunings, corn stalks, coffee bean hulls and grounds, and other vegetative waste materials generated as a result of agricultural operations.

(3) Air curtain incinerator--An incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and

controlled air technology such as mass burn, modular, and fluidized bed combustors.)

(4) Auxiliary fuel--Natural gas, liquified petroleum gas, fuel oil, or diesel fuel.

(5) Bag leak detection system--An instrument that is capable of monitoring particulate matter loadings in the exhaust of a fabric filter (i.e., baghouse) in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, light transmittance, or other principle to monitor relative particulate matter loadings.

(6) Calendar quarter--Three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

(7) Calendar year--365 consecutive days starting on January 1 and ending on December 31.

(8) Chemotherapeutic waste--Waste material resulting from the production or use of antineoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

(9) Clean lumber--Wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

(10) Commercial and industrial solid waste incineration (CISWI) unit--Any combustion device that combusts commercial and industrial waste, as defined in this division. The boundaries of a CISWI unit are defined as, but not limited to, the commercial or industrial solid waste fuel feed system, grate system, flue gas system, and bottom ash. The CISWI unit does not include air pollution control equipment or the stack. The CISWI unit boundary starts at the commercial and industrial solid waste hopper (if applicable) and extends through two areas:

(A) The combustion unit flue gas system, which ends immediately after the last combustion chamber.

(B) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

(11) Commercial and industrial waste--Solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field-erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility.

(12) Contained gaseous material--Gases that are in a container when that container is combusted.

(13) Cyclonic barrel burner--A combustion device for waste materials that is attached to a 55-gallon, open-head drum. The device consists of a lid, which fits onto and encloses the drum, and a blower that forces combustion air into the drum in a cyclonic manner to enhance the mixing of waste material and air.

(14) Deviation--Any instance in which an affected source subject to this division, or an owner or operator of such a source:

(A) Fails to meet any requirement or obligation established by this division, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements;

(B) Fails to meet any term or condition that is adopted to implement an applicable requirement in this division and that is included in the operating permit for any affected source required to obtain such a permit; or

(C) Fails to meet any emission limitation, operating limit, or operator qualification and accessibility requirement in this division during startup, shutdown, or malfunction, regardless of whether or not such failure is permitted by this division.

(15) Dioxins/furans--Tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

(16) Discard--For purposes of this division, only, burned in an incineration unit without

energy recovery.

(17) Drum reclamation unit--A unit that burns residues out of drums (e.g., 55-gallon drums) so that the drums can be reused.

(18) Energy recovery--The process of recovering thermal energy from combustion for useful purposes such as steam generation or process heating.

(19) Fabric filter--An add-on air pollution control device used to capture particulate matter by filtering gas streams through filter media, also known as a baghouse.

(20) Low-level radioactive waste--Waste material which contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable federal or state standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or by-product material as defined by the Atomic Energy Act of 1954 (42 United States Code, §2014(e)(2)).

(21) Malfunction--Any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

(22) Modification or modified commercial and industrial solid waste incineration (CISWI) unit--A CISWI unit you have changed later than June 1, 2001, and that meets one of two criteria:

(A) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including the cost of land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.

(B) Any physical change in the CISWI unit or change in the method of operating it that increases the amount of any air pollutant emitted for which the Federal Clean Air Act, §111 or §129 has established standards.

(23) Part reclamation unit--A unit that burns coatings off parts (e.g., tools, equipment) so that the parts can be reconditioned and reused.

(24) Particulate matter--Total particulate matter emitted from commercial and industrial solid waste incineration units as measured by Method 5 or Method 29 of 40 Code of Federal Regulations Part 60, Appendix A.

(25) Pathological waste--Waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

(26) Rack reclamation unit--A unit that burns the coatings off racks used to hold small items for application of a coating. The unit burns the coating overspray off the rack so the rack can be

reused.

(27) Reconstruction--Rebuilding a commercial and industrial solid waste incineration (CISWI) unit and meeting two criteria:

(A) The reconstruction begins on or after June 1, 2001.

(B) The cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.

(28) Refuse-derived fuel--A type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(A) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(B) Pelletized refuse-derived fuel.

(29) Shutdown--The period of time after all waste has been combusted in the primary chamber.

(30) Solid waste--Any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under the Federal Water Pollution Control Act, §402, as amended (33 United States Code (USC), §1342), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (42 USC, §2014). For purposes of this division, only, solid waste does not include the waste burned in the fifteen types of units described in 40 Code of Federal Regulations §60.2555.

(31) Standard conditions--When referring to units of measure, a temperature of 68 degrees Fahrenheit (20 degrees Celsius) and a pressure of 1 atmosphere (101.3 kilopascals).

(32) Startup period--The period of time between the activation of the system and the first charge to the unit.

(33) Wet scrubber--An add-on air pollution control device that utilizes an aqueous or alkaline scrubbing liquor to collect particulate matter (including nonvaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

(34) Wood waste--Untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and

shavings. Wood waste does not include:

(A) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

(B) Construction, renovation, or demolition wastes.

(C) Clean lumber.

§113.2201. What are my requirements for meeting increments of progress and achieving final compliance?

If you plan to achieve compliance more than 1 year following the effective date of state plan approval, you must meet the two increments of progress specified in paragraphs (1) and (2) of this section.

(1) Submit a final control plan.

(2) Achieve final compliance.

§113.2202. When must I complete each increment of progress?

Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4) specifies compliance dates for each of the increments of progress.

§113.2203. What must I include in the notifications of achievement of increments of progress?

Your notification of achievement of increments of progress must include the three items specified in paragraphs (1) through (3) of this section.

(1) Notification that the increment of progress has been achieved.

(2) Any items required to be submitted with each increment of progress.

(3) Signature of the owner or operator of the commercial and industrial solid waste incineration unit.

§113.2204. When must I submit the notifications of achievement of increments of progress?

Notifications for achieving increments of progress must be postmarked no later than 10 business days after the compliance date for the increment.

§113.2205. What if I do not meet an increment of progress?

If you fail to meet an increment of progress, you must submit a notification to the executive

director postmarked within 10 business days after the date for that increment of progress in Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4). You must inform the executive director that you did not meet the increment, and you must continue to submit reports each subsequent calendar month until the increment of progress is met.

§113.2206. How do I comply with the increment of progress for submittal of a control plan?

For your control plan increment of progress, you must satisfy the two requirements specified in paragraphs (1) and (2) of this section.

(1) Submit the final control plan that includes the five items described in subparagraphs (A) through (E) of this paragraph.

(A) A description of the devices for air pollution control and process changes that you will use to comply with the emission limitations and other requirements of this division.

(B) The type(s) of waste to be burned.

(C) The maximum design waste burning capacity.

(D) The anticipated maximum charge rate.

(E) If applicable, the petition for site-specific operating limits under §113.2222

of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?).

(2) Maintain an onsite copy of the final control plan.

§113.2207. How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must complete all process changes and retrofit construction of control devices, as specified in the final control plan, so that, if the affected commercial and industrial solid waste incineration unit is brought online, all necessary process changes and air pollution control devices would operate as designed.

§113.2208. What must I do if I close my commercial and industrial solid waste incineration unit and then restart it?

(a) If you close your commercial and industrial solid waste incineration (CISWI) unit but will restart it prior to the final compliance date in your state plan, you must meet the increments of progress specified in §113.2201 of this title (relating to What are my requirements for meeting increments of progress and achieving final compliance?).

(b) If you close your CISWI unit but will restart it after your final compliance date, you must complete emission control retrofits and meet the emission limitations and operating limits on the date your unit restarts operation.

§113.2209. What must I do if I plan to permanently close my commercial and industrial solid waste incineration unit and not restart it?

If you plan to close your commercial and industrial solid waste incineration unit rather than comply with the state plan, submit a closure notification, including the date of closure, to the executive director by the date your final control plan is due.

§113.2210. What is a waste management plan?

A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste.

§113.2211. When must I submit my waste management plan?

You must submit a waste management plan no later than the date specified in Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4) for submittal of the final control plan.

§113.2212. What should I include in my waste management plan?

A waste management plan must include consideration of the reduction or separation of waste-stream elements such as paper, cardboard, plastics, glass, batteries, or metals; or the use of recyclable materials. The plan must identify any additional waste management measures, and the source must

implement those measures considered practical and feasible, based on the effectiveness of waste management measures already in place, the costs of additional measures, the emissions reductions expected to be achieved, and any other environmental or energy impacts they might have.

§113.2213. What are the operator training and qualification requirements?

(a) No commercial and industrial solid waste incineration (CISWI) unit can be operated unless a fully trained and qualified CISWI unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified CISWI unit operator may operate the CISWI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified CISWI unit operators are temporarily not accessible, you must follow the procedures in §113.2219 of this title (relating to What if all the qualified operators are temporarily not accessible?).

(b) Operator training and qualification must be obtained through a state-approved program or by completing the requirements included in subsection (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (1) through (3) of this subsection.

(1) Training on the eleven subjects listed in subparagraphs (A) through (K) of this paragraph.

(A) Environmental concerns, including types of emissions.

(B) Basic combustion principles, including products of combustion.

(C) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures.

(D) Combustion controls and monitoring.

(E) Operation of air pollution control equipment and factors affecting performance (if applicable).

(F) Inspection and maintenance of the incinerator and air pollution control devices.

(G) Actions to correct malfunctions or conditions that may lead to malfunction.

(H) Bottom and fly ash characteristics and handling procedures.

(I) Applicable federal, state, and local regulations, including Occupational Safety and Health Administration workplace standards.

(J) Pollution prevention.

(K) Waste management practices.

(2) An examination designed and administered by the instructor.

(3) Written material covering the training course topics that can serve as reference material following completion of the course.

§113.2214. When must the operator training course be completed?

The operator training course must be completed by the later of the three dates specified in paragraphs (1) through (3) of this section.

(1) The final compliance date (Increment 2).

(2) Six months after commercial and industrial solid waste incineration (CISWI) unit startup.

(3) Six months after an employee assumes responsibility for operating the CISWI unit or assumes responsibility for supervising the operation of the CISWI unit.

§113.2215. How do I obtain my operator qualification?

(a) You must obtain operator qualification by completing a training course that satisfies the

criteria under §113.2213(b) of this title (relating to What are the operator training and qualification requirements?).

(b) Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under §113.2213(c)(2) of this title.

§113.2216. How do I maintain my operator qualification?

To maintain qualification, you must complete an annual review or refresher course covering, at a minimum, the five topics described in paragraphs (1) through (5) of this section.

(1) Update of regulations.

(2) Incinerator operation, including startup and shutdown procedures, waste charging, and ash handling.

(3) Inspection and maintenance.

(4) Responses to malfunctions or conditions that may lead to malfunction.

(5) Discussion of operating problems encountered by attendees.

§113.2217. How do I renew my lapsed operator qualification?

You must renew a lapsed operator qualification by one of the two methods specified in paragraphs (1) and (2) of this section.

(1) For a lapse of less than 3 years, you must complete a standard annual refresher course described in §113.2216 of this title (relating to How do I maintain my operator qualification?).

(2) For a lapse of 3 years or more, you must repeat the initial qualification requirements in §113.2215(a) of this title (relating to How do I obtain my operator qualification?).

§113.2218. What site-specific documentation is required?

(a) Documentation must be available at the facility and readily accessible for all commercial and industrial solid waste incineration (CISWI) unit operators that addresses the ten topics described in paragraphs (1) through (10) of this subsection. You must maintain this information and the training records required by subsection (c) of this section in a manner that they can be readily accessed and are suitable for inspection upon request.

(1) Summary of the applicable standards under this division.

(2) Procedures for receiving, handling, and charging waste.

(3) Incinerator startup, shutdown, and malfunction procedures.

(4) Procedures for maintaining proper combustion air supply levels.

(5) Procedures for operating the incinerator and associated air pollution control systems within the standards established under this division.

(6) Monitoring procedures for demonstrating compliance with the incinerator operating limits.

(7) Reporting and recordkeeping procedures.

(8) The waste management plan required under §§113.2210 through 113.2212 of this title (relating to What is a waste management plan? When must I submit my waste management plan? and What should I include in my waste management plan?).

(9) Procedures for handling ash.

(10) A list of the wastes burned during the performance test.

(b) You must establish a program for reviewing the information listed in subsection (a) of this section with each incinerator operator.

(1) The initial review of the information listed in subsection (a) of this section must be

conducted by the later of the three dates specified in subparagraphs (A) through (C) of this paragraph.

(A) The final compliance date (Increment 2).

(B) Six months after CISWI unit startup.

(C) Six months after being assigned to operate the CISWI unit.

(2) Subsequent annual reviews of the information listed in subsection (a) of this section must be conducted no later than 12 months following the previous review.

(c) You must also maintain the information specified in paragraphs (1) through (3) of this subsection.

(1) Records showing the names of CISWI unit operators who have completed review of the information in subsection (a) of this section as required by subsection (b) of this section, including the date of the initial review and all subsequent annual reviews.

(2) Records showing the names of the CISWI operators who have completed the operator training requirements under §113.2213 of this title (relating to What are the operator training and qualification requirements?), met the criteria for qualification under §113.2215 of this title (relating to How do I obtain my operator qualification?), and maintained or renewed their qualification under §113.2216 or §113.2217 of this title (relating to How do I maintain my operator qualification? or How do

I renew my lapsed operator qualification?). Records must include documentation of training, the dates of the initial refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(3) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

§113.2219. What if all the qualified operators are temporarily not accessible?

If all qualified operators are temporarily not accessible (i.e., not at the facility and not able to be at the facility within 1 hour), you must meet one of the two criteria specified in paragraphs (1) and (2) of this section, depending on the length of time that a qualified operator is not accessible.

(1) When all qualified operators are not accessible for more than 8 hours, but less than 2 weeks, the commercial and industrial solid waste incineration (CISWI) unit may be operated by other plant personnel familiar with the operation of the CISWI unit who have completed a review of the information specified in §113.2218(a) of this title (relating to What site-specific documentation is required?) within the past 12 months. However, you must record the period when all qualified operators were not accessible and include this deviation in the annual report as specified under §113.2240 of this title (relating to What information must I include in my annual report?).

(2) When all qualified operators are not accessible for 2 weeks or more, you must take the two actions that are described in subparagraphs (A) and (B) of this paragraph.

(A) Notify the executive director of this deviation in writing within 10 days after the end of the 2-week period. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible.

(B) Submit a status report to the executive director every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible, and requesting approval from the executive director to continue operation of the CISWI unit. You must submit the first status report 4 weeks after you notify the executive director of the deviation under subparagraph (A) of this paragraph. If the executive director notifies you that your request to continue operation of the CISWI unit is disapproved, the CISWI unit may continue operation for 90 days, then must cease operation. Operation of the unit may resume if you meet the two requirements in clauses (i) and (ii) of this subparagraph.

(i) A qualified operator is accessible as required under §113.2213(a) of this title (relating to What are the operator training and qualification requirements?).

(ii) You notify the executive director that a qualified operator is accessible and that you are resuming operation.

§113.2220. What emission limitations must I meet and by when?

You must meet the emission limitations specified in Table 2 in §113.2261 of this title (relating to

Tables Relating to Division 4) on the date the initial performance test is required or completed (whichever is earlier).

§113.2221. What operating limits must I meet and by when?

(a) If you use a wet scrubber to comply with the emission limitations, you must establish operating limits for four operating parameters (as specified in Table 3 in §113.2261 of this title (relating to Tables Relating to Division 4)) as described in paragraphs (1) through (4) of this subsection during the initial performance test.

(1) Maximum charge rate, calculated using one of the two different procedures in subparagraph (A) or (B) of this paragraph, as appropriate.

(A) For continuous and intermittent units, maximum charge rate is 110 percent of the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(B) For batch units, maximum charge rate is 110 percent of the daily charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(2) Minimum pressure drop across the wet scrubber, which is calculated as 90 percent of the average pressure drop across the wet scrubber measured during the most recent performance test

demonstrating compliance with the particulate matter emission limitations; or minimum amperage to the wet scrubber, which is calculated as 90 percent of the average amperage to the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(3) Minimum scrubber liquor flow rate, which is calculated as 90 percent of the average liquor flow rate at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(4) Minimum scrubber liquor pH, which is calculated as 90 percent of the average liquor pH at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with the hydrogen chloride emission limitation.

(b) You must meet the operating limits established during the initial performance test on the date the initial performance test is required or completed (whichever is earlier).

(c) If you use a fabric filter to comply with the emission limitations, you must operate each fabric filter system such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during a 6-month period. In calculating this operating time percentage, if inspection of the fabric filter demonstrates that no corrective action is required, no alarm time is counted. If corrective action is required, each alarm shall be counted as a minimum of 1 hour. If you take longer than 1 hour to initiate corrective action, the alarm time shall be counted as the actual amount of time taken by you to initiate corrective action.

§113.2222. What if I do not use a wet scrubber to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber, or limit emissions in some other manner, to comply with the emission limitations under §113.2220 of this title (relating to What emission limitations must I meet and by when?), you must petition the executive director for specific operating limits to be established during the initial performance test and continuously monitored thereafter. You must not conduct the initial performance test until after the petition has been approved by the executive director. Your petition must include the five items listed in paragraphs (1) through (5) of this section.

(1) Identification of the specific parameters you propose to use as additional operating limits.

(2) A discussion of the relationship between these parameters and emissions of regulated pollutants, identifying how emissions of regulated pollutants change with changes in these parameters, and how limits on these parameters will serve to limit emissions of regulated pollutants.

(3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the operating limits on these parameters.

(4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and

instruments.

(5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

§113.2223. What happens during periods of startup, shutdown, and malfunction?

(a) The emission limitations and operating limits apply at all times except during commercial and industrial solid waste incineration unit startups, shutdowns, or malfunctions.

(b) Each malfunction must last no longer than 3 hours.

§113.2224. How do I conduct the initial and annual performance test?

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

(b) You must document that the waste burned during the performance test is representative of the waste burned under normal operating conditions by maintaining a log of the quantity of waste burned (as required in §113.2234(2)(A) of this title (relating to What records must I keep?)) and the types of waste burned during the performance test.

(c) All performance tests must be conducted using the minimum run duration specified in Table 2

in §113.2261 of this title (relating to Tables Relating to Division 4).

(d) Method 1 of 40 Code of Federal Regulations (CFR) Part 60, Appendix A must be used to select the sampling location and number of traverse points.

(e) Method 3A or 3B of 40 CFR Part 60, Appendix A must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B of 40 CFR Part 60, Appendix A must be used simultaneously with each method.

(f) All pollutant concentrations, except for opacity, must be adjusted to 7 percent oxygen using equation 1 of this subsection:

Figure: 30 TAC §113.2224(f)

$$C_{adj} = C_{meas} \frac{(20.9 - 7)}{(20.9 - \%O_2)} \quad \text{(Eq. 1)}$$

Where:

C_{adj} = pollutant concentration adjusted to 7 percent oxygen;

C_{meas} = pollutant concentration measured on a dry basis;

(20.9-7) = 20.9 percent oxygen-7 percent oxygen (defined oxygen correction basis);

20.9 = oxygen concentration in air, percent; and

$\%O_2$ = oxygen concentration measured on a dry basis, percent.

(g) You must determine dioxins/furans toxic equivalency by following the procedures in paragraphs (1) through (3) of this subsection.

(1) Measure the concentration of each dioxin/furan tetra- through octa-congener emitted using United States Environmental Protection Agency Method 23 in 40 CFR Part 60, Appendix A.

(2) For each dioxin/furan congener measured in accordance with paragraph (1) of this subsection, multiply the congener concentration by its corresponding toxic equivalency factor specified in Table 4 in §113.2261 of this title.

(3) Sum the products calculated in accordance with paragraph (2) of this subsection to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

§113.2225. How are the performance test data used?

You use results of performance tests to demonstrate compliance with the emission limitations in Table 2 in §113.2261 of this title (relating to Tables Relating to Division 4).

§113.2226. How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

You must conduct an initial performance test, as required under 40 Code of Federal Regulations §60.8, to determine compliance with the emission limitations in Table 2 in §113.2261 of this title (relating to Tables Relating to Division 4) and to establish operating limits using the procedure in §113.2221 or §113.2222 of this title (relating to What operating limits must I meet and by when? or What if I do not use a wet scrubber to comply with the emission limitations?). The initial performance test must be conducted using the test methods listed in Table 2 in §113.2261 of this title and the procedures in §113.2224 of this title (relating to How do I conduct the initial and annual performance test?).

§113.2227. By what date must I conduct the initial performance test?

The initial performance test must be conducted no later than 180 days after the deadline for your final compliance date. Your final compliance date is specified in Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4).

§113.2228. How do I demonstrate continuous compliance with the emission limitations and the operating limits?

(a) You must conduct an annual performance test for particulate matter, hydrogen chloride, and opacity for each commercial and industrial solid waste incineration unit as required under 40 Code of Federal Regulations §60.8 to determine compliance with the emission limitations. The annual performance test must be conducted using the test methods listed in Table 2 in §113.2261 of this title (relating to Tables Relating to Division 4) and the procedures in §113.2224 of this title (relating to How do I conduct the initial and annual performance test?).

(b) You must continuously monitor the operating parameters specified in §113.2221 of this title (relating to What operating limits must I meet and by when?) or established under §113.2222 of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?). Operation above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. Three-hour rolling average values are used to determine compliance (except for baghouse leak detection system alarms) unless a different averaging period is established under §113.2222 of this title. Operating limits do not apply during performance tests.

(c) You must only burn the same types of waste used to establish operating limits during the performance test.

§113.2229. By what date must I conduct the annual performance test?

You must conduct annual performance tests for particulate matter, hydrogen chloride, and opacity within 12 months following the initial performance test. Conduct subsequent annual performance tests within 12 months following the previous one.

§113.2230. May I conduct performance testing less often?

(a) You can test less often for a given pollutant if you have test data for at least 3 years, and all performance tests for the pollutant (particulate matter, hydrogen chloride, or opacity) over 3 consecutive years show that you comply with the emission limitation. In this case, you do not have to conduct a

performance test for that pollutant for the next 2 years. You must conduct a performance test during the third year and no more than 36 months following the previous performance test.

(b) If your commercial and industrial solid waste incineration unit continues to meet the emission limitation for particulate matter, hydrogen chloride, or opacity, you may choose to conduct performance tests for these pollutants every third year, but each test must be within 36 months of the previous performance test.

(c) If a performance test shows a deviation from an emission limitation for particulate matter, hydrogen chloride, or opacity, you must conduct annual performance tests for that pollutant until all performance tests over a 3-year period show compliance.

§113.2231. May I conduct a repeat performance test to establish new operating limits?

(a) Yes. You may conduct a repeat performance test at any time to establish new values for the operating limits. The executive director may request a repeat performance test at any time.

(b) You must repeat the performance test if your feed stream is different than the feed streams used during any performance test used to demonstrate compliance.

§113.2232. What monitoring equipment must I install and what parameters must I monitor?

(a) If you are using a wet scrubber to comply with the emission limitation under §113.2220 of this

title (relating to What emission limitations must I meet and by when?), you must install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in Table 3 in §113.2261 of this title (relating to Tables Relating to Division 4). These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in Table 3 in §113.2261 of this title at all times except as specified in §113.2233(a) of this title (relating to Is there a minimum amount of monitoring data I must obtain?).

(b) If you use a fabric filter to comply with the requirements of this division, you must install, calibrate, maintain, and continuously operate a bag leak detection system as specified in paragraphs (1) through (8) of this subsection.

(1) You must install and operate a bag leak detection system for each exhaust stack of the fabric filter.

(2) Each bag leak detection system must be installed, operated, calibrated, and maintained in a manner consistent with the manufacturer's written specifications and recommendations.

(3) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 10 milligrams per actual cubic meter or less.

(4) The bag leak detection system sensor must provide output of relative or absolute particulate matter loadings.

(5) The bag leak detection system must be equipped with a device to continuously record the output signal from the sensor.

(6) The bag leak detection system must be equipped with an alarm system that will sound automatically when an increase in relative particulate matter emissions over a preset level is detected. The alarm must be located where it is easily heard by plant operating personnel.

(7) For positive pressure fabric filter systems, a bag leak detection system must be installed in each baghouse compartment or cell. For negative pressure or induced air fabric filters, the bag leak detector must be installed downstream of the fabric filter.

(8) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(c) If you are using something other than a wet scrubber to comply with the emission limitations under §113.2220 of this title, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in §113.2222 of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?).

§113.2233. Is there a minimum amount of monitoring data I must obtain?

(a) Except for monitoring malfunctions, associated repairs, and required quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments of the monitoring system), you must conduct all monitoring at all times the commercial and industrial solid waste incineration unit is operating.

(b) Do not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this division, including data averages and calculations. You must use all the data collected during all other periods in assessing compliance with the operating limits.

§113.2234. What records must I keep?

You must maintain the 13 items (as applicable) as specified in paragraphs (1) through (13) of this section for a period of at least 5 years:

(1) Calendar date of each record.

(2) Records of the data described in subparagraphs (A) through (F) of this paragraph:

(A) The commercial and industrial solid waste incineration (CISWI) unit charge dates, times, weights, and hourly charge rates.

(B) Liquor flow rate to the wet scrubber inlet every 15 minutes of operation, as

applicable.

(C) Pressure drop across the wet scrubber system every 15 minutes of operation or amperage to the wet scrubber every 15 minutes of operation, as applicable.

(D) Liquor pH as introduced to the wet scrubber every 15 minutes of operation, as applicable.

(E) For affected CISWI units that establish operating limits for controls other than wet scrubbers under §113.2222 of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?), you must maintain data collected for all operating parameters used to determine compliance with the operating limits.

(F) If a fabric filter is used to comply with the emission limitations, you must record the date, time, and duration of each alarm and the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective action taken. You must also record the percent of operating time during each 6-month period that the alarm sounds, calculated as specified in §113.2221(c) of this title (relating to What operating limits must I meet and by when?).

(3) Identification of calendar dates and times for which monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (except for downtime associated with zero and span and other routine calibration checks). Identify the operating parameters not measured, the duration, reasons for not obtaining the data, and a description of corrective

actions taken.

(4) Identification of calendar dates, times, and durations of malfunctions, and a description of the malfunction and the corrective action taken.

(5) Identification of calendar dates and times for which data show a deviation from the operating limits in Table 3 in §113.2261 of this title (relating to Tables Relating to Division 4) or a deviation from other operating limits established under §113.2222 of this title with a description of the deviations, reasons for such deviations, and a description of corrective actions taken.

(6) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations.

(7) Records showing the names of CISWI unit operators who have completed review of the information in §113.2218(a) of this title (relating to What site-specific documentation is required?) as required by §113.2218(b) of this title, including the date of the initial review and all subsequent annual reviews.

(8) Records showing the names of the CISWI operators who have completed the operator training requirements under §113.2213 of this title (relating to What are the operator training and qualification requirements?), met the criteria for qualification under §113.2215 of this title (relating to How do I obtain my operator qualification?), and maintained or renewed their qualification under

§113.2216 or §113.2217 of this title (relating to How do I maintain my operator qualification? or How do I renew my lapsed operator qualification?). Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(9) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

(10) Records of calibration of any monitoring devices as required under §113.2232 of this title (relating to What monitoring equipment must I install and what parameters must I monitor?).

(11) Equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment.

(12) The information listed in §113.2218(a) of this title.

(13) On a daily basis, keep a log of the quantity of waste burned and the types of waste burned (always required).

§113.2235. Where and in what format must I keep my records?

All records must be available onsite in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the executive director.

§113.2236. What reports must I submit?

See Table 5 in §113.2261 of this title (relating to Tables Relating to Division 4) for a summary of the reporting requirements.

§113.2237. When must I submit my waste management plan?

You must submit the waste management plan no later than the date specified in Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4) for submittal of the final control plan.

§113.2238. What information must I submit following my initial performance test?

You must submit the information specified in paragraphs (1) through (3) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager.

(1) The complete test report for the initial performance test results obtained under §113.2226 of this title (relating to How do I demonstrate initial compliance with the emission limitations and establish the operating limits?), as applicable.

(2) The values for the site-specific operating limits established in §113.2221 or §113.2222 of this title (relating to What operating limits must I meet and by when? or What if I do not use a web scrubber to comply with the emission limitations?).

(3) If you are using a fabric filter to comply with the emission limitations, documentation that a bag leak detection system has been installed and is being operated, calibrated, and maintained as required by §113.2232(b) of this title (relating to What monitoring equipment must I install and what parameters must I monitor?).

§113.2239. When must I submit my annual report?

You must submit an annual report no later than 12 months following the submittal of the information in §113.2238 of this title (relating to What information must I submit following my initial performance test?). You must submit subsequent reports no more than 12 months following the previous report. (If the unit is subject to permitting requirements under Title V of the Federal Clean Air Act, you may be required by the permit to submit these reports more frequently.)

§113.2240. What information must I include in my annual report?

The annual report required under §113.2239 of this title (relating to When must I submit my annual report?) must include the ten items listed in paragraphs (1) through (10) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§113.2241, 113.2242, and 113.2243 of this title (relating to What else must I report if I have a deviation from the operating limits or the emission limitations?, What must I include in the deviation report?, and What else must I report if I have a deviation from the requirement to have a qualified operator accessible?).

(1) Company name and address.

(2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) The values for the operating limits established pursuant to §113.2221 or §113.2222 of this title (relating to What operating limits must I meet and by when? or What if I do not use a wet scrubber to comply with the emission limitations?).

(5) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the operating limits was inoperative, inactive, malfunctioning, or out of control.

(6) The highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(7) Information recorded under §113.2234(2)(F) and (3) through (5) of this title (relating to What records must I keep?) for the calendar year being reported.

(8) If a performance test was conducted during the reporting period, the results of that test.

(9) If you met the requirements of §113.2230(a) or (b) of this title (relating to May I conduct performance testing less often?), and did not conduct a performance test during the reporting period, you must state that you met the requirements of §113.2230(a) or (b) of this title, and, therefore, you were not required to conduct a performance test during the reporting period.

(10) Documentation of periods when all qualified commercial and industrial solid waste incineration unit operators were unavailable for more than 8 hours, but less than 2 weeks.

§113.2241. What else must I report if I have a deviation from the operating limits or the emission limitations?

(a) You must submit a deviation report if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit established under this division, if the bag leak detection system alarm sounds for more than 5 percent of the operating time for the 6-month reporting period, or if a performance test was conducted that deviated from any emission limitation.

(b) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

§113.2242. What must I include in the deviation report?

In each report required under §113.2241 of this title (relating to What else must I report if I have a deviation from the operating limits or the emission limitations?), for any pollutant or parameter that deviated from the emission limitations or operating limits specified in this division, include the six items described in paragraphs (1) through (6) of this section.

(1) The calendar dates and times your unit deviated from the emission limitations or operating limit requirements.

(2) The averaged and recorded data for those dates.

(3) Duration and causes of each deviation from the emission limitations or operating limits and your corrective actions.

(4) A copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels.

(5) The dates, times, number, duration, and causes for monitoring downtime incidents (other than downtime associated with zero, span, and other routine calibration checks).

(6) Whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.

§113.2243. What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

(a) If all qualified operators are not accessible for 2 weeks or more, you must take the two actions in paragraphs (1) and (2) of this subsection.

(1) Submit a notification of the deviation within 10 days after the end of the 2-week period that includes the three items in subparagraphs (A) through (C) of this paragraph.

(A) A statement of what caused the deviation.

(B) A description of what you are doing to ensure that a qualified operator is accessible.

(C) The date when you anticipate that a qualified operator will be available.

(2) Submit a status report to the executive director every 4 weeks that includes the three items in subparagraphs (A) through (C) of this paragraph.

(A) A description of what you are doing to ensure that a qualified operator is accessible.

(B) The date when you anticipate that a qualified operator will be accessible.

(C) Request approval from the executive director to continue operation of the commercial and industrial solid waste incineration unit.

(b) If your unit was shut down by the executive director, under the provisions of §113.2219(2)(B) of this title (relating to What if all the qualified operators are temporarily not accessible?), due to a failure to provide an accessible qualified operator, you must notify the executive director that you are resuming operation once a qualified operator is accessible.

§113.2244. Are there any other notifications or reports that I must submit?

Yes. You must submit notifications as provided by 40 Code of Federal Regulations §60.7.

§113.2245. In what form can I submit my reports?

Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates.

§113.2246. Can reporting dates be changed?

If the executive director agrees, you may change the semiannual or annual reporting dates. See 40 Code of Federal Regulations §60.19(c) for procedures to seek approval to change your reporting date.

§113.2247. Am I required to apply for and obtain a Title V operating permit for my unit?

Yes. Each commercial and industrial solid waste incineration unit must operate pursuant to a permit issued under §129(e) and Title V of the Federal Clean Air Act by the later of the two dates in paragraphs (1) and (2) of this section.

(1) Thirty-six months after December 1, 2000.

(2) The effective date of the Title V permit program to which your unit is subject. If your unit is subject to Title V as a result of some triggering requirement(s) other than this division (for example, being a major source), then your unit may be required to apply for and obtain a Title V permit prior to the deadlines noted in this section. If more than one requirement triggers the requirement to apply for a Title V permit, the 12-month time frame for filing a Title V application is triggered by the requirement which first causes the source to be subject to Title V.

§113.2248. What is an air curtain incinerator?

(a) An air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

(b) Air curtain incinerators that burn only the materials listed in paragraphs (1) through (3) of this subsection are only required to meet the requirements under "Air Curtain Incinerators" (this section and §§113.2249 through 113.2260 of this title (relating to What are my requirements for meeting increments of progress and achieving final compliance?, When must I complete each increment of progress?, What must I include in the notifications of achievement of increments of progress?, When must I submit the notifications of achievement of increments of progress?, What if I do not meet an increment of progress?, How do I comply with the increment of progress for submittal of a control plan?, How do I comply with the increment of progress for achieving final compliance?, What must I do if I close my air curtain incinerator and then restart it?, What must I do if I plan to permanently close my air curtain incinerator and not restart it?, What are the emission limitations for air curtain incinerators?, How must I monitor opacity for air curtain incinerators?, and What are the recordkeeping and reporting requirements for air curtain incinerators?)). In addition, air curtain incinerators must meet the requirements of §113.2247 of this title (relating to Am I required to apply for and obtain a Title V operating permit for my unit?).

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

§113.2249. What are my requirements for meeting increments of progress and achieving final compliance?

If you plan to achieve compliance more than 1 year following the effective date of state plan approval, you must meet the two increments of progress specified in paragraphs (1) and (2) of this section.

(1) Submit a final control plan.

(2) Achieve final compliance.

§113.2250. When must I complete each increment of progress?

Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4) specifies compliance dates for each of the increments of progress.

§113.2251. What must I include in the notifications of achievement of increments of progress?

Your notification of achievement of increments of progress must include the three items described in paragraphs (1) through (3) of this section.

(1) Notification that the increment of progress has been achieved.

(2) Any items required to be submitted with each increment of progress (see §113.2254 of this title (relating to How do I comply with the increment of progress for submittal of a control plan?)).

(3) Signature of the owner or operator of the incinerator.

§113.2252. When must I submit the notifications of achievement of increments of progress?

Notifications for achieving increments of progress must be postmarked no later than 10 business days after the compliance date for the increment.

§113.2253. What if I do not meet an increment of progress?

If you fail to meet an increment of progress, you must submit a notification to the executive director postmarked within 10 business days after the date for that increment of progress in Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4). You must inform the executive director that you did not meet the increment, and you must continue to submit reports each subsequent calendar month until the increment of progress is met.

§113.2254. How do I comply with the increment of progress for submittal of a control plan?

For your control plan increment of progress, you must satisfy the two requirements specified in paragraphs (1) and (2) of this section.

(1) Submit the final control plan, including a description of any devices for air pollution control and any process changes that you will use to comply with the emission limitations and other

requirements of this division.

(2) Maintain an onsite copy of the final control plan.

§113.2255. How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must complete all process changes and retrofit construction of control devices, as specified in the final control plan, so that, if the affected incinerator is brought online, all necessary process changes and air pollution control devices would operate as designed.

§113.2256. What must I do if I close my air curtain incinerator and then restart it?

(a) If you close your incinerator but will reopen it prior to the final compliance date in your state plan, you must meet the increments of progress specified in §113.2249 of this title (relating to What are my requirements for meeting increments of progress and achieving final compliance?).

(b) If you close your incinerator but will restart it after your final compliance date, you must complete emission control retrofits and meet the emission limitations on the date your incinerator restarts operation.

§113.2257. What must I do if I plan to permanently close my air curtain incinerator and not restart it?

If you plan to close your incinerator rather than comply with the state plan, submit a closure notification, including the date of closure, to the executive director by the date your final control plan is due.

§113.2258. What are the emission limitations for air curtain incinerators?

(a) After the date the initial stack test is required or completed (whichever is earlier), you must meet the limitations in paragraphs (1) and (2) of this subsection.

(1) The opacity limitation is 10 percent (6-minute average), except as described in paragraph (2) of this subsection.

(2) The opacity limitation is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) Except during malfunctions, the requirements of this division apply at all times, and each malfunction must not exceed 3 hours.

§113.2259. How must I monitor opacity for air curtain incinerators?

(a) Use Method 9 of 40 Code of Federal Regulations (CFR) Part 60, Appendix A to determine compliance with the opacity limitation.

(b) Conduct an initial test for opacity as specified in 40 CFR §60.8 no later than 180 days after your final compliance date.

(c) After the initial test for opacity, conduct annual tests no more than 12 calendar months following the date of your previous test.

§113.2260. What are the recordkeeping and reporting requirements for air curtain incinerators?

(a) Keep records of results of all initial and annual opacity tests onsite in either paper copy or electronic format, unless the executive director approves another format, for at least 5 years.

(b) Make all records available for submittal to the executive director or for an inspector's onsite review.

(c) Submit an initial report no later than 60 days following the initial opacity test that includes the information specified in paragraphs (1) and (2) of this subsection.

(1) The types of materials you plan to combust in your air curtain incinerator.

(2) The results (each 6-minute average) of the initial opacity tests.

(d) Submit annual opacity test results within 12 months following the previous report.

(e) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date and keep a copy onsite for a period of 5 years.

§113.2261. Tables Relating to Division 4.

(a) Table 1 specifies the increments of progress and compliance schedules for Division 4 of this subchapter.

Figure: 30 TAC §113.2261(a)

Table 1. Increments of Progress and Compliance Schedules

Increments of Progress	Compliance Dates
Increment 1: Submit Final Control Plan	No later than 12 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval
Increment 2: Final Compliance	No later than 36 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval

(b) Table 2 of this subsection specifies the emission limitations for Division 4 of this subchapter.

Figure: 30 TAC §113.2261(b)

Table 2. Emission Limitations

Pollutant	Emission Limitation[a]	Averaging Time	Method to Determine Compliance
Cadmium	0.004 milligrams per dry standard cubic meter	3-run average (1 hour minimum sample time per run)	Performance test (Method 29 of 40 CFR Part 60, Appendix A)
Carbon	157 parts per million by	3-run average (1 hour	Performance test (Method

monoxide	dry volume	minimum sample time per run)	10, 10A, or 10B, of 40 CFR Part 60, Appendix A)
Dioxins/furans (toxic equivalency basis)	0.41 nanograms per dry standard cubic meter	3-run average (1 hour minimum sample time per run)	Performance test (Method 23 of 40 CFR Part 60, Appendix A)
Hydrogen chloride	62 parts per million by dry volume	3-run average (1 hour minimum sample time per run)	Performance test (Method 26A of 40 CFR Part 60, Appendix A)
Lead	0.04 milligrams per dry standard cubic meter	3-run average (1 hour minimum sample time per run)	Performance test (Method 29 of 40 CFR Part 60, Appendix A)
Mercury	0.47 milligrams per dry standard cubic meter	3-run average (1 hour minimum sample time per run)	Performance test (Method 29 of 40 CFR Part 60, Appendix A)
Opacity	10 percent	6-minute averages	Performance test (Method 9 of 40 CFR Part 60, Appendix A)
Oxides of nitrogen	388 parts per million by dry volume	3-run average (1 hour minimum sample time per run)	Performance test (Methods 7, 7A, 7C, 7D, or 7E of 40 CFR Part 60, Appendix A)
Particulate matter	70 milligrams per dry standard cubic meter	3-run average (1 hour minimum sample time per run)	Performance test (Method 5 or 29 of 40 CFR Part 60, Appendix A)
Sulfur dioxide	20 parts per million by dry volume	3-run average (1 hour minimum sample time per run)	Performance test (Method 6 or 6C of 40 CFR Part 60, Appendix A)

[a]All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions.

(c) Table 3 of this subsection specifies operating limits for wet scrubbers for Division 4 of this subchapter.

Figure: 30 TAC §113.2261(c)

Table 3. Operating Limits for Wet Scrubbers

For these operating parameters	You must establish these operating limits	And monitor using these minimum frequencies		
		Data Measurement	Data Recording	Averaging Time
Charge rate	Maximum charge rate	Continuous	Every hour	Daily (batch units). 3-hour rolling (continuous and intermittent units)[a]
Pressure drop across the wet scrubber or amperage to wet scrubber	Minimum pressure drop or amperage	Continuous	Every 15 minutes	3-hour rolling[a]
Scrubber liquor flow rate	Minimum flow rate	Continuous	Every 15 minutes	3-hour rolling[a]
Scrubber liquor pH	Minimum pH	Continuous	Every 15 minutes	3-hour rolling[a]

[a]Calculated each hour as the average of the previous 3 operating hours.

(d) Table 4 of this subsection specifies the toxic equivalency factors for Division 4 of this subchapter.

Figure: 30 TAC §113.2261(d)

Table 4. Toxic Equivalency Factors

Dioxin/Furan Congener	Toxic Equivalency Factor
2,3,7,8-tetrachlorinated dibenzo-p-dioxin	1
1,2,3,7,8-pentachlorinated dibenzo-p-dioxin	0.5
1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,6,7,8-hexachlorinated dibenzo-p-dioxin	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin	0.01
octachlorinated dibenzo-p-dioxin	0.001
2,3,7,8-tetrachlorinated dibenzofuran	0.1
2,3,4,7,8-pentachlorinated dibenzofuran	0.5
1,2,3,7,8-pentachlorinated dibenzofuran	0.05
1,2,3,4,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,7,8,9-hexachlorinated dibenzofuran	0.1

2,3,4,6,7,8-hexachlorinated dibenzofuran	0.1
1,2,3,4,6,7,8-heptachlorinated dibenzofuran	0.01
1,2,3,4,7,8,9-heptachlorinated dibenzofuran	0.01
octachlorinated dibenzofuran	0.001

(e) Table 5 of this subsection is a summary of reporting requirements for Division 4 of this subchapter.

Figure: 30 TAC §113.2261(e)

Table 5. Summary of Reporting Requirements [a]

Report	Due Date	Contents	Reference
Waste Management Plan	No later than the date specified in Table 1 for submittal of the final control plan	• Waste management plan	§113.2237 of this title (relating to When must I submit my waste management plan?)
Initial Test Report	No later than 60 days following the initial performance test	• Complete test report for the initial performance test • The values for the site-specific operating limits • Installation of bag leak detection systems for fabric filters	§113.2238 of this title (relating to What information must I submit following my initial performance test?)
Annual Report	No later than 12 months following the submittal of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report	• Name and address • Statement and signature by responsible official • Date of report • Values for the operating limits • If no deviations or malfunctions were reported, a statement that no deviations occurred during the reporting period • Highest recorded 3-hour average and the lowest 3-hour average, as	§113.2239 and §113.2240 of this title (relating to When must I submit my annual report?

		applicable, for each operating parameter recorded for the calendar year being reported • Information for deviations or malfunctions recorded under §113.2234(2)(F) and (3) through (5) • If a performance test was conducted during the reporting period, the results of the test • If a performance test was not conducted during the reporting period, a statement that the requirements of 40 CFR §60.2155(a) or (b) were met • Documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours but less than 2 weeks	and What information must I include in my annual report?)
Emission Limitation or Operating Limit Deviation Report	By August 1 of that year for data collected during the first half of the calendar year. By February 1 of the following year for data collected during the second half of the calendar year	• Dates and times of deviations • Averaged and recorded data for these dates • Duration and causes for each deviation and the corrective actions taken • Copy of operating limit monitoring data and any test reports • Dates, times, and causes for monitor downtime incidents • Whether each deviation occurred during a period of startup, shutdown, or malfunction	§113.2241 and §113.2242 of this title (relating to What else must I report if I have a deviation from the operating limits or the emission limitations? and What must I include in the deviation report?)
Qualified Operator Deviation Notification	Within 10 days of deviation	• Statement of cause of deviation • Description of efforts to have an accessible qualified operator • The date a qualified operator will be accessible	§113.2243(a)(1) of this title (relating to What else must I report if I have a

			deviation from the requirement to have a qualified operator accessible?)
Qualified Operator Deviation Status Report	Every 4 weeks following deviation	• Description of efforts to have an accessible qualified operator • The date a qualified operator will be accessible • Request for approval to continue operation	§113.2243(a)(2) of this title
Qualified Operator Deviation Notification of Resumed Operation	Prior to resuming operation	• Notification that you are resuming operation	§113.2243(b) of this title

[a]This table is only a summary, see the referenced sections of the rule for the complete requirements.

SUBCHAPTER D: DESIGNATED FACILITIES AND POLLUTANTS

DIVISION 5: EMISSION GUIDELINES AND COMPLIANCE TIMES FOR OTHER SOLID WASTE INCINERATION UNITS THAT COMMENCED CONSTRUCTION ON OR BEFORE DECEMBER 9, 2004

§§113.2300 - 113.2357

STATUTORY AUTHORITY

The new sections are adopted under Texas Water Code, §5.103, concerning Rules, and §5.105, concerning General Policy, which authorize the commission to adopt rules necessary to carry out its powers and duties under the Texas Water Code; and under Texas Health and Safety Code, §382.017, concerning Rules, which authorizes the commission to adopt rules consistent with the policy and purpose of the Texas Clean Air Act. The new sections are also adopted under Texas Health and Safety Code, §382.002, concerning Policy and Purpose, which establishes the commission's purpose to safeguard the state's air resources, consistent with the protection of public health, general welfare, and physical property; §382.011, concerning General Powers and Duties, which authorizes the commission to control the quality of the state's air; §382.012, concerning State Air Control Plan, which authorizes the commission to prepare and develop a general, comprehensive plan for the proper control of the state's air; §382.016, concerning Monitoring Requirements; Examination of Records, which authorizes the commission to prescribe reasonable requirements for measuring and monitoring the emissions of air contaminants; and §382.051, concerning Permitting Authority of Commission; Rules, which authorizes the commission to adopt rules as necessary to comply with changes in federal law or regulations applicable to permits issued under the Texas Clean Air Act. The new sections are also adopted under the Texas Water Code, §7.002, Enforcement Authority, which authorizes the commission to institute legal

proceedings to compel compliance; §7.032, Injunctive Relief, which provides that injunctive relief may be sought by the executive director; and §7.302, Grounds for Revocation or Suspension of Permit, which provides authority to the commission to revoke or suspend any air quality permit.

The adopted new sections implement Texas Health and Safety Code, §§382.002, 382.011, 382.012, 382.016, 382.017, and 382.051.

§113.2300. Definitions.

Terms used but not defined in this division are defined in the Federal Clean Air Act and 40 Code of Federal Regulations Part 60, Subpart A (General Provisions).

(1) Administrator--As follows:

(A) For approved and effective state §111(d)/129 plans, the director of the state air pollution control agency, or his or her delegatee;

(B) For federal §111(d)/129 plans, the administrator of the United States Environmental Protection Agency (EPA), an employee of the EPA, the director of the state air pollution control agency, or employee of the state air pollution control agency to whom the authority has been delegated by the administrator of the EPA to perform the specified task; and

(C) For New Source Performance Standards in 40 Code of Federal Regulations

Part 60, the administrator of the EPA, an employee of the EPA, the director of the state air pollution control agency, or employee of the state air pollution control agency to whom the authority has been delegated by the administrator of the EPA to perform the specified task.

(2) Air curtain incinerator--An incineration unit operating by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs. For the purpose of this division, air curtain incinerators include both firebox and trench burner units.

(3) Auxiliary fuel--Natural gas, liquified petroleum gas, fuel oil, or diesel fuel.

(4) Batch other solid waste incineration (OSWI) unit--An OSWI unit that is designed such that neither waste charging nor ash removal can occur during combustion.

(5) Calendar quarter--Three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

(6) Calendar year--365 consecutive days starting on January 1 and ending on December 31.

(7) Chemotherapeutic waste--Waste material resulting from the production or use of anti-neoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

(8) Class II municipal solid waste landfill--A landfill that meets four criteria:

(A) Accepts, for incineration or disposal, less than 20 tons per day of municipal solid waste or other solid wastes based on an annual average;

(B) Is located on a site where there is no evidence of groundwater pollution caused or contributed to by the landfill;

(C) Is not connected by road to a Class I municipal solid waste landfill, as defined by Alaska regulatory code 18 AAC 60.300(c) or, if connected by road, is located more than 50 miles from a Class I municipal solid waste landfill; and

(D) Serves a community that meets one of two criteria:

(i) Experiences for at least 3 months each year, an interruption in access to surface transportation, preventing access to a Class I municipal solid waste landfill; or

(ii) Has no practicable waste management alternative, with a landfill located in an area that annually receives 25 inches or less of precipitation.

(9) Class III municipal solid waste landfill--A landfill that is not connected by road to a Class I municipal solid waste landfill, as defined by Alaska regulatory code 18 AAC 60.300(c) or, if connected by road, is located more than 50 miles from a Class I municipal solid waste landfill, and that

accepts, for disposal, either of the following two criteria:

(A) Ash from incinerated municipal waste in quantities less than one ton per day on an annual average, which ash must be free of food scraps that might attract animals; or

(B) Less than five tons per day of municipal solid waste, based on an annual average, and is not located in a place that meets either of the following criteria:

(i) Where public access is restricted, including restrictions on the right to move to the place and reside there; or

(ii) That is provided by an employer and that is populated totally by persons who are required to reside there as a condition of employment and who do not consider the place to be their permanent residence.

(10) Clean lumber--Wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

(11) Collected from--The transfer of material from the site at which the material is generated to a separate site where the material is burned.

(12) Contained gaseous material--Gases that are in a container when that container is combusted.

(13) Continuous emission monitoring system or CEMS--A monitoring system for continuously measuring and recording the emissions of a pollutant from an other solid waste incineration unit.

(14) Continuous other solid waste incineration (OSWI) unit--An OSWI unit that is designed to allow waste charging and ash removal during combustion.

(15) Deviation--Any instance in which a unit that meets the requirements in 40 Code of Federal Regulations (CFR) §60.2991, or an owner or operator of such a source:

(A) Fails to meet any requirement or obligation established by this division, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements;

(B) Fails to meet any term or condition that is adopted to implement an applicable requirement in this division and that is included in the operating permit for any unit that meets requirements in 40 CFR §60.2991 and is required to obtain such a permit; or

(C) Fails to meet any emission limitation, operating limit, or operator

qualification and accessibility requirement in this division during startup, shutdown, or malfunction, regardless of whether or not such failure is allowed by this division.

(16) Dioxins/furans--Tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

(17) Energy recovery--The process of recovering thermal energy from combustion for useful purposes such as steam generation or process heating.

(18) United States Environmental Protection Agency or EPA--The administrator of the EPA or employee of the EPA that is delegated the authority to perform the specified task.

(19) Institutional facility--A land-based facility owned and/or operated by an organization having a governmental, educational, civic, or religious purpose such as a school, hospital, prison, military installation, church, or other similar establishment or facility.

(20) Institutional waste--Solid waste (as defined in this division) that is combusted at any institutional facility using controlled flame combustion in an enclosed, distinct operating unit: whose design does not provide for energy recovery (as defined in this division); operated without energy recovery (as defined in this division); or operated with only waste heat recovery (as defined in this division). Institutional waste also means solid waste (as defined in this division) combusted on site in an air curtain incinerator that is a distinct operating unit of any institutional facility.

(21) Institutional waste incineration unit--Any combustion unit that combusts

institutional waste (as defined in this division) and is a distinct operating unit of the institutional facility that generated the waste. Institutional waste incineration units include field-erected, modular, cyclonic burn barrel, and custom built incineration units operating with starved or excess air, and any air curtain incinerator that is a distinct operating unit of the institutional facility that generated the institutional waste (except those air curtain incinerators listed in 40 Code of Federal Regulations §60.2994(b)).

(22) Intermittent other solid waste incineration (OSWI) unit--An OSWI unit that is designed to allow waste charging, but not ash removal, during combustion.

(23) Low-level radioactive waste--Waste material that contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable federal or state standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or byproduct material as defined by the Atomic Energy Act of 1954 (42 United States Code 2014(e)(2)).

(24) Malfunction--Any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

(25) Metropolitan Statistical Area--Any areas listed as metropolitan statistical areas in Office of Management and Budget Bulletin No. 05 - 02 entitled "Update of Statistical Area Definitions and Guidance on Their Uses" dated February 22, 2005 (available on the Web at *http://www.whitehouse.gov/omb/bulletins/*).

(26) Modification or modified unit--An incineration unit you have changed on or after June 16, 2006, and that meets one of two criteria:

(A) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the unit (not including the cost of land) updated to current costs (current dollars). For an other solid waste incineration (OSWI) unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

(B) Any physical change in the OSWI unit or change in the method of operating it that increases the amount of any air pollutant emitted for which the Federal Clean Air Act, §129 or §111 has established standards.

(27) Municipal solid waste--Refuse (and refuse-derived fuel) collected from the general public and from residential, commercial, institutional, and industrial sources consisting of paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustible materials and non-combustible materials such as metal, glass, and rock, provided that:

(A) The term does not include industrial process wastes or medical wastes that are segregated from such other wastes; and

(B) an incineration unit shall not be considered to be combusting municipal solid waste for purposes of this division if it combusts a fuel feed stream, 30 percent or less of the weight of

which is comprised, in aggregate, of municipal solid waste, as determined by 40 Code of Federal Regulations §60.2993(b).

(28) Municipal waste combustion unit--For the purpose of this division, any setting or equipment that combusts municipal solid waste (as defined in this division) including, but not limited to, field-erected, modular, cyclonic burn barrel, and custom built incineration units (with or without energy recovery) operating with starved or excess air, boilers, furnaces, pyrolysis/combustion units, and air curtain incinerators (except those air curtain incinerators listed in 40 Code of Federal Regulations §60.2994(b)).

(29) Other solid waste incineration (OSWI) unit--Either a very small municipal waste combustion unit or an institutional waste incineration unit, as defined in this division. Unit types listed in 40 Code of Federal Regulations §60.2993 as being excluded from the division are not OSWI units subject to this division. While not all OSWI units will include all of the following components, an OSWI unit includes, but is not limited to, the municipal or institutional solid waste feed system, grate system, flue gas system, waste heat recovery equipment, if any, and bottom ash system. The OSWI unit does not include air pollution control equipment or the stack. The OSWI unit boundary starts at the municipal or institutional waste hopper (if applicable) and extends through two areas:

(A) The combustion unit flue gas system, which ends immediately after the last combustion chamber or after the waste heat recovery equipment, if any; and

(B) The combustion unit bottom ash system, which ends at the truck loading

station or similar equipment that transfers the ash to final disposal. The OSWI unit includes all ash handling systems connected to the bottom ash handling system.

(30) Particulate matter--Total particulate matter emitted from other solid waste incineration units as measured by Method 5 or Method 29 of 40 Code of Federal Regulations Part 60, Appendix A.

(31) Pathological waste--Waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

(32) Reconstruction--Rebuilding an incineration unit and meeting two criteria:

(A) The reconstruction begins on or after June 16, 2006.

(B) The cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the unit (not including land) updated to current costs (current dollars). For an other solid waste incineration (OSWI) unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

(33) Refuse-derived fuel--A type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(A) Low-density fluff refuse-derived fuel through densified refuse-derived fuel; and

(B) Pelletized refuse-derived fuel.

(34) Shutdown--The period of time after all waste has been combusted in the primary chamber. For continuous other solid waste incineration (OSWI), shutdown shall commence no less than 2 hours after the last charge to the incinerator. For intermittent OSWI, shutdown shall commence no less than 4 hours after the last charge to the incinerator. For batch OSWI, shutdown shall commence no less than 5 hours after the high-air phase of combustion has been completed.

(35) Solid waste--Any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permits under the Federal Water Pollution Control Act, §402 as amended (33 United States Code (USC), §1342), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (42 USC, §2014).

(36) Standard conditions--When referring to units of measure, a temperature of 68 degrees Fahrenheit (20 degrees Celsius) and a pressure of 1 atmosphere (101.3 kilopascals).

(37) Startup period--The period of time between the activation of the system and the first charge to the other solid waste incineration (OSWI) unit. For batch OSWI, startup means the period of time between activation of the system and ignition of the waste.

(38) Very small municipal waste combustion unit--Any municipal waste combustion unit that has the capacity to combust less than 35 tons per day of municipal solid waste or refuse-derived fuel, as determined by the calculations in §113.2356 of this title (relating to What equations must I use?).

(39) Waste heat recovery--The process of recovering heat from the combustion flue gases outside of the combustion firebox by convective heat transfer only.

(40) Wet scrubber--An add-on air pollution control device that utilizes an aqueous or alkaline scrubbing liquor to collect particulate matter (including nonvaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

(41) Wood waste--Untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

(A) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

(B) Construction, renovation, or demolition wastes.

(C) Clean lumber.

(D) Treated wood and treated wood products, including wood products that have been painted, pigment-stained, or pressure treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

(42) Yard waste--Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. Yard waste comes from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(A) Construction, renovation, and demolition wastes.

(B) Clean lumber.

§113.2301. When must I comply?

Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5) specifies the final compliance date. You must submit a notification to the executive director stating whether final compliance has been achieved, postmarked within 10 business days after the final compliance date in Table 1 in §113.2357 of this title.

§113.2302. What must I do if I close my other solid waste incineration unit and then restart it?

(a) If you close your other solid waste incineration (OSWI) unit but will reopen it prior to the final compliance date in your state plan, you must meet the final compliance date specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

(b) If you close your OSWI unit but will restart it after your final compliance date, you must complete emission control retrofit and meet the emission limitations on the date your OSWI unit restarts operation. You must conduct your initial performance test within 30 days of restarting your OSWI unit.

§113.2303. What must I do if I plan to permanently close my other solid waste incineration unit and not restart it?

You must close the unit before the final compliance date specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

§113.2304. What is a waste management plan?

A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste.

§113.2305. When must I submit my waste management plan?

You must submit a waste management plan no later than 60 days following the initial performance test as specified in Table 5 in §113.2357 of this title (relating to Tables Relating to Division 5). Section 113.2321 of this title (relating to By what date must I conduct the initial performance test?) specifies the date by which you are required to conduct your performance test.

§113.2306. What should I include in my waste management plan?

A waste management plan must include consideration of the reduction or separation of waste-stream elements such as paper, cardboard, plastics, glass, batteries, or metals; or the use of recyclable materials. The plan must identify any additional waste management measures and implement those measures the source considers practical and feasible, considering the effectiveness of waste management measures already in place, the costs of additional measures, the emissions reductions expected to be achieved, and any other environmental or energy impacts they might have.

§113.2307. What are the operator training and qualification requirements?

(a) No other solid waste incineration (OSWI) unit can be operated unless a fully trained and qualified OSWI unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified OSWI unit operator may operate the OSWI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified OSWI unit operators are temporarily not accessible, you must follow the procedures in §113.2313 of this title (relating to What if

all the qualified operators are temporarily not accessible?).

(b) Operator training and qualification must be obtained through a state-approved program or by completing the requirements included in subsection (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (1) through (3) of this subsection.

(1) Training on the 13 subjects listed in subparagraphs (A) through (M) of this paragraph.

(A) Environmental concerns, including types of emissions.

(B) Basic combustion principles, including products of combustion.

(C) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures.

(D) Combustion controls and monitoring.

(E) Operation of air pollution control equipment and factors affecting performance (if applicable).

(F) Inspection and maintenance of the incinerator and air pollution control

devices.

(G) Methods to monitor pollutants (including monitoring of incinerator and control device operating parameters) and monitoring equipment calibration procedures, where applicable.

(H) Actions to correct malfunctions or conditions that may lead to malfunction.

(I) Bottom and fly ash characteristics and handling procedures.

(J) Applicable federal, state, and local regulations, including Occupational Safety and Health Administration workplace standards.

(K) Pollution prevention.

(L) Waste management practices.

(M) Recordkeeping requirements.

(2) An examination designed and administered by the instructor.

(3) Written material covering the training course topics that may serve as reference material following completion of the course.

§113.2308. When must the operator training course be completed?

The operator training course must be completed by the latest of the three dates specified in paragraphs (1) through (3) of this section.

(1) The final compliance date specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

(2) Six months after your other solid waste incineration (OSWI) unit startup.

(3) Six months after an employee assumes responsibility for operating the OSWI unit or assumes responsibility for supervising the operation of the OSWI unit.

§113.2309. How do I obtain my operator qualification?

(a) You must obtain operator qualification by completing a training course that satisfies the criteria under §113.2307(c) of this title (relating to What are the operator training and qualification requirements?).

(b) Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under §113.2307(c)(2) of this title.

§113.2310. How do I maintain my operator qualification?

To maintain qualification, you must complete an annual review or refresher course covering, at a minimum, the five topics described in paragraphs (1) through (5) of this section.

(1) Update of regulations.

(2) Incinerator operation, including startup and shutdown procedures, waste charging, and ash handling.

(3) Inspection and maintenance.

(4) Responses to malfunctions or conditions that may lead to malfunction.

(5) Discussion of operating problems encountered by attendees.

§113.2311. How do I renew my lapsed operator qualification?

You must renew a lapsed operator qualification by one of the two methods specified in paragraphs (1) and (2) of this section.

(1) For a lapse of less than 3 years, you must complete a standard annual refresher course described in §113.2310 of this title (relating to How do I maintain my operator qualification?).

(2) For a lapse of 3 years or more, you must repeat the initial qualification requirements in §113.2309(a) of this title (relating to How do I obtain my operator qualification?).

§113.2312. What site-specific documentation is required?

(a) Documentation must be available at the facility and readily accessible for all other solid waste incineration (OSWI) unit operators that addresses the nine topics described in paragraphs (1) through (9) of this subsection. You must maintain this information and the training records required by subsection (c) of this section in a manner that they can be readily accessed and are suitable for inspection upon request.

(1) Summary of the applicable standards under this division.

(2) Procedures for receiving, handling, and charging waste.

(3) Incinerator startup, shutdown, and malfunction procedures.

(4) Procedures for maintaining proper combustion air supply levels.

(5) Procedures for operating the incinerator and associated air pollution control systems within the standards established under this division.

(6) Monitoring procedures for demonstrating compliance with the operating limits

established under this division.

(7) Reporting and recordkeeping procedures.

(8) The waste management plan required under §§113.2304 through 113.2306 of this title (relating to What is a waste management plan? When must I submit my waste management plan? and What should I include in my waste management plan?).

(9) Procedures for handling ash.

(b) You must establish a program for reviewing the information listed in subsection (a) of this section with each incinerator operator.

(1) The initial review of the information listed in subsection (a) of this section must be conducted by the latest of three dates specified in subparagraphs (A) through (C) of this paragraph.

(A) The final compliance date specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

(B) Six months after your OSWI unit startup.

(C) Six months after an employee assumes responsibility for operating the OSWI unit or assumes responsibility for supervising the operation of the OSWI unit.

(2) Subsequent annual reviews of the information listed in subsection (a) of this section must be conducted not later than 12 months following the previous review.

(c) You must also maintain the information specified in paragraphs (1) through (3) of this subsection.

(1) Records showing the names of OSWI unit operators who have completed review of the information in subsection (a) of this section as required by subsection (b) of this section, including the date of the initial review and all subsequent annual reviews.

(2) Records showing the names of the OSWI unit operators who have completed the operator training requirements under §113.2307 of this title (relating to What are the operator training and qualification requirements?), met the criteria for qualification under §113.2309 of this title (relating to How do I obtain my operator qualification?), and maintained or renewed their qualification under §113.2310 or §113.2311 of this title (relating to How do I maintain my operator qualification? or How do I renew my lapsed operator qualification?). Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(3) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

§113.2313. What if all the qualified operators are temporarily not accessible?

If all qualified operators are temporarily not accessible (i.e., not at the facility and not able to be at the facility within 1 hour), you must meet one of the three criteria specified in paragraphs (1) through (3) of this section, depending on the length of time that a qualified operator is not accessible.

(1) When all qualified operators are not accessible for 12 hours or less, the other solid waste incineration (OSWI) unit may be operated by other plant personnel familiar with the operation of the OSWI unit who have completed review of the information specified in §113.2312(a) of this title (relating to What site-specific documentation is required?) within the past 12 months. You do not need to notify the executive director or include this as a deviation in your annual report.

(2) When all qualified operators are not accessible for more than 12 hours, but less than 2 weeks, the OSWI unit may be operated by other plant personnel familiar with the operation of the OSWI unit who have completed a review of the information specified in §113.2312(a) of this title within the past 12 months. However, you must record the period when all qualified operators were not accessible and include this deviation in the annual report as specified under §113.2338 of this title (relating to What information must I include in my annual report?).

(3) When all qualified operators are not accessible for 2 weeks or more, you must take the two actions that are described in subparagraphs (A) and (B) of this paragraph.

(A) Notify the executive director of this deviation in writing within 10 days after

the end of the 2-week period. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible.

(B) Submit a status report to the executive director every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible, and requesting approval from the executive director to continue operation of the OSWI unit. You must submit the first status report 4 weeks after you notify the executive director of the deviation under subparagraph (A) of this paragraph. If the executive director notifies you that your request to continue operation of the OSWI unit is disapproved, the OSWI unit may continue operation for 90 days, then must cease operation. Operation of the unit may resume if you meet the two requirements in clauses (i) and (ii) of this subparagraph.

(i) A qualified operator is accessible as required under §113.2307(a) of this title (relating to What are the operator training and qualification requirements?)

(ii) You notify the executive director that a qualified operator is accessible and that you are resuming operation.

§113.2314. What emission limitations must I meet and by when?

You must meet the emission limitations specified in Table 2 in §113.2357 of this title (relating to Tables Relating to Division 5) on the date the initial performance test is required or completed (whichever is earlier). Section 113.2321 of this title (relating to By what date must I conduct the initial performance

test?) specifies the date by which you are required to conduct your performance test.

§113.2315. What operating limits must I meet and by when?

(a) If you use a wet scrubber to comply with the emission limitations, you must establish operating limits for four operating parameters (as specified in Table 3 in §113.2357 of this title (relating to Tables Relating to Division 5)) as described in paragraphs (1) through (4) of this subsection during the initial performance test.

(1) Maximum charge rate, calculated using one of the two different procedures in subparagraph (A) or (B) of this paragraph, as appropriate.

(A) For continuous and intermittent units, maximum charge rate is the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(B) For batch units, maximum charge rate is the charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(2) Minimum pressure drop across the wet scrubber, which is calculated as the average pressure drop across the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations; or minimum amperage to the wet scrubber, which is calculated as the average amperage to the wet scrubber measured during the most recent

performance test demonstrating compliance with the particulate matter emission limitations.

(3) Minimum scrubber liquor flow rate, which is calculated as the average liquor flow rate at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(4) Minimum scrubber liquor pH, which is calculated as the average liquor pH at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with the hydrogen chloride and sulfur dioxide emission limitations.

(b) You must meet the operating limits established during the initial performance test beginning on the date 180 days after your final compliance date in Table 1 in §113.2357 of this title.

§113.2316. What if I do not use a wet scrubber to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber or limit emissions in some other manner to comply with the emission limitations under §113.2314 of this title (relating to What emission limitations must I meet and by when?), you must petition the United States Environmental Protection Agency (EPA) for specific operating limits, the values of which are to be established during the initial performance test and then continuously monitored thereafter. You must not conduct the initial performance test until after the petition has been approved by the EPA. Your petition must include the five items listed in paragraphs (1) through (5) of this section.

(1) Identification of the specific parameters you propose to use as operating limits.

(2) A discussion of the relationship between these parameters and emissions of regulated pollutants, identifying how emissions of regulated pollutants change with changes in these parameters, and how limits on these parameters will serve to limit emissions of regulated pollutants.

(3) A discussion of how you will establish the upper and/or lower values for these parameters that will establish the operating limits on these parameters.

(4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments.

(5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

§113.2317. What happens during periods of startup, shutdown, and malfunction?

The emission limitations and operating limits apply at all times except during other solid waste incineration unit startups, shutdowns, or malfunctions, which must ~~should~~ last no longer than 3 hours.

§113.2318. How do I conduct the initial and annual performance test?

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

(b) All performance tests must be conducted using the methods in Table 2 in §113.2357 of this title (relating to Tables Relating to Division 5).

(c) All performance tests must be conducted using the minimum run duration specified in Table 2 in §113.2357 of this title.

(d) Method 1 of 40 Code of Federal Regulations (CFR) Part 60, Appendix A must be used to select the sampling location and number of traverse points.

(e) Method 3A or 3B of 40 CFR Part 60, Appendix A must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B of 40 CFR Part 60, Appendix A must be used simultaneously with each method.

(f) All pollutant concentrations, except for opacity, must be adjusted to 7 percent oxygen using equation 1 in §113.2356 of this title (relating to What equations must I use?).

(g) Method 26A of 40 CFR Part 60, Appendix A must be used for hydrogen chloride concentration analysis, with the additional requirements specified in paragraphs (1) through (3) of this subsection.

(1) The probe and filter must be conditioned prior to sampling using the procedure described in subparagraphs (A) through (C) of this paragraph.

(A) Assemble the sampling train(s) and conduct a conditioning run by collecting between 14 liters per minute (0.5 cubic feet per minute) and 30 liters per minute (1.0 cubic feet per minute) of gas over a 1-hour period. Follow the sampling procedures outlined in section 8.1.5 of Method 26A of 40 CFR Part 60, Appendix A. For the conditioning run, water can be used as the impinger solution.

(B) Remove the impingers from the sampling train and replace with a fresh impinger train for the sampling run, leaving the probe and filter (and cyclone, if used) in position. Do not recover the filter or rinse the probe before the first run. Thoroughly rinse the impingers used in the preconditioning run with deionized water and discard these rinses.

(C) The probe and filter assembly are conditioned by the stack gas and are not recovered or cleaned until the end of testing.

(2) For the duration of sampling, a temperature around the probe and filter (and cyclone, if used) between 120 degrees Celsius (248 degrees Fahrenheit) and 134 degrees Celsius (273 degrees Fahrenheit) must be maintained.

(3) If water droplets are present in the sample gas stream, the requirements specified in subparagraphs (A) and (B) of this paragraph must be met.

(A) The cyclone described in section 6.1.4 of Method 26A of 40 CFR Part 60, Appendix A must be used.

(B) The post-test moisture removal procedure described in section 8.1.6 of Method 26A of 40 CFR Part 60, Appendix A must be used.

§113.2319. How are the performance test data used?

You use results of performance tests to demonstrate compliance with the emission limitations in Table 2 in §113.2357 of this title (relating to Tables Relating to Division 5).

§113.2320. How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

You must conduct an initial performance test, as required under 40 Code of Federal Regulations §60.8, to determine compliance with the emission limitations in Table 2 in §113.2357 of this title (relating to Tables Relating to Division 5) and to establish operating limits using the procedure in §113.2315 or §113.2316 of this title (relating to What operating limits must I meet and by when? or What if I do not use a wet scrubber to comply with the emission limitations?). The initial performance test must be conducted using the test methods listed in Table 2 in §113.2357 of this title and the procedures in §113.2318 of this title (relating to How do I conduct the initial and annual performance test?).

§113.2321. By what date must I conduct the initial performance test?

The initial performance test must be conducted no later than 180 days after your final compliance date. Your final compliance date is specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

§113.2322. How do I demonstrate continuous compliance with the emission limitations and the operating limits?

(a) You must conduct an annual performance test for all of the pollutants in Table 2 in §113.2357 of this title (relating to Tables Relating to Division 5) for each other solid waste incineration unit to determine compliance with the emission limitations. The annual performance test must be conducted using the test methods listed in Table 2 in §113.2357 of this title and the procedures in §113.2318 of this title (relating to How do I conduct the initial and annual performance test?).

(b) You must continuously monitor carbon monoxide emissions to determine compliance with the carbon monoxide emissions limitation. Twelve-hour rolling average values are used to determine compliance. A 12-hour rolling average value above the carbon monoxide emission limit in Table 2 in §113.2357 of this title constitutes a deviation from the emission limitation.

(c) You must continuously monitor the operating parameters specified in §113.2315 of this title (relating to What operating limits must I meet and by when?) or established under §113.2316 of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?). Three-hour

rolling average values are used to determine compliance with the operating limits unless a different averaging period is established under §113.2316 of this title. A 3-hour rolling average value (unless a different averaging period is established under §113.2316 of this title) above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. Operating limits do not apply during performance tests.

§113.2323. By what date must I conduct the annual performance test?

You must conduct annual performance tests within 12 months following the initial performance test. Conduct subsequent annual performance tests within 12 months following the previous one.

§113.2324. May I conduct performance testing less often?

(a) You can test less often for a given pollutant if you have test data for at least three consecutive annual tests, and all performance tests for the pollutant over that period show that you comply with the emission limitation. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the 3rd year and no more than 36 months following the previous performance test.

(b) If your other solid waste incineration unit continues to meet the emission limitation for the pollutant, you may choose to conduct performance tests for that pollutant every 3rd year, but each test must be within 36 months of the previous performance test.

(c) If a performance test shows a deviation from an emission limitation for any pollutant, you must conduct annual performance tests for that pollutant until three consecutive annual performance tests for that pollutant all show compliance.

§113.2325. May I conduct a repeat performance test to establish new operating limits?

Yes, you may conduct a repeat performance test at any time to establish new values for the operating limits. The executive director may request a repeat performance test at any time.

§113.2326. What continuous emission monitoring systems must I install?

(a) You must install, calibrate, maintain, and operate continuous emission monitoring systems for carbon monoxide and for oxygen. You must monitor the oxygen concentration at each location where you monitor carbon monoxide.

(b) You must install, evaluate, and operate each continuous emission monitoring system according to the "Monitoring Requirements" in 40 Code of Federal Regulations §60.13.

§113.2327. How do I make sure my continuous emission monitoring systems are operating correctly?

(a) Conduct initial, daily, quarterly, and annual evaluations of your continuous emission monitoring systems that measure carbon monoxide and oxygen.

(b) Complete your initial evaluation of the continuous emission monitoring systems within 180 days after your final compliance date in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

(c) For initial and annual evaluations, collect data concurrently (or within 30 to 60 minutes) using your carbon monoxide and oxygen continuous emission monitoring systems. To validate carbon monoxide concentration levels, use United States Environmental Protection Agency (EPA) Method 10, 10A, or 10B of 40 Code of Federal Regulations (CFR) Part 60, Appendix A. Use EPA Method 3 or 3A of 40 CFR Part 60, Appendix A to measure oxygen. Collect the data during each initial and annual evaluation of your continuous emission monitoring systems following the applicable performance specifications in 40 CFR Part 60, Appendix B. Table 4 in §113.2357 of this title shows the required span values and performance specifications that apply to each continuous emission monitoring system.

(d) Follow the quality assurance procedures in Procedure 1 of 40 CFR Part 60, Appendix F for each continuous emission monitoring system. The procedures include daily calibration drift and quarterly accuracy determinations.

§113.2328. What is my schedule for evaluating continuous emission monitoring systems?

(a) Conduct annual evaluations of your continuous emission monitoring systems no more than 12 months after the previous evaluation was conducted.

(b) Evaluate your continuous emission monitoring systems daily and quarterly as specified in 40 Code of Federal Regulations Part 60, Appendix F.

§113.2329. What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems, and is the data collection requirement enforceable?

(a) Where continuous emission monitoring systems are required, obtain 1-hour arithmetic averages. Make sure the averages for carbon monoxide are in parts per million by dry volume at 7 percent oxygen. Use the 1-hour averages of oxygen data from your continuous emission monitoring system to determine the actual oxygen level and to calculate emissions at 7 percent oxygen.

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average. Title 40 Code of Federal Regulations §60.13(e)(2) requires your continuous emission monitoring systems to complete at least one cycle of operation (sampling, analyzing, and data recording) for each 15-minute period.

(c) Obtain valid 1-hour averages for at least 75 percent of the operating hours per day for at least 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal or institutional solid waste.

(d) If you do not obtain the minimum data required in subsections (a) through (c) of this section, you have deviated from the data collection requirement regardless of the emission level monitored.

(e) If you do not obtain the minimum data required in subsections (a) through (c) of this section, you must still use all valid data from the continuous emission monitoring systems in calculating emission concentrations.

(f) If continuous emission monitoring systems are temporarily unavailable to meet the data collection requirements, refer to Table 4 in §113.2357 of this title (relating to Tables Relating to Division 5). It shows alternate methods for collecting data when systems malfunction or when repairs, calibration checks, or zero and span checks keep you from collecting the minimum amount of data.

§113.2330. How do I convert my 1-hour arithmetic averages into the appropriate averaging times and units?

(a) Use equation 1 in §113.2356 of this title (relating to What equations must I use?) to calculate emissions at 7 percent oxygen.

(b) Use equation 2 in §113.2356 of this title to calculate the 12-hour rolling averages for concentrations of carbon monoxide.

§113.2331. What operating parameter monitoring equipment must I install, and what operating parameters must I monitor?

(a) If you are using a wet scrubber to comply with the emission limitations under §113.2314 of this title (relating to What emission limitations must I meet and by when?), you must install, calibrate (to

manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in Table 3 in §113.2357 of this title (relating to Tables Relating to Division 5). These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in Table 3 in §113.2357 of this title at all times.

(b) You must install, calibrate (to manufacturers' specifications), maintain, and operate a device or method for measuring the use of any stack that could be used to bypass the control device. The measurement must include the date, time, and duration of the use of the bypass stack.

(c) If you are using a method or air pollution control device other than a wet scrubber to comply with the emission limitations under §113.2314 of this title, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in §113.2316 of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?).

§113.2332. Is there a minimum amount of operating parameter monitoring data I must obtain?

(a) Except for monitor malfunctions, associated repairs, and required quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments of the monitoring system), you must conduct all monitoring at all times the other solid waste incineration unit is operating.

(b) You must obtain valid monitoring data for at least 75 percent of the operating hours per day for at least 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal or institutional solid waste.

(c) If you do not obtain the minimum data required in subsections (a) and (b) of this section, you have deviated from the data collection requirement regardless of the operating parameter level monitored.

(d) Do not use data recorded during monitor malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this division, including data averages and calculations. You must use all the data collected during all other periods in assessing compliance with the operating limits.

§113.2333. What records must I keep?

You must maintain the 14 items (as applicable) as specified in paragraphs (1) through (14) of this section for a period of at least 5 years.

(1) Calendar date of each record.

(2) Records of the data described in subparagraphs (A) through (H) of this paragraph.

(A) The other solid waste incineration (OSWI) unit charge dates, times, weights, and hourly charge rates.

(B) Liquor flow rate to the wet scrubber inlet every 15 minutes of operation, as applicable.

(C) Pressure drop across the wet scrubber system every 15 minutes of operation or amperage to the wet scrubber every 15 minutes of operation, as applicable.

(D) Liquor pH as introduced to the wet scrubber every 15 minutes of operation, as applicable.

(E) For OSWI units that establish operating limits for controls other than wet scrubbers under §113.2316 of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?), you must maintain data collected for all operating parameters used to determine compliance with the operating limits.

(F) All 1-hour average concentrations of carbon monoxide emissions.

(G) All 12-hour rolling average values of carbon monoxide emissions and all 3-hour rolling average values of continuously monitored operating parameters.

(H) Records of the dates, times, and durations of any bypass of the control device.

(3) Identification of calendar dates and times for which continuous emission monitoring systems or monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (except for downtime associated with zero and span and other routine calibration checks). Identify the pollutant emissions or operating parameters not measured, the duration, reasons for not obtaining the data, and a description of corrective actions taken.

(4) Identification of calendar dates, times, and durations of malfunctions, and a description of the malfunction and the corrective action taken.

(5) Identification of calendar dates and times for which monitoring data show a deviation from the carbon monoxide emissions limit in Table 2 in §113.2357 of this title (relating to Tables Relating to Division 5) or a deviation from the operating limits in Table 3 in §113.2357 of this title or a deviation from other operating limits established under §113.2316 of this title with a description of the deviations, reasons for such deviations, and a description of corrective actions taken.

(6) Calendar dates when continuous monitoring systems did not collect the minimum amount of data required under §113.2329 and §113.2332 of this title (relating to What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems, and is the data collection requirement enforceable? and Is there a minimum amount of operating parameter monitoring data I must obtain?).

(7) For carbon monoxide continuous emissions monitoring systems, document the results of your daily drift tests and quarterly accuracy determinations according to Procedure 1 of 40 Code of

Federal Regulations Part 60, Appendix F.

(8) Records of the calibration of any monitoring devices required under §113.2331 of this title (relating to What operating parameter monitoring equipment must I install, and what operating parameters must I monitor?).

(9) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations and a description of the types of waste burned during the test.

(10) Records showing the names of OSWI unit operators who have completed review of the information in §113.2312(a) of this title (relating to What site-specific documentation is required?) as required by §113.2312(b) of this title, including the date of the initial review and all subsequent annual reviews.

(11) Records showing the names of the OSWI unit operators who have completed the operator training requirements under §113.2307 of this title (relating to What are the operator training and qualification requirements?), met the criteria for qualification under §113.2309 of this title (relating to How do I obtain my operator qualification?), and maintained or renewed their qualification under §113.2310 or §113.2311 of this title (relating to How do I maintain my operator qualification? or How do I renew my lapsed operator qualification?). Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such

qualifications.

(12) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

(13) Equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment.

(14) The information listed in §113.2312(a) of this title.

§113.2334. Where and in what format must I keep my records?

(a) You must keep each record for a period of at least five years; on site for at least 2 years. You may keep the records off site for the remaining 3 years.

(b) All records must be available in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the executive director.

§113.2335. What reports must I submit?

See Table 5 in §113.2357 of this title (relating to Tables Relating to Division 5) for a summary of the reporting requirements.

§113.2336. What information must I submit following my initial performance test?

You must submit the information specified in paragraphs (1) through (3) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager.

(1) The complete test report for the initial performance test results obtained under §113.2320 of this title (relating to How do I demonstrate initial compliance with the emission limitations and establish the operating limits?), as applicable.

(2) The values for the site-specific operating limits established in §113.2315 or §113.2316 of this title (relating to What operating limits must I meet and by when? or What if I do not use a wet scrubber to comply with the emission limitations?).

(3) The waste management plan, as specified in §§113.2304 through 113.2306 of this title (relating to What is a waste management plan? When must I submit my waste management plan? and What should I include in my waste management plan?).

§113.2337. When must I submit my annual report?

You must submit an annual report no later than 12 months following the submission of the information in §113.2336 of this title (relating to What information must I submit following my initial performance test?). You must submit subsequent reports no more than 12 months following the previous report.

§113.2338. What information must I include in my annual report?

The annual report required under §113.2337 of this title (relating to When must I submit my annual report?) must include the ten items listed in paragraphs (1) through (10) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§113.2339 through 113.2341 of this title (relating to What else must I report if I have a deviation from the operating limits or the emission limitations?, What must I include in the deviation report?, and What else must I report if I have a deviation from the requirement to have a qualified operator accessible?).

(1) Company name and address.

(2) Statement by the owner or operator, with the name, title, and signature, certifying the truth, accuracy, and completeness of the report. Such certifications must also comply with the requirements of 40 Code of Federal Regulations §70.5(d).

(3) Date of report and beginning and ending dates of the reporting period.

(4) The values for the operating limits established pursuant to §113.2315 or §113.2316 of this title (relating to What operating limits must I meet and by when? or What if I do not use a wet scrubber to comply with the emission limitations?).

(5) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the emission limitations or operating limits was inoperative, inactive, malfunctioning, or out of control.

(6) The highest recorded 12-hour average and the lowest recorded 12-hour average, as applicable, for carbon monoxide emissions and the highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(7) Information recorded under §113.2333(2)(F) and (3) through (5) of this title (relating to What records must I keep?) for the calendar year being reported.

(8) If a performance test was conducted during the reporting period, the results of that test.

(9) If you met the requirements of §113.2324(a) or (b) of this title (relating to May I conduct performance testing less often?), and did not conduct a performance test during the reporting period, you must state that you met the requirements of §113.2324(a) or (b) of this title, and, therefore, you were not required to conduct a performance test during the reporting period.

(10) Documentation of periods when all qualified other solid waste incineration unit operators were unavailable for more than 12 hours, but less than 2 weeks.

§113.2339. What else must I report if I have a deviation from the operating limits or the emission limitations?

(a) You must submit a deviation report if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit established under this division, if any recorded 12-hour average carbon monoxide emission rate is above the emission limitation, if the control device was bypassed, or if a performance test was conducted that showed a deviation from any emission limitation.

(b) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

§113.2340. What must I include in the deviation report?

In each report required under §113.2339 of this title (relating to What else must I report if I have a deviation from the operating limits or the emission limitations?), for any pollutant or operating parameter that deviated from the emission limitations or operating limits specified in this division, include the seven items described in paragraphs (1) through (7) of this section.

(1) The calendar dates and times your unit deviated from the emission limitations or operating limit requirements.

(2) The averaged and recorded data for those dates.

(3) Durations and causes of each deviation from the emission limitations or operating limits and your corrective actions.

(4) A copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels.

(5) The dates, times, number, duration, and causes for monitor downtime incidents (other than downtime associated with zero, span, and other routine calibration checks).

(6) Whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.

(7) The dates, times, and durations of any bypass of the control device.

§113.2341. What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

(a) If all qualified operators are not accessible for 2 weeks or more, you must take the two actions in paragraphs (1) and (2) of this subsection.

(1) Submit a notification of the deviation within 10 days after the end of the 2-week period that includes the three items in subparagraphs (A) through (C) of this paragraph.

(A) A statement of what caused the deviation.

(B) A description of what you are doing to ensure that a qualified operator is accessible.

(C) The date when you anticipate that a qualified operator will be available.

(2) Submit a status report to the executive director every 4 weeks that includes the three items in subparagraphs (A) through (C) of this paragraph.

(A) A description of what you are doing to ensure that a qualified operator is accessible.

(B) The date when you anticipate that a qualified operator will be accessible.

(C) Request approval from the executive director to continue operation of the other solid waste incineration unit.

(b) If your unit was shut down by the executive director, under the provisions of §113.2313(3)(B) of this title (relating to What if all the qualified operators are temporarily not accessible?), due to a failure

to provide an accessible qualified operator, you must notify the executive director that you are resuming operation once a qualified operator is accessible.

§113.2342. Are there any other notifications or reports that I must submit?

Yes, you must submit notifications as provided by 40 Code of Federal Regulations §60.7.

§113.2343. In what form can I submit my reports?

Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates.

§113.2344. Can reporting dates be changed?

If the executive director agrees, you may change the semiannual or annual reporting dates. See 40 Code of Federal Regulations §60.19(c) for procedures to seek approval to change your reporting date.

§113.2345. Am I required to apply for and obtain a Title V operating permit for my unit?

Yes, if you are subject to an applicable United States Environmental Protection Agency-approved and effective Federal Clean Air Act, §111(d)/129 state or tribal plan or an applicable and effective federal plan, you are required to apply for and obtain a Title V operating permit unless you meet the relevant requirements for an exemption specified in 40 Code of Federal Regulations §60.2993.

§113.2346. When must I submit a Title V permit application for my existing unit?

(a) If your existing unit is not subject to an earlier permit application deadline, a complete Title V permit application must be submitted on or before the earlier of the dates specified in paragraphs (1) through (3) of this subsection. (See the Federal Clean Air Act, §§129(e), 503(c), 503(d), and 502(a) and 40 Code of Federal Regulations (CFR) §70.5(a)(1)(i).)

(1) 12 months after the effective date of any applicable United States Environmental Protection Agency (EPA)-approved Federal Clean Air Act, §111(d)/129 state or tribal plan.

(2) 12 months after the effective date of any applicable federal plan.

(3) December 16, 2008.

(b) For any existing unit not subject to an earlier permit application deadline, the application deadline of 36 months after the promulgation of 40 CFR Part 60, Subpart FFFF, applies regardless of whether or when any applicable federal plan is effective, or whether or when any applicable Federal Clean Air Act, §111(d)/129 state or tribal plan is approved by the EPA and becomes effective.

(c) If your existing unit is subject to Title V as a result of some triggering requirement(s) other than those specified in subsection (a) or (b) of this section (for example, a unit may be a major source or part of a major source), then your unit may be required to apply for a Title V permit prior to the deadlines

specified in subsections (a) and (b). If more than one requirement triggers a source's obligation to apply for a Title V permit, the 12-month timeframe for filing a Title V permit application is triggered by the requirement which first causes the source to be subject to Title V. (See the Federal Clean Air Act, §503(c) and 40 CFR §70.3(a) and (b) and §70.5(a)(1)(i).)

(d) A "complete" Title V permit application is one that has been determined or deemed complete by the relevant permitting authority under the Federal Clean Air Act, §503(d) and 40 CFR §70.5(a)(2). You must submit a complete permit application by the relevant application deadline in order to operate after this date in compliance with federal law. (See the Federal Clean Air Act, §503(d) and §502(a) and 40 CFR §70.7(b).)

§113.2347. What are the requirements for temporary-use incinerators and air curtain incinerators used in disaster recovery?

Your incinerator or air curtain incinerator is excluded from the requirements of this division if it is used on a temporary basis to combust debris from a disaster or emergency such as a tornado, hurricane, flood, ice storm, high winds, or act of bioterrorism. To qualify for this exclusion, the incinerator or air curtain incinerator must be used to combust debris in an area declared a State of Emergency by a local or state government, or the President, under the authority of the Stafford Act, has declared that an emergency or a major disaster exists in the area, and you must follow the requirements specified in paragraphs (1) through (3) of this section.

(1) If the incinerator or air curtain incinerator is used during a period that begins on the

date the unit started operation and lasts 8 weeks or less within the boundaries of the same emergency or disaster declaration area, then it is excluded from the requirements of this division. You do not need to notify the executive director of its use or meet the emission limitations or other requirements of this division.

(2) If the incinerator or air curtain incinerator will be used during a period that begins on the date the unit started operation and lasts more than 8 weeks within the boundaries of the same emergency or disaster declaration area, you must notify the executive director that the temporary-use incinerator or air curtain incinerator will be used for more than 8 weeks and request permission to continue to operate the unit as specified in subparagraphs (A) and (B) of this paragraph.

(A) The notification must be submitted in writing by the date 8 weeks after you start operation of the temporary-use incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area.

(B) The notification must contain the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, identification of the disaster or emergency for which the incinerator or air curtain incinerator is being used, a description of the types of materials being burned in the incinerator or air curtain incinerator, a brief description of the size and design of the unit (for example, an air curtain incinerator or a modular starved-air incinerator), the reasons the incinerator or air curtain incinerator must be operated for more than 8 weeks, and the amount of time for which you request permission to operate including the date you expect to cease operation of the unit.

(3) If you submitted the notification containing the information in paragraph (2)(B) of this section by the date specified in paragraph (2)(A) of this section, you may continue to operate the incinerator or air curtain incinerator for another 8 weeks, which is a total of 16 weeks from the date the unit started operation within the boundaries of the current emergency or disaster declaration area. You do not have to meet the emission limitations or other requirements of this division during this period.

(A) At the end of 16 weeks from the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, you must cease operation of the unit or comply with all requirements of this division, unless the executive director has approved in writing your request to continue operation.

(B) If the executive director has approved in writing your request to continue operation, then you may continue to operate the incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area until the date specified in the approval, and you do not need to comply with any other requirements of this division during the approved time period.

§113.2348. What is an air curtain incinerator?

(a) An air curtain incinerator operates by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs. For the purpose of this division only, air curtain incinerators include both firebox and trench

burner units.

(b) Air curtain incinerators that burn only the materials listed in paragraphs (1) through (4) of this subsection are required to meet only the requirements in this section and §§113.2349 through 113.2355 of this title (relating to When must I comply if my air curtain incinerator burns only wood waste, clean lumber, and yard waste?, What must I do if I close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and then restart it?, What must I do if I plan to permanently close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and not restart it?, What are the emission limitations for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?, How must I monitor opacity for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?, What are the recordkeeping and reporting requirements for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?, and Am I required to apply for and obtain a Title V operating permit for my air curtain incinerator that burns only wood waste, clean lumber, and yard waste?) and are exempt from all other requirements of this division.

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent yard waste.

(4) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

§113.2349. When must I comply if my air curtain incinerator burns only wood waste, clean lumber, and yard waste?

Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5) specifies the final compliance date. You must submit a notification to the executive director postmarked within 10 business days after the final compliance date in Table 1 in §113.2357 of this title.

§113.2350. What must I do if I close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and then restart it?

(a) If you close your incinerator but will reopen it prior to the final compliance date in your state plan, you must meet the final compliance date specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

(b) If you close your incinerator but will restart it after your final compliance date, you must meet the emission limitations on the date your incinerator restarts operation.

§113.2351. What must I do if I plan to permanently close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and not restart it?

You must close the unit before the final compliance date specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

§113.2352. What are the emission limitations for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Within 180 days after your final compliance date in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5), you must meet the two limitations specified in paragraphs (1) and (2) of this subsection.

(1) The opacity limitation is 10 percent (6-minute average), except as described in paragraph (2) of this subsection.

(2) The opacity limitation is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) The limitations in subsection (a) of this section apply at all times except during malfunctions, which must last no longer than 3 hours.

§113.2353. How must I monitor opacity for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Use Method 9 of 40 Code of Federal Regulations (CFR) Part 60, Appendix A to determine compliance with the opacity limitation.

(b) Conduct an initial test for opacity as specified in 40 CFR §60.8 within 180 days after the final

compliance date in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

(c) After the initial test for opacity, conduct annual tests no more than 12 months following the date of your previous test.

(d) If the air curtain incinerator has been out of operation for more than 12 months following the date of your previous test, then you must conduct a test for opacity upon startup of the unit.

§113.2354. What are the recordkeeping and reporting requirements for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Keep records of results of all initial and annual opacity tests in either paper copy or computer-readable format that can be printed upon request, unless the executive director approves another format, for at least 5 years. You must keep each record on site for at least 2 years. You may keep the records off site for the remaining 3 years.

(b) Make all records available for submittal to the executive director or for an inspector's review.

(c) You must submit the results (each 6-minute average) of the initial opacity tests no later than 60 days following the initial test. Submit annual opacity test results within 12 months following the previous report.

(d) Submit initial and annual opacity test reports as electronic or paper copy on or before the

applicable submittal date.

(e) Keep a copy of the initial and annual reports for a period of 5 years. You must keep each report on site for at least 2 years. You may keep the reports off site for the remaining 3 years.

§113.2355. Am I required to apply for and obtain a Title V operating permit for my air curtain incinerator that burns only wood waste, clean lumber, and yard waste?

Yes, if your air curtain incinerator is subject to this division, you are required to apply for and obtain a Title V operating permit as specified in §113.2345 and §113.2346 of this title (relating to Am I required to apply for and obtain a Title V operating permit for my unit? and When must I submit a Title V permit application for my existing unit?).

§113.2356. What equations must I use?

(a) Percent oxygen. Adjust all pollutant concentrations to 7 percent oxygen using equation 1 of this section.

Figure: 30 TAC §113.2356(a)

$$C_{adj} = C_{meas} * \frac{(20.9 - 7)}{(20.9 - \%O_2)} \quad \text{(Eq.1)}$$

Where:

C_{adj} = pollutant concentration adjusted to 7 percent oxygen

C_{meas} = pollutant concentration measured on a dry basis

(20.9–7) = 20.9 percent oxygen–7 percent oxygen (defined oxygen correction basis)

20.9 = oxygen concentration in air, percent

$\%O_2$ = oxygen concentration measured on a dry basis, percent

(b) Capacity of a very small municipal waste combustion unit. For very small municipal waste combustion units that can operate continuously for 24-hour periods, calculate the unit capacity based on 24 hours of operation at the maximum charge rate. To determine the maximum charge rate, use one of two methods:

(1) For very small municipal waste combustion units with a design based on heat input capacity, calculate the maximum charging rate based on the maximum heat input capacity and one of two heating values:

(A) If your very small municipal waste combustion unit combusts refuse-derived fuel, use a heating value of 12,800 kilojoules per kilogram (5,500 British thermal units per pound).

(B) If your very small municipal waste combustion unit combusts municipal solid waste, use a heating value of 10,500 kilojoules per kilogram (4,500 British thermal units per pound).

(2) For very small municipal waste combustion units with a design not based on heat input capacity, use the maximum design charging rate.

(c) Capacity of a batch very small municipal waste combustion unit. Calculate the capacity of a batch other solid waste incineration (OSWI) unit as the maximum design amount of municipal solid waste it can charge per batch multiplied by the maximum number of batches it can process in 24 hours. Calculate the maximum number of batches by dividing 24 by the number of hours needed to process one batch. Retain fractional batches in the calculation. For example, if one batch requires 16 hours, the OSWI unit can combust 24/16, or 1.5 batches, in 24 hours.

(d) Carbon monoxide pollutant rate. When hourly average pollutant rates (E_h) are obtained (e.g., continuous emission monitoring system values), compute the rolling average carbon monoxide pollutant rate (E_a) for each 12-hour period using the following equation:

Figure: 30 TAC §113.2356(d)

$$E_a = \frac{1}{12}\sum_{j=1}^{12} E_{hj} \quad \text{(Eq. 2)}$$

Where:

E_a = Average carbon monoxide pollutant rate for the 12-hour period, ppm corrected to 7 percent oxygen.

E_{hj} = Hourly arithmetic average pollutant rate for hour "j,"

parts per million corrected to 7 percent oxygen.

§113.2357. Tables Relating to Division 5.

(a) Table 1 of this subsection specifies the compliance schedule for Division 5 of this subchapter.

Figure: 30 TAC §113.2357(a)

Table 1. Compliance Schedule

Compliance Action	Date
Final Compliance[a]	December 16, 2010

[a]Final compliance means that you complete all process changes and retrofit of control devices so that, when the incineration unit is brought on line, all process changes and air pollution control devices necessary to meet the emission limitations operate as designed.

(b) Table 2 of this subsection specifies the emission limitations for Division 5 of this subchapter.

Figure: 30 TAC §113.2357(b)

Table 2. Emission Limitations

Pollutant	Emission Limitation[a]	Averaging Time	Method to Determine Compliance
1. Cadmium	18 micrograms per dry standard cubic meter	3-run average (1 hour minimum sample time per run)	Method 29 of 40 CFR Part 60, Appendix A
2. Carbon monoxide	40 parts per million by dry volume	3-run average (1 hour minimum sample time per	Method 10, 10A, or 10B of 40 CFR Part 60,

		run during performance test), and 12-hour rolling averages measured using CEMS[b]	Appendix A and CEMS
3. Dioxins/furans (total basis)	33 nanograms per dry standard cubic meter	3-run average (1 hour minimum sample time per run)	Method 23 of 40 CFR Part 60, Appendix A
4. Hydrogen chloride	15 parts per million by dry volume	3-run average (1 hour minimum sample time per run)	Method 26A of 40 CFR Part 60, Appendix A
5. Lead	226 micrograms per dry standard cubic meter	3-run average (1 hour minimum sample time per run)	Method 29 of 40 CFR Part 60, Appendix A
6. Mercury	74 micrograms per dry standard cubic meter	3-run average (1 hour minimum sample time per run)	Method 29 of 40 CFR Part 60, Appendix A
7. Opacity	10 percent	6-run average (1 hour minimum sample time per run)	Method 9 of 40 CFR Part 60, Appendix A
8. Oxides of nitrogen	103 parts per million by dry volume	3-run average (1 hour minimum sample time per run)	Method 7, 7A, 7C, 7D, or 7E of 40 CFR Part 60, Appendix A or ANSI/ASME PTC 19.10-1981 (IBR, see 40 CFR §60.17(h)) in lieu of Methods 7 and 7C only
9. Particulate matter	0.013 grains per dry standard cubic foot	3-run average (1 hour minimum sample time per run)	Method 5 or 29 of 40 CFR Part 60, Appendix A
10. Sulfur dioxide	3.1 parts per million by dry volume	3-run average (1 hour minimum sample time per run)	Method 6 or 6C of 40 CFR Part 60, Appendix A or ANSI/ASME PTC 19.10-1981 (IBR, see 40 CFR §60.17(h)) in lieu of Method 6 only

[a]All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions.

[b]Calculated each hour as the average of the previous 12 operating hours.

(c) Table 3 of this subsection specifies the operating limits for incinerators and wet scrubbers for

Division 5 of this subchapter.

Figure: 30 TAC §113.2357(c)

Table 3. Operating Limits for Incinerators and Wet Scrubbers

For these operating parameters	You must establish operating limits	And monitoring using these minimum frequencies		
		Data Measurement	Data Recording	Averaging Time
1. Charge rate	Maximum charge rate	Continuous	Every hour	Daily for batch units. 3-hour rolling for continuous and intermittent units[a]
2. Pressure drop across the wet scrubber or amperage to wet scrubber	Minimum pressure drop or amperage	Continuous	Every 15 minutes	3-hour rolling[a]
3. Scrubber liquor flow rate	Minimum flow rate	Continuous	Every 15 minutes	3-hour rolling[a]
4. Scrubber liquor pH	Minimum pH	Continuous	Every 15 minutes	3-hour rolling[a]

[a]Calculated each hour as the average of the previous 3 operating hours.

(d) Table 4 of this subsection specifies the requirements for continuous emission monitoring systems for Division 5 of this subchapter.

Figure: 30 TAC §113.2357(d)

Table 4. Requirements for Continuous Emission Monitoring Systems (CEMS)

Pollutant	Span Values for your CEMS	Performance Specifications (P.S.) in 40 CFR Part 60, Appendix B for your CEMS	If Needed to Meet Minimum Data Requirements, use the Following Alternate Methods in 40 CFR Part 60, Appendix A to Collect Data

1. Carbon Monoxide	125 percent of the maximum hourly potential carbon monoxide emissions of the waste combustion unit	P.S. 4A	Method 10
2. Oxygen	25 percent oxygen	P.S. 3	Method 3A or 3B, or ANSI/ASME PTC 19.10-1981 (IBR, see 40 CFR §60.17(h)) in lieu of Method 3B only

(e) Table 5 of this subsection is a summary of the reporting requirements for Division 5 of this subchapter.

Figure: 30 TAC §113.2357(e)

Table 5. Summary of Reporting Requirements

Report	Due Date	Contents	Reference
1. Initial Test Report	No later than 60 days following the initial performance test	Complete test report for the initial performance test The values for the site-specific operating limits	§113.2336 of this title (relating to What information must I submit following my initial performance test?)
2. Waste Management Plan	No later than 60 days following the initial performance test	Reduction or separation of recyclable materials Identification of additional waste management measures and how they will be implemented	§§113.2304 through 113.2306 of this title (relating to What is a waste management plan? When must I submit my waste management plan? and What should I include in my waste management plan?)

3. Annual Report	No later than 12 months following the submittal of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report	Company Name and address; Statement and signature by the owner or operator; Date of report and beginning and ending dates of the reporting period; Values for the operating limits; If no deviations or malfunctions were reported, a statement that no deviations occurred during the reporting period; Highest and lowest recorded 12-hour averages, as applicable, for carbon monoxide emissions and highest and lowest recorded 3-hour averages, as applicable, for each operating parameter recorded for the calendar year being reported; Information for deviations or malfunctions recorded under 40 CFR §60.2949(b)(6) and (c) through (e); If a performance test was conducted during the reporting period, the results of the test; If a performance test was not conducted during the reporting period, a statement that the requirements of 40 CFR §60.2934(a) or (b) were met; Documentation of periods when all qualified OSWI unit operators were unavailable for more than 12 hours but less than 2 weeks	§113.2337 and §113.2338 of this title (relating to When must I submit my annual report? and What information must I include in my annual report?)
4. Emission Limitation or Operating Limit Deviation Report	By August 1 of that year for data collected during the first half of the calendar year. By February 1 of the following year for data collected during the second half of the calendar year	Dates and times of deviation from the emission limitations or operating limit requirements; Averaged and recorded data for those dates; Duration and causes of each deviation and the corrective actions taken; Copy of operating limit monitoring data during each deviation and any test report that documents the emission levels; Dates, times, and causes for monitor downtime incidents; Whether each deviation occurred during a period of startup, shutdown, or malfunction; and Dates, times, and duration of any bypass of the control device	§113.2339 and §113.2340 of this title (relating to What else must I report if I have a deviation from the operating limits or the emission limitations? and What must I

			include in the deviation report?)
5. Qualified Operator Deviation Notification	Within 10 days of deviation	Statement of cause of deviation; Description of efforts to have an accessible qualified operator; and The date a qualified operator will be accessible	§113.2341(a)(1) of this title (relating to What else must I report if I have a deviation from the requirement to have a qualified operator accessible?)
6. Qualified Operation Deviation Status Report	Every 4 weeks following deviation	Description of efforts to have an accessible qualified operator; The date a qualified operator will be accessible; and Request to continue operation	§113.2341(a)(2) of this title
7. Qualified Operator Deviation Notification of Resumed Operation	Prior to resuming operation	Notification that you are resuming operation	§113.2341(b) of this title

Note: This table is only a summary, see the referenced sections of the rule for the complete requirements.

APPENDIX C

DERIVATION TABLES

30 TAC CHAPTER 113, SUBCHAPTER D, DIVISIONS 3 - 5

AND

40 CFR PART 60, SUBPARTS BBBB, DDDD, AND FFFF

Derivation Table
Rule Project Number 2008-007-113-PR
New Emission Guidelines
Subchapter D, Division 3
Adopted:
Effective:

This table is to track TCEQ 30 TAC Chapter 113, Subchapter D, Division 3 section numbers that have been incorporated from Title 40 Code of Federal Regulations (CFR) Part 60, Subpart BBBB. The column on the left lists the TCEQ sections and the column on the right lists the CFR sections.

TCEQ Division 3	EPA Subpart BBBB
113.2100	60.1940
113.2101	60.1585
113.2102	60.1590
113.2103	60.1595
113.2104	60.1600
113.2105	60.1605
113.2106	60.1610
113.2107	60.1615
113.2108	60.1620
113.2109	60.1625
113.2110	60.1630
113.2111	60.1635
113.2112	60.1640
113.2113	60.1645
113.2114	60.1650
113.2115	60.1655
113.2116	60.1660
113.2117	60.1665
113.2118	60.1670
113.2119	60.1675
113.2120	60.1680
113.2121	60.1685
113.2122	60.1690
113.2123	60.1695
113.2124	60.1700
113.2125	60.1705
113.2126	60.1710
113.2127	60.1715
113.2128	60.1720
113.2129	60.1725
113.2130	60.1730
113.2131	60.1735
113.2132	60.1740
113.2133	60.1745
113.2134	60.1750
113.2135	60.1755

113.2136	60.1760
113.2137	60.1765
113.2138	60.1770
113.2139	60.1775
113.2140	60.1780
113.2141	60.1785
113.2142	60.1790
113.2143	60.1795
113.2144	60.1800
113.2145	60.1805
113.2146	60.1810
113.2147	60.1815
113.2148	60.1820
113.2149	60.1825
113.2150	60.1830
113.2151	60.1835
113.2152	60.1840
113.2153	60.1845
113.2154	60.1850
113.2155	60.1855
113.2156	60.1860
113.2157	60.1865
113.2158	60.1870
113.2159	60.1875
113.2160	60.1880
113.2161	60.1885
113.2162	60.1890
113.2163	60.1895
113.2164	60.1900
113.2165	60.1905
113.2166	60.1910
113.2167	60.1915
113.2168	60.1920
113.2169	60.1925
113.2170	60.1930
113.2171	60.1935
113.2172	62.15395
113.2173	62.15400
113.2174	No equivalent section - Tables

Derivation Table
Rule Project Number 2008-007-113-PR
New Emission Guidelines
Subchapter D, Division 4
Adopted:
Effective:

This table is to track TCEQ 30 TAC Chapter 113, Subchapter D, Division 4 section numbers that have been incorporated from Title 40 Code of Federal Regulations (CFR) Part 60, Subpart DDDD. The column on the left lists the TCEQ sections and the column on the right lists the CFR sections.

TCEQ Division 4	EPA Subpart DDDD
113.2200	60.2875
113.2201	60.2575
113.2202	60.2580
113.2203	60.2585
113.2204	60.2590
113.2205	60.2595
113.2206	60.2600
113.2207	60.2605
113.2208	60.2610
113.2209	60.2615
113.2210	60.2620
113.2211	60.2625
113.2212	60.2630
113.2213	60.2635
113.2214	60.2640
113.2215	60.2645
113.2216	60.2650
113.2217	60.2655
113.2218	60.2660
113.2219	60.2665
113.2220	60.2670
113.2221	60.2675
113.2222	60.2680
113.2223	60.2685
113.2224	60.2690
113.2225	60.2695
113.2226	60.2700
113.2227	60.2705
113.2228	60.2710
113.2229	60.2715
113.2230	60.2720
113.2231	60.2725
113.2232	60.2730
113.2233	60.2735
113.2234	60.2740
113.2235	60.2745

113.2236	60.2750
113.2237	60.2755
113.2238	60.2760
113.2239	60.2765
113.2240	60.2770
113.2241	60.2775
113.2242	60.2780
113.2243	60.2785
113.2244	60.2790
113.2245	60.2795
113.2246	60.2800
113.2247	60.2805
113.2248	60.2810
113.2249	60.2815
113.2250	60.2820
113.2251	60.2825
113.2252	60.2830
113.2253	60.2835
113.2254	60.2840
113.2255	60.2845
113.2256	60.2850
113.2257	60.2855
113.2258	60.2860
113.2259	60.2865
113.2260	60.2870
113.2261	No equivalent section - Tables

Derivation Table
Rule Project Number 2008-007-113-PR
New Emission Guidelines
Subchapter D, Division 5
Adopted:
Effective:

This table is to track TCEQ 30 TAC Chapter 113, Subchapter D, Division 5 section numbers that have been incorporated from Title 40 Code of Federal Regulations (CFR) Part 60, Subpart FFFF. The column on the left lists the TCEQ sections and the column on the right lists the CFR sections.

TCEQ Division 5	EPA Subpart FFFF
113.2300	60.3078
113.2301	60.3000
113.2302	60.3001
113.2303	60.3002
113.2304	60.3010
113.2305	60.3011
113.2306	60.3012
113.2307	60.3014
113.2308	60.3015
113.2309	60.3016
113.2310	60.3017
113.2311	60.3018
113.2312	60.3019
113.2313	60.3020
113.2314	60.3022
113.2315	60.3023
113.2316	60.3024
113.2317	60.3025
113.2318	60.3027
113.2319	60.3028
113.2320	60.3030
113.2321	60.3031
113.2322	60.3033
113.2323	60.3034
113.2324	60.3035
113.2325	60.3036
113.2326	60.3038
113.2327	60.3039
113.2328	60.3040
113.2329	60.3041
113.2330	60.3042
113.2331	60.3043
113.2332	60.3044
113.2333	60.3046
113.2334	60.3047
113.2335	60.3048
113.2336	60.3049

113.2337	60.3050
113.2338	60.3051
113.2339	60.3052
113.2340	60.3053
113.2341	60.3054
113.2342	60.3055
113.2343	60.3056
113.2344	60.3057
113.2345	60.3059
113.2346	60.3060
113.2347	60.3061
113.2348	60.3062
113.2349	60.3063
113.2350	60.3064
113.2351	60.3065
113.2352	60.3066
113.2353	60.3067
113.2354	60.3068
113.2355	60.3069
113.2356	60.3076
113.2357	No equivalent section - Tables

APPENDIX D

AN INVENTORY OF AFFECTED
MUNICIPAL WASTE COMBUSTION (MWC) UNITS
COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION (CISWI) UNITS
AND
OTHER SOLID WASTE INCINERATION (OSWI) UNITS
AND
AN INVENTORY OF EMISSIONS FROM AFFECTED UNITS

NSPS BBBB- Existing Small Municipal Waste Combustion Units						
Company (5 facilities)	Site Name	County	Unit	Pollutant	tpy	Status
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	HYDROGEN CHLORI	0.342	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	SULFUR DIOXIDE	0.624	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	CADMIUM-CD	0.0282	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	LEAD-PB	0.582	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	MERCURY-HG	0.0181	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	TOTAL PARTICULATE	15.734	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	TOTAL PM10 PARTIC	14.24	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	CADMIUM-CD	0.0274	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	LEAD-PB	0.566	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	HYDROGEN CHLORI	0.3424	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	SULFUR DIOXIDE	0.607	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	MERCURY-HG	0.0176	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	TOTAL PARTICULATE	15.318	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	TOTAL PM10 PARTIC	13.846	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	BOILER 1	SULFUR DIOXIDE	0.2	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	BOILER 1	TOTAL PM2.5 PARTIC	0.1	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	BOILER 1	TOTAL PARTICULATE	0.1	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	BOILER 1	TOTAL PM10 PARTIC	0.1	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	BOILER 2	SULFUR DIOXIDE	0.2	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	BOILER 2	TOTAL PM2.5 PARTIC	0.1	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	BOILER 2	TOTAL PARTICULATE	0.1	Active
CLEAN HARBORS DEER PARK LP	CLEAN HARBORS DEER PARK	HARRIS	BOILER 2	TOTAL PM10 PARTIC	0.1	Active
UNIVERSITY OF TX MD ANDERSO	M D ANDERSON CANCER CEN	HARRIS	SRB BOILER 2	TOTAL PARTICULATE	0	Active
UNIVERSITY OF TX MD ANDERSO	M D ANDERSON CANCER CEN	HARRIS	SRB BOILER 2	TOTAL PM10 PARTIC	0	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	ASH HANDLING FACILITY	TOTAL PM2.5 PARTIC	0	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	ASH HANDLING FACILITY	TOTAL PARTICULATE	0	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	ASH HANDLING FACILITY	TOTAL PM10 PARTIC	0	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	ASH HANDLING FACILITY	TOTAL PARTICULATE	0	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	ASH HANDLING FACILITY	TOTAL PM10 PARTIC	0	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	ASH HANDLING FACILITY	TOTAL PARTICULATE	0	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	ASH HANDLING FACILITY	TOTAL PM10 PARTIC	0	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	0	ASH HANDLING FACILITY	TOTAL PM2.5 PARTIC	2005	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	0	ASH HANDLING FACILITY	TOTAL PARTICULATE	2005	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	0	ASH HANDLING FACILITY	TOTAL PM10 PARTIC	2005	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	0	ASH HANDLING FACILITY	TOTAL PARTICULATE	2005	Active

VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	0	ASH HANDLING FACILITY	TOTAL PM10 PARTIC	2005	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	0	ASH HANDLING FACILITY	TOTAL PARTICULATE	2005	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	0	ASH HANDLING FACILITY	TOTAL PM10 PARTIC	2005	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	PACKAGE BOILER "A"	TOTAL PM2.5 PARTIC	0.176	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	PACKAGE BOILER "A"	SULFUR DIOXIDE	0.014	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	PACKAGE BOILER "A"	TOTAL PARTICULATE	0.176	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	PACKAGE BOILER "A"	TOTAL PM10 PARTIC	0.176	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	PACKAGE BOILER "B"	TOTAL PM2.5 PARTIC	0.176	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	PACKAGE BOILER "B"	SULFUR DIOXIDE	0.014	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	PACKAGE BOILER "B"	TOTAL PARTICULATE	0.176	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	PACKAGE BOILER "B"	TOTAL PM10 PARTIC	0.176	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	WASTE ANALYSIS LABORAT	TOTAL PARTICULATE	0	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	WASTE ANALYSIS LABORAT	TOTAL PM10 PARTIC	0	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	WASTE ANALYSIS LABORAT	HYDROCHLORIC ACI	0	Active
VEOLIA ES TECHNICAL SOLUTION	HAZARDOUS WASTE DISPOSA	JEFFERS	WASTE ANALYSIS LABORAT	HYDROGEN CHLORI	0	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	AIR HANDLING UNIT NO. 1	SULFUR DIOXIDE	0.005	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	AIR HANDLING UNIT NO. 1	TOTAL PM2.5 PARTIC	0.004	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	AIR HANDLING UNIT NO. 1	TOTAL PARTICULATE	0.004	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	AIR HANDLING UNIT NO. 1	TOTAL PM10 PARTIC	0.004	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	AIR HANDLING UNIT NO. 2	SULFUR DIOXIDE	0.005	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	AIR HANDLING UNIT NO. 2	TOTAL PM2.5 PARTIC	0.004	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	AIR HANDLING UNIT NO. 2	TOTAL PARTICULATE	0.004	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	AIR HANDLING UNIT NO. 2	TOTAL PM10 PARTIC	0.004	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	MIXED WASTE STABILIZATI	TOTAL PARTICULATE	0	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	MIXED WASTE STABILIZATI	TOTAL PM10 PARTIC	0	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	MIXED WASTE STABILIZATI	TOTAL PARTICULATE	0.0002	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	MIXED WASTE STABILIZATI	TOTAL PM10 PARTIC	0.0002	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	R.C.R.A. WASTE STABILIZAT	TOTAL PARTICULATE	0.0011	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	R.C.R.A. WASTE STABILIZAT	TOTAL PM10 PARTIC	0.0011	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	R.C.R.A. WASTE STABILIZAT	TOTAL PARTICULATE	0	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	R.C.R.A. WASTE STABILIZAT	TOTAL PM10 PARTIC	0	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	HYDROGEN CHLORI	0	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	SULFUR DIOXIDE	0.0005	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	TOTAL PARTICULATE	0.0008	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	TOTAL PM10 PARTIC	0	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	SULFUR DIOXIDE	0.0005	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	TOTAL PARTICULATE	0.0008	Active

WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	TOTAL PM10 PARTIC	0	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	SULFUR DIOXIDE	0.0005	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	TOTAL PARTICULATE	0.0008	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	TOTAL PM10 PARTIC	0	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	HYDROGEN CHLORI	0	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	SULFUR DIOXIDE	0.0005	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	TOTAL PARTICULATE	0.0008	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	TOTAL PM10 PARTIC	0	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	SULFUR DIOXIDE	0.0005	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	TOTAL PARTICULATE	0.0008	Active
WASTE CONTROL SPECIALISTS IN	ANDREWS WASTE TREATMEN	ANDREW	WASTE LABORATORY	TOTAL PM10 PARTIC	0	Active
WASTE MANAGEMENT OF TEXAS,	COVEL GARDENS RPD FACILI	BEXAR	COVEL GARDENS RPD FAC	TOTAL PM2.5 PARTIC	0.99	Active
WASTE MANAGEMENT OF TEXAS,	COVEL GARDENS RPD FACILI	BEXAR	COVEL GARDENS RPD FAC	TOTAL PARTICULATE	1.98	Active
WASTE MANAGEMENT OF TEXAS,	COVEL GARDENS RPD FACILI	BEXAR	COVEL GARDENS RPD FAC	TOTAL PM10 PARTIC	1.98	Active
WASTE MANAGEMENT OF TEXAS,	COVEL GARDENS RPD FACILI	BEXAR	COVEL GARDENS RPD FAC	TOTAL PM2.5 PARTIC	0.42	Active
WASTE MANAGEMENT OF TEXAS,	COVEL GARDENS RPD FACILI	BEXAR	COVEL GARDENS RPD FAC	TOTAL PARTICULATE	0.85	Active
WASTE MANAGEMENT OF TEXAS,	COVEL GARDENS RPD FACILI	BEXAR	COVEL GARDENS RPD FAC	TOTAL PM10 PARTIC	0.85	Active

NSPS DDDD- Commercial and Industrial Solid Waste Incineration Units						
Company (201 facilities)	Site Name	County	Unit	Pollutant	tpy	Status
ADVANCED AROMATICS LP	ADVANCED AROMAT	HARRIS	"A" FURNACE	TOTAL PM2.5 PARTI	0.0328	Active
ADVANCED AROMATICS LP	ADVANCED AROMAT	HARRIS	"A" FURNACE	NITROGEN OXIDES	6.4117	Active
ADVANCED AROMATICS LP	ADVANCED AROMAT	HARRIS	"A" FURNACE	SULFUR DIOXIDE	0.0025	Active
ADVANCED AROMATICS LP	ADVANCED AROMAT	HARRIS	"A" FURNACE	CARBON MONOXIDE	0.3561	Active
ADVANCED AROMATICS LP	ADVANCED AROMAT	HARRIS	"A" FURNACE	TOTAL PARTICULAT	0.1328	Active
ADVANCED AROMATICS LP	ADVANCED AROMAT	HARRIS	"A" FURNACE	TOTAL PM10 PARTI	0.1328	Active
ADVANCED AROMATICS LP	ADVANCED AROMAT	HARRIS	"B" FURNACE	CARBON MONOXIDE	4.4431	Active
ADVANCED AROMATICS LP	ADVANCED AROMAT	HARRIS	"B" FURNACE	SULFUR DIOXIDE	0.0317	Active
ADVANCED AROMATICS LP	ADVANCED AROMAT	HARRIS	"B" FURNACE	TOTAL PM2.5 PARTI	0.402	Active
ADVANCED AROMATICS LP	ADVANCED AROMAT	HARRIS	"B" FURNACE	TOTAL PM10 PARTI	0.402	Active
ADVANCED AROMATICS LP	ADVANCED AROMAT	HARRIS	"B" FURNACE	NITROGEN OXIDES	5.2873	Active
ADVANCED AROMATICS LP	ADVANCED AROMAT	HARRIS	"B" FURNACE	TOTAL PARTICULAT	0.402	Active
AGRIFOS FERTILIZER INC	AGRIFOS FERTILIZER	HARRIS	800 FERTILIZER PLANT REACTOR HEATE	NITROGEN OXIDES	2.9335	Active
AGRIFOS FERTILIZER INC	AGRIFOS FERTILIZER	HARRIS	800 FERTILIZER PLANT REACTOR HEATE	TOTAL PM2.5 PARTI	0.0111	Active
AGRIFOS FERTILIZER INC	AGRIFOS FERTILIZER	HARRIS	800 FERTILIZER PLANT REACTOR HEATE	TOTAL PM10 PARTI	0.0111	Active
AGRIFOS FERTILIZER INC	AGRIFOS FERTILIZER	HARRIS	800 FERTILIZER PLANT REACTOR HEATE	TOTAL PARTICULAT	0.0111	Active
AGRIFOS FERTILIZER INC	AGRIFOS FERTILIZER	HARRIS	800 FERTILIZER PLANT REACTOR HEATE	CARBON MONOXIDE	2.4642	Active
AGRIFOS FERTILIZER INC	AGRIFOS FERTILIZER	HARRIS	800 FERTILIZER PLANT REACTOR HEATE	SULFUR DIOXIDE	0.0176	Active
AGRIUM US INC	AGRIUM INC	HUTCHI	START-UP HEATER "102 B."	SULFUR DIOXIDE	0	Active
AGRIUM US INC	AGRIUM INC	HUTCHI	START-UP HEATER "102 B."	NITROGEN OXIDES	0.0019	Active
AGRIUM US INC	AGRIUM INC	HUTCHI	START-UP HEATER "102 B."	CARBON MONOXIDE	0.0016	Active
AGRIUM US INC	AGRIUM INC	HUTCHI	START-UP HEATER "102 B."	TOTAL PARTICULAT	0.0001	Active
AGRIUM US INC	AGRIUM INC	HUTCHI	START-UP HEATER "102 B."	TOTAL PM10 PARTI	0.0001	Active
AGRIUM US INC	AGRIUM INC	HUTCHI	START-UP HEATER "102 B."	TOTAL PM2.5 PARTI	0.0001	Active
AIR LIQUIDE LARGE INDUSTI	AIR LIQUIDE LARGE I	JEFFER	DUCT BURNER	TOTAL PARTICULAT	2.66	Active
AIR LIQUIDE LARGE INDUSTI	AIR LIQUIDE LARGE I	JEFFER	DUCT BURNER	CARBON MONOXIDE	2.89	Active
AIR LIQUIDE LARGE INDUSTI	AIR LIQUIDE LARGE I	JEFFER	DUCT BURNER	NITROGEN OXIDES	3.2	Active
AIR LIQUIDE LARGE INDUSTI	AIR LIQUIDE LARGE I	JEFFER	DUCT BURNER	TOTAL PM2.5 PARTI	2.66	Active
AIR LIQUIDE LARGE INDUSTI	AIR LIQUIDE LARGE I	JEFFER	DUCT BURNER	TOTAL PM10 PARTI	2.66	Active
AIR LIQUIDE LARGE INDUSTI	AIR LIQUIDE LARGE I	JEFFER	DUCT BURNER	SULFUR DIOXIDE	0.02	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	FIRED GAS PREHEATER "A"	TOTAL PM2.5 PARTI	0.561	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	FIRED GAS PREHEATER "A"	NITROGEN OXIDES	3.541	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	FIRED GAS PREHEATER "A"	SULFUR DIOXIDE	0.678	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	FIRED GAS PREHEATER "A"	CARBON MONOXIDE	0.075	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	FIRED GAS PREHEATER "A"	TOTAL PARTICULAT	0.564	Active

AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	FIRED GAS PREHEATER "A"	TOTAL PM10 PARTIC	0.561	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	FIRED GAS PREHEATER "B"	TOTAL PM10 PARTIC	0.571	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	FIRED GAS PREHEATER "B"	NITROGEN OXIDES	3.603	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	FIRED GAS PREHEATER "B"	TOTAL PARTICULAT	0.574	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	FIRED GAS PREHEATER "B"	TOTAL PM2.5 PARTI	0.571	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	FIRED GAS PREHEATER "B"	SULFUR DIOXIDE	0.69	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	FIRED GAS PREHEATER "B"	CARBON MONOXIDE	0.077	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	LIQUID OXYGEN VAPORIZER	TOTAL PARTICULAT	0.01	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	LIQUID OXYGEN VAPORIZER	NITROGEN OXIDES	0.047	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	LIQUID OXYGEN VAPORIZER	SULFUR DIOXIDE	0.019	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	LIQUID OXYGEN VAPORIZER	CARBON MONOXIDE	0.047	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	LIQUID OXYGEN VAPORIZER	TOTAL PM2.5 PARTI	0.01	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	LIQUID OXYGEN VAPORIZER	TOTAL PM10 PARTIC	0.01	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	T.S.A. DRIERS	CARBON MONOXIDE	1.3	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	T.S.A. DRIERS	TOTAL PARTICULAT	0.01	Active
AIR PRODUCTS AND CHEMIC	LA PORTE FACILITY	HARRIS	T.S.A. DRIERS	TOTAL PM10 PARTIC	0	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	JOHN ZINK N.O.X. DESTRUCTER	NITROGEN OXIDES	8.86	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	JOHN ZINK N.O.X. DESTRUCTER	SULFUR DIOXIDE	0.014	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	JOHN ZINK N.O.X. DESTRUCTER	CARBON MONOXIDE	3.27	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	JOHN ZINK N.O.X. DESTRUCTER	TOTAL PM2.5 PARTI	0.1817	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	JOHN ZINK N.O.X. DESTRUCTER	TOTAL PARTICULAT	0.1817	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	JOHN ZINK N.O.X. DESTRUCTER	TOTAL PM10 PARTIC	0.1817	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	CARBON MONOXIDE	0.206	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	TOTAL PM10 PARTIC	12.515	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	TOTAL PARTICULAT	12.515	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	SULFUR DIOXIDE	0.08	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	NITROGEN OXIDES	17.771	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	TOTAL PM10 PARTIC	0	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	TOTAL PM2.5 PARTI	12.515	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	SULFUR DIOXIDE	0.03	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	CARBON MONOXIDE	2.413	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	TOTAL PARTICULAT	0	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	CARBON MONOXIDE	4.75	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	NITROGEN OXIDES	0.719	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	TOTAL PARTICULAT	0	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	STEAM METHANE REFORMER PLANT	TOTAL PM10 PARTIC	0	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	WWTP	CARBON MONOXIDE	0.864	Active

AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	WWTP	NITROGEN OXIDES	4.172	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	WWTP	TOTAL PARTICULAT	0	Active
AIR PRODUCTS L P	DITNTROTOLUENE P	HARRIS	WWTP	TOTAL PM10 PARTI	0	Active
AIR SYSTEM COMPONENTS,	HART AND COOLEY	EL PASC	NATURAL GAS COATING OVEN	TOTAL PM2.5 PARTI	0.043	Active
AIR SYSTEM COMPONENTS,	HART AND COOLEY	EL PASC	NATURAL GAS COATING OVEN	NITROGEN OXIDES	0.564	Active
AIR SYSTEM COMPONENTS,	HART AND COOLEY	EL PASC	NATURAL GAS COATING OVEN	SULFUR DIOXIDE	0.003	Active
AIR SYSTEM COMPONENTS,	HART AND COOLEY	EL PASC	NATURAL GAS COATING OVEN	CARBON MONOXIDE	0.474	Active
AIR SYSTEM COMPONENTS,	HART AND COOLEY	EL PASC	NATURAL GAS COATING OVEN	TOTAL PARTICULAT	0.043	Active
AIR SYSTEM COMPONENTS,	HART AND COOLEY	EL PASC	NATURAL GAS COATING OVEN	TOTAL PM10 PARTI	0.043	Active
AKZO NOBEL CHEMICALS IN	DEER PARK SITE	HARRIS	FURNACE H-161	TOTAL PARTICULAT	0.11	Active
AKZO NOBEL CHEMICALS IN	DEER PARK SITE	HARRIS	FURNACE H-161	TOTAL PM2.5 PARTI	0.11	Active
AKZO NOBEL CHEMICALS IN	DEER PARK SITE	HARRIS	FURNACE H-161	NITROGEN OXIDES	1.58	Active
AKZO NOBEL CHEMICALS IN	DEER PARK SITE	HARRIS	FURNACE H-161	CARBON MONOXIDE	1.31	Active
AKZO NOBEL CHEMICALS IN	DEER PARK SITE	HARRIS	FURNACE H-161	TOTAL PM10 PARTI	0.11	Active
AKZO NOBEL CHEMICALS IN	DEER PARK SITE	HARRIS	FURNACE H-161	SULFUR DIOXIDE	0.01	Active
AKZO NOBEL CHEMICALS IN	DEER PARK SITE	HARRIS	PILOT PLANT	TOTAL PARTICULAT	0	Active
AKZO NOBEL CHEMICALS IN	DEER PARK SITE	HARRIS	PILOT PLANT	TOTAL PM10 PARTI	0	Active
AKZO NOBEL CHEMICALS IN	DEER PARK SITE	HARRIS	SOLVENT DRYERS	TOTAL PARTICULAT	0	Active
AKZO NOBEL CHEMICALS IN	DEER PARK SITE	HARRIS	SOLVENT DRYERS	TOTAL PM10 PARTI	0	Active
AKZO NOBEL POLYMER CHE	AKZO NOBEL POLYM	HARRIS	PERCARBONATE WASTEWATER FUGITIV	TOTAL PM10 PARTI	0	Active
AKZO NOBEL POLYMER CHE	AKZO NOBEL POLYM	HARRIS	PERCARBONATE WASTEWATER FUGITIV	TOTAL PARTICULAT	0	Active
AKZO NOBEL POLYMER CHE	AKZO NOBEL POLYM	HARRIS	THERMAL OXIDIZER	TOTAL PM10 PARTI	0.023	Active
AKZO NOBEL POLYMER CHE	AKZO NOBEL POLYM	HARRIS	THERMAL OXIDIZER	SULFUR DIOXIDE	0.001	Active
AKZO NOBEL POLYMER CHE	AKZO NOBEL POLYM	HARRIS	THERMAL OXIDIZER	NITROGEN OXIDES	0.033	Active
AKZO NOBEL POLYMER CHE	AKZO NOBEL POLYM	HARRIS	THERMAL OXIDIZER	CARBON MONOXIDE	0.053	Active
AKZO NOBEL POLYMER CHE	AKZO NOBEL POLYM	HARRIS	THERMAL OXIDIZER	TOTAL PM2.5 PARTI	0.023	Active
AKZO NOBEL POLYMER CHE	AKZO NOBEL POLYM	HARRIS	THERMAL OXIDIZER	TOTAL PARTICULAT	0.023	Active
AKZO NOBEL SURFACE CHE	HOUSTON PLANT	FORT BE	OIL HEATER FOR "K-201"	NITROGEN OXIDES	1.263	Active
AKZO NOBEL SURFACE CHE	HOUSTON PLANT	FORT BE	OIL HEATER FOR "K-201"	TOTAL PM10 PARTI	0.096	Active
AKZO NOBEL SURFACE CHE	HOUSTON PLANT	FORT BE	OIL HEATER FOR "K-201"	TOTAL PARTICULAT	0.096	Active
AKZO NOBEL SURFACE CHE	HOUSTON PLANT	FORT BE	OIL HEATER FOR "K-201"	SULFUR DIOXIDE	0.0076	Active
AKZO NOBEL SURFACE CHE	HOUSTON PLANT	FORT BE	OIL HEATER FOR "K-201"	TOTAL PM2.5 PARTI	0.072	Active
AKZO NOBEL SURFACE CHE	HOUSTON PLANT	FORT BE	OIL HEATER FOR "K-201"	CARBON MONOXIDE	1.0609	Active
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	AL MELT FURNACE STACK 1C/1D SEE C	TOTAL PARTICULAT	0	Permitted, but not built
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	AL MELT FURNACE STACK 1C/1D SEE C	TOTAL PM10 PARTI	0	Permitted, but not built

ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	AP FURNACE STACK F-150B	TOTAL PARTICULAT	0	Idle
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	AP FURNACE STACK F-150B	TOTAL PM10 PARTI	0	Idle
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	AP FURNACE STACK F-150A	TOTAL PARTICULAT	0.2146	Idle
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	AP FURNACE STACK F-150A	TOTAL PM10 PARTI	0.2146	Idle
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	AP FURNACE STACK F-150A	TOTAL PM2.5 PARTI	0.0001	Idle
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	AP FURNACE STACK F-150A	NITROGEN OXIDES	2.8235	Idle
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	AP FURNACE STACK F-150A	SULFUR DIOXIDE	0.0169	Idle
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	AP FURNACE STACK F-150A	CARBON MONOXIDE	2.3717	Idle
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	B-7501 SAS DRYER EXHAUST BLOWER	TOTAL PM2.5 PARTI	0.0001	Active
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	B-7501 SAS DRYER EXHAUST BLOWER	SULFUR DIOXIDE	0.0001	Active
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	DOWTHERM FURNACE	TOTAL PARTICULAT	0	Shutdown
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	DOWTHERM FURNACE	TOTAL PM10 PARTI	0	Shutdown
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	F-6149 DTA FURNACE	CARBON MONOXIDE	4.87	Active
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	F-6149 DTA FURNACE	TOTAL PARTICULAT	0.44	Active
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	F-6149 DTA FURNACE	TOTAL PM2.5 PARTI	0.0001	Active
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	F-6149 DTA FURNACE	SULFUR DIOXIDE	0.03	Active
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	F-6149 DTA FURNACE	TOTAL PM10 PARTI	0.44	Active
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	F-6149 DTA FURNACE	NITROGEN OXIDES	5.8	Active
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	GROUND BURNER	TOTAL PM10 PARTI	0	Shutdown
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	GROUND BURNER	TOTAL PARTICULAT	0	Shutdown
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	KEMP AIR DRYER	TOTAL PARTICULAT	0	Shutdown
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	KEMP AIR DRYER	TOTAL PM10 PARTI	0	Active
ALBEMARLE CORP	ALBEMARLE CORP	HARRIS	WASTE GROUND BURNER	TOTAL PARTICULAT	0	Demolished
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 81 SPAR DRYING	TOTAL PARTICULAT	1.19	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 81 SPAR DRYING	TOTAL PM10 PARTI	1.19	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 ALF3 ELEVATOR	TOTAL PM10 PARTI	2.81	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 ALF3 ELEVATOR	TOTAL PARTICULAT	2.81	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #1	TOTAL PM10 PARTI	0.025	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #1	TOTAL PARTICULAT	0.025	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #2	CARBON MONOXIDE	0.0417	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #2	SULFUR DIOXIDE	0.034	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #2	NITROGEN OXIDES	0.275	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #2	TOTAL PARTICULAT	0.024	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #3	NITROGEN OXIDES	0.292	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #3	TOTAL PARTICULAT	0.026	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #3	TOTAL PM10 PARTI	0.026	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #3	CARBON MONOXIDE	0.037	Active

ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #4	NITROGEN OXIDES	0.278	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #4	CARBON MONOXIDE	0.0421	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #4	SULFUR DIOXIDE	0.035	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #4	TOTAL PARTICULAT	0.024	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #4	TOTAL PM10 PARTI	0.024	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #5	SULFUR DIOXIDE	0.028	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #5	TOTAL PARTICULAT	0.019	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #5	TOTAL PM10 PARTI	0.019	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #5	NITROGEN OXIDES	0.221	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #5	CARBON MONOXIDE	0.0336	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #6	NITROGEN OXIDES	0.285	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #6	CARBON MONOXIDE	0.0432	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #6	SULFUR DIOXIDE	0.036	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #6	TOTAL PARTICULAT	0.025	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF FURNACE #6	TOTAL PM10 PARTI	0.025	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF KILN #1 GYPSUM BOX	TOTAL PARTICULAT	0.087	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF KILN #1 GYPSUM BOX	TOTAL PM10 PARTI	0.087	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF KILN #2 GYPSUM BOX	TOTAL PM10 PARTI	0.082	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF KILN #2 GYPSUM BOX	TOTAL PARTICULAT	0.151	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF KILN #3 GYPSUM BOX	TOTAL PM10 PARTI	0.087	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF KILN #3 GYPSUM BOX	TOTAL PARTICULAT	0.087	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF KILN #4 GYPSUM BOX	TOTAL PM10 PARTI	0.083	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF KILN #4 GYPSUM BOX	TOTAL PARTICULAT	0.083	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF KILN #5 GYSPUM BOX	TOTAL PARTICULAT	0.066	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF KILN #5 GYSPUM BOX	TOTAL PM10 PARTI	0.066	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF KILN #6 GYPSUM BOX	TOTAL PARTICULAT	0.085	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 84 HF KILN #6 GYPSUM BOX	TOTAL PM10 PARTI	0.085	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 85 HYDRATE DRYER #1	TOTAL PM10 PARTI	13.09	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 85 HYDRATE DRYER #1	TOTAL PARTICULAT	13.09	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 85 HYDRATE DRYER #2	TOTAL PM10 PARTI	13.09	Active
ALCOA WORLD ALUMINA LL	POINT COMFORT PLA	CALHOU	R 85 HYDRATE DRYER #2	TOTAL PARTICULAT	13.09	Active
ANTHONY FOREST PRODUC	ANTHONY FOREST P	CASS	STEAM KILN UNIT ONE	TOTAL PM2.5 PARTI	0.252	Active
ANTHONY FOREST PRODUC	ANTHONY FOREST P	CASS	STEAM KILN UNIT ONE	TOTAL PARTICULAT	0.252	Active
ANTHONY FOREST PRODUC	ANTHONY FOREST P	CASS	STEAM KILN UNIT ONE	TOTAL PM10 PARTI	0.252	Active
ARKEMA INC	ARKEMA INC	HARRIS	DRIERS REGEN. HEATER	TOTAL PM2.5 PARTI	0.0027	Active
ARKEMA INC	ARKEMA INC	HARRIS	DRIERS REGEN. HEATER	NITROGEN OXIDES	0.0361	Active
ARKEMA INC	ARKEMA INC	HARRIS	DRIERS REGEN. HEATER	SULFUR DIOXIDE	0.0001	Active

ARKEMA INC	ARKEMA INC	HARRIS	DRIERS REGEN. HEATER	CARBON MONOXIDE	0.0303	Active
ARKEMA INC	ARKEMA INC	HARRIS	DRIERS REGEN. HEATER	TOTAL PARTICULAT	0.0027	Active
ARKEMA INC	ARKEMA INC	HARRIS	DRIERS REGEN. HEATER	TOTAL PM10 PARTI	0.0027	Active
ARKEMA INC	ARKEMA INC	JEFFER	ETHYL MERCAPTAN--BEAUMONT UNIT #	NITROGEN OXIDES	0.032	Active
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	CARBON MONOXIDE	6.78	Active
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	TOTAL PM2.5 PARTI	0.6134	Active
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	SULFUR DIOXIDE	0.0484	Active
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	NITROGEN OXIDES	8.3458	Active
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	TOTAL PARTICULAT	0.6134	Active
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	TOTAL PM10 PARTI	0.6134	Active
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	TOTAL PARTICULAT	0	Shutdown
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	TOTAL PM2.5 PARTI	0.6746	Active
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	TOTAL PM10 PARTI	0	Shutdown
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	TOTAL PM10 PARTI	0.6746	Active
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	TOTAL PARTICULAT	0.6746	Active
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	CARBON MONOXIDE	7.4559	Active
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	SULFUR DIOXIDE	0.0533	Active
ARKEMA INC	ARKEMA INC	JEFFER	HEATER	NITROGEN OXIDES	9.1779	Active
ARKEMA INC	ARKEMA INC	HARRIS	HOT OIL HEATER	NITROGEN OXIDES	1.4768	Active
ARKEMA INC	ARKEMA INC	HARRIS	HOT OIL HEATER	TOTAL PM10 PARTI	0.1122	Active
ARKEMA INC	ARKEMA INC	HARRIS	HOT OIL HEATER	TOTAL PM2.5 PARTI	0.107	Active
ARKEMA INC	ARKEMA INC	HARRIS	HOT OIL HEATER	TOTAL PARTICULAT	0.1122	Active
ARKEMA INC	ARKEMA INC	HARRIS	HOT OIL HEATER	CARBON MONOXIDE	1.2405	Active
ARKEMA INC	ARKEMA INC	HARRIS	HOT OIL HEATER	TOTAL PM2.5 PARTI	0.1122	Active
ARKEMA INC	ARKEMA INC	HARRIS	HOT OIL HEATER	SULFUR DIOXIDE	0.0081	Active
ARKEMA INC	ARKEMA INC	HARRIS	HOT OIL HEATER	NITROGEN OXIDES	1.4083	Active
ARKEMA INC	ARKEMA INC	HARRIS	HOT OIL HEATER	SULFUR DIOXIDE	0.0049	Active
ARKEMA INC	ARKEMA INC	HARRIS	HOT OIL HEATER	CARBON MONOXIDE	1.1829	Active
ARKEMA INC	ARKEMA INC	HARRIS	HOT OIL HEATER	TOTAL PM10 PARTI	0.107	Active
ARKEMA INC	ARKEMA INC	HARRIS	HOT OIL HEATER	TOTAL PARTICULAT	0.107	Active
ARKEMA INC	ARKEMA INC	JEFFER	INCINERATOR	SULFUR DIOXIDE	0.0248	Active
ARKEMA INC	ARKEMA INC	JEFFER	INCINERATOR	TOTAL PM10 PARTI	0	Active
ARKEMA INC	ARKEMA INC	JEFFER	INCINERATOR	NITROGEN OXIDES	2.0648	Active
ARKEMA INC	ARKEMA INC	JEFFER	INCINERATOR	CARBON MONOXIDE	0.178	Active
ARKEMA INC	ARKEMA INC	JEFFER	INCINERATOR	TOTAL PARTICULAT	0	Active
ARKEMA INC	ARKEMA INC	JEFFER	INCINERATOR	TOTAL PARTICULAT	0.3138	Active
				TOTAL PM10 PARTI		

ARKEMA INC	ARKEMA INC	JEFFER	METHYL MERCAPTAN--BEAUMONT UNIT	SULFUR DIOXIDE	27.836	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH METHANE HEATER	TOTAL PM2.5 PARTI	0.0035	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH METHANE HEATER	NITROGEN OXIDES	0.0497	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH METHANE HEATER	TOTAL PM10 PARTI	0.0035	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH METHANE HEATER	SULFUR DIOXIDE	0.0002	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH METHANE HEATER	CARBON MONOXIDE	0.0417	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH METHANE HEATER	TOTAL PARTICULAT	0.0035	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH METHANE HEATER "B"	TOTAL PM2.5 PARTI	0.013	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH METHANE HEATER "B"	NITROGEN OXIDES	0.166	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH METHANE HEATER "B"	SULFUR DIOXIDE	0.0006	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH METHANE HEATER "B"	CARBON MONOXIDE	0.14	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH METHANE HEATER "B"	TOTAL PM10 PARTI	0.013	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH METHANE HEATER "B"	TOTAL PARTICULAT	0.013	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH SULFUR HEATER "A"	SULFUR DIOXIDE	0.0002	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH SULFUR HEATER "A"	TOTAL PARTICULAT	0.0044	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH SULFUR HEATER "A"	TOTAL PM10 PARTI	0.0044	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH SULFUR HEATER "A"	CARBON MONOXIDE	0.049	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH SULFUR HEATER "A"	TOTAL PM2.5 PARTI	0.0044	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH SULFUR HEATER "A"	NITROGEN OXIDES	0.0584	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH SULFUR HEATER "B"	TOTAL PARTICULAT	0.1811	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH SULFUR HEATER "B"	TOTAL PM10 PARTI	0.1811	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH SULFUR HEATER "B"	CARBON MONOXIDE	2.0018	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH SULFUR HEATER "B"	SULFUR DIOXIDE	0.0083	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH SULFUR HEATER "B"	NITROGEN OXIDES	2.3832	Active
ARKEMA INC	ARKEMA INC	HARRIS	NORTH SULFUR HEATER "B"	TOTAL PM2.5 PARTI	0.1811	Active
ARKEMA INC	ARKEMA INC	HARRIS	REACTOR REGENERATION HEATER	TOTAL PM2.5 PARTI	0.0051	Active
ARKEMA INC	ARKEMA INC	HARRIS	REACTOR REGENERATION HEATER	TOTAL PM10 PARTI	0.0051	Active
ARKEMA INC	ARKEMA INC	HARRIS	REACTOR REGENERATION HEATER	TOTAL PARTICULAT	0.0051	Active
ARKEMA INC	ARKEMA INC	HARRIS	REACTOR REGENERATION HEATER	SULFUR DIOXIDE	0.0002	Active
ARKEMA INC	ARKEMA INC	HARRIS	REACTOR REGENERATION HEATER	CARBON MONOXIDE	0.0561	Active
ARKEMA INC	ARKEMA INC	HARRIS	REACTOR REGENERATION HEATER	NITROGEN OXIDES	0.0668	Active
ARKEMA INC	CROSBY FACILITY	HARRIS	PACKOUT	TOTAL PARTICULAT	0	Active
ARKEMA INC	CROSBY FACILITY	HARRIS	PACKOUT	TOTAL PM10 PARTI	0	Active
ARKEMA INC	CROSBY FACILITY	HARRIS	DRYING COLUMN (C.P.U.)	TOTAL PM10 PARTI	0	Active
ARKEMA INC	CROSBY FACILITY	HARRIS	DRYING COLUMN (C.P.U.)	TOTAL PARTICULAT	0	Active
ARKEMA INC	CROSBY FACILITY	HARRIS	MAG.-LOADING B.P.U.	TOTAL PM10 PARTI	0.0001	Active
		SHELBY				

ARMSTRONG HARDWOOD F	BRUCE HARDWOOD	SHELBY	PLANK WAX FINISHING LINE	SULFUR DIOXIDE	0.0006	Active
ARMSTRONG HARDWOOD F	BRUCE HARDWOOD	SHELBY	PLANK WAX FINISHING LINE	CARBON MONOXIDE	0.0832	Active
ARMSTRONG HARDWOOD F	BRUCE HARDWOOD	SHELBY	PLANK WAX FINISHING LINE	TOTAL PM2.5 PARTI	0.0075	Active
ARMSTRONG HARDWOOD F	BRUCE HARDWOOD	SHELBY	PLANK WAX FINISHING LINE	TOTAL PARTICULAT	0.009	Active
ARMSTRONG HARDWOOD F	BRUCE HARDWOOD	SHELBY	PLANK WAX FINISHING LINE	TOTAL PM10 PARTI	0.009	Active
ATRIUM COMPANY, INC.	ATRIUM DOOR AND V	DALLAS	DRY OVEN NO. 2--TOPCOAT LINE	TOTAL PARTICULAT	0	Shutdown
ATRIUM COMPANY, INC.	ATRIUM DOOR AND V	DALLAS	DRY OVEN NO. 2--TOPCOAT LINE	TOTAL PM10 PARTI	0	Shutdown
ATRIUM COMPANY, INC.	ATRIUM DOOR AND V	DALLAS	DRY OVEN NO. 2--TOPCOAT LINE	NITROGEN OXIDES	0	Shutdown
ATRIUM COMPANY, INC.	ATRIUM DOOR AND V	DALLAS	DRY OVEN NO. 2--TOPCOAT LINE	SULFUR DIOXIDE	0	Shutdown
ATRIUM COMPANY, INC.	ATRIUM DOOR AND V	DALLAS	DRY OVEN NO. 2--TOPCOAT LINE	CARBON MONOXIDE	0	Shutdown
ATRIUM COMPANY, INC.	ATRIUM DOOR AND V	DALLAS	DRY OVEN NO.1--PRIMER LINE	NITROGEN OXIDES	0	Shutdown
ATRIUM COMPANY, INC.	ATRIUM DOOR AND V	DALLAS	DRY OVEN NO.1--PRIMER LINE	SULFUR DIOXIDE	0	Shutdown
ATRIUM COMPANY, INC.	ATRIUM DOOR AND V	DALLAS	DRY OVEN NO.1--PRIMER LINE	CARBON MONOXIDE	0	Shutdown
ATRIUM COMPANY, INC.	ATRIUM DOOR AND V	DALLAS	DRY OVEN NO.1--PRIMER LINE	TOTAL PARTICULAT	0	Shutdown
ATRIUM COMPANY, INC.	ATRIUM DOOR AND V	DALLAS	DRY OVEN NO.1--PRIMER LINE	TOTAL PM10 PARTI	0	Shutdown
BAKER PETROLITE CORPOR	PETROLITE CORP	HARRIS	HOT OIL HEATER 1	TOTAL PM10 PARTI	0.0839	Active
BAKER PETROLITE CORPOR	PETROLITE CORP	HARRIS	HOT OIL HEATER 1	TOTAL PARTICULAT	0.0839	Active
BAKER PETROLITE CORPOR	PETROLITE CORP	HARRIS	HOT OIL HEATER 1	CARBON MONOXIDE	0.0217	Active
BAKER PETROLITE CORPOR	PETROLITE CORP	HARRIS	HOT OIL HEATER 1	SULFUR DIOXIDE	0	Active
BAKER PETROLITE CORPOR	PETROLITE CORP	HARRIS	HOT OIL HEATER 1	NITROGEN OXIDES	0.6384	Active
BAKER PETROLITE CORPOR	PETROLITE CORP	HARRIS	HOT OIL HEATER 1	TOTAL PM2.5 PARTI	0.0839	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	DECO. OVEN 1 V.O.C.	TOTAL PARTICULAT	0	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	DECO. OVEN 1 V.O.C.	TOTAL PM10 PARTI	0	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	DECO. OVEN 2 V.O.C.	TOTAL PARTICULAT	0	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	DECO. OVEN 2 V.O.C.	TOTAL PM10 PARTI	0	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	DECO. OVEN GAS	TOTAL PM2.5 PARTI	0.1573	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	DECO. OVEN GAS	NITROGEN OXIDES	2.0698	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	DECO. OVEN GAS	SULFUR DIOXIDE	0.0124	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	DECO. OVEN GAS	CARBON MONOXIDE	1.7386	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	DECO. OVEN GAS	TOTAL PARTICULAT	0.1573	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	DECO. OVEN GAS	TOTAL PM10 PARTI	0.1573	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	I.S. OVEN GAS	TOTAL PM2.5 PARTI	0.1573	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	I.S. OVEN GAS	NITROGEN OXIDES	2.0698	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	I.S. OVEN GAS	SULFUR DIOXIDE	0.0124	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	I.S. OVEN GAS	CARBON MONOXIDE	1.7386	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	I.S. OVEN GAS	TOTAL PARTICULAT	0.1573	Active
				TOTAL PM10 PARTI		

BALL CORPORATION	BALL METAL BEVERA	MONTG	INSIDE SPRAY LINE 2	TOTAL PM2.5 PARTI	0.0036	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	INSIDE SPRAY LINE 2	TOTAL PARTICULAT	0.0036	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	INSIDE SPRAY LINE 2	TOTAL PM10 PARTI	0.0036	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	LINE 1 I.S. OVEN V.O.C.	TOTAL PARTICULAT	0	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	LINE 1 I.S. OVEN V.O.C.	TOTAL PM10 PARTI	0	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	LINE 2 I.S. OVEN V.O.C.	TOTAL PARTICULAT	0	Active
BALL CORPORATION	BALL METAL BEVERA	MONTG	LINE 2 I.S. OVEN V.O.C.	TOTAL PM10 PARTI	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 1	TOTAL PARTICULAT	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 1	TOTAL PM10 PARTI	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 1	NITROGEN OXIDES	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 1	SULFUR DIOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 1	CARBON MONOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 1	NITROGEN OXIDES	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 1	SULFUR DIOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 1	CARBON MONOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 1	TOTAL PARTICULAT	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 1	TOTAL PM10 PARTI	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 2	NITROGEN OXIDES	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 2	SULFUR DIOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 2	CARBON MONOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 2	TOTAL PARTICULAT	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 2	TOTAL PM10 PARTI	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 2	NITROGEN OXIDES	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 2	SULFUR DIOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 2	CARBON MONOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 2	TOTAL PARTICULAT	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	I.C. BAKE OVEN LINE 2	TOTAL PM10 PARTI	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 1	NITROGEN OXIDES	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 1	SULFUR DIOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 1	CARBON MONOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 1	TOTAL PARTICULAT	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 1	TOTAL PM10 PARTI	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 1	NITROGEN OXIDES	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 1	SULFUR DIOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 1	CARBON MONOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 1	TOTAL PARTICULAT	0	Active
				TOTAL PM10 PARTI		

BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 2	TOTAL PARTICULAT	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 2	TOTAL PM10 PARTI	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 2	NITROGEN OXIDES	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 2	SULFUR DIOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 2	CARBON MONOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 2	NITROGEN OXIDES	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 2	SULFUR DIOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 2	CARBON MONOXIDE	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 2	TOTAL PARTICULAT	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PIN (DECO) OVEN LINE 2	TOTAL PM10 PARTI	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PRINTER LINE 1	TOTAL PARTICULAT	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PRINTER LINE 1	TOTAL PM10 PARTI	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PRINTER LINE 2	TOTAL PARTICULAT	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	PRINTER LINE 2	TOTAL PM10 PARTI	0	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	SPACE HEATERS--NATURAL GAS	NITROGEN OXIDES	1.3346	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	SPACE HEATERS--NATURAL GAS	SULFUR DIOXIDE	0.008	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	SPACE HEATERS--NATURAL GAS	CARBON MONOXIDE	1.1211	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	SPACE HEATERS--NATURAL GAS	TOTAL PARTICULAT	0.1014	Active
BALL METAL BEVERAGE CO	BALL METAL BEVERA	TARRAN	SPACE HEATERS--NATURAL GAS	TOTAL PM10 PARTI	0.0882	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	DICAMBA FUME BURNER STACK	TOTAL PARTICULAT	0.0154	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	DICAMBA FUME BURNER STACK	CARBON MONOXIDE	0.1707	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	DICAMBA FUME BURNER STACK	NITROGEN OXIDES	0.8705	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	DICAMBA FUME BURNER STACK	TOTAL PM2.5 PARTI	0.0154	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	FUME INCINERATOR--FRONTIER	NITROGEN OXIDES	0.6545	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	FUME INCINERATOR--FRONTIER	SULFUR DIOXIDE	0.0364	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	FUME INCINERATOR--FRONTIER	HYDROCHLORIC AC	0.001	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	FUME INCINERATOR--FRONTIER	CARBON MONOXIDE	0.0727	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	FUME INCINERATOR--FRONTIER	TOTAL PM2.5 PARTI	0.0779	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	FUME INCINERATOR--FRONTIER	TOTAL PARTICULAT	0.0789	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	FUME INCINERATOR--FRONTIER	TOTAL PM10 PARTI	0.0779	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	TRI-N-PROPYL AMINE STORAGE TANK	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	TRI-N-PROPYL AMINE STORAGE TANK	TOTAL PARTICULAT	0	Active
BASF CORPORATION	BEAUMONT SITE	JEFFER	TRI-N-PROPYL AMINE STORAGE TANK	TOTAL PARTICULAT	0	Active
BASF CORPORATION	CLEAR LAKE MANUF	HARRIS	HOT OIL HEATER "H-2"	MERCURY-HG	0	Active
BASF CORPORATION	CLEAR LAKE MANUF	HARRIS	HOT OIL HEATER "H-2"	SULFUR DIOXIDE	0.0122	Active
BASF CORPORATION	CLEAR LAKE MANUF	HARRIS	HOT OIL HEATER "H-2"	TOTAL PM2.5 PARTI	0.154	Active
	CLEAR LAKE MANUF					

BASF CORPORATION	CLEAR LAKE MANUF/	HARRIS	HOT OIL HEATER "H-2"	TOTAL PM10 PARTI(	0.154	Active
BASF CORPORATION	CLEAR LAKE MANUF/	HARRIS	HOT OIL HEATER "H-2"	TOTAL PARTICULAT	0.1546	Active
BASF CORPORATION	CLEAR LAKE MANUF/	HARRIS	HOT OIL HEATER "H-2"	CARBON MONOXIDE	1.7018	Active
BASF CORPORATION	CLEAR LAKE MANUF/	HARRIS	HOT OIL HEATER "H-2"	LEAD-PB	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	AAE2 RESIDUE BURNED IN IN-701	TOTAL PM10 PARTI(	0	Idle
BASF CORPORATION	FREEPORT SITE	BRAZOF	AAE2 RESIDUE BURNED IN IN-701	TOTAL PARTICULAT	0	Idle
BASF CORPORATION	FREEPORT SITE	BRAZOF	AAE-3 AA RAILCAR LOADING	TOTAL PARTICULAT	0	Idle
BASF CORPORATION	FREEPORT SITE	BRAZOF	AAE-3 AA RAILCAR LOADING	TOTAL PM10 PARTI(	0	Idle
BASF CORPORATION	FREEPORT SITE	BRAZOF	AAE-3 AA TRUCK LOADING	TOTAL PARTICULAT	0	Idle
BASF CORPORATION	FREEPORT SITE	BRAZOF	AAE-3 AA TRUCK LOADING	TOTAL PM10 PARTI(	0	Idle
BASF CORPORATION	FREEPORT SITE	BRAZOF	AAE-3 WASTE LIQUIDS/GAS INCINERATC	TOTAL PM2.5 PARTI	31.025	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	AAE-3 WASTE LIQUIDS/GAS INCINERATC	CADMIUM-CD	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	AAE-3 WASTE LIQUIDS/GAS INCINERATC	CARBON MONOXIDE	18.64	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	AAE-3 WASTE LIQUIDS/GAS INCINERATC	SULFUR DIOXIDE	77.341	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	AAE-3 WASTE LIQUIDS/GAS INCINERATC	NITROGEN OXIDES	78.313	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	AAE-3 WASTE LIQUIDS/GAS INCINERATC	TOTAL PARTICULAT	31.042	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	AAE-3 WASTE LIQUIDS/GAS INCINERATC	TOTAL PM10 PARTI(	31.025	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	ANON2 COOLING TOWER	TOTAL PARTICULAT	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	ANON2 COOLING TOWER	TOTAL PM10 PARTI(	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	ANON2 COOLING TOWER	TOTAL PARTICULAT	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	ANON2 COOLING TOWER	TOTAL PM10 PARTI(	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BA RES. (PTZ) TO IN-4702	TOTAL PARTICULAT	0	Idle
BASF CORPORATION	FREEPORT SITE	BRAZOF	BA RES. (PTZ) TO IN-4702	TOTAL PM10 PARTI(	0	Idle
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-300	TOTAL PM10 PARTI(	0.044	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-300	TOTAL PARTICULAT	0.044	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-300	CARBON MONOXIDE	0.4862	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-300	SULFUR DIOXIDE	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-300	NITROGEN OXIDES	0.5788	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-300	TOTAL PM2.5 PARTI	0.044	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-310	TOTAL PM10 PARTI(	0.044	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-310	TOTAL PARTICULAT	0.044	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-310	CARBON MONOXIDE	0.4862	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-310	SULFUR DIOXIDE	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-310	NITROGEN OXIDES	0.5788	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-310	TOTAL PM2.5 PARTI	0.044	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-320	TOTAL PM2.5 PARTI	0.044	Active
				CARBON MONOXIDE		

BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-320	NITROGEN OXIDES	0.5788	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-320	SULFUR DIOXIDE	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-320	TOTAL PARTICULAT	0.044	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-320	TOTAL PM10 PARTI	0.044	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-330	TOTAL PARTICULAT	0.044	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-330	TOTAL PM10 PARTI	0.044	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-330	NITROGEN OXIDES	0.5788	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-330	SULFUR DIOXIDE	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-330	CARBON MONOXIDE	0.4862	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-330	TOTAL PM2.5 PARTI	0.044	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-340	CARBON MONOXIDE	0.9723	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-340	TOTAL PARTICULAT	0.088	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-340	TOTAL PM2.5 PARTI	0.088	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-340	SULFUR DIOXIDE	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-340	NITROGEN OXIDES	1.1575	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-340	TOTAL PM10 PARTI	0.088	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-340	TOTAL PARTICULAT	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-340	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-350	TOTAL PARTICULAT	0	Permitted, but not built
BASF CORPORATION	FREEPORT SITE	BRAZOF	BURNER BR-350	TOTAL PM10 PARTI	0	Permitted, but not built
BASF CORPORATION	FREEPORT SITE	BRAZOF	CATALYST DRYING OVEN (A)	TOTAL PARTICULAT	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	CATALYST DRYING OVEN (A)	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	CATALYST DRYING OVEN (B)	TOTAL PARTICULAT	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	CATALYST DRYING OVEN (B)	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	CATALYST DRYING OVEN (C)	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	CATALYST DRYING OVEN (C)	TOTAL PARTICULAT	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	CATALYST DRYING OVEN (D)	TOTAL PARTICULAT	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	CATALYST DRYING OVEN (D)	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	CATALYST DRYING OVEN (E)	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	CATALYST DRYING OVEN (E)	TOTAL PARTICULAT	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	CATALYST DRYING OVEN (F)	TOTAL PARTICULAT	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	D-772 T-230 BOTTOMS (EP-202)	TOTAL PARTICULAT	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	CATALYST DRYING OVEN (F)	TOTAL PM10 PARTI	0	Active
				CARBON MONOXIDE		

BASF CORPORATION	FREEPORT SITE	BRAZOR	INCINERATOR	NITROGEN OXIDES	0.1194	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	INCINERATOR	TOTAL PM2.5 PARTI	0.0249	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	INCINERATOR	TOTAL PARTICULAT	0.0249	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	INCINERATOR	TOTAL PM10 PARTI	0.0249	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	INCINERATOR IN-701	CADMIUM-CD	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	INCINERATOR IN-701	TOTAL PM2.5 PARTI	18.429	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	INCINERATOR IN-701	NITROGEN OXIDES	36.483	Idle
BASF CORPORATION	FREEPORT SITE	BRAZOR	INCINERATOR IN-701	SULFUR DIOXIDE	17.686	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	INCINERATOR IN-701	CARBON MONOXIDE	0.4223	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	INCINERATOR IN-701	TOTAL PM10 PARTI	18.429	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	INCINERATOR IN-701	TOTAL PARTICULAT	18.431	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	ISO-BUTRYALDEHYDE STORAGE	TOTAL PARTICULAT	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOR	ISO-BUTRYALDEHYDE STORAGE	TOTAL PM10 PARTI	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOR	LIQUID WASTE INCINERATOR	TOTAL PM10 PARTI	3.1992	Idle
BASF CORPORATION	FREEPORT SITE	BRAZOR	LIQUID WASTE INCINERATOR	TOTAL PARTICULAT	3.8316	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	LIQUID WASTE INCINERATOR	CARBON MONOXIDE	0.1607	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	LIQUID WASTE INCINERATOR	CADMIUM-CD	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	LIQUID WASTE INCINERATOR	TOTAL PM2.5 PARTI	0.4007	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	LIQUID WASTE INCINERATOR	NITROGEN OXIDES	58.389	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	LIQUID WASTE INCINERATOR	SULFUR DIOXIDE	73.477	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	METHANE BURNER BR-360	SULFUR DIOXIDE	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	METHANE BURNER BR-360	NITROGEN OXIDES	0.9186	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	METHANE BURNER BR-360	TOTAL PM2.5 PARTI	0.0698	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	METHANE BURNER BR-360	CARBON MONOXIDE	0.7716	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	METHANE BURNER BR-360	TOTAL PM10 PARTI	0.0698	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	METHANE BURNER BR-360	TOTAL PARTICULAT	0.0698	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	METHANE BURNER BR-370	CARBON MONOXIDE	0.7739	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	METHANE BURNER BR-370	SULFUR DIOXIDE	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	METHANE BURNER BR-370	NITROGEN OXIDES	0.9213	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	METHANE BURNER BR-370	TOTAL PM2.5 PARTI	0.07	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	METHANE BURNER BR-370	TOTAL PM10 PARTI	0.07	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	METHANE BURNER BR-370	TOTAL PARTICULAT	0.07	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	OFF GAS TO IN-701	TOTAL PM10 PARTI	0	Idle
BASF CORPORATION	FREEPORT SITE	BRAZOR	OXO SYNGAS FLARE FL-90	CARBON MONOXIDE	3.3564	Active
BASF CORPORATION	FREEPORT SITE	BRAZOR	OXO SYNGAS FLARE FL-90	NITROGEN OXIDES	1.0139	Active
				TOTAL PM10 PARTI		

BASF CORPORATION	FREEPORT SITE	BRAZOF	POURER FURNACE	TOTAL PARTICULAT	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	POURER FURNACE	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	REACTOR GAS	TOTAL PM10 PARTI	0	Idle
BASF CORPORATION	FREEPORT SITE	BRAZOF	REACTOR GAS	TOTAL PARTICULAT	0	Idle
BASF CORPORATION	FREEPORT SITE	BRAZOF	SYNGAS REFORMER H-1	TOTAL PARTICULAT	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	SYNGAS REFORMER H-1	TOTAL PARTICULAT	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	SYNGAS REFORMER H-1	TOTAL PM10 PARTI	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	SYNGAS REFORMER H-1	TOTAL PM10 PARTI	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	SYNGAS REFORMER H-1	CARBON MONOXIDE	0.1133	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	SYNGAS REFORMER H-1	NITROGEN OXIDES	51.048	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	SYNGAS REFORMER H-1	TOTAL PM2.5 PARTI	9.57	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	SYNGAS REFORMER H-1	TOTAL PARTICULAT	9.57	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	SYNGAS REFORMER H-1	TOTAL PM10 PARTI	9.57	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	THERMAL OXIDIZER	CARBON MONOXIDE	0.1261	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	THERMAL OXIDIZER	NITROGEN OXIDES	0.7146	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	THERMAL OXIDIZER	TOTAL PARTICULAT	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	THERMAL OXIDIZER	TOTAL PM10 PARTI	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	THERMAL OXIDIZER	TOTAL PARTICULAT	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	THERMAL OXIDIZER	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-30A DOWTHERM VAPORIZER	TOTAL PARTICULAT	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-30A DOWTHERM VAPORIZER	TOTAL PM10 PARTI	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-30B DOWTHERM VAPORIZER	TOTAL PM10 PARTI	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-30B DOWTHERM VAPORIZER	TOTAL PARTICULAT	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-30D DOWTHERM VAPORIZER	TOTAL PARTICULAT	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-30D DOWTHERM VAPORIZER	TOTAL PM10 PARTI	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-30E DOWTHERM VAPORIZER	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-30E DOWTHERM VAPORIZER	TOTAL PARTICULAT	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-30E DOWTHERM VAPORIZER	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-30E DOWTHERM VAPORIZER	TOTAL PARTICULAT	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40C DOWTHERM VAPORIZER	TOTAL PM10 PARTI	0.0504	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40C DOWTHERM VAPORIZER	TOTAL PARTICULAT	0.0504	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40C DOWTHERM VAPORIZER	CARBON MONOXIDE	0.5575	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40C DOWTHERM VAPORIZER	SULFUR DIOXIDE	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40C DOWTHERM VAPORIZER	NITROGEN OXIDES	0.6637	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40C DOWTHERM VAPORIZER	TOTAL PM2.5 PARTI	0.0504	Active
				TOTAL PARTICULAT		

BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40D DOWTHERM VAPORIZER	CARBON MONOXIDE	0.5822	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40D DOWTHERM VAPORIZER	SULFUR DIOXIDE	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40D DOWTHERM VAPORIZER	NITROGEN OXIDES	0.6931	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40D DOWTHERM VAPORIZER	TOTAL PM2.5 PARTI	0.0527	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40E DOWTHERM VAPORIZER	TOTAL PM2.5 PARTI	0.0988	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40E DOWTHERM VAPORIZER	TOTAL PM10 PARTI	0.0988	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40E DOWTHERM VAPORIZER	TOTAL PARTICULAT	0.0988	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40E DOWTHERM VAPORIZER	SULFUR DIOXIDE	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40E DOWTHERM VAPORIZER	CARBON MONOXIDE	1.0917	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-40E DOWTHERM VAPORIZER	NITROGEN OXIDES	1.2996	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50C DOWTHERM VAPORIZER	SULFUR DIOXIDE	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50C DOWTHERM VAPORIZER	NITROGEN OXIDES	1.2996	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50C DOWTHERM VAPORIZER	CARBON MONOXIDE	1.0917	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50C DOWTHERM VAPORIZER	TOTAL PARTICULAT	0.0988	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50C DOWTHERM VAPORIZER	TOTAL PM10 PARTI	0.0988	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50C DOWTHERM VAPORIZER	TOTAL PM2.5 PARTI	0.0988	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50D DOWTHERM VAPORIZER	TOTAL PM2.5 PARTI	0.0988	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50D DOWTHERM VAPORIZER	CARBON MONOXIDE	1.0917	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50D DOWTHERM VAPORIZER	NITROGEN OXIDES	1.2996	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50D DOWTHERM VAPORIZER	SULFUR DIOXIDE	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50D DOWTHERM VAPORIZER	TOTAL PARTICULAT	0.0988	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50D DOWTHERM VAPORIZER	TOTAL PM10 PARTI	0.0988	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50G DOWTHERM VAPORIZER	NITROGEN OXIDES	1.2996	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50G DOWTHERM VAPORIZER	TOTAL PM2.5 PARTI	0.0988	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50G DOWTHERM VAPORIZER	TOTAL PARTICULAT	0.0988	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50G DOWTHERM VAPORIZER	TOTAL PM10 PARTI	0.0988	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50G DOWTHERM VAPORIZER	SULFUR DIOXIDE	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-50G DOWTHERM VAPORIZER	CARBON MONOXIDE	1.0917	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	W-900 DOWTHERM BOILER	CARBON MONOXIDE	2.3771	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	WASTE BURNER	TOTAL PM10 PARTI	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	WASTE BURNER	TOTAL PARTICULAT	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	WASTE BURNER	TOTAL PARTICULAT	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	WASTE BURNER	TOTAL PM10 PARTI	0	Shutdown
BASF CORPORATION	FREEPORT SITE	BRAZOF	WB-900 INCINERATOR	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	FREEPORT SITE	BRAZOF	WB-900 INCINERATOR	TOTAL PARTICULAT	0	Active
				TOTAL PARTICULAT		

BASF CORPORATION	PASADENA PLANT	HARRIS	"2EH" PURIFICATION	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	"2EH" PURIFICATION	TOTAL PARTICULAT	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	CATALYTIC OXIDIZER	TOTAL PARTICULAT	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	CATALYTIC OXIDIZER	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	"CO2" STRIPPER VENT	TOTAL PARTICULAT	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	"CO2" STRIPPER VENT	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	FUGITIVES	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	FUGITIVES	TOTAL PARTICULAT	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	HOT OIL HEATER	TOTAL PM2.5 PARTI	0.7025	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	HOT OIL HEATER	CARBON MONOXIDE	7.6812	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	HOT OIL HEATER	SULFUR DIOXIDE	0.0094	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	HOT OIL HEATER	NITROGEN OXIDES	9.18	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	HOT OIL HEATER	TOTAL PARTICULAT	0.7025	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	HOT OIL HEATER	TOTAL PM10 PARTI	0.7025	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	NATURAL GAS PREHEATER	TOTAL PARTICULAT	0.2957	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	NATURAL GAS PREHEATER	TOTAL PM2.5 PARTI	0.2957	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	NATURAL GAS PREHEATER	NITROGEN OXIDES	0.6702	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	NATURAL GAS PREHEATER	CARBON MONOXIDE	3.2329	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	NATURAL GAS PREHEATER	SULFUR DIOXIDE	0.0043	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	NATURAL GAS PREHEATER	TOTAL PM10 PARTI	0.2957	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	RAIL LOADING	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	RAIL LOADING	TOTAL PARTICULAT	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	TRUCK LOADING	TOTAL PM10 PARTI	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	TRUCK LOADING	TOTAL PARTICULAT	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	WASTE GAS INCINERATOR 1	TOTAL PM2.5 PARTI	0.001	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	WASTE GAS INCINERATOR 1	TOTAL PM10 PARTI	0.001	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	WASTE GAS INCINERATOR 1	TOTAL PARTICULAT	0.001	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	WASTE GAS INCINERATOR 1	NITROGEN OXIDES	0.0124	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	WASTE GAS INCINERATOR 1	SULFUR DIOXIDE	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	WASTE GAS INCINERATOR 1	CARBON MONOXIDE	45.024	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	WASTE GAS INCINERATOR 2	TOTAL PM2.5 PARTI	0.0005	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	WASTE GAS INCINERATOR 2	TOTAL PM10 PARTI	0.0005	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	WASTE GAS INCINERATOR 2	TOTAL PARTICULAT	0.0005	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	WASTE GAS INCINERATOR 2	SULFUR DIOXIDE	0	Active
BASF CORPORATION	PASADENA PLANT	HARRIS	WASTE GAS INCINERATOR 2	NITROGEN OXIDES	0.0066	Active
				TOTAL PM10 PARTI		

BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	BPA DISSOLVING TANK AT MAKROLON	TOTAL PARTICULAT	0	Demolished
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	CAUSTIC FUME SCRUBBER	CARBON MONOXIDE	0.1314	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	CAUSTIC FUME SCRUBBER	NITROGEN OXIDES	0.0004	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	CAUSTIC FUME SCRUBBER	HYDROGEN CHLOR	0.0056	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	CAUSTIC FUME SCRUBBER	TOTAL PM10 PARTI	0	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	CAUSTIC FUME SCRUBBER	TOTAL PARTICULAT	0	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	CAUSTIC FUME SCRUBBER	TOTAL PM10 PARTI	0	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	CAUSTIC FUME SCRUBBER	TOTAL PARTICULAT	0	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	CENTRAL THERMAL OXIDIZER	NITROGEN OXIDES	10.738	Shutdown
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	CENTRAL THERMAL OXIDIZER	TOTAL PARTICULAT	0	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	CENTRAL THERMAL OXIDIZER	HYDROGEN CHLOR	0.9793	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	CENTRAL THERMAL OXIDIZER	CARBON MONOXIDE	0.0408	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	CENTRAL THERMAL OXIDIZER	TOTAL PM10 PARTI	0	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	DNT LOADING/UNLOADING	TOTAL PARTICULAT	0	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	DNT LOADING/UNLOADING	TOTAL PM10 PARTI	0	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	HCL UNIT OFF GAS INCINERATOR (ALSO	CARBON MONOXIDE	0.3831	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	HCL UNIT OFF GAS INCINERATOR (ALSO	NITROGEN OXIDES	0.3831	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	HCL UNIT OFF GAS INCINERATOR (ALSO	HYDROGEN CHLOR	0.0426	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	HCL UNIT OFF GAS INCINERATOR (ALSO	TOTAL PARTICULAT	0	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	HCL UNIT OFF GAS INCINERATOR (ALSO	TOTAL PM10 PARTI	0	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	HOT OIL HEATER	SULFUR DIOXIDE	0.006	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	HOT OIL HEATER	TOTAL PM10 PARTI	0.029	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	HOT OIL HEATER	TOTAL PARTICULAT	0.076	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	HOT OIL HEATER	CARBON MONOXIDE	0.8398	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	HOT OIL HEATER	NITROGEN OXIDES	0.9997	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	MDI SOLVENT DISTILLATION SYSTEM	TOTAL PM10 PARTI	0	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	MDI SOLVENT DISTILLATION SYSTEM	TOTAL PARTICULAT	0	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	SCR UNIT	TOTAL PM10 PARTI	0	Demolished
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	SCR UNIT	TOTAL PARTICULAT	0	Demolished
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	SOLVENT COLUMN	TOTAL PM10 PARTI	0	Active
BAYER CORPORATION	BAYTOWN FACILITY	CHAMBE	SOLVENT COLUMN	TOTAL PARTICULAT	0	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC/	GALVES	HEATER "H-101 MX2"	TOTAL PARTICULAT	0.7945	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC/	GALVES	HEATER "H-101 MX2"	TOTAL PM10 PARTI	0.7945	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC/	GALVES	HEATER "H-101 MX2"	TOTAL PM2.5 PARTI	0.7945	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC/	GALVES	HEATER "H-101 MX2"	CARBON MONOXIDE	8.7813	Active
		GALVES				

BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-101 PX-1"	NITROGEN OXIDES	36.664	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-101 PX-1"	SULFUR DIOXIDE	0.1316	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-101 PX-1"	CARBON MONOXIDE	0.3355	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-101 PX-1"	TOTAL PM2.5 PARTI	1.6667	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-101 PX-1"	TOTAL PM10 PARTI	1.6667	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-101 PX-1"	TOTAL PARTICULAT	1.6667	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-103"	TOTAL PM10 PARTI	0	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-103"	TOTAL PARTICULAT	0	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-103"	TOTAL PM2.5 PARTI	0	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-103"	CARBON MONOXIDE	0	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-103"	SULFUR DIOXIDE	0	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-103"	NITROGEN OXIDES	0	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-1101"	TOTAL PM2.5 PARTI	1.8968	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-1101"	TOTAL PARTICULAT	1.8968	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-1101"	CARBON MONOXIDE	0.0046	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-1101"	SULFUR DIOXIDE	0.1497	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-1101"	TOTAL PM10 PARTI	1.8968	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-1101"	NITROGEN OXIDES	18.685	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-1103 PX2"	NITROGEN OXIDES	17.91	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-1103 PX2"	TOTAL PM10 PARTI	1.9975	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-1103 PX2"	TOTAL PARTICULAT	1.9975	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-1103 PX2"	TOTAL PM2.5 PARTI	1.9975	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-1103 PX2"	SULFUR DIOXIDE	0.1577	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-1103 PX2"	CARBON MONOXIDE	0.6634	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-201" @ "MX-2"	NITROGEN OXIDES	12.659	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-201" @ "MX-2"	SULFUR DIOXIDE	0.2215	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-201" @ "MX-2"	TOTAL PARTICULAT	2.8054	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-201" @ "MX-2"	CARBON MONOXIDE	3.3304	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-201" @ "MX-2"	TOTAL PM10 PARTI	2.8054	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	HEATER "H-201" @ "MX-2"	TOTAL PM2.5 PARTI	2.8054	Active
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	REBOILER "H-1102"	TOTAL PM10 PARTI	0	Idle
BP AMOCO CHEMICAL COMP	TEXAS CITY CHEMIC	GALVES	REBOILER "H-1102"	TOTAL PARTICULAT	0	Idle
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	BB2 DRYER	TOTAL PM10 PARTI	0	Shutdown
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	BB2 DRYER	TOTAL PARTICULAT	0	Shutdown
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	CM10 DRYER	TOTAL PARTICULAT	0	Active
				TOTAL PARTICULAT		

BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	CM7 DRYER	TOTAL PM10 PARTI	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	FCM1 DRYER	TOTAL PM10 PARTI	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	FCM1 DRYER	TOTAL PARTICULAT	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	FCM2 DRYER	TOTAL PARTICULAT	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	FCM2 DRYER	TOTAL PM10 PARTI	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	FCM3 DRYER	TOTAL PARTICULAT	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	FCM3 DRYER	TOTAL PM10 PARTI	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	FCM4 DRYER	TOTAL PM10 PARTI	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	FCM4 DRYER	TOTAL PARTICULAT	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	FCM5 DRYER	TOTAL PARTICULAT	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	FCM5 DRYER	TOTAL PM10 PARTI	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	FCM6 DRYER	TOTAL PARTICULAT	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	FCM6 DRYER	TOTAL PM10 PARTI	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H11	TOTAL PARTICULAT	0.0007	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H11	TOTAL PM10 PARTI	0.0007	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H11	TOTAL PARTICULAT	0.0037	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H11	TOTAL PM10 PARTI	0.0037	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H11	CARBON MONOXIDE	0.0067	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H11	SULFUR DIOXIDE	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H11	NITROGEN OXIDES	0.008	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H11	TOTAL PM2.5 PARTI	0.0006	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H16	TOTAL PM10 PARTI	0.0013	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H16	TOTAL PM10 PARTI	0.0039	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H16	TOTAL PARTICULAT	0.0013	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H16	TOTAL PARTICULAT	0.0039	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H16	TOTAL PM2.5 PARTI	0.0012	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H16	CARBON MONOXIDE	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H16	NITROGEN OXIDES	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H16	SULFUR DIOXIDE	0	Active
BP SOLVAY POLYETHYLENE	POLYETHYLENE PLA	HARRIS	PE CAT. ACT. HEATER H21 (ELECTRIC)	TOTAL PM10 PARTI	0.0041	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYER NUM. 3	TOTAL PARTICULAT	0	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYER NUM. 3	TOTAL PM10 PARTI	0	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYER NUM. 7	TOTAL PARTICULAT	0	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYER NUM. 7	TOTAL PM10 PARTI	0	Active
				CARBON MONOXIDE		

BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 12	TOTAL PM2.5 PARTI	0.007	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 12	TOTAL PARTICULAT	0.007	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 12	TOTAL PM10 PARTI	0.007	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 28	CARBON MONOXIDE	0.072	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 28	TOTAL PM2.5 PARTI	0.007	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 28	TOTAL PARTICULAT	0.007	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 28	TOTAL PM10 PARTI	0.007	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 28	NITROGEN OXIDES	0.086	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 28	SULFUR DIOXIDE	0.001	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 6	TOTAL PM2.5 PARTI	0.02	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 6	TOTAL PARTICULAT	0.02	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 6	TOTAL PM10 PARTI	0.02	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 6	NITROGEN OXIDES	0.258	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 6	SULFUR DIOXIDE	0.002	Active
BUELL DOOR COMPANY	BUELL DOOR S BARR	DALLAS	DRYING OVEN 6	CARBON MONOXIDE	0.215	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM2.5 PARTI	0.014	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	NITROGEN OXIDES	0.128	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	SULFUR DIOXIDE	0.001	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PARTICULAT	0.01	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	SULFUR DIOXIDE	0.001	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	CARBON MONOXIDE	0.16	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PARTICULAT	0.014	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM10 PARTI	0.014	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM2.5 PARTI	0.02	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	NITROGEN OXIDES	0.257	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	SULFUR DIOXIDE	0.002	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	CARBON MONOXIDE	0.216	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PARTICULAT	0.02	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM10 PARTI	0.02	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	CARBON MONOXIDE	0.108	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM2.5 PARTI	0.02	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	NITROGEN OXIDES	1.027	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM2.5 PARTI	0.078	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM10 PARTI	0	Active
				CARBON MONOXIDE		

CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	SULFUR DIOXIDE	0	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	NITROGEN OXIDES	0	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	SULFUR DIOXIDE	0.006	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	CARBON MONOXIDE	0.863	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM2.5 PARTI	0.01	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM10 PARTI	0.48	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PARTICULAT	0.078	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	NITROGEN OXIDES	0.31	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	SULFUR DIOXIDE	0.002	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	CARBON MONOXIDE	0.26	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PARTICULAT	0.02	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM2.5 PARTI	0.113	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	NITROGEN OXIDES	0.82	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	SULFUR DIOXIDE	6.91	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	CARBON MONOXIDE	818.08	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	NITROGEN OXIDES	0.19	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM10 PARTI	0.02	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PARTICULAT	0.91	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	SULFUR DIOXIDE	0.006	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	NITROGEN OXIDES	1.027	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM10 PARTI	0.01	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM10 PARTI	0.078	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PARTICULAT	0.078	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	CARBON MONOXIDE	0.863	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM10 PARTI	0.078	Active
CABOT CORPORATION	PAMPA DEVELOPME	GRAY	CHEMICAL BUSINESS RESEARCH & DEV	TOTAL PM2.5 PARTI	0.078	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	"GP-4" MICRONIZER AIR HEATER	TOTAL PM10 PARTI	0.008	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	"GP-4" MICRONIZER AIR HEATER	NITROGEN OXIDES	0.103	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	"GP-4" MICRONIZER AIR HEATER	SULFUR DIOXIDE	0.001	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	"GP-4" MICRONIZER AIR HEATER	CARBON MONOXIDE	0.086	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	"GP-4" MICRONIZER AIR HEATER	TOTAL PM2.5 PARTI	0.008	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	"GP-4" MICRONIZER AIR HEATER	TOTAL PARTICULAT	0.008	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	A.T.U. AIR PREHEATER	TOTAL PM10 PARTI	0.041	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	A.T.U. AIR PREHEATER	TOTAL PARTICULAT	0.041	Active
				CARBON MONOXIDE		

CABOT CORPORATION	PAMPA PLANT	GRAY	A.T.U. AIR PREHEATER	NITROGEN OXIDES	0.545	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	AFTERTREATING UNIT AFTERBURNER	NITROGEN OXIDES	250.85	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	AFTERTREATING UNIT AFTERBURNER	SULFUR DIOXIDE	0.004	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	AFTERTREATING UNIT AFTERBURNER	CARBON MONOXIDE	0.04	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	AFTERTREATING UNIT AFTERBURNER	TOTAL PARTICULAT	1.2	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	AFTERTREATING UNIT AFTERBURNER	TOTAL PM10 PARTI	1.2	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	HEATER	SULFUR DIOXIDE	0.001	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	HEATER	NITROGEN OXIDES	0.06	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	HEATER	TOTAL PM2.5 PARTI	0.005	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	HEATER	TOTAL PARTICULAT	0.005	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	HEATER	CARBON MONOXIDE	0.05	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	HEATER	TOTAL PM10 PARTI	0.005	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	INSTRUMENT AIR HEATER	SULFUR DIOXIDE	0.001	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	INSTRUMENT AIR HEATER	CARBON MONOXIDE	0.156	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	INSTRUMENT AIR HEATER	TOTAL PM2.5 PARTI	0.014	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	INSTRUMENT AIR HEATER	TOTAL PARTICULAT	0.014	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	INSTRUMENT AIR HEATER	TOTAL PM10 PARTI	0.014	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	INSTRUMENT AIR HEATER	NITROGEN OXIDES	0.186	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	TOTAL PM10 PARTI	0.007	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	TOTAL PARTICULAT	0.007	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	CARBON MONOXIDE	0.074	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	SULFUR DIOXIDE	0.001	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	SULFUR DIOXIDE	0.001	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	TOTAL PM10 PARTI	0.007	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	NITROGEN OXIDES	0.088	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	TOTAL PM2.5 PARTI	0.007	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	NITROGEN OXIDES	0.088	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	TOTAL PARTICULAT	0.007	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	CARBON MONOXIDE	0.074	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	SULFUR DIOXIDE	0.001	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	NITROGEN OXIDES	0.088	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	TOTAL PM2.5 PARTI	0.007	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	TOTAL PM2.5 PARTI	0.007	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	CARBON MONOXIDE	0.074	Active
			NATURAL-GAS-FIRED, BATHHOUSE HEA			

CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	TOTAL PM2.5 PARTI	0.007	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	TOTAL PM10 PARTI	0.007	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	TOTAL PM10 PARTI	0.007	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	TOTAL PARTICULAT	0.007	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NATURAL-GAS-FIRED, BATHHOUSE HEA	CARBON MONOXIDE	0.074	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 1 TANK, NAT.-GAS-FIRED, BAYONET	TOTAL PM10 PARTI	0.067	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 1 TANK, NAT.-GAS-FIRED, BAYONET	TOTAL PARTICULAT	0.067	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 1 TANK, NAT.-GAS-FIRED, BAYONET	CARBON MONOXIDE	0.736	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 1 TANK, NAT.-GAS-FIRED, BAYONET	NITROGEN OXIDES	0.876	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 1 TANK, NAT.-GAS-FIRED, BAYONET	SULFUR DIOXIDE	0.005	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 1 TANK, NAT.-GAS-FIRED, BAYONET	TOTAL PM2.5 PARTI	0.067	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 2 TANK, NAT.-GAS-FIRED, BAYONET	TOTAL PM10 PARTI	0.033	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 2 TANK, NAT.-GAS-FIRED, BAYONET	TOTAL PARTICULAT	0.033	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 2 TANK, NAT.-GAS-FIRED, BAYONET	CARBON MONOXIDE	0.368	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 2 TANK, NAT.-GAS-FIRED, BAYONET	SULFUR DIOXIDE	0.003	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 2 TANK, NAT.-GAS-FIRED, BAYONET	NITROGEN OXIDES	0.438	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 2 TANK, NAT.-GAS-FIRED, BAYONET	TOTAL PM2.5 PARTI	0.033	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 3 TANK, NAT.-GAS-FIRED BAYONET	CARBON MONOXIDE	0.368	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 3 TANK, NAT.-GAS-FIRED BAYONET	SULFUR DIOXIDE	0.003	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 3 TANK, NAT.-GAS-FIRED BAYONET	TOTAL PM2.5 PARTI	0.033	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 3 TANK, NAT.-GAS-FIRED BAYONET	NITROGEN OXIDES	0.438	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 3 TANK, NAT.-GAS-FIRED BAYONET	TOTAL PM10 PARTI	0.033	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 3 TANK, NAT.-GAS-FIRED BAYONET	TOTAL PARTICULAT	0.033	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 4 TANK, NAT.-GAS-FIRED, BAYONET	TOTAL PM2.5 PARTI	0.033	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 4 TANK, NAT.-GAS-FIRED, BAYONET	NITROGEN OXIDES	0.438	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 4 TANK, NAT.-GAS-FIRED, BAYONET	SULFUR DIOXIDE	0.003	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 4 TANK, NAT.-GAS-FIRED, BAYONET	CARBON MONOXIDE	0.368	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 4 TANK, NAT.-GAS-FIRED, BAYONET	TOTAL PARTICULAT	0.033	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 4 TANK, NAT.-GAS-FIRED, BAYONET	TOTAL PM10 PARTI	0.033	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 5 TANK, NAT.-GAS-FIRED, BAYONET	TOTAL PM2.5 PARTI	0.033	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 5 TANK, NAT.-GAS-FIRED, BAYONET	SULFUR DIOXIDE	0.003	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 5 TANK, NAT.-GAS-FIRED, BAYONET	NITROGEN OXIDES	0.438	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 5 TANK, NAT.-GAS-FIRED, BAYONET	CARBON MONOXIDE	0.368	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 5 TANK, NAT.-GAS-FIRED, BAYONET	TOTAL PARTICULAT	0.033	Active
				TOTAL PM10 PARTI		

CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 5 TANK, NAT.-GAS-FIRED, BAYONET	SULFUR DIOXIDE	0.003	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 5 TANK, NAT.-GAS-FIRED, BAYONET	NITROGEN OXIDES	0.438	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 5 TANK, NAT.-GAS-FIRED, BAYONET	CARBON MONOXIDE	0.368	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	NO. 5 TANK, NAT.-GAS-FIRED, BAYONET	TOTAL PARTICULAT	0.033	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	PELLET DRYER NO. 1	TOTAL PM10 PARTI	0.076	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	PELLET DRYER NO. 1	CARBON MONOXIDE	0.003	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	PELLET DRYER NO. 1	SULFUR DIOXIDE	7.375	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	PELLET DRYER NO. 1	TOTAL PARTICULAT	0.076	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	PELLET DRYER NO. 1	NITROGEN OXIDES	1.74	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	PETRO. CHEM. FEEDSTOCK HEATER	NITROGEN OXIDES	0.218	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	PETRO. CHEM. FEEDSTOCK HEATER	TOTAL PM2.5 PARTI	0.017	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	PETRO. CHEM. FEEDSTOCK HEATER	CARBON MONOXIDE	0.183	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	PETRO. CHEM. FEEDSTOCK HEATER	TOTAL PARTICULAT	0.017	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	PETRO. CHEM. FEEDSTOCK HEATER	SULFUR DIOXIDE	0.001	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	PETRO. CHEM. FEEDSTOCK HEATER	TOTAL PM10 PARTI	0.017	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	PROCESS BUILDING VACUUM CLEAN UP	TOTAL PARTICULAT	0.402	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	PROCESS BUILDING VACUUM CLEAN UP	TOTAL PM10 PARTI	0.402	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	TRANSPORT SYSTEMS	SULFUR DIOXIDE	0.001	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	TRANSPORT SYSTEMS	NITROGEN OXIDES	0.182	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	TRANSPORT SYSTEMS	CARBON MONOXIDE	0.153	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	TRANSPORT SYSTEMS	TOTAL PM2.5 PARTI	0.014	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	TRANSPORT SYSTEMS	TOTAL PM10 PARTI	0.014	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	TRANSPORT SYSTEMS	TOTAL PARTICULAT	0.014	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT "A5" BAGHOUSE FILTER (MAIN UNIT	NITROGEN OXIDES	13.8	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT "A5" BAGHOUSE FILTER (MAIN UNIT	TOTAL PARTICULAT	0.249	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT "A5" BAGHOUSE FILTER (MAIN UNIT	TOTAL PM10 PARTI	0.249	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT "A5" BAGHOUSE FILTER (MAIN UNIT	CARBON MONOXIDE	3240.7	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT "A5" BAGHOUSE FILTER (MAIN UNIT	SULFUR DIOXIDE	32.96	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT "A5A" FEEDSTOCK HEATER	TOTAL PM10 PARTI	0.021	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT "A5A" FEEDSTOCK HEATER	TOTAL PARTICULAT	0.021	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT "A5A" FEEDSTOCK HEATER	TOTAL PM2.5 PARTI	0.021	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT "A5A" FEEDSTOCK HEATER	CARBON MONOXIDE	0.235	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT "A5A" FEEDSTOCK HEATER	SULFUR DIOXIDE	0.002	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT "A5A" FEEDSTOCK HEATER	NITROGEN OXIDES	0.28	Active
				TOTAL PM10 PARTI		

CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 AIRLIFT AIR HEATER	CARBON MONOXIDE	0.125	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 AIRLIFT AIR HEATER	TOTAL PM2.5 PARTI	0.011	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 AIRLIFT AIR HEATER	TOTAL PARTICULAT	0.011	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 FEED STOCK HEATER (NAT.-GAS	NITROGEN OXIDES	0.448	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 FEED STOCK HEATER (NAT.-GAS	TOTAL PM10 PARTI	0.035	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 FEED STOCK HEATER (NAT.-GAS	TOTAL PARTICULAT	0.035	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 FEED STOCK HEATER (NAT.-GAS	TOTAL PM2.5 PARTI	0.035	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 FEED STOCK HEATER (NAT.-GAS	CARBON MONOXIDE	0.376	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 FEED STOCK HEATER (NAT.-GAS	SULFUR DIOXIDE	0.003	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 PELLET DRYER NO. 2	SULFUR DIOXIDE	6.194	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 PELLET DRYER NO. 2	CARBON MONOXIDE	0.137	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 PELLET DRYER NO. 2	TOTAL PARTICULAT	0.076	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 PELLET DRYER NO. 2	TOTAL PM10 PARTI	0.076	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 PELLET DRYER NO. 2	NITROGEN OXIDES	1.461	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 START-UP EMISSION SCRUBBER	TOTAL PM10 PARTI	0.742	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 START-UP EMISSION SCRUBBER	TOTAL PARTICULAT	0.742	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 2 START-UP EMISSION SCRUBBER	CARBON MONOXIDE	0.009	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 3 (MAIN UNIT) BAGHOUSE FILTER	TOTAL PM10 PARTI	0.67	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 3 (MAIN UNIT) BAGHOUSE FILTER	TOTAL PARTICULAT	0.67	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 3 (MAIN UNIT) BAGHOUSE FILTER	NITROGEN OXIDES	0.65	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 3 (MAIN UNIT) BAGHOUSE FILTER	SULFUR DIOXIDE	0.25	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 3 (MAIN UNIT) BAGHOUSE FILTER	CARBON MONOXIDE	718.43	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 3 START-UP EMISSION SCRUBBER	TOTAL PARTICULAT	0.034	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 3 START-UP EMISSION SCRUBBER	TOTAL PM10 PARTI	0.019	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 3 START-UP EMISSION SCRUBBER	CARBON MONOXIDE	0.092	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 3 START-UP EMISSION SCRUBBER	SULFUR DIOXIDE	0.0007	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 3 START-UP EMISSION SCRUBBER	NITROGEN OXIDES	0.148	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 4 START-UP EMISSION SCRUBBER	TOTAL PARTICULAT	0.04	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 4 START-UP EMISSION SCRUBBER	CARBON MONOXIDE	0.081	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 4 START-UP EMISSION SCRUBBER	SULFUR DIOXIDE	0.0006	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 4 START-UP EMISSION SCRUBBER	NITROGEN OXIDES	0.096	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 5 START-UP EMISSION SCRUBBER	CARBON MONOXIDE	0.088	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 5 START-UP EMISSION SCRUBBER	SULFUR DIOXIDE	0.0006	Active
				TOTAL PM10 PARTI		

CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 5 TREATING PROCESS FUME INCIN	TOTAL PARTICULAT	0.112	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 5 TREATING PROCESS FUME INCIN	CARBON MONOXIDE	0.068	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNIT 5 TREATING PROCESS FUME INCIN	NITROGEN OXIDES	322.14	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNITS 3 AND 4 NAT. GAS FIRED FEEDST	TOTAL PM10 PARTI	0.058	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNITS 3 AND 4 NAT. GAS FIRED FEEDST	TOTAL PARTICULAT	0.058	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNITS 3 AND 4 NAT. GAS FIRED FEEDST	CARBON MONOXIDE	0.613	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNITS 3 AND 4 NAT. GAS FIRED FEEDST	SULFUR DIOXIDE	0.004	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNITS 3 AND 4 NAT. GAS FIRED FEEDST	NITROGEN OXIDES	0.73	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	UNITS 3 AND 4 NAT. GAS FIRED FEEDST	TOTAL PM2.5 PARTI	0.058	Active
CABOT CORPORATION	PAMPA PLANT	GRAY	VACUUM CLEANUP SYSTEM	TOTAL PARTICULAT	0	Idle
CARDELL CABINETS INC	TIMCO FACILITY	BEXAR	AIR MAKEUP HEATER	TOTAL PM2.5 PARTI	0.06	Active
CARDELL CABINETS INC	TIMCO FACILITY	BEXAR	AIR MAKEUP HEATER	NITROGEN OXIDES	0.73	Active
CARDELL CABINETS INC	TIMCO FACILITY	BEXAR	AIR MAKEUP HEATER	SULFUR DIOXIDE	0.01	Active
CARDELL CABINETS INC	TIMCO FACILITY	BEXAR	AIR MAKEUP HEATER	CARBON MONOXIDE	0.01	Active
CARDELL CABINETS INC	TIMCO FACILITY	BEXAR	AIR MAKEUP HEATER	TOTAL PARTICULAT	0.06	Active
CARDELL CABINETS INC	TIMCO FACILITY	BEXAR	AIR MAKEUP HEATER	TOTAL PM10 PARTI	0.06	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	DRYING OVEN	NITROGEN OXIDES	0.51	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	DRYING OVEN	CARBON MONOXIDE	0.51	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	DRYING OVEN	TOTAL PARTICULAT	0.05	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	DRYING OVEN	TOTAL PM10 PARTI	0.05	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	DRYING OVEN	TOTAL PM2.5 PARTI	0.05	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	DRYING OVEN	SULFUR DIOXIDE	0.004	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	HANGLINE STAIN BOOTH	TOTAL PARTICULAT	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	HANGLINE STAIN BOOTH	TOTAL PM10 PARTI	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	NEWLINE CATALYTIC OXIDIZER	NITROGEN OXIDES	1.137	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	NEWLINE CATALYTIC OXIDIZER	CARBON MONOXIDE	0.955	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	NEWLINE CATALYTIC OXIDIZER	TOTAL PM2.5 PARTI	0.09	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	NEWLINE CATALYTIC OXIDIZER	TOTAL PARTICULAT	0.09	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	NEWLINE CATALYTIC OXIDIZER	TOTAL PM10 PARTI	0.09	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	NEWLINE CATALYTIC OXIDIZER	NITROGEN OXIDES	1.137	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	NEWLINE CATALYTIC OXIDIZER	CARBON MONOXIDE	0.955	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	NEWLINE CATALYTIC OXIDIZER	SULFUR DIOXIDE	0.007	Active
CARDELL CABINETS INC	PANAM EXPR FAB &	BEXAR	NEWLINE CATALYTIC OXIDIZER	TOTAL PM2.5 PARTI	0.087	Active
				CARBON MONOXIDE		

CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE HOT-SHOT HEATER	TOTAL PARTICULAT	0.04	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE HOT-SHOT HEATER	TOTAL PM10 PARTI(	0.04	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE HOT-SHOT HEATER	TOTAL PM2.5 PARTI	0.04	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE SEALER BOOTH 1	TOTAL PARTICULAT	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE SEALER BOOTH 1	TOTAL PM10 PARTI(	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE SEALER BOOTH 2	TOTAL PARTICULAT	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE SEALER BOOTH 2	TOTAL PM10 PARTI(	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE STAIN BOOTH	TOTAL PARTICULAT	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE STAIN BOOTH	TOTAL PM10 PARTI(	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE STAIN HEATER	NITROGEN OXIDES	0.49	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE STAIN HEATER	CARBON MONOXIDE	0.41	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE STAIN HEATER	TOTAL PARTICULAT	0.04	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE STAIN HEATER	TOTAL PM10 PARTI(	0.04	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE STAIN HEATER	TOTAL PM2.5 PARTI	0.04	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE TOPCOAT BOOTH 1	TOTAL PARTICULAT	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWLINE TOPCOAT BOOTH 1	TOTAL PM10 PARTI(	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWWLINE TOPCOAT BOOTH 2	TOTAL PARTICULAT	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	NEWWLINE TOPCOAT BOOTH 2	TOTAL PM10 PARTI(	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	SEALER BOOTH: HANG LINE	TOTAL PARTICULAT	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	SEALER BOOTH: HANG LINE	TOTAL PM10 PARTI(	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	TOP COAT BOOTH: HANG LINE	TOTAL PARTICULAT	0	Active
CARDELL CABINETS INC	PANAM EXPR FAB & (	BEXAR	TOP COAT BOOTH: HANG LINE	TOTAL PM10 PARTI(	0	Active
CELANESE LTD	BAY CITY PLANT	MATAG(	BARGE DOCK INCINERATOR	TOTAL PM10 PARTI(	0.1299	Active
CELANESE LTD	BAY CITY PLANT	MATAG(	BARGE DOCK INCINERATOR	TOTAL PARTICULAT	0.1299	Active
CELANESE LTD	BAY CITY PLANT	MATAG(	BARGE DOCK INCINERATOR	TOTAL PM2.5 PARTI	0.1299	Active
CELANESE LTD	BAY CITY PLANT	MATAG(	BARGE DOCK INCINERATOR	NITROGEN OXIDES	1.8558	Active
CELANESE LTD	BAY CITY PLANT	MATAG(	BARGE DOCK INCINERATOR	SULFUR DIOXIDE	0.1261	Active
CELANESE LTD	BAY CITY PLANT	MATAG(	BARGE DOCK INCINERATOR	CARBON MONOXIDE	1.4846	Active
CELANESE LTD	BAY CITY PLANT	MATAG(	BUOH BUTYL ALCHOLS UNIT - GENERAL	TOTAL PM10 PARTI(	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAG(	BUOH BUTYL ALCHOLS UNIT - GENERAL	TOTAL PM10 PARTI(	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAG(	BUOH BUTYL ALCHOLS UNIT - GENERAL	TOTAL PARTICULAT	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAG(	BUOH BUTYL ALCHOLS UNIT - GENERAL	TOTAL PARTICULAT	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAG(	ETHYLENE RECOVERY SYSTEM VENT	TOTAL PARTICULAT	0	Demolished
				CARBON MONOXIDE		

CELANESE LTD	BAY CITY PLANT	MATAGO	MEAC PURGE	TOTAL PARTICULAT	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAGO	MEAC PURGE	TOTAL PM10 PARTI	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAGO	MEAC PURGE	TOTAL PARTICULAT	0	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	MEAC PURGE	TOTAL PM10 PARTI	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAGO	MEAC PURGE	TOTAL PM10 PARTI	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAGO	MEAC PURGE	TOTAL PARTICULAT	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAGO	T-127 SIDESTREAM	TOTAL PARTICULAT	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAGO	T-127 SIDESTREAM	TOTAL PM10 PARTI	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAGO	T-127 SIDESTREAM	TOTAL PARTICULAT	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAGO	T-127 SIDESTREAM	TOTAL PM10 PARTI	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAGO	T-127 SIDESTREAM	TOTAL PM10 PARTI	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAGO	T-127 SIDESTREAM	TOTAL PARTICULAT	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL GIRDLER 2 (HYDROGEN) REFORME	TOTAL PM10 PARTI	0.001	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL GIRDLER 2 (HYDROGEN) REFORME	TOTAL PARTICULAT	0.001	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL GIRDLER 2 (HYDROGEN) REFORME	TOTAL PM10 PARTI	0	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL GIRDLER 2 (HYDROGEN) REFORME	CARBON MONOXIDE	0.0114	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL GIRDLER 2 (HYDROGEN) REFORME	SULFUR DIOXIDE	0.0001	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL GIRDLER 2 (HYDROGEN) REFORME	NITROGEN OXIDES	0.0136	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL GIRDLER 2 (HYDROGEN) REFORME	TOTAL PM2.5 PARTI	0.001	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL SELAS REFORMER	TOTAL PM10 PARTI	0	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL SELAS REFORMER	TOTAL PARTICULAT	0	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL SELAS REFORMER	TOTAL PM10 PARTI	0.0361	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL SELAS REFORMER	TOTAL PARTICULAT	0.0361	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL SELAS REFORMER	CARBON MONOXIDE	0.3986	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL SELAS REFORMER	SULFUR DIOXIDE	0.0028	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL SELAS REFORMER	TOTAL PM2.5 PARTI	0.0361	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL SELAS REFORMER	NITROGEN OXIDES	0.4745	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL T-28 VENT INCINERATOR/SCRUBBE	TOTAL PARTICULAT	0	Shutdown
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL T-28 VENT INCINERATOR/SCRUBBE	TOTAL PM10 PARTI	0	Shutdown
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL UTILITIES UNIT - GENERAL	TOTAL PM10 PARTI	0	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	UTIL UTILITIES UNIT - GENERAL	TOTAL PARTICULAT	0	Active
CELANESE LTD	BAY CITY PLANT	MATAGO	VA PURIF TOWER RESIDUE AND OVERH	TOTAL PM10 PARTI	0	Demolished
CELANESE LTD	BAY CITY PLANT	MATAGO	VA PURIF TOWER RESIDUE AND OVERH	TOTAL PARTICULAT	0	Demolished
				TOTAL PARTICULAT		

CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	AREA VII KETENE PROCESS DECOMP. G	TOTAL PARTICULAT	0	Shutdown
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	AREA VII KETENE PROCESS DECOMP. G	TOTAL PM10 PARTI	0	Shutdown
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	AREA VII KETENE PROCESS DECOMP. G	TOTAL PARTICULAT	0	Shutdown
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	AREA VII KETENE PROCESS DECOMP. G	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	CATALYTIC OXIDIZER	TOTAL PARTICULAT	0	Shutdown
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	CATALYTIC OXIDIZER	TOTAL PM10 PARTI	0	Shutdown
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PARTICULAT	0	Shutdown
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PM10 PARTI	0	Shutdown
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	DISTILLATION SYSTEM-DECOMPGAS TO	TOTAL PARTICULAT	0	Active
				TOTAL PARTICULAT		

CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	FURNACE	TOTAL PM10 PARTI	0	Demolished
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	FURNACE	TOTAL PARTICULAT	0	Demolished
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	FURNACE	TOTAL PM10 PARTI	0	Demolished
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	FURNACE	TOTAL PARTICULAT	0	Demolished
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	FURNACE	TOTAL PM10 PARTI	0	Demolished
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	FURNACE	TOTAL PARTICULAT	0	Demolished
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	GROUNDWATER STRIPPER INCINERATC	TOTAL PARTICULAT	0	Shutdown
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	GROUNDWATER STRIPPER INCINERATC	TOTAL PM10 PARTI	0	Shutdown
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	M.E.K. VAPORIZER & SUPERHEATER	TOTAL PM2.5 PARTI	0.0973	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	M.E.K. VAPORIZER & SUPERHEATER	CARBON MONOXIDE	1.0755	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	M.E.K. VAPORIZER & SUPERHEATER	NITROGEN OXIDES	1.2804	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	M.E.K. VAPORIZER & SUPERHEATER	TOTAL PARTICULAT	0.0973	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	M.E.K. VAPORIZER & SUPERHEATER	TOTAL PM10 PARTI	0.0973	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	M.E.K. VAPORIZER & SUPERHEATER	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	M.E.K. VAPORIZER & SUPERHEATER	SULFUR DIOXIDE	0.107	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	M.E.K. VAPORIZER & SUPERHEATER	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	MUFFLER	TOTAL PM10 PARTI	0	Shutdown
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	MUFFLER	TOTAL PARTICULAT	0	Shutdown
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 1 KETENE FURNACE	TOTAL PM2.5 PARTI	0.2266	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 1 KETENE FURNACE	TOTAL PM2.5 PARTI	0.2266	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 1 KETENE FURNACE	CARBON MONOXIDE	2.504	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 1 KETENE FURNACE	NITROGEN OXIDES	2.981	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 1 KETENE FURNACE	NITROGEN OXIDES	2.981	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 1 KETENE FURNACE	CARBON MONOXIDE	2.504	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 1 KETENE FURNACE	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 1 KETENE FURNACE	TOTAL PARTICULAT	0.2266	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 1 KETENE FURNACE	TOTAL PM10 PARTI	0.2266	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 1 KETENE FURNACE	TOTAL PARTICULAT	0.2266	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 1 KETENE FURNACE	TOTAL PM10 PARTI	0.2266	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 1 KETENE FURNACE	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 2 KETENE FURNACE	NITROGEN OXIDES	2.0919	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 2 KETENE FURNACE	TOTAL PM2.5 PARTI	0.159	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 2 KETENE FURNACE	CARBON MONOXIDE	1.7572	Active
				TOTAL PARTICULAT		

CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 2 KETENE FURNACE	TOTAL PM10 PARTI	0.159	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 2 KETENE FURNACE	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 2 KETENE FURNACE	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 2 KETENE FURNACE	TOTAL PARTICULAT	0.159	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 2 KETENE FURNACE	TOTAL PM10 PARTI	0.159	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 4 KETENE FURNACE	NITROGEN OXIDES	3.2263	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 4 KETENE FURNACE	TOTAL PM2.5 PARTI	0.2452	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 4 KETENE FURNACE	TOTAL PM2.5 PARTI	0.2452	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 4 KETENE FURNACE	CARBON MONOXIDE	2.7101	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 4 KETENE FURNACE	NITROGEN OXIDES	3.2263	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 4 KETENE FURNACE	CARBON MONOXIDE	2.7101	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 4 KETENE FURNACE	TOTAL PM10 PARTI	0.2452	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 4 KETENE FURNACE	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 4 KETENE FURNACE	TOTAL PARTICULAT	0.2452	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 4 KETENE FURNACE	TOTAL PARTICULAT	0.2452	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 4 KETENE FURNACE	TOTAL PM10 PARTI	0.2452	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 4 KETENE FURNACE	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 5 KETENE FURNACE	CARBON MONOXIDE	2.2962	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 5 KETENE FURNACE	NITROGEN OXIDES	2.7335	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 5 KETENE FURNACE	TOTAL PM2.5 PARTI	0.2077	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 5 KETENE FURNACE	CARBON MONOXIDE	2.2962	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 5 KETENE FURNACE	NITROGEN OXIDES	2.7335	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 5 KETENE FURNACE	TOTAL PM2.5 PARTI	0.2077	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 5 KETENE FURNACE	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 5 KETENE FURNACE	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 5 KETENE FURNACE	TOTAL PARTICULAT	0.2077	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 5 KETENE FURNACE	TOTAL PM10 PARTI	0.2077	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 5 KETENE FURNACE	TOTAL PARTICULAT	0.2077	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 5 KETENE FURNACE	TOTAL PM10 PARTI	0.2077	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 6 KETENE FURNACE	CARBON MONOXIDE	2.1619	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 6 KETENE FURNACE	NITROGEN OXIDES	2.5737	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 6 KETENE FURNACE	TOTAL PM2.5 PARTI	0.1956	Active
				TOTAL PARTICULAT		

CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 6 KETENE FURNACE	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 6 KETENE FURNACE	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 6 KETENE FURNACE	TOTAL PM10 PARTI	0.1956	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 6 KETENE FURNACE	TOTAL PARTICULAT	0.1956	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 7 KETENE FURNACE	NITROGEN OXIDES	5.8521	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 7 KETENE FURNACE	TOTAL PM2.5 PARTI	0.4448	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 7 KETENE FURNACE	CARBON MONOXIDE	4.9158	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 7 KETENE FURNACE	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 7 KETENE FURNACE	TOTAL PARTICULAT	0.4448	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 7 KETENE FURNACE	TOTAL PM10 PARTI	0.4448	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 7 KETENE FURNACE	TOTAL PARTICULAT	0.4448	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 7 KETENE FURNACE	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 7 KETENE FURNACE	TOTAL PM10 PARTI	0.4448	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 7 KETENE FURNACE	CARBON MONOXIDE	4.9158	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 7 KETENE FURNACE	TOTAL PM2.5 PARTI	0.4448	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 7 KETENE FURNACE	NITROGEN OXIDES	5.8521	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 8 KETENE FURNACE	TOTAL PM2.5 PARTI	0.4476	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 8 KETENE FURNACE	CARBON MONOXIDE	4.947	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 8 KETENE FURNACE	NITROGEN OXIDES	5.8893	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 8 KETENE FURNACE	TOTAL PM2.5 PARTI	0.4476	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 8 KETENE FURNACE	CARBON MONOXIDE	4.947	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 8 KETENE FURNACE	NITROGEN OXIDES	5.8893	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 8 KETENE FURNACE	TOTAL PARTICULAT	0.4476	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 8 KETENE FURNACE	TOTAL PM10 PARTI	0.4476	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 8 KETENE FURNACE	TOTAL PARTICULAT	0.4476	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 8 KETENE FURNACE	TOTAL PM10 PARTI	0.4476	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 8 KETENE FURNACE	TOTAL PARTICULAT	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NO. 8 KETENE FURNACE	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NORTH PRODUCT LOADING RACK	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	NORTH PRODUCT LOADING RACK	TOTAL PM10 PARTI	0	Active
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	WASTE DISPOSAL	TOTAL PM10 PARTI	0	Demolished
CELANESE CHEMICAL	CHEMICAL MANUFAC	GRAY	WASTE DISPOSAL	TOTAL PARTICULAT	0	Demolished
				TOTAL PM10 PARTI		

CHAMPION TECHNOLOGIES	HOUSTON PLANT	FORT BE	OIL HEATERS	TOTAL PARTICULAT	0	Active
CHEMTRADE REFINERY SER	BEAUMONT FACILITY	JEFFERS	SULFURIC ACID REGENERATION	TOTAL PARTICULAT	3.6842	Active
CHEMTRADE REFINERY SER	BEAUMONT FACILITY	JEFFERS	SULFURIC ACID REGENERATION	SULFUR DIOXIDE	710.84	Active
CHEMTRADE REFINERY SER	BEAUMONT FACILITY	JEFFERS	SULFURIC ACID REGENERATION	LEAD-PB	0.0002	Active
CHEMTRADE REFINERY SER	BEAUMONT FACILITY	JEFFERS	SULFURIC ACID REGENERATION	TOTAL PM10 PARTI	0	Active
CHEMTRADE REFINERY SER	BEAUMONT FACILITY	JEFFERS	SULFURIC ACID REGENERATION	CARBON MONOXIDE	10.168	Active
CHEMTRADE REFINERY SER	BEAUMONT FACILITY	JEFFERS	SULFURIC ACID REGENERATION	NITROGEN OXIDES	23.214	Active
CHEMTRADE REFINERY SER	BEAUMONT FACILITY	JEFFERS	WASTE FUEL FEED TO FURNACE	TOTAL PARTICULAT	0	Active
CHEMTURA CORPORATION	MARSHALL PLT	HARRIS	INCINERATOR	SULFUR DIOXIDE	0.0206	Active
CHEMTURA CORPORATION	MARSHALL PLT	HARRIS	INCINERATOR	CARBON MONOXIDE	0.0824	Active
CHEMTURA CORPORATION	MARSHALL PLT	HARRIS	INCINERATOR	TOTAL PM10 PARTI	0.0577	Active
CHEMTURA CORPORATION	MARSHALL PLT	HARRIS	INCINERATOR	TOTAL PARTICULAT	0.0577	Active
CHEMTURA CORPORATION	MARSHALL PLT	HARRIS	INCINERATOR	NITROGEN OXIDES	0.0247	Active
CHEMTURA CORPORATION	MARSHALL PLT	HARRIS	INCINERATOR	TOTAL PM2.5 PARTI	0.0577	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	AO HEATER, H-530	TOTAL PM10 PARTI	1.15	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	AO HEATER, H-530	TOTAL PARTICULAT	1.15	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	AO HEATER, H-530	CARBON MONOXIDE	4.62	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	AO HEATER, H-530	TOTAL PM2.5 PARTI	1.15	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	AO HEATER, H-530	NITROGEN OXIDES	1.39	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	AO HEATER, H-530	SULFUR DIOXIDE	0.09	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER FUEL	TOTAL PM2.5 PARTI	0.7	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER FUEL	NITROGEN OXIDES	1.05	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER FUEL	SULFUR DIOXIDE	0.008	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER FUEL	CARBON MONOXIDE	3.64	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER FUEL	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER FUEL	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER FUEL	TOTAL PM10 PARTI	0.7	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER FUEL	TOTAL PARTICULAT	0.7	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER, FUEL	TOTAL PM2.5 PARTI	0.178	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER, FUEL	NITROGEN OXIDES	4.86	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER, FUEL	CARBON MONOXIDE	24.31	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER, FUEL	SULFUR DIOXIDE	0.008	Active
	CHEVRON CHEMICAL					

CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER, FUEL	CARBON MONOXIDE	75.24	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER, FUEL	SULFUR DIOXIDE	0.0043	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CAT. CONVERTER, FUEL	NITROGEN OXIDES	2.21	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CRACKING FURNACE	CARBON MONOXIDE	4.14	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CRACKING FURNACE	SULFUR DIOXIDE	0.36	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CRACKING FURNACE	TOTAL PM2.5 PARTI	4.62	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CRACKING FURNACE	NITROGEN OXIDES	25.7	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CRACKING FURNACE	TOTAL PM10 PARTI	4.62	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	CRACKING FURNACE	TOTAL PARTICULAT	4.62	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	5.06	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	5.64	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	5.64	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	5.36	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	5.36	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	5.06	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	5.38	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	5.27	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	5.27	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	4.88	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	4.88	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Shutdown
				TOTAL PM10 PARTI		

CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	5.24	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	5.24	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	5.24	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	NITROGEN OXIDES	4	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM2.5 PARTI	5.24	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	NITROGEN OXIDES	10.5	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	SULFUR DIOXIDE	0.41	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	CARBON MONOXIDE	2.8	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM2.5 PARTI	5.38	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	NITROGEN OXIDES	11.6	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	SULFUR DIOXIDE	0.42	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Shutdown
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM2.5 PARTI	5.64	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	5.63	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	SULFUR DIOXIDE	0.45	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	CARBON MONOXIDE	2.67	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM2.5 PARTI	5.36	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	NITROGEN OXIDES	5.1	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	SULFUR DIOXIDE	0.42	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	CARBON MONOXIDE	3.21	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM2.5 PARTI	5.63	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	5.63	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	CARBON MONOXIDE	2.86	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	5.24	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	5.45	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	5.45	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Active
				TOTAL PM10 PARTI		

CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM2.5 PARTI	5.24	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	5.06	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	5.06	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	4.77	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	CARBON MONOXIDE	1.31	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM2.5 PARTI	5.45	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	NITROGEN OXIDES	15.5	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	SULFUR DIOXIDE	0.42	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	CARBON MONOXIDE	1.77	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	NITROGEN OXIDES	6	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	SULFUR DIOXIDE	0.41	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	CARBON MONOXIDE	2.69	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM2.5 PARTI	4.88	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	NITROGEN OXIDES	6.1	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	CARBON MONOXIDE	3.18	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	NITROGEN OXIDES	11.8	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	SULFUR DIOXIDE	0.43	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	SULFUR DIOXIDE	0.43	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	NITROGEN OXIDES	7.4	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	SULFUR DIOXIDE	0.44	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	CARBON MONOXIDE	2.36	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	NITROGEN OXIDES	5.9	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM2.5 PARTI	5.27	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM2.5 PARTI	5.4	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	SULFUR DIOXIDE	0.39	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Active
				TOTAL PARTICULAT		

CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM2.5 PARTI	5.06	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM2.5 PARTI	5.06	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	NITROGEN OXIDES	4.4	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	SULFUR DIOXIDE	0.4	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	CARBON MONOXIDE	2.53	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PM2.5 PARTI	4.77	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	NITROGEN OXIDES	5.1	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	TOTAL PARTICULAT	4.77	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	CARBON MONOXIDE	2.66	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	NITROGEN OXIDES	7.2	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	SULFUR DIOXIDE	0.4	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	CARBON MONOXIDE	2.65	Active
CHEVRON PHILLIPS CHEMIC	CHEVRON CHEMICAL	HARRIS	FURNACE	SULFUR DIOXIDE	0.38	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	#2 ACTIVATOR PREHEATER	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	#2 ACTIVATOR PREHEATER	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	#3 ACTIVATOR PREHEATER	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	#3 ACTIVATOR PREHEATER	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	#4 ACTIVATOR PREHEATER	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	#4 ACTIVATOR PREHEATER	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALSYT ACTIVATOR #4 EXHAUST VEN	TOTAL PM10 PARTI	0.0447	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALSYT ACTIVATOR #4 EXHAUST VEN	TOTAL PARTICULAT	0.0447	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALSYT ACTIVATOR #4 EXHAUST VEN	TOTAL PM2.5 PARTI	0.0447	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALSYT ACTIVATOR #4 EXHAUST VEN	NITROGEN OXIDES	0.5884	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALSYT ACTIVATOR #4 EXHAUST VEN	SULFUR DIOXIDE	0.0035	Active
			CATALYST ACTIVATOR #2 EXHAUST VEN			

CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR #2 EXHAUST VEN	NITROGEN OXIDES	1.0208	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR #3 EXHAUST VEN	TOTAL PM10 PARTI	0.0954	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR #3 EXHAUST VEN	TOTAL PARTICULAT	0.0954	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR #3 EXHAUST VEN	NITROGEN OXIDES	1.2557	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR #3 EXHAUST VEN	SULFUR DIOXIDE	0.0075	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR #3 EXHAUST VEN	CARBON MONOXIDE	1.0548	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR #3 EXHAUST VEN	TOTAL PM2.5 PARTI	0.0954	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR #5 EXHAUST VEN	TOTAL PM2.5 PARTI	0.0691	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR #5 EXHAUST VEN	TOTAL PARTICULAT	0.0691	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR #5 EXHAUST VEN	CARBON MONOXIDE	0.7635	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR #5 EXHAUST VEN	SULFUR DIOXIDE	0.0055	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR #5 EXHAUST VEN	NITROGEN OXIDES	0.9089	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR #5 EXHAUST VEN	TOTAL PM10 PARTI	0.0691	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR EXHAUST VENT #	TOTAL PM10 PARTI	0.021	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR EXHAUST VENT #	TOTAL PARTICULAT	0.021	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR EXHAUST VENT #	TOTAL PM2.5 PARTI	0.021	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR EXHAUST VENT #	NITROGEN OXIDES	0.2767	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR EXHAUST VENT #	SULFUR DIOXIDE	0.0017	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CATALYST ACTIVATOR EXHAUST VENT #	CARBON MONOXIDE	0.2325	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CENTRE DRYER	TOTAL PM10 PARTI	0	Shutdown
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	CENTRE DRYER	TOTAL PARTICULAT	0	Shutdown
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	FLASH CHAMBER CLEAN OUT	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	FLASH CHAMBER CLEAN OUT	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	G.P.H. PELLET DRYER	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	G.P.H. PELLET DRYER	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	L.P.G. GLYCOL HEATER	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	L.P.G. GLYCOL HEATER	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PELLET DRYER	TOTAL PARTICULAT	0	Shutdown
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PELLET DRYER	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PELLET DRYER	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PELLET SILO "A"	TOTAL PM10 PARTI	0	Shutdown
				TOTAL PARTICULAT		

CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--1 & 2--SAMPLE ANALYZER PURGE	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--3 & 4 REACTOR P.S.V.	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--3 & 4 REACTOR P.S.V.	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--3 & 4--FLUFF STORAGE TANKS	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--3 & 4--FLUFF STORAGE TANKS	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--3 & 4--SAMPLE ANALYZER PURGE	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--3 & 4--SAMPLE ANALYZER PURGE	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--5 & 6 ADDITIVE RUN TANKS P.S.V.	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--5 & 6 ADDITIVE RUN TANKS P.S.V.	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--5 & 6 FLASH TANK P.S.V.	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--5 & 6 FLASH TANK P.S.V.	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--5 & 6-- PELLET DRYERS	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--5 & 6-- PELLET DRYERS	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--5 & 6 PURGE COLUMN P.S.V.	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--5 & 6 PURGE COLUMN P.S.V.	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--5 & 6 REACTOR P.S.V.	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--5 & 6 REACTOR P.S.V.	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PL. 5--5 & 6--SAMPLE ANALYZER PURGE	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PLANT 5--1 & 2 PELLET DRYERS	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PLANT 5--1 & 2 PELLET DRYERS	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PLANT 5--3 & 4 PELLET DRYERS	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	HOUSTON CHEMICAL	HARRIS	PLANT 5--3 & 4 PELLET DRYERS	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	# 1 P.C. VAPORIZER	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	# 1 P.C. VAPORIZER	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	# 2 P.C. VAPORIZER	TOTAL PM10 PARTI	0	Demolished
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	# 2 P.C. VAPORIZER	TOTAL PARTICULAT	0	Demolished
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	ACTIVATOR BURNER	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	ACTIVATOR BURNER	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	ACTIVATOR BURNER	NITROGEN OXIDES	0.579	Active
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	ACTIVATOR BURNER	TOTAL PM2.5 PARTI	0.044	Active
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	ACTIVATOR BURNER	TOTAL PM10 PARTI	0.044	Active
				TOTAL PARTICULAT		

CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	CATALYST ACTIVATOR	TOTAL PARTICULAT	0.0004	Active
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	CATALYST ACTIVATOR	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	CATALYST ACTIVATOR	TOTAL PM10 PARTI	0.043	Active
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	CATALYST ACTIVATOR	TOTAL PARTICULAT	0.043	Active
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	CATALYST ACTIVATOR	TOTAL PM2.5 PARTI	0.043	Active
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	CATALYST ACTIVATOR	CARBON MONOXIDE	0.47	Active
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	CATALYST ACTIVATOR	SULFUR DIOXIDE	0	Active
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	CATALYST ACTIVATOR	NITROGEN OXIDES	0.56	Active
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	STORAGE TANK INCINERATOR	TOTAL PM10 PARTI	0	Permitted, but not built
CHEVRON PHILLIPS CHEMIC	ORANGE PLANT	ORANGE	STORAGE TANK INCINERATOR	TOTAL PARTICULAT	0	Permitted, but not built
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	CPU DUTCH OVEN	TOTAL PM10 PARTI	0.009	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	CPU DUTCH OVEN	TOTAL PARTICULAT	0.009	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	CPU DUTCH OVEN	SULFUR DIOXIDE	0.012	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	CPU DUTCH OVEN	TOTAL PM2.5 PARTI	0.009	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	CPU DUTCH OVEN	NITROGEN OXIDES	0.089	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	CPU DUTCH OVEN	CARBON MONOXIDE	0.022	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	CPU EAST DOWTHERM FURNACE	TOTAL PM10 PARTI	1.447	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	CPU EAST DOWTHERM FURNACE	TOTAL PARTICULAT	1.477	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	CPU EAST DOWTHERM FURNACE	TOTAL PM2.5 PARTI	1.447	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	CPU EAST DOWTHERM FURNACE	CARBON MONOXIDE	3.697	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	CPU EAST DOWTHERM FURNACE	SULFUR DIOXIDE	0.07	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	CPU EAST DOWTHERM FURNACE	NITROGEN OXIDES	13.815	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	DRYER #1	TOTAL PM10 PARTI	0	Shutdown
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	DRYER #1	TOTAL PARTICULAT	0	Shutdown
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	DRYER #3	TOTAL PM2.5 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	DRYER #3	TOTAL PARTICULAT	0.175	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	DRYER #3	TOTAL PM10 PARTI	0.175	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	MPU DUTCH OVEN	TOTAL PARTICULAT	0.009	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	MPU DUTCH OVEN	TOTAL PM10 PARTI	0.009	Active
				TOTAL PARTICULAT		

CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-1 SYNTHESIS UNIT	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-1 SYNTHESIS UNIT	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-1 SYNTHESIS UNIT	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-1 SYNTHESIS UNIT	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-2 SYNTHESIS UNIT	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-2 SYNTHESIS UNIT	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-2 SYNTHESIS UNIT	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-2 SYNTHESIS UNIT	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-2 SYNTHESIS UNIT	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-2 SYNTHESIS UNIT	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-2 SYNTHESIS UNIT	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-2 SYNTHESIS UNIT	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-2 SYNTHESIS UNIT	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-2 SYNTHESIS UNIT	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-2 SYNTHESIS UNIT	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	R-2 SYNTHESIS UNIT	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	RYTON EAST DOWTHERM FURNACE	CARBON MONOXIDE	5.48	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	RYTON EAST DOWTHERM FURNACE	TOTAL PARTICULAT	2.15	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	RYTON EAST DOWTHERM FURNACE	SULFUR DIOXIDE	0.1	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	RYTON EAST DOWTHERM FURNACE	TOTAL PM2.5 PARTI	2.15	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	RYTON EAST DOWTHERM FURNACE	NITROGEN OXIDES	10.48	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	RYTON EAST DOWTHERM FURNACE	TOTAL PM10 PARTI	2.15	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	RYTON WEST DOWTHERM FURNACE	CARBON MONOXIDE	5.48	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	RYTON WEST DOWTHERM FURNACE	TOTAL PM10 PARTI	2.15	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	RYTON WEST DOWTHERM FURNACE	TOTAL PARTICULAT	2.15	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	RYTON WEST DOWTHERM FURNACE	SULFUR DIOXIDE	0.1	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	RYTON WEST DOWTHERM FURNACE	NITROGEN OXIDES	10.48	Active
CHEVRON PHILLIPS CHEMIC	PHILTEX & RYTON PL	HUTCHI	RYTON WEST DOWTHERM FURNACE	TOTAL PM2.5 PARTI	2.15	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	CRACKING FURNACE BA-114	TOTAL PARTICULAT	0	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	CRACKING FURNACE BA-114	TOTAL PM10 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	CRACKING FURNACE BA-115	TOTAL PARTICULAT	0	Active
				TOTAL PM10 PARTI		

CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-101/102	TOTAL PM2.5 PARTI	0.4529	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-101/102	NITROGEN OXIDES	3.7344	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-101/102	TOTAL PARTICULAT	4.0765	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-101/102	SULFUR DIOXIDE	0.0358	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-101/102	CARBON MONOXIDE	4.5724	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-101/102	TOTAL PM2.5 PARTI	4.0765	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-101/102	NITROGEN OXIDES	33.609	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-101/102	SULFUR DIOXIDE	0.3218	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-101/102	CARBON MONOXIDE	41.151	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-103/104	TOTAL PARTICULAT	0.4634	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-103/104	TOTAL PM10 PARTI	0.4634	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-103/104	TOTAL PM10 PARTI	4.1702	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-103/104	TOTAL PARTICULAT	4.1702	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-103/104	SULFUR DIOXIDE	0.3292	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-103/104	CARBON MONOXIDE	42.098	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-103/104	NITROGEN OXIDES	3.8202	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-103/104	SULFUR DIOXIDE	0.0366	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-103/104	CARBON MONOXIDE	4.6775	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-103/104	TOTAL PM2.5 PARTI	0.4634	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-103/104	TOTAL PM2.5 PARTI	4.1702	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-103/104	NITROGEN OXIDES	34.382	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-111/112	TOTAL PARTICULAT	0.4577	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-111/112	TOTAL PM10 PARTI	0.4577	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-111/112	TOTAL PARTICULAT	4.1193	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-111/112	TOTAL PM2.5 PARTI	4.1193	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-111/112	NITROGEN OXIDES	33.962	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-111/112	SULFUR DIOXIDE	0.3252	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-111/112	CARBON MONOXIDE	41.583	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-111/112	TOTAL PM2.5 PARTI	0.4577	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-111/112	NITROGEN OXIDES	3.7736	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-111/112	SULFUR DIOXIDE	0.0361	Active
		JEFFER				

CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-113	TOTAL PM2.5 PARTI	0.3165	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-113	CARBON MONOXIDE	3.1952	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-113	SULFUR DIOXIDE	0.025	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-113	NITROGEN OXIDES	2.6096	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-113	TOTAL PM2.5 PARTI	2.8486	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-113	NITROGEN OXIDES	23.486	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-113	CARBON MONOXIDE	28.757	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-113	TOTAL PM10 PARTI	0.3165	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-115	CARBON MONOXIDE	5.9124	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-115	SULFUR DIOXIDE	0.3312	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-115	NITROGEN OXIDES	46.387	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-115	TOTAL PM2.5 PARTI	4.1955	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-115	TOTAL PARTICULAT	4.1955	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-115	TOTAL PM10 PARTI	4.1955	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-116	CARBON MONOXIDE	2.8026	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-116	SULFUR DIOXIDE	0.3413	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-116	NITROGEN OXIDES	50.447	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-116	TOTAL PM2.5 PARTI	4.3226	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-116	TOTAL PARTICULAT	4.3226	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-116	TOTAL PM10 PARTI	4.3226	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-117	CARBON MONOXIDE	1.8901	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-117	SULFUR DIOXIDE	0.3256	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-117	NITROGEN OXIDES	43.162	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-117	TOTAL PM2.5 PARTI	4.1245	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-117	TOTAL PARTICULAT	4.1245	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-117	TOTAL PM10 PARTI	4.1245	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-118	SULFUR DIOXIDE	0.2962	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-118	NITROGEN OXIDES	42.198	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-118	TOTAL PM2.5 PARTI	3.7516	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-118	CARBON MONOXIDE	1.1217	Active
CHEVRON PHILLIPS CHEMIC	PORT ARTHUR PLAN	JEFFER	HEATER BA-118	TOTAL PM10 PARTI	3.7516	Active
		BRAZOF				

CHEVRON PHILLIPS CHEMIC	SWEENY COMPLEX	BRAZOF	24F-8 DAC HT FURNACE	TOTAL PM10 PARTI	0.059	Active
CHEVRON PHILLIPS CHEMIC	SWEENY COMPLEX	BRAZOF	24F-8 DAC HT FURNACE	TOTAL PM2.5 PARTI	0	Active
CHEVRON PHILLIPS CHEMIC	SWEENY COMPLEX	BRAZOF	24F-8 DAC HT FURNACE	CARBON MONOXIDE	0.62	Active
CHEVRON PHILLIPS CHEMIC	SWEENY COMPLEX	BRAZOF	24F-8 DAC HT FURNACE	SULFUR DIOXIDE	0.0061	Active
CHEVRON PHILLIPS CHEMIC	SWEENY COMPLEX	BRAZOF	24F-8 DAC HT FURNACE	TOTAL PARTICULAT	0.059	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	EAST KILN	TOTAL PARTICULAT	0	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	EAST KILN	TOTAL PM10 PARTI	0	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	GASIFIER #2	NITROGEN OXIDES	12.34	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	GASIFIER #2	SULFUR DIOXIDE	1.4	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	GASIFIER #2	CARBON MONOXIDE	33.65	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	GASIFIER #2	TOTAL PM2.5 PARTI	7.68	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	GASIFIER #2	TOTAL PARTICULAT	13.29	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	GASIFIER #2	TOTAL PM10 PARTI	12.17	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	GASIFIER #2	NITROGEN OXIDES	1.47	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	GASIFIER #2	SULFUR DIOXIDE	0.17	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	GASIFIER #2	CARBON MONOXIDE	4.02	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	GASIFIER #2	TOTAL PM2.5 PARTI	0.92	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	GASIFIER #2	TOTAL PARTICULAT	1.59	Active
CLEMSA LUMBER CO	POLLOK LUMBER MIL	ANGELIN	GASIFIER #2	TOTAL PM10 PARTI	1.45	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DIRECT CHARGING DRYING UNIT 2 WAS	TOTAL PM10 PARTI	2.1148	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DIRECT CHARGING DRYING UNIT 2 WAS	NITROGEN OXIDES	47.751	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DIRECT CHARGING DRYING UNIT 2 WAS	SULFUR DIOXIDE	117.1	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DIRECT CHARGING DRYING UNIT 2 WAS	TOTAL PARTICULAT	2.171	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DIRECT CHARGING DRYING UNIT 2 WAS	CARBON MONOXIDE	30.934	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DRYING DRUM 1	TOTAL PM10 PARTI	2.3906	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DRYING DRUM 1	TOTAL PARTICULAT	2.4534	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DRYING DRUM 1	NITROGEN OXIDES	17.776	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DRYING DRUM 1	SULFUR DIOXIDE	39.925	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DRYING DRUM 1	CARBON MONOXIDE	11.494	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DRYING DRUM 1	TOTAL PARTICULAT	1.387	Active
				TOTAL PARTICULAT		

CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DRYING UNIT 3	CARBON MONOXIDE	35.288	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DRYING UNIT 3	TOTAL PM10 PARTI	2.3763	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DRYING UNIT--INDIRECTLY FIRED--PILOT	TOTAL PM10 PARTI	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DRYING UNIT--INDIRECTLY FIRED--PILOT	TOTAL PARTICULAT	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	DRYING UNIT--INDIRECTLY FIRED--PILOT	NITROGEN OXIDES	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--PILO	TOTAL PARTICULAT	0.05	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--PILO	TOTAL PM10 PARTI	0.05	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--PILO	CARBON MONOXIDE	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--PILO	NITROGEN OXIDES	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--PILO	TOTAL PM10 PARTI	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--PILO	SULFUR DIOXIDE	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--PILO	TOTAL PARTICULAT	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	CARBON MONOXIDE	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	SULFUR DIOXIDE	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	NITROGEN OXIDES	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	TOTAL PM10 PARTI	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	TOTAL PARTICULAT	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	TOTAL PARTICULAT	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	TOTAL PARTICULAT	0.05	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	TOTAL PM10 PARTI	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	TOTAL PM10 PARTI	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	CARBON MONOXIDE	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	TOTAL PM10 PARTI	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	TOTAL PARTICULAT	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	TOTAL PM10 PARTI	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	SULFUR DIOXIDE	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	NITROGEN OXIDES	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	TOTAL PARTICULAT	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	TOTAL PM10 PARTI	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLAI	MOORE	FURNACE (REACTOR) OPERATION--UNIT	TOTAL PARTICULAT	0	Active
				CARBON MONOXIDE		

CONTINENTAL CARBON CO	CARBON BLACK PLA	MOORE	FURNACE (REACTOR) OPERATION--UNIT	SULFUR DIOXIDE	0	Active
CONTINENTAL CARBON CO	CARBON BLACK PLA	MOORE	FURNACE (REACTOR) OPERATION--UNIT	TOTAL PARTICULAT	0	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	TOTAL PM2.5 PARTI	0.0172	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	NITROGEN OXIDES	0.2267	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	SULFUR DIOXIDE	0.0014	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	CARBON MONOXIDE	0.1904	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	TOTAL PARTICULAT	0.0172	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	TOTAL PM10 PARTI	0.0172	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	NITROGEN OXIDES	0.2267	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	SULFUR DIOXIDE	0.0014	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	CARBON MONOXIDE	0.1904	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	TOTAL PM2.5 PARTI	0.0172	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	TOTAL PARTICULAT	0.0172	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	TOTAL PM10 PARTI	0.0172	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	TOTAL PM2.5 PARTI	0.0172	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	NITROGEN OXIDES	0.2267	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	SULFUR DIOXIDE	0.0014	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	CARBON MONOXIDE	0.1904	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	TOTAL PARTICULAT	0.0172	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	TOTAL PM10 PARTI	0.0172	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	TOTAL PM2.5 PARTI	0.0103	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	NITROGEN OXIDES	0.136	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	SULFUR DIOXIDE	0.0008	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	CARBON MONOXIDE	0.1143	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	TOTAL PARTICULAT	0.0103	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	CLEANING DRYING UNIT	TOTAL PM10 PARTI	0.0103	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	ENAMEL BAKE FURNACE	TOTAL PM2.5 PARTI	0.1419	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	ENAMEL BAKE FURNACE	NITROGEN OXIDES	1.8667	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	ENAMEL BAKE FURNACE	SULFUR DIOXIDE	0.0112	Active
CRANE PLUMBING INC	STEEL ACRYLIC BAT	DALLAS	ENAMEL BAKE FURNACE	CARBON MONOXIDE	1.568	Active
				TOTAL PARTICULAT		

CRANE PLUMBING INC	STEEL ACRYLIC BATI	DALLAS	ENAMEL DRYING OVEN	TOTAL PM10 PARTI	0.0069	Active
CRANE PLUMBING INC	STEEL ACRYLIC BATI	DALLAS	ENAMEL DRYING OVEN	TOTAL PM2.5 PARTI	0.0054	Active
CRANE PLUMBING INC	STEEL ACRYLIC BATI	DALLAS	ENAMEL DRYING OVEN	NITROGEN OXIDES	0.0707	Active
CRANE PLUMBING INC	STEEL ACRYLIC BATI	DALLAS	ENAMEL DRYING OVEN	SULFUR DIOXIDE	0.0004	Active
CRANE PLUMBING INC	STEEL ACRYLIC BATI	DALLAS	ENAMEL DRYING OVEN	CARBON MONOXIDE	0.0594	Active
CRANE PLUMBING INC	STEEL ACRYLIC BATI	DALLAS	ENAMEL DRYING OVEN	TOTAL PARTICULAT	0.0054	Active
CRANE PLUMBING INC	STEEL ACRYLIC BATI	DALLAS	ENAMEL DRYING OVEN	TOTAL PM10 PARTI	0.0054	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB01"	TOTAL PM2.5 PARTI	0.0272	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB01"	NITROGEN OXIDES	0.3585	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB01"	SULFUR DIOXIDE	0.0022	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB01"	CARBON MONOXIDE	0.3011	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB01"	TOTAL PARTICULAT	0.0272	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB01"	TOTAL PM10 PARTI	0.0272	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB02"	TOTAL PM2.5 PARTI	0.0272	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB02"	NITROGEN OXIDES	0.3585	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB02"	SULFUR DIOXIDE	0.0022	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB02"	CARBON MONOXIDE	0.3011	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB02"	TOTAL PARTICULAT	0.0272	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB02"	TOTAL PM10 PARTI	0.0272	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB03"	TOTAL PM2.5 PARTI	0.0272	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB03"	NITROGEN OXIDES	0.3585	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB03"	SULFUR DIOXIDE	0.0022	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB03"	CARBON MONOXIDE	0.3011	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB03"	TOTAL PARTICULAT	0.0272	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	"IB03"	TOTAL PM10 PARTI	0.0272	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 1	TOTAL PM2.5 PARTI	0.0202	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 1	NITROGEN OXIDES	0.2656	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 1	SULFUR DIOXIDE	0.0016	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 1	CARBON MONOXIDE	0.2231	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 1	TOTAL PARTICULAT	0.0202	Active
				TOTAL PM10 PARTI		

CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 3	TOTAL PM2.5 PARTI	0.0202	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 3	NITROGEN OXIDES	0.2656	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 3	SULFUR DIOXIDE	0.0016	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 3	CARBON MONOXIDE	0.2231	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 3	TOTAL PARTICULAT	0.0202	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 3	TOTAL PM10 PARTI	0.0202	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 4	TOTAL PM2.5 PARTI	0.0202	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 4	NITROGEN OXIDES	0.2656	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 4	SULFUR DIOXIDE	0.0016	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 4	CARBON MONOXIDE	0.2231	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 4	TOTAL PARTICULAT	0.0202	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	CUREOVEN 4	TOTAL PM10 PARTI	0.0202	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	L.S.M. 1	TOTAL PARTICULAT	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	L.S.M. 1	TOTAL PM10 PARTI	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	L.S.M. 2	TOTAL PARTICULAT	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	L.S.M. 2	TOTAL PM10 PARTI	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	L.S.M. 3	TOTAL PARTICULAT	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	L.S.M. 3	TOTAL PM10 PARTI	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	PRINT 1	TOTAL PARTICULAT	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	PRINT 1	TOTAL PM10 PARTI	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	PRINT 2	TOTAL PARTICULAT	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	PRINT 2	TOTAL PM10 PARTI	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	PRINT 3	TOTAL PARTICULAT	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	PRINT 3	TOTAL PM10 PARTI	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	PRINT 4	TOTAL PARTICULAT	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	PRINT 4	TOTAL PM10 PARTI	0	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	REGENERATIVE THERMAL OXIDIZER	NITROGEN OXIDES	1.195	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	REGENERATIVE THERMAL OXIDIZER	SULFUR DIOXIDE	0.0072	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	REGENERATIVE THERMAL OXIDIZER	CARBON MONOXIDE	1.0038	Active
CROWN CORK AND SEAL CO	ABILENE PLANT	TAYLOR	REGENERATIVE THERMAL OXIDIZER	TOTAL PM2.5 PARTI	0.0908	Active
				TOTAL PARTICULAT		

CROWN CORK AND SEAL CC	ABILENE PLANT	TAYLOR	WASH DRY 1	TOTAL PM10 PARTIC	0.0151	Active
CROWN CORK AND SEAL CC	ABILENE PLANT	TAYLOR	WASH DRY 2	TOTAL PM2.5 PARTI	0.0151	Active
CROWN CORK AND SEAL CC	ABILENE PLANT	TAYLOR	WASH DRY 2	NITROGEN OXIDES	0.1992	Active
CROWN CORK AND SEAL CC	ABILENE PLANT	TAYLOR	WASH DRY 2	SULFUR DIOXIDE	0.0012	Active
CROWN CORK AND SEAL CC	ABILENE PLANT	TAYLOR	WASH DRY 2	CARBON MONOXIDE	0.1673	Active
CROWN CORK AND SEAL CC	ABILENE PLANT	TAYLOR	WASH DRY 2	TOTAL PARTICULAT	0.0151	Active
CROWN CORK AND SEAL CC	ABILENE PLANT	TAYLOR	WASH DRY 2	TOTAL PM10 PARTIC	0.0151	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	BAKE OVEN 1	TOTAL PM2.5 PARTI	0.0719	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	BAKE OVEN 1	NITROGEN OXIDES	0.9467	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	BAKE OVEN 1	SULFUR DIOXIDE	0.0057	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	BAKE OVEN 1	CARBON MONOXIDE	0.7952	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	BAKE OVEN 1	TOTAL PARTICULAT	0.0719	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	BAKE OVEN 1	TOTAL PM10 PARTIC	0.0719	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	BAKE OVEN 2	TOTAL PM2.5 PARTI	0.0384	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	BAKE OVEN 2	NITROGEN OXIDES	0.5049	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	BAKE OVEN 2	SULFUR DIOXIDE	0.003	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	BAKE OVEN 2	CARBON MONOXIDE	0.4241	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	BAKE OVEN 2	TOTAL PARTICULAT	0.0384	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	BAKE OVEN 2	TOTAL PM10 PARTIC	0.0384	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	CURE OVEN 1	TOTAL PM2.5 PARTI	0.0192	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	CURE OVEN 1	NITROGEN OXIDES	0.2526	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	CURE OVEN 1	SULFUR DIOXIDE	0.0015	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	CURE OVEN 1	CARBON MONOXIDE	0.2122	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	CURE OVEN 1	TOTAL PARTICULAT	0.022	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	CURE OVEN 1	TOTAL PM10 PARTIC	0.0192	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	CURE OVEN 2	TOTAL PM2.5 PARTI	0.0192	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	CURE OVEN 2	NITROGEN OXIDES	0.2526	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	CURE OVEN 2	CARBON MONOXIDE	0.2122	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	CURE OVEN 2	SULFUR DIOXIDE	0.0015	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTGO	CURE OVEN 2	TOTAL PARTICULAT	0.0215	Active
				TOTAL PM10 PARTIC		

CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTG	INSIDE SPRAY 1 EXHAUST	TOTAL PARTICULAT	0	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTG	INSIDE SPRAY 1 EXHAUST	TOTAL PM10 PARTI	0	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTG	INSIDE SPRAY 2 EXHAUST	TOTAL PARTICULAT	0	Active
CROWN CORK & SEAL CO IN	CROWN CORK & SEA	MONTG	INSIDE SPRAY 2 EXHAUST	TOTAL PM10 PARTI	0	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 1	TOTAL PARTICULAT	0	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 1	TOTAL PM10 PARTI	0	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 1	TOTAL PM2.5 PARTI	0.023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 1	NITROGEN OXIDES	0.3029	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 1	SULFUR DIOXIDE	0.0018	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 1	CARBON MONOXIDE	0.2545	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 1	TOTAL PARTICULAT	0.023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 1	TOTAL PM10 PARTI	0.023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 2	TOTAL PARTICULAT	0	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 2	TOTAL PM10 PARTI	0	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 2	TOTAL PM2.5 PARTI	0.023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 2	NITROGEN OXIDES	0.3029	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 2	SULFUR DIOXIDE	0.0018	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 2	CARBON MONOXIDE	0.2545	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 2	TOTAL PARTICULAT	0.023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 2	TOTAL PM10 PARTI	0.023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 3	TOTAL PARTICULAT	0	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 3	TOTAL PM10 PARTI	0	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 3	TOTAL PM2.5 PARTI	0.023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 3	NITROGEN OXIDES	0.3029	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 3	SULFUR DIOXIDE	0.0018	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 3	CARBON MONOXIDE	0.2545	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 3	TOTAL PARTICULAT	0.023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	COATER OVEN 3	TOTAL PM10 PARTI	0.023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INCINERATOR	TOTAL PM2.5 PARTI	0.0829	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INCINERATOR	NITROGEN OXIDES	1.0906	Active
				TOTAL PARTICULAT		

CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INSIDE BAKE OVEN	TOTAL PM10 PARTIC	0	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INSIDE BAKE OVEN	TOTAL PM2.5 PARTI	0.0299	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INSIDE BAKE OVEN	NITROGEN OXIDES	0.3938	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INSIDE BAKE OVEN	SULFUR DIOXIDE	0.0022	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INSIDE BAKE OVEN	CARBON MONOXIDE	0.3308	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INSIDE BAKE OVEN	TOTAL PARTICULAT	0.0299	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INSIDE BAKE OVEN	TOTAL PM10 PARTIC	0.0299	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INSIDE BAKE OVEN	TOTAL PM2.5 PARTI	0.0276	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INSIDE BAKE OVEN	NITROGEN OXIDES	0.3635	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INSIDE BAKE OVEN	SULFUR DIOXIDE	0.0022	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INSIDE BAKE OVEN	CARBON MONOXIDE	0.3054	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INSIDE BAKE OVEN	TOTAL PARTICULAT	0.0276	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	INSIDE BAKE OVEN	TOTAL PM10 PARTIC	0.0276	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 1	TOTAL PARTICULAT	0	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 1	TOTAL PM10 PARTIC	0	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 1	NITROGEN OXIDES	0.3029	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 1	SULFUR DIOXIDE	0.0018	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 1	CARBON MONOXIDE	0.2545	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 1	TOTAL PARTICULAT	0.0233	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 1	TOTAL PM10 PARTIC	0.023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 1	TOTAL PM2.5 PARTI	0.023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 2	TOTAL PARTICULAT	0	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 2	TOTAL PM10 PARTIC	0	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 2	TOTAL PM2.5 PARTI	0.023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 2	NITROGEN OXIDES	0.3029	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 2	SULFUR DIOXIDE	0.0018	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 2	CARBON MONOXIDE	0.2545	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 2	TOTAL PARTICULAT	0.0254	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	OVERVARNISH OVEN 2	TOTAL PM10 PARTIC	0.023	Active
				TOTAL PM10 PARTIC		

CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER	TOTAL PM2.5 PARTI	0.0599	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER	NITROGEN OXIDES	0.7876	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER	SULFUR DIOXIDE	0.0047	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER	CARBON MONOXIDE	0.6616	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER	TOTAL PARTICULAT	0.0599	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER	TOTAL PM10 PARTI	0.0599	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 1 DRYER	TOTAL PM2.5 PARTI	0.0295	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 1 DRYER	NITROGEN OXIDES	0.3878	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 1 DRYER	SULFUR DIOXIDE	0.0023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 1 DRYER	CARBON MONOXIDE	0.3257	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 1 DRYER	TOTAL PARTICULAT	0.0295	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 1 DRYER	TOTAL PM10 PARTI	0.0295	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 2 DRYER	TOTAL PM2.5 PARTI	0.0295	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 2 DRYER	NITROGEN OXIDES	0.3878	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 2 DRYER	SULFUR DIOXIDE	0.0023	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 2 DRYER	CARBON MONOXIDE	0.3257	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 2 DRYER	TOTAL PARTICULAT	0.0295	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 2 DRYER	TOTAL PM10 PARTI	0.0295	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 3 DRYER	TOTAL PM2.5 PARTI	0.0332	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 3 DRYER	NITROGEN OXIDES	0.4362	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 3 DRYER	SULFUR DIOXIDE	0.0026	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 3 DRYER	CARBON MONOXIDE	0.3664	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 3 DRYER	TOTAL PARTICULAT	0.0332	Active
CROWN CORK & SEAL CO IN	PLANT 60	FORT BE	WASHER 3 DRYER	TOTAL PM10 PARTI	0.0332	Active
DALLAS SEMICONDUCTOR	DALLAS SEMICONDU	DALLAS	BUILDING "A"--BURN-IN BATHS	TOTAL PARTICULAT	0	Active
DALLAS SEMICONDUCTOR	DALLAS SEMICONDU	DALLAS	BUILDING "A"--BURN-IN BATHS	TOTAL PM10 PARTI	0	Active
DALLAS WOODCRAFT CO, LI	WOODEN PICTURE F	DALLAS	STAIN AND LACQUER CURE OVEN V.O.C	TOTAL PARTICULAT	0	Idle
DALLAS WOODCRAFT CO, LI	WOODEN PICTURE F	DALLAS	STAIN AND LACQUER CURE OVEN V.O.C	TOTAL PM10 PARTI	0	Idle
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	TOTAL PARTICULAT	9.34	Active
				TOTAL PM10 PARTI		

DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	SULFUR DIOXIDE	1.41	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	NITROGEN OXIDES	11.84	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	TOTAL PM2.5 PARTI	6.69	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	TOTAL PM10 PARTI	0.59	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	TOTAL PARTICULAT	0.59	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	TOTAL PM2.5 PARTI	0.42	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	TOTAL PM2.5 PARTI	0.95	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	CARBON MONOXIDE	3	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	TOTAL PM10 PARTI	1.33	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	TOTAL PARTICULAT	1.33	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	CARBON MONOXIDE	51.05	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	NITROGEN OXIDES	23.69	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 1 (T-1) REACTORS	SULFUR DIOXIDE	2.81	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	NITROGEN OXIDES	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	SULFUR DIOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	NITROGEN OXIDES	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	SULFUR DIOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	TOTAL PM10 PARTI	0	Active
		HUTCHI				

DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 (T-2) REACTORS	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 BAGFILTER	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	THERMAL UNIT # 2 BAGFILTER	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	TPE BAGFILTER	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	TPE BAGFILTER	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRIERS	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRIERS	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	TOTAL PARTICULAT	0.4	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	TOTAL PM2.5 PARTI	1.46	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	TOTAL PM2.5 PARTI	0.28	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	TOTAL PARTICULAT	2.03	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	CARBON MONOXIDE	0.44	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	SULFUR DIOXIDE	0.002	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	NITROGEN OXIDES	0.5	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	TOTAL PM10 PARTI	0.4	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	SULFUR DIOXIDE	0.026	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	CARBON MONOXIDE	4.313	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	NITROGEN OXIDES	5.01	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	TOTAL PM10 PARTI	2.03	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	TOTAL PARTICULAT	2.03	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	CARBON MONOXIDE	0.44	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	SULFUR DIOXIDE	0.002	Active
				TOTAL PARTICULAT		

DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 DRYERS	TOTAL PM2.5 PARTI	0.28	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 REACTORS	TOTAL PARTICULAT	2.93	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 REACTORS	TOTAL PM10 PARTI	2.93	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 REACTORS	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 REACTORS	SULFUR DIOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 REACTORS	NITROGEN OXIDES	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 REACTORS	SULFUR DIOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 REACTORS	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 REACTORS	NITROGEN OXIDES	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 REACTORS	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 REACTORS	TOTAL PM10 PARTI	2.41	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 REACTORS	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 REACTORS	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 1 REACTORS	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	TOTAL PM2.5 PARTI	1.6	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	NITROGEN OXIDES	0.55	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	SULFUR DIOXIDE	0.002	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	TOTAL PARTICULAT	2.24	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	TOTAL PM10 PARTI	0.44	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	TOTAL PM10 PARTI	2.24	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	CARBON MONOXIDE	0.48	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	CARBON MONOXIDE	0.48	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	TOTAL PARTICULAT	2.24	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	SULFUR DIOXIDE	0.002	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	NITROGEN OXIDES	0.55	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	TOTAL PM2.5 PARTI	1.6	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	TOTAL PM10 PARTI	0.44	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	TOTAL PARTICULAT	0.44	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	CARBON MONOXIDE	4.755	Active
		HUTCHI				

DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 DRYERS	TOTAL PARTICULAT	0.44	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	NITROGEN OXIDES	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PM10 PARTI	2.62	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PARTICULAT	2.62	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PM2.5 PARTI	1.88	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	CARBON MONOXIDE	119.54	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	SULFUR DIOXIDE	4.38	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	NITROGEN OXIDES	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	SULFUR DIOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	NITROGEN OXIDES	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PM10 PARTI	3.23	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PARTICULAT	3.23	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 2 REACTOR	TOTAL PM2.5 PARTI	2.31	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	SULFUR DIOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	NITROGEN OXIDES	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	NITROGEN OXIDES	5.51	Active
				TOTAL PARTICULAT		

DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	SULFUR DIOXIDE	0.002	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	NITROGEN OXIDES	0.55	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	TOTAL PM2.5 PARTI	1.6	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	TOTAL PM10 PARTI	2.23	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	CARBON MONOXIDE	0.48	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	TOTAL PARTICULAT	2.23	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	TOTAL PM10 PARTI	2.23	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	TOTAL PARTICULAT	2.23	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	TOTAL PM2.5 PARTI	1.6	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	NITROGEN OXIDES	0.55	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	CARBON MONOXIDE	0.48	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	SULFUR DIOXIDE	0.002	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	CARBON MONOXIDE	4.741	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	SULFUR DIOXIDE	0.029	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	NITROGEN OXIDES	5.51	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	TOTAL PM2.5 PARTI	0.31	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 DRYERS	TOTAL PARTICULAT	0.43	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	SULFUR DIOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	NITROGEN OXIDES	0	Active
		HUTCHI				

DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	TOTAL PARTICULAT	2.91	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	CARBON MONOXIDE	129.52	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	SULFUR DIOXIDE	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	NITROGEN OXIDES	0	Active
DEGUSSA ENGINEERED CAR	BORGER CARBON BL	HUTCHI	UNIT # 4 REACTOR	TOTAL PM10 PARTI	2.84	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	SMALL GAS FIRED SOURCES (9)	TOTAL PM2.5 PARTI	0.33	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	SMALL GAS FIRED SOURCES (9)	TOTAL PARTICULAT	0.33	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	SMALL GAS FIRED SOURCES (9)	CARBON MONOXIDE	3.64	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	SMALL GAS FIRED SOURCES (9)	SULFUR DIOXIDE	0.03	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	SMALL GAS FIRED SOURCES (9)	NITROGEN OXIDES	4.34	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	SMALL GAS FIRED SOURCES (9)	TOTAL PM10 PARTI	0.33	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	UNIT 1 PELLET DRYER COMBUSTIOR	CARBON MONOXIDE	0.21	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	UNIT 1 PELLET DRYER COMBUSTIOR	TOTAL PM10 PARTI	8.06	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	UNIT 1 PELLET DRYER COMBUSTIOR	TOTAL PARTICULAT	8.06	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	UNIT 1 PELLET DRYER COMBUSTIOR	TOTAL PM2.5 PARTI	8.06	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	UNIT 1 PELLET DRYER COMBUSTIOR	SULFUR DIOXIDE	304.55	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	UNIT 1 PELLET DRYER COMBUSTIOR	NITROGEN OXIDES	97.46	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	UNIT 1 REACTOR PORTION	TOTAL PARTICULAT	12.1	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	UNIT 1 REACTOR PORTION	TOTAL PM2.5 PARTI	12.1	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	UNIT 1 REACTOR PORTION	TOTAL PM10 PARTI	12.1	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	UNIT 2 DRYER EXHAUST BAG FILTER	TOTAL PARTICULAT	4.04	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	UNIT 2 DRYER EXHAUST BAG FILTER	TOTAL PM2.5 PARTI	1.74	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	UNIT 2 DRYER EXHAUST BAG FILTER	TOTAL PM10 PARTI	2.42	Active
DEGUSSA ENGINEERED CAR	CARBON BLACK DIVI	ARANSA	UNIT 2 REACTOR PORTION	TOTAL PM10 PARTI	12.25	Active
				TOTAL PARTICULAT		

DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	#2 DRYER	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	#2 DRYER	SULFUR DIOXIDE	374.1	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	#2 DRYER	NITROGEN OXIDES	22.41	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	#3 DRYER	SULFUR DIOXIDE	374.1	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	#3 DRYER	TOTAL PM10 PARTIC	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	#3 DRYER	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	#3 DRYER	NITROGEN OXIDES	22.41	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	#3 DRYER	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	#4 DRYER	TOTAL PM10 PARTIC	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	#4 DRYER	NITROGEN OXIDES	22.41	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	#4 DRYER	SULFUR DIOXIDE	374.1	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	#4 DRYER	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	#4 DRYER	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	NITROGEN OXIDES	13.19	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM2.5 PARTI	4.59	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PARTICULAT	1.91	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PARTICULAT	10	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM2.5 PARTI	0.82	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM10 PARTIC	3.28	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PARTICULAT	5.47	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	CARBON MONOXIDE	43.46	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	NITROGEN OXIDES	6.76	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM2.5 PARTI	2.35	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM10 PARTIC	6.4	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PARTICULAT	10.67	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	CARBON MONOXIDE	76.27	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	NITROGEN OXIDES	13.19	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM10 PARTIC	6.4	Active
				CARBON MONOXIDE		

DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM2.5 PARTI	4.95	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM10 PARTIC	33.83	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PARTICULAT	56.38	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	CARBON MONOXIDE	392.2	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	NITROGEN OXIDES	61	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM2.5 PARTI	24.25	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM10 PARTIC	28.71	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PARTICULAT	47.84	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	CARBON MONOXIDE	332.8	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	NITROGEN OXIDES	51.8	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM10 PARTIC	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM2.5 PARTI	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	SULFUR DIOXIDE	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	NITROGEN OXIDES	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM2.5 PARTI	20.57	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM10 PARTIC	6.4	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	TOTAL PM10 PARTIC	1.14	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACT.- REACTOR	CARBON MONOXIDE	76.27	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM10 PARTIC	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PARTICULAT	3.56	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM10 PARTIC	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM10 PARTIC	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PARTICULAT	0	Active
				CARBON MONOXIDE		

DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PARTICULAT	3.56	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM10 PARTI	2.13	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM2.5 PARTI	0.82	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PARTICULAT	1.91	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM10 PARTI	1.14	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	SULFUR DIOXIDE	41.46	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	NITROGEN OXIDES	3.95	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM2.5 PARTI	1.13	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	NITROGEN OXIDES	13.71	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	SULFUR DIOXIDE	41.46	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	CARBON MONOXIDE	8.47	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PARTICULAT	3.56	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PARTICULAT	3.56	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM10 PARTI	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM10 PARTI	2.13	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM10 PARTI	2.13	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM2.5 PARTI	1.3	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	CARBON MONOXIDE	8.47	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	SULFUR DIOXIDE	41.46	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	NITROGEN OXIDES	3.95	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-DRYI	TOTAL PM2.5 PARTI	1.13	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-PACK	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-PACK	TOTAL PM10 PARTI	1.14	Active
				.TOTAL PARTICULAT		

DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-PACK	TOTAL PM10 PARTIC	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-PACK	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	CARBON BLACK MANUFACTURING-PACK	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	INCINERATOR	TOTAL PM10 PARTIC	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	INCINERATOR	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	INCINERATOR	SULFUR DIOXIDE	1498.8	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	INCINERATOR	NITROGEN OXIDES	103.5	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	INCINERATOR	CARBON MONOXIDE	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	WASTE GAS SYSTEM FUGITIVES	TOTAL PM10 PARTIC	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	WASTE GAS SYSTEM FUGITIVES	TOTAL PARTICULAT	0	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	WASTE GAS SYSTEM FUGITIVES	CARBON MONOXIDE	1.54	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	WASTE GAS SYSTEM FUGITIVES	SULFUR DIOXIDE	0.02	Active
DEGUSSA ENGINEERED CAR	ECHO CARBON BLAC	ORANGE	WASTE GAS SYSTEM FUGITIVES	NITROGEN OXIDES	0.002	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	500E TANK FARM	TOTAL PM10 PARTIC	0	Shutdown
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	500E TANK FARM	TOTAL PARTICULAT	0	Shutdown
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	BUTANEDIOL PURIFICATION	TOTAL PARTICULAT	0	Shutdown
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	BUTANEDIOL PURIFICATION	TOTAL PM10 PARTIC	0	Shutdown
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	DRUMING-PROCESS AREA 1100	TOTAL PARTICULAT	0	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	DRUMING-PROCESS AREA 1100	TOTAL PM10 PARTIC	0	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	EPOXIDE MONOMER PLANT	TOTAL PM10 PARTIC	0	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	EPOXIDE MONOMER PLANT	TOTAL PARTICULAT	0	Permitted, but not built
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	HOT OIL HEATER	CARBON MONOXIDE	1.2523	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	HOT OIL HEATER	SULFUR DIOXIDE	0.1176	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	HOT OIL HEATER	NITROGEN OXIDES	1.7602	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	HOT OIL HEATER	TOTAL PARTICULAT	0.1251	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	HOT OIL HEATER	TOTAL PM2.5 PARTI	0.1251	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	HOT OIL HEATER	TOTAL PM10 PARTIC	0.1251	Active
				TOTAL PARTICULAT		

DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	LUWA VAC. SYSTEM	TOTAL PARTICULAT	0	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	LUWA VAC. SYSTEM	TOTAL PM10 PARTI	0	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	LUWAS NO. 2 & 3	TOTAL PM10 PARTI	0	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	LUWAS NO. 2 & 3	TOTAL PARTICULAT	0	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	METHANOL WASTE COOLER	TOTAL PM10 PARTI	0	Demolished
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	METHANOL WASTE COOLER	TOTAL PARTICULAT	0	Demolished
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	REACTOR 1404	TOTAL PARTICULAT	0	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	REACTOR 1404	TOTAL PM10 PARTI	0	Active
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	TANK TRAILER LOADING - 1100 AREA	TOTAL PM10 PARTI	0	Shutdown
DIXIE CHEMICAL CO	BAYPORT FACILITY	HARRIS	TANK TRAILER LOADING - 1100 AREA	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	#2 MAGNESIUM HOLDING FURNACE	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	#2 MAGNESIUM HOLDING FURNACE	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	A16B_INC_A16CET01_THERMAL OXIDIZE	TOTAL PM10 PARTI	0.2407	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	A16B_INC_A16CET01_THERMAL OXIDIZE	TOTAL PARTICULAT	0.2408	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	A16B_INC_A16CET01_THERMAL OXIDIZE	CARBON MONOXIDE	3.2088	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	A16B_INC_A16CET01_THERMAL OXIDIZE	NITROGEN OXIDES	3.82	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	A16B_INC_A16CET01_THERMAL OXIDIZE	LEAD-PB	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	A16B_INC_A16CET01_THERMAL OXIDIZE	MERCURY-HG	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	A16B_INC_A16CET01_THERMAL OXIDIZE	TOTAL PM2.5 PARTI	0.2407	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	A16B_INC_A16CET01_THERMAL OXIDIZE	SULFUR DIOXIDE	0.0038	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	A607 NEUTRALIZER	TOTAL PARTICULAT	0	Demolished
DOW CHEMICAL CO	PLANT B	BRAZOF	A607 NEUTRALIZER	TOTAL PM10 PARTI	0	Demolished
DOW CHEMICAL CO	PLANT B	BRAZOF	ACL1_HTR_B68ALH3_F-3 HEATER	TOTAL PM10 PARTI	0.0015	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	ACL1_HTR_B68ALH3_F-3 HEATER	TOTAL PARTICULAT	0.0015	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	ACL1_HTR_B68ALH3_F-3 HEATER	TOTAL PM2.5 PARTI	0.0015	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	ACL1_HTR_B68ALH3_F-3 HEATER	CARBON MONOXIDE	0.0205	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	ACL1_HTR_B68ALH3_F-3 HEATER	NITROGEN OXIDES	0.0665	Active
			B401_FUR_OC5U5B401_THROX FUEL/VE			

DOW CHEMICAL CO	PLANT B	BRAZOR	B401_FUR_OC5U5B401_THROX FUEL/VE	TOTAL PARTICULAT	1.6083	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	B401_FUR_OC5U5B401_THROX FUEL/VE	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	B401_FUR_OC5U5B401_THROX FUEL/VE	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	B402_FUR_OC5U5B402_THROX FUEL/VE	TOTAL PM2.5 PARTI	3.2574	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	B402_FUR_OC5U5B402_THROX FUEL/VE	NITROGEN OXIDES	15.81	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	B402_FUR_OC5U5B402_THROX FUEL/VE	CARBON MONOXIDE	0.6337	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	B402_FUR_OC5U5B402_THROX FUEL/VE	SULFUR DIOXIDE	0.0001	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	B402_FUR_OC5U5B402_THROX FUEL/VE	TOTAL PARTICULAT	3.2575	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	B402_FUR_OC5U5B402_THROX FUEL/VE	TOTAL PM10 PARTI	3.2574	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PM10 PARTI	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PARTICULAT	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PM10 PARTI	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PARTICULAT	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PM10 PARTI	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PARTICULAT	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PM10 PARTI	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PM10 PARTI	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PARTICULAT	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PM10 PARTI	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PARTICULAT	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PM10 PARTI	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PARTICULAT	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PM10 PARTI	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PARTICULAT	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PARTICULAT	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	B808 MAG FAN STACKS	TOTAL PM10 PARTI	0	Idle
				TOTAL PARTICULAT		

DOW CHEMICAL CO	PLANT B	BRAZOF	CEP: V-4001, MT-8E FUGITIVES	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	CL5_OTH_A13C5PUH2_H PROC AREA(TC	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	CL5_OTH_A13C5PUH2_H PROC AREA(TC	TOTAL PM10 PARTIC	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	CL5_OTH_A13C5PUH2_H PROC AREA(TC	TOTAL PM10 PARTIC	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	CL5_OTH_A13C5PUH2_H PROC AREA(TC	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	CM06_OTH_B5006PU1_B-5006 PROCESS	TOTAL PM10 PARTIC	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	CM16_OVP_B5016PU1_DBM PROCESS A	TOTAL PM10 PARTIC	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	CM16_OVP_B5016PU1_DBM PROCESS A	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	CMP: ND-148	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	CMP: ND-148	TOTAL PM10 PARTIC	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	CPP_TNK_B46USST100_D-12100 STORA	TOTAL PM10 PARTIC	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	CPP_TNK_B46USST100_D-12100 STORA	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	CPP_TNK_B46USST110_B D-12110 STOR	TOTAL PM10 PARTIC	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	CPP_TNK_B46USST110_B D-12110 STOR	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	CP-ST: DRYER D-222	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	CP-ST: DRYER D-222	TOTAL PM10 PARTIC	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	CP-ST: VENTS FROM EA	TOTAL PM10 PARTIC	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	CP-ST: VENTS FROM EA	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	CRUCIBLE HEATING STATION #1	TOTAL PM10 PARTIC	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	CRUCIBLE HEATING STATION #1	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	CRUCIBLE HEATING STATION #2	TOTAL PM10 PARTIC	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	CRUCIBLE HEATING STATION #2	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	CRUCIBLE HEATING STATION #3	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	CRUCIBLE HEATING STATION #3	TOTAL PM10 PARTIC	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	DPO_FUR_OC3DOH61_FURNACE F-61	CARBON MONOXIDE	1.1597	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	DPO_FUR_OC3DOH61_FURNACE F-61	SULFUR DIOXIDE	0.0022	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	DPO_FUR_OC3DOH61_FURNACE F-61	NITROGEN OXIDES	0.6108	Active
				TOTAL PARTICULAT		

DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_INC_OC3DOT01_THERMAL OXIDIZE	TOTAL PM10 PARTI	0.0543	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_INC_OC3DOT01_THERMAL OXIDIZE	CARBON MONOXIDE	0.7235	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_INC_OC3DOT01_THERMAL OXIDIZE	SULFUR DIOXIDE	0.0009	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_INC_OC3DOT01_THERMAL OXIDIZE	NITROGEN OXIDES	0.2756	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_INC_OC3DOT01_THERMAL OXIDIZE	TOTAL PM2.5 PARTI	0.0543	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_OVP_OC3DODU70_DISTILLATION T	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_OVP_OC3DODU70_DISTILLATION T	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_OVP_OC3DOST2_THERMAL OXIDIZ	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_OVP_OC3DOST2_THERMAL OXIDIZ	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_OVP_OC3DOST61_RECYCLE PHEN	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_OVP_OC3DOST61_RECYCLE PHEN	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_OVP_OC3DOST63A_DPO; KNOCKO	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_OVP_OC3DOST63A_DPO; KNOCKO	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	DPO_OVP_OC3DOST63B_KNOCKOUT DF	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EBA - ONCE THROUGH COOLING WATEF	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EBA - ONCE THROUGH COOLING WATEF	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EBA - PROCESS WATER	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	EBA_HTR_A17EAH555_EBA - HEATER AE	TOTAL PM10 PARTI	0.3111	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EBA_HTR_A17EAH555_EBA - HEATER AE	TOTAL PARTICULAT	0.3111	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EBA_HTR_A17EAH555_EBA - HEATER AE	LEAD-PB	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EBA_HTR_A17EAH555_EBA - HEATER AE	MERCURY-HG	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EBA_HTR_A17EAH555_EBA - HEATER AE	TOTAL PM2.5 PARTI	0.3111	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EBA_HTR_A17EAH555_EBA - HEATER AE	NITROGEN OXIDES	4.59	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EBA_HTR_A17EAH555_EBA - HEATER AE	SULFUR DIOXIDE	0.0049	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EBA_HTR_A17EAH555_EBA - HEATER AE	CARBON MONOXIDE	4.1478	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EBA_OTH_A17EAST20X_EBA-AD (TO A17	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EOTO_FUR_B8MBTO180_TO_FUEL/WAST	CARBON MONOXIDE	1.0735	Active
				?TOTAL PM10 PARTI		

DOW CHEMICAL CO	PLANT B	BRAZOR	EPI1_OVP_B19G1RX1_EPI 1 (TO B34TO1	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EPI1_OVP_B19G1RX1_EPI 1 (TO B34TO1	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	EPI2_OVP_B68EPRX1_EPI-2 PROCESS	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	F210_BLR_B19G1T210_FUEL-VENTWAST	TOTAL PARTICULAT	0.2527	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	F210_BLR_B19G1T210_FUEL-VENTWAST	TOTAL PM10 PARTI	0.2526	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	F210_BLR_B19G1T210_FUEL-VENTWAST	TOTAL PM2.5 PARTI	0.2526	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	F210_BLR_B19G1T210_FUEL-VENTWAST	HYDROGEN CHLOR	0.1067	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	F210_BLR_B19G1T210_FUEL-VENTWAST	NITROGEN OXIDES	6.0908	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	F210_BLR_B19G1T210_FUEL-VENTWAST	SULFUR DIOXIDE	0.0017	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	F210_BLR_B19G1T210_FUEL-VENTWAST	CARBON MONOXIDE	9.1665	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	FH-101 FURNACE	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	FH-101 FURNACE	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	GLYB_RXR_B13GBRX1_PROPYLENE OX	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	GLYB_RXR_B13GBRX1_PROPYLENE OX	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	GLYB_RXR_B13GBRX1_PROPYLENE OX	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	GLYB_RXR_B13GBRX1_PROPYLENE OX	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	GLYB_RXR_B13GBRX1_PROPYLENE OX	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	HEATER H-1A	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	HEATER H-1A	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	HEATER H-1B	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	HEATER H-1B	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	INCINERATOR: SI-2	TOTAL PARTICULAT	0	Demolished
DOW CHEMICAL CO	PLANT B	BRAZOR	INCINERATOR: SI-2	TOTAL PM10 PARTI	0	Demolished
DOW CHEMICAL CO	PLANT B	BRAZOR	LATX_INC_B20LXTX101_THERMAL OXIDI	TOTAL PARTICULAT	0.0314	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LATX_INC_B20LXTX101_THERMAL OXIDI	TOTAL PM10 PARTI	0.0314	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LATX_INC_B20LXTX101_THERMAL OXIDI	SULFUR DIOXIDE	0.0005	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LATX_INC_B20LXTX101_THERMAL OXIDI	NITROGEN OXIDES	0.8802	Active
				CARBON MONOXIDE		

DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H2_FURNACE F-2	TOTAL PARTICULAT	4.4611	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H2_FURNACE F-2	TOTAL PM10 PARTI	4.4611	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H3_FURNACE F-3	CARBON MONOXIDE	3.0567	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H3_FURNACE F-3	NITROGEN OXIDES	67.84	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H3_FURNACE F-3	TOTAL PM2.5 PARTI	5.7002	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H3_FURNACE F-3	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H3_FURNACE F-3	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H3_FURNACE F-3	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H3_FURNACE F-3	TOTAL PM10 PARTI	5.7002	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H3_FURNACE F-3	TOTAL PARTICULAT	5.7002	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H3_FURNACE F-3	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H4_FURNACE F-4	NITROGEN OXIDES	76.356	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H4_FURNACE F-4	CARBON MONOXIDE	3.7534	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H4_FURNACE F-4	TOTAL PM2.5 PARTI	5.8011	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H4_FURNACE F-4	TOTAL PM10 PARTI	5.8011	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H4_FURNACE F-4	TOTAL PARTICULAT	5.8011	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H5_FURNACE F-5	TOTAL PM2.5 PARTI	4.7705	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H5_FURNACE F-5	NITROGEN OXIDES	61.6	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H5_FURNACE F-5	CARBON MONOXIDE	3.1252	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H5_FURNACE F-5	TOTAL PM10 PARTI	4.7705	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H5_FURNACE F-5	TOTAL PARTICULAT	4.7705	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H6_FURNACE F-6	TOTAL PM2.5 PARTI	5.3046	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H6_FURNACE F-6	CARBON MONOXIDE	3.2378	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H6_FURNACE F-6	NITROGEN OXIDES	67.195	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H6_FURNACE F-6	TOTAL PARTICULAT	5.3046	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H6_FURNACE F-6	TOTAL PM10 PARTI	5.3046	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC7_FUR_B72L7H7_FURNACE F-7	TOTAL PM2.5 PARTI	5.1137	Active
		BRAZOR				

DOW CHEMICAL CO	PLANT B	BRAZOF	LHC7_FUR_B72L7H9_FURNACE F-9	TOTAL PM2.5 PARTI	5.0966	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC7_FUR_B72L7H9_FURNACE F-9	CARBON MONOXIDE	5.016	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC7_FUR_B72L7H9_FURNACE F-9	TOTAL PM10 PARTI	5.0966	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC7_FUR_B72L7H9_FURNACE F-9	TOTAL PARTICULAT	5.0966	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H1_PYROLYSIS FURN	CARBON MONOXIDE	2.8129	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H1_PYROLYSIS FURN	NITROGEN OXIDES	87.565	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H1_PYROLYSIS FURN	TOTAL PM2.5 PARTI	2.6437	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H1_PYROLYSIS FURN	TOTAL PARTICULAT	2.6437	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H1_PYROLYSIS FURN	TOTAL PM10 PARTI	2.6437	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H2_PYROLYSIS FURN	CARBON MONOXIDE	2.305	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H2_PYROLYSIS FURN	TOTAL PM2.5 PARTI	2.8644	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H2_PYROLYSIS FURN	NITROGEN OXIDES	88.899	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H2_PYROLYSIS FURN	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H2_PYROLYSIS FURN	TOTAL PM10 PARTI	2.8644	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H2_PYROLYSIS FURN	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H2_PYROLYSIS FURN	TOTAL PARTICULAT	2.8644	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H3_PYROLYSIS FURN	TOTAL PM10 PARTI	2.7431	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H3_PYROLYSIS FURN	TOTAL PARTICULAT	2.7431	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H3_PYROLYSIS FURN	CARBON MONOXIDE	2.7369	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H3_PYROLYSIS FURN	NITROGEN OXIDES	82.303	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H3_PYROLYSIS FURN	TOTAL PM2.5 PARTI	2.7431	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H4_PYROLYSIS FURN	TOTAL PARTICULAT	2.9001	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H4_PYROLYSIS FURN	TOTAL PM10 PARTI	2.9001	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H4_PYROLYSIS FURN	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H4_PYROLYSIS FURN	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H4_PYROLYSIS FURN	TOTAL PM2.5 PARTI	2.9001	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	LHC8_FUR_OC6L8H4_PYROLYSIS FURN	NITROGEN OXIDES	111.39	Active
			LHC8_FUR_OC6L8H6_PYROLYSIS FURN			

DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_FUR_OC6L8H6_PYROLYSIS FURN	TOTAL PM2.5 PARTI	2.6478	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_FUR_OC6L8H7_PYROLYSIS FURN	TOTAL PARTICULAT	2.775	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_FUR_OC6L8H7_PYROLYSIS FURN	TOTAL PM10 PARTI	2.775	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_FUR_OC6L8H7_PYROLYSIS FURN	NITROGEN OXIDES	81.639	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_FUR_OC6L8H7_PYROLYSIS FURN	CARBON MONOXIDE	0.5773	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_FUR_OC6L8H7_PYROLYSIS FURN	TOTAL PM2.5 PARTI	2.775	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_INC_OC6L8TO_THERMAL OXIDIZE	TOTAL PM2.5 PARTI	0.1866	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_INC_OC6L8TO_THERMAL OXIDIZE	LEAD-PB	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_INC_OC6L8TO_THERMAL OXIDIZE	TOTAL PARTICULAT	0.1866	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_INC_OC6L8TO_THERMAL OXIDIZE	TOTAL PM10 PARTI	0.1866	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_INC_OC6L8TO_THERMAL OXIDIZE	CARBON MONOXIDE	0.0911	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_INC_OC6L8TO_THERMAL OXIDIZE	NITROGEN OXIDES	2.1247	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_INC_OC6L8TO_THERMAL OXIDIZE	SULFUR DIOXIDE	0.0033	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_OVP_OC6L8RX1_PRA(TO OC6F100	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_OVP_OC6L8RX1_PRA(TO OC6F100	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_OVP_OC6L8RX2_ET (TO OC6F1018	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_OVP_OC6L8RX2_ET (TO OC6F1018	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_OVP_OC6L8RX2_ET (TO OC6F1018	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LHC8_OVP_OC6L8RX2_ET (TO OC6F1018	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	LL COLUMN	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	LL COLUMN	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	MAG 3 ELECTROLYSIS AREA	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	MAG 3 ELECTROLYSIS AREA	TOTAL PARTICULAT	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	MAG 3 ELECTROLYSIS AREA	TOTAL PM10 PARTI	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	MAG 3 ELECTROLYSIS AREA	TOTAL PARTICULAT	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOR	MAG CASTING B PORTABLE BURNER	TOTAL PM10 PARTI	0	Shutdown
				TOTAL PARTICULAT		

DOW CHEMICAL CO	PLANT B	BRAZOR	MDVC_OTH_B429SP1_B-429 PROCESS A	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	MDVC_OTH_B429SP1_B-429 PROCESS A	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PC-MANU: R-21	TOTAL PM10 PARTI	0	Demolished
DOW CHEMICAL CO	PLANT B	BRAZOR	PC-MANU: R-21	TOTAL PARTICULAT	0	Demolished
DOW CHEMICAL CO	PLANT B	BRAZOR	PCMU_INC_B84PCTO732_R-732	TOTAL PARTICULAT	0.0318	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PCMU_INC_B84PCTO732_R-732	TOTAL PM10 PARTI	0.0318	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PCMU_INC_B84PCTO732_R-732	CARBON MONOXIDE	1.0692	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PCMU_INC_B84PCTO732_R-732	SULFUR DIOXIDE	0.0006	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PCMU_INC_B84PCTO732_R-732	NITROGEN OXIDES	0.6366	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PCMU_INC_B84PCTO732_R-732	TOTAL PM2.5 PARTI	0.0318	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PCMU_OTH_B84PCRX4_R-4 PROCESS A	TOTAL PM10 PARTI	0.196	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PCMU_OTH_B84PCRX4_R-4 PROCESS A	TOTAL PARTICULAT	3.742	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PCMU_OTH_B84PCV143_CV-143 FLAKE I	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PCMU_OTH_B84PCV143_CV-143 FLAKE I	TOTAL PARTICULAT	2.19	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PCMU_OTH_B84PCV243_CV-243 FLAKE I	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PE3_FUR_B27P3H503_DTY-503 FURNAC	SULFUR DIOXIDE	0.0041	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PE3_FUR_B27P3H503_DTY-503 FURNAC	CARBON MONOXIDE	3.4282	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PE3_FUR_B27P3H503_DTY-503 FURNAC	LEAD-PB	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PE3_FUR_B27P3H503_DTY-503 FURNAC	MERCURY-HG	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PE3_FUR_B27P3H503_DTY-503 FURNAC	TOTAL PM2.5 PARTI	0.2571	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PE3_FUR_B27P3H503_DTY-503 FURNAC	NITROGEN OXIDES	1.8836	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PE3_FUR_B27P3H503_DTY-503 FURNAC	TOTAL PM10 PARTI	0.2571	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PE3_FUR_B27P3H503_DTY-503 FURNAC	TOTAL PARTICULAT	0.2571	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PE3_FUR_B27P3H511_DTY-511 FURNAC	TOTAL PM10 PARTI	0.5474	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PE3_FUR_B27P3H511_DTY-511 FURNAC	TOTAL PARTICULAT	0.5474	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	PE3_FUR_B27P3H511_DTY-511 FURNAC	MERCURY-HG	0	Active
			PE3_FUR_B27P3H521_DTY-521 FURNAC			

DOW CHEMICAL CO	PLANT B	BRAZOF	PE3_FUR_B27P3H521_DTY-521 FURNAC	CARBON MONOXIDE	5.1357	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PE3_FUR_B27P3H521_DTY-521 FURNAC	LEAD-PB	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PE3_FUR_B27P3H523_DTY-523 FURNAC	TOTAL PM10 PARTI	0.6479	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PE3_FUR_B27P3H523_DTY-523 FURNAC	TOTAL PARTICULAT	0.648	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PE3_FUR_B27P3H523_DTY-523 FURNAC	MERCURY-HG	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PE3_FUR_B27P3H523_DTY-523 FURNAC	LEAD-PB	0.0001	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PE3_FUR_B27P3H523_DTY-523 FURNAC	TOTAL PM2.5 PARTI	0.6479	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PE3_FUR_B27P3H523_DTY-523 FURNAC	NITROGEN OXIDES	4.0059	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PE3_FUR_B27P3H523_DTY-523 FURNAC	SULFUR DIOXIDE	0.0103	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PE3_FUR_B27P3H523_DTY-523 FURNAC	CARBON MONOXIDE	8.6382	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PHAC_INC_OCD35T6_CATALYTIC OXIDIZ	CARBON MONOXIDE	1.5873	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PHAC_INC_OCD35T6_CATALYTIC OXIDIZ	TOTAL PARTICULAT	0.119	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PHAC_INC_OCD35T6_CATALYTIC OXIDIZ	TOTAL PM10 PARTI	0.119	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PHAC_INC_OCD35T6_CATALYTIC OXIDIZ	NITROGEN OXIDES	1.8896	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PHAC_INC_OCD35T6_CATALYTIC OXIDIZ	SULFUR DIOXIDE	0.0019	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PHAC_INC_OCD35T6_CATALYTIC OXIDIZ	TOTAL PM2.5 PARTI	0.119	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PHAC_INC_OCD35T6_CATALYTIC OXIDIZ	LEAD-PB	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PHAC_RXR_OC3U3RX1_R-1 REACTOR	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PHAC_RXR_OC3U3RX1_R-1 REACTOR	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PHAC_RXR_OC3U3RX1_R-1 REACTOR	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PIC_OVP_A32CPPU44_DTU VNT (TO A32	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PIC_OVP_A32CPPU44_DTU VNT (TO A32	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PIC_OVP_A32CPPUDIL_VENTS(TO A32T	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	PIC_OVP_A32CPPUDIL_VENTS(TO A32T	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	POP_OVP_B75POV2_T-2 TOWER (TO B7	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	POP_OVP_B75POV2_T-2 TOWER (TO B7	TOTAL PARTICULAT	0	Active
				TOTAL PM10 PARTI		

DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-10	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-11	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-11	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-12	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-12	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-13	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-13	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-14	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-14	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-15	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-15	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-16	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-16	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-17	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-17	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-18	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-18	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-19	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-19	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-2	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-2	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-3	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-3	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-4	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-4	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	PYROLYSIS FURNACE F-5	TOTAL PM10 PARTI	0	Shutdown
				TOTAL PARTICULAT		

DOW CHEMICAL CO	PLANT B	BRAZOR	ROTARY VACUUM CONE DRYER CD-8	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	ROTARY VACUUM CONE DRYER CD-8	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	SDO_FLR_BSRSRFL601_FL-601 FLARE	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	SDO_HTR_BSRSRH625_ER-625 TEG RE	CARBON MONOXIDE	0.2209	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	SDO_HTR_BSRSRH625_ER-625 TEG RE	TOTAL PM10 PARTI	0.0167	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	SHIP LOAD FLARE FUGITIVES	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	SHIP LOAD FLARE FUGITIVES	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOR	SLAG REMELT FURNACE	TOTAL PM10 PARTI	0	Demolished
DOW CHEMICAL CO	PLANT B	BRAZOR	SLAG REMELT FURNACE	TOTAL PARTICULAT	0	Demolished
DOW CHEMICAL CO	PLANT B	BRAZOR	SOIL_OVP_B23G2RX1_SOIL FUM(TO B34	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	SOIL_OVP_B23G2RX1_SOIL FUM(TO B34	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	SOIL_OVP_B23G2RX1_SOIL FUM(TO B34	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	SOIL_OVP_B23G2RX1_SOIL FUM(TO B34	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	SOIL_OVP_B23G2RX1_SOIL FUM(TO B34	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	SOIL_OVP_B23G2RX1_SOIL FUM(TO B34	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	SOIL_OVP_B23G2RX1_SOIL FUM(TO B34	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	SOIL_OVP_B23G2RX1_SOIL FUM(TO B34	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	SOIL_OVP_B23G2RX1_SOIL FUM(TO B34	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	SOIL_OVP_B23G2RX1_SOIL FUM(TO B34	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	STPP_FUR_B3230H32_H-32 FURNACE CI	TOTAL PM2.5 PARTI	0.0038	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	STPP_FUR_B3230H32_H-32 FURNACE CI	NITROGEN OXIDES	0.0604	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	STPP_FUR_B3230H32_H-32 FURNACE CI	CARBON MONOXIDE	0.0508	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	STPP_FUR_B3230H32_H-32 FURNACE CI	TOTAL PARTICULAT	0.0038	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	STPP_FUR_B3230H32_H-32 FURNACE CI	TOTAL PM10 PARTI	0.0038	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	STPP_FUR_B3230H33_H-33 FURNACE CI	NITROGEN OXIDES	0.0651	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	STPP_FUR_B3230H33_H-33 FURNACE CI	TOTAL PM2.5 PARTI	0.0041	Active
				TOTAL PM10 PARTI		

DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H111_CE-111 SUPERH	TOTAL PARTICULAT	0.6917	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H112_CE-112 SUPERH	CARBON MONOXIDE	29.252	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H112_CE-112 SUPERH	MERCURY-HG	0.0001	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H112_CE-112 SUPERH	TOTAL PM2.5 PARTI	1.9211	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H112_CE-112 SUPERH	NITROGEN OXIDES	75.733	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H112_CE-112 SUPERH	SULFUR DIOXIDE	0.0305	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H112_CE-112 SUPERH	LEAD-PB	0.0002	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H112_CE-112 SUPERH	TOTAL PARTICULAT	1.9214	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H112_CE-112 SUPERH	TOTAL PM10 PARTI	1.9211	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H121_CE-121 SUPERH	TOTAL PM2.5 PARTI	0.6201	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H121_CE-121 SUPERH	NITROGEN OXIDES	24.446	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H121_CE-121 SUPERH	SULFUR DIOXIDE	0.0098	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H121_CE-121 SUPERH	CARBON MONOXIDE	9.1771	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H121_CE-121 SUPERH	MERCURY-HG	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H121_CE-121 SUPERH	LEAD-PB	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H121_CE-121 SUPERH	TOTAL PM10 PARTI	0.6201	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_HTR_B71S2H121_CE-121 SUPERH	TOTAL PARTICULAT	0.6201	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_OVP_B71S2RX1_CRACKING PROC	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_OVP_B71S2RX1_CRACKING PROC	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_OVP_B71S2RX1_CRACKING PROC	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_OVP_B71S2RX1_CRACKING PROC	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_OVP_B71S2SP4_FT-4_TARBOT(TO	TOTAL PM10 PARTI	0.9068	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_OVP_B71S2SP4_FT-4_TARBOT(TO	TOTAL PARTICULAT	1.0707	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_OVP_B71S2SP4_FT-4_TARBOT(TO	TOTAL PM10 PARTI	1.0646	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STY2_OVP_B71S2SP4_FT-4_TARBOT(TO	SULFUR DIOXIDE	0.161	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	STYD_HTR_A40SDCO8_CATALYTIC OXID	TOTAL PM10 PARTI	0.0114	Active
				TOTAL PM10 PARTI		

DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_BLR_A32CSH301_DOWTHERM HE	TOTAL PARTICULAT	0.1824	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_BLR_A32CSH301_DOWTHERM HE	TOTAL PM10 PARTI	0.1824	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_BLR_A32CSH301_DOWTHERM HE	TOTAL PM2.5 PARTI	0.1824	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_BLR_A32CSH301_DOWTHERM HE	LEAD-PB	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_BLR_A32CSH301_DOWTHERM HE	NITROGEN OXIDES	1.063	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_BLR_A32CSH301_DOWTHERM HE	SULFUR DIOXIDE	0.0029	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_BLR_A32CSH301_DOWTHERM HE	CARBON MONOXIDE	1.0132	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_HTR_A32CSH200_NITROGEN HEA	TOTAL PARTICULAT	0.0022	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_HTR_A32CSH200_NITROGEN HEA	TOTAL PM10 PARTI	0.0022	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_HTR_A32CSH200_NITROGEN HEA	TOTAL PM2.5 PARTI	0.0022	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_HTR_A32CSH200_NITROGEN HEA	NITROGEN OXIDES	0.0353	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_HTR_A32CSH200_NITROGEN HEA	SULFUR DIOXIDE	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_HTR_A32CSH200_NITROGEN HEA	CARBON MONOXIDE	0.0296	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_INC_A32CSTO500_A-32 THROX	TOTAL PARTICULAT	0.2272	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_INC_A32CSTO500_A-32 THROX	TOTAL PM10 PARTI	0.2272	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_INC_A32CSTO500_A-32 THROX	NITROGEN OXIDES	3.6061	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_INC_A32CSTO500_A-32 THROX	HYDROGEN CHLOR	0.0118	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_INC_A32CSTO500_A-32 THROX	SULFUR DIOXIDE	0.0028	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_INC_A32CSTO500_A-32 THROX	CARBON MONOXIDE	0.074	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_INC_A32CSTO500_A-32 THROX	TOTAL PM2.5 PARTI	0.2272	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_INC_A32CSTO560_CPP TOX TC-56	SULFUR DIOXIDE	0.0025	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_INC_A32CSTO560_CPP TOX TC-56	CARBON MONOXIDE	0.0618	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_INC_A32CSTO560_CPP TOX TC-56	TOTAL PM2.5 PARTI	0.2137	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_INC_A32CSTO560_CPP TOX TC-56	HYDROGEN CHLOR	0.0172	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	SYMT_INC_A32CSTO560_CPP TOX TC-56	NITROGEN OXIDES	2.076	Active
				TOTAL PM10 PARTI		

DOW CHEMICAL CO	PLANT B	BRAZOF	TOOL HEATER	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	TOX	TOTAL PARTICULAT	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOF	TOX	TOTAL PM10 PARTI	0	Idle
DOW CHEMICAL CO	PLANT B	BRAZOF	TRIC_FUR_B15TCS9_F-2 CRACKING FUR	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	TRIC_FUR_B15TCS9_F-2 CRACKING FUR	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	TRIC_HTR_B15TCS8_HOH-1 HOT OIL FU	TOTAL PM10 PARTI	0.0441	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	TRIC_HTR_B15TCS8_HOH-1 HOT OIL FU	TOTAL PARTICULAT	0.0441	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	TRIC_HTR_B15TCS8_HOH-1 HOT OIL FU	NITROGEN OXIDES	0.4634	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	TRIC_HTR_B15TCS8_HOH-1 HOT OIL FU	CARBON MONOXIDE	0.5875	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	TRIC_HTR_B15TCS8_HOH-1 HOT OIL FU	TOTAL PM2.5 PARTI	0.0441	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	TRIC_HTR_B15TCS8_HOH-1 HOT OIL FU	SULFUR DIOXIDE	0.0007	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-202 CRACKING FURNACE	TOTAL PM10 PARTI	0.2175	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-202 CRACKING FURNACE	TOTAL PARTICULAT	0.2175	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-202 CRACKING FURNACE	CARBON MONOXIDE	3.045	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-202 CRACKING FURNACE	SULFUR DIOXIDE	0.0087	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-202 CRACKING FURNACE	NITROGEN OXIDES	8.8265	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-202 CRACKING FURNACE	TOTAL PM2.5 PARTI	0.2175	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-202 CRACKING FURNACE	MERCURY-HG	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-202 CRACKING FURNACE	LEAD-PB	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-203 CRACKING FURNACE	TOTAL PM10 PARTI	0.2263	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-203 CRACKING FURNACE	TOTAL PARTICULAT	0.2263	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-203 CRACKING FURNACE	LEAD-PB	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-203 CRACKING FURNACE	MERCURY-HG	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-203 CRACKING FURNACE	TOTAL PM2.5 PARTI	0.2263	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	UNIT 1: F-203 CRACKING FURNACE	CARBON MONOXIDE	3.1675	Active
				TOTAL PM10 PARTI		

DOW CHEMICAL CO	PLANT B	BRAZOF	UPSET VACUUM VENT STACK	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	UPSET VACUUM VENT STACK	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H201_F-201 CRACKIN	TOTAL PM10 PARTI	0.2175	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H201_F-201 CRACKIN	TOTAL PARTICULAT	0.2175	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H201_F-201 CRACKIN	MERCURY-HG	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H201_F-201 CRACKIN	CARBON MONOXIDE	3.045	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H201_F-201 CRACKIN	SULFUR DIOXIDE	0.0087	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H201_F-201 CRACKIN	TOTAL PM2.5 PARTI	0.2175	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H201_F-201 CRACKIN	LEAD-PB	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H201_F-201 CRACKIN	NITROGEN OXIDES	8.8296	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H205_F-205 CRACKIN	LEAD-PB	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H205_F-205 CRACKIN	NITROGEN OXIDES	9.4943	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H205_F-205 CRACKIN	SULFUR DIOXIDE	0.0094	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H205_F-205 CRACKIN	TOTAL PM2.5 PARTI	0.2338	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H205_F-205 CRACKIN	MERCURY-HG	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H205_F-205 CRACKIN	CARBON MONOXIDE	3.2725	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H205_F-205 CRACKIN	TOTAL PARTICULAT	0.2338	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM1_FUR_OC1U1H205_F-205 CRACKIN	TOTAL PM10 PARTI	0.2338	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H201_F-201 FURNACE	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H201_F-201 FURNACE	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H201_F-201 FURNACE	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H201_F-201 FURNACE	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H201_F-201 FURNACE	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H201_F-201 FURNACE	TOTAL PARTICULAT	2.2179	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H201_F-201 FURNACE	TOTAL PM10 PARTI	2.2176	Active
				TOTAL PM10 PARTI		

DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H202_F-202 FURNACE	TOTAL PARTICULAT	2.2179	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H202_F-202 FURNACE	LEAD-PB	0.0002	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H202_F-202 FURNACE	MERCURY-HG	0.0001	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H202_F-202 FURNACE	TOTAL PM2.5 PARTI	2.2176	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H202_F-202 FURNACE	NITROGEN OXIDES	20.97	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H202_F-202 FURNACE	SULFUR DIOXIDE	0.0352	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H202_F-202 FURNACE	CARBON MONOXIDE	16.438	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H203_F-203 FURNACE	SULFUR DIOXIDE	0.0369	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H203_F-203 FURNACE	CARBON MONOXIDE	17.232	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H203_F-203 FURNACE	NITROGEN OXIDES	21.99	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H203_F-203 FURNACE	TOTAL PARTICULAT	2.325	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H203_F-203 FURNACE	TOTAL PM10 PARTI	2.3247	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H203_F-203 FURNACE	LEAD-PB	0.0002	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H203_F-203 FURNACE	MERCURY-HG	0.0001	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_FUR_OC5U5H203_F-203 FURNACE	TOTAL PM2.5 PARTI	2.3247	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VCM5_OVP_OC5U5OTR1_U5 - TRAIN 1 P	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VENT SCRUBBER	TOTAL PARTICULAT	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	VENT SCRUBBER	TOTAL PM10 PARTI	0	Shutdown
DOW CHEMICAL CO	PLANT B	BRAZOF	VER_OTH_A26VESP3_SOLID PROD. PKG	TOTAL PARTICULAT	0.02	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VER_OTH_A26VESP3_SOLID PROD. PKG	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VOR_BLR_B44VOTO100_VOR - THROX F	TOTAL PARTICULAT	0.0956	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VOR_BLR_B44VOTO100_VOR - THROX F	TOTAL PM10 PARTI	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VOR_BLR_B44VOTO100_VOR - THROX F	TOTAL PARTICULAT	0	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VOR_BLR_B44VOTO100_VOR - THROX F	TOTAL PM10 PARTI	0.0956	Active
DOW CHEMICAL CO	PLANT B	BRAZOF	VOR_BLR_B44VOTO100_VOR - THROX F	TOTAL PM10 PARTI	0	Active
				TOTAL PARTICULAT		

DOW CHEMICAL CO	PLANT B	BRAZOR	VOR_INC_B44VOTO200_TO-200 TOX F-1	TOTAL PM10 PARTI	0.2448	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	WASTE INCINERATOR ECP-1100	TOTAL PARTICULAT	0	Demolished
DOW CHEMICAL CO	PLANT B	BRAZOR	WASTE INCINERATOR ECP-1100	TOTAL PM10 PARTI	0	Demolished
DOW CHEMICAL CO	PLANT B	BRAZOR	WWTP_INC_B35EWS201_IN-201 BACKUP	HYDROGEN CHLOR	0.1073	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	WWTP_INC_B35EWS201_IN-201 BACKUP	NITROGEN OXIDES	0.3352	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	WWTP_INC_B35EWS201_IN-201 BACKUP	SULFUR DIOXIDE	0.0143	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	WWTP_INC_B35EWS201_IN-201 BACKUP	CARBON MONOXIDE	0.0105	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	WWTP_INC_B35EWS201_IN-201 BACKUP	TOTAL PARTICULAT	0.0008	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	WWTP_INC_B35EWS201_IN-201 BACKUP	TOTAL PM10 PARTI	0.0008	Active
DOW CHEMICAL CO	PLANT B	BRAZOR	WWTP_INC_B35EWS201_IN-201 BACKUP	TOTAL PM2.5 PARTI	0.0008	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PM10 PARTI	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PARTICULAT	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PM10 PARTI	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PARTICULAT	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PARTICULAT	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PM10 PARTI	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PM10 PARTI	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PARTICULAT	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PM10 PARTI	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PM10 PARTI	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PM10 PARTI	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PARTICULAT	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PM10 PARTI	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PARTICULAT	0	Active
DUPONT PERFORMANCE EL	DUPONT PERFORMA	JEFFER	DRUM DRYER BASEMENT	TOTAL PARTICULAT	0	Active
				TOTAL PARTICULAT		

E.R. CARPENTER, L.P.	ROGER W. POWELL F	HARRIS	"P4" REACTOR	TOTAL PM10 PARTI	0	Active
E.R. CARPENTER, L.P.	ROGER W. POWELL F	HARRIS	"P4" REACTOR	TOTAL PARTICULAT	0	Active
E.R. CARPENTER, L.P.	ROGER W. POWELL F	HARRIS	"P5" REACTOR	TOTAL PARTICULAT	0	Active
E.R. CARPENTER, L.P.	ROGER W. POWELL F	HARRIS	"P5" REACTOR	TOTAL PM10 PARTI	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	"S-3" SCRUBBER	TOTAL PARTICULAT	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	"S-3" SCRUBBER	TOTAL PM10 PARTI	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	ACETYLENE CASE HEATER	TOTAL PM2.5 PARTI	0.3561	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	ACETYLENE CASE HEATER	CARBON MONOXIDE	3.9353	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	ACETYLENE CASE HEATER	NITROGEN OXIDES	4.7786	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	ACETYLENE CASE HEATER	SULFUR DIOXIDE	0.0171	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	ACETYLENE CASE HEATER	TOTAL PM10 PARTI	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	ACETYLENE CASE HEATER	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	ACETYLENE CASE HEATER	TOTAL PM10 PARTI	0.3561	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	ACETYLENE CASE HEATER	TOTAL PARTICULAT	0.3561	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	ACETYLENE CASE REGEN. HEATER	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	ACETYLENE CASE REGEN. HEATER	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	ACETYLENE CASE REGEN. HEATER	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	ACETYLENE CASE REGEN. HEATER	TOTAL PM10 PARTI	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	AIR FILTRATION UNIT FEED TANK	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	AIR FILTRATION UNIT FEED TANK	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	CATALYTIC OXIDIZER	TOTAL PARTICULAT	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	CATALYTIC OXIDIZER	TOTAL PM10 PARTI	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	CATALYTIC OXIDIZER	CARBON MONOXIDE	0.0754	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	CATALYTIC OXIDIZER	SULFUR DIOXIDE	0.1875	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	CATALYTIC OXIDIZER	NITROGEN OXIDES	0.7539	Active
				TOTAL PM10 PARTI		

EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	DRYER REGENERATION HEATER	TOTAL PARTICULAT	0.1113	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	DRYER REGENERATION HEATER	TOTAL PM10 PARTI	0.107	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	DRYER REGENERATION HEATER	TOTAL PARTICULAT	0.107	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	DRYER REGENERATOR	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	DRYER REGENERATOR	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Active
				TOTAL PARTICULAT		

EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	HEATER 29F-1	TOTAL PM10 PARTI	0.0231	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	HEATER 29F-2	CARBON MONOXIDE	0.1277	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	HEATER 29F-2	SULFUR DIOXIDE	0.0091	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	HEATER 29F-2	NITROGEN OXIDES	0.152	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	HEATER 29F-2	TOTAL PM2.5 PARTI	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	HEATER 29F-2	TOTAL PM10 PARTI	0.0116	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	HEATER 29F-2	TOTAL PARTICULAT	0.0116	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	HEATER HH-1	CARBON MONOXIDE	6.4138	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	HEATER HH-1	SULFUR DIOXIDE	0.0458	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	HEATER HH-1	NITROGEN OXIDES	7.6355	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	HEATER HH-1	TOTAL PM2.5 PARTI	0.1934	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	HEATER HH-1	TOTAL PM10 PARTI	0.1934	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	HEATER HH-1	TOTAL PARTICULAT	0.1934	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	OXIDATION REACTOR "R-4"	TOTAL PARTICULAT	0.1475	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	OXIDATION REACTOR "R-4"	TOTAL PM10 PARTI	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	OXIDATION REACTOR "R-4"	TOTAL PM10 PARTI	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	OXIDATION REACTOR "R-4"	TOTAL PARTICULAT	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	OXIDATION REACTOR "R-5"	TOTAL PM10 PARTI	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	OXIDATION REACTOR "R-5"	TOTAL PARTICULAT	0.1475	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PE-1 PURPLE GAS SYSTEM	TOTAL PARTICULAT	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PELLET DRYER	TOTAL PM10 PARTI	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	CARBON MONOXIDE	22.948	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PM2.5 PARTI	2.4075	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	SULFUR DIOXIDE	0.3344	Active
				TOTAL PM10 PARTI		

EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PM10 PARTI	2.0524	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PARTICULAT	2.0524	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PM10 PARTI	2.4075	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE	TOTAL PARTICULAT	2.4075	Active
		HARRIS				

EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-102	NITROGEN OXIDES	65.987	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-103	TOTAL PM10 PARTI	4.2922	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-103	TOTAL PARTICULAT	4.2922	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-103	CARBON MONOXIDE	47.237	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-103	SULFUR DIOXIDE	0.4405	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-103	TOTAL PM2.5 PARTI	4.2922	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-103	NITROGEN OXIDES	57.606	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-104	TOTAL PM10 PARTI	3.8515	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-104	TOTAL PARTICULAT	3.8515	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-104	CARBON MONOXIDE	42.386	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-104	SULFUR DIOXIDE	0.3953	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-104	NITROGEN OXIDES	51.691	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-104	TOTAL PM2.5 PARTI	3.8515	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-105	TOTAL PARTICULAT	4.0101	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-105	NITROGEN OXIDES	53.82	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-105	SULFUR DIOXIDE	0.4116	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-105	TOTAL PM2.5 PARTI	4.0101	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-105	CARBON MONOXIDE	44.132	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-105	TOTAL PM10 PARTI	4.0101	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-106	CARBON MONOXIDE	46.919	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-106	SULFUR DIOXIDE	0.4376	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-106	NITROGEN OXIDES	57.219	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-106	TOTAL PM2.5 PARTI	4.2634	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	PYROLYSIS FURNACE BA-106	TOTAL PM10 PARTI	4.2634	Active
				TOTAL PARTICULAT		

EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	REGENERATION HEATER H-5	CARBON MONOXIDE	0.1147	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	REGENERATION HEATER H-5	SULFUR DIOXIDE	0.0082	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	REGENERATION HEATER H-5	NITROGEN OXIDES	0.1393	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	REGENERATION HEATER H-5	TOTAL PM2.5 PARTI	0.0104	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	REGENERATION HEATER H-5	TOTAL PM10 PARTI	0.0104	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	REGENERATION HEATER H-5	TOTAL PARTICULAT	0.0104	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	S-5 OFF AIR SCRUBBER	TOTAL PM10 PARTI	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	S-5 OFF AIR SCRUBBER	TOTAL PARTICULAT	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	STARTUP HEATER	CARBON MONOXIDE	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	STARTUP HEATER	SULFUR DIOXIDE	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	STARTUP HEATER	NITROGEN OXIDES	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	STARTUP HEATER	TOTAL PM2.5 PARTI	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	STARTUP HEATER	TOTAL PM10 PARTI	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	STARTUP HEATER	TOTAL PARTICULAT	0	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	SUPERHEATER	TOTAL PM10 PARTI	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	SUPERHEATER	CARBON MONOXIDE	0.1046	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	SUPERHEATER	SULFUR DIOXIDE	0.0005	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	SUPERHEATER	NITROGEN OXIDES	0.127	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	SUPERHEATER	TOTAL PM2.5 PARTI	0.0095	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	SUPERHEATER	TOTAL PM10 PARTI	0.0095	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	SUPERHEATER	TOTAL PARTICULAT	0.0095	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	SUPERHEATER	TOTAL PARTICULAT	0	Demolished
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	WASTE INCINERATOR	LEAD-PB	0.0018	Active
EASTMAN CHEMICAL COMPA	TEXAS OPERATIONS	HARRIS	WASTE INCINERATOR	CADMIUM-CD	0.0002	Active
		SAN PA				

E.I. DUPONT DE NEMOURS &	CORPUS CHRISTI PL	SAN PA	HOT AIR HEATER	TOTAL PM10 PARTI	0.109	Active
E.I. DUPONT DE NEMOURS &	CORPUS CHRISTI PL	SAN PA	HOT AIR HEATER	TOTAL PARTICULAT	0.109	Active
E.I. DUPONT DE NEMOURS &	CORPUS CHRISTI PL	SAN PA	HOT AIR HEATER	TOTAL PM2.5 PARTI	0.109	Active
E.I. DUPONT DE NEMOURS &	CORPUS CHRISTI PL	SAN PA	HOT AIR HEATER	CARBON MONOXIDE	1.21	Active
E.I. DUPONT DE NEMOURS &	CORPUS CHRISTI PL	SAN PA	HOT AIR HEATER	SULFUR DIOXIDE	0.0576	Active
E.I. DUPONT DE NEMOURS &	CORPUS CHRISTI PL	SAN PA	INTERMEDIATES PROCESS	TOTAL PARTICULAT	0	Active
E.I. DUPONT DE NEMOURS &	CORPUS CHRISTI PL	SAN PA	INTERMEDIATES PROCESS	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	#1 ADDITIVE FEEDER	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	10% METHANOL FUGITIVES	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	10% METHANOL FUGITIVES	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	50% METHANOL FUGITIVES	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	50% METHANOL FUGITIVES	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	7013RX NANO2	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	7013RX NANO2	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	7014RX - HOAC-A5546	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	7014RX - HOAC-A5546	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	7014RX A2213	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	7014RX A2213	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	7014RX A2213	SULFUR DIOXIDE	0.12	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	7014RX REACTOR	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	7014RX REACTOR	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	7014RX-HCL	HYDROCHLORIC AC	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	7014RX-HCL	SULFUR DIOXIDE	0.0771	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	7014RX-HCL	TOTAL PARTICULAT	0	Shutdown
				TOTAL PARTICULAT		

EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	CASO4 PILE FUGITIVES	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	CENTRAL SCRUBBED INCINERATOR	HYDROCHLORIC AC	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	CENTRAL SCRUBBED INCINERATOR	NITROGEN OXIDES	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	CENTRAL SCRUBBED INCINERATOR	SULFUR DIOXIDE	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	CENTRAL SCRUBBED INCINERATOR	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	CENTRAL SCRUBBED INCINERATOR	CARBON MONOXIDE	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	CENTRAL SCRUBBED INCINERATOR	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	CENTRAL SCRUBBED INCINERATOR	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	CENTRAL SCRUBBED INCINERATOR	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	CHI REACTOR	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	CHI REACTOR	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	CHLORINE RELEASES	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	CSE STRIPPER	SULFUR DIOXIDE	0.3828	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	DAMPEND VENTS	HYDROCHLORIC AC	1.012	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	DRYER	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	DRYER	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	DRYER	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	DRYER	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	DRYER D/C O2 ANALYZERS	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	ERD - A5546	TOTAL PARTICULAT	0.0024	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	FILTER AND PACKOUT	HYDROCHLORIC AC	0.0056	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	FILTER AND PACKOUT	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	FILTER AND PACKOUT	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	FINS VENTING THRU LN-02C	TOTAL PM10 PARTI	0	Shutdown
				TOTAL PM10 PARTI		

EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	HF PROCESS VENT	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	HF PROCESS VENT	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	HF PROCESS VENT	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	HF PROCESS VENT	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	HF PROCESS VENT	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	HF PROCESS VENT	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	HF PROCESS VENT	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	HF PROCESS VENT	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	HF PROCESS VENT	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	HF PROCESS VENT	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	HF RX GAS ENGINE (WAUKESHA)	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	HF RX GAS ENGINE (WAUKESHA)	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	LANNATE METHOMYL RX VENT	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	LANNATE METHOMYL RX VENT	TOTAL PARTICULAT	2.5201	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	LANNATE METHOMYL RX VENT	HYDROCHLORIC AC	2.5201	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	METHOMYL VAPOR INCINERATOR	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	METHOMYL VAPOR INCINERATOR	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	MIC CONVERTERS	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	MIC CONVERTERS	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	MIC CONVERTERS	NITROGEN OXIDES	6.4234	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	MIC CONVERTERS	CARBON MONOXIDE	0.0357	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	NEUTRALIZER - A5546	HYDROCHLORIC AC	0.0005	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	PROCESS HEATER	TOTAL PM10 PARTI	0	Shutdown
				HYDROCHLORIC AC		

EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	SPAR HANDLING FUGITIVES	TOTAL PARTICULAT	0.0055	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	SPAR HANDLING FUGITIVES	TOTAL PM10 PARTI	0.0026	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	SPAR NORTH SILO	TOTAL PM10 PARTI	0.1464	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	SPAR NORTH SILO	TOTAL PARTICULAT	0.549	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	SPAR SOUTH SILO	TOTAL PM10 PARTI	0.1464	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	SPAR SOUTH SILO	TOTAL PARTICULAT	0.549	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	TANK VENTS TO 7010 ABSORBER	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	TANK VENTS TO 7010 ABSORBER	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	TANK VENTS TO CHLORINE SCRUBBER	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	TANK VENTS TO CHLORINE SCRUBBER	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	VACUUM STRIPPER	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	VACUUM STRIPPER	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	VAPOR INCINERATOR	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	VAPOR INCINERATOR	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	VINYLS INCINERATOR	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	VINYLS INCINERATOR	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	VINYLS INCINERATOR C02 FEED	TOTAL PM10 PARTI	0	Demolished
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	VINYLS INCINERATOR C02 FEED	TOTAL PARTICULAT	0	Demolished
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	VINYLS INCINERATOR C02 FEED	TOTAL PM10 PARTI	0	Demolished
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	VINYLS INCINERATOR C02 FEED	TOTAL PM10 PARTI	0	Demolished
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	VINYLS INCINERATOR C02 FEED	TOTAL PARTICULAT	0	Demolished
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	VINYLS INCINERATOR C02 FEED	TOTAL PARTICULAT	0	Demolished
EI DUPONT DE NEMOURS &	LA PORTE PLANT	HARRIS	VINYLS INCINERATOR C02 FEED	TOTAL PARTICULAT	0	Shutdown
				TOTAL PARTICULAT		

EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	C UNIT #1 & 2 PELLET DRYER VENTS	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-101	TOTAL PARTICULAT	2.11	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-101	NITROGEN OXIDES	41.07	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-101	SULFUR DIOXIDE	0.03	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-101	CARBON MONOXIDE	1.67	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-101	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-102	NITROGEN OXIDES	21.59	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-102	CARBON MONOXIDE	1.47	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-102	SULFUR DIOXIDE	0.03	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-102	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-102	TOTAL PARTICULAT	1.85	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-103	NITROGEN OXIDES	37.81	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-103	SULFUR DIOXIDE	0.03	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-103	CARBON MONOXIDE	1.23	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-103	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-103	TOTAL PARTICULAT	1.92	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-104	SULFUR DIOXIDE	0.03	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-104	CARBON MONOXIDE	0.97	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-104	NITROGEN OXIDES	38.72	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-104	TOTAL PARTICULAT	1.97	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-104	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-105	NITROGEN OXIDES	38.72	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	CRACKING HEATER BA-105	SULFUR DIOXIDE	0.03	Active
				TOTAL PARTICULAT		

EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	D/G BERRINGER OVEN	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	D/G BLENDER PURGES	TOTAL PARTICULAT	0.5256	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	D/G BLENDER PURGES	TOTAL PARTICULAT	0.5256	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	D/G BLENDER PURGES	TOTAL PM10 PARTI	0.5256	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	D/G BLENDER PURGES	TOTAL PM10 PARTI	0.5256	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	EAST ABATOR	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	EAST ABATOR	NITROGEN OXIDES	3.54	Shutdown
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	EAST ABATOR	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	EAST ABATOR	TOTAL PARTICULAT	0.219	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	EAST ABATOR	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	EAST ABATOR	SULFUR DIOXIDE	0	Shutdown
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	EAST ABATOR	CARBON MONOXIDE	86.09	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	EAST ABATOR	NITROGEN OXIDES	0	Shutdown
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	EAST ABATOR	CARBON MONOXIDE	0	Shutdown
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	EAST CONE BURNER	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	EAST CONE BURNER	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	G UNIT #1 & #2 PELLET DRYER VENTS	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	G UNIT #1 & #2 PELLET DRYER VENTS	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	G UNIT #1 & #2 PELLET DRYER VENTS	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	G UNIT #2 PELLET DRYER VENT	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	G UNIT #2 PELLET DRYER VENT	TOTAL PM10 PARTI	0	Shutdown
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	G UNIT #2 PELLET DRYER VENT	TOTAL PARTICULAT	0	Shutdown
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	G UNIT #2 PELLET DRYER VENT	TOTAL PM10 PARTI	0	Shutdown
				TOTAL PM10 PARTI		

EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	POLYETHYLENE FINISHING AND PACKIN	TOTAL PARTICULAT	0.6	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	SUPERHEATER BA-111	SULFUR DIOXIDE	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	SUPERHEATER BA-111	CARBON MONOXIDE	0.07	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	SUPERHEATER BA-111	NITROGEN OXIDES	6.79	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	SUPERHEATER BA-111	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	SUPERHEATER BA-111	TOTAL PARTICULAT	0.5	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	WEST ABATOR	TOTAL PARTICULAT	0.219	Shutdown
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	WEST ABATOR	TOTAL PM10 PARTI	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	WEST ABATOR	CARBON MONOXIDE	86.09	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	WEST ABATOR	NITROGEN OXIDES	3.54	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	WEST ABATOR	SULFUR DIOXIDE	0	Shutdown
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	WEST CONE BURNER	TOTAL PARTICULAT	0	Active
EI DUPONT DE NEMOURS &	SABINE RIVER WORK	ORANGE	WEST CONE BURNER	TOTAL PM10 PARTI	0	Active
ELEMENTIS CHROMIUM LP	AMERICAN CHROME	NUECES	KILNS, FILTER, & BLEND TANKS	NITROGEN OXIDES	115.67	Active
ELEMENTIS CHROMIUM LP	AMERICAN CHROME	NUECES	KILNS, FILTER, & BLEND TANKS	SULFUR DIOXIDE	43.56	Active
ELEMENTIS CHROMIUM LP	AMERICAN CHROME	NUECES	KILNS, FILTER, & BLEND TANKS	TOTAL PM10 PARTI	9.3359	Active
ELEMENTIS CHROMIUM LP	AMERICAN CHROME	NUECES	KILNS, FILTER, & BLEND TANKS	TOTAL PARTICULAT	10.273	Active
ELLWOOD TEXAS FORGE	ELLWOOD TEXAS FO	HARRIS	EAST FORGE FURNACE BUILDING	TOTAL PM2.5 PARTI	0.234	Active
ELLWOOD TEXAS FORGE	ELLWOOD TEXAS FO	HARRIS	EAST FORGE FURNACE BUILDING	NITROGEN OXIDES	3.166	Active
ELLWOOD TEXAS FORGE	ELLWOOD TEXAS FO	HARRIS	EAST FORGE FURNACE BUILDING	SULFUR DIOXIDE	0.018	Active
ELLWOOD TEXAS FORGE	ELLWOOD TEXAS FO	HARRIS	EAST FORGE FURNACE BUILDING	CARBON MONOXIDE	2.584	Active
ELLWOOD TEXAS FORGE	ELLWOOD TEXAS FO	HARRIS	EAST FORGE FURNACE BUILDING	TOTAL PARTICULAT	0.234	Active
ELLWOOD TEXAS FORGE	ELLWOOD TEXAS FO	HARRIS	EAST FORGE FURNACE BUILDING	TOTAL PM10 PARTI	0.234	Active
ENGELHARD CORPORATION						

ENGELHARD CORPORATION	BAYPORT PLANT	HARRIS	C.D. HOT OIL HEATER (HTR. 2)	CARBON MONOXIDE	4.5563	Active
ENGELHARD CORPORATION	BAYPORT PLANT	HARRIS	C.D. HOT OIL HEATER (HTR. 2)	TOTAL PM10 PARTI	0.375	Active
ENGELHARD CORPORATION	BAYPORT PLANT	HARRIS	C.D. HOT OIL HEATER (HTR. 2)	SULFUR DIOXIDE	0.0844	Active
ENGELHARD CORPORATION	BAYPORT PLANT	HARRIS	C.D. HOT OIL HEATER (HTR. 2)	TOTAL PM2.5 PARTI	0.375	Active
ENTERPRISE PRODUCTS OP	EAST STORAGE/SPLI	CHAMBE	M.O.L. SLEVE REGENERATION HEATER	TOTAL PARTICULAT	0.0346	Active
ENTERPRISE PRODUCTS OP	EAST STORAGE/SPLI	CHAMBE	M.O.L. SLEVE REGENERATION HEATER	TOTAL PM10 PARTI	0.0346	Active
ENTERPRISE PRODUCTS OP	EAST STORAGE/SPLI	CHAMBE	M.O.L. SLEVE REGENERATION HEATER	NITROGEN OXIDES	0.4553	Active
ENTERPRISE PRODUCTS OP	EAST STORAGE/SPLI	CHAMBE	M.O.L. SLEVE REGENERATION HEATER	TOTAL PM2.5 PARTI	0.0346	Active
ENTERPRISE PRODUCTS OP	EAST STORAGE/SPLI	CHAMBE	M.O.L. SLEVE REGENERATION HEATER	CARBON MONOXIDE	0.3825	Active
ENTERPRISE PRODUCTS OP	EAST STORAGE/SPLI	CHAMBE	MOL SLEVE HEATER	TOTAL PM2.5 PARTI	0.0386	Active
ENTERPRISE PRODUCTS OP	EAST STORAGE/SPLI	CHAMBE	MOL SLEVE HEATER	NITROGEN OXIDES	0.5085	Active
ENTERPRISE PRODUCTS OP	EAST STORAGE/SPLI	CHAMBE	MOL SLEVE HEATER	TOTAL PM10 PARTI	0.0386	Active
ENTERPRISE PRODUCTS OP	EAST STORAGE/SPLI	CHAMBE	MOL SLEVE HEATER	TOTAL PARTICULAT	0.0386	Active
ENTERPRISE PRODUCTS OP	EAST STORAGE/SPLI	CHAMBE	MOL SLEVE HEATER	CARBON MONOXIDE	0.4272	Active
ENTERPRISE PRODUCTS OP	ENTERPRISE PRODU	CHAMBE	F.-COGENERATOR--21.9 MM. B.T.U./HR. D	TOTAL PM10 PARTI	0	Active
ENTERPRISE PRODUCTS OP	ENTERPRISE PRODU	CHAMBE	F.-COGENERATOR--21.9 MM. B.T.U./HR. D	TOTAL PARTICULAT	0	Active
ENTERPRISE PRODUCTS OP	ENTERPRISE PRODU	CHAMBE	MAIN FLARE CONTRIBUTION-6798	TOTAL PM10 PARTI	0	Active
ENTERPRISE PRODUCTS OP	ENTERPRISE PRODU	CHAMBE	MAIN FLARE CONTRIBUTION-6798	TOTAL PARTICULAT	0	Active
ENTERPRISE PRODUCTS OP	ENTERPRISE PRODU	CHAMBE	MAIN FLARE CONTRIBUTION--8418	NITROGEN OXIDES	0	Active
ENTERPRISE PRODUCTS OP	ENTERPRISE PRODU	CHAMBE	MAIN FLARE CONTRIBUTION--8418	CARBON MONOXIDE	0	Active
ENTERPRISE PRODUCTS OP	ENTERPRISE PRODU	CHAMBE	MAIN FLARE CONTRIBUTION--8418	TOTAL PM10 PARTI	0	Active
ENTERPRISE PRODUCTS OP	ENTERPRISE PRODU	CHAMBE	MAIN FLARE CONTRIBUTION--8418	TOTAL PARTICULAT	0	Active
ENTERPRISE PRODUCTS OP	ENTERPRISE PRODU	CHAMBE	MAIN FLARE CONTRIBUTION--8707	TOTAL PARTICULAT	0	Active
				CARBON MONOXIDE		

EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	ACETYLENE CONVERTER REGEN. HEAT	TOTAL PARTICULAT	0.02	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	ACETYLENE CONVERTER REGEN. HEAT	TOTAL PM10 PARTI	0.02	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	ACETYLENE CONVERTER REGEN. HEAT	CARBON MONOXIDE	0.26	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	ACETYLENE CONVERTER REGEN. HEAT	SULFUR DIOXIDE	0	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	ACETYLENE CONVERTER REGEN. HEAT	NITROGEN OXIDES	0.32	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	ACETYLENE CONVERTER REGEN. HEAT	TOTAL PM2.5 PARTI	0.02	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	CATALYST RECOVERY FURNACE	TOTAL PARTICULAT	0	Permitted, but not built
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	DOWTHERM FURNACE	TOTAL PM10 PARTI	0	Permitted, but not built
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	O.P. 1 PROCESS HEATER "F3405"	TOTAL PARTICULAT	5.74	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	O.P. 1 PROCESS HEATER "F3405"	TOTAL PM10 PARTI	5.74	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	O.P. 2 ETHANE HEATER "F4418"	CARBON MONOXIDE	43.78	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	O.P. 2 ETHANE HEATER "F4418"	TOTAL PARTICULAT	3.96	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	O.P. 2 ETHANE HEATER "F4418"	TOTAL PM10 PARTI	3.96	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	O.P. 2 ETHANE HEATER "F4418"	SULFUR DIOXIDE	0.31	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	O.P. 2 ETHANE HEATER "F4418"	TOTAL PM2.5 PARTI	3.96	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	O.P. 2 ETHANE HEATER "F4418"	NITROGEN OXIDES	34.84	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	O.P. 2 KELLOG HEATER "F4415"	TOTAL PARTICULAT	4.49	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	O.P. 2 KELLOG HEATER "F4415"	TOTAL PM10 PARTI	4.49	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	O.P. 2 KELLOG HEATER "F4415"	CARBON MONOXIDE	49.66	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	O.P. 2 KELLOG HEATER "F4415"	SULFUR DIOXIDE	0.35	Active
				TOTAL PARTICULAT		

EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	TOTAL PM10 PARTIC	5.14	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	TOTAL PM10 PARTIC	5.84	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	TOTAL PARTICULAT	6.07	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	TOTAL PM10 PARTIC	6.07	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	TOTAL PARTICULAT	0	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	TOTAL PM10 PARTIC	0	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	CARBON MONOXIDE	56.8	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	SULFUR DIOXIDE	0.41	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	NITROGEN OXIDES	34.52	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	TOTAL PM2.5 PARTI	5.14	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	CARBON MONOXIDE	57.18	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	SULFUR DIOXIDE	0.41	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	TOTAL PM2.5 PARTI	5.17	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	CARBON MONOXIDE	61.4	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	SULFUR DIOXIDE	0.44	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	NITROGEN OXIDES	61.81	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	TOTAL PM2.5 PARTI	5.56	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	NITROGEN OXIDES	33.23	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	SULFUR DIOXIDE	0	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	CARBON MONOXIDE	0.21	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	NITROGEN OXIDES	0.25	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT	TOTAL PM2.5 PARTI	0.02	Active
				TOTAL PM10 PARTIC		

EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMIS.: "F	CARBON MONOXIDE	61.72	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMIS.: "F	SULFUR DIOXIDE	0.44	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMIS.: "F	NITROGEN OXIDES	55.87	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMIS.: "F	TOTAL PM2.5 PARTI	5.58	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	TOTAL PARTICULAT	6.21	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	TOTAL PM10 PARTI	6.21	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	CARBON MONOXIDE	68.64	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	SULFUR DIOXIDE	0.49	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	NITROGEN OXIDES	29.66	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	TOTAL PM2.5 PARTI	6.21	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	TOTAL PM10 PARTI	6.27	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	NITROGEN OXIDES	38.49	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	CARBON MONOXIDE	69.27	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	TOTAL PARTICULAT	6.27	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	TOTAL PM2.5 PARTI	6.27	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	SULFUR DIOXIDE	0.49	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	TOTAL PARTICULAT	5.24	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	TOTAL PM10 PARTI	5.24	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	CARBON MONOXIDE	57.97	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	SULFUR DIOXIDE	0.41	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	NITROGEN OXIDES	52.47	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I & II UNIT--COMBINED EMISSION	TOTAL PM2.5 PARTI	5.24	Active
	CHANNELVIEW COMP					

EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I AND II UNIT--COMBINED EMIS.:	CARBON MONOXIDE	62.62	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I AND II UNIT--COMBINED EMIS.:	NITROGEN OXIDES	54.51	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I AND II UNIT--COMBINED EMIS.:	TOTAL PM2.5 PARTI	5.67	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I AND II UNIT--COMBINED EMIS.:	TOTAL PM10 PARTIC	5.19	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I AND II UNIT--COMBINED EMIS.:	TOTAL PARTICULAT	5.19	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I AND II UNIT--COMBINED EMIS.:	CARBON MONOXIDE	57.34	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I AND II UNIT--COMBINED EMIS.:	SULFUR DIOXIDE	0.41	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I AND II UNIT--COMBINED EMIS.:	NITROGEN OXIDES	47.92	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OLEFIN I AND II UNIT--COMBINED EMIS.:	TOTAL PM2.5 PARTI	5.19	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OP-1 PROCESS HEATER F3415	TOTAL PARTICULAT	4.58	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OP-1 PROCESS HEATER F3415	TOTAL PM10 PARTIC	4.58	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	OP-1 PROCESS HEATER F3415	NITROGEN OXIDES	101.9	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	RECYCLE HEATER "F3701"	TOTAL PM10 PARTIC	0.32	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	RECYCLE HEATER "F3701"	TOTAL PARTICULAT	0.32	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	RECYCLE HEATER "F3701"	CARBON MONOXIDE	3.63	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	RECYCLE HEATER "F3701"	SULFUR DIOXIDE	0.05	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	RECYCLE HEATER "F3701"	NITROGEN OXIDES	4.32	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	RECYCLE HEATER "F3701"	TOTAL PM2.5 PARTI	0.32	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	REGEN. HEATER "F-1201"	TOTAL PARTICULAT	0	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	REGEN. HEATER "F-1201"	TOTAL PM10 PARTIC	0	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	REGENERATION HEATER I	TOTAL PARTICULAT	0.03	Active
EQUISTAR CHEMICALS LP	CHANNELVIEW COMP	HARRIS	REGENERATION HEATER I	TOTAL PM10 PARTIC	0.03	Active
		BRAZOR				

EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 1	NITROGEN OXIDES	28.092	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 1	SULFUR DIOXIDE	0.1455	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 1	CARBON MONOXIDE	67.91	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 3	TOTAL PARTICULAT	5.5648	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 3	TOTAL PM10 PARTI	5.5648	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 3	TOTAL PM2.5 PARTI	5.5648	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 3	NITROGEN OXIDES	27.216	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 3	SULFUR DIOXIDE	0.1318	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 3	CARBON MONOXIDE	61.506	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 5	NITROGEN OXIDES	48.867	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 5	SULFUR DIOXIDE	0.1535	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 5	CARBON MONOXIDE	71.637	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 5	TOTAL PARTICULAT	6.4814	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 5	TOTAL PM10 PARTI	6.4814	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 5	TOTAL PM2.5 PARTI	6.4814	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 7	CARBON MONOXIDE	70.896	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 7	SULFUR DIOXIDE	0.1519	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 7	TOTAL PM2.5 PARTI	6.4144	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 7	NITROGEN OXIDES	27.122	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 7	TOTAL PARTICULAT	6.4144	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 7	TOTAL PM10 PARTI	6.4144	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	FURNACE & HEATER 9	NITROGEN OXIDES	27.313	Active
				TOTAL PM10 PARTI		

EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PARTICULAT	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PARTICULAT	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PARTICULAT	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PARTICULAT	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PARTICULAT	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PARTICULAT	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PARTICULAT	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS FIRED HEATER	TOTAL PARTICULAT	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS-FIRED HEATER	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS-FIRED HEATER	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS-FIRED HEATER	TOTAL PARTICULAT	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS-FIRED HEATER	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS-FIRED HEATER	TOTAL PARTICULAT	0	Shutdown
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	GAS-FIRED HEATER	TOTAL PARTICULAT	0	Shutdown
				TOTAL PARTICULAT		

EQUISTAR	CHOCOLATE BAYOU	BRAZOF	HYDROCARBONS DEPT. 22 HEATER	TOTAL PM10 PARTI	0.4703	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	HYDROCARBONS DEPT. 22 HEATER	TOTAL PM2.5 PARTI	0.4703	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	HYDROCARBONS DEPT. 22 HEATER	NITROGEN OXIDES	5.9965	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	HYDROCARBONS DEPT. 22 HEATER	SULFUR DIOXIDE	0.0111	Active
EQUISTAR	CHOCOLATE BAYOU	BRAZOF	HYDROCARBONS DEPT. 22 HEATER	CARBON MONOXIDE	5.1982	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	CATALYST ACTIVATOR JACKET VENT B	TOTAL PM10 PARTI	0	Demolished
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	CATALYST ACTIVATOR JACKET VENT B	TOTAL PARTICULAT	0	Demolished
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	FLUID BED DRYER VENT-LINE 1	TOTAL PARTICULAT	5.2448	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	FLUID BED DRYER VENT-LINE 1	TOTAL PM10 PARTI	1.2784	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	FLUID BED DRYER VENT-LINE 1	TOTAL PM2.5 PARTI	1.2784	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	PETSI CATALYST ACTIVATOR	CARBON MONOXIDE	0.2598	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	PETSI CATALYST ACTIVATOR	NITROGEN OXIDES	0.3093	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	PETSI CATALYST ACTIVATOR	SULFUR DIOXIDE	0.1767	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	PETSI CATALYST ACTIVATOR	TOTAL PM2.5 PARTI	0.0235	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	PETSI CATALYST ACTIVATOR	TOTAL PM10 PARTI	0.0235	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	PETSI CATALYST ACTIVATOR	TOTAL PARTICULAT	0.0235	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	SPIN DRYER EXHAUST BLOWER 1	TOTAL PARTICULAT	0.0131	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	SPIN DRYER EXHAUST BLOWER 1	TOTAL PM2.5 PARTI	0.0131	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	SPIN DRYER EXHAUST BLOWER 2	TOTAL PM2.5 PARTI	0.015	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	SPIN DRYER EXHAUST BLOWER 2	TOTAL PARTICULAT	0.015	Active
EQUISTAR CHEMICALS LP	CHOCOLATE BAYOU	BRAZOF	SPIN DRYER EXHAUST BLOWER 2	TOTAL PM10 PARTI	0.015	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	2ND STAGE H.D.A. FEED HEATER	TOTAL PM10 PARTI	0.23	Active
		NUECES				

EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	COGEN DUCT BURNER	TOTAL PARTICULAT	3.44	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	COGEN DUCT BURNER	TOTAL PM10 PARTI	3.44	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	DRIER REGEN. FURNACE	NITROGEN OXIDES	1.72	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	DRIER REGEN. FURNACE	SULFUR DIOXIDE	0	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	DRIER REGEN. FURNACE	CARBON MONOXIDE	1.44	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	DRIER REGEN. FURNACE	TOTAL PM2.5 PARTI	0.17	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	DRIER REGEN. FURNACE	TOTAL PARTICULAT	0.17	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	DRIER REGEN. FURNACE	TOTAL PM10 PARTI	0.17	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	H.D.A. FEED HEATER	NITROGEN OXIDES	11.68	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	H.D.A. FEED HEATER	SULFUR DIOXIDE	0.01	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	H.D.A. FEED HEATER	CARBON MONOXIDE	9.81	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	H.D.A. FEED HEATER	TOTAL PM2.5 PARTI	1.15	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	H.D.A. FEED HEATER	TOTAL PARTICULAT	1.15	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	H.D.A. FEED HEATER	TOTAL PM10 PARTI	1.15	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	H.D.A. RECYCLE HEATER	TOTAL PM2.5 PARTI	0.15	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	H.D.A. RECYCLE HEATER	TOTAL PARTICULAT	0.15	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	H.D.A. RECYCLE HEATER	TOTAL PM10 PARTI	0.15	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	H.D.A. RECYCLE HEATER	NITROGEN OXIDES	1.5	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	H.D.A. RECYCLE HEATER	CARBON MONOXIDE	1.26	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	H.D.A. RECYCLE HEATER	SULFUR DIOXIDE	0	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "A"	TOTAL PM2.5 PARTI	4.54	Active
				TOTAL PARTICULAT		

EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "C"	TOTAL PM10 PARTI	4.91	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "D"	NITROGEN OXIDES	50.18	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "D"	TOTAL PM10 PARTI	5	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "D"	CARBON MONOXIDE	1.93	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "D"	TOTAL PARTICULAT	5	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "D"	TOTAL PM2.5 PARTI	5	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "D"	SULFUR DIOXIDE	0.06	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "E"	TOTAL PARTICULAT	4.92	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "E"	NITROGEN OXIDES	49.38	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "E"	SULFUR DIOXIDE	0.06	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "E"	TOTAL PM2.5 PARTI	4.92	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "E"	TOTAL PM10 PARTI	4.92	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "E"	CARBON MONOXIDE	1.9	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "F"	TOTAL PM10 PARTI	4.19	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "F"	NITROGEN OXIDES	42.1	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "F"	SULFUR DIOXIDE	0.05	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "F"	CARBON MONOXIDE	1.62	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "F"	TOTAL PM2.5 PARTI	4.19	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "F"	TOTAL PARTICULAT	4.19	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "G"	TOTAL PARTICULAT	5.05	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "G"	TOTAL PM2.5 PARTI	5.05	Active
		NUECES				

EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "K"	TOTAL PM10 PARTI	4.03	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "K"	NITROGEN OXIDES	40.45	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "K"	SULFUR DIOXIDE	0.05	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "K"	CARBON MONOXIDE	1.56	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "K"	TOTAL PARTICULAT	4.03	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "K"	TOTAL PM2.5 PARTI	4.03	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "L"	NITROGEN OXIDES	41.07	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "L"	SULFUR DIOXIDE	0.05	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "L"	CARBON MONOXIDE	1.58	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "L"	TOTAL PM2.5 PARTI	4.09	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "L"	TOTAL PARTICULAT	4.09	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "L"	TOTAL PM10 PARTI	4.09	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "M"	TOTAL PM2.5 PARTI	7.25	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "M"	TOTAL PARTICULAT	7.25	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "M"	TOTAL PM10 PARTI	7.25	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "M"	NITROGEN OXIDES	60.93	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "M"	CARBON MONOXIDE	0.44	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	U.S.C. FURNACE "M"	SULFUR DIOXIDE	0.09	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	V.M.R. FURNACE "A"	NITROGEN OXIDES	33.55	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	V.M.R. FURNACE "A"	SULFUR DIOXIDE	0.04	Active
EQUISTAR CHEMICALS LP	CORPUS CHRISTI PL	NUECES	V.M.R. FURNACE "A"	CARBON MONOXIDE	4.57	Active
				TOTAL PARTICULAT		

EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	A RX PURGE CONVEYOR DRYER UNIT	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	B RX PURGE CONVEYOR DRYER VENT	TOTAL PARTICULAT	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	B RX PURGE CONVEYOR DRYER VENT	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	C RX PURGE CONVEYOR DRYER VENT	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	C RX PURGE CONVEYOR DRYER VENT	TOTAL PARTICULAT	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	CATALYST ACTIVATION HEATER	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	CATALYST ACTIVATION HEATER	TOTAL PARTICULAT	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	D	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	D	TOTAL PARTICULAT	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	D RX DRYER RUPTURE DISC	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	D RX DRYER RUPTURE DISC	TOTAL PARTICULAT	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	D RX PURGE CONVEYOR DRYER VENT	TOTAL PARTICULAT	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	D RX PURGE CONVEYOR DRYER VENT	TOTAL PM10 PARTI	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	E RX PURGE CONVEYOR DRYER VENT	TOTAL PARTICULAT	0	Shutdown
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	G	SULFUR DIOXIDE	0.2545	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	G	CARBON MONOXIDE	51.727	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	G	TOTAL PM2.5 PARTI	3.2241	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	G	NITROGEN OXIDES	30.7	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	G	TOTAL PM10 PARTI	3.2241	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	G	TOTAL PARTICULAT	3.2241	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	INCINERATOR	TOTAL PM10 PARTI	0	Active
				TOTAL PM10 PARTI		

EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 1	NITROGEN OXIDES	65.385	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 1	CARBON MONOXIDE	0.4885	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 1	SULFUR DIOXIDE	1.3795	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 2	CARBON MONOXIDE	0.1155	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 2	TOTAL PARTICULAT	3.7743	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 2	TOTAL PM10 PARTI	3.7743	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 2	SULFUR DIOXIDE	1.4431	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 2	NITROGEN OXIDES	65.659	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 2	TOTAL PM2.5 PARTI	3.7743	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 3	TOTAL PM2.5 PARTI	3.2726	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 3	NITROGEN OXIDES	57.974	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 3	SULFUR DIOXIDE	1.2513	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 3	CARBON MONOXIDE	0.1751	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 3	TOTAL PARTICULAT	3.2726	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 3	TOTAL PM10 PARTI	3.2726	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 4	TOTAL PM2.5 PARTI	3.5876	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 4	CARBON MONOXIDE	0.3109	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 4	TOTAL PM10 PARTI	3.5876	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 4	SULFUR DIOXIDE	1.3717	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 4	NITROGEN OXIDES	52.173	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 4	TOTAL PARTICULAT	3.5876	Active
				CARBON MONOXIDE		

EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 7	TOTAL PM10 PARTI	3.9035	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 7	TOTAL PARTICULAT	3.9035	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 8	TOTAL PM2.5 PARTI	3.4785	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 8	NITROGEN OXIDES	69.827	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 8	CARBON MONOXIDE	0.3804	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 8	TOTAL PM10 PARTI	3.4785	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 8	TOTAL PARTICULAT	3.4785	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	PYROLYSIS FURNACE 8	SULFUR DIOXIDE	1.33	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	Q-1 PROCESS VENTS	CARBON MONOXIDE	0	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	Q-1 PROCESS VENTS	NITROGEN OXIDES	0	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	Q-1 PROCESS VENTS	TOTAL PM10 PARTI	0	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	Q-1 PROCESS VENTS	TOTAL PARTICULAT	0	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	SPIN DRYER DISCHARGE	TOTAL PM10 PARTI	0	Active
EQUISTAR CHEMICALS LP	LA PORTE COMPLEX	HARRIS	SPIN DRYER DISCHARGE	TOTAL PARTICULAT	0.738	Active
EQUISTAR CHEMICALS LP	PD GLYCOL	JEFFER	GLYCOL UNITS 1&2	TOTAL PM10 PARTI	0	Active
EQUISTAR CHEMICALS LP	PD GLYCOL	JEFFER	GLYCOL UNITS 1&2	TOTAL PARTICULAT	0	Active
EQUISTAR CHEMICALS LP	PD GLYCOL	JEFFER	GLYCOL UNITS 1&2	NITROGEN OXIDES	0	Active
ETHYL CORPORATION	HOUSTON PLANT	HARRIS	HOT-OIL FURNACE "E-1614"	TOTAL PARTICULAT	0.3329	Active
ETHYL CORPORATION	HOUSTON PLANT	HARRIS	HOT-OIL FURNACE "E-1614"	TOTAL PM10 PARTI	0.3329	Active
ETHYL CORPORATION	HOUSTON PLANT	HARRIS	HOT-OIL FURNACE "E-1614"	NITROGEN OXIDES	2.628	Active
ETHYL CORPORATION	HOUSTON PLANT	HARRIS	HOT-OIL FURNACE "E-1614"	SULFUR DIOXIDE	0.0263	Active
				TOTAL PM10 PARTI		

EXXON MOBIL CHEMICAL CO	POLYETHYLENE PLA	JEFFERS	FEED PURIFICATION	TOTAL PM10 PARTIC	0	Active
EXXON MOBIL CHEMICAL CO	POLYETHYLENE PLA	JEFFERS	FEED PURIFICATION	TOTAL PARTICULAT	0	Active
EXXON MOBIL CHEMICAL CO	POLYETHYLENE PLA	JEFFERS	SPIN DRYER	TOTAL PARTICULAT	0.2553	Active
EXXON MOBIL CHEMICAL CO	POLYETHYLENE PLA	JEFFERS	SPIN DRYER	TOTAL PARTICULAT	0.2732	Active
EXXON MOBIL CHEMICAL CO	POLYETHYLENE PLA	JEFFERS	SPIN DRYER	TOTAL PM10 PARTIC	0	Active
EXXON MOBIL CHEMICAL CO	POLYETHYLENE PLA	JEFFERS	SPIN DRYER	TOTAL PARTICULAT	0.359	Active
EXXON MOBIL CHEMICAL CO	POLYETHYLENE PLA	JEFFERS	SPIN DRYER	TOTAL PM10 PARTIC	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	BAYTOWN POLYPROPYLENE PROCESS	TOTAL PARTICULAT	9.1	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	BAYTOWN POLYPROPYLENE PROCESS	TOTAL PM10 PARTIC	9.1	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	BENZENE HYDROFINING UNIT FURNACE	CARBON MONOXIDE	0.67	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	BENZENE HYDROFINING UNIT FURNACE	SULFUR DIOXIDE	0.05	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	BENZENE HYDROFINING UNIT FURNACE	NITROGEN OXIDES	0.79	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	BENZENE HYDROFINING UNIT FURNACE	TOTAL PM2.5 PARTI	0.06	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	BENZENE HYDROFINING UNIT FURNACE	MERCURY & COMPO	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	BENZENE HYDROFINING UNIT FURNACE	LEAD & COMPOUND	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	BENZENE HYDROFINING UNIT FURNACE	CADMIUM & COMPO	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	BENZENE HYDROFINING UNIT FURNACE	TOTAL PARTICULAT	0.0643	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	BENZENE HYDROFINING UNIT FURNACE	TOTAL PM10 PARTIC	0.06	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	FLARE	TOTAL PARTICULAT	0	Shutdown
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	FLARE	TOTAL PM10 PARTIC	0	Shutdown
				CARBON MONOXIDE		

EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	L.P.U. FURNACE "1A"	TOTAL PARTICULAT	0.4684	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE "101A	NITROGEN OXIDES	12.15	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE "101A	SULFUR DIOXIDE	0.63	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE "101A	CARBON MONOXIDE	15.33	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE "101A	MERCURY & COMPO	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE "101A	TOTAL PM2.5 PARTI	1.41	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE "101A	TOTAL PARTICULAT	1.4718	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE "101A	TOTAL PM10 PARTI	1.41	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE "101A	LEAD & COMPOUND	0.0006	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE "101A	CADMIUM & COMPO	0.0002	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE 102	TOTAL PM2.5 PARTI	2.32	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE 102	CADMIUM & COMPO	0.0004	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE 102	MERCURY & COMPO	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE 102	NITROGEN OXIDES	30.129	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE 102	SULFUR DIOXIDE	0.98	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE 102	CARBON MONOXIDE	5.4844	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE 102	LEAD & COMPOUND	0.001	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE 102	TOTAL PARTICULAT	2.4171	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	LINEAR PARAFFIN UNIT FURNACE 102	TOTAL PM10 PARTI	2.32	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT FURNACE "9A"	LEAD & COMPOUND	0.0017	Active
				TOTAL PM10 PARTI		

EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT FURNACE 1	TOTAL PM2.5 PARTI	0.46	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT FURNACE 1	MERCURY & COMPO	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT FURNACE 1	CADMIUM & COMPO	0.0001	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT FURNACE 1	LEAD & COMPOUND	0.0002	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT FURNACE 1	NITROGEN OXIDES	9.98	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT FURNACE 1	SULFUR DIOXIDE	0.19	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT FURNACE 1	CARBON MONOXIDE	5.132	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT FURNACE 1	TOTAL PARTICULAT	0.4792	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT FURNACE 1	TOTAL PM10 PARTI	0.46	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT HEATER 2	LEAD & COMPOUND	0.0003	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT HEATER 2	TOTAL PM10 PARTI	0.74	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT HEATER 2	MERCURY & COMPO	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT HEATER 2	CADMIUM & COMPO	0.0001	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT HEATER 2	TOTAL PARTICULAT	0.7724	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT HEATER 2	TOTAL PM2.5 PARTI	0.74	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT HEATER 2	NITROGEN OXIDES	23.57	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT HEATER 2	SULFUR DIOXIDE	0.33	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	NAPHTHA RERUN UNIT HEATER 2	CARBON MONOXIDE	7.92	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAFFIN TREATING UNIT FURNACE 30	TOTAL PARTICULAT	0.3553	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAFFIN TREATING UNIT FURNACE 30	TOTAL PM10 PARTI	0.34	Active
				TOTAL PARTICULAT		

EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE ADSORPTION UNIT FURNA	TOTAL PM10 PARTI	2.88	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE ADSORPTION UNIT FURNA	CADMIUM & COMPO	0.0006	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE ADSORPTION UNIT FURNA	LEAD & COMPOUND	0.0014	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE ADSORPTION UNIT FURNA	MERCURY & COMPO	0.0001	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE ADSORPTION UNIT FURNA	TOTAL PM2.5 PARTI	2.88	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE ADSORPTION UNIT FURNA	NITROGEN OXIDES	23.95	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE ADSORPTION UNIT FURNA	SULFUR DIOXIDE	1.23	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE ADSORPTION UNIT FURNA	CARBON MONOXIDE	6.2357	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE FEED UNIT FURNACE 501	MERCURY & COMPO	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE FEED UNIT FURNACE 501	LEAD & COMPOUND	0.0004	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE FEED UNIT FURNACE 501	CADMIUM & COMPO	0.0002	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE FEED UNIT FURNACE 501	TOTAL PM2.5 PARTI	0.94	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE FEED UNIT FURNACE 501	TOTAL PARTICULAT	0.9795	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE FEED UNIT FURNACE 501	TOTAL PM10 PARTI	0.94	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE FEED UNIT FURNACE 501	SULFUR DIOXIDE	0.39	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE FEED UNIT FURNACE 501	NITROGEN OXIDES	16.85	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE FEED UNIT FURNACE 501	CARBON MONOXIDE	10.45	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE FEED UNIT FURNACE 510	CADMIUM & COMPO	0.0001	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE FEED UNIT FURNACE 510	LEAD & COMPOUND	0.0003	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PARAXYLENE FEED UNIT FURNACE 510	MERCURY & COMPO	0	Active
				TOTAL PM10 PARTI		

EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PELLET DRYER VENT "DR831"	TOTAL PARTICULAT	2.13	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	PELLET DRYER VENT "DR831"	TOTAL PM10 PARTI	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	POLYBUTENE UNIT & DRYING TOWER VI	TOTAL PARTICULAT	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN CHEMICAL	HARRIS	POLYBUTENE UNIT & DRYING TOWER VI	TOTAL PM10 PARTI	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	BAYTOWN OLEFINS PLANT EXPANSION	TOTAL PARTICULAT	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	BAYTOWN OLEFINS PLANT EXPANSION	TOTAL PARTICULAT	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	BAYTOWN OLEFINS PLANT EXPANSION	TOTAL PM10 PARTI	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	BAYTOWN OLEFINS PLANT EXPANSION	TOTAL PARTICULAT	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	BAYTOWN OLEFINS PLANT EXPANSION	TOTAL PM10 PARTI	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	BAYTOWN OLEFINS PLANT EXPANSION	TOTAL PARTICULAT	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	BAYTOWN OLEFINS PLANT EXPANSION	TOTAL PM10 PARTI	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	BAYTOWN OLEFINS PLANT EXPANSION	TOTAL PM10 PARTI	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	BAYTOWN OLEFINS PLANT EXPANSION	TOTAL PARTICULAT	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	BAYTOWN OLEFINS PLANT EXPANSION	TOTAL PM10 PARTI	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	BAYTOWN OLEFINS PLANT EXPANSION	TOTAL PARTICULAT	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	BAYTOWN OLEFINS PLANT EXPANSION	TOTAL PM10 PARTI	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	COMPRESSOR DRAIN VENTS	TOTAL PARTICULAT	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS P	HARRIS	DECOKING STACK XAF-01	TOTAL PARTICULAT	0	Permitted, but not built
				TOTAL PM10 PARTI		

EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	FURNACE	TOTAL PARTICULAT	0	Permitted, but not built
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	FURNACE	TOTAL PARTICULAT	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	FURNACE	TOTAL PARTICULAT	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	FURNACE	TOTAL PARTICULAT	0	Permitted, but not built
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	FURNACE	TOTAL PARTICULAT	0	Permitted, but not built
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE A	LEAD & COMPOUND	0.0026	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE A	CADMIUM & COMPO	0.0011	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE A	CARBON MONOXIDE	2.3813	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE A	MERCURY-HG	0.0001	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE A	TOTAL PARTICULAT	2.8037	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE A	TOTAL PM10 PARTI	2.724	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE A	TOTAL PARTICULAT	0.2693	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE A	TOTAL PM10 PARTI	0.1535	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE A	NITROGEN OXIDES	82.188	Active
	BAYTOWN OLEFINS F					

EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE C	CARBON MONOXIDE	3.3407	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE C	NITROGEN OXIDES	51.303	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE C	TOTAL PM10 PARTI	0.1661	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE C	SULFUR DIOXIDE	0.1694	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE C	TOTAL PARTICULAT	3.3104	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE C	TOTAL PM10 PARTI	3.2163	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE C	TOTAL PARTICULAT	0.2915	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE D	TOTAL PARTICULAT	0.2961	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE D	TOTAL PM10 PARTI	0.1688	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE D	SULFUR DIOXIDE	0.1684	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE D	NITROGEN OXIDES	68.86	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE D	CARBON MONOXIDE	1.3011	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE D	LEAD & COMPOUND	0.003	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE D	CADMIUM & COMPO	0.0013	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE D	CARBON MONOXIDE	2.6178	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE D	TOTAL PARTICULAT	3.2923	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE D	MERCURY-HG	0.0002	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE D	TOTAL PM10 PARTI	3.1989	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE E	TOTAL PM10 PARTI	2.3082	Active
	BAYTOWN OLEFINS F					

EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE F	NITROGEN OXIDES	100.46	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE F	CARBON MONOXIDE	0.1431	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE F	TOTAL PM10 PARTI	0.164	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE G	NITROGEN OXIDES	58.969	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE G	SULFUR DIOXIDE	0.1477	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE G	CARBON MONOXIDE	4.2763	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE G	CARBON MONOXIDE	2.4873	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE G	CADMIUM & COMPO	0.0012	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE G	LEAD & COMPOUND	0.0026	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE G	MERCURY-HG	0.0001	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE G	TOTAL PARTICULAT	2.8869	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE G	TOTAL PM10 PARTI	2.8048	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE G	TOTAL PARTICULAT	0.2813	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE G	TOTAL PM10 PARTI	0.1604	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE H	SULFUR DIOXIDE	0.1392	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE H	NITROGEN OXIDES	47.179	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE H	CARBON MONOXIDE	2.4302	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE H	CADMIUM & COMPO	0.0011	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE H	LEAD & COMPOUND	0.0025	Active
				CARBON MONOXIDE		

EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE I	CARBON MONOXIDE	3.262	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE J	TOTAL PARTICULAT	0.2804	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE J	TOTAL PARTICULAT	3.7159	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE J	TOTAL PM10 PARTI	0.1598	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE J	TOTAL PM10 PARTI	3.6103	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE J	NITROGEN OXIDES	63.852	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE J	SULFUR DIOXIDE	0.1901	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE J	CARBON MONOXIDE	0.8105	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE J	CARBON MONOXIDE	2.4791	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE J	CADMIUM & COMPO	0.0015	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE J	LEAD & COMPOUND	0.0034	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE J	MERCURY-HG	0.0002	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE O	SULFUR DIOXIDE	0.1243	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE O	CARBON MONOXIDE	1.3872	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE O	NITROGEN OXIDES	44.112	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE O	TOTAL PM10 PARTI	0.0957	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE O	CARBON MONOXIDE	1.4842	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE O	CADMIUM & COMPO	0.001	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE O	LEAD & COMPOUND	0.0022	Active
	BAYTOWN OLEFINS F					

EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XA	SULFUR DIOXIDE	0.2427	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XA	CARBON MONOXIDE	1.6819	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XA	CARBON MONOXIDE	2.4302	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XA	TOTAL PARTICULAT	0.2749	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XA	TOTAL PM10 PARTI	0.1567	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XA	CADMIUM & COMPO	0.0016	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XA	TOTAL PM10 PARTI	4.1872	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XA	TOTAL PARTICULAT	4.3055	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XB	CARBON MONOXIDE	9.1822	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XB	SULFUR DIOXIDE	0.2392	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XB	NITROGEN OXIDES	58.718	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XB	TOTAL PARTICULAT	0.297	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XB	TOTAL PM10 PARTI	4.127	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XB	TOTAL PM10 PARTI	0.1693	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XB	TOTAL PARTICULAT	4.2437	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XB	CARBON MONOXIDE	2.6259	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XB	CADMIUM & COMPO	0.0016	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XB	MERCURY-HG	0.0002	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XB	LEAD & COMPOUND	0.0036	Active
	BAYTOWN OLEFINS F					

EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XF	CARBON MONOXIDE	0.9693	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XF	TOTAL PM10 PARTI	0.1656	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XF	TOTAL PARTICULAT	0.2905	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XF	TOTAL PM10 PARTI	4.3245	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XF	TOTAL PARTICULAT	4.4468	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XF	MERCURY-HG	0.0002	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XF	CADMIUM & COMPO	0.0017	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACE XF	LEAD & COMPOUND	0.0038	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACES I J	TOTAL PARTICULAT	0	Active
EXXONMOBIL CHEMICAL CO	BAYTOWN OLEFINS F	HARRIS	PYROLYSIS FURNACES I J	TOTAL PM10 PARTI	0	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	ACETYLENE CONVERTR REGENERATOR	TOTAL PM10 PARTI	0.0326	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	ACETYLENE CONVERTR REGENERATOR	TOTAL PARTICULAT	0.0326	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	ACETYLENE CONVERTR REGENERATOR	CARBON MONOXIDE	0.0568	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	ACETYLENE CONVERTR REGENERATOR	TOTAL PM2.5 PARTI	0.0054	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	ACETYLENE CONVERTR REGENERATOR	NITROGEN OXIDES	0.2705	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	ACETYLENE CONVERTR REGENERATOR	SULFUR DIOXIDE	0.0016	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	B.U. RECYCLE GAS SUPERHEATER	TOTAL PM10 PARTI	0.0194	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	B.U. RECYCLE GAS SUPERHEATER	TOTAL PARTICULAT	0.0194	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	B.U. RECYCLE GAS SUPERHEATER	TOTAL PM2.5 PARTI	0.0077	Active
				TOTAL PM10 PARTI		

EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	B-9604 REF. TANK FARM THERMAL OXID	TOTAL PARTICULAT	0	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	B-9604 REF. TANK FARM THERMAL OXID	TOTAL PARTICULAT	0	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	B-9604 REF. TANK FARM THERMAL OXID	TOTAL PM10 PARTI	0.2154	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	B-9604 REF. TANK FARM THERMAL OXID	TOTAL PARTICULAT	0.2154	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	B-9604 REF. TANK FARM THERMAL OXID	TOTAL PM10 PARTI	0	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	B-9604 REF. TANK FARM THERMAL OXID	CARBON MONOXIDE	0.0433	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	B-9604 REF. TANK FARM THERMAL OXID	SULFUR DIOXIDE	0.0057	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	B-9604 REF. TANK FARM THERMAL OXID	NITROGEN OXIDES	0.0865	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	FURNACE	TOTAL PM10 PARTI	0	Idle
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	FURNACE	TOTAL PARTICULAT	0	Idle
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	FURNACE	TOTAL PM10 PARTI	0	Idle
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	FURNACE	TOTAL PARTICULAT	0	Permitted, but not built
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	FURNACE	TOTAL PM10 PARTI	0	Permitted, but not built
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	FURNACE	TOTAL PARTICULAT	0	Permitted, but not built
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	FURNACE	TOTAL PM10 PARTI	0	Permitted, but not built
				TOTAL PARTICULAT		

EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	FURNACE	TOTAL PM10 PARTI	0	Permitted, but not built
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	FURNACE	TOTAL PARTICULAT	0	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	TOTAL PM10 PARTI	0.7064	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	TOTAL PARTICULAT	0.7064	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	TOTAL PM10 PARTI	0.7247	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	TOTAL PARTICULAT	0.7247	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	TOTAL PARTICULAT	0.7282	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	TOTAL PM10 PARTI	0.7282	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	TOTAL PM2.5 PARTI	0.7247	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	NITROGEN OXIDES	27.086	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	SULFUR DIOXIDE	0.2174	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	CARBON MONOXIDE	0.2817	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	SULFUR DIOXIDE	0.2185	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	TOTAL PM2.5 PARTI	0.7282	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	NITROGEN OXIDES	25.034	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	CARBON MONOXIDE	0.5805	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	TOTAL PM2.5 PARTI	0.7064	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	NAPTHA CRACKING FURNACE	NITROGEN OXIDES	26.044	Active
				TOTAL PM10 PARTI		

EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II - 12W PYROLYSIS FURNACE	TOTAL PARTICULAT	1.0954	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II - 12W PYROLYSIS FURNACE	TOTAL PM2.5 PARTI	0.7302	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II - M8 PYROLYSIS FURNACE	TOTAL PM10 PARTI	1.3542	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II - M8 PYROLYSIS FURNACE	TOTAL PARTICULAT	1.3542	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II - M8 PYROLYSIS FURNACE	TOTAL PM2.5 PARTI	0.9028	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II - M8 PYROLYSIS FURNACE	NITROGEN OXIDES	31.037	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II - M8 PYROLYSIS FURNACE	SULFUR DIOXIDE	0.2708	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II - M8 PYROLYSIS FURNACE	CARBON MONOXIDE	1.9612	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II -12W PYROLYSIS FURNACE	CARBON MONOXIDE	0.3205	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II -12W PYROLYSIS FURNACE	TOTAL PARTICULAT	1.1088	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II -12W PYROLYSIS FURNACE	SULFUR DIOXIDE	0.2218	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II -12W PYROLYSIS FURNACE	TOTAL PM2.5 PARTI	0.7392	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II -12W PYROLYSIS FURNACE	NITROGEN OXIDES	29.468	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II -12W PYROLYSIS FURNACE	TOTAL PM10 PARTI	1.1088	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II 24M A PYROLYSIS FURNACE	TOTAL PM10 PARTI	3.3306	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II 24M A PYROLYSIS FURNACE	TOTAL PARTICULAT	3.3306	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II 24M A PYROLYSIS FURNACE	TOTAL PM2.5 PARTI	1.3933	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II 24M A PYROLYSIS FURNACE	NITROGEN OXIDES	45.319	Active
		JEFFER				

EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II M8 PYROLYSIS FURNACE	NITROGEN OXIDES	23.317	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II M8 PYROLYSIS FURNACE	CARBON MONOXIDE	1.4897	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II M8 PYROLYSIS FURNACE	TOTAL PM2.5 PARTI	1.0178	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II M8 PYROLYSIS FURNACE	NITROGEN OXIDES	35.502	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II M8 PYROLYSIS FURNACE	SULFUR DIOXIDE	0.3053	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II M8 PYROLYSIS FURNACE	CARBON MONOXIDE	5.6641	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	USC II M8 PYROLYSIS FURNACE	TOTAL PM2.5 PARTI	0.6511	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	WHARF LOADING FACILITY	TOTAL PM10 PARTI	0	Demolished
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	WHARF LOADING FACILITY	TOTAL PARTICULAT	0	Demolished
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	WHARF LOADING VAPOR COMBUSTOR E	CARBON MONOXIDE	1.5542	Demolished
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	WHARF LOADING VAPOR COMBUSTOR E	NITROGEN OXIDES	0.7785	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	WHARF LOADING VAPOR COMBUSTOR E	TOTAL PARTICULAT	0	Demolished
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	WHARF LOADING VAPOR COMBUSTOR E	TOTAL PM10 PARTI	0	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	WHARF THERMAL OXIDIZER	NITROGEN OXIDES	0.1698	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	WHARF THERMAL OXIDIZER	TOTAL PM10 PARTI	0.501	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	WHARF THERMAL OXIDIZER	TOTAL PARTICULAT	0.501	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	WHARF THERMAL OXIDIZER	SULFUR DIOXIDE	0.01	Active
EXXON MOBIL CHEMICALS	OLEFINS & AROMATI	JEFFER	WHARF THERMAL OXIDIZER	CARBON MONOXIDE	0.0424	Active
				TOTAL PARTICULAT		

FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE 1	TOTAL PM10 PARTIC	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE 1	TOTAL PARTICULAT	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE 1	TOTAL PM10 PARTIC	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE 1	TOTAL PARTICULAT	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE 1	TOTAL PARTICULAT	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE 1	TOTAL PM10 PARTIC	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE 1	TOTAL PARTICULAT	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE 1	TOTAL PM10 PARTIC	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE 1	TOTAL PM10 PARTIC	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE 1	TOTAL PM10 PARTIC	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE--1	TOTAL PM10 PARTIC	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE--1	TOTAL PM10 PARTIC	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE--1	TOTAL PARTICULAT	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE--1	TOTAL PARTICULAT	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE--1	TOTAL PARTICULAT	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DESOLVE LINE--1	TOTAL PM10 PARTIC	0	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DIRECT FIRED THERMAL OXIDIZER	TOTAL PM2.5 PARTI	1.9982	Active
FIRESTONE POLYMERS	ORANGE PLANT	ORANGE	DIRECT FIRED THERMAL OXIDIZER	TOTAL PM10 PARTIC	2.6643	Active
				TOTAL PARTICULAT		

FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	DRYER TRAIN 2	TOTAL PM2.5 PARTI	0.7551	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	DRYER TRAIN 2	TOTAL PM10 PARTI	0.9439	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	DRYER TRAIN 2	TOTAL PARTICULAT	0.9936	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	DRYER TRAIN 3	TOTAL PM10 PARTI	0.8265	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	E.D.C. CRACKER 1	TOTAL PM10 PARTI	0	Demolished
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	E.D.C. CRACKER 1	TOTAL PARTICULAT	0	Demolished
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	E.D.C. CRACKER 2	TOTAL PARTICULAT	0	Demolished
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	E.D.C. CRACKER 2	TOTAL PM10 PARTI	0	Demolished
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	E.D.C. CRACKER 4	TOTAL PM2.5 PARTI	0.4191	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	E.D.C. CRACKER 4	NITROGEN OXIDES	12.524	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	E.D.C. CRACKER 4	SULFUR DIOXIDE	0.0365	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	E.D.C. CRACKER 4	CARBON MONOXIDE	3.4857	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	E.D.C. CRACKER 4	TOTAL PARTICULAT	0.4458	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	FRAME 7--GAS TURBINE NO. 1	TOTAL PM10 PARTI	19.54	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	FURNACE	TOTAL PM10 PARTI	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	FURNACE	TOTAL PARTICULAT	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	FURNACE	TOTAL PM10 PARTI	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	FURNACE	TOTAL PARTICULAT	0	Active
			H.D.P.E. PLANT V.O.C. RECOVERY SYST			

FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	H.D.P.E. PLANT V.O.C. RECOVERY SYST	SULFUR DIOXIDE	0.0004	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	H.D.P.E. PLANT V.O.C. RECOVERY SYST	CARBON MONOXIDE	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	INCINERATOR & SCRUBBER SYSTEM "A"	NITROGEN OXIDES	0.2684	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	INCINERATOR & SCRUBBER SYSTEM "A"	CARBON MONOXIDE	0.0088	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	INCINERATOR & SCRUBBER SYSTEM "A"	HYDROGEN CHLOR	0.376	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	INCINERATOR & SCRUBBER SYSTEM "A"	TOTAL PM10 PARTI	0	Shutdown
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	INCINERATOR & SCRUBBER SYSTEM "A"	TOTAL PARTICULAT	0	Shutdown
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	LLDPE INCINERATOR	TOTAL PM10 PARTI	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	LLDPE INCINERATOR	TOTAL PARTICULAT	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	LLDPE INCINERATOR	TOTAL PM2.5 PARTI	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	LLDPE INCINERATOR	NITROGEN OXIDES	25.257	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	LLDPE INCINERATOR	SULFUR DIOXIDE	0.0141	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	LLDPE INCINERATOR	CARBON MONOXIDE	8.2577	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	MOLTEN SALT HEATER	TOTAL PARTICULAT	0	Permitted, but not built
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	MOLTEN SALT HEATER	TOTAL PM10 PARTI	0	Permitted, but not built
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	SULFUR DIOXIDE	0.81	Active
				TOTAL PARTICULAT		

FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	TOTAL PM10 PARTIC	2.55	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	TOTAL PM2.5 PARTI	2.397	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	NITROGEN OXIDES	87.5	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	SULFUR DIOXIDE	0.8	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	TOTAL PM2.5 PARTI	2.6226	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	SULFUR DIOXIDE	0.88	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	NITROGEN OXIDES	93.23	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	CARBON MONOXIDE	0.77	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	TOTAL PM10 PARTIC	2.79	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	TOTAL PARTICULAT	2.79	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	SULFUR DIOXIDE	0.84	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	NITROGEN OXIDES	89.57	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	TOTAL PM2.5 PARTI	2.5192	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	TOTAL PARTICULAT	2.68	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	TOTAL PM10 PARTIC	2.68	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	CARBON MONOXIDE	1.58	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	TOTAL PARTICULAT	2.97	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	OLEFINS PLANT PYROLYSIS FURNACE #	TOTAL PM10 PARTIC	2.97	Active
				TOTAL PM10 PARTIC		

FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	P.V.C. DRYER "D"	TOTAL PM2.5 PARTI	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	P.V.C. DRYER "D"	TOTAL PM10 PARTI	1.2236	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	P.V.C. DRYER "D"	TOTAL PARTICULAT	1.288	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	P.V.C. DRYER "E"	TOTAL PARTICULAT	4.237	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	P.V.C. DRYER "E"	TOTAL PM10 PARTI	4.0252	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	P.V.C. DRYER "E"	TOTAL PM2.5 PARTI	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	PELLET DRYER	TOTAL PARTICULAT	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	PELLET DRYER	TOTAL PM10 PARTI	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	PROCESS TO INCINERATOR "B"	HYDROGEN CHLOR	0.376	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	PROCESS TO INCINERATOR "B"	NITROGEN OXIDES	0.2684	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	PROCESS TO INCINERATOR "B"	CARBON MONOXIDE	0.033	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	PROCESS TO INCINERATOR "B"	TOTAL PARTICULAT	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	PROCESS TO INCINERATOR "B"	TOTAL PM10 PARTI	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	PVC DRYER H	TOTAL PM10 PARTI	1.9342	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	PVC DRYER H	TOTAL PARTICULAT	2.036	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	PVC DRYER H	TOTAL PM2.5 PARTI	0	Active
FORMOSA PLASTICS CORPO	FORMOSA PLASTICS	CALHOU	PYROLYSIS FURNACE	TOTAL PM10 PARTI	2.8	Active
FREESCALE SEMICONDUCT						

FREESCALE SEMICONDUCT	ED BLUESTEIN SITE	TRAVIS	"Y" BLDG. R.C.O.	SULFUR DIOXIDE	0.0066	Active
FREESCALE SEMICONDUCT	ED BLUESTEIN SITE	TRAVIS	"Y" BLDG. R.C.O.	CARBON MONOXIDE	1.533	Active
FREESCALE SEMICONDUCT	ED BLUESTEIN SITE	TRAVIS	"Y" BLDG. R.C.O.	TOTAL PARTICULAT	0.15	Active
FREESCALE SEMICONDUCT	ED BLUESTEIN SITE	TRAVIS	"Y" BLDG. R.C.O.	TOTAL PM10 PARTI	0.15	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	CATALYST FINES DRUMMING	HYDROCHLORIC AC	0.51	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	CATALYST FINES DRUMMING	TOTAL PARTICULAT	0.54	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	CATALYST FINES DRUMMING	TOTAL PM10 PARTI	0.03	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	CTL II RIBBON BLENDER	TOTAL PM10 PARTI	0.0024	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	CTL II RIBBON BLENDER	TOTAL PARTICULAT	0.0024	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	CTL WASTE GAS INCINERATOR	SULFUR DIOXIDE	0.005	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	CTL WASTE GAS INCINERATOR	TOTAL PM10 PARTI	0.0655	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	CTL WASTE GAS INCINERATOR	TOTAL PARTICULAT	0.0655	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	CTL WASTE GAS INCINERATOR	CARBON MONOXIDE	0.7305	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	CTL WASTE GAS INCINERATOR	NITROGEN OXIDES	0.8455	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	DACONIL II HTF HEATER	TOTAL PM10 PARTI	0.11	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	DACONIL II HTF HEATER	TOTAL PARTICULAT	0.11	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	DACONIL II HTF HEATER	CARBON MONOXIDE	1.2	Active
				TOTAL PM10 PARTI		

GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	IPN - S. DOWTHERM VAPORIZER	TOTAL PARTICULAT	0.17	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	IPN - S. DOWTHERM VAPORIZER	CARBON MONOXIDE	1.89	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	IPN - S. DOWTHERM VAPORIZER	SULFUR DIOXIDE	0.02	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	IPN INCINERATOR	TOTAL PM10 PARTI	0.69	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	IPN INCINERATOR	NITROGEN OXIDES	65.55	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	IPN INCINERATOR	TOTAL PM2.5 PARTI	0.69	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	IPN INCINERATOR	TOTAL PARTICULAT	0.69	Active
GB BIOSCIENCES CORP	GB BIOSCIENCES CO	HARRIS	IPN INCINERATOR	SULFUR DIOXIDE	0.0828	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF	DALLAS	ALUMINUM BILLET FURNACE	TOTAL PM2.5 PARTI	0.0384	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF	DALLAS	ALUMINUM BILLET FURNACE	NITROGEN OXIDES	0.5055	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF	DALLAS	ALUMINUM BILLET FURNACE	SULFUR DIOXIDE	0.003	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF	DALLAS	ALUMINUM BILLET FURNACE	CARBON MONOXIDE	0.4246	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF	DALLAS	ALUMINUM BILLET FURNACE	TOTAL PARTICULAT	0.0384	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF	DALLAS	ALUMINUM BILLET FURNACE	TOTAL PM10 PARTI	0.0384	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF	DALLAS	ALUMINUM, HEAT-TREAT FURNACE	TOTAL PM2.5 PARTI	0.0136	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF	DALLAS	ALUMINUM, HEAT-TREAT FURNACE	NITROGEN OXIDES	0.1783	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF	DALLAS	ALUMINUM, HEAT-TREAT FURNACE	SULFUR DIOXIDE	0.0011	Active
				TOTAL PARTICULAT		

GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	BAKE OVEN	TOTAL PM10 PARTI(	0.0083	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	DRY OVEN	NITROGEN OXIDES	0.2183	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	DRY OVEN	SULFUR DIOXIDE	0.0013	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	DRY OVEN	CARBON MONOXIDE	0.1834	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	DRY OVEN	TOTAL PARTICULAT	0.0166	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	DRY OVEN	TOTAL PM10 PARTI(	0.0166	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	DRY OVEN	TOTAL PM2.5 PARTI	0.0166	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	FOUR-STAGE WASHER	TOTAL PM2.5 PARTI	0.0068	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	FOUR-STAGE WASHER	NITROGEN OXIDES	0.09	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	FOUR-STAGE WASHER	SULFUR DIOXIDE	0.0005	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	FOUR-STAGE WASHER	CARBON MONOXIDE	0.0756	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	FOUR-STAGE WASHER	TOTAL PARTICULAT	0.0068	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	FOUR-STAGE WASHER	TOTAL PM10 PARTI(	0.0068	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	HANGER BAKEOFF OVEN	TOTAL PM2.5 PARTI	0.0011	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	HANGER BAKEOFF OVEN	NITROGEN OXIDES	0.0148	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	HANGER BAKEOFF OVEN	SULFUR DIOXIDE	0.0001	Active
GENERAL ALUMINUM CO OF	WINDOW FRAME MF(	DALLAS	HANGER BAKEOFF OVEN	CARBON MONOXIDE	0.0124	Active
				TOTAL PM10 PARTI(		

GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	OVEN--BLDG. 39	TOTAL PM2.5 PARTI	0.0365	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	OVEN--BLDG. 39	NITROGEN OXIDES	0.4802	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	OVEN--BLDG. 39	SULFUR DIOXIDE	0.0029	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	OVEN--BLDG. 39	CARBON MONOXIDE	0.4034	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	OVEN--BLDG. 39	TOTAL PARTICULAT	0.0365	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	OVEN--BLDG. 39	TOTAL PM10 PARTI	0.0365	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	OVEN--BLDG. 39	TOTAL PM2.5 PARTI	0.01	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	OVEN--BLDG. 39	NITROGEN OXIDES	0	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	OVEN--BLDG. 39	SULFUR DIOXIDE	0	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	OVEN--BLDG. 39	CARBON MONOXIDE	0	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	OVEN--BLDG. 39	TOTAL PARTICULAT	0.01	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	OVEN--BLDG. 39	TOTAL PM10 PARTI	0.01	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	SALT BATH--ALUMINUM TREATING	TOTAL PM2.5 PARTI	0.0021	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	SALT BATH--ALUMINUM TREATING	NITROGEN OXIDES	0.0543	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	SALT BATH--ALUMINUM TREATING	SULFUR DIOXIDE	0.0003	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	SALT BATH--ALUMINUM TREATING	CARBON MONOXIDE	0.0455	Active
GENERAL DYNAMICS OTS (G	GARLAND FACILITY	DALLAS	SALT BATH--ALUMINUM TREATING	TOTAL PARTICULAT	0.0041	Active
				TOTAL PARTICULAT		

GEORGIA GULF CHEM & VIN	PASADENA PLANT	HARRIS	PHENOLIC SEWER RISER	TOTAL PM10 PARTI	0	Active
GEORGIA PACIFIC RESINS I	LUFKIN RESIN PLANT	ANGELI	ALL KETTLE STACKS	TOTAL PARTICULAT	0	Active
GEORGIA PACIFIC RESINS I	LUFKIN RESIN PLANT	ANGELI	ALL KETTLE STACKS	TOTAL PM10 PARTI	0	Active
GEORGIA PACIFIC RESINS I	LUFKIN RESIN PLANT	ANGELI	FORMALDEHYDE PLANT	TOTAL PM10 PARTI	0	Active
GEORGIA PACIFIC RESINS I	LUFKIN RESIN PLANT	ANGELI	FORMALDEHYDE PLANT	TOTAL PARTICULAT	0	Active
GEORGIA PACIFIC WOOD P	BON WIER PLYWOOD	NEWTO	VENEER DRYER #1	TOTAL PARTICULAT	0	Active
GEORGIA PACIFIC WOOD P	BON WIER PLYWOOD	NEWTO	VENEER DRYER #1	TOTAL PM10 PARTI	0	Active
GEORGIA PACIFIC WOOD P	BON WIER PLYWOOD	NEWTO	VENEER DRYER #1	TOTAL PARTICULAT	0	Active
GEORGIA PACIFIC WOOD P	BON WIER PLYWOOD	NEWTO	VENEER DRYER #1	TOTAL PM10 PARTI	0	Active
GEORGIA PACIFIC WOOD P	BON WIER PLYWOOD	NEWTO	VENEER DRYER #2	TOTAL PARTICULAT	0	Active
GEORGIA PACIFIC WOOD P	BON WIER PLYWOOD	NEWTO	VENEER DRYER #2	TOTAL PM10 PARTI	0	Active
GEORGIA PACIFIC WOOD P	BON WIER PLYWOOD	NEWTO	VENEER DRYER #2	TOTAL PARTICULAT	0	Active
GEORGIA PACIFIC WOOD P	BON WIER PLYWOOD	NEWTO	VENEER DRYER #2	TOTAL PM10 PARTI	0	Active
GEORGIA PACIFIC WOOD P	BON WIER PLYWOOD	NEWTO	VENEER DRYER #3	TOTAL PARTICULAT	0	Active
GEORGIA PACIFIC WOOD P	BON WIER PLYWOOD	NEWTO	VENEER DRYER #3	TOTAL PM10 PARTI	0	Active
GEORGIA PACIFIC WOOD P	BON WIER PLYWOOD	NEWTO	VENEER DRYER #3	TOTAL PARTICULAT	0	Active
GEORGIA PACIFIC WOOD P	BON WIER PLYWOOD	NEWTO	VENEER DRYER #3	TOTAL PM10 PARTI	0	Active
				TOTAL PM10 PARTI		

GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	DRYER #3	TOTAL PARTICULAT	14.2	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	DRYER #3	TOTAL PM10 PARTI(	9.78	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	DRYER #4	TOTAL PARTICULAT	16.74	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	DRYER #4	TOTAL PM10 PARTI(	11.52	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	DRYER #4	TOTAL PARTICULAT	16.74	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	DRYER #4	TOTAL PM10 PARTI(	11.52	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	DRYER #4	TOTAL PARTICULAT	16.74	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	DRYER #4	TOTAL PM10 PARTI(	11.52	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	HOT PRESS ROOF "VENT-1"	TOTAL PARTICULAT	42.64	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	HOT PRESS ROOF "VENT-1"	TOTAL PM10 PARTI(	17.95	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	HOT PRESS ROOF "VENT-2"	TOTAL PARTICULAT	42.64	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	HOT PRESS ROOF "VENT-2"	TOTAL PM10 PARTI(	17.95	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	NEW KILN VENTS	TOTAL PARTICULAT	0.52	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	NEW KILN VENTS	TOTAL PM10 PARTI(	0.52	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	OLD KILN VENTS	TOTAL PARTICULAT	2.5	Active
GEORGIA-PACIFIC WOOD PF	CAMDEN COMPLEX	POLK	OLD KILN VENTS	TOTAL PM10 PARTI(	2.5	Active
				TOTAL PM10 PARTI(		

GEORGIA-PACIFIC WOOD PF	CLEVELAND PLYWOC	LIBERTY	VENEER DRYER #3	TOTAL PARTICULAT	0.58	Active
GEORGIA-PACIFIC WOOD PF	CLEVELAND PLYWOC	LIBERTY	VENEER DRYER #3	TOTAL PM10 PARTIC	0.58	Active
GEORGIA-PACIFIC WOOD PF	CLEVELAND PLYWOC	LIBERTY	VENEER DRYER #3	TOTAL PARTICULAT	0.496	Active
GEORGIA-PACIFIC WOOD PF	CLEVELAND PLYWOC	LIBERTY	VENEER DRYER #3	TOTAL PM10 PARTIC	0.496	Active
GEORGIA-PACIFIC WOOD PF	CORRIGAN PLYWOOI	POLK	DRYER #1	TOTAL PARTICULAT	19.59	Active
GEORGIA-PACIFIC WOOD PF	CORRIGAN PLYWOOI	POLK	DRYER #1	TOTAL PM10 PARTIC	7.66	Active
GEORGIA-PACIFIC WOOD PF	CORRIGAN PLYWOOI	POLK	DRYER #1	TOTAL PARTICULAT	19.59	Active
GEORGIA-PACIFIC WOOD PF	CORRIGAN PLYWOOI	POLK	DRYER #1	TOTAL PM10 PARTIC	7.66	Active
GEORGIA-PACIFIC WOOD PF	CORRIGAN PLYWOOI	POLK	DRYER #1	TOTAL PARTICULAT	19.59	Active
GEORGIA-PACIFIC WOOD PF	CORRIGAN PLYWOOI	POLK	DRYER #1	TOTAL PM10 PARTIC	7.66	Active
GEORGIA-PACIFIC WOOD PF	CORRIGAN PLYWOOI	POLK	DRYER #2	TOTAL PARTICULAT	25.37	Active
GEORGIA-PACIFIC WOOD PF	CORRIGAN PLYWOOI	POLK	DRYER #2	TOTAL PM10 PARTIC	9.92	Active
GEORGIA-PACIFIC WOOD PF	CORRIGAN PLYWOOI	POLK	DRYER #2	TOTAL PARTICULAT	25.37	Active
GEORGIA-PACIFIC WOOD PF	CORRIGAN PLYWOOI	POLK	DRYER #2	TOTAL PM10 PARTIC	9.92	Active
GEORGIA-PACIFIC WOOD PF	CORRIGAN PLYWOOI	POLK	DRYER #2	TOTAL PARTICULAT	25.37	Active
GEORGIA-PACIFIC WOOD PF	CORRIGAN PLYWOOI	POLK	DRYER #2	TOTAL PM10 PARTIC	9.92	Active
				TOTAL PM10 PARTIC		

GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "B"	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "B"	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "B"	TOTAL PM10 PARTI	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "B"	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "B"	TOTAL PM10 PARTI	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "B"	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "D"	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "D"	TOTAL PM10 PARTI	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "D"	TOTAL PM10 PARTI	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "D"	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "D"	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "D"	TOTAL PM10 PARTI	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "D"	TOTAL PM10 PARTI	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "D"	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "D"	TOTAL PM10 PARTI	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "D"	TOTAL PARTICULAT	0	Shutdown
				TOTAL PARTICULAT		

GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "G"	TOTAL PM10 PARTI	0	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "G"	TOTAL PM10 PARTI	0	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "G"	NITROGEN OXIDES	0.0496	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "G"	TOTAL PM10 PARTI	0	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "G"	TOTAL PARTICULAT	0	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "G"	TOTAL PM10 PARTI	0	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "G"	TOTAL PARTICULAT	0	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PM10 PARTI	0.4902	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PARTICULAT	0.4902	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PARTICULAT	0.4902	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PM10 PARTI	0.4902	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	SULFUR DIOXIDE	0.0016	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	CARBON MONOXIDE	0.0548	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	NITROGEN OXIDES	0.261	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PM10 PARTI	0.4902	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PM10 PARTI	0.4902	Active
				TOTAL PM10 PARTI		

GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PARTICULAT	0.4902	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PM10 PARTI	0.4902	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	NITROGEN OXIDES	0.261	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PM2.5 PARTI	0.0155	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	SULFUR DIOXIDE	0.0008	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PM2.5 PARTI	0.0443	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	CARBON MONOXIDE	0.0272	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PM10 PARTI	0.4902	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PARTICULAT	0.4902	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PARTICULAT	0.4902	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PARTICULAT	0.5032	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	CARBON MONOXIDE	0.0548	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	SULFUR DIOXIDE	0.0016	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	TOTAL PM2.5 PARTI	0.0313	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	CARBON MONOXIDE	0.0548	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "J"	SULFUR DIOXIDE	0.0016	Active
				CARBON MONOXIDE		

GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PM2.5 PARTI	0.0274	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PM2.5 PARTI	0.0274	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	CARBON MONOXIDE	0.0479	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	SULFUR DIOXIDE	0.0014	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PM10 PARTI	0.4757	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PARTICULAT	0.2377	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PM10 PARTI	0.2377	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PARTICULAT	0.4757	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PARTICULAT	0.4757	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PM10 PARTI	0.4757	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PARTICULAT	0.487	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PM10 PARTI	0.487	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PARTICULAT	0.4757	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PM10 PARTI	0.4757	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PARTICULAT	0.4757	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PM10 PARTI	0.4757	Active

GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	SULFUR DIOXIDE	0.0014	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	NITROGEN OXIDES	0.228	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PM2.5 PARTI	0.0387	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	SULFUR DIOXIDE	0.0014	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	CARBON MONOXIDE	0.0479	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	NITROGEN OXIDES	0.228	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	CARBON MONOXIDE	0.0479	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	SULFUR DIOXIDE	0.0014	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	CARBON MONOXIDE	0.0479	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	CARBON MONOXIDE	0.0479	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	NITROGEN OXIDES	0.228	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	SULFUR DIOXIDE	0.0014	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	SULFUR DIOXIDE	0.0014	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	NITROGEN OXIDES	0.228	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PM2.5 PARTI	0.0274	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "K"	TOTAL PM2.5 PARTI	0.0274	Active
				TOTAL PM10 PARTI		

GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	NITROGEN OXIDES	0.2177	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	TOTAL PM2.5 PARTI	0.0261	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	NITROGEN OXIDES	0.2177	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	SULFUR DIOXIDE	0.0013	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	CARBON MONOXIDE	0.0457	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	TOTAL PM2.5 PARTI	0.0261	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	NITROGEN OXIDES	0.2177	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	SULFUR DIOXIDE	0.0013	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	CARBON MONOXIDE	0.0457	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	TOTAL PM2.5 PARTI	0.0261	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	NITROGEN OXIDES	0.2177	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	SULFUR DIOXIDE	0.0013	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	TOTAL PM2.5 PARTI	0.0261	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	TOTAL PM2.5 PARTI	0.0261	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	SULFUR DIOXIDE	0.0018	Active
	GOODYEAR HOUSTO					

GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	TOTAL PM2.5 PARTI	0.013	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "L"	NITROGEN OXIDES	0.2177	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	NITROGEN OXIDES	0.34	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PM2.5 PARTI	0.0288	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PARTICULAT	0.5056	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PM10 PARTI	0.5056	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PARTICULAT	0.5056	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PM10 PARTI	0.5056	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PM10 PARTI	0.5056	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PARTICULAT	0.5056	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PM10 PARTI	0.5056	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PARTICULAT	0.5056	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PM10 PARTI	0.5056	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PARTICULAT	0.5056	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PM10 PARTI	0.5056	Active
	GOODYEAR HOUSTO					

GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	SULFUR DIOXIDE	0.0014	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	CARBON MONOXIDE	0.0505	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PM2.5 PARTI	0.0288	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	NITROGEN OXIDES	0.2402	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	SULFUR DIOXIDE	0.0014	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	CARBON MONOXIDE	0.0505	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PM2.5 PARTI	0.0288	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	NITROGEN OXIDES	0.2402	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	SULFUR DIOXIDE	0.0014	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	CARBON MONOXIDE	0.0505	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	TOTAL PM2.5 PARTI	0.0288	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	NITROGEN OXIDES	0.2402	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	CARBON MONOXIDE	0.0714	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	SULFUR DIOXIDE	0.0014	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "M"	CARBON MONOXIDE	0.0505	Active
	GOODYEAR HOUSTO					

GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	SULFUR DIOXIDE	0.0015	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	CARBON MONOXIDE	0.0508	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PARTICULAT	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PM10 PARTI	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PM2.5 PARTI	0.029	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PARTICULAT	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PM10 PARTI	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PARTICULAT	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	SULFUR DIOXIDE	0.0015	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PM2.5 PARTI	0.029	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	CARBON MONOXIDE	0.0508	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	NITROGEN OXIDES	0.2419	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PARTICULAT	0.2423	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PARTICULAT	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PM10 PARTI	0.4969	Active
				TOTAL PM10 PARTI		

GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PARTICULAT	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	NITROGEN OXIDES	0.3423	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	SULFUR DIOXIDE	0.0021	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	CARBON MONOXIDE	0.0719	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PM10 PARTI	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PM10 PARTI	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PARTICULAT	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PM10 PARTI	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PARTICULAT	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PM10 PARTI	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "P"	TOTAL PARTICULAT	0.4848	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	TOTAL PM2.5 PARTI	0.0325	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	SULFUR DIOXIDE	0.0016	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	TOTAL PM2.5 PARTI	0.0325	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	CARBON MONOXIDE	0.0805	Active
				TOTAL PM10 PARTI		

GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	TOTAL PARTICULAT	0.4859	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	CARBON MONOXIDE	0.0569	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	NITROGEN OXIDES	0.2708	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	TOTAL PM2.5 PARTI	0.0325	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	NITROGEN OXIDES	0.2708	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	SULFUR DIOXIDE	0.0016	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	CARBON MONOXIDE	0.0569	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	SULFUR DIOXIDE	0.0016	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	NITROGEN OXIDES	0.2708	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	TOTAL PM2.5 PARTI	0.0325	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	CARBON MONOXIDE	0.0569	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	TOTAL PM2.5 PARTI	0.0325	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	NITROGEN OXIDES	0.2708	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	CARBON MONOXIDE	0.0569	Active
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	DRYER "Q"	TOTAL PM2.5 PARTI	0.0325	Active
				TOTAL PM10 PARTI		

GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PM10 PARTI	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PM10 PARTI	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PM10 PARTI	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PM10 PARTI	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PM10 PARTI	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PM10 PARTI	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PARTICULAT	0	Shutdown
GOODYEAR TIRE & RUBBER	GOODYEAR HOUSTO	HARRIS	FINISHING AREA	TOTAL PM10 PARTI	0	Shutdown
		GRIMES				

GRANT PRIDECO LP	NAVASOTA SITE	GRIMES	FURNACE 5 (UPSETTER NAT. #2)	SULFUR DIOXIDE	0.0121	Active
GRANT PRIDECO LP	NAVASOTA SITE	GRIMES	FURNACE 5 (UPSETTER NAT. #2)	CARBON MONOXIDE	1.6932	Active
GRANT PRIDECO LP	NAVASOTA SITE	GRIMES	FURNACE 5 (UPSETTER NAT. #2)	NITROGEN OXIDES	2.0157	Active
GRANT PRIDECO LP	NAVASOTA SITE	GRIMES	FURNACE 5 (UPSETTER NAT. #2)	TOTAL PARTICULAT	0.1532	Active
GRANT PRIDECO LP	NAVASOTA SITE	GRIMES	FURNACE 5 (UPSETTER NAT. #2)	TOTAL PM10 PARTI	0.1532	Active
GRANT PRIDECO LP	NAVASOTA SITE	GRIMES	FURNACE 6 (UPSETTER NAT. #3)	TOTAL PM2.5 PARTI	0.1532	Active
GRANT PRIDECO LP	NAVASOTA SITE	GRIMES	FURNACE 6 (UPSETTER NAT. #3)	SULFUR DIOXIDE	0.0121	Active
GRANT PRIDECO LP	NAVASOTA SITE	GRIMES	FURNACE 6 (UPSETTER NAT. #3)	CARBON MONOXIDE	1.6932	Active
GRANT PRIDECO LP	NAVASOTA SITE	GRIMES	FURNACE 6 (UPSETTER NAT. #3)	NITROGEN OXIDES	2.0157	Active
GRANT PRIDECO LP	NAVASOTA SITE	GRIMES	FURNACE 6 (UPSETTER NAT. #3)	TOTAL PARTICULAT	0.1532	Active
GRANT PRIDECO LP	NAVASOTA SITE	GRIMES	FURNACE 6 (UPSETTER NAT. #3)	TOTAL PM10 PARTI	0.1532	Active
GREIF INC	HOUSTON SPECIALT	HARRIS	DISPATCH OVEN	NITROGEN OXIDES	1.5904	Active
GREIF INC	HOUSTON SPECIALT	HARRIS	DISPATCH OVEN	SULFUR DIOXIDE	0.0095	Active
GREIF INC	HOUSTON SPECIALT	HARRIS	DISPATCH OVEN	CARBON MONOXIDE	1.336	Active
				TOTAL PARTICULAT		

HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L202" FURNACE	TOTAL PM10 PARTI	0.1869	Active
HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L202" FURNACE	TOTAL PARTICULAT	0	Active
HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L202" FURNACE	TOTAL PM10 PARTI	0	Active
HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L202" FURNACE	CARBON MONOXIDE	2.0654	Active
HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L202" FURNACE	SULFUR DIOXIDE	0.0148	Active
HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L202" FURNACE	NITROGEN OXIDES	0.0787	Active
HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L202" FURNACE	TOTAL PM2.5 PARTI	0.1869	Active
HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L203" FURNACE	TOTAL PM10 PARTI	0.1557	Active
HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L203" FURNACE	TOTAL PARTICULAT	0.1557	Active
HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L203" FURNACE	CARBON MONOXIDE	1.7212	Active
HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L203" FURNACE	SULFUR DIOXIDE	0.0123	Active
HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L203" FURNACE	NITROGEN OXIDES	0.0553	Active
HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L203" FURNACE	TOTAL PM2.5 PARTI	0.1557	Active
HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	"L301" FURNACE	TOTAL PM10 PARTI	0.2803	Active
				TOTAL PARTICULAT		

HALDOR TOPSOE, INC.	HALDOR TOPSOE, IN	HARRIS	V.K. DRYING FURNACE	TOTAL PM2.5 PARTI	0.0253	Active
HEXION SPECIALTY CHEMIC	RESIN MFG	ELLIS	HOT OIL HEATER	TOTAL PM2.5 PARTI	0.1885	Active
HEXION SPECIALTY CHEMIC	RESIN MFG	ELLIS	HOT OIL HEATER	TOTAL PARTICULAT	0.1885	Active
HEXION SPECIALTY CHEMIC	RESIN MFG	ELLIS	HOT OIL HEATER	SULFUR DIOXIDE	0.0149	Active
HEXION SPECIALTY CHEMIC	RESIN MFG	ELLIS	HOT OIL HEATER	NITROGEN OXIDES	2.0834	Active
HEXION SPECIALTY CHEMIC	RESIN MFG	ELLIS	HOT OIL HEATER	CARBON MONOXIDE	2.4802	Active
HEXION SPECIALTY CHEMIC	RESIN MFG	ELLIS	HOT OIL HEATER	TOTAL PM10 PARTI	0.1885	Active
HEXION SPECIALTY CHEMIC	RESIN MFG	ELLIS	TRUCK SCALE LOAD OUT	TOTAL PM10 PARTI	0	Active
HEXION SPECIALTY CHEMIC	RESIN MFG	ELLIS	TRUCK SCALE LOAD OUT	TOTAL PARTICULAT	0	Active
HUNTSMAN COMPANY LLC	HUNTSMAN, L.L.C.	HARRIS	LINE 1 PELLET DRYER	TOTAL PARTICULAT	0.4787	Active
HUNTSMAN COMPANY LLC	HUNTSMAN, L.L.C.	HARRIS	LINE 1 PELLET DRYER	TOTAL PM10 PARTI	0.4787	Active
HUNTSMAN COMPANY LLC	HUNTSMAN, L.L.C.	HARRIS	LINE 2 PELLET DRYER	TOTAL PM10 PARTI	0.4787	Active
HUNTSMAN COMPANY LLC	HUNTSMAN, L.L.C.	HARRIS	PELLET DRYER	TOTAL PM10 PARTI	0.1397	Active
HUNTSMAN COMPANY LLC	HUNTSMAN, L.L.C.	HARRIS	PELLET DRYER	TOTAL PARTICULAT	0.1159	Active
				TOTAL PM10 PARTI		

HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F5 DUST COLLECTOR	TOTAL PARTICULAT	0.0006	Active
HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F5 DUST COLLECTOR	TOTAL PM2.5 PARTI	0.0006	Active
HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F-6 INCINERATOR H-F6-1	TOTAL PM10 PARTI	0.067	Active
HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F-6 INCINERATOR H-F6-1	TOTAL PARTICULAT	0.067	Active
HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F-6 INCINERATOR H-F6-1	CARBON MONOXIDE	2.098	Active
HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F-6 INCINERATOR H-F6-1	SULFUR DIOXIDE	0.001	Active
HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F-6 INCINERATOR H-F6-1	TOTAL PM2.5 PARTI	0.067	Active
HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F-6 INCINERATOR H-F6-1	NITROGEN OXIDES	5.996	Active
HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F6 WASTE GAS TO INCINERATOR	TOTAL PARTICULAT	0	Active
HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F6 WASTE GAS TO INCINERATOR	TOTAL PM10 PARTI	0.933	Active
HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F6 WASTE GAS TO INCINERATOR	TOTAL PM2.5 PARTI	0.933	Active
HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F6 WASTE GAS TO INCINERATOR	HYDROCHLORIC AC	0	Active
HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F6 WASTE GAS TO INCINERATOR	TOTAL PM10 PARTI	0	Active
HUNTSMAN CORPORATION	PORT NECHES PLAN	JEFFER	F6 WASTE GAS TO INCINERATOR	TOTAL PARTICULAT	0.933	Active
				CARBON MONOXIDE		

HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	L.O.U.	CARBON MONOXIDE	1.365	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	L.O.U.	TOTAL PM10 PARTI	0	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	L.O.U.	NITROGEN OXIDES	0	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	L.O.U.	CARBON MONOXIDE	0	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	L.O.U.	TOTAL PM10 PARTI	0.0718	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	L.O.U.	TOTAL PM10 PARTI	0	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	L.O.U.	TOTAL PARTICULAT	0.0651	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	L.O.U.	TOTAL PARTICULAT	0	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "A"	TOTAL PM2.5 PARTI	5.76	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "A"	NITROGEN OXIDES	60	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "A"	SULFUR DIOXIDE	0.256	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "A"	CARBON MONOXIDE	63.9	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "A"	TOTAL PARTICULAT	5.76	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "A"	TOTAL PM10 PARTI	5.76	Active
				TOTAL PM10 PARTI		

HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "E"	TOTAL PM2.5 PARTI	6.59	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "F"	NITROGEN OXIDES	43.5	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "F"	TOTAL PM2.5 PARTI	5.65	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "F"	SULFUR DIOXIDE	0.2514	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "F"	CARBON MONOXIDE	44.35	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "F"	TOTAL PARTICULAT	5.65	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "F"	TOTAL PM10 PARTI	5.65	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "G"	CARBON MONOXIDE	25.59	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "G"	SULFUR DIOXIDE	0.2784	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "G"	TOTAL PARTICULAT	6.26	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "G"	TOTAL PM10 PARTI	6.26	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "G"	NITROGEN OXIDES	54	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	NAPHTHA CRACKING FURNACE "G"	TOTAL PM2.5 PARTI	6.26	Active
HUNTSMAN PETROCHEMICA	AROMATICS & OLEFI	JEFFER	P.H.U. HEATER	CARBON MONOXIDE	0.3547	Active
				TOTAL PM10 PARTI		

HUNTSMAN PETROCHEMICA	CONROE FACILITY	MONTG	CARBONATE UNIT II REACTOR	TOTAL PM10 PARTI	0	Active
HUNTSMAN PETROCHEMICA	CONROE FACILITY	MONTG	CARBONATE UNIT II REACTOR	TOTAL PARTICULAT	0	Active
HUNTSMAN PETROCHEMICA	CONROE FACILITY	MONTG	DUPONT PIT INCINERATOR RF-2	TOTAL PARTICULAT	0	Demolished
HUNTSMAN PETROCHEMICA	CONROE FACILITY	MONTG	DUPONT PIT INCINERATOR RF-2	TOTAL PM10 PARTI	0	Demolished
HUNTSMAN PETROCHEMICA	CONROE FACILITY	MONTG	E.A. HEATER	TOTAL PARTICULAT	0	Shutdown
HUNTSMAN PETROCHEMICA	CONROE FACILITY	MONTG	E.A. HEATER	TOTAL PM10 PARTI	0	Shutdown
HUNTSMAN PETROCHEMICA	CONROE FACILITY	MONTG	HOT OIL HTR	TOTAL PM10 PARTI	0	Demolished
HUNTSMAN PETROCHEMICA	CONROE FACILITY	MONTG	HOT OIL HTR	TOTAL PARTICULAT	0	Demolished
HUNTSMAN PETROCHEMICA	CONROE FACILITY	MONTG	JOHN ZINK THERMAL OXIDIZER RF-6	TOTAL PM10 PARTI	0	Active
HUNTSMAN PETROCHEMICA	CONROE FACILITY	MONTG	JOHN ZINK THERMAL OXIDIZER RF-6	TOTAL PARTICULAT	0	Active
HUNTSMAN PETROCHEMICA	CONROE FACILITY	MONTG	JOHN ZINK THERMAL OXIDIZER RF-6	TOTAL PM10 PARTI	0	Active
HUNTSMAN PETROCHEMICA	CONROE FACILITY	MONTG	JOHN ZINK THERMAL OXIDIZER RF-6	TOTAL PARTICULAT	0	Active
HUNTSMAN PETROCHEMICA	CONROE FACILITY	MONTG	JOHN ZINK THERMAL OXIDIZER RF-6	TOTAL PM2.5 PARTI	0	Active
	ODESSA PETROCHEI					

HUNTSMAN POLYMERS COR	ODESSA PETROCHEI	ECTOR	CRACKER 14-17 DECOKE	CARBON MONOXIDE	7.99	Active
HUNTSMAN POLYMERS COR	ODESSA PETROCHEI	ECTOR	CRACKER 14-17 DECOKE	TOTAL PARTICULAT	0.15	Active
HUNTSMAN POLYMERS COR	ODESSA PETROCHEI	ECTOR	CRACKER 14-17 DECOKE	TOTAL PM10 PARTI	0.15	Active
HUNTSMAN POLYMERS COR	ODESSA PETROCHEI	ECTOR	CRACKER 14-17 DECOKE	TOTAL PM2.5 PARTI	0.15	Active
HUNTSMAN POLYMERS COR	ODESSA PETROCHEI	ECTOR	CRACKERS 8-12 P.O.C.	CARBON MONOXIDE	44.33	Active
HUNTSMAN POLYMERS COR	ODESSA PETROCHEI	ECTOR	CRACKERS 8-12 P.O.C.	TOTAL PM2.5 PARTI	3.35	Active
HUNTSMAN POLYMERS COR	ODESSA PETROCHEI	ECTOR	CRACKERS 8-12 P.O.C.	NITROGEN OXIDES	52.74	Active
HUNTSMAN POLYMERS COR	ODESSA PETROCHEI	ECTOR	DECOKE CRACKERS 8-12	TOTAL PM10 PARTI	0.19	Active
HUNTSMAN POLYMERS COR	ODESSA PETROCHEI	ECTOR	DECOKE CRACKERS 8-12	TOTAL PARTICULAT	0.19	Active
HUNTSMAN POLYMERS COR	ODESSA PETROCHEI	ECTOR	DECOKE CRACKERS 8-12	TOTAL PM2.5 PARTI	0.19	Active
HUNTSMAN POLYMERS COR	ODESSA PETROCHEI	ECTOR	DECOKE CRACKERS 8-12	CARBON MONOXIDE	1.38	Active
HUNTSMAN POLYMERS COR	ODESSA PETROCHEI	ECTOR	INCINERATOR	TOTAL PM10 PARTI	0	Idle
HUNTSMAN POLYMERS COR	ODESSA PETROCHEI	ECTOR	INCINERATOR	TOTAL PARTICULAT	0	Idle
				TOTAL PARTICULAT		

INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	E. & P. FURNACE	TOTAL PM10 PARTI	0	Shutdown
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	E. & P. FURNACE	TOTAL PM10 PARTI	0	Shutdown
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	E. & P. FURNACE	TOTAL PARTICULAT	0	Shutdown
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	E. & P. FURNACE	TOTAL PM10 PARTI	0	Shutdown
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	E. & P. FURNACE	TOTAL PARTICULAT	0	Shutdown
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	E. & P. FURNACE	TOTAL PM10 PARTI	0	Shutdown
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	FINISHING DRYERS	TOTAL PARTICULAT	0	Demolished
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	FINISHING DRYERS	TOTAL PM10 PARTI	0	Demolished
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	GHT REGENERATION HEATER	TOTAL PM2.5 PARTI	0.0132	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	GHT REGENERATION HEATER	CARBON MONOXIDE	0.1463	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	GHT REGENERATION HEATER	NITROGEN OXIDES	0.2665	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	GHT REGENERATION HEATER	SULFUR DIOXIDE	0.0003	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	GHT REGENERATION HEATER	TOTAL PM2.5 PARTI	0.0471	Active
				CARBON MONOXIDE		

INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	CARBON MONOXIDE	1.4181	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	TOTAL PM2.5 PARTI	0.2444	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	NITROGEN OXIDES	3.6659	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	SULFUR DIOXIDE	0.023	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	CARBON MONOXIDE	1.5772	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	TOTAL PM2.5 PARTI	0.3625	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	NITROGEN OXIDES	6.0058	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	NITROGEN OXIDES	3.1045	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	CARBON MONOXIDE	2.3391	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	TOTAL PM2.5 PARTI	0.2198	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	TOTAL PM2.5 PARTI	0.3589	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	CARBON MONOXIDE	1.6324	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	SULFUR DIOXIDE	0.0238	Active
				TOTAL PM10 PARTI		

INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	TOTAL PARTICULAT	0.4557	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	TOTAL PM10 PARTI	0.4557	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	TOTAL PARTICULAT	0.5277	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	TOTAL PM10 PARTI	0.5277	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	TOTAL PARTICULAT	0.4362	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 1 OLEFINS FURNACE	TOTAL PM10 PARTI	0.4362	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 HIGH DENSITY POLYETHYLENE UN	TOTAL PM10 PARTI	0	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 HIGH DENSITY POLYETHYLENE UN	TOTAL PARTICULAT	0	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 HIGH DENSITY POLYETHYLENE UN	TOTAL PM10 PARTI	0	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 HIGH DENSITY POLYETHYLENE UN	TOTAL PARTICULAT	0	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	SULFUR DIOXIDE	0.2782	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	TOTAL PM2.5 PARTI	3.5067	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	TOTAL PM2.5 PARTI	2.9603	Active
		BRAZOR				

INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	SULFUR DIOXIDE	0.144	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	TOTAL PARTICULAT	1.532	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	TOTAL PARTICULAT	2.4879	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	NITROGEN OXIDES	24.481	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	TOTAL PM10 PARTI	2.486	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	TOTAL PARTICULAT	2.486	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	TOTAL PM10 PARTI	2.4879	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	CARBON MONOXIDE	0.5478	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	NITROGEN OXIDES	40.619	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	CARBON MONOXIDE	0.1576	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	SULFUR DIOXIDE	0.3201	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	TOTAL PM2.5 PARTI	3.4061	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO. 2 OLEFINS FURNACE	TOTAL PM2.5 PARTI	3.5895	Active
				CARBON MONOXIDE		

INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO.1 OLEFINS FURNACE	TOTAL PM10 PARTI	0.4526	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	NO.1 OLEFINS FURNACE	TOTAL PARTICULAT	0.4526	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	PELLET DRYER	TOTAL PARTICULAT	0	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	PELLET DRYER	TOTAL PARTICULAT	0	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	PELLET DRYER	TOTAL PM10 PARTI	0	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	PELLET DRYER	TOTAL PM10 PARTI	0	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	PELLET DRYER	TOTAL PARTICULAT	0	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	PELLET DRYER	TOTAL PM10 PARTI	0	Active
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	RAFFINATE FURNACE	TOTAL PM10 PARTI	0	Shutdown
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	RAFFINATE FURNACE	TOTAL PARTICULAT	0	Shutdown
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	REACTOR FEED HEATER	TOTAL PM10 PARTI	0	Shutdown
INEOS USA LLC	CHOCOLATE BAYOU	BRAZOR	REACTOR FEED HEATER	TOTAL PARTICULAT	0.0169	Active
				TOTAL PARTICULAT		

INEOS USA LLC	GREEN LAKE PLANT	CALHOU	A.N. REACTOR #2 AND ABSORBER	TOTAL PM10 PARTIC	0	Active
INEOS USA LLC	GREEN LAKE PLANT	CALHOU	A.N. REACTOR #3 AND ABSORBER	TOTAL PARTICULAT	0	Active
INEOS USA LLC	GREEN LAKE PLANT	CALHOU	A.N. REACTOR #3 AND ABSORBER	TOTAL PM10 PARTIC	0	Active
INEOS USA LLC	GREEN LAKE PLANT	CALHOU	ABSORBER OFF-GAS INCINERATOR #1--	SULFUR DIOXIDE	0.0136	Active
INEOS USA LLC	GREEN LAKE PLANT	CALHOU	ABSORBER OFF-GAS INCINERATOR #1--	TOTAL PM2.5 PARTI	2.4429	Active
INEOS USA LLC	GREEN LAKE PLANT	CALHOU	ABSORBER OFF-GAS INCINERATOR #1--	TOTAL PM10 PARTIC	2.5119	Active
INEOS USA LLC	GREEN LAKE PLANT	CALHOU	ABSORBER OFF-GAS INCINERATOR #1--	TOTAL PARTICULAT	2.5119	Active
INEOS USA LLC	GREEN LAKE PLANT	CALHOU	ABSORBER OFF-GAS INCINERATOR #1--	NITROGEN OXIDES	326.9	Active
INEOS USA LLC	GREEN LAKE PLANT	CALHOU	ABSORBER OFF-GAS INCINERATOR #1--	CARBON MONOXIDE	14.24	Active
INEOS USA LLC	GREEN LAKE PLANT	CALHOU	ABSORBER OFF-GAS INCINERATOR #2	TOTAL PARTICULAT	2.4429	Active
INEOS USA LLC	GREEN LAKE PLANT	CALHOU	ABSORBER OFF-GAS INCINERATOR #2	TOTAL PM2.5 PARTI	2.4429	Active
INEOS USA LLC	GREEN LAKE PLANT	CALHOU	ABSORBER OFF-GAS INCINERATOR #2	NITROGEN OXIDES	301.45	Active
				TOTAL PM10 PARTIC		

INTERNATIONAL PAPER CO	HENDERSON MILL	RUSK	LUMBER KILN	SULFUR DIOXIDE	1.4402	Active
INTERNATIONAL PAPER CO	HENDERSON MILL	RUSK	LUMBER KILN	CARBON MONOXIDE	12.242	Active
INTERNATIONAL PAPER CO	HENDERSON MILL	RUSK	LUMBER KILN	LEAD-PB	0.0018	Active
INTERNATIONAL PAPER CO	HENDERSON MILL	RUSK	LUMBER KILN	TOTAL PM2.5 PARTI	10.081	Active
INTERNATIONAL PAPER CO	HENDERSON MILL	RUSK	LUMBER KILN	TOTAL PARTICULAT	10.083	Active
INTERNATIONAL PAPER CO	HENDERSON MILL	RUSK	LUMBER KILN	TOTAL PM10 PARTI	10.081	Active
INTERNATIONAL PAPER CO	HENDERSON MILL	RUSK	LUMBER KILN #2	NITROGEN OXIDES	10.394	Active
INTERNATIONAL PAPER CO	HENDERSON MILL	RUSK	LUMBER KILN #2	SULFUR DIOXIDE	1.2992	Active
INTERNATIONAL PAPER CO	HENDERSON MILL	RUSK	LUMBER KILN #2	CARBON MONOXIDE	11.043	Active
INTERNATIONAL PAPER CO	HENDERSON MILL	RUSK	LUMBER KILN #2	LEAD-PB	0.0016	Active
INTERNATIONAL PAPER CO	HENDERSON MILL	RUSK	LUMBER KILN #2	TOTAL PM2.5 PARTI	9.0944	Active
INTERNATIONAL PAPER CO	HENDERSON MILL	RUSK	LUMBER KILN #2	TOTAL PARTICULAT	9.096	Active
				TOTAL PM10 PARTI		

INVISTA S.A.R.L.	VICTORIA SITE	VICTOR	HYDROGEN	TOTAL PARTICULAT	3.0315	Active
INVISTA S.A.R.L.	VICTORIA SITE	VICTOR	HYDROGEN	TOTAL PM10 PARTI	0	Active
INVISTA S.A.R.L.	VICTORIA SITE	VICTOR	HYDROGEN	CARBON MONOXIDE	0	Active
INVISTA S.A.R.L.	VICTORIA SITE	VICTOR	HYDROGEN	TOTAL PARTICULAT	0	Active
INVISTA S.A.R.L.	VICTORIA SITE	VICTOR	HYDROGEN	NITROGEN DIOXIDE	31.302	Active
INVISTA S.A.R.L.	VICTORIA SITE	VICTOR	HYDROGEN	NITROGEN OXIDES	0	Active
INVISTA S.A.R.L.	VICTORIA SITE	VICTOR	HYDROGEN	TOTAL PM10 PARTI	0	Active
INVISTA S.A.R.L.	VICTORIA SITE	VICTOR	HYDROGEN	TOTAL PARTICULAT	0	Active
INVISTA S.A.R.L.	VICTORIA SITE	VICTOR	HYDROGEN	TOTAL PM10 PARTI	0	Active
INVISTA S.A.R.L.	VICTORIA SITE	VICTOR	HYDROGEN	TOTAL PARTICULAT	0	Active
INVISTA S.A.R.L.	VICTORIA SITE	VICTOR	HYDROGEN	TOTAL PM10 PARTI	0	Active
INVISTA S.A.R.L.	VICTORIA SITE	VICTOR	HYDROGEN	CARBON MONOXIDE	0	Active
				TOTAL PM10 PARTI		

ISP SYNTHETIC ELASTOMER	ISP SYNTHETIC ELAS	JEFFER	PROCESS DRIER B	TOTAL PM10 PARTI	0	Active
ISP SYNTHETIC ELASTOMER	ISP SYNTHETIC ELAS	JEFFER	PROCESS DRIER B	TOTAL PARTICULAT	0.1679	Active
ISP SYNTHETIC ELASTOMER	ISP SYNTHETIC ELAS	JEFFER	PROCESS DRIER C	TOTAL PARTICULAT	2.058	Active
ISP SYNTHETIC ELASTOMER	ISP SYNTHETIC ELAS	JEFFER	PROCESS DRIER C	TOTAL PM10 PARTI	0	Active
ISP SYNTHETIC ELASTOMER	ISP SYNTHETIC ELAS	JEFFER	PROCESS DRIER D	TOTAL PARTICULAT	1.6246	Active
ISP SYNTHETIC ELASTOMER	ISP SYNTHETIC ELAS	JEFFER	PROCESS DRIER D	TOTAL PM10 PARTI	0	Active
ISP SYNTHETIC ELASTOMER	ISP SYNTHETIC ELAS	JEFFER	PROCESS DRIER E	TOTAL PARTICULAT	2.3288	Active
ISP SYNTHETIC ELASTOMER	ISP SYNTHETIC ELAS	JEFFER	PROCESS DRIER E	TOTAL PM10 PARTI	0	Active
ISP SYNTHETIC ELASTOMER	ISP SYNTHETIC ELAS	JEFFER	PROCESS DRIER F	TOTAL PARTICULAT	1.3541	Active
ISP SYNTHETIC ELASTOMER	ISP SYNTHETIC ELAS	JEFFER	PROCESS DRIER F	TOTAL PM10 PARTI	0	Active
ISP SYNTHETIC ELASTOMER	ISP SYNTHETIC ELAS	JEFFER	PROCESS DRIER G	TOTAL PM10 PARTI	0	Active
ISP SYNTHETIC ELASTOMER	ISP SYNTHETIC ELAS	JEFFER	PROCESS DRIER G	TOTAL PARTICULAT	0.4114	Active
				TOTAL PM10 PARTI		

ISP TECHNOLOGIES INC	ISP TEXAS CITY	GALVES	VINYLATOR "B"	TOTAL PARTICULAT	0	Active
JONES BLAIR CO	JONES BLAIR COMPA	DALLAS	HOT OIL HEATER	CARBON MONOXIDE	1.138	Active
JONES BLAIR CO	JONES BLAIR COMPA	DALLAS	HOT OIL HEATER	NITROGEN OXIDES	1.314	Active
JONES BLAIR CO	JONES BLAIR COMPA	DALLAS	HOT OIL HEATER	TOTAL PM2.5 PARTI	0.1734	Active
JONES BLAIR CO	JONES BLAIR COMPA	DALLAS	HOT OIL HEATER	SULFUR DIOXIDE	0.0079	Active
JONES BLAIR CO	JONES BLAIR COMPA	DALLAS	HOT OIL HEATER	TOTAL PM10 PARTI	0.1734	Active
JONES BLAIR CO	JONES BLAIR COMPA	DALLAS	HOT OIL HEATER	TOTAL PARTICULAT	0.1734	Active
JONES BLAIR CO	JONES BLAIR COMPA	DALLAS	RESIN VENT	TOTAL PARTICULAT	0.2891	Active
K M C O INCORPORATED	CROSBY FACILITY	HARRIS	HOT OIL HEATER "C"	TOTAL PM10 PARTI	0.01	Active
K M C O INCORPORATED	CROSBY FACILITY	HARRIS	HOT OIL HEATER "C"	TOTAL PARTICULAT	0.01	Active
K M C O INCORPORATED	CROSBY FACILITY	HARRIS	HOT OIL HEATER "C"	TOTAL PM2.5 PARTI	0.01	Active
K M C O INCORPORATED	CROSBY FACILITY	HARRIS	HOT OIL HEATER "C"	CARBON MONOXIDE	0.13	Active
				TOTAL PARTICULAT		

K M C O INCORPORATED	CROSBY FACILITY	HARRIS	HOT OIL HEATER "J1"	TOTAL PM10 PARTI	0.19	Active
K M C O INCORPORATED	CROSBY FACILITY	HARRIS	SALT HEATER "A"	TOTAL PM10 PARTI	0.04	Active
K M C O INCORPORATED	CROSBY FACILITY	HARRIS	SALT HEATER "A"	TOTAL PARTICULAT	0.04	Active
K M C O INCORPORATED	CROSBY FACILITY	HARRIS	SALT HEATER "A"	NITROGEN OXIDES	0.51	Active
K M C O INCORPORATED	CROSBY FACILITY	HARRIS	SALT HEATER "A"	SULFUR DIOXIDE	0	Active
K M C O INCORPORATED	CROSBY FACILITY	HARRIS	SALT HEATER "A"	CARBON MONOXIDE	0.43	Active
K M C O INCORPORATED	CROSBY FACILITY	HARRIS	SALT HEATER "A"	TOTAL PM2.5 PARTI	0.04	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	DRYER A	TOTAL PM10 PARTI	0	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	DRYER A	TOTAL PM10 PARTI	2.16	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	DRYER A	TOTAL PARTICULAT	2.16	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	DRYER A	TOTAL PM2.5 PARTI	2.16	Active
				TOTAL PARTICULAT		

KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	MBS BAGGING LINE II	TOTAL PM10 PARTI	0.22	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	MBS DRYER LINE I	TOTAL PARTICULAT	0	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	MBS DRYER LINE I	TOTAL PM2.5 PARTI	33.61	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	MBS DRYER LINE I	TOTAL PM10 PARTI	0	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	MBS DRYER LINE I	TOTAL PARTICULAT	33.61	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	MBS DRYER LINE I	TOTAL PM10 PARTI	33.61	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	MBS DRYER LINE II	TOTAL PM10 PARTI	11.78	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	MBS DRYER LINE II	TOTAL PARTICULAT	11.78	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	MBS DRYER LINE II	TOTAL PM2.5 PARTI	11.78	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	MBS TREATER	TOTAL PM2.5 PARTI	0.05	Active
KANEKA TEXAS CORP	KANEKA TEXAS COR	HARRIS	MBS TREATER	TOTAL PM10 PARTI	0	Active
				TOTAL PM10 PARTI		

LEEDO CABINETRY CO	BINET PLANT	WHARTO	PROCESS LINE 2	TOTAL PARTICULAT	0	Active
LEEDO CABINETRY CO	BINET PLANT	WHARTO	PROCESS LINE 2	TOTAL PM10 PARTIC	0	Active
LEEDO CABINETRY CO	BINET PLANT	WHARTO	PROCESS LINE 2	TOTAL PARTICULAT	0	Active
LEEDO CABINETRY CO	BINET PLANT	WHARTO	PROCESS LINE 2	TOTAL PM10 PARTIC	0	Active
LEEDO CABINETRY CO	BINET PLANT	WHARTO	PROCESS LINE 2	TOTAL PARTICULAT	0	Active
LEEDO CABINETRY CO	BINET PLANT	WHARTO	PROCESS LINE 2	TOTAL PM10 PARTIC	0	Active
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	675	TOTAL PM2.5 PARTI	0.0269	Active
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	675	NITROGEN OXIDES	0.3543	Active
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	675	SULFUR DIOXIDE	0.0021	Active
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	675	CARBON MONOXIDE	0.2976	Active
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	675	TOTAL PARTICULAT	0.0269	Active
	LONE STAR ARMY AN					

LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	Q-36-BLR2	SULFUR DIOXIDE	0	Idle
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	Q-36-BLR2	CARBON MONOXIDE	0	Idle
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	Q-36-BLR2	TOTAL PM2.5 PARTI	0	Idle
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	Q-36-BLR2	TOTAL PARTICULAT	0	Idle
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	Q-36-BLR2	TOTAL PM10 PARTI	0	Idle
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	Q-36-MB1	NITROGEN OXIDES	0.1513	Active
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	Q-36-MB1	SULFUR DIOXIDE	0.0009	Active
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	Q-36-MB1	CARBON MONOXIDE	0.1271	Active
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	Q-36-MB1	TOTAL PARTICULAT	0.0115	Active
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	Q-36-MB1	TOTAL PM10 PARTI	0.0115	Active
LONE STAR ARMY AMMUNIT	LONE STAR ARMY AN	BOWIE	Q-36-MB1	TOTAL PM2.5 PARTI	0.0115	Active
				CARBON MONOXIDE		

LONE STAR FASTENERS LP	HARDY ROAD LOCAT	HARRIS	SMALL PHOSPHATE TANK HEATER	TOTAL PARTICULAT	0.0013	Active
LONE STAR FASTENERS LP	HARDY ROAD LOCAT	HARRIS	SMALL PHOSPHATE TANK HEATER	TOTAL PM10 PARTI	0.0013	Active
LONE STAR FASTENERS LP	HARDY ROAD LOCAT	HARRIS	SMALL PHOSPHATE TANK HEATER	TOTAL PM2.5 PARTI	0.0013	Active
LONE STAR FASTENERS LP	HARDY ROAD LOCAT	HARRIS	SOAP TANK HEATER	NITROGEN OXIDES	0.0085	Active
LONE STAR FASTENERS LP	HARDY ROAD LOCAT	HARRIS	SOAP TANK HEATER	SULFUR DIOXIDE	0	Active
LONE STAR FASTENERS LP	HARDY ROAD LOCAT	HARRIS	SOAP TANK HEATER	CARBON MONOXIDE	0.007	Active
LONE STAR FASTENERS LP	HARDY ROAD LOCAT	HARRIS	SOAP TANK HEATER	TOTAL PARTICULAT	0.0007	Active
LONE STAR FASTENERS LP	HARDY ROAD LOCAT	HARRIS	SOAP TANK HEATER	TOTAL PM10 PARTI	0.0007	Active
LONE STAR FASTENERS LP	HARDY ROAD LOCAT	HARRIS	SOAP TANK HEATER	TOTAL PM2.5 PARTI	0.0007	Active
LOUISIANA PACIFIC CORP	CARTHAGE O.S.B. PL	PANOLA	EAST DRYER R.T.O.	NITROGEN OXIDES	18.94	Active
LOUISIANA PACIFIC CORP	CARTHAGE O.S.B. PL	PANOLA	EAST DRYER R.T.O.	CARBON MONOXIDE	103.31	Active
				TOTAL PM10 PARTI		

LOUISIANA PACIFIC CORP	JASPER OSB MILL	JASPER	O.S.B. WAFER DRYERS	SULFUR DIOXIDE	4.45	Active
LOUISIANA PACIFIC CORP	JASPER OSB MILL	JASPER	O.S.B. WAFER DRYERS	TOTAL PM2.5 PARTI	6.98	Active
LOUISIANA PACIFIC CORP	JASPER OSB MILL	JASPER	O.S.B. WAFER DRYERS	TOTAL PARTICULAT	6.98	Active
LOUISIANA PACIFIC CORP	JASPER OSB MILL	JASPER	O.S.B. WAFER DRYERS	TOTAL PM10 PARTI	6.98	Active
LOUISIANA PACIFIC CORP	JASPER OSB MILL	JASPER	PRESS R.T.O.	NITROGEN OXIDES	43.25	Active
LOUISIANA PACIFIC CORP	JASPER OSB MILL	JASPER	PRESS R.T.O.	SULFUR DIOXIDE	0.041	Active
LOUISIANA PACIFIC CORP	JASPER OSB MILL	JASPER	PRESS R.T.O.	CARBON MONOXID	57.15	Active
LOUISIANA PACIFIC CORP	JASPER OSB MILL	JASPER	PRESS R.T.O.	TOTAL PM2.5 PARTI	6.38	Active
LOUISIANA PACIFIC CORP	JASPER OSB MILL	JASPER	PRESS R.T.O.	TOTAL PARTICULAT	6.38	Active
LOUISIANA PACIFIC CORP	JASPER OSB MILL	JASPER	PRESS R.T.O.	TOTAL PM10 PARTI	6.38	Active
LOUISIANA PACIFIC CORP	SILSBEE OSB MILL	HARDIN	DRYER REGENERATIVE THERMAL OXID	TOTAL PM2.5 PARTI	3.14	Active
				TOTAL PM10 PARTI		

LUBRIZOL CORP	BAYPORT PLANT	HARRIS	AMPS PROCESS VESSEL TOTALS	TOTAL PARTICULAT	0	Idle
LUBRIZOL CORP	BAYPORT PLANT	HARRIS	AMPS PROCESS VESSEL TOTALS	TOTAL PM10 PARTI	0	Idle
LUBRIZOL CORP	BAYPORT PLANT	HARRIS	B-513A PROCESS VESSEL	TOTAL PM10 PARTI	0	Demolished
LUBRIZOL CORP	BAYPORT PLANT	HARRIS	B-513A PROCESS VESSEL	TOTAL PARTICULAT	0	Demolished
LUBRIZOL CORP	BAYPORT PLANT	HARRIS	CALCIUM DETERGENT PROCESS VESSE	TOTAL PARTICULAT	0	Shutdown
LUBRIZOL CORP	BAYPORT PLANT	HARRIS	H-516 PROCESS VESSEL	TOTAL PARTICULAT	0	Shutdown
LUBRIZOL CORP	BAYPORT PLANT	HARRIS	H-516 PROCESS VESSEL	TOTAL PM10 PARTI	0	Active
LUBRIZOL CORP	BAYPORT PLANT	HARRIS	H-525 PROCESS VESSEL	TOTAL PM10 PARTI	0	Shutdown
LUBRIZOL CORP	BAYPORT PLANT	HARRIS	H-525 PROCESS VESSEL	TOTAL PARTICULAT	0	Shutdown
LUBRIZOL CORP	BAYPORT PLANT	HARRIS	H-525 PROCESS VESSEL	TOTAL PM10 PARTI	0	Shutdown
LUBRIZOL CORP	BAYPORT PLANT	HARRIS	H-625 PROCESS VESSEL	TOTAL PM10 PARTI	0	Shutdown
			116 DISPERSANT UNIT PROCESS VESSE			

LUBRIZOL CORP	DEER PARK PLANT	HARRIS	156 ALKPHL PROCESS VESSELS	CARBON MONOXIDE	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	156 ALKPHL PROCESS VESSELS	NITROGEN OXIDES	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	156 ALKPHL PROCESS VESSELS	HYDROGEN CHLOR	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	177 CARBONATION UNIT PROCESS VESS	TOTAL PARTICULAT	0	Shutdown
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	177 CARBONATION UNIT PROCESS VESS	TOTAL PM10 PARTI	0	Shutdown
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	177 UNIT CLARIFIER PROCESS VESSELS	NITROGEN OXIDES	0	Shutdown
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	177 UNIT CLARIFIER PROCESS VESSELS	TOTAL PM10 PARTI	0	Shutdown
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	177 UNIT CLARIFIER PROCESS VESSELS	TOTAL PARTICULAT	0	Shutdown
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	CHEMITHON SULFONATOR PROCESSIN	SULFUR DIOXIDE	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	CHEMITHON SULFONATOR PROCESSIN	TOTAL PM10 PARTI	0	Active
				CARBON MONOXIDE		

LUBRIZOL CORP	DEER PARK PLANT	HARRIS	HEATER	SULFUR DIOXIDE	0.0039	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	HEATER	NITROGEN DIOXIDE	0.2651	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	HEATER	TOTAL PM2.5 PARTI	0.0503	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	HEATER	NITROGEN OXIDES	0.6629	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	HEATER	CARBON MONOXIDE	0.6024	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	HEATER	SULFUR DIOXIDE	0.0422	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	HEATER	NITROGEN DIOXIDE	0.8615	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	HEATER	NITROGEN OXIDES	2.1537	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	HEATER	TOTAL PM2.5 PARTI	0.5349	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	HEATER	CARBON MONOXIDE	5.9123	Active
				CARBON MONOXIDE		

LUBRIZOL CORP	DEER PARK PLANT	HARRIS	INCINERATOR	SULFUR DIOXIDE	0.016	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	INCINERATOR 2	TOTAL PM10 PARTI	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	INCINERATOR 2	TOTAL PARTICULAT	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	INCINERATOR 2	HYDROGEN CHLOR	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	INCINERATOR 2	CARBON MONOXIDE	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	INCINERATOR 2	SULFUR DIOXIDE	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	INCINERATOR 2	NITROGEN OXIDES	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	INCINERATOR 2	TOTAL PM2.5 PARTI	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	INCINERATOR 2	NITROGEN DIOXIDE	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	MAIN MANUFACTURING UNIT PROCESS	TOTAL PM10 PARTI	0	Active
				HYDROCHLORIC AC		

LUBRIZOL CORP	DEER PARK PLANT	HARRIS	REACTOR	SULFUR DIOXIDE	0.1695	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	REACTOR	SULFUR DIOXIDE	0.0435	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	REACTOR	TOTAL PM10 PARTI	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	REACTOR	TOTAL PM10 PARTI	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	REACTOR	TOTAL PARTICULAT	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	REACTOR	TOTAL PARTICULAT	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	REACTOR	TOTAL PM10 PARTI	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	REACTOR	TOTAL PARTICULAT	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	REACTOR	TOTAL PM10 PARTI	0	Active
LUBRIZOL CORP	DEER PARK PLANT	HARRIS	REACTOR	TOTAL PARTICULAT	0	Active
				CARBON MONOXIDE		

LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	EB 1 PRIMARY REACTOR HEATER, F-678	TOTAL PM2.5 PARTI	1.7181	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	EB 1 PRIMARY REACTOR HEATER, F-678	SULFUR DIOXIDE	0.2265	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	EB 1 PRIMARY REACTOR HEATER, F-678	NITROGEN OXIDES	11.159	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	EB 1 PRIMARY REACTOR HEATER, F-678	TOTAL PM10 PARTI	3.3428	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	EB 1 PRIMARY REACTOR HEATER, F-678	TOTAL PARTICULAT	3.3428	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	EB 1 SECONDARY REACTOR HEATER, F-	TOTAL PM2.5 PARTI	2.5869	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	EB 1 SECONDARY REACTOR HEATER, F-	NITROGEN OXIDES	6.8011	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	EB 1 SECONDARY REACTOR HEATER, F-	SULFUR DIOXIDE	0.1109	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	EB 1 SECONDARY REACTOR HEATER, F-	CARBON MONOXIDE	11.271	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	EB 1 SECONDARY REACTOR HEATER, F-	TOTAL PARTICULAT	4.9565	Active
				CARBON MONOXIDE		

LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	MTBE REACTOR HEATER H-6105	SULFUR DIOXIDE	0.0802	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	MTBE REACTOR HEATER H-6105	NITROGEN OXIDES	3.477	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	MTBE REACTOR HEATER H-6105	TOTAL PARTICULAT	1.8621	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	MTBE REACTOR HEATER H-6105	TOTAL PM10 PARTI	1.8621	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	POSM 1 PROCESS VENTS TO C-FLARE	TOTAL PARTICULAT	0	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	PROCESS HEATER, F-65630	NITROGEN OXIDES	56.9	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	PROCESS HEATER, F-65630	CARBON MONOXIDE	47.13	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	PROCESS HEATER, F-65630	TOTAL PM2.5 PARTI	9.5504	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	PROCESS HEATER, F-65630	SULFUR DIOXIDE	0.9585	Active
LYONDELL CHEMICAL CO	CHANNELVIEW PLAN	HARRIS	PROCESS HEATER, F-65630	TOTAL PARTICULAT	19.773	Active
	LYONDELL CHEMICA					

LYONDELL CHEMICAL WORL	LYONDELL CHEMICA	HARRIS	REACTOR PREHEATER B-902A	TOTAL PARTICULAT	0.2477	Active
LYONDELL CHEMICAL WORL	LYONDELL CHEMICA	HARRIS	REACTOR PREHEATER B-902B	NITROGEN OXIDES	4.837	Active
LYONDELL CHEMICAL WORL	LYONDELL CHEMICA	HARRIS	REACTOR PREHEATER B-902B	CARBON MONOXIDE	2.2112	Active
LYONDELL CHEMICAL WORL	LYONDELL CHEMICA	HARRIS	REACTOR PREHEATER B-902B	TOTAL PARTICULAT	0.1954	Active
LYONDELL CHEMICAL WORL	LYONDELL CHEMICA	HARRIS	REACTOR PREHEATER B-902B	TOTAL PM10 PARTI	0.1954	Active
LYONDELL CHEMICAL WORL	LYONDELL CHEMICA	HARRIS	REACTOR PREHEATER B-902B	TOTAL PM2.5 PARTI	0.1954	Active
LYONDELL CHEMICAL WORL	LYONDELL CHEMICA	HARRIS	REACTOR PREHEATER B-902C	NITROGEN OXIDES	3.588	Active
LYONDELL CHEMICAL WORL	LYONDELL CHEMICA	HARRIS	REACTOR PREHEATER B-902C	TOTAL PM10 PARTI	0.145	Active
LYONDELL CHEMICAL WORL	LYONDELL CHEMICA	HARRIS	REACTOR PREHEATER B-902C	TOTAL PARTICULAT	0.145	Active
				CARBON MONOXIDE		

MADIX INC	SKYLINE MFG FACILI	KAUFMA	W./D.--A.	TOTAL PM2.5 PARTI	0.058	Active
MADIX INC	SKYLINE MFG FACILI	KAUFMA	W./D.--A.	SULFUR DIOXIDE	0.005	Active
MADIX INC	SKYLINE MFG FACILI	KAUFMA	W./D.--A.	TOTAL PARTICULAT	0.058	Active
MADIX INC	SKYLINE MFG FACILI	KAUFMA	W./D.--A.	TOTAL PM10 PARTI	0.058	Active
MADIX INC	SKYLINE MFG FACILI	KAUFMA	W./D.--A.	NITROGEN OXIDES	1.622	Active
MADIX INC	SKYLINE MFG FACILI	KAUFMA	W./D.--A.	CARBON MONOXIDE	1.288	Active
MADIX INC	SKYLINE MFG FACILI	KAUFMA	W./D.--A.	TOTAL PM2.5 PARTI	0.117	Active
MADIX INC	SKYLINE MFG FACILI	KAUFMA	W./D.--A.	SULFUR DIOXIDE	0.009	Active
MADIX INC	SKYLINE MFG FACILI	KAUFMA	W./D.--A.	TOTAL PARTICULAT	0.123	Active
				TOTAL PM10 PARTI		

MAUSER CORPORATION	MAUSER CORPORAT	HARRIS	OVEN-PRE-CURE	CARBON MONOXIDE	0.0509	Active
MAUSER CORPORATION	MAUSER CORPORAT	HARRIS	OVEN-PRE-CURE	TOTAL PARTICULAT	0.0046	Active
MAUSER CORPORATION	MAUSER CORPORAT	HARRIS	OVEN-PRE-CURE	TOTAL PM10 PARTI	0.0046	Active
MAUSER CORPORATION	MAUSER CORPORAT	HARRIS	PAINT BAKE OVEN	SULFUR DIOXIDE	0	Active
MAUSER CORPORATION	MAUSER CORPORAT	HARRIS	PAINT BAKE OVEN	CARBON MONOXIDE	0	Active
MAUSER CORPORATION	MAUSER CORPORAT	HARRIS	PAINT BAKE OVEN	TOTAL PARTICULAT	0	Active
MAUSER CORPORATION	MAUSER CORPORAT	HARRIS	PAINT BAKE OVEN	TOTAL PM10 PARTI	0	Active
MAUSER CORPORATION	MAUSER CORPORAT	HARRIS	PAINT BAKE OVEN	NITROGEN OXIDES	0	Active
MAUSER CORPORATION	MAUSER CORPORAT	HARRIS	PAINT BAKE OVEN	TOTAL PM2.5 PARTI	0	Active
				TOTAL PM10 PARTI		

MERISOL USA LLC	MERISOL-GREENS B/	HARRIS	H-33501 HEATER	SULFUR DIOXIDE	0.0316	Active
MERISOL USA LLC	MERISOL-GREENS B/	HARRIS	H-33501 HEATER	NITROGEN OXIDES	0.153	Active
MERISOL USA LLC	MERISOL-GREENS B/	HARRIS	H-33501 HEATER	TOTAL PM2.5 PARTI	0.056	Active
MERISOL USA LLC	MERISOL-GREENS B/	HARRIS	H-33501 HEATER	TOTAL PARTICULAT	0.056	Active
MERISOL USA LLC	MERISOL-GREENS B/	HARRIS	H-33501 HEATER	CARBON MONOXIDE	0.6191	Active
MERISOL USA LLC	MERISOL-GREENS B/	HARRIS	H-347001 HEATER	TOTAL PM10 PARTI	0.429	Active
MERISOL USA LLC	MERISOL-GREENS B/	HARRIS	H-347001 HEATER	TOTAL PARTICULAT	0.429	Active
MERISOL USA LLC	MERISOL-GREENS B/	HARRIS	H-347001 HEATER	CARBON MONOXIDE	4.7414	Active
MERISOL USA LLC	MERISOL-GREENS B/	HARRIS	H-347001 HEATER	SULFUR DIOXIDE	0.2419	Active
				TOTAL PARTICULAT		

MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	#2 FURNACE DUST PICKUP	TOTAL PARTICULAT	0.0217	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	#2 FURNACE DUST PICKUP	TOTAL PM10 PARTI	0.0217	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	#2 FURNACE HOOD	TOTAL PM10 PARTI	0.3363	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	#2 FURNACE HOOD	TOTAL PARTICULAT	0.3833	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	#2 FURNACE HOOD	CARBON MONOXIDE	0.6	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	#2 FURNACE HOOD	NITROGEN OXIDES	9.94	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	#2 FURNACE JETTING HOPPER	TOTAL PM10 PARTI	1.3433	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	#2 FURNACE JETTING HOPPER	TOTAL PARTICULAT	1.3433	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	#31 TANDEM MAKER OVEN	TOTAL PM10 PARTI	0	Active
	MRX FACILITY BROW					

MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	BNR. F.R.O. #32 TANDEM MAKER OVEN	NITROGEN OXIDES	0.41	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	BNR. F.R.O. #32 TANDEM MAKER OVEN	CARBON MONOXIDE	0.347	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	BNR. F.R.O. #32 TANDEM MAKER OVEN	TOTAL PM2.5 PARTI	0.031	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	BNR. F.R.O. #32 TANDEM MAKER OVEN	TOTAL PARTICULAT	0.031	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	BNR. F.R.O. #32 TANDEM MAKER OVEN	SULFUR DIOXIDE	0	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	BNR. F.R.O. #32 TANDEM MAKER OVEN	TOTAL PM10 PARTI	0.031	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	BNR. FOR #31 TANDEM MAKER OVEN	NITROGEN OXIDES	0.9	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	BNR. FOR #31 TANDEM MAKER OVEN	TOTAL PM2.5 PARTI	0.068	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	BNR. FOR #31 TANDEM MAKER OVEN	TOTAL PM10 PARTI	0.068	Active
	MRX FACILITY BROW					

MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	DRYER FOR LPP PRINTING PRESS	TOTAL PM2.5 PARTI	0.034	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	DRYER FOR LPP PRINTING PRESS	CARBON MONOXIDE	0.377	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	EXTRUDER	TOTAL PARTICULAT	0	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	EXTRUDER	TOTAL PM10 PARTI	0	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	FLAME FORMER #15	NITROGEN OXIDES	0.65	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	FLAME FORMER #15	TOTAL PM2.5 PARTI	0.01	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	FLAME FORMER #15	CARBON MONOXIDE	0.09	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	FLAME FORMER #15	TOTAL PARTICULAT	0.0942	Active

MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	FLAME FORMER 18 HEAT TREATER	NITROGEN OXIDES	0.135	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	FLAME FORMER 18 HEAT TREATER	CARBON MONOXIDE	0.027	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	FLAME FORMER 18 HEAT TREATER	TOTAL PM10 PARTI	0.004	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	FLAME FORMER 18 HEAT TREATER	TOTAL PARTICULAT	0.004	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	FLAME FORMER 19 HEAT TREATER	CARBON MONOXIDE	0.032	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	FLAME FORMER 19 HEAT TREATER	NITROGEN OXIDES	0.158	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	FLAME FORMER 19 HEAT TREATER	TOTAL PM2.5 PARTI	0.0004	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	FLAME FORMER 19 HEAT TREATER	TOTAL PARTICULAT	0.004	Active
	MRX FACILITY BROW					

MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	HIS BEAD COATER OVEN	TOTAL PM2.5 PARTI	0.0072	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	HTR. FOR EGAN "PRESS" DRYER	NITROGEN OXIDES	0.41	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	HTR. FOR EGAN "PRESS" DRYER	TOTAL PM2.5 PARTI	0.0031	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	HTR. FOR EGAN "PRESS" DRYER	TOTAL PM10 PARTI	0.0031	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	HTR. FOR EGAN "PRESS" DRYER	TOTAL PARTICULAT	0.0031	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	HTR. FOR EGAN "PRESS" DRYER	CARBON MONOXIDE	0.35	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	LAMINATOR	TOTAL PM10 PARTI	0	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	LAMINATOR	TOTAL PARTICULAT	0	Active
	MRX FACILITY BROW					

MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	PSML CURE OVEN 1	CARBON MONOXIDE	0.036	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	PSML CURE OVEN 1	CARBON MONOXIDE	0.036	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	PSML CURE OVEN 1	TOTAL PM10 PARTI	0.0033	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	PSML CURE OVEN 1	CARBON MONOXIDE	0.036	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	PSML CURE OVEN 1	SULFUR DIOXIDE	0	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	PSML CURE OVEN 1	NITROGEN OXIDES	0.042	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	PSML CURE OVEN 2	TOTAL PM10 PARTI	0.0086	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	PSML CURE OVEN 2	TOTAL PARTICULAT	0.1036	Active
				TOTAL PARTICULAT		

MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	RESIN DRYER BURNERS	CARBON MONOXIDE	0.034	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	RESIN DRYER BURNERS	NITROGEN OXIDES	0.04	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	RESIN DRYER BURNERS	TOTAL PM2.5 PARTI	0.003	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	RESIN DRYER BURNERS	TOTAL PM10 PARTI	0.001	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	RESIN DRYER BURNERS	TOTAL PM2.5 PARTI	0.003	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	RESIN DRYER BURNERS	TOTAL PM10 PARTI	0.001	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	RESIN DRYER BURNERS	TOTAL PARTICULAT	0.001	Active
MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	RESIN DRYER BURNERS	CARBON MONOXIDE	0.011	Active
				CARBON MONOXIDE		

MINNESOTA MINING & MFG 3	MRX FACILITY BROW	BROWN	WET FRIT.	NITROGEN OXIDES	0.15	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	CONVERTER REGENERATOR HEATER	TOTAL PM10 PARTI	0.0044	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	CONVERTER REGENERATOR HEATER	TOTAL PARTICULAT	0.0045	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	CONVERTER REGENERATOR HEATER	SULFUR DIOXIDE	0.0002	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	CONVERTER REGENERATOR HEATER	NITROGEN OXIDES	0.1027	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	CONVERTER REGENERATOR HEATER	CARBON MONOXIDE	0.0863	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	CONVERTER REGENERATOR HEATER	TOTAL PM2.5 PARTI	0.0044	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE 6	TOTAL PARTICULAT	0	Active
				LEAD & COMPOUND		

MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE B	MERCURY & COMPC	0	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE B	TOTAL PM2.5 PARTI	0.5942	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE D	SULFUR DIOXIDE	0.0397	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE D	CARBON MONOXIDE	0.7474	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE D	NITROGEN OXIDES	15.148	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE D	SULFUR DIOXIDE	0	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE D	TOTAL PM2.5 PARTI	0.0008	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE D	CARBON MONOXIDE	0.1313	Active
				CARBON MONOXIDE		

MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE G	CADMIUM & COMPC	0.0002	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE G	TOTAL PARTICULAT	0.001	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE G	TOTAL PM10 PARTI	0.001	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE G	TOTAL PARTICULAT	0.7031	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE G	TOTAL PM10 PARTI	0.6885	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE G	SULFUR DIOXIDE	0.0382	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	FURNACE G	NITROGEN OXIDES	10.337	Active

MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	REGENERATION	LEAD & COMPOUND	0	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	REGENERATION	TOTAL PARTICULAT	0	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	REGENERATION	TOTAL PM10 PARTI	0	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	REGENERATION	TOTAL PM10 PARTI	0	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	REGENERATION	TOTAL PM10 PARTI	0	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	REGENERATION	TOTAL PARTICULAT	0	Active
MOBIL CHEMICAL CO	HOUSTON OLEFINS F	HARRIS	REGENERATION	NITROGEN OXIDES	0.9506	Active
				TOTAL PARTICULAT		

NALCO COMPANY	SUGAR LAND PLANT	FORT BE	LOADING	TOTAL PARTICULAT	0	Active
NALCO COMPANY	SUGAR LAND PLANT	FORT BE	LOADING	TOTAL PARTICULAT	0	Active
NALCO COMPANY	SUGAR LAND PLANT	FORT BE	LOADING	TOTAL PM10 PARTIC	0	Active
NALCO COMPANY	SUGAR LAND PLANT	FORT BE	LOADING	TOTAL PARTICULAT	0	Active
NALCO COMPANY	SUGAR LAND PLANT	FORT BE	LOADING	TOTAL PM10 PARTIC	0	Active
NALCO COMPANY	SUGAR LAND PLANT	FORT BE	LOADING	TOTAL PM10 PARTIC	0	Active
NALCO COMPANY	SUGAR LAND PLANT	FORT BE	LOADING	TOTAL PARTICULAT	0	Active
				TOTAL PM10 PARTIC		

NALCO COMPANY	SUGAR LAND PLANT	FORT BE	VESSEL	TOTAL PM10 PARTIC	0	Active
NALCO COMPANY	SUGAR LAND PLANT	FORT BE	VESSEL	TOTAL PARTICULAT	0	Active
NALCO COMPANY	SUGAR LAND PLANT	FORT BE	VESSEL	TOTAL PM10 PARTIC	0	Active
NALCO COMPANY	SUGAR LAND PLANT	FORT BE	VESSEL	HYDROGEN CHLOR	0	Active
NALCO COMPANY	SUGAR LAND PLANT	FORT BE	VESSEL	TOTAL PM10 PARTIC	0	Active
NALCO COMPANY	SUGAR LAND PLANT	FORT BE	VESSEL	TOTAL PARTICULAT	0	Active
NALCO COMPANY	SUGAR LAND PLANT	FORT BE	VESSEL	HYDROGEN CHLOR	0	Active

NATIONAL OILWELL VARCO	TUBOSCOPE A VARC	HARRIS	INTERMEDIATE BAKE OVEN #3	NITROGEN OXIDES	1.479	Active
NATIONAL OILWELL VARCO	TUBOSCOPE A VARC	HARRIS	INTERMEDIATE BAKE OVEN #3	SULFUR DIOXIDE	0.005	Active
NATIONAL OILWELL VARCO	TUBOSCOPE A VARC	HARRIS	INTERMEDIATE BAKE OVEN #3	CARBON MONOXIDE	0.717	Active
NATIONAL OILWELL VARCO	TUBOSCOPE A VARC	HARRIS	INTERMEDIATE BAKE OVEN #3	TOTAL PARTICULAT	0.065	Active
NATIONAL OILWELL VARCO	TUBOSCOPE A VARC	HARRIS	INTERMEDIATE BAKE OVEN #3	TOTAL PM10 PARTI	0.065	Active
NATIONAL OILWELL VARCO	TUBOSCOPE A VARC	HARRIS	INTERMEDIATE FINAL BAKE OVEN #3	TOTAL PM2.5 PARTI	0.007	Active
NATIONAL OILWELL VARCO	TUBOSCOPE A VARC	HARRIS	INTERMEDIATE FINAL BAKE OVEN #3	NITROGEN OXIDES	0.168	Active

NATIONAL OILWELL VARCO	TUBOSCOPE WEST L	HARRIS	FINAL PIPE BAKE OVEN	SULFUR DIOXIDE	0.0007	Active
NATIONAL OILWELL VARCO	TUBOSCOPE WEST L	HARRIS	FINAL PIPE BAKE OVEN	CARBON MONOXIDE	0.0711	Active
NATIONAL OILWELL VARCO	TUBOSCOPE WEST L	HARRIS	FINAL PIPE BAKE OVEN	TOTAL PARTICULAT	0.0088	Active
NATIONAL OILWELL VARCO	TUBOSCOPE WEST L	HARRIS	FINAL PIPE BAKE OVEN	TOTAL PM10 PARTI	0.0088	Active
NATIONAL OILWELL VARCO	TUBOSCOPE WEST L	HARRIS	FINAL PIPE BAKE OVEN	TOTAL PM2.5 PARTI	0.0049	Active
NATIONAL OILWELL VARCO	TUBOSCOPE WEST L	HARRIS	FINAL PIPE BAKE OVEN	NITROGEN OXIDES	0.0661	Active
NATIONAL OILWELL VARCO	TUBOSCOPE WEST L	HARRIS	FINAL PIPE BAKE OVEN	SULFUR DIOXIDE	0.0004	Active
				TOTAL PM10 PARTI		

NATIONAL OILWELL VARCO	TUBOSCOPE WEST L	HARRIS	THERMAL CLEANING OVEN #2	TOTAL PM2.5 PARTI	0.028	Active
NATIONAL OILWELL VARCO	TUBOSCOPE WEST L	HARRIS	THERMAL CLEANING OVEN #2	NITROGEN OXIDES	0.385	Active
NATIONAL OILWELL VARCO	TUBOSCOPE WEST L	HARRIS	THERMAL CLEANING OVEN #2	SULFUR DIOXIDE	0.002	Active
NATIONAL OILWELL VARCO	TUBOSCOPE WEST L	HARRIS	THERMAL OXIDIZER	NITROGEN OXIDES	1.657	Active
NATIONAL OILWELL VARCO	TUBOSCOPE WEST L	HARRIS	THERMAL OXIDIZER	TOTAL PARTICULAT	0.032	Active
NATIONAL OILWELL VARCO	TUBOSCOPE WEST L	HARRIS	THERMAL OXIDIZER	TOTAL PM10 PARTI	0.032	Active
				TOTAL PM10 PARTI		

NCI BUILDING SYSTEMS LP	NCI BUILDING SYSTE	HARRIS	TORCHCUT OPERATION	TOTAL PARTICULAT	0	Active
NCI BUILDING SYSTEMS LP	NCI BUILDING SYSTE	HARRIS	TORCHCUT OPERATION	TOTAL PM10 PARTI	0	Active
NEW STYROCHEM US LTD	SYLVANIA	TARRAN	LONG TERM DRYER EXHAUST	TOTAL PARTICULAT	0	Active
NEW STYROCHEM US LTD	SYLVANIA	TARRAN	LONG TERM DRYER EXHAUST	TOTAL PARTICULAT	0	Active
NEW STYROCHEM US LTD	SYLVANIA	TARRAN	LONG TERM DRYER EXHAUST	TOTAL PARTICULAT	0	Active
NEW STYROCHEM US LTD	SYLVANIA	TARRAN	LONG TERM DRYER EXHAUST	TOTAL PM10 PARTI	0	Active
				CARBON MONOXIDE		

NORBORD TEXAS LP	NACOGDOCHES O.S.	NACOGI	DRYERS 1-3	TOTAL PARTICULAT	0	Active
NORBORD TEXAS LP	NACOGDOCHES O.S.	NACOGI	DRYERS 1-3	TOTAL PM10 PARTI	0	Active
NORBORD TEXAS LP	NACOGDOCHES O.S.	NACOGI	KONUS HEATERS "A" & "B"	TOTAL PARTICULAT	0.0365	Active
NORBORD TEXAS LP	NACOGDOCHES O.S.	NACOGI	KONUS HEATERS "A" & "B"	TOTAL PM10 PARTI	0	Active
NORBORD TEXAS LP	NACOGDOCHES O.S.	NACOGI	KONUS HEATERS "A" & "B"	NITROGEN OXIDES	7.319	Active
NORBORD TEXAS LP	NACOGDOCHES O.S.	NACOGI	KONUS HEATERS "A" & "B"	CARBON MONOXIDE	44.67	Active
		HARRIS				

NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	KILN 2	TOTAL PARTICULAT	0.54	Active
NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	KILN 2	TOTAL PM10 PARTI	0.49	Active
NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	KILN 2	NITROGEN OXIDES	0	Active
NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	KILN 2	SULFUR DIOXIDE	0	Active
NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	KILN 2	TOTAL PARTICULAT	0	Active
NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	KILN 3	SULFUR DIOXIDE	166.84	Active
				TOTAL PM10 PARTI		

NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	KILN 4	NITROGEN OXIDES	104.52	Active
NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	KILN 5	TOTAL PARTICULAT	0.83	Active
NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	KILN 5	LEAD-PB	0.013	Active
NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	KILN 5	MERCURY-HG	0.009	Active
NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	KILN 5	TOTAL PM2.5 PARTI	0.21	Active
NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	KILN 5	TOTAL PM10 PARTI	0.75	Active
				TOTAL PARTICULAT		

NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	SURGE BIN "B" FROM KILN 4	TOTAL PM2.5 PARTI	0.36	Active
NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	SURGE BIN "B" FROM KILN 5	TOTAL PM10 PARTI	0.36	Active
NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	SURGE BIN "B" FROM KILN 5	TOTAL PARTICULAT	0.36	Active
NORIT AMERICAS INC	NORIT AMERICAS INC	HARRIS	SURGE BIN "B" FROM KILN 5	TOTAL PM2.5 PARTI	0.36	Active
NORRIS CYLINDER CO.	HIGH PRESSURE GAS	GREGG	FURNACE 10	NITROGEN OXIDES	0.2708	Active
NORRIS CYLINDER CO.	HIGH PRESSURE GAS	GREGG	FURNACE 10	SULFUR DIOXIDE	0.0016	Active

NORRIS CYLINDER CO.	HIGH PRESSURE GAS	GREGG	FURNACE NUMBER 2	TOTAL PARTICULAT	0.0094	Active
NORRIS CYLINDER CO.	HIGH PRESSURE GAS	GREGG	FURNACE NUMBER 2	TOTAL PM10 PARTI	0.0094	Active
NORRIS CYLINDER CO.	HIGH PRESSURE GAS	GREGG	FURNACE NUMBER 2	NITROGEN OXIDES	0.1236	Active
NORRIS CYLINDER CO.	HIGH PRESSURE GAS	GREGG	FURNACE NUMBER 3	NITROGEN OXIDES	0.1625	Active
NORRIS CYLINDER CO.	HIGH PRESSURE GAS	GREGG	FURNACE NUMBER 3	SULFUR DIOXIDE	0.001	Active
NORRIS CYLINDER CO.	HIGH PRESSURE GAS	GREGG	FURNACE NUMBER 3	CARBON MONOXIDE	0.1365	Active

NORRIS CYLINDER CO.	HIGH PRESSURE GAS	GREGG	FURNACE NUMBER 8	TOTAL PARTICULAT	0.0206	Active
NORRIS CYLINDER CO.	HIGH PRESSURE GAS	GREGG	FURNACE NUMBER 8	TOTAL PM10 PARTI	0.0206	Active
NORRIS CYLINDER CO.	HIGH PRESSURE GAS	GREGG	FURNACE NUMBER 9	NITROGEN OXIDES	0.2708	Active
NORRIS CYLINDER CO.	HIGH PRESSURE GAS	GREGG	FURNACE NUMBER 9	SULFUR DIOXIDE	0.0016	Active
NORRIS CYLINDER CO.	HIGH PRESSURE GAS	GREGG	FURNACE NUMBER 9	CARBON MONOXIDE	0.2275	Active
				TOTAL PM10 PARTI		

OCCIDENTAL CHEMICAL CO	INGLESIDE PLANT	SAN PA	EAST DRYING OVEN	TOTAL PARTICULAT	0	Active
OCCIDENTAL CHEMICAL CO	INGLESIDE PLANT	SAN PA	VCM INCINERATOR 2550	NITROGEN OXIDES	5.3057	Active
OCCIDENTAL CHEMICAL CO	INGLESIDE PLANT	SAN PA	VCM INCINERATOR 2550	CARBON MONOXIDE	0.0691	Active
OCCIDENTAL CHEMICAL CO	INGLESIDE PLANT	SAN PA	VCM INCINERATOR 2550	SULFUR DIOXIDE	0.0064	Active
OCCIDENTAL CHEMICAL CO	INGLESIDE PLANT	SAN PA	VCM INCINERATOR 2550	HYDROGEN CHLOR	0.1997	Active
				TOTAL PARTICULAT		

OCCIDENTAL CHEMICAL CO	INGLESIDE PLANT	SAN PA	WEST DRYING OVEN	TOTAL PM10 PARTI	0	Active
OXY VINYLS L P	DEER PARK V C M PL	HARRIS	CRACK. FURN. "F6202"	TOTAL PARTICULAT	1.328	Active
OXY VINYLS L P	DEER PARK V C M PL	HARRIS	CRACK. FURN. "F6202"	TOTAL PM10 PARTI	1.328	Active
OXY VINYLS L P	DEER PARK V C M PL	HARRIS	CRACK. FURN. "F6202"	TOTAL PM2.5 PARTI	1.328	Active
OXY VINYLS L P	DEER PARK V C M PL	HARRIS	CRACK. FURN. "F6202"	HYDROGEN CHLOR	0	Active

OXY VINYLS L P	DEER PARK V C M PL	HARRIS	INCINERATOR "A1770" ("HCIN-3")	TOTAL PARTICULAT	6.5139	Active
OXY VINYLS L P	DEER PARK V C M PL	HARRIS	INCINERATOR "A1770" ("HCIN-3")	NITROGEN OXIDES	3.9962	Active
OXY VINYLS L P	DEER PARK V C M PL	HARRIS	INCINERATOR "A1770" ("HCIN-3")	HYDROGEN CHLOR	1.1189	Active
OXY VINYLS L P	DEER PARK V C M PL	HARRIS	INCINERATOR FUGITIVES	TOTAL PM10 PARTI	0	Active
OXY VINYLS L P	DEER PARK V C M PL	HARRIS	INCINERATOR FUGITIVES	TOTAL PARTICULAT	0	Active
				TOTAL PM10 PARTI		

OXY VINYLS LP	OXY VINYLS, L.P.	HARRIS	CRACKING FURNACE (C)105	TOTAL PARTICULAT	1.8931	Active
OXY VINYLS LP	OXY VINYLS, L.P.	HARRIS	E.D.C. CRACKING FURNACE ("E107")	TOTAL PM2.5 PARTI	0.5118	Active
OXY VINYLS LP	OXY VINYLS, L.P.	HARRIS	E.D.C. CRACKING FURNACE ("E107")	NITROGEN OXIDES	6.0715	Active
OXY VINYLS LP	OXY VINYLS, L.P.	HARRIS	E.D.C. CRACKING FURNACE ("E107")	SULFUR DIOXIDE	0.0215	Active
OXY VINYLS LP	OXY VINYLS, L.P.	HARRIS	E.D.C. CRACKING FURNACE ("E107")	CARBON MONOXIDE	0.6082	Active

OXY VINYLS LP	PASADENA PVC PLAN	HARRIS	P.V.C. DRYER NO. 7	TOTAL PM10 PARTI	6.334	Active
OXY VINYLS LP	PASADENA PVC PLAN	HARRIS	P.V.C. DRYER NO. 7	TOTAL PARTICULAT	6.334	Active
OXY VINYLS LP	PASADENA PVC PLAN	HARRIS	P.V.C. PLANT INCINERATOR SYSTEM	CARBON MONOXIDE	0.475	Active
OXY VINYLS LP	PASADENA PVC PLAN	HARRIS	P.V.C. PLANT INCINERATOR SYSTEM	TOTAL PARTICULAT	0.043	Active
OXY VINYLS LP	PASADENA PVC PLAN	HARRIS	P.V.C. PLANT INCINERATOR SYSTEM	SULFUR DIOXIDE	0.004	Active

PPG INDUSTRIES INC	MULTIPURPOSE ORG	HARRIS	PROD. STGE. TK. & LDG. AREA:	TOTAL PARTICULAT	0	Active
PPG INDUSTRIES INC	MULTIPURPOSE ORG	HARRIS	PROD. STGE. TK. & LDG. AREA:	TOTAL PM10 PARTI	0	Active
PPG INDUSTRIES INC	MULTIPURPOSE ORG	HARRIS	THERMIX THERMAL OXIDIZER	TOTAL PM10 PARTI	0	Active
PPG INDUSTRIES INC	MULTIPURPOSE ORG	HARRIS	THERMIX THERMAL OXIDIZER	TOTAL PARTICULAT	0	Active

REXAM BEVERAGE CAN CO	REXAM BEVERAGE C	GREGG	CANWASHER DRYER NO. 1	TOTAL PM2.5 PARTI	0.0223	Active
REXAM BEVERAGE CAN CO	REXAM BEVERAGE C	GREGG	CANWASHER DRYER NO. 1	NITROGEN OXIDES	0.2932	Active
REXAM BEVERAGE CAN CO	REXAM BEVERAGE C	GREGG	CANWASHER DRYER NO. 1	SULFUR DIOXIDE	0.0018	Active
REXAM BEVERAGE CAN CO	REXAM BEVERAGE C	GREGG	CANWASHER DRYER NO. 1	CARBON MONOXIDE	0.2463	Active
				TOTAL PARTICULAT		

REXAM BEVERAGE CAN CO	REXAM BEVERAGE C	GREGG	I.B. OVEN NO. 1	TOTAL PM10 PARTI	0	Active
REXAM BEVERAGE CAN CO	REXAM BEVERAGE C	GREGG	I.B. OVEN NO. 3	TOTAL PM2.5 PARTI	0.0223	Active
REXAM BEVERAGE CAN CO	REXAM BEVERAGE C	GREGG	I.B. OVEN NO. 3	NITROGEN OXIDES	0.2932	Active
REXAM BEVERAGE CAN CO	REXAM BEVERAGE C	GREGG	I.B. OVEN NO. 3	SULFUR DIOXIDE	0.0018	Active
				TOTAL PM10 PARTI		

REXAM BEVERAGE CAN CO	REXAM BEVERAGE C	GREGG	SURFACE COATING--OVERVARNISH	TOTAL PARTICULAT	0	Active
REXAM BEVERAGE CAN CO	REXAM BEVERAGE C	GREGG	SURFACE COATING--OVERVARNISH	TOTAL PM10 PARTI	0	Active
RHODIA, INC.	FREEPORT PLANT	BRAZOR	CE ROX UNIT KILN	CARBON MONOXIDE	0	Idle
RHODIA, INC.	FREEPORT PLANT	BRAZOR	CE ROX UNIT KILN	SULFUR DIOXIDE	0	Idle
				TOTAL PARTICULAT		

RHODIA, INC.	HOUSTON PLANT	HARRIS	SULFUR BURNING UNIT NO. 8	TOTAL PM10 PARTI	22.309	Active
RHODIA, INC.	HOUSTON PLANT	HARRIS	SULFUR BURNING UNIT NO. 8	SULFUR DIOXIDE	1	Active
RHODIA, INC.	HOUSTON PLANT	HARRIS	SULFUR BURNING UNIT NO. 8	TOTAL PARTICULAT	1	Active
RHODIA, INC.	HOUSTON PLANT	HARRIS	SULFUR BURNING UNIT NO. 8	TOTAL PM10 PARTI	1	Active
		UPSHUF				

ROBROY INDUSTRIES	TX CONDUIT DIVISIO	UPSHUF	PREHEAT OVEN-FITTINGS	NITROGEN OXIDES	0.562	Active
ROBROY INDUSTRIES	TX CONDUIT DIVISIO	UPSHUF	PREHEAT OVEN-FITTINGS	CARBON MONOXIDE	0.472	Active
ROBROY INDUSTRIES	TX CONDUIT DIVISIO	UPSHUF	PREHEAT OVEN-FITTINGS	TOTAL PM2.5 PARTI	0.043	Active
ROBROY INDUSTRIES	TX CONDUIT DIVISIO	UPSHUF	PREHEAT OVEN-FITTINGS	TOTAL PARTICULAT	0.043	Active
				TOTAL PM10 PARTI		

ROHM & HAAS TEXAS	DEER PARK PLANT	HARRIS	E-TRAIN THERMAL OXIDIZER	NITROGEN OXIDES	16.758	Active
ROHM & HAAS TEXAS	DEER PARK PLANT	HARRIS	E-TRAIN THERMAL OXIDIZER	SULFUR DIOXIDE	0	Active
ROHM & HAAS TEXAS	DEER PARK PLANT	HARRIS	E-TRAIN THERMAL OXIDIZER	CARBON MONOXIDE	8.6899	Active
				TOTAL PM10 PARTIC		

ROHM & HAAS TEXAS	DEER PARK PLANT	HARRIS	HT PLANT	TOTAL PARTICULAT	0	Active
ROHM & HAAS TEXAS	DEER PARK PLANT	HARRIS	HT PLANT	TOTAL PM10 PARTI	0	Active
ROHM & HAAS TEXAS	DEER PARK PLANT	HARRIS	HT PLANT	TOTAL PM10 PARTI	0	Active
				TOTAL PARTICULAT		

ROHM & HAAS TEXAS	DEER PARK PLANT	HARRIS	N5&6 PREHEATER	TOTAL PM10 PARTI	0.313	Active
ROHM & HAAS TEXAS	DEER PARK PLANT	HARRIS	N5&6 PREHEATER	CARBON MONOXIDE	3.456	Active
ROHM & HAAS TEXAS	DEER PARK PLANT	HARRIS	NAT. GAS PREHEATER	SULFUR DIOXIDE	0.005	Active
				TOTAL PM10 PARTI		

ROHM & HAAS TEXAS	DEER PARK PLANT	HARRIS	OXYGEN PREHEATER	TOTAL PARTICULAT	0.084	Active
ROHM & HAAS TEXAS	DEER PARK PLANT	HARRIS	OXYGEN PREHEATER	TOTAL PM10 PARTI	0.084	Active
ROHM & HAAS TEXAS	DEER PARK PLANT	HARRIS	OXYGEN PREHEATER	TOTAL PARTICULAT	0.065	Active
				TOTAL PARTICULAT		

S.T. MICROELECTRONICS, IN	SEMICONDUCTOR MI	DALLAS	HOT WALL L.T.O.	TOTAL PM10 PARTI	0	Shutdown
S.T. MICROELECTRONICS, IN	SEMICONDUCTOR MI	DALLAS	MECHANICAL BUILDING EMERGENCY GE	TOTAL PARTICULAT	0.0051	Active
S.T. MICROELECTRONICS, IN	SEMICONDUCTOR MI	DALLAS	MECHANICAL BUILDING EMERGENCY GE	TOTAL PM10 PARTI	0.0051	Active
				TOTAL PARTICULAT		

SAMSUNG ELECTRONICS	AUSTIN FABRICATION	TRAVIS	TRUCK LOADING	TOTAL PM10 PARTI	0	Idle
SEA LION TECHNOLOGY INC	SEA LION TECHNOLO	GALVES	CIVIC PROCESS UNIT	TOTAL PM10 PARTI	0	Active
SEA LION TECHNOLOGY INC	SEA LION TECHNOLO	GALVES	CIVIC PROCESS UNIT	TOTAL PARTICULAT	0	Active
				CARBON MONOXIDE		

SHERWIN ALUMINA COMPAN	SHERWIN PLANT	SAN PAT	FACILITY 50, KILNS 1 & 2	MERCURY-HG	0	Active
SHERWIN ALUMINA COMPAN	SHERWIN PLANT	SAN PAT	FACILITY 50, KILNS 1 & 2	SULFUR DIOXIDE	0.0619	Active
SHERWIN ALUMINA COMPAN	SHERWIN PLANT	SAN PAT	FACILITY 50, KILNS 1 & 2	NITROGEN OXIDES	1.991	Active
				TOTAL PARTICULAT		

SHINTECH INCORPORATED	SHINTECH INCORPOI	BRAZOF	INCINERATOR (LV-7)	NITROGEN OXIDES	9.4	Active
SHINTECH INCORPORATED	SHINTECH INCORPOI	BRAZOF	INCINERATOR (LV-7)	TOTAL PM10 PARTI(	0.9	Active
				TOTAL PM10 PARTI(		

SID RICHARDSON CARBON A	BORGER CARBON BL	HUTCHI	NO. 4 OIL PREHEATER, PLT. 1	SULFUR DIOXIDE	0	Active
SID RICHARDSON CARBON A	BORGER CARBON BL	HUTCHI	NO. 4 OIL PREHEATER, PLT. 1	NITROGEN OXIDES	0	Active
				TOTAL PM10 PARTI		

SID RICHARDSON CARBON A	BORGER CARBON BL	HUTCHI	REACTORS 6, 7, 8, & 9--PLT. 2	TOTAL PM2.5 PARTI	0	Active
SID RICHARDSON CARBON A	BORGER CARBON BL	HUTCHI	REACTORS 6, 7, 8, & 9--PLT. 2	CARBON MONOXIDE	0	Active
				TOTAL PM10 PARTI		

SID RICHARDSON CARBON A	BORGER CARBON BL	HUTCHI	WET PELLETING, PLANT 2	TOTAL PARTICULAT	2.1213	Active
SID RICHARDSON CARBON A	BORGER CARBON BL	HUTCHI	WET PELLETING, PLANT 2	TOTAL PM10 PARTI	0.4727	Active

SID RICHARDSON CARBON C	BIG SPRING CARBON	HOWAR	DRYER 23	TOTAL PM2.5 PARTI	0.8179	Active
SID RICHARDSON CARBON C	BIG SPRING CARBON	HOWAR	DRYER 23	CARBON MONOXIDE	889.96	Active
				TOTAL PARTICULAT		

SID RICHARDSON CARBON (	BIG SPRING CARBON	HOWAR	PROCESS OIL HEATER #1	TOTAL PM10 PARTI(	0.0235	Active
SID RICHARDSON CARBON (	BIG SPRING CARBON	HOWAR	PROCESS OIL HEATER #2	SULFUR DIOXIDE	0.0021	Active

SID RICHARDSON CARBON (	BIG SPRING CARBON	HOWAR	PROCESS REACTOR NO.10 & 40	TOTAL PM2.5 PARTI	0.1902	Active

SOLUTIA INC	SOLUTIA CHOCOLAT	BRAZOR	BARGE LOADING INCINERATOR	SULFUR DIOXIDE	0.0146	Active

SOUTH HAMPTON REFINING	SOUTH HAMPTON RE	HARDIN	"AROMAX F-2"	TOTAL PM2.5 PARTI	0	Active

SOUTH HAMPTON REFINING	SOUTH HAMPTON RE	HARDIN	HOT OIL HEATER	TOTAL PM2.5 PARTI	0.36	Active

SPANSION INC	ADVANCED MICRO D	TRAVIS	BLDG. 4 THERMAL OXIDIZER	TOTAL PARTICULAT	0.1664	Active

TEMPLE INLAND FOREST PR	TEMPLE INLAND PINE	SABINE	KILN--EAST	TOTAL PM2.5 PARTI	2.2995	Active
				TOTAL PM10 PARTI		

TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	DRYER & HEATER #3	CARBON MONOXIDE	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	DRYER & HEATER #3	TOTAL PARTICULAT	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	DRYER & HEATER #3	TOTAL PM10 PARTIC	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	DRYER & HEATER #4	NITROGEN OXIDES	5.7465	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	DRYER & HEATER #4	SULFUR DIOXIDE	0.1738	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	DRYER & HEATER #4	CARBON MONOXIDE	8.8489	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	DRYER & HEATER #4	TOTAL PARTICULAT	8.1156	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	DRYER & HEATER #4	TOTAL PM10 PARTIC	8.1156	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	DRYER & HTR. #1	NITROGEN OXIDES	5.1623	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	DRYER & HTR. #1	SULFUR DIOXIDE	0.1241	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	DRYER & HTR. #1	CARBON MONOXIDE	5.6559	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	DRYER & HTR. #1	TOTAL PARTICULAT	6.711	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	DRYER & HTR. #1	TOTAL PM10 PARTIC	6.711	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	EAST LUMBER KILN #2	TOTAL PARTICULAT	1.21	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	EAST LUMBER KILN #2	TOTAL PM10 PARTIC	1.21	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	NITROGEN OXIDES	3.936	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	CARBON MONOXIDE	0.7222	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PARTICULAT	5.254	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PM10 PARTIC	2.627	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PM2.5 PARTI	3.3158	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	NITROGEN OXIDES	3.9361	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	CARBON MONOXIDE	0.7222	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PARTICULAT	6.6316	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PM10 PARTIC	3.3158	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	NITROGEN OXIDES	26.548	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	CARBON MONOXIDE	22.3	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PARTICULAT	5.295	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PM10 PARTIC	2.6476	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PM2.5 PARTI	2.6476	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PM2.5 PARTI	3.1915	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	NITROGEN OXIDES	26.548	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	CARBON MONOXIDE	22.3	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	SULFUR DIOXIDE	0.159	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PARTICULAT	6.393	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PM10 PARTIC	3.1915	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PM2.5 PARTI	3.0674	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	NITROGEN OXIDES	9.2769	Active

TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	CARBON MONOXIDE	5.208	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PARTICULAT	6.1348	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PM10 PARTIC	3.0674	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	NITROGEN OXIDES	3.936	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	CARBON MONOXIDE	0.7222	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PARTICULAT	5.254	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 1	TOTAL PM10 PARTIC	2.627	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	TOTAL PM2.5 PARTI	4.8095	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	NITROGEN OXIDES	6.348	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	CARBON MONOXIDE	1.173	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	TOTAL PARTICULAT	9.619	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	TOTAL PM10 PARTIC	4.8095	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	TOTAL PM2.5 PARTI	0.3914	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	NITROGEN OXIDES	2.1443	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	CARBON MONOXIDE	8.2399	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	TOTAL PARTICULAT	0.7828	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	TOTAL PM10 PARTIC	0.3914	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	TOTAL PM2.5 PARTI	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	NITROGEN OXIDES	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	CARBON MONOXIDE	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	TOTAL PARTICULAT	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	TOTAL PM10 PARTIC	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	TOTAL PARTICULAT	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD DRYER NO. 2	TOTAL PM10 PARTIC	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD REFINERS/CHESTS & COM	NITROGEN OXIDES	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD REFINERS/CHESTS & COM	CARBON MONOXIDE	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD REFINERS/CHESTS & COM	SULFUR DIOXIDE	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD REFINERS/CHESTS & COM	TOTAL PARTICULAT	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERBOARD REFINERS/CHESTS & COM	TOTAL PM10 PARTIC	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERWOOD WOOD-FIRED BOILER	TOTAL PM2.5 PARTI	32.857	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERWOOD WOOD-FIRED BOILER	NITROGEN OXIDES	87.066	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERWOOD WOOD-FIRED BOILER	SULFUR DIOXIDE	0.5315	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERWOOD WOOD-FIRED BOILER	CARBON MONOXIDE	410.35	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERWOOD WOOD-FIRED BOILER	TOTAL PARTICULAT	32.857	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FIBERWOOD WOOD-FIRED BOILER	TOTAL PM10 PARTIC	32.857	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FLASH OVEN	TOTAL PM2.5 PARTI	0.0694	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FLASH OVEN	TOTAL PARTICULAT	0.0694	Active

TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	FLASH OVEN	TOTAL PM10 PARTIC	0.0694	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT COAT LINE PREHEAT OVEN	TOTAL PARTICULAT	0.3082	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT COAT LINE PREHEAT OVEN	TOTAL PM10 PARTIC	0.1541	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	NITROGEN OXIDES	0.246	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	SULFUR DIOXIDE	0.001	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	CARBON MONOXIDE	0.206	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	CADMIUM & COMPO	0.0018	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	LEAD & COMPOUND	0.0052	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	MERCURY & COMPO	0.0031	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	TOTAL PARTICULAT	5.7422	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	TOTAL PM10 PARTIC	0.2728	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	CARBON MONOXIDE	0.103	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	NITROGEN OXIDES	0.123	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	SULFUR DIOXIDE	0.001	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	CADMIUM & COMPO	0.0018	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	LEAD & COMPOUND	0.0051	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	MERCURY & COMPO	0.0032	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	TOTAL PARTICULAT	0.2332	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PAINT FLASH OVEN	TOTAL PM10 PARTIC	0.2129	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PREHEAT OVEN	TOTAL PARTICULAT	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PREHEAT OVEN	TOTAL PM10 PARTIC	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PREHEAT OVEN	NITROGEN OXIDES	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PREHEAT OVEN	CARBON MONOXIDE	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PREHEAT OVEN	TOTAL PARTICULAT	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PREHEAT OVEN	TOTAL PM10 PARTIC	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PREHEAT OVEN	TOTAL PARTICULAT	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PREHEAT OVEN	TOTAL PM10 PARTIC	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PREHEAT OVEN	TOTAL PARTICULAT	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PREHEAT OVEN	TOTAL PARTICULAT	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PREHEAT OVEN	TOTAL PM10 PARTIC	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PREHEAT OVEN	TOTAL PARTICULAT	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	PREHEAT OVEN	TOTAL PM10 PARTIC	0	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	WEST LUMBER KILN #1	TOTAL PARTICULAT	1.2586	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	WEST LUMBER KILN #1	TOTAL PM10 PARTIC	1.2586	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	WEST LUMBER KILN #2	TOTAL PARTICULAT	1.21	Active
TEMPLE-INLAND FOREST PR	DIBOLL FACILITY	ANGELIN	WEST LUMBER KILN #2	TOTAL PM10 PARTIC	1.21	Active
TEXAS FINISHING CO.	TEXAS FINISHING CO	DALLAS	OVEN 1	NITROGEN OXIDES	0.16	Active
TEXAS FINISHING CO.	TEXAS FINISHING CO	DALLAS	OVEN 1	TOTAL PM2.5 PARTI	0.01	Active

TEXAS FINISHING CO.	TEXAS FINISHING CO	DALLAS	OVEN 1	CARBON MONOXIDE	0.14	Active
TEXAS FINISHING CO.	TEXAS FINISHING CO	DALLAS	OVEN 1	TOTAL PARTICULAT	0.01	Active
TEXAS FINISHING CO.	TEXAS FINISHING CO	DALLAS	OVEN 1	TOTAL PM10 PARTI	0.01	Active
TEXAS FINISHING CO.	TEXAS FINISHING CO	DALLAS	OVEN 2	TOTAL PM2.5 PARTI	0.01	Active
TEXAS FINISHING CO.	TEXAS FINISHING CO	DALLAS	OVEN 2	NITROGEN OXIDES	0.08	Active
TEXAS FINISHING CO.	TEXAS FINISHING CO	DALLAS	OVEN 2	SULFUR DIOXIDE	0.01	Active
TEXAS FINISHING CO.	TEXAS FINISHING CO	DALLAS	OVEN 2	CARBON MONOXIDE	0.07	Active
TEXAS FINISHING CO.	TEXAS FINISHING CO	DALLAS	OVEN 2	TOTAL PARTICULAT	0.01	Active
TEXAS FINISHING CO.	TEXAS FINISHING CO	DALLAS	OVEN 2	TOTAL PM10 PARTI	0.01	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5" PHASE 2	TOTAL PARTICULAT	0	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5" PHASE 2	TOTAL PM10 PARTI	0	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5TOX"	CARBON MONOXIDE	5.27	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5TOX"	TOTAL PARTICULAT	0.2121	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5TOX"	TOTAL PM10 PARTI	0.2121	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5TOX"	TOTAL PARTICULAT	0.1414	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5TOX"	TOTAL PM10 PARTI	0.1414	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5TOX"	TOTAL PM2.5 PARTI	0.2121	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5TOX"	NITROGEN OXIDES	7.0942	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5TOX"	SULFUR DIOXIDE	0.017	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5TOX"	CARBON MONOXIDE	5.181	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5TOX"	TOTAL PM2.5 PARTI	0.1414	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5TOX"	NITROGEN OXIDES	8.66	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	"DMOS5TOX"	SULFUR DIOXIDE	0.0112	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	CENTRAL UTILITIES PLANT CHILLER #1	TOTAL PM2.5 PARTI	1.3	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	CENTRAL UTILITIES PLANT CHILLER #1	NITROGEN OXIDES	13.6	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	CENTRAL UTILITIES PLANT CHILLER #1	SULFUR DIOXIDE	0.02	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	CENTRAL UTILITIES PLANT CHILLER #1	CARBON MONOXIDE	3.39	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	CENTRAL UTILITIES PLANT CHILLER #1	TOTAL PARTICULAT	1.3	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	CENTRAL UTILITIES PLANT CHILLER #1	TOTAL PM10 PARTI	1.3	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	EAST BUILDING THERMAL OXIDIZER	TOTAL PARTICULAT	0	Demolished
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	EAST BUILDING THERMAL OXIDIZER	TOTAL PM10 PARTI	0	Demolished
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	EAST BUILDING THERMAL OXIDIZER	TOTAL PARTICULAT	0	Demolished
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	EAST BUILDING THERMAL OXIDIZER	TOTAL PM10 PARTI	0	Demolished
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	KILBY CENTER FAB.	TOTAL PARTICULAT	0	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	KILBY CENTER FAB.	TOTAL PM10 PARTI	0	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	KILBY CENTER FAB.	TOTAL PARTICULAT	0	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	KILBY CENTER FAB.	TOTAL PM10 PARTI	0	Active

TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	KILBY CENTER FAB.	TOTAL PARTICULAT	0	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	KILBY CENTER FAB.	TOTAL PM10 PARTI	0	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	SB THERMAL OXIDIZER	TOTAL PARTICULAT	0.4341	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	SB THERMAL OXIDIZER	TOTAL PM10 PARTI	0.4341	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	SB THERMAL OXIDIZER	TOTAL PM2.5 PARTI	0.4341	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	SB THERMAL OXIDIZER	NITROGEN OXIDES	14.13	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	SB THERMAL OXIDIZER	SULFUR DIOXIDE	0.0343	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	SB THERMAL OXIDIZER	CARBON MONOXIDE	8.6	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	THERMAL OXIDIZER	TOTAL PARTICULAT	0	Active
TEXAS INSTRUMENTS INC	CENTRAL EXPRESSV	DALLAS	THERMAL OXIDIZER	TOTAL PM10 PARTI	0	Active
TEXAS INSTRUMENTS INC	TEXAS INSTRUMENT	FORT BE	THERMAL OXIDIZER	TOTAL PM2.5 PARTI	0.3437	Active
TEXAS INSTRUMENTS INC	TEXAS INSTRUMENT	FORT BE	THERMAL OXIDIZER	NITROGEN OXIDES	17.87	Active
TEXAS INSTRUMENTS INC	TEXAS INSTRUMENT	FORT BE	THERMAL OXIDIZER	SULFUR DIOXIDE	0.0264	Active
TEXAS INSTRUMENTS INC	TEXAS INSTRUMENT	FORT BE	THERMAL OXIDIZER	CARBON MONOXIDE	12.483	Active
TEXAS INSTRUMENTS INC	TEXAS INSTRUMENT	FORT BE	THERMAL OXIDIZER	TOTAL PARTICULAT	0.3437	Active
TEXAS INSTRUMENTS INC	TEXAS INSTRUMENT	FORT BE	THERMAL OXIDIZER	TOTAL PM10 PARTI	0.3437	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO. 1 DEHYDRO. ALCORN HEATER	NITROGEN OXIDES	20.147	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO. 1 DEHYDRO. ALCORN HEATER	TOTAL PARTICULAT	0	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO. 1 DEHYDRO. ALCORN HEATER	TOTAL PM2.5 PARTI	3.7528	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO. 1 DEHYDRO. ALCORN HEATER	SULFUR DIOXIDE	0.2963	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO. 1 DEHYDRO. ALCORN HEATER	TOTAL PARTICULAT	3.7528	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO. 1 DEHYDRO. ALCORN HEATER	CARBON MONOXIDE	0.0312	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO. 1 DEHYDRO. ALCORN HEATER	TOTAL PM10 PARTI	0	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO. 1 DEHYDRO. ALCORN HEATER	TOTAL PM10 PARTI	3.7528	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO.1 DEHYDRO. REACTORS	TOTAL PM10 PARTI	2.1643	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO.1 DEHYDRO. REACTORS	TOTAL PM2.5 PARTI	2.1643	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO.1 DEHYDRO. REACTORS	CARBON MONOXIDE	12.097	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO.1 DEHYDRO. REACTORS	NITROGEN OXIDES	39.504	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO.1 DEHYDRO. REACTORS	SULFUR DIOXIDE	0.1709	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	NO.1 DEHYDRO. REACTORS	TOTAL PARTICULAT	2.1643	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	PLANT PROCESS EMISSIONS	TOTAL PARTICULAT	0	Active
TEXAS PETROCHEMICALS L	HOUSTON PLANT	HARRIS	PLANT PROCESS EMISSIONS	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, INC	QUALITY DOORS	DALLAS	LINE 1 SEALER BOOTH	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, INC	QUALITY DOORS	DALLAS	LINE 1 SEALER BOOTH	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, INC	QUALITY DOORS	DALLAS	LINE 1 STAIN BOOTH	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, INC	QUALITY DOORS	DALLAS	LINE 1 STAIN BOOTH	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, INC	QUALITY DOORS	DALLAS	OVEN-1A	TOTAL PARTICULAT	0	Active

TEXWOOD INDUSTRIES, INC	QUALITY DOORS	DALLAS	OVEN-1A	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	INCINERATOR 1	TOTAL PM2.5 PARTI	0.0455	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	INCINERATOR 1	NITROGEN OXIDES	0.5991	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	INCINERATOR 1	SULFUR DIOXIDE	0.0036	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	INCINERATOR 1	CARBON MONOXIDE	0.5033	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	INCINERATOR 1	TOTAL PARTICULAT	0.0455	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	INCINERATOR 1	TOTAL PM10 PARTI	0.0455	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	INCINERATOR 2	TOTAL PM2.5 PARTI	0.0911	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	INCINERATOR 2	NITROGEN OXIDES	1.1983	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	INCINERATOR 2	SULFUR DIOXIDE	0.0072	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	INCINERATOR 2	CARBON MONOXIDE	1.0066	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	INCINERATOR 2	TOTAL PARTICULAT	0.0911	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	INCINERATOR 2	TOTAL PM10 PARTI	0.0911	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 OVEN A	TOTAL PM2.5 PARTI	0.0036	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 OVEN A	NITROGEN OXIDES	0.0478	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 OVEN A	SULFUR DIOXIDE	0.0003	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 OVEN A	CARBON MONOXIDE	0.0401	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 OVEN A	TOTAL PARTICULAT	0.0036	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 OVEN A	TOTAL PM10 PARTI	0.0036	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 PRE-STAIN AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 PRE-STAIN AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 PRE-STAIN AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 PRE-STAIN AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 SEALER AREA	TOTAL PM2.5 PARTI	0.7677	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 SEALER AREA	TOTAL PARTICULAT	0.7677	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 SEALER AREA	TOTAL PM10 PARTI	0.7677	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 SEALER AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 SEALER AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 SEALER AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 SEALER AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 SEALER AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 SEALER AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 SEALER AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 SEALER AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 STAIN AREA	TOTAL PM2.5 PARTI	0.1522	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 STAIN AREA	TOTAL PARTICULAT	0.1522	Active
				TOTAL PM10 PARTI		

TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 STAIN AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 STAIN AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 STAIN AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 STAIN AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 TOPCOAT AREA	TOTAL PARTICULAT	0.7589	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 TOPCOAT AREA	TOTAL PM10 PARTI	0.7589	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 TOPCOAT AREA	TOTAL PM2.5 PARTI	0.7589	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 TOPCOAT AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 TOPCOAT AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 TOPCOAT AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 1 TOPCOAT AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 2 OFFLINE AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 2 OFFLINE AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 2 OFFLINE OVEN 2B	TOTAL PM2.5 PARTI	0.0036	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 2 OFFLINE OVEN 2B	NITROGEN OXIDES	0.0478	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 2 OFFLINE OVEN 2B	SULFUR DIOXIDE	0.0003	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 2 OFFLINE OVEN 2B	CARBON MONOXIDE	0.0401	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 2 OFFLINE OVEN 2B	TOTAL PARTICULAT	0.0036	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 2 OFFLINE OVEN 2B	TOTAL PM10 PARTI	0.0036	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 OVEN	TOTAL PM2.5 PARTI	0.0232	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 OVEN	NITROGEN OXIDES	0.3058	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 OVEN	SULFUR DIOXIDE	0.0018	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 OVEN	CARBON MONOXIDE	0.2569	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 OVEN	TOTAL PARTICULAT	0.0232	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 OVEN	TOTAL PM10 PARTI	0.0232	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 PRE-STAIN AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 PRE-STAIN AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 PRE-STAIN AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 PRE-STAIN AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 SEALER AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 SEALER AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 SEALER AREA	TOTAL PM2.5 PARTI	1.1795	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 SEALER AREA	TOTAL PARTICULAT	1.1795	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 SEALER AREA	TOTAL PM10 PARTI	1.1795	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 SEALER AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 SEALER AREA	TOTAL PM10 PARTI	0	Active
				TOTAL PARTICULAT		

TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 STAIN AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 STAIN AREA	TOTAL PM2.5 PARTI	0.255	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 STAIN AREA	TOTAL PARTICULAT	0.255	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 STAIN AREA	TOTAL PM10 PARTI	0.255	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 STAIN AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 STAIN AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 TOPCOAT AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 TOPCOAT AREA	TOTAL PM10 PARTI	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 TOPCOAT AREA	TOTAL PM2.5 PARTI	1.2556	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 TOPCOAT AREA	TOTAL PARTICULAT	1.2556	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 TOPCOAT AREA	TOTAL PM10 PARTI	1.2556	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 TOPCOAT AREA	TOTAL PARTICULAT	0	Active
TEXWOOD INDUSTRIES, L.P.	TEXWOOD INDUSTRI	DALLAS	LINE 3 TOPCOAT AREA	TOTAL PM10 PARTI	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	APLT_FUR_H100_H-100 FURNACE	TOTAL PM10 PARTI	0.1854	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	APLT_FUR_H100_H-100 FURNACE	TOTAL PARTICULAT	0.1854	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	APLT_FUR_H100_H-100 FURNACE	TOTAL PM2.5 PARTI	0.1854	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	APLT_FUR_H100_H-100 FURNACE	LEAD-PB	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	APLT_FUR_H100_H-100 FURNACE	NITROGEN OXIDES	3.0715	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	APLT_FUR_H100_H-100 FURNACE	SULFUR DIOXIDE	0.0029	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	APLT_FUR_H100_H-100 FURNACE	CARBON MONOXIDE	2.4714	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	HEAT--M.D.I. #1--"A" PLANT	TOTAL PM10 PARTI	0	Demolished
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	HEAT--M.D.I. #1--"A" PLANT	TOTAL PARTICULAT	0	Demolished
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	PRODUCTION OF POLYMERIC AMINE	TOTAL PARTICULAT	0	Idle
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	PRODUCTION OF POLYMERIC AMINE	TOTAL PM10 PARTI	0	Idle
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	UTIL_THO_F-TO_THERMAL OXIDIZER	CARBON MONOXIDE	2.0105	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	UTIL_THO_F-TO_THERMAL OXIDIZER	TOTAL PARTICULAT	0.1508	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	UTIL_THO_F-TO_THERMAL OXIDIZER	TOTAL PM10 PARTI	0.1508	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	UTIL_THO_F-TO_THERMAL OXIDIZER	TOTAL PARTICULAT	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	UTIL_THO_F-TO_THERMAL OXIDIZER	NITROGEN OXIDES	2.3935	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	UTIL_THO_F-TO_THERMAL OXIDIZER	TOTAL PM2.5 PARTI	0.1508	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	UTIL_THO_F-TO_THERMAL OXIDIZER	TOTAL PM10 PARTI	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	UTIL_THO_F-TO_THERMAL OXIDIZER	SULFUR DIOXIDE	0.0024	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	UTIL_THO_F-TO_THERMAL OXIDIZER	LEAD-PB	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	UTILITIES - WASTE VESSELS	TOTAL PARTICULAT	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_CWFSUMP_CWF SUMP	TOTAL PARTICULAT	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_CWFSUMP_CWF SUMP	TOTAL PM10 PARTI	0	Active
				TOTAL PARTICULAT		

THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_KTRENCH_K PLANT TRENC	TOTAL PM10 PARTIC	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_LSUMP_L PLANT SUMP	TOTAL PM10 PARTIC	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_LSUMP_L PLANT SUMP	TOTAL PARTICULAT	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_LTRENCH_L PLANT TRENC	TOTAL PARTICULAT	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_LTRENCH_L PLANT TRENC	TOTAL PM10 PARTIC	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_MSUMP_M PLANT SUMP	TOTAL PM10 PARTIC	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_MSUMP_M PLANT SUMP	TOTAL PARTICULAT	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_MTRENCH_M PLANT TRENC	TOTAL PARTICULAT	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_MTRENCH_M PLANT TRENC	TOTAL PM10 PARTIC	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_TKME788_DRYING BED	TOTAL PARTICULAT	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_TKME788_DRYING BED	TOTAL PM10 PARTIC	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_TKME788_DRYING BED	TOTAL PM10 PARTIC	0	Active
THE DOW CHEMICAL CO.	LA PORTE PLANT	HARRIS	WWTP_WTC_TKME788_DRYING BED	TOTAL PARTICULAT	0	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	HYDROCHLORIC AC	0.0009	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	SULFUR DIOXIDE	0.1071	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	CARBON MONOXIDE	0.0756	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	NITROGEN OXIDES	0.7988	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	TOTAL PM10 PARTIC	0	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	TOTAL PARTICULAT	0	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	TOTAL PARTICULAT	0	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	TOTAL PM10 PARTIC	0	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	TOTAL PM10 PARTIC	0	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	TOTAL PARTICULAT	0	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	TOTAL PARTICULAT	0.868	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	TOTAL PM10 PARTIC	0	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	TOTAL PARTICULAT	0	Active
THE GOODYEAR TIRE & RUB	BEAUMONT CHEMICA	JEFFER	INCINERATOR	TOTAL PM10 PARTIC	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	`MO3` INCINERATOR	TOTAL PARTICULAT	1.1804	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	`MO3` INCINERATOR	TOTAL PM10 PARTIC	1.1686	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	`MO3` INCINERATOR	CARBON MONOXIDE	15.406	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	`MO3` INCINERATOR	SULFUR DIOXIDE	0.01	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	`MO3` INCINERATOR	NITROGEN OXIDES	17.751	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	ACETALDEHYDE RECOVERY COLUMN	TOTAL PM10 PARTIC	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	ACETALDEHYDE RECOVERY COLUMN	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	BIO-SOLIDS DRYER	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	BIO-SOLIDS DRYER	TOTAL PM10 PARTIC	0	Active
				TOTAL PM10 PARTIC		

TICONA POLYMERS INC	BISHOP FACILITY	NUECES	BIO-SOLIDS DRYER	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	C-460 PELLET DRYER	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	C-460 PELLET DRYER	TOTAL PARTICULAT	3.988	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	CELCON DIE CLEANING OVEN	TOTAL PARTICULAT	0.014	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	CELCON DIE CLEANING OVEN	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	CELCON DIE CLEANING OVEN	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	CELCON DIE CLEANING OVEN	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	CELCON DIE CLEANING OVEN	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	CELCON DIE CLEANING OVEN	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	CELCON DIE CLEANING OVEN	CARBON MONOXIDE	0.05	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	CELCON DIE CLEANING OVEN	SULFUR DIOXIDE	0.002	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	CELCON DIE CLEANING OVEN	NITROGEN OXIDES	0.028	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	CELROBIC REACTOR (ANAEROBIC REAC	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	COGENERATION	SULFUR DIOXIDE	0.2292	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	COGENERATION	NITROGEN OXIDES	198.52	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	COGENERATION	CARBON MONOXIDE	28.646	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	COGENERATION	TOTAL PARTICULAT	6.3022	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	COGENERATION	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	COGENERATION	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	FLUID BED DRYER	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	FLUID BED DRYER	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	FLUID BED DRYER	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	FLUID BED DRYER	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	FORMCEL REACTOR	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	FORMCEL REACTOR	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	HYDROGEN SEPARATOR	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	HYDROGEN SEPARATOR	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	HYDROGENATION REACTOR	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	HYDROGENATION REACTOR	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	HYDROGENATION REACTOR #2	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	LIQUID INCINERATOR	TOTAL PARTICULAT	0	Demolished
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	LIQUID INCINERATOR	TOTAL PARTICULAT	0	Demolished
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	LIQUID INCINERATOR	TOTAL PM10 PARTI	0	Demolished
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	LIQUID INCINERATOR	TOTAL PM10 PARTI	0	Demolished
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	METHANOL REMOVAL COLUMN	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	METHANOL REMOVAL COLUMN	TOTAL PARTICULAT	0	Active
				TOTAL PM10 PARTI		

TICONA POLYMERS INC	BISHOP FACILITY	NUECES	METHANOL REMOVAL COLUMN	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	METHYL FORMCEL REACTOR	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	METHYL FORMCEL REACTOR	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	METHYL FORMCEL REACTOR	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	METHYL FORMCEL REACTOR	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	NATURAL FINISHING EAST 8" EXTRUDEF	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	NATURAL FINISHING NORTH 8" EXTRUD	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	NATURAL FINISHING NORTH 8" EXTRUD	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	N-BUTYRALDEHYDE STORAGE TANK	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	N-BUTYRALDEHYDE STORAGE TANK	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	OVERFIRED GENERAL TRASH INCINERA	TOTAL PM10 PARTI	0	Demolished
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	OVERFIRED GENERAL TRASH INCINERA	TOTAL PARTICULAT	0	Demolished
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	PRODUCT DRYER	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	PRODUCT DRYER	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	SH-1 FLUID BED DRYER	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	SH-1 FLUID BED DRYER	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	TCCR HEATER	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	TCCR HEATER	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	TRENCH BURNER	NITROGEN OXIDES	1.2762	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	TRENCH BURNER	SULFUR DIOXIDE	0.0319	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	TRENCH BURNER	TOTAL PM10 PARTI	0.6381	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	TRENCH BURNER	TOTAL PARTICULAT	0.6381	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	VERTICAL JET CLEANER (OVEN)	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	VERTICAL JET CLEANER (OVEN)	TOTAL PARTICULAT	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	VERTICAL JET CLEANER (OVEN)	TOTAL PM10 PARTI	0	Active
TICONA POLYMERS INC	BISHOP FACILITY	NUECES	VERTICAL JET CLEANER (OVEN)	TOTAL PARTICULAT	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	CASTING	TOTAL PARTICULAT	0.182	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	CASTING	TOTAL PM10 PARTI	0.182	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	CASTING	TOTAL PARTICULAT	0.182	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	CASTING	TOTAL PM10 PARTI	0.182	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	CASTING	TOTAL PARTICULAT	0.182	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	CASTING	TOTAL PM10 PARTI	0.182	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	MELT FURNACE	NITROGEN DIOXIDE	0.2404	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	MELT FURNACE	CARBON MONOXIDE	0.0505	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	MELT FURNACE	TOTAL PARTICULAT	0.0904	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	MELT FURNACE	TOTAL PM10 PARTI	0.0904	Active
TOSHIBA INTERNATIONAL C						

TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	MELT FURNACE	NITROGEN DIOXIDE	0.2404	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	MELT FURNACE	CARBON MONOXIDE	0.0505	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	MELT FURNACE	TOTAL PARTICULAT	0.0904	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	MELT FURNACE	TOTAL PM10 PARTI	0.0904	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	MELT FURNACE	TOTAL PM2.5 PARTI	0.0904	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	MELT FURNACE	NITROGEN DIOXIDE	0.2404	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	MELT FURNACE	CARBON MONOXIDE	0.0505	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	MELT FURNACE	TOTAL PARTICULAT	0.0904	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	MELT FURNACE	TOTAL PM10 PARTI	0.0904	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	NO. 1 HOLDING FURNACE	TOTAL PARTICULAT	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	NO. 1 HOLDING FURNACE	TOTAL PM10 PARTI	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	NO. 1 MELT FURNACE	TOTAL PARTICULAT	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	NO. 1 MELT FURNACE	TOTAL PM10 PARTI	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	NO. 2 HOLDING FURNACE	TOTAL PARTICULAT	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	NO. 2 HOLDING FURNACE	TOTAL PM10 PARTI	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	NO. 2 MELT FURNACE	TOTAL PARTICULAT	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	NO. 2 MELT FURNACE	TOTAL PM10 PARTI	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	NO. 3 HOLDING FURNACE	TOTAL PARTICULAT	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	NO. 3 HOLDING FURNACE	TOTAL PM10 PARTI	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	NO. 3 MELT FURNACE	TOTAL PARTICULAT	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	NO. 3 MELT FURNACE	TOTAL PM10 PARTI	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	VARNISH	TOTAL PARTICULAT	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	VARNISH	TOTAL PM10 PARTI	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	VARNISH	TOTAL PARTICULAT	0	Active
TOSHIBA INTERNATIONAL C	HOUSTON PLANT	HARRIS	VARNISH	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	CATALYTIC OXIDIZER	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	CATALYTIC OXIDIZER	CARBON MONOXIDE	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	CATALYTIC OXIDIZER	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	HEXANE DRYER	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	HEXANE DRYER	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	HEXANE DRYER	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	HEXANE DRYER	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	OVERHEAD ACCUMULATOR	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	OVERHEAD ACCUMULATOR	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	OVERHEAD ACCUMULATOR	TOTAL PARTICULAT	0	Active
				TOTAL PM10 PARTI		

TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PELLET DRYER EXHAUST	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PELLET DRYER EXHAUST	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PELLET DRYER EXHAUST	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PELLET DRYER EXHAUST	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PELLET DRYER EXHAUST	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PELLET DRYER EXHAUST, TR. 5 & 6	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PELLET DRYER EXHAUST, TR. 5 & 6	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PELLET DRYER EXHAUST, TR. 5 & 6	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PELLET DRYER EXHAUST, TR. 5 & 6	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PROPANE FLASH POT	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PROPANE FLASH POT	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PROPANE FLASH POT	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PROPANE FLASH POT	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PROPYLENE DRYER	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PROPYLENE DRYER	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PROPYLENE DRYER	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PROPYLENE DRYER	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PROPYLENE DRYER	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PROPYLENE DRYERS	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PROPYLENE DRYERS	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE COLUMN	TOTAL PARTICULAT	0	Active
				TOTAL PM10 PARTI		

TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	PURGE CONVEYOR	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	REGENERATION HEATER	TOTAL PM2.5 PARTI	0.0046	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	REGENERATION HEATER	TOTAL PARTICULAT	0.0046	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	REGENERATION HEATER	SULFUR DIOXIDE	0.0001	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	REGENERATION HEATER	NITROGEN OXIDES	0.047	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	REGENERATION HEATER	CARBON MONOXIDE	0.047	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	REGENERATION HEATER	TOTAL PM10 PARTI	0.0046	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	STANDBY INCINERATOR	TOTAL PM2.5 PARTI	0.0715	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	STANDBY INCINERATOR	CARBON MONOXIDE	0.0102	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	STANDBY INCINERATOR	TOTAL PARTICULAT	0.0715	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	STANDBY INCINERATOR	SULFUR DIOXIDE	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	STANDBY INCINERATOR	HYDROGEN CHLOR	0.0001	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	STANDBY INCINERATOR	NITROGEN OXIDES	0.0316	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	STANDBY INCINERATOR	TOTAL PM10 PARTI	0.0715	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	VENT COLUMN	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	VENT COLUMN	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	VENT COLUMN	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	VENT COLUMN	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	VENT GAS BLOWER K.O. POT	TOTAL PM10 PARTI	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	VENT GAS BLOWER K.O. POT	TOTAL PARTICULAT	0	Active
TOTAL PETROCHEMICALS U	LA PORTE PLANT	HARRIS	VENT GAS BLOWER K.O. POT	TOTAL PARTICULAT	0	Active
		MIDLAN				

TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	COUPLING OVEN	NITROGEN OXIDES	0.2389	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	COUPLING OVEN	SULFUR DIOXIDE	0.0008	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	COUPLING OVEN	CARBON MONOXIDE	0.1157	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	COUPLING OVEN	TOTAL PARTICULAT	0.0105	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	COUPLING OVEN	TOTAL PM10 PARTI	0.0105	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	CUSTOM OVEN	TOTAL PM2.5 PARTI	0.001	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	CUSTOM OVEN	NITROGEN OXIDES	0.0232	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	CUSTOM OVEN	SULFUR DIOXIDE	0.0001	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	CUSTOM OVEN	CARBON MONOXIDE	0.0112	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	CUSTOM OVEN	TOTAL PARTICULAT	0.001	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	CUSTOM OVEN	TOTAL PM10 PARTI	0.001	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	FINAL BAKE OVEN	TOTAL PM2.5 PARTI	0.0397	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	FINAL BAKE OVEN	NITROGEN OXIDES	0.9053	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	FINAL BAKE OVEN	SULFUR DIOXIDE	0.0031	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	FINAL BAKE OVEN	CARBON MONOXIDE	0.4386	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	FINAL BAKE OVEN	TOTAL PARTICULAT	0.0397	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	FINAL BAKE OVEN	TOTAL PM10 PARTI	0.0397	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	INTERMEDIATE BAKE OVEN	NITROGEN OXIDES	0.9999	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	INTERMEDIATE BAKE OVEN	SULFUR DIOXIDE	0.0035	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	INTERMEDIATE BAKE OVEN	CARBON MONOXIDE	0.4844	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	INTERMEDIATE BAKE OVEN	TOTAL PARTICULAT	0.0438	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	INTERMEDIATE BAKE OVEN	TOTAL PM10 PARTI	0.0438	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	INTERMEDIATE BAKE OVEN	TOTAL PM2.5 PARTI	0.0438	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	INTERMEDIATE/FINAL BAKE OVEN	TOTAL PM2.5 PARTI	0.0425	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	INTERMEDIATE/FINAL BAKE OVEN	NITROGEN OXIDES	0.9703	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	INTERMEDIATE/FINAL BAKE OVEN	SULFUR DIOXIDE	0.0034	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	INTERMEDIATE/FINAL BAKE OVEN	CARBON MONOXIDE	0.47	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	INTERMEDIATE/FINAL BAKE OVEN	TOTAL PARTICULAT	0.0425	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	INTERMEDIATE/FINAL BAKE OVEN	TOTAL PM10 PARTI	0.0425	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	THERMAL PICKLE OVEN	TOTAL PM2.5 PARTI	0.08	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	THERMAL PICKLE OVEN	NITROGEN OXIDES	1.8245	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	THERMAL PICKLE OVEN	SULFUR DIOXIDE	0.0063	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	THERMAL PICKLE OVEN	CARBON MONOXIDE	3.5417	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	THERMAL PICKLE OVEN	TOTAL PARTICULAT	0.08	Active
TUBOSCOPE VETCO INTERN	MIDLAND COATING P	MIDLAN	THERMAL PICKLE OVEN	TOTAL PM10 PARTI	0.08	Active
		GRIMES				

TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	CUSTOM OVEN	CARBON MONOXIDE	0.0021	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	CUSTOM OVEN	TOTAL PARTICULAT	0.0002	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	CUSTOM OVEN	TOTAL PM10 PARTI	0.0002	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	FINAL BAKE OVEN	SULFUR DIOXIDE	0.0042	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	FINAL BAKE OVEN	TOTAL PM2.5 PARTI	0.0533	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	FINAL BAKE OVEN	NITROGEN OXIDES	1.217	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	FINAL BAKE OVEN	CARBON MONOXIDE	0.5895	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	FINAL BAKE OVEN	TOTAL PARTICULAT	0.0533	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	FINAL BAKE OVEN	TOTAL PM10 PARTI	0.0533	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	INTERMEDIATE BAKE OVEN NO. 1	TOTAL PM2.5 PARTI	0.0687	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	INTERMEDIATE BAKE OVEN NO. 1	NITROGEN OXIDES	1.5672	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	INTERMEDIATE BAKE OVEN NO. 1	SULFUR DIOXIDE	0.0054	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	INTERMEDIATE BAKE OVEN NO. 1	CARBON MONOXIDE	0.7592	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	INTERMEDIATE BAKE OVEN NO. 1	TOTAL PARTICULAT	0.0687	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	INTERMEDIATE BAKE OVEN NO. 1	TOTAL PM10 PARTI	0.0687	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	INTERMEDIATE BAKE OVEN NO. 2	SULFUR DIOXIDE	0.0058	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	INTERMEDIATE BAKE OVEN NO. 2	TOTAL PM2.5 PARTI	0.0735	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	INTERMEDIATE BAKE OVEN NO. 2	NITROGEN OXIDES	1.677	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	INTERMEDIATE BAKE OVEN NO. 2	CARBON MONOXIDE	0.8124	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	INTERMEDIATE BAKE OVEN NO. 2	TOTAL PARTICULAT	0.0735	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	INTERMEDIATE BAKE OVEN NO. 2	TOTAL PM10 PARTI	0.0735	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	WASTEWATER EVAPORATOR	TOTAL PM2.5 PARTI	0.0003	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	WASTEWATER EVAPORATOR	NITROGEN OXIDES	0.0152	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	WASTEWATER EVAPORATOR	SULFUR DIOXIDE	0.0001	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	WASTEWATER EVAPORATOR	CARBON MONOXIDE	0.0073	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	WASTEWATER EVAPORATOR	TOTAL PARTICULAT	0.0007	Active
TUBOSCOPE VETCO INTERN	NAVASOTA COATING	GRIMES	WASTEWATER EVAPORATOR	TOTAL PM10 PARTI	0.0007	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	"P-3" PELLETER DRYER	TOTAL PARTICULAT	1.7031	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	"P-3" PELLETER DRYER	TOTAL PM10 PARTI	1.7031	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	BARGE LOADING	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	BARGE LOADING	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	CATALYTIC BURNER	TOTAL PARTICULAT	0	Demolished
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	CATALYTIC BURNER	TOTAL PM10 PARTI	0	Demolished
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	CATALYTIC BURNER (OFF GAS)	TOTAL PARTICULAT	0	Demolished
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	CATALYTIC BURNER (OFF GAS)	TOTAL PM10 PARTI	0	Demolished
				TOTAL PM10 PARTI		

UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	CATALYTIC OXIDIZER	TOTAL PARTICULAT	0	Permitted, but not built
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	OLEFINS UNIT FLARE	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	OLEFINS UNIT FLARE	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	OLEFINS UNIT FLARE	NITROGEN DIOXIDE	0	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	OLEFINS UNIT FLARE	CARBON MONOXIDE	0	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	OLEFINS UNIT FURNACE NO. 12	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	OLEFINS UNIT FURNACE NO. 12	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	OLEFINS UNIT FURNACE NO. 8	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	OLEFINS UNIT FURNACE NO. 8	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	OXIDE 2 WASTE HEAT BOILER	TOTAL PARTICULAT	5.3568	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	OXIDE 2 WASTE HEAT BOILER	TOTAL PM10 PARTI	5.3568	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	OXIDE 2 WASTE HEAT BOILER	TOTAL PM2.5 PARTI	5.3568	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	OXIDE 2 WASTE HEAT BOILER	NITROGEN DIOXIDE	117.38	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	OXIDE 2 WASTE HEAT BOILER	CARBON MONOXIDE	493.35	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	P1 PELLET DRYER EXHAUST	TOTAL PARTICULAT	0.8219	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	P1 PELLET DRYER EXHAUST	TOTAL PM10 PARTI	0.8219	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	REACTOR C-4001	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	REACTOR C-4001	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	RX1 EXTRUDER DRYER	TOTAL PM10 PARTI	1.5186	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	RX2 EXT. DRYER	TOTAL PARTICULAT	1.5873	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	RX2 EXT. DRYER	TOTAL PM10 PARTI	1.5873	Active
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	STARTUP BURNER	TOTAL PARTICULAT	0	Demolished
UNION CARBIDE CORP	SEADRIFT PLANT	CALHOU	STARTUP BURNER	TOTAL PM10 PARTI	0	Demolished
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	"CO2" SYSTEM	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	"CO2" SYSTEM	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	"D01A-DESTC"	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	"D01A-DESTC"	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#1 CRACK. FURN. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#1 CRACK. FURN. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#10 CRACK. FUR. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#10 CRACK. FUR. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#11 CRACK. FUR. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#11 CRACK. FUR. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#12 CRACK. FUR. STACK	TOTAL PM10 PARTI	0	Active
				TOTAL PM10 PARTI		

UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#13 CRACK. FUR. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#14 CRACK. FUR. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#14 CRACK. FUR. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#15 CRACK. FUR. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#15 CRACK. FUR. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#16 CRACK. FUR. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#16 CRACK. FUR. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#17 CRACK. FUR. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#17 CRACK. FUR. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#18 CRACK. FUR. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#18 CRACK. FUR. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#19 CRACK. FUR. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#19 CRACK. FUR. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#2 CRACK. FURN. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#2 CRACK. FURN. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#20 CRACK. FUR. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#20 CRACK. FUR. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#21 FURN. LIQ. FEED	TOTAL PARTICULAT	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#21 FURNACE FEED	TOTAL PARTICULAT	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#21 FURNACE FEED	TOTAL PM10 PARTI	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#21 FURNACE FEED	TOTAL PARTICULAT	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#3 CRACK. FURN. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#3 CRACK. FURN. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#4 CRACK. FURN. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#4 CRACK. FURN. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#5 CRACK. FURN. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#5 CRACK. FURN. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#6 CRACK. FURN. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#6 CRACK. FURN. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#7 CRACK. FURN. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#7 CRACK. FURN. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#8 CRACK. FURN. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#8 CRACK. FURN. STACK	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#9 CRACK. FURN. STACK	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	#9 CRACK. FURN. STACK	TOTAL PM10 PARTI	0	Active
				TOTAL PM10 PARTI		

UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	CO2 INCINERATOR	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	CO2 INCINERATOR	TOTAL PARTICULAT	0.0003	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	CO2 INCINERATOR	CARBON MONOXIDE	2.1405	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	CO2 INCINERATOR	NITROGEN OXIDES	0.0195	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	CO2 INCINERATOR	SULFUR DIOXIDE	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	FUEL #21 FURNACE	TOTAL PM10 PARTI	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	FUEL #21 FURNACE	TOTAL PARTICULAT	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	FURNACE FEED	TOTAL PM10 PARTI	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	FURNACE FEED	TOTAL PARTICULAT	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	FURNACE FEED	TOTAL PM10 PARTI	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	FURNACE FEED	TOTAL PARTICULAT	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	FURNACE GAS	TOTAL PARTICULAT	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	FURNACE GAS	TOTAL PM10 PARTI	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	FURNACE GAS DRYERS	TOTAL PM10 PARTI	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	FURNACE GAS DRYERS	TOTAL PM10 PARTI	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	FURNACE GAS DRYERS	TOTAL PARTICULAT	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	FURNACE NO. 21	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	FURNACE NO. 21	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	MIXED ORGANICS RESIDUES	TOTAL PM10 PARTI	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	NO. 36 STEAM SUPERHEATER	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	NO. 36 STEAM SUPERHEATER	TOTAL PM10 PARTI	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	POLYMER INCIN. STACK	TOTAL PM2.5 PARTI	1.0195	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	POLYMER INCIN. STACK	HYDROGEN CHLOR	0.0431	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	POLYMER INCIN. STACK	NITROGEN OXIDES	2.8661	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	POLYMER INCIN. STACK	CARBON MONOXIDE	0.6218	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	POLYMER INCIN. STACK	SULFUR DIOXIDE	0.4374	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	POLYMER INCIN. STACK	TOTAL PARTICULAT	1.1469	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	POLYMER INCIN. STACK	TOTAL PM10 PARTI	1.0195	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	POLYMER SYSTEM	TOTAL PARTICULAT	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	POLYMER SYSTEM	TOTAL PM10 PARTI	0	Shutdown
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	REACTION FURNACE STK.	TOTAL PARTICULAT	0	Idle
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	REACTION FURNACE STK.	TOTAL PM10 PARTI	0	Idle
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	SYNTHESIS GAS SUPPLY UNIT	TOTAL PARTICULAT	0	Active
UNION CARBIDE CORPORAT	VINYL ACETATE FAC	GALVES	SYNTHESIS GAS SUPPLY UNIT	TOTAL PM10 PARTI	0	Active
				TOTAL PM10 PARTI		

VALSPAR COATINGS	PAINT MFG.	DALLAS	"TO-1"	TOTAL PARTICULAT	0.0661	Active
VALSPAR COATINGS	PAINT MFG.	DALLAS	"TO-1"	TOTAL PM2.5 PARTI	0.0661	Active
VALSPAR COATINGS	PAINT MFG.	DALLAS	"TO-1"	NITROGEN OXIDES	0.8698	Active
VALSPAR COATINGS	PAINT MFG.	DALLAS	"TO-1"	CARBON MONOXIDE	0.7306	Active
VALSPAR COATINGS	PAINT MFG.	DALLAS	"TO-1"	SULFUR DIOXIDE	0.0052	Active
VALSPAR COATINGS	PAINT MFG.	DALLAS	"TO-1"	LEAD OXIDE	0	Active
VALSPAR COATINGS	PAINT MFG.	DALLAS	"TO-1"	TOTAL PM10 PARTI	0.0661	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 1	TOTAL PM2.5 PARTI	0.09	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 1	NITROGEN OXIDES	1.23	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 1	CARBON MONOXIDE	0.04	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 1	SULFUR DIOXIDE	0.007	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 1	LEAD-PB	0	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 1	TOTAL PARTICULAT	0.09	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 1	TOTAL PM10 PARTI	0.09	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	TOTAL PM2.5 PARTI	0.1	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	NITROGEN OXIDES	1.27	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	CARBON MONOXIDE	0.04	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	SULFUR DIOXIDE	0.008	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	LEAD-PB	0	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	TOTAL PARTICULAT	0.1	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	TOTAL PM10 PARTI	0.1	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	TOTAL PM2.5 PARTI	0.09	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	NITROGEN OXIDES	1.2	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	CARBON MONOXIDE	0.04	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	SULFUR DIOXIDE	0.007	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	LEAD-PB	0	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	TOTAL PARTICULAT	0.09	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	INCINERATOR 2	TOTAL PM10 PARTI	0.09	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	LA PORTE STEEL DRUM PLANT	TOTAL PM2.5 PARTI	0.002	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	LA PORTE STEEL DRUM PLANT	NITROGEN OXIDES	0.03	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	LA PORTE STEEL DRUM PLANT	CARBON MONOXIDE	0.001	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	LA PORTE STEEL DRUM PLANT	SULFUR DIOXIDE	0.0002	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	LA PORTE STEEL DRUM PLANT	LEAD-PB	0	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	LA PORTE STEEL DRUM PLANT	TOTAL PARTICULAT	0.002	Active
				TOTAL PM10 PARTI		

VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	LA PORTE STEEL DRUM PLANT	TOTAL PARTICULAT	0	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	LA PORTE STEEL DRUM PLANT	TOTAL PM10 PARTI	0	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	LA PORTE STEEL DRUM PLANT	TOTAL PARTICULAT	0	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	LA PORTE STEEL DRUM PLANT	TOTAL PM10 PARTI	0	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	PBTH2	TOTAL PARTICULAT	0	Active
VAN LEER CONTAINERS INC	VAN LEER CONTAINE	HARRIS	PBTH2	TOTAL PM10 PARTI	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PARTICULAT	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PM10 PARTI	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PARTICULAT	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PM10 PARTI	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PARTICULAT	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PM10 PARTI	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PARTICULAT	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PM10 PARTI	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PARTICULAT	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PM10 PARTI	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PARTICULAT	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PM10 PARTI	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PARTICULAT	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PM10 PARTI	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PARTICULAT	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	JOIST DRYER & STORE YARD 11	TOTAL PM10 PARTI	0	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	ROLL CLEANER	TOTAL PM2.5 PARTI	0.011	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	ROLL CLEANER	NITROGEN OXIDES	0.4	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	ROLL CLEANER	SULFUR DIOXIDE	0.0026	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	ROLL CLEANER	CARBON MONOXIDE	0.09	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	ROLL CLEANER	TOTAL PARTICULAT	0.011	Active
VULCRAFT COMPANY	VULCRAFT COMPAN	HOUSTO	ROLL CLEANER	TOTAL PM10 PARTI	0.011	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	ALF PROC HEATER	TOTAL PM10 PARTI	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	ALF PROC HEATER	TOTAL PARTICULAT	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	AU PROC HEATER	TOTAL PM10 PARTI	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	AU PROC HEATER	TOTAL PARTICULAT	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	DEO PROC HEATER	TOTAL PM10 PARTI	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	DEO PROC HEATER	TOTAL PARTICULAT	0	Active
				TOTAL PARTICULAT		

WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	DEU PROC HEATER	TOTAL PM10 PARTI	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	HEU PROC HEATER	TOTAL PM10 PARTI	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	HEU PROC HEATER	TOTAL PM10 PARTI	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	HEU PROC HEATER	TOTAL PARTICULAT	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	HEU PROC HEATER	TOTAL PARTICULAT	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	NS PROC HEATER	TOTAL PM10 PARTI	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	NS PROC HEATER	TOTAL PARTICULAT	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	REU PROC HEATER	TOTAL PM10 PARTI	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	REU PROC HEATER	TOTAL PM10 PARTI	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	REU PROC HEATER	TOTAL PARTICULAT	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	REU PROC HEATER	TOTAL PARTICULAT	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	REU PROC HEATER	TOTAL PM10 PARTI	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	REU PROC HEATER	TOTAL PARTICULAT	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	RF PROC HEATER	TOTAL PM10 PARTI	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	RF PROC HEATER	TOTAL PM10 PARTI	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	RF PROC HEATER	TOTAL PARTICULAT	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	RF PROC HEATER	TOTAL PARTICULAT	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	VAPOR COMBUSTION	TOTAL PM10 PARTI	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	VAPOR COMBUSTION	TOTAL PARTICULAT	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	WATER STRIPPER HEATER	TOTAL PARTICULAT	0	Active
WEST BAY ORGANICS	CHAMBERS PLANT	CHAMBE	WATER STRIPPER HEATER	TOTAL PM10 PARTI	0	Active
WESTERN CABINETS INC	CEDAR HILL PLANT	DALLAS	CURING OVEN	TOTAL PM2.5 PARTI	0.0046	Active
WESTERN CABINETS INC	CEDAR HILL PLANT	DALLAS	CURING OVEN	NITROGEN OXIDES	0.0612	Active
WESTERN CABINETS INC	CEDAR HILL PLANT	DALLAS	CURING OVEN	SULFUR DIOXIDE	0.0004	Active
WESTERN CABINETS INC	CEDAR HILL PLANT	DALLAS	CURING OVEN	CARBON MONOXIDE	0.0514	Active
WESTERN CABINETS INC	CEDAR HILL PLANT	DALLAS	CURING OVEN	TOTAL PARTICULAT	0.0046	Active
WESTERN CABINETS INC	CEDAR HILL PLANT	DALLAS	CURING OVEN	TOTAL PM10 PARTI	0.0046	Active
WESTERN CABINETS INC	CEDAR HILL PLANT	DALLAS	FLASH OFF CHAMBER	TOTAL PM2.5 PARTI	0.0046	Active
WESTERN CABINETS INC	CEDAR HILL PLANT	DALLAS	FLASH OFF CHAMBER	NITROGEN OXIDES	0.0612	Active
WESTERN CABINETS INC	CEDAR HILL PLANT	DALLAS	FLASH OFF CHAMBER	SULFUR DIOXIDE	0.0004	Active
WESTERN CABINETS INC	CEDAR HILL PLANT	DALLAS	FLASH OFF CHAMBER	CARBON MONOXIDE	0.0514	Active
WESTERN CABINETS INC	CEDAR HILL PLANT	DALLAS	FLASH OFF CHAMBER	TOTAL PARTICULAT	0.0046	Active
WESTERN CABINETS INC	CEDAR HILL PLANT	DALLAS	FLASH OFF CHAMBER	TOTAL PM10 PARTI	0.0046	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE	TOTAL PM2.5 PARTI	0.0222	Active
				CARBON MONOXIDE		

WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE	TOTAL PARTICULAT	0.0222	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE	TOTAL PM10 PARTI	0.0222	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE	TOTAL PM2.5 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE	NITROGEN OXIDES	0.1555	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE	SULFUR DIOXIDE	0.0009	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE	CARBON MONOXIDE	0.1306	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE	TOTAL PARTICULAT	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE	TOTAL PM10 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 1561	TOTAL PM2.5 PARTI	0.0286	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 1561	NITROGEN OXIDES	0.376	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 1561	SULFUR DIOXIDE	0.0023	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 1561	CARBON MONOXIDE	0.3158	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 1561	TOTAL PARTICULAT	0.0286	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 1561	TOTAL PM10 PARTI	0.0286	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 1562	TOTAL PM2.5 PARTI	0.0286	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 1562	NITROGEN OXIDES	0.376	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 1562	SULFUR DIOXIDE	0.0023	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 1562	CARBON MONOXIDE	0.3158	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 1562	TOTAL PARTICULAT	0.0286	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 1562	TOTAL PM10 PARTI	0.0286	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 2660	TOTAL PM2.5 PARTI	0.0286	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 2660	NITROGEN OXIDES	0.376	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 2660	SULFUR DIOXIDE	0.0023	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 2660	CARBON MONOXIDE	0.3158	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 2660	TOTAL PARTICULAT	0.0286	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 2660	TOTAL PM10 PARTI	0.0286	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 2775	TOTAL PM2.5 PARTI	0.0286	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 2775	NITROGEN OXIDES	0.376	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 2775	SULFUR DIOXIDE	0.0023	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 2775	CARBON MONOXIDE	0.3158	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 2775	TOTAL PARTICULAT	0.0286	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	BOX FURNACE 2775	TOTAL PM10 PARTI	0.0286	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE	TOTAL PM2.5 PARTI	0.3686	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE	NITROGEN OXIDES	1.69	Active
				TOTAL PARTICULAT		

WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE	TOTAL PM10 PARTI	0.3686	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE	TOTAL PM2.5 PARTI	0.096	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE	NITROGEN OXIDES	1.2635	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE	SULFUR DIOXIDE	0.0076	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE	CARBON MONOXIDE	1.0613	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE	TOTAL PARTICULAT	0.096	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE	TOTAL PM10 PARTI	0.096	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE "P278"	TOTAL PM2.5 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE "P278"	NITROGEN OXIDES	0.1555	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE "P278"	SULFUR DIOXIDE	0.0009	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE "P278"	CARBON MONOXIDE	0.1306	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE "P278"	TOTAL PARTICULAT	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	CAR BOTTOM FURNACE "P278"	TOTAL PM10 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	NITROGEN OXIDES	0.1035	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	SULFUR DIOXIDE	0.0006	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	CARBON MONOXIDE	0.0869	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PM2.5 PARTI	0.0079	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PARTICULAT	0.0079	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PM10 PARTI	0.0079	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PM2.5 PARTI	0.0148	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	NITROGEN OXIDES	0.1945	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	SULFUR DIOXIDE	0.0012	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	CARBON MONOXIDE	0.1634	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PARTICULAT	0.0148	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PM10 PARTI	0.0148	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PM2.5 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	NITROGEN OXIDES	0.1555	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	SULFUR DIOXIDE	0.0009	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	CARBON MONOXIDE	0.1306	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PARTICULAT	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PM10 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PM2.5 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	NITROGEN OXIDES	0.1555	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	SULFUR DIOXIDE	0.0009	Active
				TOTAL PM10 PARTI		

WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PM2.5 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	NITROGEN OXIDES	0.1555	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	SULFUR DIOXIDE	0.0009	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	CARBON MONOXIDE	0.1306	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PARTICULAT	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PM10 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PM2.5 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	NITROGEN OXIDES	0.1555	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	SULFUR DIOXIDE	0.0009	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	CARBON MONOXIDE	0.1306	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PARTICULAT	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PM10 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PM2.5 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	NITROGEN OXIDES	0.1555	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	SULFUR DIOXIDE	0.0009	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	CARBON MONOXIDE	0.1306	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PARTICULAT	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE	TOTAL PM10 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE "W508"	TOTAL PM2.5 PARTI	0.002	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE "W508"	NITROGEN OXIDES	0.026	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE "W508"	SULFUR DIOXIDE	0.0003	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE "W508"	CARBON MONOXIDE	0.0218	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE "W508"	TOTAL PARTICULAT	0.002	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEAT FURNACE "W508"	TOTAL PM10 PARTI	0.002	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEATING	CARBON MONOXIDE	0.1306	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEATING	TOTAL PARTICULAT	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEATING	TOTAL PM10 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEATING	TOTAL PM2.5 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEATING	NITROGEN OXIDES	0.1555	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	DIE PREHEATING	SULFUR DIOXIDE	0.0009	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE	TOTAL PM2.5 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE	NITROGEN OXIDES	0.1555	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE	SULFUR DIOXIDE	0.0009	Active
WYMAN-GORDON FORGING						

WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE	NITROGEN OXIDES	0	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE	SULFUR DIOXIDE	0	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE	CARBON MONOXIDE	0	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE	TOTAL PARTICULAT	0	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE	TOTAL PM10 PARTI	0	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE "M675"	TOTAL PM2.5 PARTI	0.0887	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE "M675"	NITROGEN OXIDES	1.1665	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE "M675"	SULFUR DIOXIDE	0.007	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE "M675"	CARBON MONOXIDE	0.9799	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE "M675"	TOTAL PARTICULAT	0.0887	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE "M675"	TOTAL PM10 PARTI	0.0887	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE "M914"	TOTAL PM2.5 PARTI	0.0887	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE "M914"	NITROGEN OXIDES	1.1665	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE "M914"	SULFUR DIOXIDE	0.007	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE "M914"	CARBON MONOXIDE	0.9799	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE "M914"	TOTAL PARTICULAT	0.0887	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE "M914"	TOTAL PM10 PARTI	0.0887	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2491	TOTAL PM2.5 PARTI	0.0887	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2491	NITROGEN OXIDES	1.1665	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2491	SULFUR DIOXIDE	0.007	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2491	CARBON MONOXIDE	0.9799	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2491	TOTAL PARTICULAT	0.0887	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2491	TOTAL PM10 PARTI	0.0887	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2492	TOTAL PM2.5 PARTI	0.0887	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2492	NITROGEN OXIDES	1.1665	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2492	SULFUR DIOXIDE	0.007	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2492	CARBON MONOXIDE	0.9799	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2492	TOTAL PARTICULAT	0.0887	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2492	TOTAL PM10 PARTI	0.0887	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2774	TOTAL PM2.5 PARTI	0.0296	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2774	NITROGEN OXIDES	0.389	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2774	SULFUR DIOXIDE	0.0023	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2774	CARBON MONOXIDE	0.3268	Active
WYMAN-GORDON FORGING						

WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2918	SULFUR DIOXIDE	0.0023	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2918	CARBON MONOXIDE	0.3268	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2918	TOTAL PARTICULAT	0.0296	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 2918	TOTAL PM10 PARTI	0.0296	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 3222	TOTAL PM2.5 PARTI	0.0296	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 3222	NITROGEN OXIDES	0.389	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 3222	SULFUR DIOXIDE	0.0023	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 3222	CARBON MONOXIDE	0.3268	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 3222	TOTAL PARTICULAT	0.0296	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 3222	TOTAL PM10 PARTI	0.0296	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 3223	TOTAL PM2.5 PARTI	0.0296	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 3223	NITROGEN OXIDES	0.389	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 3223	SULFUR DIOXIDE	0.0023	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 3223	CARBON MONOXIDE	0.3268	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 3223	TOTAL PARTICULAT	0.0296	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	FURNACE 3223	TOTAL PM10 PARTI	0.0296	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	INGOT PREHEAT FURNACE	TOTAL PM2.5 PARTI	0.1517	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	INGOT PREHEAT FURNACE	NITROGEN OXIDES	1.996	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	INGOT PREHEAT FURNACE	SULFUR DIOXIDE	0.012	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	INGOT PREHEAT FURNACE	CARBON MONOXIDE	1.6766	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	INGOT PREHEAT FURNACE	TOTAL PARTICULAT	0.1517	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	INGOT PREHEAT FURNACE	TOTAL PM10 PARTI	0.1517	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	JAW HEATER FURNACE	TOTAL PM2.5 PARTI	0.0222	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	JAW HEATER FURNACE	NITROGEN OXIDES	0.2915	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	JAW HEATER FURNACE	SULFUR DIOXIDE	0.0002	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	JAW HEATER FURNACE	CARBON MONOXIDE	0.2449	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	JAW HEATER FURNACE	TOTAL PARTICULAT	0.0222	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	JAW HEATER FURNACE	TOTAL PM10 PARTI	0.0222	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PIPE HEAT TREAT	TOTAL PM2.5 PARTI	0.4893	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PIPE HEAT TREAT	NITROGEN OXIDES	1.21	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PIPE HEAT TREAT	SULFUR DIOXIDE	0.0386	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PIPE HEAT TREAT	CARBON MONOXIDE	5.4083	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PIPE HEAT TREAT	TOTAL PARTICULAT	0.4893	Active
WYMAN-GORDON FORGING						

WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PIPE HEAT TREAT FURNACE	CARBON MONOXIDE	5.2357	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PIPE HEAT TREAT FURNACE	TOTAL PARTICULAT	0.4737	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PIPE HEAT TREAT FURNACE	TOTAL PM10 PARTI	0.4737	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PREP. FURNACE	TOTAL PM2.5 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PREP. FURNACE	NITROGEN OXIDES	0.1555	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PREP. FURNACE	SULFUR DIOXIDE	0.0009	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PREP. FURNACE	CARBON MONOXIDE	0.1306	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PREP. FURNACE	TOTAL PARTICULAT	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	PREP. FURNACE	TOTAL PM10 PARTI	0.0118	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	R. & D. FURNACE	TOTAL PM2.5 PARTI	0.0074	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	R. & D. FURNACE	NITROGEN OXIDES	0.097	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	R. & D. FURNACE	SULFUR DIOXIDE	0.0006	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	R. & D. FURNACE	CARBON MONOXIDE	0.0815	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	R. & D. FURNACE	TOTAL PARTICULAT	0.0074	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	R. & D. FURNACE	TOTAL PM10 PARTI	0.0074	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	TOTAL PM2.5 PARTI	0.115	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	NITROGEN OXIDES	1.5125	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	SULFUR DIOXIDE	0.0091	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	CARBON MONOXIDE	1.2705	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	TOTAL PARTICULAT	0.115	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	TOTAL PM10 PARTI	0.115	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	TOTAL PM2.5 PARTI	0.7378	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	NITROGEN OXIDES	5.87	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	SULFUR DIOXIDE	0.0582	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	CARBON MONOXIDE	8.1547	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	TOTAL PARTICULAT	0.7378	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	TOTAL PM10 PARTI	0.7378	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	TOTAL PM2.5 PARTI	0.2704	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	NITROGEN OXIDES	2.33	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	SULFUR DIOXIDE	0.0213	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	CARBON MONOXIDE	2.9883	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	TOTAL PARTICULAT	0.2704	Active
WYMAN-GORDON FORGING	CYPRESS PLANT	HARRIS	ROTARY FURNACE	TOTAL PM10 PARTI	0.2704	Active
				CARBON MONOXIDE		

NSPS FFFF- OtherSolid Waste Incineration Units						
Company (12 Facilities)	Site Name	County	Unit	Pollutant	tpy	Status
BAYLOR COLLEGE OF MEDICINE	BAYLOR COLLEGE OF MED	HARRIS	BOILER 1	NITROGEN OXIDES	0.176	Active
BAYLOR COLLEGE OF MEDICINE	BAYLOR COLLEGE OF MED	HARRIS	BOILER 1	SULFUR DIOXIDE	0.002	Active
BAYLOR COLLEGE OF MEDICINE	BAYLOR COLLEGE OF MED	HARRIS	BOILER 1	CARBON MONOXID	0.224	Active
BAYLOR COLLEGE OF MEDICINE	BAYLOR COLLEGE OF MED	HARRIS	BOILER 1	TOTAL PARTICULA	0.149	Active
BAYLOR COLLEGE OF MEDICINE	BAYLOR COLLEGE OF MED	HARRIS	BOILER 1	TOTAL PM10 PART	0.149	Active
BAYLOR COLLEGE OF MEDICINE	BAYLOR COLLEGE OF MED	HARRIS	CARPENTRY SHOP V.O.C. FU	TOTAL PARTICULA	0	Active
BAYLOR COLLEGE OF MEDICINE	BAYLOR COLLEGE OF MED	HARRIS	CARPENTRY SHOP V.O.C. FU	TOTAL PM10 PART	0	Active
CLEAN HARBORS DEER PARK LF	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	NITROGEN OXIDES	72.6	Active
CLEAN HARBORS DEER PARK LF	CLEAN HARBORS DEER PARK	HARRIS	HAZARDOUS WASTE INCINE	CARBON MONOXID	0.06	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PM2.5 PART	0.002	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	NITROGEN OXIDES	0.029	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	SULFUR DIOXIDE	2E-04	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	CARBON MONOXID	0.025	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PARTICULA	0.002	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PM10 PART	0.002	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PARTICULA	0	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PM10 PART	0	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PARTICULA	0	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PM10 PART	0	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PARTICULA	0	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PM10 PART	0	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PARTICULA	0	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PM10 PART	0	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PARTICULA	0	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PM10 PART	0	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PARTICULA	0	Active
CORPUS CHRISTI ARMY DEPOT	CORPUS CHRISTI ARMY DEPO	NUECES	HEAT TREAT SHOP	TOTAL PM10 PART	0	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	SOLIDIFICATION OF LIQUID V	TOTAL PM2.5 PART	0.002	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	SOLIDIFICATION OF LIQUID V	TOTAL PARTICULA	0.003	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	SOLIDIFICATION OF LIQUID V	TOTAL PM10 PART	0.002	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	TURBINE	NITROGEN DIOXIDI	13.23	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	TURBINE	SULFUR DIOXIDE	3.61	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	TURBINE	CARBON MONOXID	15.65	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	TURBINE	TOTAL PM2.5 PART	3.01	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	TURBINE	TOTAL PARTICULA	3.01	Active

DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	TURBINE	TOTAL PM10 PART	3.01	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	TURBINE	NITROGEN DIOXIDI	15.71	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	TURBINE	SULFUR DIOXIDE	5.56	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	TURBINE	CARBON MONOXID	14.38	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	TURBINE	TOTAL PM2.5 PART	3.52	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	TURBINE	TOTAL PARTICULA	3.52	Active
DFW RECYCLING AND DISPOSAL	SOLID WASTE DISPOSAL	DENTON	TURBINE	TOTAL PM10 PART	3.52	Active
RANDOLPH AIR FORCE BASE	RANDOLPH AIR FORCE BASE	BEXAR	FIRE TRAINING AREA--PROP	NITROGEN OXIDES	0.003	Active
RANDOLPH AIR FORCE BASE	RANDOLPH AIR FORCE BASE	BEXAR	FIRE TRAINING AREA--PROP	CARBON MONOXID	0.009	Active
RANDOLPH AIR FORCE BASE	RANDOLPH AIR FORCE BASE	BEXAR	FIRE TRAINING AREA--PROP	TOTAL PARTICULA	0.195	Active
RANDOLPH AIR FORCE BASE	RANDOLPH AIR FORCE BASE	BEXAR	FIRE TRAINING AREA--PROP	TOTAL PM10 PART	0.195	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. "323A" DRYING OVEN	TOTAL PARTICULA	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. "323A" DRYING OVEN	TOTAL PM10 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. "420A" NATURAL GAS	TOTAL PM2.5 PART	0.002	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. "420A" NATURAL GAS	NITROGEN OXIDES	0.027	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. "420A" NATURAL GAS	SULFUR DIOXIDE	2E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. "420A" NATURAL GAS	CARBON MONOXID	0.011	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. "420A" NATURAL GAS	TOTAL PARTICULA	0.002	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. "420A" NATURAL GAS	TOTAL PM10 PART	0.002	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1142 NAT. GAS BOILE	TOTAL PM2.5 PART	0.072	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1142 NAT. GAS BOILE	NITROGEN OXIDES	0.948	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1142 NAT. GAS BOILE	SULFUR DIOXIDE	0.006	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1142 NAT. GAS BOILE	CARBON MONOXID	0.797	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1142 NAT. GAS BOILE	TOTAL PARTICULA	0.072	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1142 NAT. GAS BOILE	TOTAL PM10 PART	0.072	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1142 NAT. GAS BOILE	TOTAL PM2.5 PART	0.072	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1142 NAT. GAS BOILE	NITROGEN OXIDES	0.948	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1142 NAT. GAS BOILE	SULFUR DIOXIDE	0.006	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1142 NAT. GAS BOILE	CARBON MONOXID	0.797	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1142 NAT. GAS BOILE	TOTAL PARTICULA	0.072	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1142 NAT. GAS BOILE	TOTAL PM10 PART	0.072	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1172--NATURAL GAS I	TOTAL PM2.5 PART	0.006	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1172--NATURAL GAS I	NITROGEN OXIDES	0.081	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1172--NATURAL GAS I	SULFUR DIOXIDE	5E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1172--NATURAL GAS I	CARBON MONOXID	0.068	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1172--NATURAL GAS I	TOTAL PARTICULA	0.006	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1172--NATURAL GAS I	TOTAL PM10 PART	0.006	Active

RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1174--NATURAL GAS I	TOTAL PM2.5 PART	0.01	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1174--NATURAL GAS I	NITROGEN OXIDES	0.136	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1174--NATURAL GAS I	SULFUR DIOXIDE	8E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1174--NATURAL GAS I	CARBON MONOXID	0.114	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1174--NATURAL GAS I	TOTAL PARTICULA	0.01	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 1174--NATURAL GAS I	TOTAL PM10 PART	0.01	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 133 NAT. GAS HEAT C	TOTAL PM2.5 PART	0.01	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 133 NAT. GAS HEAT C	NITROGEN OXIDES	0.133	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 133 NAT. GAS HEAT C	SULFUR DIOXIDE	8E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 133 NAT. GAS HEAT C	CARBON MONOXID	0.112	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 133 NAT. GAS HEAT C	TOTAL PARTICULA	0.01	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 133 NAT. GAS HEAT C	TOTAL PM10 PART	0.01	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 133--NAT. GAS BOOT	TOTAL PM2.5 PART	0.003	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 133--NAT. GAS BOOT	NITROGEN OXIDES	0.042	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 133--NAT. GAS BOOT	SULFUR DIOXIDE	3E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 133--NAT. GAS BOOT	CARBON MONOXID	0.018	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 133--NAT. GAS BOOT	TOTAL PARTICULA	0.003	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 133--NAT. GAS BOOT	TOTAL PM10 PART	0.003	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 300--NATURAL GAS B	TOTAL PM2.5 PART	0.012	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 300--NATURAL GAS B	NITROGEN OXIDES	0.155	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 300--NATURAL GAS B	SULFUR DIOXIDE	9E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 300--NATURAL GAS B	CARBON MONOXID	0.13	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 300--NATURAL GAS B	TOTAL PARTICULA	0.012	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 300--NATURAL GAS B	TOTAL PM10 PART	0.012	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--DRAW FURNACE	TOTAL PM2.5 PART	0.041	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--DRAW FURNACE	NITROGEN OXIDES	0.501	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--DRAW FURNACE	SULFUR DIOXIDE	0.003	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--DRAW FURNACE	CARBON MONOXID	0.213	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--DRAW FURNACE	TOTAL PARTICULA	0.041	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--DRAW FURNACE	TOTAL PM10 PART	0.041	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--NAT. GAS HEATE	TOTAL PM2.5 PART	8E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--NAT. GAS HEATE	NITROGEN OXIDES	0.01	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--NAT. GAS HEATE	SULFUR DIOXIDE	1E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--NAT. GAS HEATE	CARBON MONOXID	0.004	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--NAT. GAS HEATE	TOTAL PARTICULA	8E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--NAT. GAS HEATE	TOTAL PM10 PART	8E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--NAT. GAS HEATE	TOTAL PM2.5 PART	8E-04	Active

RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--NAT. GAS HEATE	NITROGEN OXIDES	0.01	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--NAT. GAS HEATE	SULFUR DIOXIDE	1E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--NAT. GAS HEATE	CARBON MONOXID	0.004	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--NAT. GAS HEATE	TOTAL PARTICULA	8E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 328--NAT. GAS HEATE	TOTAL PM10 PART	8E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336 BOILER #1	TOTAL PM2.5 PART	3.887	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336 BOILER #1	NITROGEN OXIDES	56.4	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336 BOILER #1	SULFUR DIOXIDE	59.63	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336 BOILER #1	CARBON MONOXID	51.25	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336 BOILER #1	TOTAL PARTICULA	17.68	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336 BOILER #1	TOTAL PM10 PART	6.17	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336 BOILER #2	TOTAL PM2.5 PART	2.344	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336 BOILER #2	NITROGEN OXIDES	38.93	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336 BOILER #2	SULFUR DIOXIDE	48.84	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336 BOILER #2	CARBON MONOXID	29.7	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336 BOILER #2	TOTAL PARTICULA	15.78	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336 BOILER #2	TOTAL PM10 PART	4.391	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336--BOILER #3	TOTAL PM2.5 PART	3.062	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336--BOILER #3	NITROGEN OXIDES	49.15	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336--BOILER #3	SULFUR DIOXIDE	36.44	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336--BOILER #3	CARBON MONOXID	39.22	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336--BOILER #3	TOTAL PARTICULA	18.84	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336--BOILER #3	TOTAL PM10 PART	5.504	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336--COAL & WOOD D	TOTAL PARTICULA	1.47	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 336--COAL & WOOD D	TOTAL PM10 PART	1.47	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345 DRYING OVEN FC	TOTAL PARTICULA	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345 DRYING OVEN FC	TOTAL PM10 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	NITROGEN OXIDES	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	SULFUR DIOXIDE	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	CARBON MONOXID	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	TOTAL PM2.5 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	TOTAL PARTICULA	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	TOTAL PM10 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	NITROGEN OXIDES	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	SULFUR DIOXIDE	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	CARBON MONOXID	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	TOTAL PM2.5 PART	0	Active

RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	TOTAL PARTICULA	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	TOTAL PM10 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	NITROGEN OXIDES	0.005	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	SULFUR DIOXIDE	3E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	CARBON MONOXID	0.001	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	TOTAL PM2.5 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	TOTAL PARTICULA	3E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 345--HEATER TESTIN	TOTAL PM10 PART	3E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 346 NATURAL GAS BO	TOTAL PM2.5 PART	0.007	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 346 NATURAL GAS BO	NITROGEN OXIDES	0.09	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 346 NATURAL GAS BO	SULFUR DIOXIDE	5E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 346 NATURAL GAS BO	CARBON MONOXID	0.076	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 346 NATURAL GAS BO	TOTAL PARTICULA	0.007	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 346 NATURAL GAS BO	TOTAL PM10 PART	0.007	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 357 DRYING OVEN FO	TOTAL PARTICULA	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 357 DRYING OVEN FO	TOTAL PM10 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 359 DUST COLLECTO	TOTAL PM2.5 PART	0.008	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 359 DUST COLLECTO	TOTAL PARTICULA	0.083	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 359 DUST COLLECTO	TOTAL PM10 PART	0.079	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 360 DRYING OVEN FO	TOTAL PARTICULA	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 360 DRYING OVEN FO	TOTAL PM10 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 375--COAL UNLOADIN	TOTAL PARTICULA	1.602	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 375--COAL UNLOADIN	TOTAL PM10 PART	1.602	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 401--WOOD-BURNING	NITROGEN OXIDES	0.004	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 401--WOOD-BURNING	SULFUR DIOXIDE	6E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 401--WOOD-BURNING	CARBON MONOXID	0.346	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 401--WOOD-BURNING	TOTAL PARTICULA	0.046	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 401--WOOD-BURNING	TOTAL PM10 PART	0.046	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 407 DRYING OVEN FO	TOTAL PARTICULA	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 407 DRYING OVEN FO	TOTAL PM10 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 493 DRYING OVEN EX	TOTAL PARTICULA	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 493 DRYING OVEN EX	TOTAL PM10 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 493 MECHANICAL DE	TOTAL PARTICULA	0.02	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 493 MECHANICAL DE	TOTAL PM10 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 499 NATURAL GAS BO	TOTAL PM2.5 PART	0.03	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 499 NATURAL GAS BO	NITROGEN OXIDES	0.395	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 499 NATURAL GAS BO	SULFUR DIOXIDE	0.002	Active

RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 499 NATURAL GAS BC	CARBON MONOXID	0.332	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 499 NATURAL GAS BC	TOTAL PARTICULA	0.03	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 499 NATURAL GAS BC	TOTAL PM10 PART	0.03	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 591 DRYING OVEN FC	TOTAL PARTICULA	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 591 DRYING OVEN FC	TOTAL PM10 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 591 DRYING OVEN FC	TOTAL PARTICULA	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 591 DRYING OVEN FC	TOTAL PM10 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 591 DRYING OVEN FC	TOTAL PARTICULA	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 591 DRYING OVEN FC	TOTAL PM10 PART	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 638 NATURAL GAS BC	TOTAL PM2.5 PART	0.007	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 638 NATURAL GAS BC	NITROGEN OXIDES	0.09	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 638 NATURAL GAS BC	SULFUR DIOXIDE	5E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 638 NATURAL GAS BC	CARBON MONOXID	0.075	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 638 NATURAL GAS BC	TOTAL PARTICULA	0.007	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 638 NATURAL GAS BC	TOTAL PM10 PART	0.007	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 651 NAT. GAS BOILER	TOTAL PM2.5 PART	0.007	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 651 NAT. GAS BOILER	NITROGEN OXIDES	0.089	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 651 NAT. GAS BOILER	SULFUR DIOXIDE	5E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 651 NAT. GAS BOILER	CARBON MONOXID	0.075	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 651 NAT. GAS BOILER	TOTAL PARTICULA	0.007	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 651 NAT. GAS BOILER	TOTAL PM10 PART	0.007	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 654--DIESEL BUILDIN	TOTAL PARTICULA	0	Idle
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 654--DIESEL BUILDIN	TOTAL PM10 PART	0	Idle
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 935 FUEL OIL HEATER	NITROGEN OXIDES	0.081	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 935 FUEL OIL HEATER	SULFUR DIOXIDE	0.029	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 935 FUEL OIL HEATER	CARBON MONOXID	0.02	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 935 FUEL OIL HEATER	TOTAL PM2.5 PART	0.008	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 935 FUEL OIL HEATER	TOTAL PARTICULA	0.008	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 935 FUEL OIL HEATER	TOTAL PM10 PART	0.008	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 957 FUEL OIL BOILER	NITROGEN OXIDES	0.123	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 957 FUEL OIL BOILER	SULFUR DIOXIDE	0.044	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 957 FUEL OIL BOILER	CARBON MONOXID	0.031	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 957 FUEL OIL BOILER	TOTAL PM2.5 PART	0.012	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 957 FUEL OIL BOILER	TOTAL PARTICULA	0.012	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	BLDG. 957 FUEL OIL BOILER	TOTAL PM10 PART	0.012	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	SIGN SHOP FURNACE	TOTAL PM2.5 PART	0.003	Active
				NITROGEN OXIDES		

RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	SIGN SHOP FURNACE	SULFUR DIOXIDE	2E-04	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	SIGN SHOP FURNACE	CARBON MONOXID	0.013	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	SIGN SHOP FURNACE	TOTAL PARTICULA	0.003	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	SIGN SHOP FURNACE	TOTAL PM10 PART	0.003	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	TANK 957	TOTAL PARTICULA	0	Active
RED RIVER ARMY DEPOT	RED RIVER ARMY DEPOT	BOWIE	TANK 957	TOTAL PM10 PART	0	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	BOILER 5--N.T.E.P.	TOTAL PM2.5 PART	0.612	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	BOILER 5--N.T.E.P.	NITROGEN OXIDES	4.898	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	BOILER 5--N.T.E.P.	SULFUR DIOXIDE	0.049	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	BOILER 5--N.T.E.P.	CARBON MONOXID	12.24	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	BOILER 5--N.T.E.P.	TOTAL PARTICULA	0.612	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	BOILER 5--N.T.E.P.	TOTAL PM10 PART	0.612	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	BOILER 6--N.T.E.P.	TOTAL PM2.5 PART	0.617	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	BOILER 6--N.T.E.P.	NITROGEN OXIDES	4.935	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	BOILER 6--N.T.E.P.	SULFUR DIOXIDE	0.049	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	BOILER 6--N.T.E.P.	CARBON MONOXID	12.34	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	BOILER 6--N.T.E.P.	TOTAL PARTICULA	0.617	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	BOILER 6--N.T.E.P.	TOTAL PM10 PART	0.617	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	N.J.--BLR. 1	TOTAL PM2.5 PART	0.229	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	N.J.--BLR. 1	NITROGEN OXIDES	1.831	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	N.J.--BLR. 1	SULFUR DIOXIDE	0.021	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	N.J.--BLR. 1	CARBON MONOXID	4.558	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	N.J.--BLR. 1	TOTAL PARTICULA	0.229	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	N.J.--BLR. 1	TOTAL PM10 PART	0.229	Active
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	STEAM BOILER NO. 3	TOTAL PARTICULA	0	Demolished
UNIVERSITY OF TEXAS SOUTHW	MEDICAL CENTER	DALLAS	STEAM BOILER NO. 3	TOTAL PM10 PART	0	Demolished
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	ENTOMOLOGY--BASEWIDE	TOTAL PARTICULA	0	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	ENTOMOLOGY--BASEWIDE	TOTAL PM10 PART	0	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	TOTAL PM2.5 PART	0.158	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	NITROGEN OXIDES	2.082	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	SULFUR DIOXIDE	0.013	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	CARBON MONOXID	1.749	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	TOTAL PARTICULA	0.158	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	TOTAL PM10 PART	0.158	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	TOTAL PM2.5 PART	0.157	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	NITROGEN OXIDES	2.061	Active
			TOTAL ENERGY PLANT BOIL			

US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	CARBON MONOXID	1.731	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	TOTAL PARTICULA	0.157	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	TOTAL PM10 PART	0.157	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	TOTAL PM2.5 PART	0.038	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	NITROGEN OXIDES	0.494	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	SULFUR DIOXIDE	0.003	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	CARBON MONOXID	0.415	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	TOTAL PARTICULA	0.038	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT BOIL	TOTAL PM10 PART	0.038	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PM2.5 PART	0.514	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	NITROGEN OXIDES	25.15	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	SULFUR DIOXIDE	0.085	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	CARBON MONOXID	5.764	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PARTICULA	0.514	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PM10 PART	0.514	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PM2.5 PART	0.503	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	NITROGEN OXIDES	24.63	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	SULFUR DIOXIDE	0.083	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	CARBON MONOXID	5.645	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PARTICULA	0.503	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PM10 PART	0.503	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PM2.5 PART	0.383	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	NITROGEN OXIDES	18.74	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	SULFUR DIOXIDE	0.063	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	CARBON MONOXID	4.295	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PARTICULA	0.383	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PM10 PART	0.383	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PM10 PART	0.418	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PM2.5 PART	0.418	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	NITROGEN OXIDES	20.46	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	SULFUR DIOXIDE	0.069	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	CARBON MONOXID	4.688	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PARTICULA	0.418	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PARTICULA	0.52	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PM10 PART	0.52	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	TOTAL PM2.5 PART	0.52	Active
				NITROGEN OXIDES		

US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	SULFUR DIOXIDE	0.086	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TOTAL ENERGY PLANT--GEN	CARBON MONOXID	5.833	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TURBINE "1A"	NITROGEN OXIDES	86.58	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TURBINE "1A"	SULFUR DIOXIDE	0.112	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TURBINE "1A"	CARBON MONOXID	21.55	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TURBINE "1A"	TOTAL PM2.5 PART	8.246	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TURBINE "1A"	TOTAL PARTICULA	8.246	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TURBINE "1A"	TOTAL PM10 PART	8.246	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TURBINE "2A"	NITROGEN OXIDES	71.51	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TURBINE "2A"	SULFUR DIOXIDE	0.093	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TURBINE "2A"	CARBON MONOXID	17.8	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TURBINE "2A"	TOTAL PM2.5 PART	6.811	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TURBINE "2A"	TOTAL PARTICULA	6.811	Active
US AIR FORCE	LACKLAND AIR FORCE BASE	BEXAR	TURBINE "2A"	TOTAL PM10 PART	6.811	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	SITE WIDE EXTERNAL COMB	TOTAL PM2.5 PART	2.396	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	SITE WIDE EXTERNAL COMB	NITROGEN OXIDES	31.54	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	SITE WIDE EXTERNAL COMB	SULFUR DIOXIDE	0.189	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	SITE WIDE EXTERNAL COMB	CARBON MONOXID	26.47	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	SITE WIDE EXTERNAL COMB	TOTAL PARTICULA	2.398	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	SITE WIDE EXTERNAL COMB	TOTAL PM10 PART	2.396	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	SITE WIDE EXTERNAL COMB	CADMIUM-CD	3E-04	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	SITE WIDE EXTERNAL COMB	LEAD-PB	2E-04	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	WBAMC BOILER PLANT	CADMIUM & COMPO	0	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	WBAMC BOILER PLANT	LEAD-PB	0	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	WBAMC BOILER PLANT	TOTAL PARTICULA	0.158	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	WBAMC BOILER PLANT	TOTAL PM10 PART	0.157	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	WBAMC BOILER PLANT	TOTAL PM2.5 PART	0.157	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	WBAMC BOILER PLANT	NITROGEN OXIDES	2.071	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	WBAMC BOILER PLANT	SULFUR DIOXIDE	0.02	Active
US ARMY AIR DEFENSE ARTILLE	USAADA	EL PASO	WBAMC BOILER PLANT	CARBON MONOXID	1.718	Active
US NAVAL AIR STATION JOINT R	NAVAL AIR STATION	TARRANT	HEAT, STEAM, AND POWER	NITROGEN OXIDES	0.113	Active
US NAVAL AIR STATION JOINT R	NAVAL AIR STATION	TARRANT	HEAT, STEAM, AND POWER	SULFUR DIOXIDE	7E-04	Active
US NAVAL AIR STATION JOINT R	NAVAL AIR STATION	TARRANT	HEAT, STEAM, AND POWER	CARBON MONOXID	0.048	Active
US NAVAL AIR STATION JOINT R	NAVAL AIR STATION	TARRANT	HEAT, STEAM, AND POWER	TOTAL PM2.5 PART	0.064	Active
US NAVAL AIR STATION JOINT R	NAVAL AIR STATION	TARRANT	HEAT, STEAM, AND POWER	TOTAL PARTICULA	0.064	Active
US NAVAL AIR STATION JOINT R	NAVAL AIR STATION	TARRANT	HEAT, STEAM, AND POWER	TOTAL PM10 PART	0.064	Active
				NITROGEN OXIDES		

US NAVAL AIR STATION JOINT R	NAVAL AIR STATION	TARRANT	HEAT, STEAM, AND POWER	SULFUR DIOXIDE	0.024	Active
US NAVAL AIR STATION JOINT R	NAVAL AIR STATION	TARRANT	HEAT, STEAM, AND POWER	CARBON MONOXID	2.673	Active
US NAVAL AIR STATION JOINT R	NAVAL AIR STATION	TARRANT	HEAT, STEAM, AND POWER	TOTAL PM2.5 PART	1.7	Active
US NAVAL AIR STATION JOINT R	NAVAL AIR STATION	TARRANT	HEAT, STEAM, AND POWER	TOTAL PARTICULA	1.7	Active
US NAVAL AIR STATION JOINT R	NAVAL AIR STATION	TARRANT	HEAT, STEAM, AND POWER	TOTAL PM10 PART	1.7	Active
VEOLIA ES TECHNICAL SOLUTIO	HAZARDOUS WASTE DISPOSA	JEFFERSO	TANK TRUCK UNLOADING B	TOTAL PARTICULA	0.003	Active
VEOLIA ES TECHNICAL SOLUTIO	HAZARDOUS WASTE DISPOSA	JEFFERSO	TANK TRUCK UNLOADING B	TOTAL PM10 PART	0	Active
VEOLIA ES TECHNICAL SOLUTIO	HAZARDOUS WASTE DISPOSA	JEFFERSO	TANK TRUCK UNLOADING B	LEAD-PB	0	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	AIR HANDLING UNIT NO. 1	NITROGEN OXIDES	0.141	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	AIR HANDLING UNIT NO. 1	CARBON MONOXID	0.019	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	AIR HANDLING UNIT NO. 2	NITROGEN OXIDES	0.141	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	AIR HANDLING UNIT NO. 2	SULFUR DIOXIDE	0.005	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	AIR HANDLING UNIT NO. 2	CARBON MONOXID	0.019	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	BIN SAMPLING AT BIN STOR	TOTAL PARTICULA	0.001	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	BIN SAMPLING AT BIN STOR	TOTAL PM10 PART	0.001	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	DRUM SAMPLING AT RAILCA	TOTAL PARTICULA	0	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	DRUM SAMPLING AT RAILCA	TOTAL PM10 PART	0	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	RAIL CAR UNLOADING OF W	TOTAL PARTICULA	0.016	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	RAIL CAR UNLOADING OF W	TOTAL PM10 PART	0	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	RAIL CAR WASTE STORAGE	TOTAL PARTICULA	0	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	RAIL CAR WASTE STORAGE	TOTAL PM10 PART	0	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	REAGENT STORAGE SILO N	TOTAL PARTICULA	0.002	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	REAGENT STORAGE SILO N	TOTAL PM10 PART	0.002	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	REAGENT STORAGE SILO N	TOTAL PARTICULA	0.002	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	REAGENT STORAGE SILO N	TOTAL PM10 PART	0.002	Active
WASTE CONTROL SPECIALISTS	ANDREWS WASTE TREATMEN	ANDREWS	TRUCK DRUM OPENING	TOTAL PARTICULA	0	Active
				TOTAL PM10 PART		

APPENDIX E

RESPONSE TO PUBLIC COMMENTS

The commission held a public hearing on the proposed Chapter 113 rules and Federal Clean Air Act, §111(d)/129 State Plan in Austin, Texas, on January 5, 2009. The comment period closed January 7, 2009. The commission received one written comment on the proposed rulemaking, and it was from the U.S. Environmental Protection Agency (EPA).

The EPA commented that it strongly supports the proposed rule revision and the EPA also stated that it believes the Chapter 113 amendments to be in compliance with 40 CFR Part 60, Subparts BBBB, DDDD, and FFFF.

The commission appreciates the EPA's support of the proposed rules and state plan.

APPENDIX F

LEGAL AUTHORITY OF THE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
FOR THE STATE PLAN FOR
SMALL MUNICIPAL WASTE COMBUSTION UNITS,
COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS,
AND
OTHER SOLID WASTE INCINERATION UNITS

CITATIONS UNDER CHAPTER 382, TEXAS HEALTH AND SAFETY CODE,
AND
CHAPTERS 5 AND 7, TEXAS WATER CODE

1. Adopt emission standards and compliance schedules applicable to designated facilities.

§ 382.011. General Powers and Duties.

(a) The commission shall:

(1) administer this chapter;

(2) establish the level of quality to be maintained in the state's air; and

(3) control the quality of the state's air.

(b) The commission shall seek to accomplish the purposes of this chapter through the control of air contaminants by all practical and economically feasible methods.

(c) The commission has the powers necessary or convenient to carry out its responsibilities.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.143, eff. Sept. 1, 1995.

§ 382.012. State Air Control Plan.

The commission shall prepare and develop a general, comprehensive plan for the proper control of the state's air.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.143, eff. Sept. 1, 1995.

§ 382.013. Air Quality Control Regions.

The commission may designate air quality control regions based on jurisdictional boundaries, urban-industrial concentrations, and other factors, including atmospheric areas, necessary to provide adequate implementation of air quality standards.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.143, eff. Sept. 1, 1995.

§ 382.014. Emission Inventory.

The commission may require a person whose activities cause emissions of air contaminants to submit information to enable the commission to develop an inventory of emissions of air contaminants in this state.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.143, eff. Sept. 1, 1995.

§ 382.017. Rules.

(a) The commission may adopt rules. The commission shall hold a public hearing before adopting a rule consistent with the policy and purposes of this chapter.

(b) If the rule will have statewide effect, notice of the date, time, place, and purpose of the hearing shall be published one time at least 20 days before the scheduled date of the hearing in at least three newspapers, the combined circulation of which will, in the commission's judgment, give reasonable circulation throughout the state. If the rule will have effect in only a part of the state, the notice shall be

published one time at least 20 days before the scheduled date of the hearing in a newspaper of general circulation in the area to be affected.

(c) Any person may appear and be heard at a hearing to adopt a rule. The executive director shall make a record of the names and addresses of the persons appearing at the hearing. A person heard or represented at the hearing or requesting notice of the commission's action shall be sent by mail written notice of the commission's action.

(d) Subsections (a) and (b) notwithstanding, the commission may adopt rules consistent with Chapter 2001, Government Code, if the commission determines that the need for expeditious adoption of proposed rules requires use of those procedures.

(e) The terms and provisions of a rule adopted by the commission may differentiate among particular conditions, particular sources, and particular areas of the state. In adopting a rule, the commission shall recognize that the quantity or characteristic of air contaminants or the duration of their presence in the atmosphere may cause a need for air control in one area of the state but not in other areas. In this connection, the commission shall consider:

(1) the factors found by it to be proper and just, including existing physical conditions, topography, population, and prevailing wind direction and velocity; and

(2) the fact that a rule and the degrees of conformance with the rule that may be proper for an essentially residential area of the state may not be proper for a highly developed industrial area or a relatively unpopulated area.

(f) Except as provided by Sections 382.0171-382.021 or to comply with federal law or regulations, the commission by rule may not specify:

(1) a particular method to be used to control or abate air pollution;

(2) the type, design, or method of installation of equipment to be used to control or abate air pollution; or

(3) the type, design, method of installation, or type of construction of a manufacturing process or other kind of equipment.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989. Amended by Acts 1991, 72nd Leg., ch. 14, § 137, eff. Sept. 1, 1991; Acts 1991, 72nd Leg., 1st C.S., ch. 3, § 2.33, eff. Sept. 1, 1991; Acts 1995, 74th Leg., ch. 76, § 5.95(49), 11.145, eff. Sept. 1, 1995.

§ 5.013. General Jurisdiction of Commission.

(a) The commission has general jurisdiction over:

(1) water and water rights including the issuance of water rights permits, water rights adjudication, cancellation of water rights, and enforcement of water rights;

(2) continuing supervision over districts created under Article III, Sections 52(b)(1) and (2), and Article XVI, Section 59, of the Texas Constitution;

(3) the state's water quality program including issuance of permits, enforcement of water quality rules, standards, orders, and permits, and water quality planning;

(4) the determination of the feasibility of certain federal projects;

(5) the adoption and enforcement of rules and performance of other acts relating to the safe construction, maintenance, and removal of dams;

(6) conduct of the state's hazardous spill prevention and control program;

(7) the administration of the state's program relating to inactive hazardous substance, pollutant, and contaminant disposal facilities;

(8) the administration of a portion of the state's injection well program;

(9) the administration of the state's programs involving underground water and water wells and drilled and mined shafts;

(10) the state's responsibilities relating to regional waste disposal;

(11) the responsibilities assigned to the commission by Chapters 361, 363, 382, and 401, Health and Safety Code;

(12) administration of the state's water rate program under Chapter 13 of this code; and

(13) any other areas assigned to the commission by this code and other laws of this state.

(b) The rights, powers, duties, and functions delegated to the Texas Department of Water Resources by this code or by any other law of this state that are not expressly assigned to the board are vested in the commission.

(c) This section allocates among various state agencies statutory authority delegated by other laws. This section does not delegate legislative authority.

Amended by Acts 1985, 69th Leg., ch. 795, § 1.001, eff. Sept. 1, 1985; Acts 1991, 72nd Leg., ch. 14, § 284(75), eff. Sept. 1, 1991; Acts 1991, 72nd Leg., 1st C.S., ch. 3, § 1.005, eff. Aug. 12, 1991; Acts 2001, 77th Leg., ch. 376, § 3.01, eff. Sept. 1, 2001; Acts 2001, 77th Leg., ch. 965, § 1.01, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 1067, § 22, eff. Sept. 1, 2003; Amended by Acts 2007, 80th Leg., R.S., Ch. 1323, § 2, eff. Sept. 1, 2007.

2. Enforce applicable laws, regulations, standards, and compliance schedules, and seek injunctive relief.

§ 382.0541. Administration and Enforcement of Federal Operating Permit.

(a) The commission may:

(1) require a federal source to obtain a permit under the federal Clean Air Act (42 U.S.C. Section 7401 et seq.);

(2) require an existing facility or source to use, at a minimum, any applicable maximum achievable control technology required by the commission or by the United States Environmental Protection Agency;

(3) require facilities or federal sources that are new or modified and are subject to Section 112(g) of the federal Clean Air Act (42 U.S.C. Section 7412) to use, at a minimum, the more stringent of:

(A) the best available control technology, considering the technical practicability and economic reasonableness of reducing or eliminating emissions from the proposed facility or federal source; or

(B) any applicable maximum achievable control technology (MACT), including any MACT developed pursuant to Section 112(g) of the federal Clean Air Act (42 U.S.C. Section 7412);

(4) establish maximum achievable control technology requirements in accordance with Section 112(j) of the federal Clean Air Act (42 U.S.C. Section 7412);

(5) issue initial permits with terms not to exceed five years for federal sources under Title V of the federal Clean Air Act, with terms not to exceed five years for all subsequently issued or renewed permits;

(6) administer the use of emissions allowances under Section 408 of the federal Clean Air Act (42 U.S.C. Section 7651g);

(7) reopen and revise an affected federal operating permit if:

(A) the permit has a term of three years or more remaining in order to incorporate requirements under the federal Clean Air Act (42 U.S.C. Section 7401 et seq.) adopted after the permit is issued;

(B) additional requirements become applicable to an affected source under the acid rain program;

(C) the federal operating permit contains a material mistake;

(D) inaccurate statements were made in establishing the emissions standards or other terms or conditions of the federal operating permit; or

(E) a determination is made that the permit must be reopened and revised to assure compliance with applicable requirements;

(8) incorporate a federal implementation plan as a condition of a permit issued by the commission;

(9) exempt federal sources from the obligation to obtain a federal operating permit;

(10) provide that all representations in an application for a permit under Title IV of the federal Clean Air Act (42 U.S.C. Sections 7651-7651o) are binding on the applicant until issuance or denial of the permit;

(11) provide that all terms and conditions of any federal operating permit required under Title IV of the federal Clean Air Act (42 U.S.C. Sections 7651-7651o) shall be a complete and segregable section of the federal operating permit; and

(12) issue initial permits with fixed terms of five years for federal sources under Title IV of the federal Clean Air Act (42 U.S.C. Sections 7651-7651o) with fixed five-year terms for all subsequently issued or renewed permits.

(b) The commission by rule shall provide for objection by the administrator to the issuance of any operating or general permit subject to Title V of the federal Clean Air Act (42 U.S.C. Sections 7661-7661f) and shall authorize the administrator to revoke and reissue, terminate, reopen, or modify a federal operating permit.

(c) This section does not affect the permit requirements of Section 382.0518, except that the commission may consolidate with an existing permit issued under this section a permit required by Section 382.0518.

(d) The commission promptly shall provide to the applicant notice of whether the application is complete. Unless the commission requests additional information or otherwise notifies the applicant that the application is incomplete before the 61st day after the commission receives an application, the application shall be deemed complete.

(e) Subsections (a)(3) and (4) do not prohibit the applicability of at least the best available control technology to a new or modified facility or federal source under Section 382.0518(b)(1).

Added by Acts 1991, 72nd Leg., 1st C.S., ch. 3, § 2.10. Amended by Acts 1993, 73rd Leg., ch. 485, § 11, eff. June 9, 1993; Acts 1995, 74th Leg., ch. 76, § 11.166, eff. Sept. 1, 1995.

§ 5.102. General Powers.

(a) The commission has the powers to perform any acts whether specifically authorized by this code or other law or implied by this code or other law, necessary and convenient to the exercise of its jurisdiction and powers as provided by this code and other laws.

(b) The commission may call and hold hearings, receive evidence at hearings, administer oaths, issue subpoenas to compel the attendance of witnesses and the production of papers and documents, and make findings of fact and decisions with respect to its jurisdiction under this code and other laws and rules, orders, permits, licenses, certificates, and other actions adopted, issued, or taken by the commission.

Amended by Acts 1985, 69th Leg., ch. 795, § 1.001, eff. Sept. 1, 1985.

§ 7.002. Enforcement Authority.

The commission may initiate an action under this chapter to enforce provisions of this code and the Health and Safety Code within the commission's jurisdiction as provided by Section 5.013 of this code and rules adopted under those provisions. The commission or the executive director may institute legal proceedings to compel compliance with the relevant provisions of this code and the Health and Safety Code and rules, orders, permits, or other decisions of the commission.

Added by Acts 1997, 75th Leg., ch. 1072, § 2, eff. Sept. 1, 1997.

§ 7.032. Injunctive Relief.

(a) The executive director may enforce a commission rule or a provision of a permit issued by the commission by injunction or other appropriate remedy.

(b) If it appears that a violation or threat of violation of a statute within the commission's jurisdiction or a rule adopted or an order or a permit issued under such a statute has occurred or is about to occur, the executive director may have a suit instituted in district court for injunctive relief to restrain the violation or threat of violation.

(c) The suit may be brought in the county in which the defendant resides or in the county in which the violation or threat of violation occurs.

(d) In a suit brought under this section to enjoin a violation or threat of violation described by Subsection (b), the court may grant the commission, without bond or other undertaking, any prohibitory or mandatory injunction the facts may warrant, including a temporary restraining order and, after notice and hearing, a temporary injunction or permanent injunction.

(e) On request of the executive director, the attorney general or the prosecuting attorney in a county in which the violation occurs shall initiate a suit in the name of the state for injunctive relief. The suit may be brought independently of or in conjunction with a suit under Subchapter D.

Added by Acts 1997, 75th Leg., ch. 1072, § 2, eff. Sept. 1, 1997.

§ 7.302. Grounds for Revocation or Suspension of Permit.

(a) This section applies to a permit or exemption issued by the commission under:

(1) Chapter 26, 27, 28, or 31 of this code;

(2) Subchapter C or R, Chapter 361, Health and Safety Code;

(3) Subchapter D, Chapter 366, Health and Safety Code;

(4) Chapter 382, Health and Safety Code; or

(5) a rule adopted under any of those provisions.

(b) After notice and hearing, the commission may revoke, suspend, or revoke and reissue a permit or exemption on any of the following grounds:

(1) violating any term or condition of the permit, and revocation, suspension, or revocation and reissuance is necessary in order to maintain the quality of water or the quality of air in the state, or to otherwise protect human health and the environment consistent with the objectives of the statutes or rules within the commission's jurisdiction;

(2) having a record of environmental violations in the preceding five years at the permitted or exempted site;

(3) causing a discharge, release, or emission contravening a pollution control standard set by the commission or contravening the intent of a statute or rule described in Subsection (a);

(4) including a material mistake in a federal operating permit issued under Chapter 382, Health and Safety Code, or making an inaccurate statement in establishing an emissions standard or other term or condition of a federal operating permit;

(5) misrepresenting or failing to disclose fully all relevant facts in obtaining the permit or misrepresenting to the commission any relevant fact at any time;

(6) a permit holder being indebted to the state for fees, payment of penalties, or taxes imposed by the statutes or rules within the commission's jurisdiction;

(7) a permit holder failing to ensure that the management of the permitted facility conforms or will conform to the statutes and rules within the commission's jurisdiction;

(8) the permit is subject to cancellation or suspension under Section 26.084;

(9) abandoning the permit or operations under the permit; or

(10) the commission finds that a change in conditions requires elimination of the discharge authorized by the permit

Added by Acts 1997, 75th Leg., ch. 1072, § 2, eff. Sept. 1, 1997.

Amended by Acts 2001, 77th Leg., ch. 376, § 3.04, eff. Sept. 1, 2001.

3. Obtain information necessary to determine whether designated facilities are in compliance with applicable laws, regulations, standards, and compliance schedules.

§ 382.015. Power to Enter Property.

(a) A member, employee, or agent of the commission may enter public or private property, other than property designed for and used exclusively as a private residence housing not more than three families, at a reasonable time to inspect and investigate conditions relating to emissions of air contaminants to or the concentration of air contaminants in the atmosphere.

(b) A member, employee, or agent who enters private property that has management in residence shall:

(1) notify the management, or the person then in charge, of the member's, employee's, or agent's presence; and

(2) show proper credentials.

(c) A member, employee, or agent who enters private property shall observe that establishment's rules concerning safety, internal security, and fire protection.

(d) The commission is entitled to the remedies provided by Sections 382.082-382.085 if a member, employee, or agent is refused the right to enter public or private property as provided by this section.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.144, eff. Sept. 1, 1995.

§ 382.016. Monitoring Requirements; Examination of Records.

(a) The commission may prescribe reasonable requirements for:

(1) measuring and monitoring the emissions of air contaminants from a source or from an activity causing or resulting in the emission of air contaminants subject to the commission's jurisdiction under this chapter; and

(2) the owner or operator of the source to make and maintain records on the measuring and monitoring of emissions.

(b) A member, employee, or agent of the commission may examine during regular business hours any records or memoranda relating to the operation of any air pollution or emission control equipment or facility, or relating to emission of air contaminants. This subsection does not authorize the examination of records or memoranda relating to the operation of equipment or a facility on property designed for and used exclusively as a private residence housing not more than three families.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.145, eff. Sept. 1, 1995.

§ 382.021. Sampling Methods and Procedures.

(a) The commission may prescribe the sampling methods and procedures to be used in determining violations of and compliance with the commission's rules, variances, and orders, including:

(1) ambient air sampling;

(2) stack-sampling;

(3) visual observation; or

(4) any other sampling method or procedure generally recognized in the field of air pollution control.

(b) The commission may prescribe new sampling methods and procedures if:

(1) in the commission's judgment, existing methods or procedures are not adequate to meet the needs and objectives of the commission's rules, variances, and orders; and

(2) the scientific applicability of the new methods or procedures can be satisfactorily demonstrated to the commission.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.149, eff. Sept. 1, 1995.

§ 382.022. Investigations.

The executive director may make or require the making of investigations:

(1) that the executive director considers advisable in administering this chapter and the commission's rules, orders, and determinations, including investigations of violations and general air pollution problems or conditions; or

(2) as requested or directed by the commission.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.149, eff. Sept. 1, 1995.

§ 382.029. Hearing Powers.

The commission may call and hold hearings, administer oaths, receive evidence at a hearing, issue subpoenas to compel the attendance of witnesses and the production of papers and documents related to a hearing, and make findings of fact and decisions relating to administering this chapter or the rules, orders, or other actions of the commission.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.153, eff. Sept. 1, 1995.

§ 382.034. Research and Investigations.

The commission shall conduct or require any research and investigations it considers advisable and necessary to perform its duties under this chapter.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.155, eff. Sept. 1, 1995.

§ 5.102. General Powers.

(a) The commission has the powers to perform any acts whether specifically authorized by this code or other law or implied by this code or other law, necessary and convenient to the exercise of its jurisdiction and powers as provided by this code and other laws.

(b) The commission may call and hold hearings, receive evidence at hearings, administer oaths, issue subpoenas to compel the attendance of witnesses and the production of papers and documents, and make findings of fact and decisions with respect to its jurisdiction under this code and other laws and rules, orders, permits, licenses, certificates, and other actions adopted, issued, or taken by the commission.

Amended by Acts 1985, 69th Leg., ch. 795, § 1.001, eff. Sept. 1, 1985.

4. Require recordkeeping and to make inspections and conduct tests of designated facilities.

§ 382.015. Power to Enter Property.

(a) A member, employee, or agent of the commission may enter public or private property, other than property designed for and used exclusively as a private residence housing not more than three families, at a reasonable time to inspect and investigate conditions relating to emissions of air contaminants to or the concentration of air contaminants in the atmosphere.

(b) A member, employee, or agent who enters private property that has management in residence shall:

(1) notify the management, or the person then in charge, of the member's, employee's, or agent's presence; and

(2) show proper credentials.

(c) A member, employee, or agent who enters private property shall observe that establishment's rules concerning safety, internal security, and fire protection.

(d) The commission is entitled to the remedies provided by Sections 382.082-382.085 if a member, employee, or agent is refused the right to enter public or private property as provided by this section.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.144, eff. Sept. 1, 1995.

§ 382.016. Monitoring Requirements; Examination of Records.

(a) The commission may prescribe reasonable requirements for:

(1) measuring and monitoring the emissions of air contaminants from a source or from an activity causing or resulting in the emission of air contaminants subject to the commission's jurisdiction under this chapter; and

(2) the owner or operator of the source to make and maintain records on the measuring and monitoring of emissions.

(b) A member, employee, or agent of the commission may examine during regular business hours any records or memoranda relating to the operation of any air pollution or emission control equipment or facility, or relating to emission of air contaminants. This subsection does not authorize the examination of records or memoranda relating to the operation of equipment or a facility on property designed for and used exclusively as a private residence housing not more than three families.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.145, eff. Sept. 1, 1995.

5. Require owners or operators of designated facilities to install, maintain, and use emission monitoring devices and to make periodic reports to the state.

§ 382.0514. Sampling, Monitoring, and Certification.

The commission may require, at the expense of the permit holder and as a condition of the permit:

(1) sampling and monitoring of a permitted federal source or facility;

(2) certification of the compliance of the owner or operator of the permitted federal source with the terms and conditions of the permit and with all applicable requirements; and

(3) a periodic report of:

(A) the results of sampling and monitoring; and

(B) the certification of compliance.

Added by Acts 1991, 72nd Leg., 1st C.S., ch. 3, § 2.08, eff. Sept. 1, 1991.

Amended by Acts 1993, 73rd Leg., ch. 485, § 9, eff. June 9, 1993; Acts 1995, 74th Leg., ch. 76, § 11.161, eff. Sept. 1, 1995.

§ 382.016. Monitoring Requirements; Examination of Records.

(a) The commission may prescribe reasonable requirements for:

(1) measuring and monitoring the emissions of air contaminants from a source or from an activity causing or resulting in the emission of air contaminants subject to the commission's jurisdiction under this chapter; and

(2) the owner or operator of the source to make and maintain records on the measuring and monitoring of emissions.

(b) A member, employee, or agent of the commission may examine during regular business hours any records or memoranda relating to the operation of any air pollution or emission control equipment or facility, or relating to emission of air contaminants. This subsection does not authorize the examination of records or memoranda relating to the operation of equipment or a facility on property designed for and used exclusively as a private residence housing not more than three families.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.145, eff. Sept. 1, 1995.

6. Make emissions data available to the public.

§ 382.014. Emission Inventory.

The commission may require a person whose activities cause emissions of air contaminants to submit information to enable the commission to develop an inventory of emissions of air contaminants in this state.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, § 11.143, eff. Sept. 1, 1995.

§ 382.040. Documents; Public Property.

All information, documents, and data collected by the commission in performing its duties are state property. Subject to the limitations of Section 382.041, all commission records are public records open to inspection by any person during regular office hours.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989. Renumbered from § 381.020 and amended by Acts 1993, 73rd Leg., ch. 485, § 2, eff. June 9, 1993. Amended by Acts 1995, 74th Leg., ch. 76, § 11.158, eff. Sept. 1, 1995.

§ 382.041. Confidential Information.

(a) Except as provided by Subsection (b), a member, employee, or agent of the commission may not disclose information submitted to the commission relating to secret processes or methods of manufacture or production that is identified as confidential when submitted.

(b) A member, employee, or agent of the commission may disclose information confidential under Subsection (a) to a representative of the United States Environmental Protection Agency on the request of a representative of that agency if:

(1) at the time of disclosure the member, employee, or agent notifies the representative that the material has been identified as confidential when submitted; and

(2) the commission, before the information is disclosed, has entered into an agreement with the United States Environmental Protection Agency that ensures that the agency treats information identified as confidential as though it had been submitted by the originator of the information with an appropriate claim of confidentiality under federal law.

Acts 1989, 71st Leg., ch. 678, § 1, eff. Sept. 1, 1989. Renumbered from § 381.022 and amended by Acts 1993, 73rd Leg., ch. 485, § 3, eff. June 9, 1993. Amended by Acts 1995, 74th Leg., ch. 76, § 11.158, eff. Sept. 1, 1995.

40 CFR PART 62

SUBPARTS JJJ, III, AND KKK

AND

TEXAS REGISTER PROPOSAL

(NOVEMBER 21, 2008)

Federal Register

Friday,
January 31, 2003

Part VI

Environmental Protection Agency

40 CFR Part 62

Federal Plan Requirements for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999; Final Rule

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[AD–FRL–7430–8]

RIN 2060–AJ46

Federal Plan Requirements for Small Municipal Waste Combustion Units Constructed On or Before August 30, 1999

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action promulgates a Federal plan to implement emission guidelines for small municipal waste combustion (MWC) units (*i.e.*, units with a design combustion capacity of 35 to 250 tons per day of municipal waste) located in areas not covered by an approved State or tribal plan. The Federal plan is an interim action because on the effective date of an approved State plan or tribal plan, the Federal plan will no longer apply to small MWC units covered by the State or tribal plan. This Federal plan includes the same required elements as a State plan as specified in 40 CFR part 60, subpart B. These elements are: Identification of legal authority; identification of mechanisms for implementation; inventory of affected facilities; emissions inventory; emission limits; compliance schedules; public hearing requirements; reporting and recordkeeping requirements; and public progress reports.

EPA adopted emission guidelines for existing small MWC units on December 6, 2000. Existing small MWC units are those units for which construction was commenced on or before August 30, 1999. Sections 111 and 129 of the Clean Air Act (CAA) require States with existing small MWC units subject to the emission guidelines to submit plans to EPA that implement and enforce the emission guidelines. Indian tribes may submit, but are not required to submit, tribal plans to implement and enforce the emission guidelines in Indian country. State plans were due from States with small MWC units subject to the emission guidelines on December 6, 2001. States without small MWC units subject to the emission guidelines must submit a negative declaration statement by this date. Following receipt of a State plan, EPA has up to 6 months to approve or disapprove the plan. If a State with an existing small MWC unit subject to the emission guidelines does not submit an approvable plan within 2 years of the promulgation of the emission guidelines (*i.e.*, December 6, 2002), sections 111(d) and 129 of the CAA require EPA to develop, implement, and enforce a Federal plan for small MWC units located in that State or Tribal jurisdiction. This Federal plan for small MWC units was proposed on June 14, 2001.

EFFECTIVE DATE: This rule is effective on January 31, 2003. The incorporation by reference of certain publications listed in this rule are approved by the Director of the Federal Register as of January 31, 2003.

Judicial Review: The EPA proposed this section 111(d) rule for small MWC units on June 14, 2001 (66 FR 32484). This action adopting a rule for small MWC units constitutes final administrative action concerning that proposal. Under section 307(b)(1) of the CAA, judicial review of this final rule is available only by filing a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit by April 1, 2003. Under section 307(d)(7)(B) of the CAA, only an objection to this rule that was raised with reasonable specificity during the period for public comment can be raised during judicial review. Moreover, under section 307(b)(2) of the CAA, the requirements established by today's final action may not be challenged separately in any civil or criminal proceeding brought by the EPA to enforce these requirements.

ADDRESSES: *Docket.* Docket No. A–2000–39 contains the supporting information for the small MWC Federal plan. Docket Nos. A–89–08, A–90–45, and A–98–18 contain the supporting information for the EPA's promulgation of emission guidelines for existing small MWC units. The dockets are available for public inspection and copying between 8:30 a.m. and 4:30 p.m., Monday through Friday, at EPA's Air and Radiation Docket and Information Center, 1301 Constitution Avenue, NW., Room B102, Washington, DC 20460. The mailing address for the Center is Air and Radiation Docket, Mail Code 6102T, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. The Center may be contacted by telephone by calling (202) 566–1742 between the hours of 7:30 a.m. and 5:30 p.m., Monday through Friday. The Center may also be contacted by fax using the fax number (202) 566–1741 and by E-mail using the E-mail address ''*A-and-R-Docket@epa.gov*''.

FOR FURTHER INFORMATION CONTACT: Mr. Lalit Banker at (919) 541–5420, Program Implementation and Review Group, Information Transfer and Program Integration Division (E143–02), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, email: *banker.lalit@epa.gov.* For State specific information regarding implementation of this Federal plan, contact the appropriate Regional Office as shown in table 1 of the **SUPPLEMENTARY INFORMATION** section.

SUPPLEMENTARY INFORMATION: *Docket.* The docket is an organized and complete file of all the information considered by the EPA in the development of this Federal plan. The docket is a dynamic file because material is added throughout the rulemaking process. The docketing system is intended to allow members of the public and industries involved to readily identify and locate documents so that they can effectively participate in the rulemaking process. Along with the proposed and promulgated Federal plan and their preambles, the contents of the docket will serve as the record in the case of judicial review. (See section 307(d)(7)(A) of the CAA.) The regulatory text and other materials related to this rulemaking are available for review in the docket or copies may be mailed on request from the Air Docket by calling (202) 566–1742. A reasonable fee may be charged for copying docket materials.

Public Comments. The small MWC Federal plan was proposed on June 14, 2001, and two comments were received on the proposal. The comment letters are available in docket No. A–2000–39, along with a memorandum summarizing the comment letters and EPA's responses to the comments. No requests for a public hearing were received by EPA.

Worldwide Web (WWW). A list of combustion related rules is available on the Combustion Group Web site on the EPA Technology Transfer Network Web site (TTN Web) at *http://www.epa.gov/ttn/atw/combust/list.html.* You may obtain **Federal Register** notices, supporting information, and docket indices for these combustion related rules.

Regional Office Contacts. For information regarding the implementation of the small MWC Federal plan, contact the appropriate EPA Regional Office as shown in table 1.

TABLE 1.—EPA REGIONAL CONTACTS FOR SMALL MUNICIPAL WASTE COMBUSTORS

Region	Contact	Phone/fax	States and protectorates
I	EPA New England, Director, Air Compliance Program, 1 Congress Street, Suite 1100 (SEA), Boston, MA 02114–2023.	617–918–1650, 617–918–1505 (fax).	CT, ME, MA, NH, RI, VT.
II	U.S. EPA—Region 2, Air Compliance Branch, 290 Broadway, New York, New York 10007.	212–637–4080, 212–637–3998 (fax).	NJ, NY, Puerto Rico, Virgin Islands.
III	U.S. EPA—Region 3, Chief, Air Enforcement Branch (3AP12), 1650 Arch Street, Philadelphia, PA 19103–2029.	215–814–3438, 215–814–2134 (fax).	DE, DC, MD, PA, VA, WV.
IV	U.S. EPA—Region 4, Air and Radiation Technology Branch, Atlanta Federal Center, 61 Forsyth Street, Atlanta, Georgia 30303–3104.	404–562–9105, 404–562–9095 (fax).	AL, FL, GA, KY, MS, NC, SC, TN.
V	U.S. EPA—Region 5, Air Enforcement and Compliance Assurance Branch (AR–18J), 77 West Jackson Boulevard, Chicago, IL 60604–3590.	312–353–2211, 312–886–8289 (fax).	IL, IN, MN, OH, WI.
VI	U.S. EPA—Region 6, Chief, Toxics Enforcement Section (6EN–AT), 1445 Ross Avenue, Dallas, TX 75202–2733.	214–665–7224, 214–665–7446 (fax).	AR, LA, NM, OK, TX.
VII	U.S. EPA—Region 7, 901 N. 5th Street, Kansas City, KS 66101.	913–551–7020, 913–551–7844 (fax).	IA, KS, MO, NE.
VIII	U.S. EPA—Region 8, Air Program Technical Unit (Mail Code 8P–AR), 999 18th Street, Suite 500, Denver, CO 80202.	303–312–6007, 303–312–6064 (fax).	CO, MT, ND, SD, UT, WY.
IX	U.S. EPA—Region 9, Air Division, 75 Hawthorne Street, San Francisco, CA 94105.	415–744–1219, 415–744–1076 (fax).	AZ, CA, HI, NV, American Samoa, Guam.
X	U.S. EPA—Region 10, Office of Air Quality, 1200 Sixth Avenue, Seattle, WA 98101.	(206) 553–4273, (206) 553–0110 (fax).	AK, OR, WA, ID.

Outline. The following outline shows the organization of the remainder of the **SUPPLEMENTARY INFORMATION** section of this preamble.

I. Background of Small MWC Regulations and Affected Facilities
A. Background of Small MWC Regulations
B. Regulated Entities
C. Status of State Plans
II. Required Elements of the Small MWC Federal Plan
III. Summary of the Comments and Changes Since Proposal
IV. Summary of the Federal Plan Emission Limits and Requirements
A. Subcategories of Small MWC Units
B. Emission Limits and Operating Practice Requirements
C. Compliance Schedules
D. Operator Training and Certification Requirements
E. Testing, Monitoring, Recordkeeping, and Reporting
V. Implementation of the Federal Plan and Delegation
A. Background of Authority
B. Delegation of the Federal Plan and Retained Authorities
C. Mechanisms for Transferring Authority
VI. Title V Operating Permits
A. Clarification to the Rule
B. Delegation of a Federal Plan
VII. Administrative Requirements
A. Executive Order 12866—Regulatory Planning and Review
B. Executive Order 13132—Federalism
C. Executive Order 13175—Consultation and Coordination With Indian Tribal Governments
D. Executive Order 13045—Protection of Children From Environmental Health Risks and Safety Risks
E. Unfunded Mandates Reform Act of 1995
F. Regulatory Flexibility Act (RFA) as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA)
G. Paperwork Reduction Act
H. National Technology Transfer and Advancement Act
I. Congressional Review Act
J. Executive Order 13211—Energy Effects

Tables

Table 1. EPA Regional Contacts for Small Municipal Waste Combustors
Table 2. Status of State Plans
Table 3. Required Elements of the Small MWC Federal Plan
Table 4. Deadlines for Title V Permits

I. Background of Small MWC Regulations and Affected Facilities

On December 6, 2000, EPA promulgated emission guidelines for existing small municipal waste combustion units (40 CFR part 60, subpart BBBB). Existing small MWC units are those units for which construction was commenced on or before August 30, 1999. States with existing small MWC units subject to the emission guidelines are required to submit to EPA a plan that implements and enforces the subpart BBBB emission guidelines within 1 year after promulgation of the emission guidelines, or by December 6, 2001. Section 129(b)(3) of the Act requires EPA to develop, implement, and enforce a Federal plan for small MWC units located in States that have not submitted an approvable plan within 2 years after promulgation of the guidelines, or by December 6, 2002. This action promulgates a Federal plan for small MWC units that are not covered by an EPA approved and effective State or Tribal plan. The small MWC Federal plan will become effective on December 6, 2002. The elements of the Federal plan are summarized in section II of this preamble.

A. Background of Small MWC Regulations

On December 19, 1995, EPA promulgated emission guidelines (40 CFR part 60, subpart Cb) for large and small MWC units. In 1997, the U.S. Court of Appeals for the D.C. Circuit vacated the emission guidelines as they applied to small MWC units (*Davis County Solid Waste Management and Recovery District* v. *EPA,* 108 F. 3d 1454, D.C. Cir.1997). After this decision, EPA reproposed and promulgated emission guidelines for small MWC units (40 CFR part 60, subpart BBBB, promulgated on December 6, 2000). States or tribes with existing large MWC units subject to the subpart Cb emission guidelines were required to submit to EPA a State or tribal plan for those large units by December 19, 1996. To regulate large MWC units in areas without approved and effective State or tribal plans, EPA promulgated a Federal plan for large units (40 CFR part 62, subpart FFF) on November 12, 1998. The subpart FFF Federal plan and previously submitted State plans apply to only large MWC units. A separate Federal plan and separate State plans are required to implement the subpart BBBB emission guidelines for small MWC units. The Federal plan for small MWC units was proposed on June 14, 2001.

B. Regulated Entities

The small MWC Federal plan affects existing small MWC units that are not

regulated by an EPA approved and effective State or Tribal plan. A small MWC unit is defined as any MWC unit with a combustion design capacity of 35 to 250 tons per day of municipal solid waste (MSW) that commenced construction on or before August 30, 1999. This Federal plan affects the following categories of sources:

Category	NAICS codes	SIC codes	Examples of regulated entities
Industry, Federal government, and State/local/Tribal governments.	562213, 92411	4953, 9511	Solid waste combustors or incinerators at waste-to-energy facilities that generate electricity or steam from the combustion of garbage (typically municipal waste); and solid waste combustors or incinerators at facilities that combust garbage (typically municipal waste) and do not recover energy from the waste.

This list is not intended to be exhaustive, but rather provides a guide regarding the entities potentially regulated by this Federal plan. The small MWC Federal plan primarily impacts facilities in North American Industrial Classification System (NAICS) codes 562213 and 92411, formerly Standard Industrial Classification (SIC) codes 4953 and 9511, respectively. Not all facilities classified under these codes will be affected. To determine whether a facility is regulated by this Federal plan, carefully examine the applicability criteria in §§ 62.15010 through 62.15035 of the Federal plan. If you have any questions regarding the applicability of this Federal plan to your small MWC unit contact the Regional Office listed in table 1.

Each small MWC unit will be subject to this Federal plan if any of the following is true on or after the effective date of the Federal plan:

(1) An applicable State or tribal plan has not become effective [1];

(2) An applicable State or tribal plan was in effect but was subsequently vacated in whole or in part; or

(3) An applicable State or tribal plan was in effect but was subsequently revised such that it is no longer as protective as the emission guidelines.

Once an approved State or tribal plan is in effect, the Federal plan will no longer apply to a small MWC unit covered by such plan. An approved State or tribal plan is a plan that EPA has reviewed and approved based on the requirements in 40 CFR part 60, subpart B to implement and enforce 40 CFR part 60, subpart BBBB.

Today's adoption of this Federal plan does not preclude a State or tribe from submitting a State or tribal plan later. If a State or tribe submits a State or tribal plan after today's promulgation of the small MWC Federal plan, EPA will review and approve or disapprove the plan. Upon the effective date of EPA's approval of the State or tribal plan, the Federal plan will no longer apply, except those Federal plan provisions that may have been incorporated by reference under the section 111(d)/129 State or tribal plan, or delegated to the State by EPA.

If a small MWC unit was overlooked by a State and the State submitted a negative declaration letter, the small MWC unit will be subject to this Federal plan. The EPA believes that no small MWC units are located in Indian country. In the event that a small MWC unit is located in Indian country, the unit would be covered under this Federal plan, unless it is covered by an approved and effective tribal plan.

C. Status of State Plans

Twenty-two States have small MWC units and require State plans. (Depending on whether Pennsylvania's small MWC unit closes on schedule, Pennsylvania may not require a State plan.) A number of states have either submitted or are currently preparing their State plans. The EPA expects several State plans to be approved in the next few months. Table 2 summarizes the status of State plans as of today's date. The table is based on information provided by the EPA Regional Offices.

The following States have submitted State plans to the EPA: Connecticut, Florida, Maryland, Montana, New Hampshire, and Utah. The small MWC units located in these States will be subject to the Federal plan until the State plan is approved and becomes effective. Small MWC units located in States with an approved and effective State plan will be subject to the Federal plan only in the event that the State plan is subsequently disapproved by EPA, in whole or in part.

The EPA has not received a State plan from the following states that are believed to have small MWC units: Alaska, Massachusetts, Maine, Michigan, Minnesota, New Jersey, New York, North Carolina, Oklahoma, Oregon, Tennessee, Texas, Virginia, Washington, and Wisconsin. Small MWC units located in these States are subject to this Federal plan until a State plan applicable to small MWC units is approved by the EPA and becomes effective.

As of today's date, the following States have submitted negative declaration letters: Alabama, Arizona, California, Colorado, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Mississippi, Missouri, Nebraska, Nevada, North Dakota, Ohio, Puerto Rico, Rhode Island, South Carolina, South Dakota, Vermont, West Virginia, and Wyoming. States that have not submitted a negative declaration letter but are believed to have no small MWC units include: American Samoa, Arkansas, Delaware, District of Columbia, Guam, Idaho, Louisiana, New Mexico, Northern Mariana Islands, and Virgin Islands. In the unlikely event that there are small MWC units located in any of these States, this Federal plan would automatically apply to them.

TABLE 2.—STATUS OF STATE PLANS

Region	State	Number of plants	Status
I	Connecticut	1	State plan has been submitted but is incomplete.
	Massachusetts	2	No State plan submitted.
	Maine	1	No State plan submitted.

[1] The effective date of a State or tribal plan from EPA's perspective (for purposes of State or tribal law, a State or tribal plan may have an earlier effective date) is 30 days after the State or tribal plan final approval is published in the **Federal Register** if the final approval is via the regular regulatory procedure of proposal with opportunity for comment followed by promulgation. If the approval is by direct final rulemaking, the effective date of the State or tribal plan is 60 days after the approval is published in the **Federal Register**, if no adverse comments are received.

TABLE 2.—STATUS OF STATE PLANS—Continued

Region	State	Number of plants	Status
	New Hampshire	1	State plan has been submitted but is incomplete.
II	New Jersey	1	No State plan submitted.
	New York	3	No State plan submitted.
III	Maryland	1	State plan has been submitted but is incomplete.
	Pennsylvania	1	Plant closure by June 18, 2003.
	Virginia	4	No State plan submitted
IV	Florida	2	State plan is being reviewed by EPA.
	North Carolina	1	No State plan submitted.
	Tennessee	1	No State plan submitted.
V	Michigan	2	No State plan submitted.
	Minnesota	7	No State plan submitted.
	Wisconsin	1	No State plan submitted.
VI	Oklahoma	1	No State plan submitted.
	Texas	3	No State plan submitted.
VIII	Montana	1	State Plan is being reviewed by EPA.
	Utah	1	State Plan is being reviewed by EPA.
X	Alaska	1	No State plan submitted.
	Oregon	1	No State plan submitted.
	Washington	3	No State plan submitted.

Part 62 of title 40 of the Code of Federal Regulations identifies the approval of section 111(d)/129 State or Tribal plans for designated pollutants and designated facilities in each State or area of Indian country. However, part 62 is updated only once a year. Thus, if part 62 does not indicate that your State or tribal area has an approved and effective plan, you should contact your State environmental agency's air director or your EPA Regional Office (table 1) to determine if approval occurred since publication of the most recent version of part 62.

II. Required Elements of the Small MWC Federal Plan

Sections 111(d) and 129 of the CAA, as amended, 42 U.S.C. 7411(d) and 7429(b)(2), require States to develop and implement State plans for MWC units to implement and enforce the MWC emission guidelines. Subparts B and BBBB of 40 CFR part 60 require States to submit State plans that include specified elements. Because this Federal plan is being adopted in lieu of State plans, it includes the same essential elements: Identification of legal authority; identification of mechanisms for implementation; inventory of affected facilities; emission inventory; emission limits; compliance schedules; public hearing requirements; reporting and recordkeeping requirements; and public progress reports.

Each State plan element was discussed in detail as it relates to the Federal plan in the preamble to the proposed rule (66 FR 32484). Table 3 lists each element and identifies where it is located or codified. The EPA received written comments on the proposed Federal plan, which are presented in section III of this preamble. No requests for a public hearing were received by EPA.

TABLE 3.—REQUIRED ELEMENTS OF THE SMALL MWC FEDERAL PLAN

Required element of the small MWC federal plan	Location
Legal authority and enforcement mechanism	Section 129(b)(3) of the CAA.
Inventory of Affected MWC Units	Docket A–2000–39.
Inventory of Emissions	Docket A–2000–39.
Emission Limits	40 CFR 62.15155 through 62.15165.
Compliance Schedules	40 CFR 62.15040 through 62.15095.
Record of Public Hearings	No hearing was requested.
Testing, Monitoring, Recordkeeping, and Reporting	40 CFR 62.15170 through 62.15360.
Progress Reports	Section II.H of the proposal preamble (66 FR 32488).

III. Summary of Comments and Changes Since Proposal

In this section of the preamble, the EPA presents a brief summary of its responses to the public comments it received on the proposed small MWC Federal plan. Copies of the public comments and a memorandum responding to them can be found in Docket No. A–2000–39.

The EPA received only two comments on the proposed small MWC Federal plan. Both commenters requested the EPA delay promulgation of the small MWC Federal plan until ongoing litigation of the emission guidelines for small MWC units (40 CFR part 60, subpart BBBB) is resolved. The EPA decided not to delay promulgation of the Federal plan because, under sections 111 and 129 of the CAA, the EPA is required to promulgate a Federal plan applicable to units located in States which have not submitted an approvable State plan within two years of EPA's promulgation of an emission guideline. Since this Federal plan implements the emission guidelines for small MWC units not covered by an EPA approved and effective State or tribal plan, this Federal plan will be amended, as necessary, for any future amendments of subpart BBBB.

No comments were received on the emission limits or other requirements of the Federal plan, and no changes were made to the Federal plan.

IV. Summary of the Federal Plan Limits and Requirements

The small MWC Federal plan contains the same subcategories, emission limits, and other requirements as the emission guidelines promulgated on December 6, 2000 (65 FR 76378). Refer to the attached regulation, 40 CFR part 62, subpart JJJ for the entire set of requirements. The major requirements are summarized in the following sections.

A. Subcategories of Small MWC Units

The small MWC unit population is subcategorized based on aggregate capacity of the plant where the individual small MWC unit is located. The resulting subcategories are as follows: Class I units are small MWC units located at plants with an aggregate plant capacity greater than 250 tons per day of municipal solid waste (MSW); Class II units are small MWC units located at plants with an aggregate plant capacity less than or equal to 250 tons per day of MSW.

B. Emission Limits and Operating Practice Requirements

In accordance with section 129(a)(4) of the Clean Air Act, the Federal plan contains emission limits for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, sulfur dioxide, hydrogen chloride, nitrogen oxides, and carbon monoxide. The emission limits for Class I and Class II small MWC units are listed in tables 2 through 5 of subpart JJJ. The emission limits in the small MWC Federal plan are the same as those contained in the emission guidelines (40 CFR part 60, subpart BBBB). In addition to emission limits, the Federal plan contains the emission guideline requirements for unit operating load, flue gas temperature at the particulate matter control device inlet, and carbon feed rate as part of the required good combustion practices. The Federal plan also includes requirements for the control of fugitive ash emissions.

C. Compliance Schedules

The Federal plan includes required increments of progress for MWC units with compliance schedules that are longer than 12 months. The increments of progress in the Federal plan are the same as those in the emission guidelines and the primary mechanism for ensuring progress toward final compliance. Each increment of progress has a specified date for achievement.

This Federal plan includes five increments of progress for Class I units and two increments of progress for Class II units. The increments of progress for Class I units are: Submitting a final control plan; awarding contracts for control systems or process modifications or orders for purchase of components; beginning on-site construction or installation of the air pollution control device(s) or process changes; completing on-site construction or installation of the air pollution control device(s) or process changes; and final compliance. For Class II units, dates for only the first and last increments are specified.

The MWC owner or operator is responsible for meeting each of the increments of progress for each MWC unit no later than the applicable date. The owner or operator must notify the EPA Regional Office as each increment of progress is achieved (or missed). (*See* table 1 under the **SUPPLEMENTARY INFORMATION** section of this notice for a list of Regional Offices.) Class I and Class II small MWC units are required to follow the generic compliance schedule in table 1 of subpart JJJ, unless the State or owner/operator submitted a site-specific compliance schedule that was approved by EPA and included in table 9 of subpart JJJ. Under the generic compliance schedule, Class I units are required to reach final compliance by November 6, 2005. Class II units are required to reach final compliance by May 6, 2005.

In the proposed Federal plan, EPA provided States or MWC owners or operators with the opportunity to submit to EPA a site-specific compliance schedule as negotiated between the State and an MWC owner or operator. This site-specific compliance schedule was included by EPA to allow flexibility for the award contract date, the start construction date, and the finish construction date. Site-specific schedules for Dutchess County RRF and Islip-Mac Arthur RRF in New York State, and Harrisburg Materials, Energy, Recycling and Recovery Facility in Pennsylvania have been included in table 9 of the final Federal plan.

D. Operator Training and Certification Requirements

In the Federal plan, ASME operator certification and the EPA MWC operator training course are required. The emission guidelines require ASME or a comparable State program for operator certification for chief facility operators and shift supervisors, and an EPA or comparable State MWC operator training course for chief facility operators. Therefore, the proposed Federal plan included the opportunity for States to submit a comparable State program for operator certification and comparable State MWC training courses for inclusion in the final Federal plan. The States were required to submit this information before November 14, 2001. As of June 5, 2002, no States have submitted a comparable State program for operator certification or comparable State MWC training courses, so no such programs are included in the final Federal plan.

E. Testing, Monitoring, Recordkeeping, and Reporting

The small MWC Federal plan includes the same testing, monitoring, recordkeeping, and reporting requirements specified in 40 CFR part 60, subpart BBBB. Small MWC units subject to this Federal plan are required to conduct initial and annual stack testing to measure the emission levels of dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash. Continuous emission monitoring systems are required for monitoring oxygen (or carbon dioxide), sulfur dioxide, carbon monoxide, and nitrogen oxides. The owner or operator must also monitor the load level, the temperature of the flue gases at the inlet to the particulate matter air pollution control device, and the carbon feed rate if activated carbon is used to control dioxins/furans or mercury emissions.

In addition to the testing and monitoring requirements, the Federal plan includes recordkeeping and reporting requirements, which are intended to document compliance with the emission limits and operating requirements.

V. Implementation of the Federal Plan and Delegation

A. Background of Authority

Under sections 111(d) and 129(b) of the CAA, EPA is required to adopt emission guidelines that are applicable to existing solid waste incineration sources. These emission guidelines are not enforceable until a Federal plan or an EPA-approved State or tribal plan becomes effective. As discussed above, the Federal plan regulates small MWC units in a State or tribal area that does not have an EPA-approved plan.

Congress has determined that the primary responsibility for air pollution prevention and control rests with State and local agencies. *See* section 101(a)(3) of the CAA. Consistent with that overall determination, Congress established sections 111 and 129 of the CAA with the intent that the States and local agencies take the primary responsibility for ensuring that the emission limitations and other requirements in

the emission guidelines are achieved. Also, in section 111(d) of the CAA, Congress explicitly required that EPA establish procedures that are similar to those under section 110(c) for State Implementation Plans. Although Congress required EPA to propose and promulgate a Federal plan for States that fail to submit approvable State plans on time, States and tribes may submit approvable plans after today's publication of this Federal plan. The EPA strongly encourages States that are unable to submit approvable plans to request delegation of the Federal plan so that they can have primary responsibility for implementing the emission guidelines, consistent with Congress' intent.

Approved and effective State plans or delegation of the Federal plan is EPA's preferred outcome since EPA believes that State and local agencies not only have the responsibility to implement and enforce the emission guidelines, but also have the practical knowledge and enforcement resources critical to achieving the highest rate of compliance. For these reasons, EPA will do all that it can to expedite delegation of the Federal plan to State and local agencies, whenever possible.

The EPA also believes that Indian tribes are the primary parties responsible for regulating air quality within Indian country, if they desire to do so. *See* EPA's Indian Policy (''Policy for Administration of Environmental Programs on Indian Reservations,'' signed by William D. Ruckelshaus, Administrator of EPA, dated November 4, 1984), reaffirmed in a 1994 memorandum (''EPA Indian Policy,'' signed by Carol M. Browner, Administrator of EPA, dated March 14, 1994).

B. Delegation of the Federal Plan and Retained Authorities

If a State or Indian tribe intends to take delegation of the Federal plan, the State or Indian tribe must submit to the appropriate EPA Regional Office a written request for delegation of authority. The State or Indian tribe must explain how it meets the criteria for delegation specified in Delegation No. 7–139, ''Implementation and Enforcement of sections 111(d)(2) and 111(d)(2)/129(b)(3) Federal Plans''. *See generally* ''Good Practices Manual for Delegation of NSPS and NESHAP'' (EPA, February 1983). In order to obtain delegation, an Indian tribe must also establish its eligibility to be treated in the same manner as a State. The letter requesting delegation of authority to implement the Federal plan must demonstrate that the State or tribe has adequate resources, as well as the legal and enforcement authority to administer and enforce the program. A memorandum of agreement between the State or tribe and EPA will set forth the terms and conditions of the delegation, the effective date of the agreement, and will also serve as the mechanism to transfer authority. Upon signature of the agreement, the appropriate EPA Regional Office will publish an approval notice in the **Federal Register**, thereby incorporating the delegation of authority into the appropriate subpart of 40 CFR part 62.

If authority is not delegated to a State or Indian tribe, EPA will implement and enforce the Federal plan. Also, if a State or tribe fails to properly implement a delegated portion of the Federal plan, EPA will assume direct implementation and enforcement of that portion. The EPA will continue to hold enforcement authority along with the State or tribe even when a State or tribe has received delegation of the Federal plan. In all cases where the Federal plan is delegated, EPA will retain and will not transfer to a State or tribe certain authorities which could change the stringency of the underlying standard, which are likely to be nationally significant, or which may require a national rulemaking and subsequent **Federal Register** notice. The following authorities may not be delegated to State, tribal or local agencies: approval of alternative non-opacity emission standards, approval of alternative opacity standard, approval of major alternatives to test methods, approval of major alternatives to monitoring, waiver of recordkeeping, and approval of exemption to operating practice requirements in § 62.15145(e)(5).

C. Mechanisms for Transferring Authority

There are two mechanisms for transferring implementation authority to State or tribal agencies: When EPA approves a State or tribal plan after the Federal plan is in effect; and if a State or tribe does not submit or obtain approval of its own plan, EPA may delegate to a State or tribe the authority to implement the Federal plan. Both of these options are described in more detail below.

1. State or Tribe Submits a Plan After Small MWC Units Located in the Area Are Subject to the Federal Plan

After small MWC units in a State or tribal area become subject to the Federal plan, the State or tribal agency may still adopt and submit a plan to EPA. If EPA determines that the State or tribal plan is as protective as the emission guidelines, EPA will approve the State or tribal plan. If EPA determines that the plan is not as protective as the emission guidelines, EPA will disapprove the plan and the small MWC units proposed to be covered in the State or tribal plan will remain subject to the Federal plan until a State or tribal plan covering those small MWC units is approved and effective.

Upon the effective date of a State or tribal plan, the Federal plan will no longer apply to small MWC units covered by such a plan and the State or tribal agency will implement and enforce the State or tribal plan in lieu of the Federal plan. When an EPA Regional Office approves a State or tribal plan, it will amend the appropriate subpart of 40 CFR part 62 to indicate such approval.

2. State Takes Delegation of the Federal Plan

The EPA, in its discretion, may delegate to State or tribal agencies the authority to implement the Federal plan. As discussed above, EPA believes that it is advantageous and the best use of resources for State agencies to agree to undertake, on EPA's behalf, the administrative and substantive role in implementing the Federal plan to the extent EPA decides it is appropriate and where authorized by State law. If a State requests delegation, EPA will generally delegate the entire Federal plan to the State agency. These functions include administration and oversight of compliance reporting and recordkeeping requirements, small MWC inspections, and preparation of draft notices of violation and enforcement. Enforcement authority can be delegated to State and tribal agencies, but EPA always retains Federal enforcement authority. The EPA also believes that it is the best use of resources for tribal agencies to undertake a role in the implementation of the Federal plan. The Tribal Authority Rule (TAR) issued on February 12, 1998 (63 FR 7254), provides tribes the opportunity to develop and implement Clean Air Act programs. However, due to resource constraints and other factors unique to tribal governments, it leaves to the discretion of the tribe whether to develop these programs and which elements of a program they will adopt. Consistent with the approach of the TAR, EPA may choose to delegate a partial Federal plan (*i.e.*, to delegate authority for some functions needed to carry out the plan) in appropriate circumstances and where authorized by tribal law. Both States, or tribal agencies, that have taken delegation, as well as EPA, will have responsibility for

bringing enforcement actions against sources violating Federal plan provisions. EPA recognizes, however, that tribes have limited criminal enforcement authority, and EPA will address in the delegation agreement with the tribe how criminal enforcement issues are referred to EPA.

VI. Title V Operating Permits

Sources subject to this small MWC Federal plan must obtain title V operating permits. These title V operating permits must assure compliance with all applicable requirements for these sources, including all applicable requirements of this Federal plan. *See* 40 CFR 70.6(a)(1), 70.2, 71.6(a)(1) and 71.2.

Owners or operators of section 129 sources (including small MWC units) subject to standards or regulations under sections 111 and 129 must operate pursuant to a title V permit not later than 36 months after promulgation of emission guidelines under sections 111 and 129 or by the effective date of the State, tribal, or Federal title V operating permits program that covers the area in which the unit is located, whichever is later. The EPA has interpreted section 129(e) to be consistent with section 503(d) of the CAA and 40 CFR 70.7(b) and 71.7(b). (*See, e.g.*, the final Federal Plan for Hospital/Medical/Infectious Waste Incinerators, August 15, 2000 (65 FR 49868, 49878)). Section 503(d) of the CAA and 40 CFR 70.7(b) and 71.7(b) allow a source to operate without being in violation of title V once the source has submitted a timely and complete permit application, even if the source has not yet received a final title V operating permit from the permitting authority.[2] As a result, EPA interprets the dates in section 129(e) to be the dates by which complete title V applications need to be submitted. In the absence of such an interpretation, a section 129 source may be required to prepare and submit a complete title V application and the permitting authority issue a permit to this source in a very short period of time.[3]

As a result of EPA's interpretation, existing small MWC units must submit complete title V applications by the later of the following dates: not later than 36 months after the promulgation of 40 CFR part 60, subpart BBBB or by the effective date of the State, tribal, or Federal title V operating permits program that covers the area in which the unit is located. As of today's action, all areas of the country are covered by effective title V programs. As a result, the relevant section 129(e) date for existing small MWC units is 36 months following promulgation of 40 CFR part 60, subpart BBBB, *i.e.*, December 6, 2003. Therefore, December 6, 2003, is the latest possible date by which complete applications for existing small MWC units can be submitted and still be considered timely. This date applies regardless of when the small MWC Federal plan becomes effective or when an EPA approved section 111(d)/129 plan for existing small MWC units becomes effective. If, however, an earlier application deadline applies to an existing small MWC unit, then this deadline must be met in order for the unit to be in compliance with section 502(a) of the CAA. To determine when an application is due for an existing small MWC unit, section 129(e) of the CAA must be read in conjunction with section 503(c) of the CAA.

As stated in section 503(c), a source has up to 12 months to apply for a title V permit once it becomes subject to a title V permitting program.[4] For example, if an existing small MWC unit becomes subject to a title V permitting program for the first time on the effective date of this Federal plan, then the source must apply for a title V permit within 12 months of the effective date of this Federal plan in order to operate after this date in compliance with Federal law.

An application deadline earlier than either of the two dates noted above, *i.e.*, December 6, 2003, or not later than 12 months after the effective date of this Federal plan, may apply to an existing small MWC unit if it is subject to title V for more than one reason. For example, an existing small MWC unit may already be subject to title V as a result of being a major source under one or more of three major source definitions in title V—section 112, section 302, or part D of title I of the CAA. *See* 40 CFR 70.3(a)(1) and 71.3(a)(1) (subjecting major sources to title V permitting) and 40 CFR 70.2 and 71.2 (defining major source for purposes of title V). *See also* 40 CFR 70.3(a) and (b) and 71.3(a) and (b) for a list of the applicability criteria which trigger the requirement to apply for a title V permit.

If an owner or operator is already subject to title V by virtue of some requirement other than this Federal plan and has submitted a timely and complete permit application, but the draft title V permit has not yet been released by the permitting authority, then the owner or operator must supplement the title V application by including the applicable requirements of this Federal plan in accordance with 40 CFR 70.5(b) or 71.5(b). If an existing small MWC unit is a major source or is part of a major source, is subject to this Federal plan, and is already covered by a title V permit with a remaining permit term of 3 or more years on the effective date of this Federal plan, then the owner or operator will receive from the permitting authority a notice of intent to reopen the source's title V permit to include the requirements of this Federal plan. Reopenings required for such small MWC units must be completed not later than 18 months after the effective date of this Federal plan in accordance with the procedures established in 40 CFR 70.7(f)(1)(i) or 71.7(f)(1)(i). If an existing small MWC unit subject to this Federal plan does not meet the above criteria, *e.g.*, the unit is part of a nonmajor source or is covered by a permit which has a remaining term of less than 3 years on the effective date of this Federal plan, then the permitting authority does not need to reopen the source's permit, as a matter of Federal law, to include the requirements of this Federal plan.[5]

[2] A title V application should be submitted early enough for the permitting authority to find the application either complete or incomplete before the title V application deadline. In the event the application is found incomplete by the permitting authority, the source must submit the information needed to make the application complete by the application deadline in order to obtain the application shield. *See* 40 CFR 62.15400(c)and 40 CFR 70.5(a)(2) and 71.5(a)(2).

[3] For example, in the absence of such an interpretation, if a final Federal plan were to become effective more than 24 months after the promulgation of emission guidelines promulgated under sections 111 and 129, a source, if subject to the Federal plan, would have less than 12 months to prepare and submit a complete title V permit application and to have the permit issued. EPA's interpretation allows section 129(e) to be read consistently with section 503(d) of the Act and 40 CFR 70.7(b) and 71.7(b). EPA's interpretation is also consistent with section 503(c) of the Act which requires sources to submit title V applications not later than 12 months after becoming subject to a title V permits programs. If a permit as opposed to a title V application were required by the later of the two deadlines specified in section 129(e), some section 129 sources would be required to have been *issued final title V permits* in potentially much less time than allotted for non-section 129 sources to *submit their title V applications.*

[4] If a source is subject to title V for more than one reason, the 12-month time frame for submitting a title V application is triggered by the requirement which first causes the source to become subject to title V. As provided in section 503(c) of the CAA, permitting authorities may establish permit application deadlines earlier than the 12-month deadline.

[5] *See* CAA section 502(b)(9); 40 CFR 70.7(f)(1)(i) and 71.7(f)(1)(i). Owners or operators of small MWC units, which have been permitted and are subject to this Federal plan, may wish to consult their operating permits program regulations or permitting authorities to determine whether their permits must be reopened to incorporate the requirements of this Federal plan.

However, the owner or operator of a source subject to a section 111/129 Federal plan remains subject to, and must act in compliance with, section 111/129 requirements and all other applicable requirements to which the source is subject regardless of whether these requirements are included in a title V permit. *See* 40 CFR 70.6(a)(1), 70.2, 71.6(a)(1) and 71.2.

The EPA has recently become aware that there has been some confusion regarding the title V obligations of section 129 sources that are subject to standards or regulations under sections 111 and 129. We are therefore including table 4 to help clarify when small MWC units (even those not subject to this Federal plan) must apply for a title V permit. While table 4 provides specific information relative to small MWC units, the same title V obligations apply to all section 129 sources subject to standards or regulations under sections 111 and 129. Of course, specific deadlines will vary for other section 129 sources depending on when the relevant NSPS is promulgated, when the relevant State or tribal section 111(d)/129 plan is approved by EPA and becomes effective, etc. Lastly, table 4 takes into account that as of the promulgation date, *i.e.*, December 6, 2000, for the NSPS (subpart AAAA of part 60) and emission guidelines (subpart BBBB of part 60) for small MWC units, every area of the country was covered by a title V permits program under 40 CFR part 70 or part 71. This point is relevant because a section 111/129 standard cannot trigger the requirement for a source to apply for a title V permit unless a title V permits program is in effect in the area in which the source is located.

TABLE 4.—DEADLINES FOR TITLE V PERMITS

Submitting Title V Permit Applications	
If a small MWC unit is a major source or is part of a major source, and had commenced operation as of the effective date of relevant title V permits program.	then a complete title V application which covers the entire source [a] is due not later than 12 months (or if required by the title V permitting authority) after the effective date of the relevant title V permits program. *See* CAA section 503(c) and 40 CFR commenced 70.4(b)(11)(i), 71.4(i)(1), 70.5(a)(1)(i) and 71.5(a)(1)(i).
If a small MWC unit is a major source or is part of a major source, but did not commence operation until after the relevant title V permits program became effective.	then a complete title V application which covers the entire source is due not later than 12 months (or earlier if required by the title V permitting authority) after the date the source commences operation. *See* CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i).
If a small MWC unit is a nonmajor source or is part of a nonmajor source, is subject to the small MWC NSPS (subpart AAAA of 40 CFR part 60), and had commenced operation as of December 6, 2000.	then a complete title V application [b] is due not later than 12 months after subpart AAAA was promulgated, *i.e.*, December 6, 2001 (or earlier if required by the title V permitting authority). *See* CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i).
If a small MWC unit is a nonmajor source or is part of a nonmajor source, is subject to the small MWC NSPS (subpart AAAA of 40 CFR part 60), but did not commence operation until after December 6, 2000.	then a complete title V application is due not later than 12 months (or earlier if required by the title V permitting authority) after the date the source commences operation. *See* CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i).
If a small MWC unit is a nonmajor source or is part of a nonmajor source, and is subject to an EPA approved and effective State or tribal section 111(d)/129 plan.	then a complete title V application is due not later than 12 months (or earlier if required by the title V permitting authority) after the effective date of the EPA approved State or tribal section 111(d)/129 plan.[c] *See* CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i). In no event, however, can such an existing small MWC unit submit a complete title V application after December 6, 2003, and have it be considered timely. *See* CAA section 129(e) and section or tribal 62.15400 of subpart JJJ.
If a small MWC unit is nonmajor source or is part of a nonmajor source, and is subject to the small MWC Federal plan (subpart JJJ of 40 CFR part 62).	then a complete title V application is due not later than 12 months (or earlier if required by the title V permitting authority) after the effective date of 40 CFR part 62, subpart JJJ. *See* CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i). In no event, however, can such an existing small MWC unit submit a complete title V application after December 6, 2003, and have it considered timely. *See* CAA section 129(e) and section 62.15400 of subpart JJJ.
If a small MWC unit is required to obtain a title permit due to triggering more than one of the applicability criteria listed above or in 40 CFR 70.3(a) or 71.3(a).	then a complete title V application is due not later than 12 months (or earlier if required by the title V permitting authority) after the unit triggers the criterion which first caused the unit to be subject to title V. *See* CAA section 503(c) and 40 CFR 70.3(a) and (b), 70.5(a)(1), 71.3(a) and (b) and 71.5(a)(1). In no event, however, can an existing small MWC unit submit a complete title V application after December 6, 2003, and have it be considered timely. *See* CAA section 129(e) and section 62.15400 of subpart JJJ.
Reopening Title V Permits	
If a small MWC unit is a major source or is part of a major source, is subject to the small MWC NSPS (subpart AAAA of 40 CFR part 60), and is covered by a title V permit with a remaining permit term of 3 or more years on December 6, 2000.	then the title V permitting authority must complete a reopening of the source's title V permit to incorporate the requirements of 40 CFR part 60, subpart AAAA not later than June 6, 2002. *See* CAA section 502(b)(9); 40 CFR 70.7(f)(1)(i) and 71.7(f)(1)(i).

TABLE 4.—DEADLINES FOR TITLE V PERMITS—Continued

If a small MWC unit is a major source or is part of a major source, is subject to an EPA approved and effective State or tribal section 111(d)/129 plan for small MWC units, and is covered by a title V permit with a remaining permit team of 3 or more years on the effective date of the EPA approved section 111(d)/129 plan.	then the title V permitting authority must complete a reopening of the source's title V permit to incorporate the requirements of this EPA approved and effective section 111(d)/129 plan not later than 18 months after the effective date of this plan. *See* CAA section 502(b)(9); 40 CFR 70.7(f)(1)(i) and 71.7(f)(1)(i).
If a small MWC unit is a major source or is part of a major source, is subject to the small MWC Federal plan (subpart JJJ of 40 CFR part 62), and is covered by a title V permit with a remaining permit term of 3 or more years on the effective date of this Federal plan.	then the title V permitting authority must complete a reopening of the source's title V permit to incorporate the requirements of subpart JJJ of 40 CFR part 62 not later than 18 months after the effective date of the small MWC Federal plan. *See* CAA section 502(b)(9); 40 CFR 70.7(f)(1)(i) and 71.7(f)(1)(i).
Updating Existing Title V Permit Applications	
If a small MWC unit is subject to the small MWC NSPS (subpart AAAA of 40 CFR part 60), but first became subject to title V permitting prior to the promulgation of this NSPS, and the owner or operator of the unit has submitted a timely and complete title V permit application, but the draft title V permit has not yet been released by the permitting authority.	then the owner or operator must supplement the title V application by including the applicable requirements of 40 CFR part 60, subpart AAAA in accordance with 40 CFR 70.5(b) or 71.5(b).
If a small MWC unit is subject to an EPA approved and effective State or tribal section 111(d)/129 plan for small MWC units, but first became subject to title V permitting prior to the effective date of the section 111(d)/129 plan, and the owner or operator of the unit has submitted a timely and complete title V permit application, but the draft title V permit has not yet been released by the permitting authority.	then the owner or operator must supplement the title V application by including the applicable requirements of the approved and effective section 111(d)/129 plan in accordance with 40 CFR 70.5(b) or 71.5(b).
If a small MWC unit is subject to the small MWC Federal plan (subpart JJJ of 40 CFR part 62), but first became subject to title V permitting prior to the effective date of this Federal plan, and the owner or operator of the unit has submitted a timely and complete title V permit application, but the draft title V permit has not yet been released by the permitting authority.	then the owner or operator must supplement the title V application by including the applicable requirements of 40 CFR part 62, subpart JJJ in accordance with 40 CFR 70.5(b) or 71.5(b).

[a] A title V application from a major source must address all emission units at the title V source, not just the section 129 emission unit. *See* 40 CFR 70.3(c)(1) and 71.3(c)(1). (For information on aggregating emission units to determine what is a source under title v, *see* the definition of *major source* in 40 CFR 70.2, 71.2 and 63.2.)

[b] Consistent with 40 CFR 70.3(c)(2) and 71.3(c)(2), a permit application from a nonmajor title V source is only required to address the emission units which caused the source to be subject to title V. The requirements which trigger the need for the owner or operator of a nonmajor source to apply for a title V permit are found in 40 CFR 70.3(a) and (b) and 71.3(a) and (b). Permits issued to these nonmajor sources must include *all* of the applicable requirements that apply to the triggering units, *e.g.*, State Implementation Plan requirements, not just the requirements which caused the source to be subject to title V. *See* footnote #2 in *Change to Definition of Major Source* rule, November 27, 2001 (66 FR 59161, 59163).

[c] If a small MWC unit becomes subject to an approved and effective State or tribal section 111(d)/129 plan after being subject to an effective Federal plan, the small MWC unit is still required to file a complete title V application consistent with the application deadlines for units subject to the small MWC Federal plan.

A. Clarification to the Rule

The language in § 62.15020(k) regarding air curtain incinerators has been clarified to be consistent with the language in § 62.15395 regarding title V permitting. In that air curtain incinerators are subject to this subpart, they are required to apply for and obtain a title V permit consistent with the requirements of §§ 62.15395 and 62.15400. As a result, the language in § 62.15020(k) has been modified to specify that air curtain incinerators which meet the definition of air curtain incinerator found in § 62.15410 must meet only the requirements of §§ 62.15365 through 62.15385 and the operating permit requirements of this subpart.

B. Delegation of a Federal Plan

During the development of the Federal plan for Hospital/Medical/Infectious Waste Incinerators (HMIWI), a State agency raised the question of whether a title V operating permits program could be used as a mechanism for transferring the authority to implement and enforce section 111/129 requirements from EPA to State and local agencies. *See* ''Transfer of Authority'' section of final Federal plan for HMIWI, August 15, 2000 (65 FR 49868, 49873). The State agency noted that the proposal for that rulemaking described two mechanisms for transferring authority to State and local agencies following promulgation of the Federal plan. Those two mechanisms were: (1) The approval of a State or tribal plan after the Federal plan is in effect; and (2) if a State or tribe does not submit or obtain approval of its own plan, EPA delegation to a State or tribe of the authority to implement and enforce the HMIWI Federal plan. The State asked EPA to recognize the title V operating permits program as a third mechanism for transferring authority to State and local agencies. The commenter said that State and local agencies implement title V programs and that title V permits must include the requirements of the Federal plan. The commenter concluded that title V permitting authorities already have implementation responsibility for the Federal plan through their title V permits programs, regardless of whether the authority to implement the Federal plan is delegated to the State or local agency.

In its response to the State, the EPA explained why the issuance of a title V permit is not equivalent to the approval of a State plan or delegation of a Federal plan by focusing on situations in which a title V permitting authority without delegation of a Federal plan could not

implement and enforce section 111/129 requirements. This situation would arise any time a title V permit was not in effect for a source subject to the section 111/129 Federal plan or where the permit did not contain the applicable section 111/129 requirements. For example, a title V source may be allowed to operate without a title V permit for a number of years in some cases between the time the source first triggers the requirement to apply for a permit and the issuance of the permit. The preamble to the final HMIWI Federal plan also noted that a source with a title V permit with a permit term less than 3 years is not required by part 70 to have its permit reopened by a State or tribe to include new applicable requirements such as the HMIWI standard.[6] *See* 40 CFR 70.7(f)(1)(i).

In addition to the explanation provided in the preamble to the final HMIWI Federal plan, there are additional State implementation and enforcement gaps which would not be addressed by implementing and enforcing the section 111/129 standard through a title V permit. The following is an example of such a gap: title V permits are not permanent. With two exceptions, all permits must be renewed at least every 5 years.[7] Although 40 CFR 70.4(b)(10) requires States to provide that a permit or the terms and conditions of a permit may not expire until the permit is renewed, this requirement only applies if a timely and complete application for a renewal permit has been submitted by the source, creating a potential gap. In contrast to this example, the two mechanisms that EPA has identified for transferring authority ensure that a State or tribe can implement and enforce the section 111/129 standards at all times.

Legally, delegation of a standard or requirement results in a delegated State or tribe standing in for EPA as a matter of Federal law. This means that obligations a source may have to the EPA under a federally promulgated standard become obligations to a State (except for functions that the EPA retains for itself) upon delegation.[8] Although a State or tribe may have the authority to incorporate section 111/129 requirements into its title V permits, and implement and enforce these requirements in these permits without first taking delegation of the section 111/129 Federal plan, the State or tribe is not standing in for EPA as a matter of Federal law in this situation. Where a State or tribe does not take delegation of a section 111/129 Federal plan, obligations that a source has to EPA under the Federal plan continue after a title V permit is issued to the source. As a result, the EPA continues to maintain that an approved part 70 operating permits program cannot be used as a mechanism to transfer the authority to implement and enforce the Federal plan from the EPA to a State or tribe.

As mentioned above, a State or tribe may have the authority under State or tribal law to incorporate section 111/129 requirements into its title V permits, and implement and enforce these requirements in that context without first taking delegation of the section 111/129 Federal plan.[9] Some States or tribes, however, may not be able to implement and enforce a section 111/129 standard in a title V permit until the section 111/129 standard has been delegated. In these situations, a State or tribe should not issue a part 70 permit to a source subject to a Federal plan before taking delegation of the section 111/129 Federal plan.

If a State or tribe can provide an Attorney General's (AG's) opinion delineating its authority to incorporate section 111/129 requirements into its title V permits, and then implement and enforce these requirements through its title V permits without first taking delegation of the requirements, then a State or Tribe does not need to take delegation of the section 111/129 requirements for purposes of title V permitting.[10] In practical terms, without approval of a State or tribal plan, delegation of a Federal plan, or an adequate AG's opinion, States and tribes with approved part 70 permitting programs open themselves up to potential questions regarding their authority to issue permits containing section 111/129 requirements and to assure compliance with these requirements. Such questions could lead to the issuance of a notice of deficiency for a State's or tribe's part 70 program. As a result, prior to a State or tribal permitting authority drafting a part 70 permit for a source subject to a section 111/129 Federal plan, the State or tribe, EPA Regional Office, and source in question are advised to ensure that delegation of the relevant Federal plan has taken place or that the permitting authority has provided to the EPA Regional Office an adequate AG's opinion.

In addition, if a permitting authority chooses to rely on an AG's opinion and not take delegation of a Federal plan, a section 111/129 source subject to the Federal plan in that State must simultaneously submit to both EPA and the State or tribe all reports required by the standard to be submitted to the EPA. Given that these reports are necessary to implement and enforce the section 111/129 requirements when they have been included in title V permits, the permitting authority needs to receive these reports at the same time as the EPA.

In the situation where a permitting authority chooses to rely on an AG's opinion and not take delegation of a Federal plan, EPA Regional Offices will be responsible for implementing and enforcing section 111/129 requirements outside of any title V permits. Moreover, in this situation, EPA Regional Offices will continue to be responsible for developing progress reports, entering emissions data into the Aerometric Information Retrieval System (AIRS)/AIRS Facility Subsystem (AFS), and conducting any other administrative functions required under this Federal plan or any other section 111/129 Federal plan. *See* section II.J. of the proposed Federal plan for HMIWI, July 6, 1999 (64 FR 36426, 36431); 40 CFR 60.25(e); and Appendix D of 40 CFR part 60.

It is important to note that the EPA is not using its authority under 40 CFR 70.4(i)(3) to request that all States and tribes which do not take delegation of this Federal plan submit supplemental AG's opinions at this time. However, the EPA Regional Offices shall request, and permitting authorities shall provide, such opinions when the EPA questions a State's or tribe's authority to incorporate section 111/129

[6] An owner or operator of a source subject to a section 111/129 Federal plan remains subject to, and must act in compliance with, 111/129 requirements and all other applicable requirements to which the source is subject regardless of whether these requirements are included in a title V permit. *See* 40 CFR 70.6(a)(1), 70.2, 71.6(a)(1) and 71.2.

[7] Under 40 CFR 70.4(b)(3)(iv), permitting authorities are allowed to issue permits for solid waste incineration units combusting municipal waste subject to standards under section 129(e) of the Act for a period not to exceed 12 years, provided that the permits are reviewed at least every 5 years. Permits with acid rain provisions must be issued for a fixed term of 5 years; shorter terms for such permits are not allowed.

[8] If the Administrator chooses to retain certain authorities under a standard, those authorities cannot be delegated, *e.g.,* approval of major alternatives to test methods.

[9] The EPA interprets the phrase ''assure complaince'' in section 502(b)(5)(A) to mean that permitting authorities will implement and enforce each applicable standard, regulation, or requirement which must be included in the title V permits the permitting authorities issue. *See* definition of ''applicable requirement'' in 40 CFR 70.2. *See also* 40 CFR 70.4(b)(3)(i) and 70.6(a)(1).

[10] It is important to note that an AG's opinion submitted at the time of initial title V program apporoval is sufficient if it demonstrates that a State or tribe has adequate authority to incorporate section 111/129 requirements into its title V permits, and to implement and enforce these requirements through its title V permits without delegation.

requirements into a title V permit, and implement and enforce these requirements in that context without delegation.

Lastly, the EPA would like to correct and clarify the following sentences from the ''Transfer of Authority'' section of the preamble to the final HMIWI Federal plan (65 FR 49868, 49873): ''Prior to delegation, only the EPA will have enforcement authority. In neither instance does the title V permit status of a source affect the enforcement responsibility of EPA and the State or tribal permitting authorities.'' In situations where a State or tribe is subject to a section 111/129 Federal plan and does not take delegation of the Federal plan, the following applies: Prior to delegation, only EPA can implement and enforce section 111/129 requirements outside of a title V permit. Whenever there is a title V permit in effect which includes section 111/129 requirements, however, EPA and the State or tribe have dual authority to implement and enforce the section 111/129 requirements in the title V permit. When a State or tribe has not taken delegation of a section 111/129 Federal plan, the previous sentence is relevant only in situations where a State or tribe has the authority to incorporate section 111/129 requirements into title V permits, and to implement and enforce these requirements in title V permits without delegation.

VII. Administrative Requirements

This section addresses the following administrative requirements: Regulatory Planning and Review; Federalism; Consultation and Coordination with Indian Tribal Governments; Protection of Children from Environmental Health Risks and Safety Rules; Unfunded Mandates Reform Act of 1995; Regulatory Flexibility Act as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996; Paperwork Reduction Act; National Technology Transfer and Advancement Act; Congressional Review Act; and Energy Effects. Many of these administrative requirements were addressed in the preamble to the small MWC emission guidelines (65 FR 76378). Since this Federal plan merely implements the emission guidelines promulgated on December 6, 2000, and does not impose any new requirements, many of the administrative requirements refer to the administrative requirements in the preamble to the small MWC emission guidelines.

A. Executive Order 12866—Regulatory Planning and Review

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the EPA must determine whether the regulatory action is ''significant,'' and therefore, subject to Office of Management and Budget (OMB) review and the requirements of the Executive Order. The Executive Order defines ''significant regulatory action'' as one that is likely to result in a rule that may:

1. Have an annual effect on the economy of $100 million or more, or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;
2. Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;
3. Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or
4. Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

The emission guidelines promulgated on December 6, 2000, are projected to have an impact of approximately $68 million annually (Docket No. A–98–18). This Federal plan merely implements those emission guidelines, and does not impose any new requirements. Therefore, EPA has determined that this Federal plan is not a ''significant regulatory action'' under the terms of Executive Order 12866 and is therefore not subject to OMB review.

B. Executive Order 13132: Federalism

Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999), requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.''

Under section 6 of Executive Order 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. The EPA also may not issue a regulation that has federalism implications and that preempts State law, unless EPA consults with State and local officials early in the process of developing the regulation.

This Federal plan does not have federalism implications. It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. The States have the primary responsibility for negotiating compliance schedules and incorporating the emission limits into a State plan. Since sources are only covered by a Federal plan if an EPA approved and effective State plan is not in place, the Federal plan does not add substantial additional costs. Thus, the requirements of section 6 of the Executive Order do not apply to this Federal plan.

C. Executive Order 13175—Consultation and Coordination with Indian Tribal Governments

Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 6, 2000), requires EPA to develop an accountable process to ensure ''meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.'' ''Policies that have tribal implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on one or more Indian tribes, on the relationship between the Federal government and the Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes.''

The EPA believes that no small MWC units are located in Indian country. As a result, this final rule does not have tribal implications. It will not have substantial direct effects on tribal governments, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

D. Executive Order 13045—Protection of Children From Environmental Health Risks and Safety Risks

Executive Order 13045, ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), applies to any rule that is determined to be ''economically significant'' as defined under Executive Order 12866 and concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, EPA must evaluate the environmental health or safety effects of the planned rule on children and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by EPA.

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required under section 5–501 of the Executive Order has the potential to influence the regulation. This Federal plan is not subject to Executive Order 13045 because it is not economically significant as defined in Executive Order 12866 and because it is based on technology performance and not on health and safety risks.

E. Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, or tribal governments and the private sector. Under section 202 of the UMRA, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, or tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. Before promulgating an EPA rule for which a written statement is needed, section 205 of the UMRA generally requires EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective, or least burdensome alternative if the Administrator publishes with the final rule an explanation of why that alternative was not adopted. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must have developed under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

The EPA has determined that this Federal plan does not contain a Federal mandate that may result in expenditures of $100 million or more for State, local, or tribal governments, in the aggregate, or the private sector in any 1 year. The Federal plan merely implements the small MWC emission guidelines and does not impose any new requirements. The Environmental Impact Assessment (EIA) for the small municipal waste combustor emission guidelines (Docket No. A–98–18) shows that the total annual costs of the emission guidelines is about $68 million per year (in 1997 dollars), starting on the fifth year after the emission guidelines are promulgated. The Federal plan will apply to only a small subset of the units considered in the EIA for the emission guidelines. Thus, this Federal plan is not subject to the requirements of sections 202 and 205 of UMRA. Although the emission guidelines were not subject to UMRA, EPA prepared a cost-benefit analysis under section 202 of UMRA for the 1995 emission guidelines. For a discussion of how EPA complied with UMRA for the 1995 emission guidelines, including its extensive consultations with State and local governments, see the preamble to the 1995 emission guidelines (60 FR 65405–65412, December 19, 1995). Because the emission guidelines are equivalent to the 1995 emission guidelines, no additional consultations were necessary during the reestablishment of emission guidelines for small MWC units. However, public comments were solicited in the process of reestablishing the small MWC emission guidelines and in proposing the Federal plan, providing the opportunity for input from state and local governments and small entities.

F. Regulatory Flexibility Act (RFA) as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA)

The Regulatory Flexibility Act (RFA) generally requires Federal agencies to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental jurisdictions.

For purposes of assessing the impacts of the emission guidelines on small entities, a small entity is defined as:

1. A small business in this industry that has a gross annual revenue less than $6 million;

2. A small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; or

3. A small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field.

After considering the economic impacts of the Federal plan on small entities, I certify that this action will not have a significant economic impact on a substantial number of small entities. The EPA expects State plans to affect many small MWC units before the final small MWC Federal plan becomes effective. As State plans are submitted and become effective, the Federal plan no longer applies. Therefore, the impact of this Federal plan is expected to be less than the impact identified in developing the MWC emission guidelines.

EPA's analysis indicates eight existing small MWC units (operated by one small business and seven small governments) would be subject to the emission guidelines. In the analysis for the MWC units that are considered small entities, EPA calculated compliance costs as a percentage of sales for business and a percentage of income (total household income) for governments. The average estimated annual compliance cost as a percentage of income is 0.03 percent for the seven small government entities and 39 percent for the one small business. Among the seven potentially affected government entities, the maximum compliance cost was 0.25 percent.

Although this Federal plan will not have a significant economic impact on a substantial number of small entities, EPA has tried to reduce the impact of

the emission guidelines and this Federal plan on small entities by establishing different requirements for Class I and Class II MWC units and establishing provisions for less frequent testing for small Class II units. In addition, EPA involved representatives of small entities in the development of the emission guidelines. For a summary of the actions that EPA took to involve small entities and their representatives in the development of the emission guidelines, refer to the discussion of the Unfunded Mandates Reform Act in section VII.E.

G. Paperwork Reduction Act

The OMB has approved the information collection requirements in the emission guidelines under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq* and has assigned OMB control number 2060–0424.

The information will be used to ensure that the small MWC unit Federal plan requirements are implemented properly and are complied with on a continuous basis. Records and reports are necessary to identify small MWC units that might not be in compliance with the small MWC unit Federal plan. Based on reported information, the implementing agency will decide which small MWC units should be inspected and what records or processes should be inspected. Records that owners and operators of small MWC units maintain indicate whether personnel are operating and maintaining control equipment properly.

These recordkeeping and reporting requirements are specifically authorized by sections 114 and 129 of the CAA (42 U.S.C. 7414). All information submitted to the EPA for which a claim of confidentiality is made will be safeguarded according to EPA policies in 40 CFR part 2, subpart B, Confidentiality of Business Information.

The emission guidelines are projected to affect approximately 90 small MWC units located at 41 plants. The estimated average annual burden for industry for the first 3 years after implementation of the emission guidelines would be 1,297 person-hours annually. There will be no capital costs for monitoring or recordkeeping during the first 3 years. The estimated average annual burden, over the first 3 years, for the implementing agency would be 773 hours with a cost of $30,869 (including travel expenses) per year. The Federal plan will apply to only a subset of the units expected to be affected by the emission guidelines.

Burden means total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the agency displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR chapter 15. The EPA is amending the table in 40 CFR part 9 of currently approved ICR control numbers issued by OMB for various regulations to list the information collection requirements contained in this Federal plan.

H. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) of 1995 (Pub. L. 104–113; 15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in their regulatory and procurement activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, materials specifications, test methods, sampling procedures, business practices) developed or adopted by one or more voluntary consensus bodies. The NTTAA directs EPA to provide Congress, through annual reports to the Office of Management and Budget (OMB), with explanations when an agency does not use available and applicable voluntary consensus standards.

This final rule involves technical standards. This Federal Plan uses EPA Methods 1, 3, 3A, 5, 5D, 9, 10, 22, 23, 26, 26A, 29, and Performance Specifications (PS) 1, 2, 3, and 4A. Consistent with the NTTAA, EPA conducted searches to identify voluntary consensus standards in addition to these EPA methods/performance specifications. No applicable voluntary consensus standards were identified for EPA Methods 9, 22, PS 3, and PS 4A. The search and review results have been documented and are placed in the docket No. A–2000–39 for this plan.

Two voluntary consensus standards were identified as applicable and EPA has used them in this plan. One voluntary consensus standard was identified as applicable to PS 1. The standard ASTM D6216 (1998), ''Standard Practice for Opacity Monitor Manufacturers to Certify Conformance with Design and Performance Specifications,'' has been incorporated by reference into PS 1. The PS 1 rule was published in the **Federal Register** on August 10, 2000.

Another voluntary consensus standard, ASTM D4536–96 ''Particulate (Matter) Modified High Volume,'' has been adopted as an alternative to the sampling equipment and procedures in Methods 5 or 17 in conducting emissions testing of positive pressure fabric filter control devices. The ASTM D4536–96 equipment and procedures will be used in conjunction with the sample traverse and calculations as described in Method 5D for this application.

Three voluntary consensus standards have already been incorporated by reference into § 60.17. One consensus standard by the American Society of Mechanical Engineers (ASME) was identified for use in this plan for the measurement of MWC unit load level (steam output). The EPA believes this standard is practical to use in this plan as the method to measure MWC unit load. The EPA has already incorporated by reference (IBR) ''ASME Power Test Codes: Test Code for Steam Generating Units, Power Test Code 4.1—1964 (R1991)'' in 60.17 paragraphs (h)(1), (h)(2), and (h)(3).

A second consensus standard by ASME was identified for potential use in this plan for designing, constructing, installing, calibrating, and using nozzles and orifices. The EPA believes this standard is practical to use for the design, construction, installation, calibration, and use of nozzles and orifices. The EPA has already incorporated by reference (IBR) ''American Society of Mechanical Engineers Interim Supplement 19.5 on Instruments and Apparatus: Application, Part II of Fluid Meters, 6th edition (1971)'' in § 60.17, paragraphs (h)(1), (h)(2), and (h)(3).

A third consensus standard by ASME (QRO–1–1994) was identified for use for MWC plant operator certification requirements instead of developing new operator certification procedures. The EPA believes this standard is practical to use in the emission guidelines that require a chief facility operator and shift supervisor to successfully complete the

operator certification procedures developed by ASME. The EPA has already incorporated by reference (IBR) (QRO–1–1994) in § 60.17, paragraphs (h)(1), (h)(2), and (h)(3).

In addition to the voluntary consensus standards identified above, EPA identified 21 other voluntary consensus standards for emission measurement procedures. The EPA determined that 17 of these 21 standards were impractical alternatives to EPA test methods/performance specifications for the purposes of this Federal plan. Therefore, EPA has not adopted these standards today. The reasons for this determination for the 17 methods are discussed below.

The European standard EN 1911–1,2,3 (1998), ''Stationary Source Emissions—Manual Method of Determination of HCl—Part 1: Sampling of Gases Ratified European Text—Part 2: Gaseous Compounds Absorption Ratified European Text—Part 3: Adsorption Solutions Analysis and Calculation Ratified European Text,'' is impractical as an alternative to EPA Methods 26 and 26A. Part 3 of this standard cannot be considered equivalent to EPA Method 26 or 26A because the sample absorbing solution (water) would be expected to capture both HCl and chlorine gas, if present, without the ability to distinguish between the two. The EPA Methods 26 and 26A use an acidified absorbing solution to first separate HCl and chlorine gas so that they can be selectively absorbed, analyzed, and reported separately. In addition, in EN 1911 the absorption efficiency for chlorine gas would be expected to vary as the pH of the water changed during sampling.

Three standards: ASTM D4358–94 (1999), ''Standard Test Method for Lead and Chromium in Air Particulate Filter Samples of Lead Chromate Type Pigment Dusts by Atomic Absorption Spectroscopy;'' ASTM E1741–95 (1995), ''Standard Practice for Preparation of Airborne Particulate Lead Samples Collected During Abatement and Construction Activities for Subsequent Analysis by Atomic Spectrometry;'' and ASTM E1979–98 (1998), ''Standard Practice for Ultrasonic Extraction of Paint, Dust, Soil, and Air Samples for Subsequent Determination of Lead,'' are impractical as alternatives to EPA Methods 12 and 29 in this Federal plan. These ASTM standards do not require the use of glass fiber filters as in EPA Method 12 and require the use of significantly different digestion procedures that appear to be more mild than the EPA Method 12 digestion procedure. For these reasons, these ASTM standards cannot be considered equivalent to EPA Method 12. Also, the subject ASTM standards do not require the use of hydrogen fluoride (HF) as in EPA Method 29 and, therefore, they cannot be used for the preparation, digestion, and analysis of Method 29 samples. Additionally, Method 29 requires the use of a glass fiber filter, whereas these three ASTM standards require cellulose filters and other probable nonglass fiber media which cannot be considered equivalent to EPA Method 29.

The following nine methods are impractical alternatives to EPA test methods/performance specifications for the purposes of this plan because they are too general, too broad, or not sufficiently detailed to assure compliance with EPA regulatory requirements: ASTM D3154–91 (1995), ''Standard Method for Average Velocity in a Duct (Pitot Tube Method),'' for EPA Methods 1, 2, 3B, and 4; ASME C00031 or PTC 19–10–1981—part 10, ''Flue and Exhaust Gas Analyses,'' for EPA Method 3; ASTM D5835–95, ''Standard Practice for Sampling Stationary Source Emissions, for Automated Determination of Gas Concentration,'' for EPA Method 3A; ISO 10396:1993, ''Stationary Source Emissions: Sampling for the Automated Determination of Gas Concentrations,'' for EPA Method 3A; CAN/CSA Z223.2–M86(1986), ''Method for the Continuous Measurement of Oxygen, Carbon Dioxide, Carbon Monoxide, Sulphur Dioxide, and Oxides of Nitrogen in Enclosed Combustion Flue Gas Streams,'' for EPA Method 3A; CAN/CSA Z223.21–M1978, ''Method for the Measurement of Carbon Monoxide: 3—Method of Analysis by Non-Dispersive Infrared Spectrometry,'' for EPA Methods 10 and 10A; European Committee for Standardization (CEN) EN 1948–3 (1997), ''Determination of the Mass Concentration of PCDD'S/PCDF'S—Part 3: Identification and Quantification,'' for EPA Method 23; ISO 7935:1992, ''Stationary Source Emissions—Determination of the Mass Concentration of Sulfur Dioxide—Performance Characteristics of Automated Measuring Methods,'' for EPA Performance Specification 2 (sulfur dioxide portion only); and ISO 10849:1996, ''Determination of the Mass Concentration of Nitrogen Oxides—Performance Characteristics of Automated Measuring Systems,'' for EPA Performance Specification 2 (nitrogen oxide portion only).

The following four methods are impractical alternatives to EPA test methods for the purposes of this plan because they lack sufficient quality assurance and quality control requirements necessary for EPA compliance assurance requirements: ASME PTC–38–80 R85 or C00049, ''Determination of the Concentration of Particulate Matter in Gas Streams,'' for EPA Method 5; ASTM D3685/D3685M–98, ''Test Methods for Sampling and Determination of Particulate Matter in Stack Gases,'' for EPA Method 5; ISO 9096:1992, ''Determination of Concentration and Mass Flow Rate of Particulate Matter in Gas Carrying Ducts—Manual Gravimetric Method,'' for EPA Method 5; and CAN/CSA Z223.26–M1987, ''Measurement of Total Mercury in Air Cold Vapour Atomic Absorption Spectrophotometeric Method,'' for EPA Method 29.

The following four of the 21 voluntary consensus standards identified in this search were not available at the time the review was conducted for the purposes of this plan because they are under development by a voluntary consensus body: ASME/BSR MFC 13M, ''Flow Measurement by Velocity Traverse,'' for EPA Method 1 (and possibly 2); ISO/DIS 12039, ''Stationary Source Emissions—Determination of Carbon Monoxide, Carbon Dioxide, and Oxygen—Automated Methods,'' for EPA Method 3A; PREN 13211 (1998), ''Air Quality—Stationary Source Emissions—Determination of the Concentration of Total Mercury,'' for EPA Methods 101, 101A, 29 (portion for mercury only); and ASTM Z6590Z, ''Manual Method for Both Speciated and Elemental Mercury,'' for EPA Methods 101A and 29 (portion for mercury only). While we are not proposing to include these four voluntary consensus standards in today's proposal, the EPA will consider the standards when final.

Tables 6, 7, and 8 of subpart JJJ list the EPA testing methods/performance specifications included in the Federal Plan Requirements for Small Municipal Waste Combustion Units. Under § 63.8(f) of subpart A of the General Provisions, a source may apply to EPA for permission to use alternative monitoring in place of any of the EPA testing methods/performance specifications.

I. Congressional Review Act

The congressional Review Act, 5 U.S.C. 801, *et. seq.,* as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency adopting the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and

the Comptroller General of the United States prior to publication of this rule in the **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

J. Executive Order 13211—Energy Effects

This Federal plan is not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) because it is not a significant regulatory action under Executive Order 12866.

List of Subjects in 40 CFR Part 62

Environmental protection, Air pollution control, Incorporation by reference, Municipal waste combustion.

Dated: December 19, 2002.

Christine Todd Whitman,

Administrator.

For the reasons stated in the preamble, title 40, chapter I, of the Code of Federal Regulations is amended as follows:

PART 62—[AMENDED]

1. The authority citation for part 62 continues to read as follows:

Authority: 42 U.S.C. 7401—7671q.

2. Section 62.02 is amended by revising paragraph (b) to read as follows:

§ 62.02 Introduction.

* * * * *

(b)(1) If a State does not submit a complete, approvable plan, the Administrator may then promulgate a substitute plan or part of a plan. The promulgated provision, plus the approved parts of the State plan, constitute the applicable plan for purposes of the act.

(2) The part 60 subpart A of this chapter general provisions and appendices to part 60 apply to part 62, except as follows: 40 CFR 60.7(a)(1), 60.7(a)(3), and 60.8(a) and where special provisions set forth under the applicable subpart of this part shall apply instead of any conflicting provisions.

* * * * *

3. Section 62.13 is amended by adding paragraphs (d) and (e) to read as follows:

§ 62.13 Federal plans.

* * * * *

(d) [Reserved]

(e) The substantive requirements of the small municipal waste combustion unit Federal plan are contained in subpart JJJ of this part. These requirements include emission limits, compliance schedules, testing, monitoring, and reporting and recordkeeping requirements.

4. Part 62 is amended by adding subpart JJJ to read as follows:

Subpart JJJ—Federal Plan Requirements for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999

Introduction

Sec.
62.15000 What is the purpose of this subpart?
62.15005 What are the principal components of this subpart?

Applicability of This Subpart

62.15010 Is my municipal waste combustion unit covered by this subpart?
62.15015 Can my small municipal waste combustion unit be covered by both a State plan and this subpart?
62.15020 Can my small municipal waste combustion unit be exempt from this subpart?
62.15025 How do I determine if my small municipal waste combustion unit is covered by an approved and currently effective State or Tribal plan?
62.15030 What are my obligations under this subpart if I reduce my small municipal waste combustion unit's combustion capacity to less than 35 tons per day?
62.15035 Is my small municipal waste combustion unit subject to different requirements based on plant capacity?

Compliance Schedule and Increments of Progress

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Introduction

§ 62.15000 What is the purpose of this subpart?

(a) This subpart establishes emission requirements and compliance schedules for the control of emissions from existing small municipal waste combustion units that are not covered by an EPA approved and effective State plan. The pollutants addressed by these emission requirements are listed in tables 2, 3, 4, and 5 of this subpart. These emission requirements are developed in accordance with sections 111(d) and 129 of the Clean Air Act and subpart B of 40 CFR part 60.

(b) In this subpart, ''you'' means the owner or operator of a small municipal waste combustion unit.

§ 62.15005 What are the principal components of this subpart?

This subpart contains five major components:

(a) Increments of progress toward compliance.

(b) Good combustion practices:

(1) Operator training.

(2) Operator certification.

(3) Operating requirements.

(c) Emission limits.

(d) Monitoring and stack testing.

(e) Recordkeeping and reporting.

Applicability of this Subpart

§ 62.15010 Is my municipal waste combustion unit covered by this subpart?

(a) This subpart applies to your small municipal waste combustion unit if the unit meets the criteria in paragraphs (a)(1) and (a)(2) and the criteria in either paragraph (a)(3) or (a)(4) of this section:

(1) Your municipal waste combustion unit has the capacity to combust at least 35 tons per day of municipal solid waste or refuse-derived fuel but no more than 250 tons per day of municipal solid waste or refuse-derived fuel.

(2) Your municipal waste combustion unit commenced construction on or before August 30, 1999.

(3) Your municipal waste combustion unit is not regulated by an EPA approved and effective State or Tribal plan.

(4) Your municipal waste combustion unit is located in any State whose approved State plan is subsequently vacated in whole or in part, or the municipal waste combustion unit is located in Indian country if the approved tribal plan for that area is subsequently vacated in whole or in part.

(b) If you make a change to your municipal waste combustion unit that meets the definition of modification or reconstruction after June 6, 2001, your municipal waste combustion unit becomes subject to subpart AAAA of 40 CFR part 60 (New Source Performance Standards for Small Municipal Waste Combustion Units) and this subpart no longer applies to your unit.

(c) If you make physical or operational changes to your existing

municipal waste combustion unit primarily to comply with this subpart, then subpart AAAA of 40 CFR part 60 (New Source Performance Standards for Small Municipal Waste Combustion Units) does not apply to your unit. Such changes do not constitute modifications or reconstructions under subpart AAAA of 40 CFR part 60.

(d) Upon approval of the State or tribal plan, this subpart will no longer apply, except for the provisions of this subpart that may have been incorporated by reference under the State or Tribal plan, or delegated to the State by the Administrator.

§ 62.15015 Can my small municipal waste combustion unit be covered by both a State plan and this subpart?

(a) If your municipal waste combustion unit is located in a State that has a State plan that has not been approved by the EPA or has not become effective, then this subpart applies and the State plan would not apply to your municipal waste combustion unit. However, the State could enforce the requirements of a State regulation while your municipal waste combustion unit is still subject to this subpart.

(b) After the State plan is approved by the EPA and becomes effective, your municipal waste combustion unit is no longer subject to this subpart and will only be subject to the approved and effective State plan.

§ 62.15020 Can my small municipal waste combustion unit be exempt from this subpart?

(a) *Small municipal waste combustion units that combust less than 11 tons per day.* Your unit is exempt from this subpart if four requirements are met:

(1) Your municipal waste combustion unit is subject to a federally enforceable permit limiting municipal solid waste combustion to less than 11 tons per day.

(2) You notify the Administrator that the unit qualifies for this exemption.

(3) You submit to the Administrator a copy of the federally enforceable permit.

(4) You keep daily records of the amount of municipal solid waste combusted.

(b) *Small power production units.* Your unit is exempt from this subpart if four requirements are met:

(1) Your unit qualifies as a small power production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).

(2) Your unit combusts homogeneous waste (excluding refuse-derived fuel) to produce electricity.

(3) You notify the Administrator that the unit qualifies for this exemption.

(4) You submit to the Administrator documentation that the unit qualifies for this exemption.

(c) *Cogeneration units.* Your unit is exempt from this subpart if four requirements are met:

(1) Your unit qualifies as a cogeneration facility under section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)).

(2) Your unit combusts homogeneous waste (excluding refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(3) You notify the Administrator that the unit qualifies for this exemption.

(4) You submit to the Administrator documentation that the unit qualifies for this exemption.

(d) *Municipal waste combustion units that combust only tires.* Your unit is exempt from this subpart if three requirements are met:

(1) Your municipal waste combustion unit combusts a single-item waste stream of tires and no other municipal waste (the unit can cofire coal, fuel oil, natural gas, or other nonmunicipal solid waste).

(2) You notify the Administrator that the unit qualifies for this exemption.

(3) You provide the Administrator documentation that the unit qualifies for this exemption.

(e) *Hazardous waste combustion units.* Your unit is exempt from this subpart if the unit has received a permit under section 3005 of the Solid Waste Disposal Act.

(f) *Materials recovery units.* Your unit is exempt from this subpart if the unit combusts waste mainly to recover metals. Primary and secondary smelters may qualify for this exemption.

(g) *Cofired units.* Your unit is exempt from this subpart if four requirements are met:

(1) Your unit has a federally enforceable permit limiting municipal solid waste combustion to 30 percent of the total fuel input by weight.

(2) You notify the Administrator that the unit qualifies for this exemption.

(3) You provide the Administrator with a copy of the federally enforceable permit.

(4) You record the weights, each quarter, of municipal solid waste and of all other fuels combusted.

(h) *Plastics/rubber recycling units.* Your unit is exempt from this subpart if four requirements are met:

(1) Your pyrolysis/combustion unit is an integrated part of a plastics/rubber recycling unit as defined under ''Definitions'' (§ 62.15410).

(2) You record the weight, each quarter, of plastics, rubber, and rubber tires processed.

(3) You record the weight, each quarter, of feed stocks produced and marketed from chemical plants and petroleum refineries.

(4) You keep the name and address of the purchaser of the feed stocks.

(i) *Units that combust fuels made from products of plastics/rubber recycling plants.* Your unit is exempt from this subpart if two requirements are met:

(1) Your unit combusts gasoline, diesel fuel, jet fuel, fuel oils, residual oil, refinery gas, petroleum coke, liquified petroleum gas, propane, or butane produced by chemical plants or petroleum refineries that use feed stocks produced by plastics/rubber recycling units.

(2) Your unit does not combust any other municipal solid waste.

(j) *Cement kilns.* Your unit is exempt from this subpart if your cement kiln combusts municipal solid waste.

(k) *Air curtain incinerators.* If your air curtain incinerator (see § 62.15410 for definition) combusts 100 percent yard waste, then you must meet only the requirements under ''Air Curtain Incinerators That Burn 100 Percent Yard Waste'' (§§ 62.15365 through 62.15385) and the title V operating permit requirements of this subpart. However, if your air curtain incinerator combusts municipal solid waste other than yard waste, it is subject to all provisions of this subpart.

§ 62.15025 How do I determine if my small municipal waste combustion unit is covered by an approved and effective State or Tribal Plan?

This part (40 CFR part 62) contains a list of all States and tribal areas with approved Clean Air Act section 111(d) and section 129 plans in effect. However, this part is only updated once per year. Thus, if this part does not indicate that your State or tribal area has an approved and effective plan, you should contact your State environmental agency's air director or your EPA Regional Office to determine if approval has occurred since publication of the most recent version of this part.

§ 62.15030 What are my obligations under this subpart if I reduce my small municipal waste combustion unit's combustion capacity to less than 35 tons per day?

If you reduce your small municipal waste combustion unit's combustion capacity to less than 35 tons per day by the final compliance date, you must comply only with the following requirements:

(a) You must submit a final control plan according to the schedule in table 1 of this subpart and comply with § 62.15065(b).

(b) The final control plan must, at a minimum, include two items:

(1) A description of the physical changes that will be made to accomplish the reduction in combustion capacity. A permit restriction or a change in the method of operation does not qualify as a reduction in combustion capacity.

(2) Calculations of the current maximum combustion capacity and the planned maximum combustion capacity after the reduction. Use the equations specified under § 62.15390(d) and (e) to calculate the combustion capacity of a municipal waste combustion unit.

(c) You must complete the physical changes to accomplish the reduction in combustion capacity by the final compliance date specified in table 1 of this subpart.

(d) If you comply with all of the requirements specified in paragraphs (a), (b), and (c) of this section, you are no longer subject to this subpart.

(e) You must comply with the requirements specified in § 62.15395 and § 62.15400 regarding title V permitting. If you comply with all of the requirements specified in paragraphs (a), (b), and (c) of this section, you are no longer subject to title V permitting requirements as a result of this subpart. You will remain subject to title V permitting requirements, however, if you are subject as a result of one or more of the applicability criteria in 40 CFR 70.3(a) and (b) or 71.3(a) and (b).

§ 62.15035 Is my small municipal waste combustion unit subject to different requirements based on plant capacity?

This subpart specifies different requirements for two different subcategories of municipal waste combustion units. These two subcategories are based on aggregate capacity of the municipal waste combustion plant as defined in paragraphs (a) and (b) of this section.

(a) *Class I units.* These are small municipal waste combustion units that are located at municipal waste combustion plants with aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. (*See* the definition of municipal waste combustion plant capacity in § 62.15410 for specification of which units at a plant are included in the aggregate capacity calculation.)

(b) *Class II units.* These are small municipal waste combustion units that are located at municipal waste combustion plants with aggregate plant combustion capacity of no more than 250 tons per day of municipal solid waste. (See the definition of municipal waste combustion plant capacity in § 62.15410 for specification of which units at a plant are included in the aggregate capacity calculation.)

Compliance Schedule and Increments of Progress

§ 62.15040 What are the requirements for meeting increments of progress and achieving final compliance?

(a) *Class I units.* If you plan to achieve compliance more than 1 year following the effective date of this subpart and a permit modification is not required, or more than 1 year following the date of issuance of a revised construction or operation permit if a permit modification is required, you must meet five increments of progress:

(1) Submit a final control plan.

(2) Submit a notification of retrofit contract award.

(3) Initiate onsite construction.

(4) Complete onsite construction.

(5) Achieve final compliance.

(b) *Class II units.* If you plan to achieve compliance more than 1 year following the effective date of this subpart and a permit modification is not required, or more than 1 year following the date of issuance of a revised construction or operation permit if a permit modification is required, you must meet two increments of progress:

(1) Submit a final control plan.

(2) Achieve final compliance.

§ 62.15045 When must I complete each increment of progress?

(a) You must complete each increment of progress according to the compliance schedule in table 1 of this subpart for Class I and II units. If your Class I or Class II unit is listed in table 9 of this subpart, then you must complete each increment of progress according to the schedule in table 9 of this subpart. (*See* § 62.15410 for definitions of classes.)

(b) For Class I units (*see* definition in § 62.15410) that must meet the five increments of progress, you must submit dioxins/furans stack test results for at least one test conducted during or after 1990. The stack tests must have been conducted according to the procedures specified under § 62.15245 and you must submit the stack test results when the final control plan is due for your Class I MWC unit according to the schedule in table 1 or table 9 of this subpart.

§ 62.15050 What must I include in the notifications of achievement of my increments of progress?

Your notification of achievement of increments of progress must include three items:

(a) Notification that the increment of progress has been achieved.

(b) Any items required to be submitted with the increment of progress (§§ 62.15065 through 62.15085).

(c) The notification must be signed by the owner or operator of the municipal waste combustion unit.

§ 62.15055 When must I submit the notifications of achievement of increments of progress?

Notifications of the achievement of increments of progress must be postmarked no later than 10 days after the compliance date for the increment.

§ 62.15060 What if I do not meet an increment of progress?

If you fail to meet an increment of progress, you must submit a notification to the Administrator postmarked within 10 business days after the specified date in table 1 of this subpart for achieving that increment of progress. This notification must inform the Administrator that you did not meet the increment. You must include in the notification an explanation of why the increment of progress was not met and your plan for meeting the increment as expeditiously as possible. You must continue to submit reports each subsequent month until the increment of progress is met.

§ 62.15065 How do I comply with the increment of progress for submittal of a final control plan?

For your final control plan increment of progress, you must complete two items:

(a) Submit the final control plan describing the devices for air pollution control and process changes that you will use to comply with the emission limits and other requirements of this subpart. If you plan to reduce your small municipal waste combustion unit's combustion capacity to less than 35 tons per day by the final compliance date, see § 62.15030.

(b) You must maintain an onsite copy of the final control plan.

§ 62.15070 How do I comply with the increment of progress for awarding contracts?

You must submit a signed copy of the contracts awarded to initiate onsite construction, initiate onsite installation of emission control equipment, and incorporate process changes. Submit the

copy of the contracts with the notification that this increment of progress has been achieved. You do not need to include documents incorporated by reference or the attachments to the contracts.

§ 62.15075 How do I comply with the increment of progress for initiating onsite construction?

You must initiate onsite construction and installation of emission control equipment and initiate the process changes outlined in the final control plan.

§ 62.15080 How do I comply with the increment of progress for completing onsite construction?

You must complete onsite construction and installation of emission control equipment and complete process changes outlined in the final control plan.

§ 62.15085 How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must complete two items:

(a) Complete all process changes and complete retrofit construction as specified in the final control plan.

(b) Connect the air pollution control equipment with the municipal waste combustion unit identified in the final control plan and complete process changes to the municipal waste combustion unit so that if the affected municipal waste combustion unit is brought online, all necessary process changes and air pollution control equipment are operating as designed.

§ 62.15090 What must I do if I close my municipal waste combustion unit and then restart my municipal waste combustion unit?

(a) If you close your municipal waste combustion unit but will reopen it prior to the applicable final compliance date in table 1 of this subpart, you must meet the increments of progress specified in § 62.15040.

(b) If you close your municipal waste combustion unit but restart it after the applicable final compliance date in table 1 of this subpart, you must complete the emission control retrofit and meet the emission limits and good combustion practices on the date your municipal waste combustion unit restarts operation.

§ 62.15095 What must I do if I plan to permanently close my municipal waste combustion unit and not restart it?

(a) If you plan to close your municipal waste combustion unit rather than comply with this subpart, you must submit a closure notification, including the date of closure, to the Administrator by the date your final control plan is due.

(b) If the closure date is later than 1 year after the effective date of this subpart, you must enter into a legally binding closure agreement with the Administrator by the date your final control plan is due. The agreement must include two items:

(1) The date by which operation will cease. The closure date can be no later than the applicable final compliance date in table 1 of this subpart.

(2) For Class I units only, dioxins/furans stack test results for at least one test conducted during or after 1990. The stack tests must have been conducted according to the procedures specified under § 62.15245.

Good Combustion Practices: Operator Training

§ 62.15100 What types of training must I do?

There are two types of required training:

(a) Training of operators of municipal waste combustion units using the EPA or a State-approved training course.

(b) Training of plant personnel using a plant-specific training course.

§ 62.15105 Who must complete the operator training course? By when?

(a) Three types of employees must complete the EPA operator training course:

(1) Chief facility operators.

(2) Shift supervisors.

(3) Control room operators.

(b) These employees must complete the operator training course by the later of three dates:

(1) One year after the effective date of this subpart.

(2) Six months after your municipal waste combustion unit starts up.

(3) The date before an employee assumes responsibilities that affect operation of the municipal waste combustion unit.

(c) The requirement in paragraph (a) of this section does not apply to chief facility operators, shift supervisors, and control room operators who have obtained full certification from the American Society of Mechanical Engineers on or before the effective date of this subpart.

(d) You may request that the EPA Administrator waive the requirement in paragraph (a) of this section for chief facility operators, shift supervisors, and control room operators who have obtained provisional certification from the American Society of Mechanical Engineers on or before the effective date of this subpart.

§ 62.15110 Who must complete the plant-specific training course?

All employees with responsibilities that affect how a municipal waste combustion unit operates must complete the plant-specific training course. Include at least six types of employees:

(a) Chief facility operators.

(b) Shift supervisors.

(c) Control room operators.

(d) Ash handlers.

(e) Maintenance personnel.

(f) Crane or load handlers.

§ 62.15115 What plant-specific training must I provide?

For plant-specific training, you must do four things:

(a) For training at a particular plant, develop a specific operating manual for that plant by the later of two dates:

(1) Six months after your municipal waste combustion unit starts up.

(2) One year after the effective date of this subpart.

(b) Establish a program to review the plant-specific operating manual with people whose responsibilities affect the operation of your municipal waste combustion unit. Complete the initial review by the later of three dates:

(1) One year after the effective date of this subpart.

(2) Six months after your municipal waste combustion unit starts up.

(3) The date before an employee assumes responsibilities that affect operation of the municipal waste combustion unit.

(c) Update your manual annually.

(d) Review your manual with staff annually.

§ 62.15120 What information must I include in the plant-specific operating manual?

You must include 11 items in the operating manual for your plant:

(a) A summary of all applicable standards in this subpart.

(b) A description of the basic combustion principles that apply to municipal waste combustion units.

(c) Procedures for receiving, handling, and feeding municipal solid waste.

(d) Procedures to be followed during periods of startup, shutdown, and malfunction of the municipal waste combustion unit.

(e) Procedures for maintaining a proper level of combustion air supply.

(f) Procedures for operating the municipal waste combustion unit within the standards contained in this subpart.

(g) Procedures for responding to periodic upset or off-specification conditions.

(h) Procedures for minimizing carryover of particulate matter.

(i) Procedures for handling ash.

(j) Procedures for monitoring emissions from the municipal waste combustion unit.

(k) Procedures for recordkeeping and reporting.

§ 62.15125 Where must I keep the plant-specific operating manual?

You must keep your operating manual in an easily accessible location at your plant. It must be available for review or inspection by all employees who must review it and by the Administrator.

Good Combustion Practices: Operator Certification

§ 62.15130 What types of operator certification must the chief facility operator and shift supervisor obtain and by when must they obtain it?

(a) Each chief facility operator and shift supervisor must obtain and maintain a current provisional operator certification from either the American Society of Mechanical Engineers QRO–1–1994 or a State certification program in Connecticut and Maryland (if the affected facility is located in either of the respective States). If ASME certification is chosen, proceed in accordance with ASME QRO–1–1994. Standard for the Qualification and Certification of Resource Recovery Facility Operators. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C.552(a) and 1 CFR part 51. You may obtain a copy from the American Society of Mechanical Engineers, Service Center, 22 Law Drive, Post Office Box 2900, Fairfield, NJ 07007. You may inspect a copy at the Office of Air Quality Planning and Standards Air Docket, EPA, 109 T.W. Alexander Drive, Room C521C, RTP, NC 27709 or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

(b) Each chief facility operator and shift supervisor must obtain a provisional certification by the later of three dates:

(1) For Class I units, 12 months after the effective date of this subpart. For Class II units, 18 months after the effective date of this subpart.

(2) Six months after the municipal waste combustion unit starts up.

(3) Six months after they transfer to the municipal waste combustion unit or 6 months after they are hired to work at the municipal waste combustion unit.

(c) Each chief facility operator and shift supervisor must take one of two actions:

(1) Obtain a full certification from the American Society of Mechanical Engineers.

(2) Schedule a full certification exam with the American Society of Mechanical Engineers (QRO–1–1994 (incorporated by reference in § 60.17 of subpart A of 40 CFR part 60)).

(d) The chief facility operator and shift supervisor must obtain the full certification or be scheduled to take the certification exam by the later of the following dates:

(1) For Class I units, 12 months after the effective date of this subpart. For Class II units, 18 months after the effective date of this subpart.

(2) Six months after the municipal waste combustion unit starts up.

(3) Six months after they transfer to the municipal waste combustion unit or 6 months after they are hired to work at the municipal waste combustion unit.

§ 62.15135 After the required date for operator certification, who may operate the municipal waste combustion unit?

After the required date for full or provisional certification, you must not operate your municipal waste combustion unit unless one of four employees is on duty:

(a) A fully certified chief facility operator.

(b) A provisionally certified chief facility operator who is scheduled to take the full certification exam.

(c) A fully certified shift supervisor.

(d) A provisionally certified shift supervisor who is scheduled to take the full certification exam.

§ 62.15140 What if all the certified operators must be temporarily offsite?

If the certified chief facility operator and certified shift supervisor both are unavailable, a provisionally certified control room operator at the municipal waste combustion unit may fulfill the certified operator requirement. Depending on the length of time that a certified chief facility operator and certified shift supervisor is away, you must meet one of three criteria:

(a) When the certified chief facility operator and certified shift supervisor are both offsite for 12 hours or less and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without notice to, or approval by, the Administrator.

(b) When the certified chief facility operator and certified shift supervisor are offsite for more than 12 hours, but for 2 weeks or less, and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without notice to, or approval by, the Administrator. However, you must record the periods when the certified chief facility operator and certified shift supervisor are offsite and include this information in the annual report as specified under § 62.15340(l).

(c) When the certified chief facility operator and certified shift supervisor are offsite for more than 2 weeks and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without notice to, or approval by, the Administrator. However, you must take two actions:

(1) Notify the Administrator in writing. In the notice, state what caused the absence and what you are doing to ensure that a certified chief facility operator or certified shift supervisor is onsite.

(2) Submit a status report and corrective action summary to the Administrator every 4 weeks following the initial notification. If the Administrator notifies you that your status report or corrective action summary is disapproved, the municipal waste combustion unit may continue operation for 90 days, but then must cease operation. If corrective actions are taken in the 90-day period such that the Administrator withdraws the disapproval, municipal waste combustion unit operation may continue.

Good Combustion Practices: Operating Requirements

§ 62.15145 What are the operating practice requirements for my municipal waste combustion unit?

(a) You must not operate your municipal waste combustion unit at loads greater than 110 percent of the maximum demonstrated load of the municipal waste combustion unit (4-hour block average), as specified under ''Definitions'' (§ 62.15410).

(b) You must not operate your municipal waste combustion unit so that the temperature at the inlet of the particulate matter control device exceeds 17°C above the maximum demonstrated temperature of the particulate matter control device (4-hour block average), as specified under ''Definitions'' (§ 62.15410).

(c) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must maintain an 8-hour block average carbon feed rate at or above the highest average level established during the most recent dioxins/furans or mercury test.

(d) If your municipal waste combustion unit uses activated carbon

to control dioxins/furans or mercury emissions, you must evaluate total carbon usage for each calendar quarter. The total amount of carbon purchased and delivered to your municipal waste combustion plant must be at or above the required quarterly usage of carbon. At your option, you may choose to evaluate required quarterly carbon usage on a municipal waste combustion unit basis for each individual municipal waste combustion unit at your plant. Calculate the required quarterly usage of carbon using the appropriate equation in § 62.15390.

(e) Your municipal waste combustion unit is exempt from limits on load level, temperature at the inlet of the particulate matter control device, and carbon feed rate during any of five situations:

(1) During your annual tests for dioxins/furans.

(2) During your annual mercury tests (for carbon feed rate requirements only).

(3) During the 2 weeks preceding your annual tests for dioxins/furans.

(4) During the 2 weeks preceding your annual mercury tests (for carbon feed rate requirements only).

(5) Whenever the Administrator permits you to do any of five activities:

(i) Evaluate system performance.

(ii) Test new technology or control technologies.

(iii) Perform diagnostic testing.

(iv) Perform other activities to improve the performance of your municipal waste combustion unit.

(v) Perform other activities to advance the state of the art for emission controls for your municipal waste combustion unit.

§ 62.15150 What happens to the operating requirements during periods of startup, shutdown, and malfunction?

(a) The operating requirements of this subpart apply at all times except during periods of municipal waste combustion unit startup, shutdown, or malfunction.

(b) Each startup, shutdown, or malfunction must not last for longer than 3 hours.

Emission Limits

§ 62.15155 What pollutants are regulated by this subpart?

Eleven pollutants, in four groupings, are regulated:

(a) *Organics.* Dioxins/furans.

(b) *Metals.*

(1) Cadmium.

(2) Lead.

(3) Mercury.

(4) Opacity.

(5) Particulate matter.

(c) *Acid gases.*

(1) Hydrogen chloride.

(2) Nitrogen oxides.

(3) Sulfur dioxide.

(d) *Other.*

(1) Carbon monoxide.

(2) Fugitive ash.

§ 62.15160 What emission limits must I meet?

(a) After the date the initial stack test and continuous emission monitoring system evaluation are required or completed (whichever is earlier), you must meet the applicable emission limits specified in the four tables of this section:

(1) For Class I units, see tables 2 and 3 of this subpart.

(2) For Class II units, see table 4 of this subpart.

(3) For carbon monoxide emission limits for both classes of units, see table 5 of this subpart.

(b) If your Class I municipal waste combustion unit began construction, reconstruction, or modification after June 26, 1987, then you must comply with the dioxins/furans and mercury emission limits specified in table 2 of this subpart as applicable by the later of the following two dates:

(1) One year after the effective date of this subpart.

(2) One year after the issuance of a revised construction or operating permit, if a permit modification is required. Final compliance with the dioxins/furans limits must be achieved no later than November 6, 2005, even if the date one year after the issuance of a revised construction or operating permit is later than November 6, 2005.

§ 62.15165 What happens to the emission limits during periods of startup, shutdown, and malfunction?

(a) The emission limits of this subpart apply at all times except during periods of municipal waste combustion unit startup, shutdown, or malfunction.

(b) Each startup, shutdown, or malfunction must not last for longer than 3 hours.

(c) A maximum of 3 hours of test data can be dismissed from compliance calculations during periods of startup, shutdown, or malfunction.

(d) During startup, shutdown, or malfunction periods longer than 3 hours, emissions data cannot be discarded from compliance calculations and all provisions under § 60.11(d) of subpart A of 40 CFR part 60 apply.

Continuous Emission Monitoring

§ 62.15170 What types of continuous emission monitoring must I perform?

To continuously monitor emissions, you must perform four tasks:

(a) Install continuous emission monitoring systems for certain gaseous pollutants.

(b) Make sure your continuous emission monitoring systems are operating correctly.

(c) Make sure you obtain the minimum amount of monitoring data.

(d) Install a continuous opacity monitoring system.

§ 62.15175 What continuous emission monitoring systems must I install for gaseous pollutants?

(a) You must install, calibrate, maintain, and operate continuous emission monitoring systems for oxygen (or carbon dioxide), sulfur dioxide, and carbon monoxide. If you operate a Class I municipal waste combustion unit, also install, calibrate, maintain, and operate a continuous emission monitoring system for nitrogen oxides. Install the continuous emission monitoring system for sulfur dioxide, nitrogen oxides, and oxygen (or carbon dioxide) at the outlet of the air pollution control device.

(b) You must install, evaluate, and operate each continuous emission monitoring system according to the ''Monitoring Requirements'' in § 60.13 of subpart A of 40 CFR part 60.

(c) You must monitor the oxygen (or carbon dioxide) concentration at each location where you monitor sulfur dioxide and carbon monoxide. Additionally, if you operate a Class I municipal waste combustion unit, you must also monitor the oxygen (or carbon dioxide) concentration at the location where you monitor nitrogen oxides.

(d) You may choose to monitor carbon dioxide instead of oxygen as a diluent gas. If you choose to monitor carbon dioxide, then an oxygen monitor is not required and you must follow the requirements in § 62.15200.

(e) If you choose to demonstrate compliance by monitoring the percent reduction of sulfur dioxide, you must also install a continuous emission monitoring system for sulfur dioxide and oxygen (or carbon dioxide) at the inlet of the air pollution control device.

(f) If you prefer to use an alternative sulfur dioxide monitoring method, such as parametric monitoring, or cannot monitor emissions at the inlet of the air pollution control device to determine percent reduction, you can apply to the Administrator for approval to use an alternative monitoring method under § 60.13(i) of subpart A of 40 CFR part 60.

§ 62.15180 How are the data from the continuous emission monitoring systems used?

You must use data from the continuous emission monitoring

systems for sulfur dioxide, nitrogen oxides, and carbon monoxide to demonstrate continuous compliance with the applicable emission limits specified in tables 2, 3, 4, and 5 of this subpart. To demonstrate compliance for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash, see § 62.15235.

§ 62.15185 How do I make sure my continuous emission monitoring systems are operating correctly?

(a) Conduct initial, daily, quarterly, and annual evaluations of your continuous emission monitoring systems that measure oxygen (or carbon dioxide), sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide.

(b) Complete your initial evaluation of the continuous emission monitoring systems within 180 days after your final compliance date.

(c) For initial and annual evaluations, collect data concurrently (or within 30 to 60 minutes) using your oxygen (or carbon dioxide) continuous emission monitoring system, your sulfur dioxide, nitrogen oxides, or carbon monoxide continuous emission monitoring systems, as appropriate, and the appropriate test methods specified in table 6 of this subpart. Collect these data during each initial and annual evaluation of your continuous emission monitoring systems following the applicable performance specifications in appendix B of 40 CFR part 60. Table 7 of this subpart shows the performance specifications that apply to each continuous emission monitoring system.

(d) Follow the quality assurance procedures in Procedure 1 of appendix F of 40 CFR part 60 for each continuous emission monitoring system. These procedures include daily calibration drift and quarterly accuracy determinations.

§ 62.15190 Am I exempt from any 40 CFR part 60 appendix B or appendix F requirements to evaluate continuous emission monitoring systems?

Yes, the accuracy tests for your sulfur dioxide continuous emission monitoring system require you to also evaluate your oxygen (or carbon dioxide) continuous emission monitoring system. Therefore, your oxygen (or carbon dioxide) continuous emission monitoring system is exempt from two requirements:

(a) Section 2.3 of Performance Specification 3 in appendix B of 40 CFR part 60 (relative accuracy requirement).

(b) Section 5.1.1 of appendix F of 40 CFR part 60 (relative accuracy test audit).

§ 62.15195 What is my schedule for evaluating continuous emission monitoring systems?

(a) Conduct annual evaluations of your continuous emission monitoring systems no more than 13 months after the previous evaluation was conducted.

(b) Evaluate your continuous emission monitoring systems daily and quarterly as specified in appendix F of 40 CFR part 60.

§ 62.15200 What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?

You must establish the relationship between oxygen and carbon dioxide during the initial evaluation of your continuous emission monitoring system. You may reestablish the relationship during annual evaluations. To establish the relationship use three procedures:

(a) Use EPA Reference Method 3A or 3B in Appendix A of 40 CFR part 60 to determine oxygen concentration at the location of your carbon dioxide monitor.

(b) Conduct at least three test runs for oxygen. Make sure each test run represents a 1-hour average and that sampling continues for at least 30 minutes in each hour.

(c) Use the fuel-factor equation in EPA Reference Method 3B to determine the relationship between oxygen and carbon dioxide.

§ 62.15205 What minimum amount of monitoring data must I collect with my continuous emission monitoring systems and is this requirement enforceable?

(a) Where continuous emission monitoring systems are required, obtain 1-hour arithmetic averages. Make sure the averages for sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide are in parts per million by dry volume at 7 percent oxygen (or the equivalent carbon dioxide level). Use the 1-hour averages of oxygen (or carbon dioxide) data from your continuous emission monitoring system to determine the actual oxygen (or carbon dioxide) level and to calculate emissions at 7 percent oxygen (or the equivalent carbon dioxide level).

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average. Section 60.13(e)(2) of subpart A of 40 CFR part 60 requires your continuous emission monitoring systems to complete at least one cycle of operation (sampling, analyzing, and data recording) for each 15-minute period.

(c) Obtain valid 1-hour averages for 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal solid waste or refuse-derived fuel.

(d) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you are in violation of this data collection requirement regardless of the emission level monitored, and you must notify the Administrator according to § 62.15340(e).

(e) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you must still use all valid data from the continuous emission monitoring systems in calculating emission concentrations and percent reductions in accordance with § 62.15210.

§ 62.15210 How do I convert my 1-hour arithmetic averages into appropriate averaging times and units?

(a) Use the equation in § 62.15390(a) to calculate emissions at 7 percent oxygen.

(b) Use EPA Reference Method 19 in Appendix A of 40 CFR part 60, section 4.3, to calculate the daily geometric average concentrations of sulfur dioxide emissions. If you are monitoring the percent reduction of sulfur dioxide, use EPA Reference Method 19, section 5.4, to determine the daily geometric average percent reduction of potential sulfur dioxide emissions.

(c) If you operate a Class I municipal waste combustion unit, use EPA Reference Method 19, section 4.1, to calculate the daily arithmetic average for concentrations of nitrogen oxides.

(d) Use EPA Reference Method 19, section 4.1, to calculate the 4-hour or 24-hour daily block averages (as applicable) for concentrations of carbon monoxide.

§ 62.15215 What is required for my continuous opacity monitoring system and how are the data used?

(a) Install, calibrate, maintain, and operate a continuous opacity monitoring system.

(b) Install, evaluate, and operate each continuous opacity monitoring system according to § 60.13 of subpart A 40 CFR part 60.

(c) Complete an initial evaluation of your continuous opacity monitoring system according to Performance Specification 1 in appendix B of 40 CFR part 60. Complete this evaluation by 180 days after your final compliance date.

(d) Complete each annual evaluation of your continuous opacity monitoring system no more than 13 months after the previous evaluation.

(e) Use tests conducted according to EPA Reference Method 9, as specified in § 62.15245, to determine compliance

with the applicable opacity limit in tables 2 or 4 of this subpart. The data obtained from your continuous opacity monitoring system are not used to determine compliance with the opacity limit.

§ 62.15220 What additional requirements must I meet for the operation of my continuous emission monitoring systems and continuous opacity monitoring system?

Use the required span values and applicable performance specifications in table 8 of this subpart.

§ 62.15225 What must I do if my continuous emission monitoring system is temporarily unavailable to meet the data collection requirements?

Refer to table 8 of this subpart. It shows alternate methods for collecting data when these systems malfunction or when repairs, calibration checks, or zero and span checks keep you from collecting the minimum amount of data.

Stack Testing

§ 62.15230 What types of stack tests must I conduct?

Conduct initial and annual stack tests to measure the emission levels of dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

§ 62.15235 How are the stack test data used?

You must use results of stack tests for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash to demonstrate compliance with the applicable emission limits in tables 2 and 4 of this subpart. To demonstrate compliance for carbon monoxide, nitrogen oxides, and sulfur dioxide, see § 62.15180.

§ 62.15240 What schedule must I follow for the stack testing?

(a) Conduct initial stack tests for the pollutants listed in § 62.15230 by 180 days after your final compliance date.

(b) Conduct annual stack tests for these pollutants after the initial stack test. Conduct each annual stack test no later than 13 months after the previous stack test.

§ 62.15245 What test methods must I use to stack test?

(a) Follow table 8 of this subpart to establish the sampling location and to determine pollutant concentrations, number of traverse points, individual test methods, and other specific testing requirements for the different pollutants.

(b) Make sure that stack tests for all these pollutants consist of at least three test runs, as specified in § 60.8 (Performance Tests) of subpart A of 40 CFR part 60. Use the average of the pollutant emission concentrations from the three test runs to determine compliance with the applicable emission limits in tables 2 and 4 of this subpart.

(c) Obtain an oxygen (or carbon dioxide) measurement at the same time as your pollutant measurements to determine diluent gas levels, as specified in § 62.15175.

(d) Use the equations in § 62.15390(a) to calculate emission levels at 7 percent oxygen (or an equivalent carbon dioxide basis), the percent reduction in potential hydrogen chloride emissions, and the reduction efficiency for mercury emissions. See the individual test methods in table 6 of this subpart for other required equations.

(e) You can apply to the Administrator for approval under § 60.8(b) of subpart A of 40 CFR part 60 to

(1) Use a reference method with minor changes in methodology;

(2) Use an equivalent method;

(3) Use an alternative method the results of which the Administrator has determined are adequate for demonstrating compliance;

(4) Waive the requirement for a performance test because you have demonstrated by other means that you are in compliance; or

(5) Use a shorter sampling time or smaller sampling volume.

§ 62.15250 May I conduct stack testing less often?

(a) You may test less often if you own or operate a Class II municipal waste combustion unit and if all stack tests for a given pollutant over 3 consecutive years show you comply with the emission limit. In this case, you are not required to conduct a stack test for that pollutant for the next 2 years. However, you must conduct another stack test within 36 months of the anniversary date of the third consecutive stack test that shows you comply with the emission limit. Thereafter, you must perform stack tests every third year but no later than 36 months following the previous stack tests. If a stack test shows noncompliance with an emission limit, you must conduct annual stack tests for that pollutant until all stack tests over 3 consecutive years show compliance with the emission limit for that pollutant. This provision applies to all pollutants subject to stack testing requirements: dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

(b) You can test less often for dioxins/furans emissions if you own or operate a municipal waste combustion plant that meets two conditions. First, you have multiple municipal waste combustion units onsite that are subject to this subpart. Second, all these municipal waste combustion units have demonstrated levels of dioxins/furans emissions less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, for 2 consecutive years. In this case, you may choose to conduct annual stack tests on only one municipal waste combustion unit per year at your plant. This provision only applies to stack testing for dioxins/furans emissions.

(1) Conduct the stack test no more than 13 months following a stack test on any municipal waste combustion unit subject to this subpart at your plant. Each year, test a different municipal waste combustion unit subject to this subpart and test all municipal waste combustion units subject to this subpart in a sequence that you determine. Once you determine a testing sequence, it must not be changed without approval by the Administrator.

(2) If each annual stack test shows levels of dioxins/furans emissions less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, you may continue stack tests on only one municipal waste combustion unit subject to this subpart per year.

(3) If any annual stack test indicates levels of dioxins/furans emissions greater than 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, conduct subsequent annual stack tests on all municipal waste combustion units subject to this subpart at your plant. You may return to testing one municipal waste combustion unit subject to this subpart per year if you can demonstrate dioxins/furans emission levels less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, for all municipal waste combustion units at your plant subject to this subpart for 2 consecutive years.

§ 62.15255 May I deviate from the 13-month testing schedule if unforeseen circumstances arise?

You may not deviate from the 13-month testing schedules specified in

§§ 62.15240(b) and 62.15250(b)(1) unless you apply to the Administrator for an alternative schedule, and the Administrator approves your request for alternate scheduling prior to the date on which you would otherwise have been required to conduct the next stack test.

Other Monitoring Requirements

§ 62.15260 What other requirements must I meet for continuous monitoring?

You must also monitor three operating parameters:

(a) Load level of each municipal waste combustion unit.

(b) Temperature of flue gases at the inlet of your particulate matter air pollution control device.

(c) Carbon feed rate if activated carbon is used to control dioxins/furans or mercury emissions.

§ 62.15265 How do I monitor the load of my municipal waste combustion unit?

(a) If your municipal waste combustion unit generates steam, you must install, calibrate, maintain, and operate a steam flowmeter or a feed water flowmeter and meet five requirements:

(1) Continuously measure and record the measurements of steam (or feed water) in kilograms per hour (or pounds per hour).

(2) Calculate your steam (or feed water) flow in 4-hour block averages.

(3) Calculate the steam (or feed water) flow rate using the method in ''American Society of Mechanical Engineers (ASME PTC 4.1—1964): Test Code for Steam Generating Units, Power Test Code 4.1–1964 (Reaffirmed 1991),'' section 4. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy from the American Society of Mechanical Engineers, Service Center, 22 Law Drive, Post Office Box 2900, Fairfield, NJ 07007. You may inspect a copy at the Office of Air Quality Planning and Standards Air Docket, EPA, 109 T.W. Alexander Drive, Room C521C, RTP, NC 27709 or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

(4) Design, construct, install, calibrate, and use nozzles or orifices for flow rate measurements, using the recommendations in ''American Society of Mechanical Engineers Interim Supplement 19.5 on Instruments and Apparatus: Application, Part II of Fluid Meters'', 6th Edition (1971), chapter 4. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy from the American Society of Mechanical Engineers, Service Center, 22 Law Drive, Post Office Box 2900, Fairfield, NJ 07007. You may inspect a copy at the Office of Air Quality Planning and Standards Air Docket, EPA, 109 T.W. Alexander Drive, Room C521C, RTP, NC 27709 or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

(5) Before each dioxins/furans stack test, or at least once a year, calibrate all signal conversion elements associated with steam (or feed water) flow measurements according to the manufacturer instructions.

(b) If your municipal waste combustion unit does not generate steam, or, if your municipal waste combustion units have shared steam systems and steam load cannot be estimated per unit, you must determine, to the satisfaction of the Administrator, one or more operating parameters that can be used to continuously estimate load level (for example, the feed rate of municipal solid waste or refuse-derived fuel). You must continuously monitor the selected parameters.

§ 62.15270 How do I monitor the temperature of flue gases at the inlet of my particulate matter control device?

You must install, calibrate, maintain, and operate a device to continuously measure the temperature of the flue gas stream at the inlet of each particulate matter control device.

§ 62.15275 How do I monitor the injection rate of activated carbon?

If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must meet three requirements:

(a) Select a carbon injection system operating parameter that can be used to calculate carbon feed rate (for example, screw feeder speed).

(b) During each dioxins/furans and mercury stack test, determine the average carbon feed rate in kilograms (or pounds) per hour. Also, determine the average operating parameter level that correlates to the carbon feed rate. Establish a relationship between the operating parameter and the carbon feed rate in order to calculate the carbon feed rate based on the operating parameter level.

(c) Continuously monitor the selected operating parameter during all periods when the municipal waste combustion unit is operating and combusting waste and calculate the 8-hour block average carbon feed rate in kilograms (or pounds) per hour, based on the selected operating parameter. When calculating the 8-hour block average, do two things:

(1) Exclude hours when the municipal waste combustion unit is not operating.

(2) Include hours when the municipal waste combustion unit is operating but the carbon feed system is not working correctly.

§ 62.15280 What minimum amount of monitoring data must I collect with my continuous parameter monitoring systems and is this requirement enforceable?

(a) Where continuous parameter monitoring systems are used, obtain 1-hour arithmetic averages for three parameters:

(1) Load level of the municipal waste combustion unit.

(2) Temperature of the flue gases at the inlet of your particulate matter control device.

(3) Carbon feed rate if activated carbon is used to control dioxins/furans or mercury emissions.

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average.

(c) Obtain valid 1-hour averages for at least 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal solid waste or refuse-derived fuel.

(d) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you are in violation of this data collection requirement and you must notify the Administrator according to § 62.15340(e).

Recordkeeping

§ 62.15285 What records must I keep?

You must keep four types of records:

(a) Operator training and certification.

(b) Stack tests.

(c) Continuously monitored pollutants and parameters.

(d) Carbon feed rate.

§ 62.15290 Where must I keep my records and for how long?

(a) Keep all records onsite in paper copy or electronic format unless the Administrator approves another format.

(b) Keep all records on each municipal waste combustion unit for at least 5 years.

(c) Make all records available for submittal to the Administrator, or for onsite review by an inspector.

§ 62.15295 What records must I keep for operator training and certification?

You must keep records of six items:

(a) *Records of provisional certifications.* Include three items:

(1) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and

control room operators who are provisionally certified by the American Society of Mechanical Engineers.

(2) Dates of the initial provisional certifications.

(3) Documentation showing current provisional certifications.

(b) *Records of full certifications.* Include three items:

(1) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room operators who are fully certified by the American Society of Mechanical Engineers or an equivalent State-approved certification program.

(2) Dates of initial and renewal full certifications.

(3) Documentation showing current full certifications.

(c) *Records showing completion of the operator training course.* Include three items:

(1) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room operators who have completed the EPA or State municipal waste combustion operator training course.

(2) Dates of completion of the operator training course.

(3) Documentation showing completion of operator training course.

(d) *Records of reviews for plant-specific operating manuals.* Include three items:

(1) Names of persons who have reviewed the operating manual.

(2) Date of the initial review.

(3) Dates of subsequent annual reviews.

(e) *Records of when a certified operator is temporarily offsite.* Include two main items:

(1) If the certified chief facility operator and certified shift supervisor are offsite for more than 12 hours but for 2 weeks or less and no other certified operator is onsite, record the dates that the certified chief facility operator and certified shift supervisor were offsite.

(2) When all certified chief facility operators and certified shift supervisors are offsite for more than 2 weeks and no other certified operator is onsite, keep records of four items:

(i) Your notice that all certified persons are offsite.

(ii) The conditions that cause these people to be offsite.

(iii) The corrective actions you are taking to ensure a certified chief facility operator or certified shift supervisor is onsite.

(iv) Copies of the written reports submitted every 4 weeks that summarize the actions taken to ensure that a certified chief facility operator or certified shift supervisor will be onsite.

(f) *Records of calendar dates.* Include the calendar date on each record.

§ 62.15300 What records must I keep for stack tests?

For stack tests required under § 62.15230, you must keep records of four items:

(a) The results of the stack tests for eight pollutants or parameters recorded in the appropriate units of measure specified in tables 2 or 4 of this subpart:

(1) Dioxins/furans.

(2) Cadmium.

(3) Lead.

(4) Mercury.

(5) Opacity.

(6) Particulate matter.

(7) Hydrogen chloride.

(8) Fugitive ash.

(b) Test reports including supporting calculations that document the results of all stack tests.

(c) The maximum demonstrated load of your municipal waste combustion units and maximum temperature at the inlet of your particulate matter control device during all stack tests for dioxins/furans emissions.

(d) The calendar date of each record.

§ 62.15305 What records must I keep for continuously monitored pollutants or parameters?

You must keep records of eight items.

(a) *Records of monitoring data.* Document six parameters measured using continuous monitoring systems:

(1) All 6-minute average levels of opacity.

(2) All 1-hour average concentrations of sulfur dioxide emissions.

(3) For Class I municipal waste combustion units only, all 1-hour average concentrations of nitrogen oxides emissions.

(4) All 1-hour average concentrations of carbon monoxide emissions.

(5) All 1-hour average load levels of your municipal waste combustion unit.

(6) All 1-hour average flue gas temperatures at the inlet of the particulate matter control device.

(b) *Records of average concentrations and percent reductions.* Document five parameters:

(1) All 24-hour daily block geometric average concentrations of sulfur dioxide emissions or average percent reductions of sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, all 24-hour daily arithmetic average concentrations of nitrogen oxides emissions.

(3) All 4-hour block or 24-hour daily block arithmetic average concentrations of carbon monoxide emissions.

(4) All 4-hour block arithmetic average load levels of your municipal waste combustion unit.

(5) All 4-hour block arithmetic average flue gas temperatures at the inlet of the particulate matter control device.

(c) *Records of exceedances.* Document three items:

(1) Calendar dates whenever any of the five pollutants or parameter levels recorded in paragraph (b) of this section or the opacity level recorded in paragraph (a)(1) of this section did not meet the emission limits or operating levels specified in this subpart.

(2) Reasons you exceeded the applicable emission limits or operating levels.

(3) Corrective actions you took, or are taking, to meet the emission limits or operating levels.

(d) *Records of minimum data.* Document three items:

(1) Calendar dates for which you did not collect the minimum amount of data required under §§ 62.15205 and 62.15280. Record these dates for five types of pollutants and parameters:

(i) Sulfur dioxide emissions.

(ii) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(iii) Carbon monoxide emissions.

(iv) Load levels of your municipal waste combustion unit.

(v) Temperatures of the flue gases at the inlet of the particulate matter control device.

(2) Reasons you did not collect the minimum data.

(3) Corrective actions you took or are taking to obtain the required amount of data.

(e) *Records of exclusions.* Document each time you have excluded data from your calculation of averages for any of the following five pollutants or parameters and the reasons the data were excluded:

(1) Sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(3) Carbon monoxide emissions.

(4) Load levels of your municipal waste combustion unit.

(5) Temperatures of the flue gases at the inlet of the particulate matter control device.

(f) *Records of drift and accuracy.* Document the results of your daily drift tests and quarterly accuracy determinations according to Procedure 1 of appendix F of 40 CFR part 60. Keep these records for the sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide continuous emissions monitoring systems.

(g) *Records of the relationship between oxygen and carbon dioxide.* If

you choose to monitor carbon dioxide instead of oxygen as a diluent gas, document the relationship between oxygen and carbon dioxide, as specified in § 62.15200.

(h) *Records of calendar dates.* Include the calendar date on each record.

§ 62.15310 What records must I keep for municipal waste combustion units that use activated carbon?

For municipal waste combustion units that use activated carbon to control dioxins/furans or mercury emissions, you must keep records of five items:

(a) *Records of average carbon feed rate.* Document five items:

(1) Average carbon feed rate (in kilograms or pounds per hour) during all stack tests for dioxins/furans and mercury emissions. Include supporting calculations in the records.

(2) For the operating parameter chosen to monitor carbon feed rate, average operating level during all stack tests for dioxins/furans and mercury emissions. Include supporting data that document the relationship between the operating parameter and the carbon feed rate.

(3) All 8-hour block average carbon feed rates in kilograms (pounds) per hour calculated from the monitored operating parameter.

(4) Total carbon purchased and delivered to the municipal waste combustion plant for each calendar quarter. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant. Include supporting documentation.

(5) Required quarterly usage of carbon for the municipal waste combustion plant, calculated using the appropriate equation in § 62.15390(f). If you choose to evaluate required quarterly usage for carbon on a municipal waste combustion unit basis, record the required quarterly usage for each municipal waste combustion unit at your plant. Include supporting calculations.

(b) *Records of low carbon feed rates.* Document three items:

(1) The calendar dates when the average carbon feed rate over an 8-hour block was less than the average carbon feed rates determined during the most recent stack test for dioxins/furans or mercury emissions (whichever has a higher feed rate).

(2) Reasons for the low carbon feed rates.

(3) Corrective actions you took or are taking to meet the 8-hour average carbon feed rate requirement.

(c) *Records of minimum carbon feed rate data.* Document three items:

(1) Calendar dates for which you did not collect the minimum amount of carbon feed rate data required under § 62.15280.

(2) Reasons you did not collect the minimum data.

(3) Corrective actions you took or are taking to get the required amount of data.

(d) *Records of exclusions.* Document each time you have excluded data from your calculation of average carbon feed rates and the reasons the data were excluded.

(e) *Records of calendar dates.* Include the calendar date on each record.

Reporting

§ 62.15315 What reports must I submit and in what form?

(a) Submit an initial report and annual reports, plus semiannual reports for any emission or parameter level that does not meet the limits specified in this subpart.

(b) Submit all reports on paper, postmarked on or before the submittal dates in §§ 62.15325, 62.15335, and 62.15350. If the Administrator agrees, you may submit electronic reports.

(c) Keep a copy of all reports required by §§ 62.15330, 62.15340, and 62.15355 onsite for 5 years.

§ 62.15320 What are the appropriate units of measurement for reporting my data?

See tables 2, 3, 4, and 5 of this subpart for appropriate units of measurement.

§ 62.15325 When must I submit the initial report?

As specified in § 60.7(c) of subpart A of 40 CFR part 60, submit your initial report within 180 days after your final compliance date.

§ 62.15330 What must I include in the initial report?

You must include seven items:

(a) The emission levels measured on the date of the initial evaluation of your continuous emission monitoring systems for all of the following five pollutants or parameters as recorded in accordance with § 62.15305(b).

(1) The 24-hour daily geometric average concentration of sulfur dioxide emissions or the 24-hour daily geometric percent reduction of sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, the 24-hour daily arithmetic average concentration of nitrogen oxides emissions.

(3) The 4-hour block or 24-hour daily arithmetic average concentration of carbon monoxide emissions.

(4) The 4-hour block arithmetic average load level of your municipal waste combustion unit.

(5) The 4-hour block arithmetic average flue gas temperature at the inlet of the particulate matter control device.

(b) The results of the initial stack tests for eight pollutants or parameters (use appropriate units as specified in tables 2 or 4 of this subpart):

(1) Dioxins/furans.
(2) Cadmium.
(3) Lead.
(4) Mercury.
(5) Opacity.
(6) Particulate matter.
(7) Hydrogen chloride.
(8) Fugitive ash.

(c) The test report that documents the initial stack tests including supporting calculations.

(d) The initial performance evaluation of your continuous emissions monitoring systems. Use the applicable performance specifications in appendix B of 40 CFR part 60 in conducting the evaluation.

(e) The maximum demonstrated load of your municipal waste combustion unit and the maximum demonstrated temperature of the flue gases at the inlet of the particulate matter control device. Use values established during your initial stack test for dioxins/furans emissions and include supporting calculations.

(f) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, the average carbon feed rates that you recorded during the initial stack tests for dioxins/furans and mercury emissions. Include supporting calculations as specified in § 62.15310(a)(1) and (2).

(g) If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, documentation of the relationship between oxygen and carbon dioxide, as specified in § 62.15200.

§ 62.15335 When must I submit the annual report?

Submit the annual report no later than February 1 of each year that follows the calendar year in which you collected the data. (As with all other requirements in this subpart, the requirement to submit an annual report does not modify or replace the operating permits requirements of 40 CFR parts 70 and 71.)

§ 62.15340 What must I include in the annual report?

Summarize data collected for all pollutants and parameters regulated under this subpart. Your summary must include 12 items:

(a) The results of the annual stack test, using appropriate units, for eight pollutants, as recorded under § 62.15300(a):

(1) Dioxins/furans.

(2) Cadmium.

(3) Lead.

(4) Mercury.

(5) Opacity.

(6) Particulate matter.

(7) Hydrogen chloride.

(8) Fugitive ash.

(b) A list of the highest average emission levels recorded, in the appropriate units. List these values for five pollutants or parameters:

(1) Sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(3) Carbon monoxide emissions.

(4) Load level of the municipal waste combustion unit.

(5) Temperature of the flue gases at the inlet of the particulate matter air pollution control device (4-hour block average).

(c) The highest 6-minute opacity level measured. Base this value on all 6-minute average opacity levels recorded by your continuous opacity monitoring system (§ 62.15305(a)(1)).

(d) For municipal waste combustion units that use activated carbon for controlling dioxins/furans or mercury emissions, include four records:

(1) The average carbon feed rates recorded during the most recent dioxins/furans and mercury stack tests.

(2) The lowest 8-hour block average carbon feed rate recorded during the year.

(3) The total carbon purchased and delivered to the municipal waste combustion plant for each calendar quarter. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant.

(4) The required quarterly carbon usage of your municipal waste combustion plant calculated using the appropriate equation in § 62.15390(f). If you choose to evaluate required quarterly usage for carbon on a municipal waste combustion unit basis, record the required quarterly usage for each municipal waste combustion unit at your plant.

(e) The total number of days that you did not obtain the minimum number of hours of data for six pollutants or parameters. Include the reasons you did not obtain the data and corrective actions that you have taken to obtain the data in the future. Include data on:

(1) Sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(3) Carbon monoxide emissions.

(4) Load level of the municipal waste combustion unit.

(5) Temperature of the flue gases at the inlet of the particulate matter air pollution control device.

(6) Carbon feed rate.

(f) The number of hours you have excluded data from the calculation of average levels (include the reasons for excluding it). Include data for six pollutants or parameters:

(1) Sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(3) Carbon monoxide emissions.

(4) Load level of the municipal waste combustion unit.

(5) Temperature of the flue gases at the inlet of the particulate matter air pollution control device.

(6) Carbon feed rate.

(g) A notice of your intent to begin a reduced stack testing schedule for dioxins/furans emissions during the following calendar year if you are eligible for alternative scheduling (§ 62.15250(a) or (b)).

(h) A notice of your intent to begin a reduced stack testing schedule for other pollutants during the following calendar year if you are eligible for alternative scheduling (§ 62.15250(a)).

(i) A summary of any emission or parameter level that did not meet the limits specified in this subpart.

(j) A summary of the data in paragraphs (a) through (d) of this section from the year preceding the reporting year. This summary gives the Administrator a summary of the performance of the municipal waste combustion unit over a 2-year period.

(k) If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, documentation of the relationship between oxygen and carbon dioxide, as specified in § 62.15200.

(l) Documentation of periods when all certified chief facility operators and certified shift supervisors are offsite for more than 12 hours.

§ 62.15345 What must I do if I am out of compliance with these standards?

You must submit a semiannual report on any recorded emission or parameter level that does not meet the requirements specified in this subpart.

§ 62.15350 If a semiannual report is required, when must I submit it?

(a) For data collected during the first half of a calendar year, submit your semiannual report by August 1 of that year.

(b) For data you collected during the second half of the calendar year, submit your semiannual report by February 1 of the following year.

§ 62.15355 What must I include in the semiannual out-of-compliance reports?

You must include three items in the semiannual report:

(a) For any of the following six pollutants or parameters that exceeded the limits specified in this subpart, include the calendar date they exceeded the limits, the averaged and recorded data for that date, the reasons for exceeding the limits, and your corrective actions:

(1) Concentration or percent reduction of sulfur dioxide emissions.

(2) For Class I municipal waste combustion units only, concentration of nitrogen oxides emissions.

(3) Concentration of carbon monoxide emissions.

(4) Load level of your municipal waste combustion unit.

(5) Temperature of the flue gases at the inlet of your particulate matter air pollution control device.

(6) Average 6-minute opacity level. The data obtained from your continuous opacity monitoring system are not used to determine compliance with the limit on opacity emissions.

(b) If the results of your annual stack tests (as recorded in § 62.15300(a)) show emissions above the limits specified in table 2 or 4 of this subpart as applicable for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash, include a copy of the test report that documents the emission levels and your corrective actions.

(c) For municipal waste combustion units that apply activated carbon to control dioxins/furans or mercury emissions, include two items:

(1) Documentation of all dates when the 8-hour block average carbon feed rate (calculated from the carbon injection system operating parameter) is less than the highest carbon feed rate established during the most recent mercury and dioxins/furans stack test (as specified in § 62.15310(a)(1)). Include four items:

(i) Eight-hour average carbon feed rate.

(ii) Reasons for these occurrences of low carbon feed rates.

(iii) The corrective actions you have taken to meet the carbon feed rate requirement.

(iv) The calendar date.

(2) Documentation of each quarter when total carbon purchased and delivered to the municipal waste combustion plant is less than the total

required quarterly usage of carbon. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant. Include five items:

(i) Amount of carbon purchased and delivered to the plant.

(ii) Required quarterly usage of carbon.

(iii) Reasons for not meeting the required quarterly usage of carbon.

(iv) The corrective actions you have taken to meet the required quarterly usage of carbon.

(v) The calendar date.

§ 62.15360 Can reporting dates be changed?

(a) If the Administrator agrees, you may change the semiannual or annual reporting dates.

(b) *See* § 60.19(c) in subpart A of 40 CFR part 60 for procedures to seek approval to change your reporting date.

Air Curtain Incinerators that Burn 100 Percent Yard Waste

§ 62.15365 What is an air curtain incinerator?

An air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor.

§ 62.15370 What is yard waste?

Yard waste is grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. They come from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(a) Construction, renovation, and demolition wastes that are exempt from the definition of ''municipal solid waste'' in § 62.15410.

(b) Clean wood that is exempt from the definition of ''municipal solid waste'' in § 62.15410 of this subpart.

§ 62.15375 What are the emission limits for air curtain incinerators that burn 100 percent yard waste?

If your air curtain incinerator combusts 100 percent yard waste, you must meet only the emission limits in this section.

(a) Within 180 days after your final compliance date, you must meet two limits:

(1) The opacity limit is 10 percent (6-minute average) for air curtain incinerators that can combust at least 35 tons per day of yard waste and no more than 250 tons per day of yard waste.

(2) The opacity limit is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) Except during malfunctions, the requirements of this subpart apply at all times. Each malfunction must not exceed 3 hours.

§ 62.15380 How must I monitor opacity for air curtain incinerators that burn 100 percent yard waste?

(a) Use EPA Reference Method 9 in Appendix A of 40 CFR part 60 to determine compliance with the opacity limit.

(b) Conduct an initial test for opacity as specified in § 60.8 of subpart A of 40 CFR part 60.

(c) After the initial test for opacity, conduct annual tests no more than 13 calendar months following the date of your previous test.

§ 62.15385 What are the recordkeeping and reporting requirements for air curtain incinerators that burn 100 percent yard waste?

(a) Provide a notice of construction that includes four items:

(1) Your intent to construct the air curtain incinerator.

(2) Your planned initial startup date.

(3) Types of fuels you plan to combust in your air curtain incinerator.

(4) The capacity of your incinerator, including supporting capacity calculations, as specified in § 62.15390 (d) and (e).

(b) Keep records of results of all opacity tests onsite in either paper copy or electronic format unless the Administrator approves another format.

(c) Keep all records for each incinerator for at least 5 years.

(d) Make all records available for submittal to the Administrator or for onsite review by an inspector.

(e) Submit the results (each 6-minute average) of the opacity tests by February 1 of the year following the year of the opacity emission test.

(f) Submit reports as a paper copy on or before the applicable submittal date. If the Administrator agrees, you may submit reports on electronic media.

(g) If the Administrator agrees, you may change the annual reporting dates (*see* § 60.19(c) in subpart A of 40 CFR part 60).

(h) Keep a copy of all reports onsite for a period of 5 years.

Equations

§ 62.15390 What equations must I use?

(a) *Concentration correction to 7 percent oxygen.* Correct any pollutant concentration to 7 percent oxygen using equation 1 of this section:

$$C_{7\%} = C_{unc} * (13.9) * \left(1/\left(20.9 - CO_2\right)\right) \qquad \text{(Eq. 1)}$$

Where:

$C_7\%$ = concentration corrected to 7 percent oxygen.

C_{unc} = uncorrected pollutant concentration.

C_{O2} = concentration of oxygen (%).

(b) *Percent reduction in potential mercury emissions.* Calculate the percent reduction in potential mercury emissions ($\%P_{Hg}$) using equation 2 of this section:

$$\%P_{Hg} = \left(E_i - E_o\right) * \left(100 / E_i\right) \qquad \text{(Eq. 2)}$$

Where:

$\%P_{Hg}$ = percent reduction of potential mercury emissions

E_i = mercury emission concentration as measured at the air pollution control device inlet, corrected to 7 percent oxygen, dry basis

E_o = mercury emission concentration as measured at the air pollution control device outlet, corrected to 7 percent oxygen, dry basis

(c) *Percent reduction in potential hydrogen chloride emissions.* Calculate the percent reduction in potential hydrogen chloride emissions ($\%P_{HCl}$) using equation 3 of this section:

$$\%P_{HCl} = (E_i - E_o) * (100 / E_i) \qquad \text{(Eq. 3)}$$

Where:

$\%P_{HCl}$ = percent reduction of the potential hydrogen chloride emissions

E_i = hydrogen chloride emission concentration as measured at the air pollution control device inlet, corrected to 7 percent oxygen, dry basis

E_o = hydrogen chloride emission concentration as measured at the air pollution control device outlet, corrected to 7 percent oxygen, dry basis

(d) *Capacity of a municipal waste combustion unit.* For a municipal waste combustion unit that can operate continuously for 24-hour periods, calculate the capacity of the municipal waste combustion unit based on 24 hours of operation at the maximum charge rate. To determine the maximum charge rate, use one of two methods:

(1) For municipal waste combustion units with a design based on heat input capacity, calculate the maximum charging rate based on this maximum heat input capacity and one of two heating values:

(i) If your municipal waste combustion unit combusts refuse-derived fuel, use a heating value of 12,800 kilojoules per kilogram (5,500 British thermal units per pound).

(ii) If your municipal waste combustion unit combusts municipal solid waste, use a heating value of 10,500 kilojoules per kilogram (4,500 British thermal units per pound).

(2) For municipal waste combustion units with a design not based on heat input capacity, use the maximum designed charging rate.

(e) *Capacity of a batch municipal waste combustion unit.* Calculate the capacity of a batch municipal waste combustion unit as the maximum design amount of municipal solid waste they can charge per batch multiplied by the maximum number of batches they can process in 24 hours. Calculate this maximum number of batches by dividing 24 by the number of hours needed to process one batch. Retain fractional batches in the calculation. For example, if one batch requires 16 hours, the municipal waste combustion unit can combust 24/16, or 1.5 batches, in 24 hours.

(f) *Quarterly carbon usage.* If you use activated carbon to comply with the dioxins/furans or mercury limits, calculate the required quarterly usage of carbon using equation 4 or 5 of this section for plant basis or unit basis:

(1) Plant basis.

$$C = \sum_{i=1}^{n} f_i * h_i \qquad \text{(Eq. 4)}$$

Where:

C = required quarterly carbon usage for the plant in kilograms (or pounds).

f_i = required carbon feed rate for the municipal waste combustion unit in kilograms (or pounds) per hour. This is the average carbon feed rate during the most recent mercury or dioxins/furans stack tests (whichever has a higher feed rate).

h_i = number of hours the municipal waste combustion unit was in operation during the calendar quarter (hours).

n = number of municipal waste combustion units, i, located at your plant.

(2) Unit basis.

$$C = f * h \qquad \text{(Eq. 5)}$$

Where:

C = required quarterly carbon usage for the unit in kilograms (or pounds).

f = required carbon feed rate for the municipal waste combustion unit in kilograms (or pounds) per hour. This is the average carbon feed rate during the most recent mercury or dioxins/furans stack tests (whichever has a higher feed rate).

h = number of hours the municipal waste combustion unit was in operation during the calendar quarter (hours).

Title V Requirements

§ 62.15395 Does this subpart require me to obtain an operating permit under title V of the Clean Air Act?

Yes. If you are subject to this subpart on the effective date of this subpart or any time thereafter, you are required to apply for and obtain a title V operating permit.

§ 62.15400 When must I submit a title V permit application for my existing small municipal waste combustion unit?

(a) You must submit a complete title V permit application within 12 months of when your source first becomes subject to a title V permitting program. *See* 40 CFR 70.3(a) and (b), 70.5(a)(1), 71.3(a) and (b), and 71.5(a)(1). As provided in section 503(c) of the Clean Air Act, permitting authorities may establish permit application deadlines earlier than the 12-month deadline.

(b) If your existing small MWC unit is not subject to an earlier permit application deadline, a complete title V permit application must be submitted not later than the date 36 months after promulgation of 40 CFR part 60, subpart BBBB (December 6, 2003), or by the effective date of the applicable State, tribal, or Federal operating permits program, whichever is later. For any existing small MWC unit not subject to an earlier application deadline, this final application deadline applies regardless of when this Federal plan is effective, or when the relevant State or Tribal section 111(d)/129 plan is approved by EPA and becomes effective. *See* sections 129(e), 503(c), 503(d), and 502(a) of the Clean Air Act.

(c) A ''complete'' title V permit application is one that has been determined or deemed complete by the relevant permitting authority under section 503(d) of the Clear Air Act and 40 CFR 70.5(a)(2) or 71.5(a)(2). You must submit a complete permit application by the relevant application deadline in order to operate after this date in compliance with Federal law. *See* sections 503(d) and 502(a); 40 CFR 70.7(b) and 71.7(b).

Delegation of Authority

§ 62.15405 What authorities are retained by the Administrator?

These authorities are retained by the EPA Administrator and not transferred to the State upon delegation of authority to the State to implement and enforce this subpart.

(a) Approval of alternative non-opacity emission standard;

(b) Approval of alternative opacity standard;

(c) Approval of major alternatives to test methods;

(d) Approval of major alternatives to monitoring;

(e) Waiver of recordkeeping; and

(f) Approval of exemption to operating practice requirements in § 62.15145(e)(5).

Definitions

§ 62.15410 What definitions must I know?

Terms used but not defined in this section are defined in the Clean Air Act and in subparts A and B of 40 CFR part 60.

Administrator means the Administrator of the U.S. Environmental Protection Agency or his/her authorized representative or the Administrator of a State Air Pollution Control Agency.

Air curtain incinerator means an incinerator that operates by forcefully

projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor.

Batch municipal waste combustion unit means a municipal waste combustion unit designed so it cannot combust municipal solid waste continuously 24 hours per day because the design does not allow waste to be fed to the unit or ash to be removed during combustion.

Calendar quarter means three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

Calendar year means 365 consecutive days (or 366 consecutive days in leap years) starting on January 1 and ending on December 31.

Chief facility operator means the person in direct charge and control of the operation of a municipal waste combustion unit. This person is responsible for daily onsite supervision, technical direction, management, and overall performance of the municipal waste combustion unit.

Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See the definition of ''municipal waste combustion plant capacity'' for specification of which units at a plant site are included in the aggregate capacity calculation.

Class II units mean small municipal combustion units subject to this subpart that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See the definition of ''municipal waste combustion plant capacity'' for specification of which units at a plant site are included in the aggregate capacity calculation.

Clean wood means untreated wood or untreated wood products including clean untreated lumber, tree stumps (whole or chipped), and tree limbs (whole or chipped). Clean wood does not include two items:

(1) ''Yard waste'', which is defined in this section.

(2) Construction, renovation, or demolition wastes (for example, railroad ties and telephone poles) that are exempt from the definition of municipal solid waste in this section.

Cofired combustion unit means a unit that combusts municipal solid waste with nonmunicipal solid waste fuel (for example, coal, industrial process waste). To be considered a cofired combustion unit, the unit must be subject to a federally enforceable permit that limits it to combusting a fuel feed stream which is 30 percent or less (by weight) municipal solid waste as measured each calendar quarter.

Continuous burning means the continuous, semicontinuous, or batch feeding of municipal solid waste to dispose of the waste, produce energy, or provide heat to the combustion system in preparation for waste disposal or energy production. Continuous burning does not mean the use of municipal solid waste solely to thermally protect the grate or hearth during the startup period when municipal solid waste is not fed to the grate or hearth.

Continuous emission monitoring system means a monitoring system that continuously measures the emissions of a pollutant from a municipal waste combustion unit.

Contract means a legally binding agreement or obligation that cannot be canceled or modified without substantial financial loss.

De-rate means to make a permanent physical change to the municipal waste combustor unit that reduces the maximum combustion capacity of the unit to less than or equal to 35 tons per day of municipal solid waste. A permit restriction or a change in the method of operation does not qualify as de-rating.

Dioxins/furans mean tetra- through octachlorinated dibenzo-p-dioxins and dibenzofurans.

Effective date of State plan approval means the effective date that the EPA approves the State plan. The **Federal Register** specifies this date in the notice that announces EPA's approval of the State plan.

Eight-hour block average means the average of all hourly emission concentrations or parameter levels when the municipal waste combustion unit operates and combusts municipal solid waste measured over any of three 8-hour periods of time:

(1) 12 midnight to 8 a.m.

(2) 8 a.m. to 4 p.m.

(3) 4 p.m. to 12 midnight.

EPA-approved State plan means a State plan that EPA has reviewed and approved based on the requirements in 40 CFR part 60 subpart B to implement and enforce 40 CFR part 60, subpart BBBB. An approved State plan becomes effective on the date specified in the notice published in the **Federal Register** announcing EPA's approval.

Federally enforceable means all limits and conditions the Administrator can enforce (including the requirements of 40 CFR parts 60, 61, and 63), requirements in a State's implementation plan, and any permit requirements established under 40 CFR 52.21 or under 40 CFR 51.18 and 40 CFR 51.24.

First calendar half means the period that starts on January 1 and ends on June 30 in any year.

Fluidized bed combustion unit means a unit where municipal waste is combusted in a fluidized bed of material. The fluidized bed material may remain in the primary combustion zone or may be carried out of the primary combustion zone and returned through a recirculation loop.

Four-hour block average or *4-hour block average* means the average of all hourly emission concentrations or parameter levels when the municipal waste combustion unit operates and combusts municipal solid waste measured over any of six 4-hour periods:

(1) 12 midnight to 4 a.m.

(2) 4 a.m. to 8 a.m.

(3) 8 a.m. to 12 noon.

(4) 12 noon to 4 p.m.

(5) 4 p.m. to 8 p.m.

(6) 8 p.m. to 12 midnight.

Mass burn refractory municipal waste combustion unit means a field-erected municipal waste combustion unit that combusts municipal solid waste in a refractory wall furnace. Unless otherwise specified, this includes municipal waste combustion units with a cylindrical rotary refractory wall furnace.

Mass burn rotary waterwall municipal waste combustion unit means a field-erected municipal waste combustion unit that combusts municipal solid waste in a cylindrical rotary waterwall furnace.

Mass burn waterwall municipal waste combustion unit means a field-erected municipal waste combustion unit that combusts municipal solid waste in a waterwall furnace.

Maximum demonstrated load of a municipal waste combustion unit means the highest 4-hour block arithmetic average municipal waste combustion unit load achieved during 4 consecutive hours in the course of the most recent dioxins/furans stack test that demonstrates compliance with the applicable emission limit for dioxins/furans specified in this subpart.

Maximum demonstrated temperature of the particulate matter control device means the highest 4-hour block arithmetic average flue gas temperature measured at the inlet of the particulate matter control device during 4 consecutive hours in the course of the most recent stack test for dioxins/furans

emissions that demonstrates compliance with the limits specified in this subpart.

Medical/infectious waste means any waste meeting the definition of medical/infectious waste contained in 40 CFR 60.51c of subpart Ec.

Mixed fuel-fired (pulverized coal/refuse-derived fuel) combustion unit means a combustion unit that combusts coal and refuse-derived fuel simultaneously, in which pulverized coal is introduced into an air stream that carries the coal to the combustion chamber of the unit where it is combusted in suspension. This includes both conventional pulverized coal and micropulverized coal.

Modification or *modified municipal waste combustion unit* means a municipal waste combustion unit you have changed later than June 6, 2001, and that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the unit (not including the cost of land) updated to current costs.

(2) Any physical change in the municipal waste combustion unit or change in the method of operating it that increases the emission level of any air pollutant for which standards have been established under section 129 or section 111 of the Clean Air Act. Increases in the emission level of any air pollutant are determined when the municipal waste combustion unit operates at 100 percent of its physical load capability and are measured downstream of all air pollution control devices. Load restrictions based on permits or other nonphysical operational restrictions cannot be considered in this determination.

Modular excess-air municipal waste combustion unit means a municipal waste combustion unit that combusts municipal solid waste, is not field-erected, and has multiple combustion chambers, all of which are designed to operate at conditions with combustion air amounts in excess of theoretical air requirements.

Modular starved-air municipal waste combustion unit means a municipal waste combustion unit that combusts municipal solid waste, is not field-erected, and has multiple combustion chambers in which the primary combustion chamber is designed to operate at substoichiometric conditions.

Municipal solid waste or *municipal-type solid waste* means household, commercial/retail, or institutional waste. Household waste includes material discarded by residential dwellings, hotels, motels, and other similar permanent or temporary housing. Commercial/retail waste includes material discarded by stores, offices, restaurants, warehouses, nonmanufacturing activities at industrial facilities, and other similar establishments or facilities. Institutional waste includes materials discarded by schools, by hospitals (nonmedical), by nonmanufacturing activities at prisons and government facilities, and other similar establishments or facilities. Household, commercial/retail, and institutional waste does include yard waste and refuse-derived fuel. Household, commercial/retail, and institutional waste does not include used oil; sewage sludge; wood pallets; construction, renovation, and demolition wastes (which include railroad ties and telephone poles); clean wood; industrial process or manufacturing wastes; medical waste; or motor vehicles (including motor vehicle parts or vehicle fluff).

Municipal waste combustion plant means one or more municipal waste combustion units at the same location as specified under ''Applicability of State Plans'' (§ 62.15010(a)).

Municipal waste combustion plant capacity means the aggregate municipal waste combustion capacity of all municipal waste combustion units at the plant that are not subject to subparts Ea, Eb, or AAAA of 40 CFR part 60.

Municipal waste combustion unit means any setting or equipment that combusts solid, liquid, or gasified municipal solid waste including, but not limited to, field-erected combustion units (with or without heat recovery), modular combustion units (starved-air or excess-air), boilers (for example, steam generating units), furnaces (whether suspension-fired, grate-fired, mass-fired, air curtain incinerators, or fluidized bed-fired), and pyrolysis/combustion units. Two criteria further define these municipal waste combustion units:

(1) Municipal waste combustion units do not include pyrolysis or combustion units located at a plastics or rubber recycling unit as specified under § 62.15020(h) and (i). Municipal waste combustion units do not include cement kilns that combust municipal solid waste as specified under § 62.15020(j). Municipal waste combustion units also do not include internal combustion engines, gas turbines, or other combustion devices that combust landfill gases collected by landfill gas collection systems.

(2) The boundaries of a municipal waste combustion unit are defined as follows. The municipal waste combustion unit includes, but is not limited to, the municipal solid waste fuel feed system, grate system, flue gas system, bottom ash system, and the combustion unit water system. The municipal waste combustion unit does not include air pollution control equipment, the stack, water treatment equipment, or the turbine-generator set. The municipal waste combustion unit boundary starts at the municipal solid waste pit or hopper and extends through three areas:

(i) The combustion unit flue gas system, which ends immediately after the heat recovery equipment or, if there is no heat recovery equipment, immediately after the combustion chamber.

(ii) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

(iii) The combustion unit water system, which starts at the feed water pump and ends at the piping that exits the steam drum or superheater.

Particulate matter means total particulate matter emitted from municipal waste combustion units as measured by EPA Reference Method 5 in Appendix A of 40 CFR part 60 and the procedures specified in § 62.15245.

Plastics or rubber recycling unit means an integrated processing unit for which plastics, rubber, or rubber tires are the only feed materials (incidental contaminants may be in the feed materials). These materials are processed and marketed to become input feed stock for chemical plants or petroleum refineries. The following three criteria further define a plastics or rubber recycling unit:

(1) Each calendar quarter, the combined weight of the feed stock that a plastics or rubber recycling unit produces must be more than 70 percent of the combined weight of the plastics, rubber, and rubber tires that recycling unit processes.

(2) The plastics, rubber, or rubber tires fed to the recycling unit may originate from separating or diverting plastics, rubber, or rubber tires from municipal or industrial solid waste. These feed materials may include manufacturing scraps, trimmings, and off-specification plastics, rubber, and rubber tire discards.

(3) The plastics, rubber, and rubber tires fed to the recycling unit may contain incidental contaminants (for example, paper labels on plastic bottles or metal rings on plastic bottle caps).

Potential hydrogen chloride emissions means the level of emissions from a municipal waste combustion unit that

would occur from combusting municipal solid waste without emission controls for acid gases.

Potential mercury emissions means the level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without controls for mercury emissions.

Potential sulfur dioxide emissions means the level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without emission controls for acid gases.

Protectorate means American Samoa, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Northern Mariana Islands, and the Virgin Islands.

Pyrolysis/combustion unit means a unit that produces gases, liquids, or solids by heating municipal solid waste. The gases, liquids, or solids produced are combusted and the emissions vented to the atmosphere.

Reconstruction means rebuilding a municipal waste combustion unit and meeting two criteria:

(1) The reconstruction begins on or after June 6, 2001.

(2) The cumulative cost of the construction over the life of the unit exceeds 50 percent of the original cost of building and installing the municipal waste combustion unit (not including land) updated to current costs (current dollars). To determine what systems are within the boundary of the municipal waste combustion unit used to calculate these costs, see the definition of ''municipal waste combustion unit'' in this section.

Refractory unit or *refractory wall furnace* means a municipal waste combustion unit that has no energy recovery (such as through a waterwall) in the furnace of the municipal waste combustion unit.

Refuse-derived fuel means a type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(1) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(2) Pelletized refuse-derived fuel.

Same location means the same or contiguous properties under common ownership or control, including those separated only by a street, road, highway, or other public right-of-way. Common ownership or control includes properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, subdivision, or any combination thereof. Entities may include a municipality, other governmental unit, or any quasi-governmental authority (for example, a public utility district or regional authority for waste disposal).

Second calendar half means the period that starts on July 1 and ends on December 31 in any year.

Shift supervisor means the person who is in direct charge and control of operating a municipal waste combustion unit and who is responsible for onsite supervision, technical direction, management, and overall performance of the municipal waste combustion unit during an assigned shift.

Spreader stoker, mixed fuel-fired (coal/refuse-derived fuel) combustion unit means a municipal waste combustion unit that combusts coal and refuse-derived fuel simultaneously, in which coal is introduced to the combustion zone by a mechanism that throws the fuel onto a grate from above. Combustion takes place both in suspension and on the grate.

Standard conditions when referring to units of measure mean a temperature of 20°C and a pressure of 101.3 kilopascals.

Startup period means the period when a municipal waste combustion unit begins the continuous combustion of municipal solid waste. It does not include any warmup period during which the municipal waste combustion unit combusts fossil fuel or other solid waste fuel but receives no municipal solid waste.

State means any of the 50 United States and the protectorates of the United States.

State plan means a plan submitted pursuant to section 111(d) and section 129(b)(2) of the Clean Air Act and 40 CFR part 60, subpart B, that implements and enforces 40 CFR part 60, subpart BBBB.

Stoker (refuse-derived fuel) combustion unit means a steam generating unit that combusts refuse-derived fuel in a semisuspension combusting mode, using air-fed distributors.

Total mass dioxins/furans or *total mass* means the total mass of tetra- through octachlorinated dibenzo-p-dioxins and dibenzofurans as determined using EPA Reference Method 23 in Appendix A of 40 CFR part 60 and the procedures specified in § 62.15245.

Tribal plan means a plan submitted by a tribal authority pursuant to 40 CFR parts 9, 35, 49, 50, and 81 that implements and enforces 40 CFR part 60 subpart BBBB.

Twenty-four hour daily average or *24-hour daily average* means either the arithmetic mean or geometric mean (as specified) of all hourly emission concentrations when the municipal waste combustion unit operates and combusts municipal solid waste measured during the 24 hours between 12:00 midnight and the following midnight.

Untreated lumber means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Untreated lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

Waterwall furnace means a municipal waste combustion unit that has energy (heat) recovery in the furnace (for example, radiant heat transfer section) of the combustion unit.

Yard waste means grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. They come from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(1) Construction, renovation, and demolition wastes that are exempt from the definition of ''municipal solid waste'' in this section.

(2) Clean wood that is exempt from the definition of ''municipal solid waste'' in this section.

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Table 1 of Subpart JJJ — Generic Compliance Schedules and Increments of Progress

Affected units	Increment 1 (Submit final control plan)	Increment 2 (Award contracts)	Increment 3 (Begin onsite construction)	Increment 4 (Complete onsite construction)	Increment 5 (Final compliance)
1. Class I units[a,b]	August 6, 2003	April 6, 2004	October 6, 2004	October 6, 2005	November 6, 2005
2. Class II units [c]	September 6, 2003	Not applicable	Not applicable	Not applicable	May 6, 2005

[a] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §62.15410 for definitions.

[b] For Class I units that began construction, reconstruction, or modification after June 26, 1987, comply with the dioxins/furans and mercury limits by the later of two dates:

1. One year after the effective date of this subpart.
2. One year after the issuance of a revised construction or operation permit, if a permit modification is required. Final compliance with the dioxins/furans limits must be achieved no later than the Class I final compliance date, even if the date one year after the issuance of a revised construction or operation permit exceeds the Class I final compliance date.

[c] Class II units mean all small municipal combustion units subject to this subpart that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See §62.15410 for definitions.

Table 2 of Subpart JJJ — Class I Emission Limits for Existing Small Municipal Waste Combustion Units[a]

For these pollutants	You must meet these emission limits[b]	Using these averaging times	And determine compliance by these methods
1. Organics			
Dioxins/furans (total mass basis)	30 nanograms per dry standard cubic meter for municipal waste combustion units that do not employ an electrostatic precipitator-based emission control system -or- 60 nanograms per dry standard cubic meter for municipal waste combustion units that employ an electrostatic precipitator-based emission control system	3-run average (minimum run duration is 4 hours)	Stack test
2. Metals			
Cadmium	0.040 milligrams per dry standard cubic meter	3-run average (run duration specified in test method)	Stack test
Lead	0.490 milligrams per dry standard cubic meter	3-run average (run duration specified in test method)	Stack test
Mercury	0.080 milligrams per dry standard cubic meter -or- 85 percent reduction of potential mercury emissions	3-run average (run duration specified in test method)	Stack test
Opacity	10 percent	Thirty 6-minute averages	Stack test
Particulate Matter	27 milligrams per dry standard cubic meter	3-run average (run duration specified in test method)	Stack test

[a] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §62.15410 for definitions.

[b] All emission limits (except for opacity) are measured at 7 percent oxygen.

Table 2 of Subpart JJJ — Class I Emission Limits For Existing Small Municipal Waste Combustion Units (Continued)

For these pollutants	You must meet these emission limits[b]	Using these averaging times	And determine compliance by these methods
3. Acid gases			
Hydrogen Chloride	31 parts per million by dry volume -or- 95 percent reduction of potential hydrogen chloride emissions	3-run average (minimum run duration is 1 hour)	Stack test
Sulfur Dioxide	31 parts per million by dry volume -or - 75 percent reduction of potential sulfur dioxide emissions	24-hour daily block geometric average concentration -or- percent reduction	Continuous emission monitoring system
4. Other			
Fugitive Ash	Visible emissions for no more than 5 percent of hourly observation period	Three 1-hour observation periods	Visible emission test

[a] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §62.15410 for definitions.

[b] All emission limits (except for opacity) are measured at 7 percent oxygen.

Table 3 of Subpart JJJ — Class I Nitrogen Oxides Emission Limits for Existing Small Municipal Waste Combustion Units[a,b,c]

Municipal Waste Combustion Technology	Limits for Class I Municipal Waste Combustion Units
1. Mass burn waterwall	200 parts per million by dry volume
2. Mass burn rotary waterwall	170 parts per million by dry volume
3. Refuse-derived fuel	250 parts per million by dry volume
4. Fluidized bed	220 parts per million by dry volume
5. Mass burn refractory	350 parts per million by dry volume
6. Modular excess air	190 parts per million by dry volume
7. Modular starved air	380 parts per million by dry volume

[a] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §62:15410 for definitions.

[b] Nitrogen oxides limits are corrected to 7 percent oxygen, dry basis.

[c] All limits are 24-hour daily block arithmetic average concentration. Compliance is determined for Class I units by continuous emission monitoring systems.

Table 4 of Subpart JJJ — Class II Emission Limits for Existing Small Municipal Waste Combustion Units[a]

For these pollutants		You must meet these emission limits[b]	Using these averaging times	And determine compliance by these methods
1. Organics				
	Dioxins/furans (total mass basis)	125 nanograms per dry standard cubic meter	3-run average (minimum run duration is 4 hours)	Stack test
2. Metals				
	Cadmium	0.10 milligrams per dry standard cubic meter	3-run average (run duration specified in test method)	Stack test
	Lead	1.6 milligrams per dry standard cubic meter	3-run average (run duration specified in test method)	Stack test
	Mercury	0.080 milligrams per dry standard cubic meter -or- 85 percent reduction of potential mercury emissions	3-run average (run duration specified in test method)	Stack test
	Opacity	10 percent	Thirty 6-minute averages	Stack test
	Particulate Matter	70 milligrams per dry standard cubic meter	3-run average (run duration specified in test method)	Stack test
3. Acid gases				
	Hydrogen Chloride	250 parts per million by volume -or- 50 percent reduction of potential hydrogen chloride emissions	3-run average (minimum run duration is 1 hour)	Stack test

[a] Class II units mean all small municipal combustion units subject to this subpart that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See §62.15410 for definitions.

[b] All emission limits (except for opacity) measured at 7 percent oxygen.

Table 4 of Subpart JJJ — Class II Emission Limits for Existing Municipal Small Waste Combustion Units[a] (Continued)

For these pollutants		You must meet these emission limits[b]	Using these averaging times	And determine compliance by these methods
3. Acid gases				
	Nitrogen Oxides	500 parts per million by dry volume	See footnote c	See footnote c
	Sulfur Dioxide	77 parts per million by dry volume -or - 50 percent reduction of potential sulfur dioxides emissions	24-hour daily block geometric average concentration -or- percent reduction	Continuous emission monitoring system
4. Other				
	Fugitive Ash	Visible emissions for no more than 5 percent of hourly observation period	Three 1-hour observation periods	Visible emission test

a Class II units mean all small municipal combustion units subject to this subpart that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See §62.15410 for definitions.

b All emission limits (except for opacity) are measured at 7 percent oxygen.

c No monitoring, testing, recordkeeping or reporting is required to demonstrate compliance with the nitrogen oxides limit for Class II units.

Table 5 of Subpart JJJ — Carbon Monoxide Emission Limits for Existing Small Municipal Waste Combustion Units

For these municipal waste combustion units	You must meet the carbon monoxide limits[a]	Using these averaging times[b]
1. Fluidized bed	100 parts per million by dry volume	4-hour
2. Fluidized bed, mixed fuel, (wood/refuse-derived fuel)	200 parts per million by dry volume	24-hour[c]
3. Mass burn rotary refractory	100 parts per million by dry volume	4-hour
4. Mass burn rotary waterwall	250 parts per million by dry volume	24-hour
5. Mass burn waterwall and refractory	100 parts per million by dry volume	4-hour
6. Mixed fuel-fired, (pulverized coal/refuse-derived fuel)	150 parts per million by dry volume	4-hour
7. Modular starved-air and excess air	50 parts per million by dry volume	4-hour
8. Spreader stoker, mixed fuel-fired (coal/refuse-derived fuel)	200 parts per million by dry volume	24-hour daily
9. Stoker, refuse-derived fuel	200 parts per million by dry volume	24-hour daily

[a] All emission limits (except for opacity) are measured at 7 percent oxygen. Compliance is determined by continuous emission monitoring systems.

[b] Block averages, arithmetic mean. See §62.15410 for definitions.

[c] 24-hour block average, geometric mean.

Table 6 of Subpart JJJ — Requirements for Validating Continuous Emission Monitoring Systems (CEMS)

For these continuous monitoring systems	Use these methods to validate pollutant concentration levels[a]	Use these methods to measure oxygen (or carbon dioxide)[a]
1. Nitrogen oxides (Class I units only)[b]	Method 7, 7A, 7B, 7C, 7D, or 7E	Method 3 or 3A
2. Sulfur dioxide	Method 6 or 6C	Method 3 or 3A
3. Carbon monoxide	Method 10, 10A, or 10B	Method 3 or 3A

a Methods are in Appendix A of 40 CFR part 60.

b Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §62.15410 for definitions.

Table 7 of Subpart JJJ — Requirements for Continuous Emission Monitoring Systems (CEMS)[a]

For these pollutants	Use these span values for your CEMS	Use these performance specifications for your CEMS (from appendix B in 40 CFR part 60)	If needed to meet minimum data requirements, use these alternate methods to collect data
1. Opacity	100 percent opacity	P.S. 1	Method 9
2. Nitrogen oxides (Class I units only)	**Control device outlet:** 125 percent of the maximum expected hourly potential nitrogen oxides emissions of the municipal waste combustion unit	P.S. 2	Method 7E
3. Sulfur dioxide	**Inlet to control device:** 125 percent of the maximum expected hourly potential sulfur dioxide emissions of the municipal waste combustion unit **Control device outlet:** 50 percent of the maximum expected hourly potential sulfur dioxide emissions of the municipal waste combustion unit	P.S. 2	Method 6C
4. Carbon monoxide	125 percent of the maximum expected hourly potential carbon monoxide emissions of the municipal waste combustion unit	P.S. 4A	Method 10 with alternative interference trap
5. Oxygen or carbon dioxide	25 percent oxygen or 25 percent carbon dioxide	P.S. 3	Method 3A or 3B

[a] Methods are in Appendix A of 40 CFR part 60.

Table 8 of Subpart JJJ — Requirements for Stack Tests

To measure these pollutants	Use these methods to determine the sampling location[a]	Use these methods to measure pollutant concentration[a]	Also note the following additional information
1. Organics			
Dioxins/furans	Method 1	Method 23[b]	The minimum sampling time must be 4 hours per test run while the municipal waste combustion unit is operating at full load.
2. Metals			
Cadmium	Method 1	Method 29[b]	Compliance testing must be performed while the municipal waste combustion unit is operating at full load.
Lead	Method 1	Method 29[b]	Compliance testing must be performed while the municipal waste combustion unit is operating at full load.
Mercury	Method 1	Method 29[b]	Compliance testing must be performed while the municipal waste combustion unit is operating at full load.
Opacity	Method 9	Method 9	Use Method 9 to determine compliance with opacity limits. 3-hour observation period (thirty 6-minute averages).
Particulate matter	Method 1	Method 5 or 29[b]	The minimum sample volume must be 1.0 cubic meters. The probe and filter holder heating systems in the sample train must be set to provide a gas temperature no greater than 160 ±14 °C. The minimum sampling time is 1 hour.

[a] Methods are in Appendix A of 40 CFR part 60.
[b] Must simultaneously measure oxygen (or carbon dioxide) using Method 3A or 3B.
[c] Use CEMS to test sulfur dioxide, nitrogen oxide, and carbon monoxide. Stack tests are not required except for Appendix F quality assurance requirements.

Table 8 of Subpart JJJ — Federal Plan Requirements for Stack Tests (Continued)

To measure these pollutants	Use these methods to determine the sampling location[a]	Use these methods to measure pollutant concentration[a]	Also note the following additional information
3. Acid gases[c]			
Hydrogen chloride	Method 1	Method 26 or 26A[b]	Test runs must be at least 1 hour long while the municipal waste combustion unit is operating at full load.
4. Other[c]			
Fugitive ash	Not applicable	Method 22 (visible emissions)	The three 1-hour observation period must include periods when the facility transfers fugitive ash from the municipal waste combustion unit to the area where the fugitive ash is stored or loaded into containers or trucks.

[a] Must simultaneously measure oxygen (or carbon dioxide) using Method 3A or 3B.
[b] Use CEMS to test sulfur dioxide, nitrogen oxide, and carbon monoxide. Stack tests are not required except for Appendix F quality assurance requirements.

Table 9 of Subpart JJJ — Site-specific Compliance Schedules and Increments of Progress

Class I[a,b] units	State	Units that will Cease Operation	Increment 1 (Submit final control plan)	Increment 2 (Award contracts)	Increment 3 (Begin onsite construction)	Increment 4 (Complete onsite construction)	Increment 5 (Final compliance)
Dutchess County Resource Recovery Facility	NY	Not Applicable	August 6, 2003	February 6, 2004	August 6, 2004	October 6, 2005	December 6, 2005
Islip-MacArthur Resource Recovery Facility	NY	Not Applicable	August 6, 2003	February 6, 2004	August 6, 2004	October 6, 2005	December 6, 2005
Harrisburg Materials, Energy, Recycling and Recovery Facility	PA	June 18, 2003	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable

[a] Class I units mean small municipal waste combustion units subject to this subpart that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See §62.15410 for definitions.

[b] For Class I units that began construction, reconstruction, or modification after June 26, 1987, comply with the dioxins/furans and mercury limits by the later of two dates:

1. One year after the effective date of this subpart.
2. One year after the issuance of a revised construction or operation permit, if a permit modification is required. Final compliance with the dioxins/furans limits must be achieved no later than the Class I final compliance date, even if the date one year after the issuance of a revised construction or operation permit exceeds the Class I final compliance date.

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October 3, 2003

Part II

Environmental Protection Agency

40 CFR Part 62

Federal Plan Requirements for Commercial and Industrial Solid Waste Incinerators Constructed On or Before November 30, 1999; Final Rule

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[AD–FRL–7562–1]

RIN 2060–AJ28

Federal Plan Requirements for Commercial and Industrial Solid Waste Incinerators Constructed on or Before November 30, 1999

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: On December 1, 2000, the EPA adopted emission guidelines for existing commercial and industrial solid waste incineration (CISWI) units. Sections 111 and 129 of the Clean Air Act (CAA) require States with existing CISWI units subject to the emission guidelines to submit to the EPA plans that implement and enforce the emission guidelines. Indian Tribes may submit, but are not required to submit, Tribal plans to implement and enforce the emission guidelines in Indian country. State plans were due from States with CISWI units subject to the emission guidelines on December 1, 2001. If a State or Tribe with existing CISWI units does not submit an approvable plan, sections 129 and 111 of the CAA require the EPA to develop, implement, and enforce a Federal plan for CISWI units located in that State or Tribal area within 2 years after promulgation of the emission guidelines (December 1, 2002). The EPA proposed a Federal plan for CISWI units on November 25, 2002. This action promulgates a Federal plan to implement emission guidelines for CISWI units located in States and Indian country without effective State or Tribal plans. This Federal plan is an interim action because on the effective date of an approved State or Tribal plan, the Federal plan will no longer apply to CISWI units covered by the State or Tribal plan.

EFFECTIVE DATE: The final rule is effective November 3, 2003.

ADDRESSES: Follow the detailed instructions in the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: For further information concerning specific aspects of this Federal plan, contact Mr. David Painter at (919) 541–5515, Program Implementation and Review Group, Information Transfer and Program Integration Division (E143–02), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, email: *painter.david@epa.gov.* For technical information, contact Mr. Fred Porter at (919) 541–5251, Combustion Group, Emission Standards Division (C439–01), U.S. Environmental Protection Agency, Research Triangle Park, N.C. 27711, email: *porter.fred@epa.gov.* For information regarding implementation of this Federal plan, contact the appropriate Regional Office (Table 1) as shown in the **SUPPLEMENTARY INFORMATION.**

SUPPLEMENTARY INFORMATION: *Regulated entities.* The Federal plan affects the following North American Industrial Classification System (NAICS) and Standard Industrial Classification (SIC) codes:

Category	NAICS Code	SIC Code	Examples of potentially regulated entities
Any industry using a solid waste incinerator as defined in the regulations.	325	28	Manufacturers of chemicals and allied products.
	334	34	Manufacturers of electronic equipment.
	421	36	Manufacturers of wholesale trade, durable goods.
	321, 337	24, 25	Manufacturers of lumber and wood furniture.

This list is not intended to be exhaustive, but rather provides a guide for readers regarding entities the EPA expects to be regulated by this rule. This table lists examples of the types of entities that may be affected by this rule. Other types of entities not listed could also be affected. To determine whether your facility, company, business organization, etc., is regulated by this action, carefully examine the applicability criteria in 40 CFR 62.14510 through 62.14531 of subpart III. If you have any questions regarding the applicability of this action to your solid waste incineration unit, refer to the **FOR FURTHER INFORMATION CONTACT** section.

Judicial Review: The EPA proposed this rule for CISWI units on November 25, 2002, (67 FR 70640). This action adopting a rule for CISWI units constitutes final administrative action concerning that proposal. Under section 307(b)(1) of the CAA, judicial review of this final rule is available only by filing a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit by December 2, 2003. Under section 307(d)(7)(B) of the CAA, only an objection to this rule that was raised with reasonable specificity during the period for public comment can be raised during judicial review. Moreover, under section 307(b)(2) of the CAA, the requirements established by today's final action may not be challenged separately in any civil or criminal proceeding brought by the EPA to enforce these requirements.

Docket. Docket Numbers A–2000–52 and A–94–63 contain the supporting information for the CISWI Federal plan and for the EPA's promulgation of EG for existing CISWI units, respectively. Docket A–2000–52 (OAR–2002–0069)incorporates all of the information in Docket A–94–63. The dockets are organized and complete files of all information submitted to or otherwise considered by EPA in the development of this rulemaking. The dockets are available for public inspection and copying between 8:30 a.m. and 4:30 p.m., Monday through Friday, at EPA's Air and Radiation Docket and Information Center, 1301 Constitution Avenue, NW, Room B102, Washington, DC 20460. The mailing address for the Center is Air and Radiation Docket, Mail Code 6102T, 1200 Pennsylvania Avenue, NW, Washington, DC 20460. A reasonable fee may be charged for copying docket materials. The Center may be contacted by calling (202) 566–1742 between the hours of 7:30 a.m. and 5:30 p.m., Monday through Friday. The Center may also be contacted by fax using the fax number (202) 566–1741 and by E-mail using the E-mail address ''*A-and-R-Docket@epa.gov*''.

Electronic Access. Electronic versions of the public dockets are available through EPA's electronic public docket and comment system, EPA Dockets. You may use the EPA Dockets at *http://www.epa.gov/edocket/* to view public comments, access the indices of the contents of the official public dockets, and to access those documents in the public dockets that are available electronically. Once in the system, select ''search'' and key-in the appropriate docket identification number. Although not all docket materials may be available electronically, you may still access any of the publicly available docket

materials through the docket facility identified in this document.

Worldwide Web (WWW). In addition to being available in the dockets, an electronic copy of today's document also will be available on the World Wide Web site that the EPA has established for CISWI units. The address is *http://www.epa.gov/ttn/atw/129/ciwi/ciwipg.html.* The CISWI Web site references other Web sites for closely related rules, such as large and small municipal waste combustors (MWC), hazardous waste, and hospital/medical/infectious waste incinerators (HMIWI). The large MWC and HMIWI sites contain the respective State plan guidance documents.

EPA Regional Office Contacts. Table 1 lists EPA Regional Offices that can answer questions regarding implementation of this rule.

TABLE 1.—EPA REGIONAL CONTACTS FOR CISWI

Region	Contact	Phone/fax	States and protectorates
I	EPA New England, Director, Air Compliance Program, 1 Congress Street, Suite 1100 (SEA), Boston, MA 02114–2023.	617–918–1650 617–918–1505 (fax)	CT, ME, MA, NH, RI, VT.
II	U.S. EPA—Region 2, Air Compliance Branch, 290 Broadway, New York, New York 10007.	212–637–4080 212–637–3998 (fax)	NJ, NY, Puerto Rico, Virgin Islands.
III	U.S. EPA—Region 3, Chief, Air Enforcement Branch (3AP12), 1650 Arch Street, Philadelphia, PA 19103–2029.	215–814–3438 215–814–2134 (fax)	DE, DC, MD, PA, VA, WV.
IV	U.S. EPA—Region 4, Air and Radiation, Technology Branch, Atlanta Federal Center, 61 Forsyth Street, Atlanta, Georgia 30303–3104.	404–562–9105 404–562–9095 (fax)	AL, FL, GA, KY, MS, NC, SC, TN.
V	U.S. EPA—Region 5, Air Enforcement and Compliance Assurance Branch, (AR–18J), 77 West Jackson Boulevard, Chicago, IL 60604–3590.	312–353–2211 312–886–8289 (fax)	IL, IN, MN, OH, WI.
VI	U.S. EPA—Region 6, Chief, Toxics Enforcement, Section (6EN–AT), 1445 Ross Avenue, Dallas, TX 75202–2733.	214–665–7224 214–665–7446 (fax)	AR, LA, NM, OK, TX.
VII	U.S. EPA—Region 7, 901 N. 5th Street, Kansas City, KS 66101.	913–551–7020 913–551–7844 (fax)	IA, KS, MO, NE.
VIII	U.S. EPA—Region 8, Air Program Technical Unit, (Mail Code 8P–AR), 999 18th Street, Suite 500, Denver, CO 80202.	303–312–6007 303–312–6064 (fax)	CO, MT, ND, SD, UT, WY.
IX	U.S. EPA—Region 9, Air Division, 75 Hawthorne Street, San Francisco, CA 94105.	415–744–1219 415–744–1076 (fax)	AZ, CA, HI, NV, American Samoa, Guam.
X	U.S. EPA—Region 10, Office of Air Quality, 1200 Sixth Avenue, Seattle, WA 98101.	(206) 553–4273 (206) 553–0110 (fax).	

Organization of this document. The following outline is provided to aid in locating information in this preamble.

I. Background Information
- A. What is the Statutory Authority for Today's Action?
- B. What is the Purpose of this Federal Plan?
- C. What Impact Does the U.S. Appeals Court Remand and EPA's Granting of a Request for Reconsideration Have on this Federal Plan?
- D. Status of State Plan Submittals

II. Affected Facilities
- A. What is a CISWI Unit?
- B. Does the Federal Plan Apply to Me?
- C. How Do I Determine If My CISWI Unit Is Covered by an Approved and Effective State or Tribal Plan?

III. Elements of the CISWI Federal Plan
- A. Legal Authority and Enforcement Mechanism
- B. Inventory of Affected CISWI Units
- C. Inventory of Emissions
- D. Emission Limitations
- E. Compliance Schedules
- F. Waste Management Plan Requirements
- G. Testing, Monitoring, Recordkeeping, and Reporting
- H. Operator Training and Qualification Requirements
- I. Record of Public Hearings
- J. Progress Reports

IV. Significant Issues and Changes Since Proposal
- A. Applicability of the Standards
- B. Compliance Schedule
- C. Air Curtain Incinerators
- D. Delegation of Authority

V. Summary of CISWI Federal Plan
- A. What Emission Limitations Must I Meet?
- B. What Operating Limits Must I Meet?
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I. Background Information

A. What Is the Statutory Authority for Today's Action?

Today's action is taken under the authority of Sections 111, 114, 129, and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7411, 7414, 7429, and 7601(a)). Today's action is a rulemaking subject to the provision of Clean Air Act section 307(d). *See* 42 U.S.C. 7606(d)(1).

B. What Is the Purpose of This Federal Plan?

Section 129 of the CAA requires the EPA to develop emission guidelines under the authority of sections 111 and 129 of the CAA for existing ''solid waste incineration units combusting commercial or industrial waste.'' The EPA refers to these units as ''commercial and industrial solid waste incineration'' (CISWI) units. The EPA proposed emission guidelines for CISWI units on November 30, 1999, and promulgated them on December 1, 2000, (65 FR 75338) (to be codified at 40 CFR part 60, subpart DDDD). In writing Section 129 of the CAA, Congress looked first to the States as the preferred implementers of emission guidelines for existing CISWI units. To make these emission guidelines enforceable, States with existing CISWI units must have submitted to the EPA within one year following promulgation of the emission guidelines (by December 1, 2001) State plans that implement and enforce the emission guidelines. For States or Tribes that do not have an EPA-approved and effective plan, the EPA must develop and implement a Federal plan within two years following promulgation of the emission guidelines (by December 1, 2002). The EPA sees this Federal plan as an interim measure to ensure that Congressionally mandated emission standards under authority of sections 111 and 129 of the CAA are implemented until States assume their role as the preferred implementers of the emissions guidelines. Thus, the EPA encourages States to either use the Federal plan as a template to reduce the effort needed to develop their own plans or to simply take delegation to directly implement and enforce the guidelines. States without any existing CISWI units are required to submit to the Administrator a letter of negative declaration certifying that there are no CISWI units in the State. No plan is required for States that do not have any CISWI units.

As discussed in section VII.E of this preamble, Indian Tribes may, but are not required to, submit Tribal plans to cover CISWI units in Indian Country. A Tribe may submit to the Administrator a letter of negative declaration certifying that no CISWI units are located in the Tribal area. No plan is required for tribes that do not have any CISWI units. CISWI units located in States or Tribal areas that mistakenly submit a letter of negative declaration would be subject to the Federal plan until a State or Tribal plan has been approved and becomes effective covering those CISWI units.

Sections 111 and 129 of the CAA and 40 CFR 60.27(c) and (d) require the EPA to develop, implement, and enforce this Federal plan to cover existing CISWI units located in States that do not have an approved plan within two years after promulgation of the emission guidelines (by December 1, 2002, for CISWI units). Today's action promulgates a Federal plan for CISWI units that are not yet covered by an approved State or Tribal plan.

C. What Impact Does the U.S. Appeals Court Remand and the EPA's Granting of a Request for Reconsideration Have on This Federal Plan?

Subsequent to the EPA's promulgation of the final rule establishing the New Source Performance Standards (NSPS and the Emission Guidelines (EG)for CISWI units, two events occurred that potentially could result in substantive changes to these standards. First, in August 2001, the EPA granted a request for reconsideration, pursuant to section 307(d)(7)(B) of the CAA, submitted on behalf of the National Wildlife Federation and the Louisiana Environmental Action Network, related to the definition of ''commercial and industrial solid waste incineration unit'' in the EPA's CISWI rulemaking. In granting this petition for reconsideration, the EPA agreed to undertake further notice and comment proceedings related to this definition. Second, on January 30, 2001, the Sierra Club filed a petition for review in the U.S. Court of Appeals for the D.C. Circuit challenging the EPA's final CISWI rule. On Sept. 6, 2001, the Court entered an order granting the EPA's motion for a voluntary remand of the CISWI rule without vacature. The EPA's request for a voluntary remand of the final CISWI rule was intended to allow the EPA to address concerns related to the EPA's procedures for establishing MACT floors for CISWI units in light of the DC Circuit Court's decision in *Cement Kiln Recycling Coalition* v. *EPA,* 255 F.3d 855 (DC Cir. 2001).

Neither the EPA's granting of the petition for reconsideration, nor the Court's order granting a voluntary remand, stay, vacate or otherwise influence the effectiveness of the currently existing CISWI regulations. Specifically, section 307(d)(7)(B) of the CAA provides that ''reconsideration shall not postpone the effectiveness of the rule,'' except that ''[t]he effectiveness of the rule may be stayed during such reconsideration * * * by the Administrator or the court for a period not to exceed three months.'' In this case, neither the EPA nor the court stayed the effectiveness of the final CISWI regulations in connection with the reconsideration petition. Likewise, the DC Circuit granted the EPA's motion for a remand without vacature. Therefore, the Court's remand order had no impact on the effectiveness of the current CISWI regulations. Because the existing CISWI regulations remain in full effect, the EPA's obligation under section 129(b)(3) of the CAA to promulgate a Federal plan (to implement those regulations for existing units that are not covered by an approved and effective State plan) remains unchanged.[1] Therefore, the EPA is complying with its statutory obligations by promulgating the Federal plan for CISWI units.

To the extent that the EPA might take action in the future that results in changes in the underlying CISWI rule, in response to the petition for reconsideration or in response to the voluntary remand, the EPA will simultaneously amend this Federal plan to reflect any such changes. If such changes become necessary, interested parties, including States and sources, will have the opportunity to provide comments, and the EPA will reasonably accommodate the concerns of commenters as appropriate.

D. Status of State Plan Submittals

Sections 111(d) and 129(b)(2) of the CAA, as amended, 42 U.S.C. 7411(d) and 7429(b)(2), authorize EPA to develop and implement a Federal plan for CISWI located in States with no approved and effective State plan. Table 2 summarizes the current status of State plans. The CISWI covered in EPA-approved State plans are not subject to the CISWI Federal plan, as of the effective date specified in the Federal Register notice announcing the EPA's approval of the State plan. The EPA is not expecting State plans to be submitted by the States that submitted negative declarations. However, in the unlikely event that there are CISWI units located in these States, this Federal plan would automatically apply to such CISWI units.

[1] Similarly, the obligations of States and sources are unaffected by the reconsideration petition and the remand.

TABLE 2.—STATUS OF STATE PLANS

I. States With EPA-Approved State Plans
Alabama, Florida, Indiana, Mississippi, New Hampshire, West Virginia.
II. Negative Declaration Submitted to EPA
Arizona, Albuquerque in New Mexico, Clark County in Nevada, Colorado, Delaware, District of Columbia, Forsyth County in North Carolina, Kansas, Kentucky, Knox County in Tennessee, Maine, Maricopa County in Arizona, Mecklenburg County in North Carolina, Memphis/Shelby County in Tennessee, Missouri, Montana, New York, Nebraska, New Mexico, City of Philadelphia in Pennsylvania, Pima County in Arizona, Pinal County in Arizona, Rhode Island, South Dakota, Utah, Vermont, Virgin Islands, Washoe County in Nevada, Western County in North Carolina, Wyoming.
III. Final State Plan Submitted to EPA
Louisiana, Nashville/Davidson County in Tennessee, North Carolina, South Carolina, Puerto Rico.
IV. Draft State Plan Submitted to EPA
Allegheny County in Pennsylvania, Maryland, North Dakota, Ohio, Oklahoma, Virginia.

The EPA is currently reviewing final and draft State plans submitted by the States listed in parts III and IV of Table 2. The Federal plan covers CISWI in these States until these State plans are approved by the EPA and become effective. Other States are making significant progress on their State plans and we expect many State plans to be approved in the next several months. As our Regional Offices approve State plans, they will also, in the same action, amend the appropriate subpart of 40 CFR part 62 to codify their approvals. The EPA is not aware of any Indian Tribes that are developing Tribal plans.

The EPA will maintain a list of State plan submittals and approvals on our Air Toxics Web site at *http://www.epa.gov/ttn/atw/129/ciwi/ciwipg.html.* The list will help CISWI owners or operators determine whether their CISWI is affected by a State plan, a Tribal plan, or the Federal plan. Owners and operators of CISWI units can also contact the EPA Regional Office for the State in which their CISWI units are located to determine whether there is an approved and effective State plan in place.

II. Affected Facilities

A. What Is a CISWI Unit?

A CISWI unit means any combustion device that combusts commercial and industrial waste, as defined in the final 40 CFR part 62, subpart III. Commercial and industrial waste is defined as solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field-erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility. Fifteen types of combustion units, which are listed in section 62.14525 of subpart III are conditionally exempt from the Federal plan.

B. Does the Federal Plan Apply to Me?

The Federal plan applies to you if you are the owner or operator of a combustion device that combusts commercial and industrial waste (as defined in subpart III) and the device is not covered by an approved and effective State or Tribal plan as of December 1, 2002. The Federal plan covers your CISWI unit until the EPA approves a State or Tribal plan that covers your CISWI unit and that plan becomes effective.

If you began the construction of your CISWI unit on or before November 30, 1999, it is considered an existing CISWI unit and could be subject to the Federal plan. If you began the construction of your CISWI unit after November 30, 1999, it is considered a new CISWI unit and is subject to the NSPS. If you began reconstruction or modification of your CISWI unit prior to June 1, 2001, it is considered an existing CISWI unit and could be subject to the Federal plan. Likewise, if you began reconstruction or modification of your CISWI unit on or after June 1, 2001, it is considered a new CISWI unit and is subject to the NSPS.

Your CISWI unit is subject to this Federal plan if on November 3, 2003, the EPA has not approved a State or Tribal plan that covers your unit, or the EPA-approved State or Tribal plan has not become effective. The specific applicability of this plan is described in sections 62.14510 through 62.14531 of subpart III.

Once an approved State or Tribal plan is in effect, the Federal plan no longer applies to a CISWI unit covered by such plan. An approved State or Tribal plan is a plan developed by a State or Tribe that the EPA has reviewed and approved based on the requirements in 40 CFR part 60, subpart B to implement and enforce 40 CFR part 60, subpart DDDD. The State or Tribal plan is effective on the date specified in the notice published in the **Federal Register** announcing the EPA's approval of the plan.

Today's promulgation of the CISWI Federal plan does not preclude States or Tribes from submitting a plan. Once the EPA approves a State or Tribal plan, then the Federal plan will no longer apply to CISWI units covered by the State or Tribal plan as of the effective date of the State or Tribal plan. (See the discussion in ''*Federal Plan Becomes Effective Prior to Approval of a State or Tribal Plan*'' in section VII.C of this preamble.) If a CISWI unit were to be overlooked by a State or Tribe and the State or Tribe submitted a negative declaration letter, or if an individual CISWI unit were not to be covered by an approved and effective State or Tribal plan, the CISWI unit would be subject to this Federal plan.

C. How Do I Determine if My CISWI Unit Is Covered by an Approved and Effective State or Tribal Plan?

Part 62 of Title 40 of the Code of Federal Regulations identifies the approval and promulgation of section 111(d) and section 129 State or Tribal plans for designated facilities in each State or area of Indian Country. However, part 62 is updated only once per year. Thus, if part 62 does not indicate that your State or Tribal area has an approved and effective plan, you

should contact your State environmental agency's air director or your EPA Regional Office (Table 1) to determine if approval occurred since publication of the most recent version of part 62.

III. Elements of the CISWI Federal Plan

Since this Federal plan covers CISWI units located in States and areas of Indian Country where plans are not yet in effect, the EPA has included in the Federal plan the same elements as are required for State plans: (1) Identification of legal authority and mechanisms for implementation, (2) inventory of CISWI units, (3) emissions inventory, (4) emission limitations, (5) compliance schedules, (6) waste management plan, (7) testing, monitoring, inspection, reporting, and recordkeeping, (8) operator training and qualification, (9) public hearing, and (10) progress reporting. *See* 40 CFR part 60 subparts B and C and sections 111 and 129 of the CAA. Each plan element is described below as it relates to this CISWI Federal plan. Table 3 lists each element and identifies where it is located or codified.

TABLE 3.—ELEMENTS OF THE CISWI FEDERAL PLAN

Element of the CISWI federal plan	Location
Legal authority and enforcement mechanism	Sections 129(b)(3) 111(d), 301(a), and 301(d)(4) of the CAA.
Inventory of Affected MWC Units	Docket A–2000–52.
Inventory of Emissions	Docket A–2000–52.
Emission Limits	40 CFR 62.14630–62.14645.
Compliance Schedules	40 CFR 62.14535–62.14575.
Operator Training and Qualification	40 CFR 62.14595–62.14625.
Waste Management Plan	40 CFR 62.14580–62.14590.
Record of Public Hearings	Docket A–2000–52.
Testing, Monitoring, Recordkeeping, and Reporting	40 CFR 62.14670–62.14760.
Progress Reports	Section III.J of this preamble.

A. Legal Authority and Enforcement Mechanism

1. EPA's Legal Authority in States

Section 301(a) of the CAA provides the EPA with broad authority to write regulations that carry out the functions of the CAA. Sections 111(d) and 129(b)(3) of the CAA direct the EPA to develop a Federal plan for States that do not submit approvable State plans. Sections 111 and 129 of the CAA provide the EPA with the authority to implement and enforce the Federal plan in cases where the State fails to submit a satisfactory State plan. Section 129(b)(3) of the CAA requires the EPA to develop, implement, and enforce a Federal plan within two years after the date the relevant emission guidelines are promulgated (by December 1, 2002, for CISWI units). Compliance with the emission guidelines cannot be later than five years after the relevant emission guidelines are promulgated (by December 1, 2005, for CISWI units).

2. EPA's Legal Authority in Indian Country

Section 301 of the CAA provides the EPA with the authority to administer Federal programs in Indian Country. *See* sections 301(a) and (d). Section 301(d)(4) of the CAA authorizes the Administrator to directly administer provisions of the CAA where Tribal implementation of those provisions is not appropriate or administratively not feasible. See section VII.E of this preamble for a more detailed discussion of the EPA's authority to administer the CISWI Federal plan in Indian Country.

This Federal plan is being promulgated under the legal authority of the CAA to implement the emission guidelines in those States and areas of Indian Country not covered by an approved plan. As discussed in section VII of this document, implementation and enforcement of the Federal plan may be delegated to eligible Tribal, State, or local agencies when requested by a State, eligible Tribal, or local agency, and when the EPA determines that such delegation is appropriate.

B. Inventory of Affected CISWI Units

The Federal plan includes an inventory of CISWI units affected by the emission guidelines. (See 40 CFR 60.25(a).) Docket number A–2000–52 contains an inventory of the CISWI units that may potentially be covered by this Federal plan in the absence of State or Tribal plans. This inventory contains 99 CISWI units in 30 States and one protectorate. It is based on information collected from State and Federal databases, information collection request survey responses, and stakeholder meetings during the development of the CISWI emission guidelines. The EPA recognizes that this list may not be complete. Therefore, sources potentially subject to this Federal plan may include, but are not limited to, the CISWI units listed in the inventory memorandum in docket number A–2000–52. Any CISWI unit that meets the applicability criteria in the Federal plan rule is subject to the Federal plan, regardless of whether it is listed in the inventory.

C. Inventory of Emissions

The Federal plan includes an emissions estimate for CISWI units subject to the emission guidelines. (See 40 CFR 60.25(a).) The pollutants to be inventoried are dioxins/furans, cadmium (Cd), lead (Pb), mercury (Hg), particulate matter (PM), hydrogen chloride (HCl), oxides of nitrogen (NO_X), carbon monoxide (CO), and sulfur dioxide (SO_2). The EPA has estimated the emissions from each known CISWI unit that potentially may be covered by the Federal plan for the nine pollutants regulated by the Federal plan.

The emissions inventory is based on available information about the CISWI units, emission factors, and typical emission rates developed for calculating nationwide air impacts of the CISWI emission guidelines and the Federal plan. Refer to the inventory memorandum in docket number A–2000–52, item number II–B–3 for the complete emissions inventory and details on the emissions calculations.

D. Emission Limitations

The Federal plan includes emission limitations. (See 40 CFR 60.24(a).) Section 129(b)(2) of the CAA requires these emission limitations to be ''at least as protective as'' those in the emission guidelines. The emission limitations in this Federal plan are the same as those contained in the emission guidelines. (See Table 1 of subpart III.) Section V. of this preamble discusses the emission limitations and operating limits. Table 2 of subpart III contains operating limits for wet scrubbers.

E. Compliance Schedules

Increments of progress are required for CISWI units that need more than 1 year from State plan approval to comply, or in the case of the Federal plan, more than 1 year after promulgation of the final Federal plan. (See 40 CFR 60.24(e)(1).) Increments of progress are included to ensure that each CISWI unit needing more time to comply is making progress toward meeting the emission limits.

For CISWI units that need more than 1 year to comply, the Federal plan includes in its compliance schedule two increments of progress from 40 CFR 60.21(h), as allowed by 40 CFR 60.24(e)(1) and required by 40 CFR part 60, subpart DDDD (§ 60.2575). The Federal plan includes defined and enforceable dates for completion of each increment. These increments of progress are (1) submit final control plan, and (2) achieve final compliance. The increments of progress are described in section V.E of this preamble.

F. Waste Management Plan Requirements

A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream to reduce or eliminate toxic emissions from incinerated waste. The waste management plan must be submitted no later than April 5, 2004. Sections 62.14580 through 62.14590 of subpart III contain the waste management plan requirements.

G. Testing, Monitoring, Recordkeeping, and Reporting

The Federal plan includes testing, monitoring, recordkeeping, and reporting requirements. (See 40 CFR 60.25.) Testing, monitoring, recordkeeping, and reporting requirements are consistent with subpart DDDD, and assure initial and ongoing compliance.

H. Operator Training and Qualification Requirements

The owner or operator must qualify operators or their supervisors (at least one per facility) by ensuring that they complete an operator training course and annual review or refresher course. Sections 62.14595 through 62.14625 of subpart III contain the operator training and qualification requirements.

I. Record of Public Hearings

The proposed Federal plan provided opportunity for public participation in adopting the plan. No requests for a public hearing were received by the EPA.

J. Progress Reports

Under the Federal plan, the EPA's Regional Offices will prepare annual progress reports to show progress of CISWI units in the Region toward implementation of the emission guidelines. (See 40 CFR 60.25(e).) States or Tribes that have been delegated the authority to implement and enforce this Federal plan are also required to submit annual progress reports to the appropriate EPA Regional Office.

Each progress report must include the following items: (1) Status of enforcement actions; (2) status of increments of progress; (3) identification of sources that have shut down or started operation; (4) emission inventory data for sources that were not in operation at the time of plan development, but that began operation during the reporting period; (5) additional data as necessary to update previously submitted source and emission information; and (6) copies of technical reports on any performance testing and monitoring.

IV. Significant Issues and Changes Since Proposal

A. Applicability of the Standards

A commenter (IV–D–05) representing electric utilities providing service to more than 95% of the nation's consumers of electricity commented in support of proposed rules. In particular, the commenter endorsed the EPA's proposed definitions of ''commercial and industrial solid waste incineration unit'' and the corresponding definition of ''commercial and industrial waste.'' The commenter said that, taken together, these two definitions will ensure that the proposed Federal plan requirements do not inadvertently encompass combustion units, including electric utility boilers, that burn materials for energy recovery. The commenter amplified this endorsement noting his organization's opinion that the proposed rules clarify that the section 129 program was not intended by Congress to encompass electric utility boiler combustion practices, including those circumstances where electric utility boilers co-combust non-hazardous solid waste with fossil fuels during normal production operations. According to the commenter, it was clear from the legislative history of section 129 that Congress meant only for the EPA to regulate units whose primary function is to incinerate nonhazardous solid waste, not electric utility boilers that co-combust small amounts of nonhazardous waste with fuel during the production of electric power. The commenter sought to underscore that, for purposes of this rulemaking, the EPA correctly adopted the same definitions of CISWI and commercial and industrial waste incorporated in the EG, thereby excluding from the CISWI Federal plan combustion units, including electric utility boilers, that engage in energy recovery.

The EPA notes that a comment letter endorsing a proposed action typically requires no response on our part. Here, we remind the reader that after promulgating the final rule establishing the NSPS and the EG for the CISWI category, the EPA received and granted a petition for reconsideration related specifically to the definition of ''commercial and industrial solid waste incineration unit''. Thus, the EPA will undertake additional notice and comment proceedings related to this definition. Additionally, as discussed above, the EPA accepted a voluntary remand (without vacature) on the underlying NSPS and EG in connection with a petition for review filed in the Federal Court of Appeals for the D.C. Circuit. We clearly acknowledged this fact also in the proposal for this Federal plan. The EPA intends to take final action on this definitional issue in conjunction with the EPA's response to the remand. As we noted at proposal, however, since the current EG remain in effect, we have proceeded to develop a Federal plan as required by section 129(b)(3) of the CAA.

Since the Federal plan must mirror the substantive requirements of the EG, we will promulgate a Federal plan which includes the definitions endorsed by the commenter. To the extent that we might take action in the future that results in changes to the definitions in the underlying CISWI EG, we will simultaneously propose amendments to the Federal plan to reflect any such changes. If changes become necessary, interested parties, including the commenter, will have the opportunity to provide comments. We will reasonably accommodate concerns of commenters as appropriate.

One commenter (IV–D–01) representing a State air pollution control agency noted a discrepancy between the proposed Federal plan and EG requirements for air curtain incinerators (ACI) regarding the types of wastes qualifying for the exemption of ACI from CISWI emission limits. The commenter observed that the proposed plan specifies certain requirements if the ACI's burn only 100 percent wood waste and clean lumber. By contrast, the EG and NSPS specify certain

requirements if the ACI burn 100 percent wood waste, 100 percent clean lumber, or 100 percent wood waste, clean lumber, and/or yard waste. The commenter asked that the EPA explain and correct the discrepancy as appropriate.

We agree that the commenter's observation was correct. The proposed regulatory language has been amended to duplicate the applicability of the EG. Further, a definition of yard waste has been included to provide clarity on the meaning of the term ''yard wastes'' for the purposes of this Federal plan. The term ''yard wastes'' as defined in the final rule for the CISWI Federal plan includes the excluded wastes listed in paragraph (1) of the definition of ''wood waste'' in § 62.14840 of the rule. This definition of ''yard wastes'' is consistent with the one previously promulgated in the NSPS for large municipal waste combustors (40 CFR Part 60 Subpart Eb). Overall, these changes will make the final rule better comport to the language in section 129(g)(1) of the CAA.

One commenter (IV–G–01) supports the rationale behind the exemption in §§ 62.14525(n)(7) and 62.2555(n)(7) which exempts ''Units burning only photographic film to recover silver.'' However, the commenter believes that for this exemption to be effective, it should be broadened to cover photographic materials, since there is a broad range of photographic materials that are burned together to recover silver. These materials include, not only film, but paper, filters, sludges and other photosensitive materials. Accordingly, the commenter recommended changing the wording of § 62.14525(n)(7) to read as follows: ''(7) Units burning only photographic materials to recover silver.''

Another commenter (IV–G–04) requested a similar change to the draft rules to formalize an exemption for carbon regeneration furnaces used in the corn wet milling industry. He asked for the proposed rule to be amended to reflect the EPA's granting of a petition for exemption of these sources on September 24, 2002. To accomplish this purpose, we were asked to add language to § 62.14525(n) reading as follows: ''Units burning contaminants adsorbed by spent activated carbon when the spent carbon is being regenerated for reuse in manufacturing processes.''

While EPA understands the basis for both comments, in light of section 129(g) of the CAA, we do not believe that adopting additional specific exemptions in the Federal Plan is the appropriate approach. First, the appropriate mechanism for requesting exemptions beyond those expressly provided for in the EG is the petition process described in § 60.2025 of the NSPS and § 60.2558 of the EG. Second, we do not believe that it is appropriate to list in the Federal plan each exemption that EPA approves under these provisions. We are concerned that making the requested changes would cause a discrepancy between the express applicability of the EG and the Federal plan. To avoid such discrepancies, the EPA would need to simultaneously amend the Federal plan and the EG each time we approve a new exemption under § 60.2558. However, each change in the Federal plan for new exemptions would cause the Federal plan to differ from State plans.

To appropriately account for exemptions approved under §§ 60.2025 and 60.2558, while ensuring that the Federal plan is consistent with the requirements of the EG, we have amended the final rule to include a new paragraph 62.14525(n)(8). This provision exempts from the Federal plan sources which are granted exemptions from the NSPS and EG through the petition process. Thus, in order to secure an exemption from the Federal plan requirements based on a facility's status as a chemical recovery unit, the facility need only apply for and receive an exemption under the appropriate provision of the NSPS or the EG. Accordingly, we have also re-drafted § 62.14530 to advise owners/operators of chemical recovery units not listed in paragraph 62.14525(n) of the appropriate method to request exemptions.

We received comment (IV–D–03) from an operator of CISWI units in Alaska who requested changes to the proposed rules to fit circumstances deemed unique to operation of the Alaskan pipeline. The commenter suggested that a lower size cutoff should be added to the final rule to reflect the economic impacts of installing emission controls in very remote locations. The commenter further requested outright exemption of emergency-use CISWI. The primary concern given was elimination of non-hazardous debris from the cleanup of large oil spills. The commenter noted that for large oil spill response operations, incinerators would be a valuable form of equipment to environmentally and safely dispose of large amounts of boom, sorbent pads, and personal protective equipment employed in a clean-up. He said that land-filling such materials is not a viable option because of the remote locations. He considered bagging and shipping such waste away from the locale of a spill infeasible and was not aware of any Alaskan facilities that could handle the large volumes of oily waste they'd receive. While requesting that the EPA include in the final Federal plan an exemption for emergency use CISWI, the commenter would not object to establishment of minimal standards such as unit capacity limitations in such an exemption.

We see section 129(a) of the CAA providing discretion to consider cost, non-air health and environmental impacts and energy requirements in the establishment of emission standards for CISWI. However, the EPA may not consider such factors in establishing the minimum stringency for controls under section 129(a)(2). Moreover, Section 129 does not permit the EPA to exclude incinerators from coverage under the regulations based on the size of the incinerator unit. Finally, the emission limits for CISWI units were established in the manner prescribed by law for determining that minimal level during development of the EG. The function of this Federal plan is not to make substantive changes to those requirement, but to implement those requirements in States that do not adopt State plans. Section 129(b) requires us to include in the Federal plan all provisions of the guidelines. Thus, it would be inappropriate to change this Federal plan in the manner requested by the commenter.

B. Compliance Schedule

Two commenters (IV–D–02, IV–G–02) asked us to revise the compliance schedule for existing CISWI units subject to Federal plan to be consistent with the compliance schedule provided in the EG. Both cited section 60.2535 of the CISWI EG, wherein the regulation requires compliance ''as expeditiously as practicable,'' or by the earlier of two dates: three years after the effective date of State plan approval or by December 1, 2005. Both noted, however, that section 62.14535 of the proposed Federal plan provides only one year after promulgation of the CISWI Federal plan for final compliance. One writer asked us to synchronize the compliance dates for CISWI units, whether they are regulated under a State plan or the Federal plan. The other expressed concern that similar units in different States may have different compliance dates. We were asked to revise the Federal plan to require compliance as expeditiously as practicable, but not later than the earlier date of December 1, 2005, or three years after promulgation of the Federal plan.

In reply, we note our expectation that schedules for combustion units subject to section 129 requirements should differ. Because compliance schedules

are often tied to the time of State plan approval, most State plans will have differing compliance dates. Hence, State plans and Federal plans are not expected to have the same compliance dates for a given category of sources. Furthermore, State plans and the Federal plan have the obligation to require compliance ''as expeditiously as practicable.'' This is specifically required in section 129(f)(2) of the CAA as well as in 40 CFR 60.24(c) and may be sooner than the worst case dates identified in the emission guidelines.

State plans were due on December 1, 2002. If a State or Tribe with existing CISWI units did not submit an approvable plan by December 1, 2002, sections 129 and 111 of the CAA require the EPA to develop, implement, and enforce a Federal plan for units located in that State or Tribal area. By developing the Federal plan, we assumed the burden of implementing the EG for CISWI units not covered by an approved and effective State or Tribal plan. In the Federal plan, as in a State plan, the implementing agency has the discretion to apply an appropriate compliance schedule to the source category. In the case of the Federal plan, we developed our schedule to achieve compliance with provisions of the EG as expeditiously as practicable, based on the feasibility of owners or operators to retrofit combustion units with air pollution control devices.

Mindful of the requirements of section 129(f)(2), we examined the feasibility for owners or operators to retrofit combustion units with air pollution control devices prior to proposal. Based upon similarities in size and upon examination of eight case studies (Docket No. A–98–24, II–A–1) of hospital medical infectious waste incineration (HMIWI) units that completed retrofits of types of controls needed to meet the HMIWI Federal plan, we chose to require compliance within one year after publication of the final CISWI Federal plan. Our rationale for the compliance schedule is discussed fully in the proposal preamble at 67 FR 70646. Implementation of the EG and Federal plans for HMIWI have shown that our expectations were well-founded. We concluded that CISWI owners and operators could meet the final compliance date just as promptly and efficiently. Also, we noted that in addition to the one year extension provision of the Federal plan, owner/operators could have used the time between promulgation of the final CISWI EG (or proposal of the Federal plan) and promulgation of this Federal plan to plan and begin retrofits. However, the EPA expects that some CISWI units could need more than one year to comply, as did some HMIWI units, due to site-specific circumstances. For units that may have more complex retrofits or constraints that prevent them from complying within one year, the Federal plan establishes increments of progress and those units must comply within two years.

Thus, we will retain the proposed compliance schedule in the final CISWI Federal plan. Existing CISWI units must comply within one year after publication of the final rule in the **Federal Register** or meet increments of progress and comply within two years after publication of the final rule in the **Federal Register**.

We received a request (IV–G–02) to clarify the compliance schedule for CISWI units that may lose the rule exemption provided in § 62.14525(n)(4) after the effective date of the rule. Section 62.14525(n)(4) exempts chemical recovery units burning only manufacturing byproduct streams/residues containing catalyst metals which are reclaimed and reused as catalysts or used to produce commercial grade catalysts. The commenter owns an operating site which he believes qualifies for an exemption from the requirements of the CISWI Federal plan because catalyst metals in incinerator fly ash are reclaimed off site or used in making commercial grade catalysts. The commenter is concerned about the potential unavailability of an off-site reclamation facility and requested that we provide at least three years after the loss of his expected rule exemption for final compliance with the rule requirements.

As outlined above and in the preamble to the proposed rule, we respond by stating our expectation that most CISWI units will reach final compliance promptly and efficiently. Those CISWI units that become exempt through §§ 62.14525 and 62.14530 of the Federal plan, but lose that exemption after the compliance date of the Federal plan, must begin complying with the requirements of the Federal plan immediately upon loss of the exemption. Moreover, section 129(b)(3) requires that all CISWI units must be in compliance with the requirements of a State or Federal plan no later than five years after promulgation of the emission guidelines, which is December 1, 2005. Therefore, we would not have the authority to allow a compliance date three years after loss of an exemption, as suggested by the commenter.

If owners or operators of affected CISWI units anticipate that they will not be exempt in the future, we encourage them to begin plans for installation of any controls needed to meet the CISWI emission limits. According to this final Federal plan, owners or operators are required to either: (1) Reach final compliance by the date one year after publication of this final rule in the **Federal Register**; or (2) meet increments of progress and reach final compliance by the date two years after publication of this final rule in the **Federal Register**. The final compliance schedule and increments of progress are contained in §§ 62.14535 through 62.14575 of the final CISWI Federal plan. Therefore, any unit that loses its exemption after the applicable compliance date (one year from publication of this final Federal plan, or if a facility has met all the requirements related to increments of progress, two years after the publication of this final Federal Plan) must meet the applicable standards as of the date that it loses its exemption. Similarly, if a facility loses an exemption prior to the applicable compliance date, the facility must meet the required standards as of the compliance date.

The same commenter (IV–G–02) opined that the proposed petition requirements in § 62.14536 for one year compliance extensions are unnecessary. He said that the CISWI EG include no corresponding requirement for compliance extensions beyond meeting the two increments of progress. The commenter believes the increment of progress requirements in proposed § 62.14540 are sufficient and requested that EPA remove the proposed requirements in § 62.14536.

We disagree. To develop the CISWI Federal plan, we must determine how to fill in implementation details not spelled out in the EG or subpart B, including how and when to grant compliance extensions (as must States when developing State plans). The EG provide a framework for implementation, but some details need to be developed through implementation plans. Paragraph 129(f)(2) requires that the EG be applied as expeditiously as practicable. Our prior experience with similar sources shows that requiring compliance within 12 months of promulgation of the final rule is generally achievable and this is reflected in the proposed rule. Prior experience also shows that, in some instances, site-specific concerns can make a one year compliance schedule impracticable and that is also reflected in the proposed one year extension of the compliance date. Some criteria are needed to guide the EPA and the regulated community as to when it would be appropriate to allow extra time for sources to achieve final

compliance and how to accomplish this procedurally. The Federal plan is being implemented under the legal authority of section 111 as well as section 129. For plans to implement EG under section 111 of the CAA, the broad procedural approach to be followed is given in the Code of Federal Regulations at 40 CFR part 60, subpart B. Specifically, paragraphs 60.24(f)(1) to (3) provide criteria for resolving the question of how to decide when it is appropriate to allow affected facilities additional time to achieve compliance. In particular, there must be a determination that meeting the initial compliance date would be unreasonably costly, physically impossible, or otherwise unreasonable. The petition requirements in § 62.14536 for sources to request one-year compliance extensions were included in the proposed rule for the express purpose of addressing these requirements.

We have consistently advised States developing State plans to look to the HMIWI Federal plan for guidance regarding a detailed process for addressing compliance extensions. Similarly, we are following the general procedural approach of the HMIWI Federal plan for the CISWI Federal plan. Our decision to take this path was based upon the knowledge that the HMIWI Federal plan approach had previously undergone notice and comment and that its efficacy had been tested in practice through implementation of the HMIWI Federal plan. Thus, we believe that the proposed criteria for compliance extensions constitute a reasonable and appropriate solution to a known problem and are leaving those criteria in the final rule.

The same commenter (IV–G–02) asked us to revise the performance test timing requirements in § 62.14665 to allow at least 180 days after final compliance date for the initial performance test. He claimed that 90 days after the final compliance date would be insufficient time to coordinate the operations and emissions test schedules and complete the final performance test. He noted that § 60.2705 of the CISWI emissions guidelines allows CISWI units subject to a State plan up to 180 days after the final compliance date for conducting an initial performance test. The commenter believes the performance test timing requirements for the CISWI units subject to Federal plan should be consistent with the performance test timing requirements for the CISWI units subject to a State plan. The commenter noted that such a change would make the CISWI Federal plan consistent with the CISWI emission guidelines.

The 180-day time period to conduct compliance testing originated in the 1970s, when industry commented that there were not enough qualified testers to perform the surge of testing that was expected as the original major rules took effect. At the time, there was enough credibility to the argument that rule writers allowed a full 180 days (6 months) to conduct compliance testing. This then became a common allowance in subsequent NSPS and EG. Under this Federal plan, there are relatively few CISWI units to be tested, qualified testers are abundant, and there is sufficient lead time for CISWI owners and operators to coordinate operations and emissions testing.

While, as the commenter observes, the EG allow States to give sources up to 180 days after the final compliance date to complete performance testing, 180 days is the maximum amount of time that may be allowed. Implementing authorities may require performance testing more quickly. As discussed above, sufficient test equipment and personnel are available. In this case, the EPA expects that 90 days is appropriate and sufficient time to coordinate the operations and emissions test schedules and complete the final performance test.

This approach has the advantage of reducing the duration of the period of uncertainty about compliance status between the actual compliance date and the time that a final test report has been submitted and approved. While sources are liable for their compliance, or lack thereof, from the compliance date onward, there exists a time of uncertainty until testing has been completed and approved by all relevant parties. Since the proposed plan allows sources two months following the initial performance test to submit test reports, the actual period of uncertainty over compliance status is potentially eight months with a 180 day testing delay. Should a source fail its performance test, it is immediately subject to enforcement consequences for its actions dating from the compliance date until such time as a performance test is successfully passed. However, the task of the agency responsible for enforcement is complicated by forced reliance upon a combination of data obtained at an unsuccessful performance test and data obtained from continuous monitoring systems. In developing the Federal plan, we have sought to reduce the potential negative impacts associated with this period of uncertainty. At the same time, we are not entirely satisfied that the complete elimination of a delay in performance testing after the compliance date is appropriate and, hence, we proposed a three month period. In this specific case, some sources may receive compliance extensions allowing up to two years from the date of publication of the this final rule. It seems reasonable that such sources would have more than enough time to arrange and complete performance testing ahead of their extended compliance date. For most sources, which will spend the next year planning and installing emission control systems, we concluded that some additional time after the compliance date may be needed to complete performance testing. Thus, we have retained the requirement to conduct the initial performance test no later than 90 days after the final compliance date. In doing so, we have balanced the need for timely assurance of compliance with the practicalities of scheduling and completing performance testing.

C. Air Curtain Incinerators

We received two statements of opinion arguing against requiring title V operating permits for air curtain incinerators (ACI). One commenter (IV–D–01) representing a State air pollution control agency noted that the proposed rules were clearly written to specify that ACI would be required to obtain title V operating permits. He correctly observed that the EG and the NSPS do not specify that ACI should obtain a title V permit and requested that we change the final rule language in the Federal plan to read the same as EG and NSPS. He went on to express his opinion that doing so would result in ACI not being permitted under title V. This would be acceptable to the commenter who expressed his belief that the CAA does not require existing ACI (which burn only the particular wastes specified under the CAA) to operate under a title V permit. He presented a rationale for this belief. He first noted that section 129 of the CAA provides for State plans (and Federal plans) for CISWI under the combined authority of sections 129 and 111 of the CAA. His rationale first quotes section 129(g) of the CAA which states that the term ''solid waste incineration unit'' does not include, among other things, ''air curtain incinerators provided that such incinerators only burn wood wastes, yard wastes and clean lumber and that such air curtain incinerators comply with opacity limitations to be established by the Administrator by rule.''

His next step is to focus upon the language specific to title V operating permits in section 129(e) wherein the CAA states ''Beginning (1) 36 months after the promulgation of a performance standard under subsection (a) and

section 111 *applicable to a category of solid waste incineration units,* or (2) the effective date of a permit program under title V in the State in which the unit is located, whichever is later, *each unit in the category shall operate pursuant to a permit issued under this subsection and title V.*'' (Emphasis added by commenter) He then combines the two passages cited to conclude that, ''by definition, ACIs are not solid waste incineration units as long as they burn only the wastes which are narrowly defined in the Act. Therefore, ACIs are not required to operate under a title V permit.''

A second State pollution control agency (IV–G–03) echoed the preceding rationale and conclusions.

We respond by first saying that we were specific in the proposal about the need for title V permits for ACI subject to the Federal plan for the purpose of clarifying that need. We did so in order to clearly present the Agency's view of these sources' title V obligations, and to answer questions such as those voiced by the commenter resulting from the absence of such specific language in the EG and NSPS. The Agency has consistently maintained that operating permits are needed for ACI subject to the NSPS and to State plans drafted pursuant to the EG. However, communications we have received since promulgation of the EG and NSPS pointed to the advisability of specifically clarifying the matter in the preamble to the Federal plan and in the rule itself. Thus, to facilitate the application of title V to these sources, we have specifically included in this Federal plan language describing the need for title V operating permits.

We disagree with the commenters' conclusion that ACI subject to the CISWI Federal plan need not obtain title V operating permits. As noted by the commenters, section 129 directs the Agency to develop requirements for ACI under the authority of section 111, as well as section 129. Thus, there are two potential origins of title V obligations: Section 129(e) and section 502(a). Accordingly, even if section 129(e) were not applicable, sources would clearly still be subject to title V, based on the general obligation for all sources subject to rules written under the authority of section 111 to have operating permits. Thus, all ACI subject to State plans, Federal plans, or NSPS must obtain title V operating permits.

With regard to the question of when such permit applications are due, we believe that the Act provides sufficient discretion for the Agency to require title V permit applications for ACI in a manner that is consistent with the obligations of other sources regulated under section 129 and 111. While paragraph 129(g) clearly contemplates exempting certain ACI from the substantive emission standards under paragraphs 129(a) and (b), it is less clear what impact this limited exemption has on such sources' obligations under title V. In general, it is clear that section 129 is meant to apply to ACI; either in full for those ACI that do not meet the limited criteria of the section 129(g) exemption, or in a more limited fashion (including opacity standards) for those ACIs that qualify for the section 129(g) exemption. For ACIs subject to the opacity standards that EPA adopts under this section, the applicability of the 129(e) title V requirements are made somewhat ambiguous by the wording of paragraph 129(g). However, having established that title V operating permits for ACI are required as a matter of law (under either 129(e) or 502(a)), we believe that it is a reasonable exercise of the Agency's discretion to require all covered ACI (including those subject to the section 129/111 opacity standards) to apply for title V permits within the period of time permitted by section 129(e). We believe that the intent of section 129 is best served by maintaining consistency in the title V obligations among the universe of sources regulated under this section, thereby ensuring that the contemplated emissions reductions are achieved expeditiously for each category of sources regulated under this section. Moreover, for ACIs subject only to section 129/111 opacity standards, permit applications should be simpler to prepare than for sources subject to full regulation under the section 129 emission standards. Thus, the EPA is retaining the requirement for all sources regulated under section 129/111 (including ACI) to submit title V operating permit applications within the time frame described in section 129(e). Consistent with this requirement, a detailed explanation of when sources regulated under section 129/111 (again, including ACI) must apply for a title V permit, whether subject to a State plan, Federal plan, or NSPS, can be found in Table 6 included in section VIII. of the preamble (titled ''Title V Operating Permits'').

One of the State agency commenters (IV–G–03) also questioned the utility of requiring title V operating permits for ACI. He said that if ACI are operated properly, the opacity requirement is easily achieved and the Federal plan and the CISWI EG/NSPS rules appear to require nothing more than for the units to operate normally. If such were the case, he would see requiring ACI to obtain title V operating permits to be a very protracted administrative effort that would achieve no air quality benefits.

As we discussed above, we have concluded that ACI need to obtain title V permits. However, we do not believe that the process for ACI to obtain title V operating permits needs to be as burdensome as suggested by the commenter. In terms of the burden of permitting, it is worth noting that there are only a minimal number of requirements in the Federal plan which apply to those ACI which burn 100% wood wastes, clean lumber, and/or yard waste. And, as noted by the commenter, these requirements are straightforward. Therefore, these requirements should not be difficult to incorporate into a title V application or permit.

In terms of air quality benefits, we believe that title V permits provide air quality benefits by helping to ensure that sources comply with the requirements to which they are subject. Title V requirements help ensure compliance with applicable requirements in a number of ways. For example, title V regulations at 40 CFR part 70 and 71 require sources to self-certify compliance with applicable requirements initially and annually, require sources to promptly report deviations from a permit, and require that title V permits contain monitoring sufficient to assure compliance. This last requirement may necessitate that additional monitoring be added to a permit to supplement the monitoring required by the relevant applicable requirement. In short, title V operating permit requirements can enhance the effectiveness of rules such as this Federal plan. In terms of this particular rule, a title V permit will help ensure that an ACI operates within the parameters established by the Federal plan whether it burns 100% wood wastes, clean lumber, and/or yard waste, or whether it burns other wastes and becomes subject to all of the requirements in the Federal plan.

The commenter also noted the number of exemptions resulting in negative declarations for CISWI and the similarly structured small municipal waste combustors (small MWC) rule. He was of the opinion that since both the CISWI rule and the small MWC rule have numerous exemptions for a wide variety of sources, most states have few if any sources covered by them. As an example, he said his State submitted negative declarations for the small MWC rule and many more States submitted negative declarations for the CISWI rule. In his State, out of hundreds of potential

sources, due to the number of exemptions, they found just nine units affected by the combined rules, all of which were ACI. Since, in his opinion, the Federal plan will simply require these units to operate normally, he questioned the efficacy of expending so much effort on these series of rules.

The significance of the commenter's observations regarding negative declarations is unclear. Although the number of sources ultimately regulated by these rules may be less than expected in some States, significant emissions reductions are being achieved throughout the country through the implementation of these rules.

D. Delegation of Authority

A State air pollution control agency (IV–D–04) expressed concerns about the EPA's general approach to delegating authority and about specific aspects of the proposed plan. The commenter pointed to perceived inconsistencies in a number of NSPS and Federal plans and suggested the proposed plan would contribute to a pattern of inconsistency. Specific to the proposed CISWI Federal plan, the commenter observed that an inspector would need to carry around a copy of the proposal preamble in addition to the Code of Federal Regulations (CFR) because the delegation of authority provisions were placed in the preamble instead of following the previously established practice of including them in the CFR. In addition, the commenter listed specific questions about the differences in retained authorities in the CISWI NSPS and the proposed CISWI Federal plan. He posited that the EPA's general inconsistency combined with the specifics of the proposal impede the efforts of compliance inspectors. The commenter recommended an approach for the EPA to use in promulgating this Federal plan and other regulations concerning the section 129 and section 111 programs. He asked that the provisions concerning delegation of authority should be promulgated as part of the regulation and published in the CFR. They should be written so as to use the same words to express the same meaning and be based upon a consistent policy as to the provisions that are not allowed to be delegated.

Our overall response is that we delegate as much authority as possible, consistent with Congress' intent that States, Tribes, and local agencies take the primary responsibility for ensuring that the emission limitations and other requirements in the emission guidelines are achieved (as discussed at 67 FR 70647). We do withhold delegation of authorities that may have an effect on the stringency of a standard. The EPA permits delegation to a State or local agency of all the Administrator's authorities under 40 CFR part 60, except those that require rulemaking to implement, that affect the stringency of the standard, or where national oversight is the only way to ensure national consistency. In the CISWI source category, as well as the other categories cited by the commenter, authorities that could affect the stringency of the standard include approval of alternative emission standards and operating limits; alternatives to test methods; and alternatives to monitoring, recordkeeping, and reporting. For section 111 rules, these authorities are specifically listed in the general provisions of 40 CFR part 60 as authorities not to be delegated. Because each source category is different, many individual sections of 40 CFR part 60 specifically indicate that certain authorities may not be delegated. Thus, although we generally withhold delegation of these same authorities (such as approval of test methods, alternative emission standards) in the Federal plans, we customize the list for each source category to ensure that the stringency of the standard for that category is not jeopardized.

In response to the commenter's specific concern about our proposed rule, we revised the rule to assure that the provisions concerning delegation of authority will be codified in the CFR. In addition to including the delegation of authority provisions in the regulation, we revised the delegation of authority language to more closely match the equivalent sections in the NSPS. By using parallel language within the CISWI source category, we expect the requirements of the CISWI Federal plan to be more clear to State compliance inspectors. In addition, using the same language promotes consistent application of requirements for new CISWI units affected by the NSPS and existing CISWI units affected by the Federal plan.

V. Summary of CISWI Federal Plan

A. What Emission Limitations Must I Meet?

As the owner or operator of an existing CISWI unit, you will be required to meet the emission limitations specified in Table 4. See section V.E of this preamble for a discussion of the compliance schedule.

TABLE 4.—EMISSION LIMITATIONS FOR EXISTING CISWI UNITS

For these pollutants	You must meet these emission limitations [a]	And determine compliance using these methods [b]
Cadmium	0.004 mg/dscm	EPA Method 29.
Carbon Monoxide	157 ppm	EPA Methods 10, 10A, or 10B.
Dioxins/Furans, toxic equivalent (TEQ) basis	0.41 ng/dscm	EPA Method 23.
Hydrogen Chloride	62 ppm by dry volume	EPA Method 29.
Lead	0.04 mg.dscm	EPA Method 29.
Mercury	0.47 mg/dscm	EPA Method 29.
Opacity	10 percent	EPA Method 29.
Oxides of Nitrogen	388 ppm by dry volume	EPA Method 7, 7A, 7C, 7D, or 7E.
Particulate Matter	70 mg/dscm	EPA Method 5 or 29.
Sulfur Dioxide	20 ppm by dry volume	EPA Method 6 or 6c.

[a] All emission limitations (except opacity) are measured at 7 percent oxygen, dry basis at standard conditions.
[b] These methods are in 40 CFR part 60, appendix A.

B. What Operating Limits Must I Meet?

If you are using a wet scrubber to comply with the emission limitations, you must establish the maximum and minimum site-specific operating limits indicated in Table 5. You must operate the CISWI unit and wet scrubber so that the operating parameters do not deviate from the established operating limits.

TABLE 5.—OPERATING LIMITS OR EXISTING CISWI UNITS USING WET SCRUBBERS

For these operating parameters	You must establish these operating limits	And monitor continuously using these recording times
Charge rate	Maximum charge rate	Every hour.
Pressure drop across the wet scrubber, or amperage to the wet scrubber.	Minimum pressure drop or amperage	Every 15 minutes.
Scrubber liquor flow rate	Minimum flow rate	Every 15 minutes.
Scrubber liquor pH	Minimum pH	Every 15 minutes.

Note: Compliance is determined on a 3-hour rolling average basis, except charge rate for batch incinerators, which is determined on a daily basis.

If you are using an air pollution control device other than a wet scrubber to comply with the emission limitations, you must petition the Administrator for other site-specific operating limits to be established during the initial performance test and continuously monitored thereafter. The required components of the petition are described in § 62.14640 of subpart III.

If you are using a fabric filter to comply with the emission limitations, in addition to other operating limits as approved by the Administrator, you must operate the fabric filter system such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during any 6-month period.

C. What Are the Requirements for Air Curtain Incinerators?

The Federal plan establishes opacity limitations for air curtain CISWI units burning 100 percent wood wastes, clean lumber, and/or yard wastes. This opacity limitation is 10 percent, except 35 percent opacity is allowed during start-up periods that are within the first 30 minutes of operation.

D. What Are the Testing, Monitoring, Inspection, Recordkeeping, and Reporting Requirements?

The owner or operator of a CISWI unit subject to the CISWI Federal plan must conduct initial performance tests for cadmium, dioxins/furans, hydrogen chloride, lead, mercury, opacity, particulate matter, and sulfur dioxide and establish operating limits (*i.e.*, maximum or minimum values for operating parameters). The initial performance test must be conducted within 90 days after the date the facility is required to achieve final compliance.

The owner or operator must conduct annual performance tests for particulate matter, hydrogen chloride, and opacity. (An owner or operator may conduct less frequent testing if the facility demonstrates that it is in compliance with the emission limitations for 3 consecutive years.)

To assure ongoing achievement of the Federal plan's provisions, an owner or operator using a wet scrubber to comply with the emission limitations will continuously monitor the following operating parameters: Charge rate, pressure drop across the wet scrubber (or amperage), and scrubber liquid flow rate and pH. If something other than a wet scrubber is used to comply with the emission limitations, the owner or operator must monitor other operating parameters, as approved by the Administrator.

If the owner or operator is using a fabric filter to comply with the emission limitations, in addition to other operating limits as approved by the Administrator, the owner or operator must install and continuously operate a bag leak detection system. The owner or operator must keep records of periods when the alarm sounds and calculate whether these periods are more than 5 percent of the operating time for each 6-month period. The owner or operator must submit information documenting compliance with these requirements as part of an annual report; and report deviations semi-annually.

In addition, the Federal plan requires CISWI unit owners and operators to maintain for five years records of the initial performance tests and all subsequent performance tests, operating parameters, any maintenance, and operator training and qualification. The owner or operator must submit the results of the initial performance tests and all subsequent performance tests and values for the operating parameters in annual reports.

E. What Is the Compliance Schedule?

Each CISWI unit must either: (1) Reach final compliance by October 4, 2004, or (2) meet increments of progress and reach final compliance by October 3, 2005. In addition, the owner or operator must comply with the operator training and qualification requirements and inspection requirements by October 4, 2004, regardless of when the CISWI unit reaches final compliance.

Each owner or operator that takes more than 1 year to reach final compliance must submit a final control plan (increment 1) by April 5, 2004 and reach final compliance (increment 2) by October 3, 2005. To ensure timely progress toward implementation, the Federal plan includes a requirement for owners or operators of CISWI units seeking to take an additional year to reach final compliance to submit a request to the Administrator that documents the need for an extension.

To meet the increment 1 requirement, the owner or operator of each CISWI unit must submit a final control plan that includes five items: (1) A description of the air pollution control devices and/or process changes that will be employed so that each CISWI unit complies with the emission limits and other requirements, (2) a list of the types of waste burned, (3) the maximum design waste burning capacity, (4) the anticipated maximum charge rate, and, (5) if applicable, the petition for site-specific operating limits. A final control plan is not required for units that will be shut down, but those units must close by October 4, 2004 or must submit a closure agreement by April 5, 2004, close no later than October 3, 2005, and meet other requirements as described in section VI.A. of this preamble.

To meet the second increment of progress, the owner or operator of each CISWI unit must incorporate all process changes or complete retrofit construction in accordance with the final control plan. The owner or operator must connect the air pollution control equipment or process changes such that when the CISWI unit is brought on line all necessary process changes or air pollution control equipment will operate as designed.

F. How Did EPA Determine the Compliance Schedule?

The EPA determined the compliance schedule based on the requirements of 40 CFR part 60, subpart B and the feasibility of owners or operators to retrofit combustion units with air pollution control devices. CISWI units must comply within 1 year after publication of the final Federal plan or meet increments of progress. The

requirement to reach final compliance within one year is consistent with 40 CFR 60.24(c) of subpart B. Subpart B requires final compliance to be ''as expeditiously as practicable * * *'' and requires increments of progress if the compliance schedule is longer than one year.

The EPA believes that many CISWI units can reach final compliance within 1 year after promulgation of the Federal plan based on their similarity to hospital medical and infectious waste incinerator (HMIWI) units. In addition, units could have used the time between the proposed rule and this promulgation of the final Federal plan to plan and begin retrofits.

The compliance schedule for CISWI units is similar to the compliance schedule for HMIWI units. Most CISWI units are similar in size to HMIWI units. In addition, CISWI units require similar controls to meet the CISWI Federal plan emission limits as HMIWI units would need to meet the HMIWI Federal plan emission limits. To determine the compliance schedule for HMIWI units, the EPA conducted case studies of eight HMIWI units that completed retrofits of the types of controls needed to meet the HMIWI Federal plan (64 FR 36430, July 6, 1999). Based on these case studies (Docket No. A–98–24, II–A–1), the EPA found that many HMIWI units can meet the requirements of the HMIWI Federal plan within 1 year. Similarly, many CISWI units could meet a 1-year schedule.

The EPA expects that some CISWI units could need more than 1 year to comply, as did some HMIWI units, due to site-specific circumstances. For units that cannot comply within 1 year, the Federal plan establishes increments of progress, as required by subpart B. The date for the first increment of progress, submittal of a final control plan, is April 5, 2004. The date for the second increment of progress, final compliance, is October 3, 2005. These increments are derived from the findings of the case studies performed to characterize the retrofit of control systems for HMIWI (Docket A–98–24, Item II–A–1). The size and design of CISWI are similar to the smaller HMIWI that were the subjects of the case studies. In particular, most units are small and controls will be ordered ''off-the-shelf'' as assembled packages. Thus, the EPA did not see a need for increments to address details of on-site construction and installation of control systems. Also, CISWI sites are not thought to have the problems with space and access that were concerns for HMIWI retrofits. In addition, CISWI units had the time between publication of the proposed rule and today's publication of the final rule to begin developing the final control plan and to initiate retrofit activities.

The Federal plan does not include increments of progress for air curtain incinerators. Air curtain incinerators must comply with the requirements of the Federal plan one year after today's date. Delaying implementation for ACI would not be appropriate because there will be little or no need for the installation of control equipment on these units (primarily because control equipment is typically infeasible for ACI). Compliance with the opacity limits applicable to this class of units would primarily be achieved by good operation and maintenance practices. This approach is consistent with the requirement for completion of CISWI operator training by October 4, 2004.

VI. CISWI That Have or Will Shut Down

A. Units That Plan To Close Rather Than Comply

If you plan to permanently close your currently operating CISWI unit, you must do one of the following: (a) close by October 4, 2004, or (b) submit a legally binding closure agreement, including the date of closure, to the Administrator by April 5, 2004. The closure agreement must specify the date by which operation will cease. The closure date cannot be later than the final compliance date of the CISWI Federal plan (October 3, 2005). If you close your CISWI unit after October 4, 2004, but before October 3, 2005, then you must comply with the operator training and qualification requirements by October 4, 2004. In addition, while still in operation, your CISWI unit(s) is subject to the same requirement to apply for and obtain a title V operating permit that applies to a CISWI unit that will not be permanently closing.

B. Inoperable Units

In cases where a CISWI unit has already shut down, has been rendered inoperable, and does not intend to restart, the CISWI unit may be left off the source inventory in a State, Tribal, or this Federal plan. A CISWI unit that has been rendered inoperable would not be covered by the Federal plan. The CISWI owner or operator may do the following to render a CISWI unit inoperable: (1) Weld the waste charge door shut, (2) remove stack (and by-pass stack, if applicable), (3) remove combustion air blowers, or (4) remove burners or fuel supply appurtenances.

C. CISWI Units That Have Shut Down

CISWI units that are known to have already shut down (but are not known to be inoperable) must be included in the source inventory and identified in any State or Tribal plan submitted to the EPA.

1. Restarting Before the Final Compliance Date

If the owner or operator of an inactive CISWI unit plans to restart before the final compliance date, the owner or operator must submit a control plan for the CISWI unit and meet the applicable compliance schedule. Final compliance is required for all pollutants and all CISWI units no later than the final compliance date. (See section V.E for the discussion on compliance schedules and increments of progress.)

2. Restarting After the Final Compliance Date

Under this Federal plan, a control plan would not be needed for inactive CISWI units that restart after the final compliance date. However, before restarting, operators of CISWI units would have to complete the operator training and qualification requirements and inspection requirements (if applicable) and complete retrofit or process modifications before restarting the unit. Performance testing to demonstrate compliance would be required within 90 days after restarting. There is no need to show that the increments of progress have been met since these steps would have occurred before restart while the CISWI unit was shut down and not generating emissions. A CISWI unit operating out of compliance after the final compliance date would be in violation of the Federal plan and subject to enforcement action.

VII. Implementation of the Federal Plan and Delegation

A. Background of Authority

Under sections 111(d) and 129(b) of the CAA, the EPA is required to adopt emission guidelines that are applicable to existing solid waste incineration sources. These emission guidelines are not enforceable until the EPA approves a State or Tribal plan or adopts a Federal plan that implements and enforces them, and the State, Tribal, or Federal plan has become effective. As discussed above, the Federal plan regulates CISWI units in a State or Tribal area that does not have an EPA-approved plan in effect.

Congress has determined that the primary responsibility for air pollution prevention and control rests with State

and local agencies. *See* section 101(a)(3) of the CAA. Consistent with that overall determination, Congress established sections 111 and 129 of the CAA with the intent that the States would assume primary responsibility for ensuring that the emission limitations and other requirements in the emission guidelines would be achieved. Also, in section 111(d) of the CAA, Congress explicitly required the EPA to establish procedures similar to those under section 110(c) for State implementation plans. Although Congress required the EPA to propose and promulgate a Federal plan for States that fail to submit approvable State plans on time, States and Tribes may submit approvable plans after today's promulgation of the CISWI Federal plan. The EPA strongly encourages States that are unable to submit approvable plans to request delegation of the Federal plan so that they can have primary responsibility for implementing the emission guidelines, consistent with Congress' intent.

Approved and effective State plans or delegation of the Federal plan is the EPA's preferred outcome since we believe that State agencies not only have the responsibility to carry out the emission guidelines, but also have the practical knowledge and enforcement resources critical to achieving the highest rate of compliance. For these reasons, the EPA will do all that it can to expedite delegation of the Federal plan to State agencies, whenever possible.

The EPA also believes that Indian Tribes should be the primary parties responsible for regulating air quality within Indian Country, if they desire to do so. See the EPA's Indian Policy (''Policy for Administration of Environmental Programs on Indian Reservations,'' signed by William D. Ruckelshaus, Administrator of EPA, dated November 4, 1984), reaffirmed in a 2001 memorandum (''EPA Indian Policy,'' signed by Christine Todd Whitman, Administrator of EPA, dated July 11, 2001).

B. Delegation of the Federal Plan and Retained Authorities

If a State or Indian Tribe intends to take delegation of the Federal plan, the State or Indian Tribe must submit to the appropriate EPA Regional Office a written request for delegation of authority. The State or Indian Tribe must explain how it meets the criteria for delegation. *See* generally ''Good Practices Manual for Delegation of NSPS and NESHAP'' (EPA, February 1983). In order to obtain delegation, an Indian Tribe must also establish its eligibility to be treated in the same manner as a State (see section VII.E.1 of this preamble). The letter requesting delegation of authority to implement the Federal plan must demonstrate that the State or Tribe has adequate resources, as well as the legal and enforcement authority to administer and enforce the program. A memorandum of agreement between the State or Tribe and the EPA would set forth the terms and conditions of the delegation, the effective date of the agreement, and would also serve as the mechanism to transfer authority. Upon signature of the agreement, the appropriate EPA Regional Office would publish an approval notice in the **Federal Register**, thereby incorporating the delegation authority into the appropriate subpart of 40 CFR part 62.

If authority is not delegated to a State or Indian Tribe, the EPA will implement the Federal plan. Also, if a State or Tribe fails to properly implement a delegated portion of the Federal plan, the EPA will assume direct implementation and enforcement of that portion. The EPA will continue to hold enforcement authority along with the State or Tribe even when a State or Tribe has received delegation of the Federal plan. In all cases where the Federal plan is delegated, the EPA will withhold and will not transfer to a State or Tribe authority to perform several specific actions. We typically do not delegate authority to devise alternative requirements that could change the stringency of the underlying standard, which are likely to be nationally significant, or which may require a national rulemaking and subsequent **Federal Register** notice. The following authorities may not be delegated to the State, Tribal or local agencies: Approval of alternative non-opacity emission standards, approval of alternative opacity standards, approval of major alternatives to test methods, approval of major alternatives to monitoring, and waiver of recordkeeping and reporting. For this Federal plan we are also maintaining the following authorities:

(1) Alternative site-specific operating parameters established by facilities using CISWI controls other than a wet scrubber (§ 62.14640 of subpart III),

(2) Petitions to the Administrator under section 62.14530 to add a chemical recovery unit to section 62.14525(n) of subpart III, and

(3) Alternative methods of demonstrating compliance.

CISWI owners or operators who wish to establish alternative operating parameters or alternative methods of demonstrating compliance should submit a request to the Regional Office Administrator with a copy to the appropriate State or Tribe.

C. Mechanisms for Transferring Authority

There are two mechanisms for transferring implementation authority to State or Tribal agencies: (1) EPA approval of a State or Tribal plan after the Federal plan is in effect; and (2) if a State or Tribe does not submit or obtain approval of its own plan, EPA delegation to a State or Tribe of the authority to implement certain portions of this Federal plan to the extent appropriate and if allowed by State or Tribal law. Both of these options are described in more detail below.

1. Federal Plan Becomes Effective Prior to Approval of a State or Tribal Plan

After CISWI units in a State or Tribal area become subject to the Federal plan, the State or Tribal agency may still adopt and submit a plan to the EPA. If the EPA determines that the State or Tribal plan is as protective as the emission guidelines, we will approve the State or Tribal plan. If the EPA determines that the plan is not as protective as the emission guidelines, we will disapprove the plan and the CISWI units covered in the State or Tribal plan will remain subject to the Federal plan until a State or Tribal plan covering those CISWI units is approved and effective.

Upon the effective date of an approved State or Tribal plan, the Federal plan will no longer apply to CISWI units covered by such a plan, and the State or Tribal agency will implement and enforce the State or Tribal plan in lieu of the Federal plan. When an EPA Regional Office approves a State or Tribal plan, it will amend the appropriate subpart of 40 CFR part 62 to indicate such approval.

2. State or Tribe Takes Delegation of the Federal Plan

The EPA, in its discretion, may delegate to State or eligible Tribal agencies the authority to implement this Federal plan. As discussed above, we believe that it is advantageous and the best use of resources for State or Tribal agencies to agree to undertake, on the EPA's behalf, the administrative and substantive roles in implementing the Federal plan to the extent appropriate and where authorized by State or Tribal law. If a State requests delegation, we will generally delegate the entire Federal plan to the State agency. These functions include administration and oversight of compliance reporting and recordkeeping requirements, CISWI

inspections, and preparation of draft notices of violation.

The EPA also believes that it is the best use of resources for Tribal agencies to undertake a role in the implementation of the Federal plan. The Tribal Authority Rule issued on February 12, 1998 (63 FR 7254) provides Tribes the opportunity to develop and implement Clean Air Act programs. However, due to resource constraints and other factors unique to Tribal governments, it leaves to the discretion of the Tribe whether to develop these programs and which elements of the program they will adopt. Consistent with the approach of the Tribal Authority Rule, we may choose to delegate a partial Federal plan (*i.e.*, to delegate authority for some functions needed to carry out the plan) in appropriate circumstances and where consistent with Tribal law.

Both States and Tribal agencies, that have taken delegation, as well as the EPA, will have responsibility for bringing enforcement actions against sources violating Federal plan provisions. However, the EPA recognizes that Tribes have limited criminal enforcement authority, and will address in the delegation agreement with the Tribe how criminal enforcement issues are referred to the EPA.

D. Implementing Authority

The EPA will delegate authority within the EPA to the EPA Regional Administrators to implement the CISWI Federal plan. All reports required by this Federal plan should be submitted to the appropriate Regional Office Administrator. Table 1 under **SUPPLEMENTARY INFORMATION** lists the contact information for the EPA Regional Offices and the States that they cover.

E. CISWI Federal Plan and Indian Country

The term ''Indian country,'' as used in this preamble, means (1) all land within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; (2) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State; and (3) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

The CISWI Federal plan will apply throughout Indian country to ensure that there is not a regulatory gap for existing CISWI units in Indian Country. However, eligible Indian Tribes now have the authority under the CAA to develop Tribal plans in the same manner that States develop State plans. On February 12, 1998, EPA promulgated regulations that outline provisions of the CAA for which it is appropriate to treat Tribes in the same manner as States. *See* 63 FR 7254 (Final Rule for Indian Tribes: Air Quality Planning and Management, (Tribal Authority Rule)) (codified at 40 CFR part 49). As of March 16, 1998, the effective date of the Tribal Authority Rule, the EPA has had authority under the CAA to approve Tribal programs such as Tribal plans to implement and enforce the CISWI emission guidelines.

1. Tribal Implementation

Section 301(d) of the CAA authorizes the Administrator to treat an Indian tribe as a State under certain circumstances. The Tribal Authority Rule, which implements section 301(d) of the CAA, identifies provisions of the CAA for which it is appropriate to treat a Tribe as a State. (*See* 40 CFR 49.3 and 49.4.) Under the Tribal Authority Rule, a Tribe may be treated as a State for purposes of this Federal plan. If a Tribe meets the criteria below, the EPA can delegate to an Indian tribe authority to implement the Federal plan in the same way it can delegate authority to a State:

(1) The applicant is an Indian tribe recognized by the Secretary of the Interior;

(2) The Indian tribe has a governing body carrying out substantial governmental duties and functions;

(3) The functions to be exercised by the Indian tribe pertain to the management and protection of air resources within the exterior boundaries of the reservation or other areas within the tribe's jurisdiction; and

(4) The Indian tribe is reasonably expected to be capable, in the EPA Regional Administrator's judgment, of carrying out the functions to be exercised in a manner consistent with the terms and purposes of the CAA and all applicable regulations. (*See* 40 CFR 49.6.)

2. EPA Implementation

The CAA also provides the EPA with the authority to administer Federal programs in Indian Country. This authority is based in part on the general purpose of the CAA, which is national in scope. Section 301(a) of the CAA provides the EPA broad authority to issue regulations that are necessary to carry out the functions of the CAA. Congress intended for the EPA to have the authority to operate a Federal program when Tribes choose not to develop a program, do not adopt an approvable program, or fail to adequately implement an air program authorized under section 301(d) of the CAA.

Section 301(d)(4) of the CAA authorizes the Administrator to directly administer provisions of the CAA to achieve the appropriate purpose where Tribal implementation is not appropriate or administratively not feasible. The EPA's interpretation of its authority to directly implement CAA programs in Indian country is discussed in more detail in the Tribal Authority Rule. *See* 63 FR 7262–7263. As mentioned previously, Tribes may, but are not required to, submit a CISWI plan under section 111(d) of the CAA.

3. Applicability in Indian Country

The Federal plan applies throughout Indian Country except where an EPA-approved plan already covers an area of Indian country. This approach is consistent with the EPA's implementation of the Federal Operating Permits program in Indian Country (*see* 64 FR 8247 (February 19, 1999)).

VIII. Title V Operating Permits

Except for the sources specified in section 62.14830 of the Federal plan, sources subject to this CISWI Federal plan must obtain title V operating permits. These title V operating permits must assure compliance with all applicable requirements for these sources, including all applicable requirements of this Federal plan. *See* 40 CFR 70.6(a)(1), 70.2, 71.6(a)(1) and 71.2.

Owners or operators of section 129 sources (including CISWI units) subject to standards or regulations under sections 111 and 129 must operate pursuant to a title V permit not later than 36 months after promulgation of emission guidelines under sections 111 and 129 or by the effective date of the State, Tribal, or Federal title V operating permits program that covers the area in which the unit is located, whichever is later. The EPA has interpreted section 129(e) to be consistent with section 503(d) of the CAA and 40 CFR 70.7(b) and 71.7(b). (*See, e.g.*, the final Federal Plan for Hospital/Medical/Infectious Waste Incinerators, August 15, 2000 (65 FR 49868, 49878)). Section 503(d) of the CAA and 40 CFR 70.7(b) and 71.7(b) allow a source to operate without being in violation of title V once the source has submitted a timely and complete

permit application, even if the source has not yet received a final title V operating permit from the permitting authority.[2] As a result, the EPA interprets the dates in section 129(e) to be the dates by which complete title V applications need to be submitted. In the absence of such an interpretation, a section 129 source may be required to prepare and submit a complete title V application and the permitting authority would have to issue a permit to this source in a very short period of time.[3]

As a result of the EPA's interpretation, existing CISWI units must submit complete title V applications by the later of the following dates: Not later than 36 months after the promulgation of 40 CFR part 60, subpart DDDD or by the effective date of the State, Tribal, or Federal title V operating permits program that covers the area in which the unit is located. As of today's action, all areas of the country are covered by effective title V programs. As a result, the relevant section 129(e) date for existing CISWI units is 36 months following promulgation of 40 CFR part 60, subpart DDDD, *i.e.*, December 1, 2003. Therefore, December 1, 2003, is the latest possible date by which complete applications for existing CISWI units can be submitted and still be considered timely. This date applies regardless of when the CISWI Federal plan becomes effective or when an EPA approved section 111(d)/129 plan for existing CISWI units becomes effective. If, however, an earlier application deadline applies to an existing CISWI unit, then this deadline must be met in order for the unit to be in compliance with section 502(a) of the CAA. To determine when an application is due for an existing CISWI unit, section 129(e) of the CAA must be read in conjunction with section 503(c) of the CAA.

As stated in section 503(c), a source has up to 12 months to apply for a title V permit once it becomes subject to a title V permitting program.[4] For example, if an existing CISWI unit becomes subject to a title V permitting program for the first time on the effective date of this Federal plan, then the source must apply for a title V permit within 12 months of the effective date of this Federal plan in order to operate after this date in compliance with Federal law.

An application deadline earlier than either of the two dates noted above, *i.e.*, December 1, 2003, or not later than 12 months after the effective date of this Federal plan, may apply to an existing CISWI unit if it is subject to title V for more than one reason. For example, an existing CISWI unit may already be subject to title V as a result of being a major source under one or more of three major source definitions in title V—section 112, section 302, or part D of title I of the CAA. *See* 40 CFR 70.3(a)(1) and 71.3(a)(1) (subjecting major sources to title V permitting) and 40 CFR 70.2 and 71.2 (defining major source for purposes of title V). *See also* 40 CFR 70.3(a) and (b) and 71.3(a) and (b) for a list of the applicability criteria which trigger the requirement to apply for a title V permit.

If an owner or operator is already subject to title V by virtue of some requirement other than this Federal plan and has submitted a timely and complete permit application, but the draft title V permit has not yet been released by the permitting authority, then the owner or operator must supplement the title V application by including the applicable requirements of this Federal plan in accordance with 40 CFR 70.5(b) or 71.5(b). If an existing CISWI unit is a major source or is part of a major source, is subject to this Federal plan, and is already covered by a title V permit with a remaining permit term of three or more years on the effective date of this Federal plan, then the owner or operator will receive from his permitting authority a notice of intent to reopen his source's title V permit to include the requirements of this Federal plan. Reopenings required for such CISWI units must be completed not later than 18 months after the effective date of this Federal plan in accordance with the procedures established in 40 CFR 70.7(f)(1)(i) or 71.7(f)(1)(i). If an existing CISWI unit subject to this Federal plan does not meet the above criteria, *e.g.*, the unit is part of a nonmajor source or is covered by a permit which has a remaining term of less than 3 years on the effective date of this Federal plan, then the permitting authority does not need to reopen the source's permit, as a matter of Federal law, to include the requirements of this Federal plan.[5] However, the owner or operator of a source subject to a section 111/129 Federal plan remains subject to, and must act in compliance with, section 111/129 requirements and all other applicable requirements to which the source is subject regardless of whether these requirements are included in a title V permit. *See* 40 CFR 70.6(a)(1), 70.2, 71.6(a)(1) and 71.2.

The EPA has recently become aware that there has been some confusion regarding the title V obligations of section 129 sources that are subject to standards or regulations under sections 111 and 129. We are therefore including Table 6 to help clarify when CISWI units (even those not subject to this Federal plan) must apply for a title V permit. While Table 6 provides specific information relative to CISWI units, the same title V obligations apply to all section 129 sources subject to standards or regulations under sections 111 and 129. Of course, specific deadlines will vary for other section 129 sources depending on when the relevant NSPS is promulgated, when the relevant State or Tribal section 111(d)/129 plan is approved by the EPA and becomes effective, etc. Lastly, Table 6 takes into account that as of the promulgation date, *i.e.*, December 1, 2000, for the NSPS (subpart CCCC of part 60) and emission guidelines (subpart DDDD of part 60) for CISWI units, every area of the country was covered by a title V permits program under 40 CFR part 70 or part 71. This point is relevant because a section 111/129 standard cannot trigger the requirement for a source to apply for a title V permit unless a title V permits program is in

[2] A title V application should be submitted early enough for the permitting authority to find the application either complete or incomplete before the title V application deadline. In the event the application is found incomplete by the permitting authority, the source must submit the information needed to make the application complete by the application deadline in order to obtain the application shield. *See* 40 CFR 62.14835(b) and 40 CFR 70.5(a)(2) and 71.5(a)(2).

[3] For example, in the absence of such an interpretation, if a final Federal plan were to become effective more than 24 months after the promulgation of emission guidelines promulgated under sections 111 and 129, a source, if subject to the Federal plan, would have less than 12 months to prepare and submit a complete title V permit application and to have the permit issued. The EPA's interpretation allows section 129(e) to be read consistently with section 503(d) of the CAA and 40 CFR 70.7(b) and 71.7(b). The EPA's interpretation is also consistent with section 503(c) of the CAA which requires sources to submit title V applications not later than 12 months after becoming subject to a title V permits program. If a permit, as opposed to a title V application, were required by the later of the two deadlines specified in section 129(e), some section 129 sources would be required to have been issued final title V permits in potentially much less time than allotted for non-section 129 sources to submit their title V applications.

[4] If a source is subject to title V for more than one reason, the 12-month time frame for submitting a title V application is triggered by the requirement which first causes the source to become subject to title V. As provided in section 503(c) of the CAA, permitting authorities may establish permit application deadlines earlier than the 12-month deadline.

[5] *See* The CAA section 502(b)(9); 40 CFR 70.7(f)(1)(i) and 71.7(f)(1)(i). Owners or operators of CISWI units, which have been permitted and are subject to this Federal plan, may wish to consult their operating permits program regulations or permitting authorities to determine whether their permits must be reopened to incorporate the requirements of this Federal plan.

effect in the area in which the source is located.

TABLE 6.—DEADLINES FOR TITLE V SOURCES

Submitting Title V Permit Applications	
If a CISWI unit is a major source or is part of a major source, and had commenced operation as of the effective date of the relevant title V permits program.	Then a complete title V application which covers the entire source[6] is due not later than 12 months (or earlier if required by the title V permitting authority) after the effective date of the relevant title V permits source, and had program. *See* CAA section 503(c) and 40 CFR 70.4(b)(11)(i), 71.4(i)(1), 70.5(a)(1)(i) and 71.5(a)(1)(i).
If a CISWI unit is a major source or is part of a major source but did not commence operation until after the relevant title V premits program became effective.	Then a complete title V application which covers the entire source is due not later than 12 months (or earlier if required by the title V permitting authority) after the date the source commences operation. *See* CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i).
If a CISWI unit is a nonmajor source or is part of a nonmajor source, is subject to the CISWI NSPS (subpart CCCC of 40 CFR part 60), and had commenced operation as of December 1, 2000.	Then a complete title V application[7] is due not later than 12 months after subpart CCCC was promulgated, *i.e.*, December 1, 2001 (or earlier if required by the title V permitting authority). *See* CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i).
If a CISWI unit is a nonmajor source or is part of a nonmajor source, is subject to the CISWI NSPS (subpart CCCC of 40 CFR part 60), but did not commence operation until after December 1, 2000.	Then a complete title V application is due not later than 12 months (or earlier if required by the title V permitting authority) after the date the source commences operation. *See* CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i).
If a CISWI unit is a nonmajor source or is part of a nonmajor source, and is subject to an EPA approved and effective State or Tribal section 111(d)/129 plan.	Then a complete title V application is due not later than 12 months (or earlier if required by the title V permitting authority) after the effective date of the EPA approved State or Tribal section 111(d)/129 plan.[8] *See* CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i). In no event, however, can such an existing CISWI unit submit a complete title V application after December 1, 2003, and have it be considered timely. *See* CAA section 129(e) and 40 CFR 62.14835 of subpart III.
If a CISWI unit is a nonmajor source or is part of a nonmajor source, and is subject to the CISWI Federal plan (subpart III of 40 CFR part 62).	Then a complete title V application is due not later than 12 months (or earlier if required by the title V permitting authority) after the effective date of 40 CFR part 62, subpart III. *See* CAA section 503(c) and 40 CFR 70.5(a)(1)(i) and 71.5(a)(1)(i). In no event, however, can such an existing CISWI unit submit a complete title V application after December 1, 2003 and have it be considered timely. *See* CAA section 129(e) and 40 CFR 62.14835 of subpart III.
If a CISWI unit is required to obtain a title V permit due to triggering more than one of the applicability criteria listed above or in 40 CFR 70.3(a) or 71.3(a).	
Then a complete title V application is due not later than 12 months (or earlier if required by the title V permitting authority) after the unit triggers the criterion which first causes the unit to be subject to title V. *See* CAA section 503(c) and 40 CFR 70.3(a) and (b), 70.5(a)(1), 71.3(a) and (b) and 71.5(a)(1). In no event, however, can an existing CISWI unit submit a complete title V application after December 1, 2003 and have it be considered timely. *See* CAA section 129(e) and 40 CFR 62.14835 of subpart III..	
Reopening Title V Permits	
If a CISWI unit is a major source or is part of a major source, is subject to the CISWI NSPS (subpart CCCC of 40 CFR part 60), and is covered by a title V permit with a remaining permit term of 3 or more years on December 1, 2000.	Then the title V permitting authority must complete a reopening of the source's title V permit to incorporate the requirements of 40 CFR part 60, subpart CCCC not later than June 1, 2002. *See* CAA section 502(b)(9); 40 CFR 70.7(f)(1)(i) and 71.7(f)(1)(i).
If a CISWI unit is a major source or is part of a major source, is subject to an EPA approved and effective State or Tribal section 111(d)/129 plan for CISWI units, and is covered by a title V permit with a remaining permit term of 3 or more years on the effective date of the EPA approved section 111(d)/129 plan.	Then the title V permitting authority must complete a reopening of the source's title V permit to incorporate the requirements of this EPA approved and effective section 111(d)/129 plan not later than 18 months after the effective date of this plan. *See* CAA section 502(b)(9); 40 CFR 70.7(f)(1)(i) and 71.7(f)(1)(i).

[6] A title V application from a major source must address all emissions units at the title V source, not just the section 129 emissions unit. *See* 40 CFR 70.3(c)(1) and 71.3(c)(1). (For information on aggregating emissions units to determine what is a source under title V, see the definition of major source in 40 CFR 70.2, 71.2, and 63.2.)

[7] Consistent with 40 CFR 70.3(c)(2) and 71.3(c)(2), a permit application from a nonmajor title V source is only required to address the emissions units which caused the source to be subject to title V. The applicability criteria which determine the need for the owner or operator of a nonmajor source to apply for a title V permit are found in 40 CFR 70.3(a) and (b) and 71.3(a) and (b). Permits issued to these nonmajor sources must include *all* of the applicable requirements that apply to the triggering units, *e.g.*, State Implementation Plan requirements, section 111 or 112 requirements, etc. *See* footnote #2 in Change to Definition of Major Source rule, November 27, 2001 (66 FR 59161, 59163).

[8] If a CISWI unit becomes subject to an approved and effective State or Tribal section 111(d)/129 plan after being subject to an effective Federal plan, the CISWI unit is still required to file a complete title V application consistent with the application deadlines for units subject to the CISWI Federal plan.

TABLE 6.—DEADLINES FOR TITLE V SOURCES—Continued

If a CISWI unit is a major source or is part of a major source, is subject to the CISWI Federal plan (subpart III of 40 CFR part 62), and is covered by a title V permit with a remaining permit term of 3 or more years on the effective date of this Federal plan.	Then the title V permitting authority must complete a reopening of the source's title V permit to incorporate the requirements of subpart III of 40 CFR part 62 not later than 18 months after the effective date of the CISWI Federal plan. *See* CAA section 502(b)(9); 40 CFR 70.7(f)(1)(i) and 71.7(f)(1)(i).
Updating Existing Title V Permit Applications	
If a CISWI unit is subject to the CISWI NSPS (subpart CCCC of 40 CFR part 60), but first became subject to title V permitting prior to the promulgation of the NSPS, and the owner or operator of the unit has submitted a timely and complete title V permit application, but the draft title V permit has not yet been released by the permitting authority.	Then the owner or operator must supplement the title V application by including the applicable requirements of 40 CFR part 60, subpart CCCC in accordance with 40 CFR 70.5(b) or 71.5(b).
If a CISWI unit is subject to an EPA approved and effective State or Tribal section 111(d)/129 plan for CISWI units, but first became subject to title V permitting prior to the effective date of the section 111(d)/129 plan, and the owner or operator of the unit has submitted a timely and complete title V permit application, but the draft title V permit has not yet been released by the permitting authority.	Then the owner or operator must supplement the title V application by including the applicable requirements of the approved and effective section 111(d)/129 plan in accordance with 40 CFR 70.5(b) or 71.5(b).
If a CISWI unit is subject to the CISWI Federal plan (subpart III of 40 CFR part 62), but first became subject to title V permitting prior to the effective date of this Federal plan, and the owner or operator of the unit has submitted a timely and complete title V permit application, but the draft title V permit has not yet been released by the permitting authority.	Then the owner or operator must supplement the title V application by including the applicable requirements of 40 CFR part 62, subpart III in accordance with 40 CFR 70.5(b) or 71.5(b).

Title V and Delegation of a Federal Plan

For the sake of brevity, the discussion from the proposed Federal plan regarding title V and delegation of a Federal plan is not being repeated. *See* ''Title V and Delegation of a Federal Plan'' section of the proposed Federal plan for CISWI, November 25, 2002 (67 FR 70640, 70652). Nevertheless, the preamble language from this section in the proposed rule is hereby reaffirmed in this final rule.

IX. Statutory and Executive Order Reviews

This section addresses the following statutory and executive order administrative requirements: Executive Orders 12866, 13132, 13175, 13045 and 13211; Paperwork Reduction Act; Regulatory Flexibility Act/Small Business Regulatory Enforcement Fairness Act; Unfunded Mandates Reform Act; National Technology Transfer and Advancement Act; and the Congressional Review Act. Since today's action implements the CISWI emission guidelines (40 CFR part 60, subpart DDDD) as promulgated on December 1, 2000, and does not impose any new requirements, much of the following discussion refers to the documentation of applicable requirements as discussed in the preamble to the rule promulgating the emission guidelines (65 FR 75338, December 1, 2000).

A. Executive Order 12866: Regulatory Planning and Review

Under Executive Order 12866, 58 FR 51735 (October 4, 1993), the EPA must determine whether the regulatory action is ''significant'' and, therefore, subject to OMB review and the requirements of the Executive Order. The order defines ''significant regulatory action'' as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

The EPA considered the 2000 emission guidelines to be significant and the rules were reviewed by OMB in 2000. *See* 65 FR 75338, December 1, 2000. The Federal plan promulgated today would simply implement the 2000 emission guidelines and does not result in any additional control requirements or impose any additional costs above those previously considered during promulgation of the 2000 emission guidelines. Therefore, this regulatory action is considered ''not significant'' under Executive Order 12866.

B. Paperwork Reduction Act

The Office of Management and Budget (OMB) has approved the information collection requirements contained in this rule under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* and has assigned OMB control number 2060–0451. (ICR 1927.02)

This ICR reflects the burden estimate for the emission guidelines which were promulgated in the **Federal Register** on December 1, 2000. The burden estimate includes the burden associated with State or Tribal plans as well as the burden associated with the Federal plan. Consequently, the burden estimates described below overstate the information collection burden associated with the Federal plan. However, upon approval by the EPA, a State or Tribal plan becomes federally enforceable. Therefore, it is important to estimate the full burden associated with the State or Tribal plans and the Federal plan. As State or Tribal plans are approved, the Federal plan burden will decrease, but the overall burden of the State or Tribal plans and the Federal plan will remain the same.

The Federal plan contains monitoring, reporting, and recordkeeping requirements. The information will be used to ensure that the Federal plan requirements are met on a continuous basis. Records and reports will be necessary to enable us to identify waste incineration units that may not be in compliance with the Federal plan requirements. Based on reported information, the EPA would decide

which units and what records or processes should be inspected. The records that owners and operators of existing CISWI units maintain will indicate to us whether personnel are operating and maintaining control equipment property.

These recordkeeping and reporting requirements are specifically authorized by section 114 of the CAA (42 U.S.C. 7414). All information submitted to the EPA for which a claim of confidentiality is made will be safeguarded according to EPA policies in 40 CFR part 2, subpart B, Confidentiality of Business Information.

The estimated average annual burden for the first 3 years after promulgation of the emission guidelines for industry and the implementing agency is outlined below.

Affected entity	Total hours	Labor costs	Capital costs	O&M costs	Total costs
Industry	9,145	$407,067	0	0	$407,067
Implementing agency	1,817	48,386	0	0	48,386

The EPA expects the Federal plan to affect a maximum of 116 units over the first three years. (**Note:** This assumes that no State plans are in effect.) The EPA assumes that 6 existing units will be replaced by 6 new units each year. There are no capital, start-up, or operation and maintenance costs for existing units during the first three years. The implementing agency would not incur any capital or start-up costs. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control number for this final rule and for the emissions guidelines is 2060–0451. The OMB control numbers for EPA regulations are listed in 40 CFR part 9. In addition, EPA is amending the table in 40 CFR part 9 of currently approved OMB control numbers for information requirements contained in this final rule.

C. Regulatory Flexibility Act (RFA)/ Small Business Regulatory Enforcement Fairness Act (SBREFA)

The RFA generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental jurisdictions. For purposes of assessing the impacts of today's rule on small entities, small entity is defined as: (1) A small business that has less than 500 employees; (2) a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field. The SBA guidelines define a small business based on number of employees or annual revenues and the size standards vary from industry to industry. Generally, businesses covered by the North American Industrial Classification System (NAICS) codes affected by this rule are considered small if they have less than 500 employees or less than $5 million in annual sales.

During the 2000 CISWI emission guidelines rulemaking, the EPA determined that based on the low number of affected small entities in each individual market, the alternative method of waste disposal available, and the relatively low control cost, the CISWI emission guidelines should not generate a significant small business impact on a substantial number of small entities in the commercial and industrial sectors. The EPA determined that it was not necessary to prepare a regulatory flexibility analysis in connection with the final emission guidelines. The EPA has also determined that the final emission guidelines would not have a significant economic impact on a substantial number of small entities (65 FR 75348). This Federal plan does not establish any new requirements. Therefore, pursuant to the provisions of 5 U.S.C. 605(b), the EPA has determined that this Federal plan will not have a significant impact on a substantial number of small entities, and thus a regulatory flexibility analysis is not required.

D. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, the EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any 1 year.

Before promulgating a rule for which a written statement is needed, section 205 of the UMRA generally requires us to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows us to adopt an alternative other than the least costly, most cost-effective or least burdensome alternative if the Administrator publishes with the final rule an explanation of why that alternative was not adopted.

Before establishing any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, the EPA must develop under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, thereby enabling officials of affected small governments to have meaningful and timely input in the development of the regulatory proposal with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

The EPA has determined that this rule does not contain a Federal mandate that may result in expenditures of $100

million of more for State, local, and tribal governments, in the aggregate, or the private sector in any 1 year. The environmental impact analysis for the emission guidelines estimates the total national annualized cost impact of this regulatory action at $11.6 million per year (Docket A–94–63). This Federal plan will apply to only a subset of the units considered in the environmental impacts analysis for the emission guidelines. Thus, this rule is not subject to the requirements of sections 202 and 205 of the UMRA. Additionally, the EPA has determined that this rule contains no regulatory requirements that might significantly or uniquely affect small governments, because commercial and industrial units are not likely to be owned by small governments.

E. Executive Order 13132: Federalism

Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999), requires the EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' are defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.''

This final rule does not have Federalism implications. It will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. This rule establishes emission limits and other requirements for solid waste incineration units that are not covered by an EPA-approved and effective State or Tribal plan. The EPA is required by section 129 of the CAA, 42 U.S.C. 7429, to establish the standards for such units. This regulation primarily affects private industry and does not impose significant economic costs on State or local governments. The standards established by this rule apply to facilities that operate commercial or industrial solid waste incineration units located in States that do not have EPA-approved plans covering such units by the effective date of the Federal plan (and the owners or operators of such facilities). The regulation does not include an express provision preempting State or local regulations. However, once this Federal plan is in effect, covered facilities would be subject to the standards established by this rule, regardless of any less protective State or local regulations that contain emission limitations for the pollutants addressed by this rule. To the extent that this might preempt State or local regulations, it does not significantly affect the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government. Thus, the requirements of section 6 of the Executive Order do not apply to this rule; and the EPA has complied with the requirements of section 4(e), to the extent that they may be applicable to the regulations, by providing notice to potentially affected State and local officials through publication of this rule.

Although section 6 of Executive Order 13132 does not apply to this rule, the EPA consulted with representatives of State and local governments to enable them to provide meaningful and timely input into the development of the CISWI emission guidelines. This consultation took place during the Industrial Combustion Coordinated Rulemaking Federal Advisory Committee Act committee meetings, where members representing State and local governments participated in developing recommendations for our combustion-related rulemakings, including the CISWI emission guidelines. Additionally, the EPA sponsored the Small Communities Outreach Project, which involved meetings with elected officials and other government representative to provide them with information about the CISWI emission guidelines and to solicit their comments. The concerns raised by representatives of State and local governments were considered during the development of the CISWI emission guidelines.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 6, 2000), requires the EPA to develop an accountable process to ensure ''meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.'' ''Policies that have tribal implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and the Indian Tribes, or on the distribution of power and responsibilities between the Federal government and Indian Tribes.''

This Federal plan does not have tribal implications. It will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes, as specified in Executive Order 13175.

The EPA knows of no CISWI units presently owned by Indian tribal governments. However, if any exist now or in the future, the rule would not have tribal implications on these tribal governments as defined by the Executive Order. This Federal plan simply implements the emission guidelines. It does not result in any additional control requirements nor imposes any additional costs above those previously considered during promulgation of the emission guidelines. Thus, the requirements of Executive Order 13175 do not apply.

G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

Executive Order 13045 (62 FR 19885, April 23, 1997) applies to any rule that: (1) Is determined to be ''economically significant'' as defined under Executive Order 12866, (2) concerns an environmental health or safety risk that the EPA has reason to believe may disproportionately affect children. If the regulatory action meets these criteria, the EPA must evaluate the environmental health or safety effects of the planned rule on children and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives the EPA considered.

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required under section 5–501 of the Order has the potential to influence the regulation. This Federal plan is not subject to Executive Order 13045 because it is based on technology performance and not on health or safety risks. Additionally, this Federal plan is not economically significant as defined by Executive Order 12866.

H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use

This rule is not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355 (May 22, 2001)) because it is

not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) of 1995 (Pub. L. No. 104–113; 15 U.S.C. 272) directs the EPA to use voluntary consensus standards in regulatory and procurement activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, materials specifications, test methods, sampling procedures, business practices) developed or adopted by one or more voluntary consensus bodies. The NTTAA directs the EPA to provide Congress, through annual reports to the Office of Management and Budget (OMB), with explanations when an agency does not use available and applicable voluntary consensus standards.

This Federal plan involves technical standards. The EPA includes in this plan EPA Methods 1, 3A, 3B, 5, 6, 6C, 7, 7A, 7C, 7D, 7E, 9, 10, 10A, 10B, 23, 26A, and 29. Consistent with the NTTAA, the EPA conducted searches to identify voluntary consensus standards in addition to these EPA methods. No applicable voluntary consensus standards were identified for EPA Methods 7A, 7D, 9, and 10B. The search and review results have been documented and are placed in the Docket No. A–2000–52 for this Federal plan.

This search for emission measurement procedures identified 24 voluntary consensus standards. The EPA determined that 20 of these 24 standards were impractical alternatives to EPA test methods for the purposes of this Federal plan. Therefore, the EPA is not adopting these standards today. The reasons for this determination for the 20 methods are discussed below.

The standard, ASTM D3162 (1994) ''Standard Test Method for Carbon Monoxide in the Atmosphere (Continuous Measurement by Nondispersive Infrared Spectrometry),'' is impractical as an alternative to EPA Method 10 in the Federal plan because this ASTM standard, which is stated to be applicable in the range of 0.5–100 ppm CO, does not cover the potential range in the plan (up to 157 ppm). Whereas EPA Method 10 has a range from 20–1000 ppm CO. Also, ASTM D3162 does not provide a procedure to remove carbon dioxide interference. Therefore, this ASTM standard is not appropriate for combustion source conditions. In terms of NDIR instrument performance specifications, ASTM D3162 has much higher maximum allowable rise and fall times (5 minutes) than EPA Method 10 (which has 30 second). However, it should be noted that ASTM D3162 has more quality control requirements than EPA Method 10 in terms of instrument calibration procedures, span gas cylinder validation procedures, and operational checks.

The standard ASTM E1979–98 (1998), ''Standard Practice for Ultrasonic Extraction of Paint, Dust, Soil, and Air Samples for Subsequent Determination of Lead,'' is impractical as an alternative to EPA Method 29 in this Federal plan. This ASTM standard does not require the use of hydrogen fluoride (HF) as in EPA Method 29 and, therefore, it cannot be used for the preparation, digestion, and analysis of Method 29 samples. Additionally, Method 29 requires the use of a glass fiber filter, whereas this ASTM standard requires cellulose filters and other probable nonglass fiber media, which cannot be considered equivalent to EPA Method 29.

The European standard EN 1911–1,2,3 (1998), ''Stationary Source Emissions-Manual Method of Determination of HCl—Part 1: Sampling of Gases Ratified European Text—Part 2: Gaseous Compounds Absorption Ratified European Text—Part 3: Adsorption Solutions Analysis and Calculation Ratified European Text,'' is impractical as an alternative to EPA Method 26A. Part 3 of this standard cannot be considered equivalent to EPA Method 26A because the sample absorbing solution (water) would be expected to capture both HCl and chlorine gas, if present, without the ability to distinguish between the two. The EPA Method 26A uses an acidified absorbing solution to first separate HCl and chlorine gas so that they can be selectively absorbed, analyzed, and reported separately. In addition, in EN 1911 the absorption efficiency for chlorine gas would be expected to vary as the pH of the water changed during sampling.

The following ten methods are impractical alternatives to EPA test methods for the purposes of this plan because they are too general, too broad, or not sufficiently detailed to assure compliance with EPA regulatory requirements: ASTM D3154–91 (1995), ''Standard Method for Average Velocity in a Duct (Pitot Tube Method),'' for EPA Methods 1 and 3B; ASTM D5835–95, ''Standard Practice for Sampling Stationary Source Emissions, for Automated Determination of Gas Concentration,'' for EPA Method 3A; ISO 10396:1993, ''Stationary Source Emissions: Sampling for the Automated Determination of Gas Concentrations,'' for EPA Method 3A; CAN/CSA Z223.2–M86(1986), ''Method for the Continuous Measurement of Oxygen, Carbon Dioxide, Carbon Monoxide, Sulphur Dioxide, and Oxides of Nitrogen in Enclosed Combustion Flue Gas Streams,'' for EPA Method 3A; ASME C00031 or PTC 19–10–1981—Part 10, ''Flue and Exhaust Gas Analyses,'' for EPA Methods 6 and 7; ASTM D1608–98, ''Test Method for Oxides of Nitrogen in Gaseous Combustion Products (Pheno-Disulfonic Acid Procedures),'' for EPA Method 7; ISO 7934:1998, ''Stationary Source Emissions—Determination of the Mass Concentration of Sulfur Dioxide—Hydrogen Peroxide/Barium Perchlorate/Thorin Method,'' for EPA Method 6; ISO 11564:1998, ''Stationary Source Emissions—Determination of the Mass Concentration of Nitrogen Oxides—NEDA (naphthylethylenediamine)/Photometric Method,'' for EPA Methods 7 and 7C; CAN/CSA Z223.21–M1978, ''Method for the Measurement of Carbon Monoxide: 3—Method of Analysis by Non-Dispersive Infrared Spectrometry,'' for EPA Methods 10 and 10A; and European Committee for Standardization (CEN) EN 1948–3 (1997), ''Determination of the Mass Concentration of PCDD'S/PCDF'S—Part 3: Identification and Quantification,'' for EPA Method 23.

The following seven methods are impractical alternatives to EPA test methods for the purposes of this Federal plan because they lacked sufficient quality assurance and quality control requirements necessary for EPA compliance assurance requirements: ASME PTC–38–80 R85 or C00049, ''Determination of the Concentration of Particulate Matter in Gas Streams,'' for EPA Method 5; ASTM D3685/D3685M–98, ''Test Methods for Sampling and Determination of Particulate Matter in Stack Gases,'' for EPA Method 5; ISO 9096:1992, ''Determination of Concentration and Mass Flow Rate of Particulate Matter in Gas Carrying Ducts—Manual Gravimetric Method,'' for EPA Method 5; CAN/CSA Z223.1–M1977, ''Method for the Determination of Particulate Mass Flows in Enclosed Gas Streams,'' for EPA Method 5; ISO 11632:1998, ''Stationary Source Emissions—Determination of the Mass Concentration of Sulfur Dioxide—Ion Chromatography,'' for EPA Method 6; CAN/CSA Z223.24–M1983, ''Method for the Measurement of Nitric Oxide and Nitrogen Dioxide in Air,'' for EPA Method 7; and CAN/CSA Z223.26–M1987, ''Measurement of Total Mercury in Air Cold Vapour Atomic Absorption

Spectrophotometeric Method,'' for EPA Method 29.

The following four of the 24 voluntary consensus standards identified in this search were not available at the time the review was conducted for the purposes of this Federal plan because they are under development by a voluntary consensus body: ISO/DIS 12039, ''Stationary Source Emissions—Determination of Carbon Monoxide, Carbon Dioxide, and Oxygen—Automated Methods,'' for EPA Method 3A; ASTM Z6449Z, ''Standard Method for the Determination of Sulfur Dioxide in Stationary Sources,'' for EPA Method 6; ASTM Z6590Z, ''Manual Method for Both Speciated and Elemental Mercury,'' for EPA Method 29 (portion for mercury only); prEN 13211 (1998), ''Air Quality—Stationary Source Emissions—Determination of the Concentration of Total Mercury,'' for EPA Method 29 (portion for mercury only).

Table 1 of Subpart III lists the EPA testing methods included in the Federal plan emission requirements for commercial and industrial solid waste incinerators. Under 40 CFR 63.8(f) of Subpart A of the General Provisions, a source may apply to the EPA for permission to use alternative monitoring in place of any of the EPA testing methods.

J. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801, *et. seq.,* as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency adopting the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this rule in the **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 62

Environmental protection, Air pollution control, Carbon monoxide, Metals, Nitrogen dioxide, Particulate matter, Sulfur oxides, Waste treatment and disposal.

Dated: September 12, 2003.

Marianne Lamont Horinko,

Acting Administrator.

■ 40 CFR part 62 is amended as follows:

PART 62—[AMENDED]

■ 1. The authority citation for part 62 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

■ 2. Amend § 62.13 by adding paragraph (d) to read as follows:

§ 62.13 Federal plans.

* * * * *

(d) The substantive requirements of the commercial and industrial solid waste incineration units Federal plan are contained in subpart III of this part. These requirements include emission limits, compliance schedules, testing, monitoring, and reporting and recordkeeping requirements.

■ 3. Amend part 62 by adding subpart III to read as follows:

Subpart III—Federal Plan Requirements for Commercial and Industrial Solid Waste Incineration Units That Commenced Construction On or Before November 30, 1999

Introduction

Sec.
62.14500 What is the purpose of this subpart?
62.14505 What are the principal components of this subpart?

Applicability

62.14510 Am I subject to this subpart?
62.14515 Can my CISWI unit be covered by both a State plan and this subpart?
62.14520 How do I determine if my CISWI unit is covered by an approved and effective State or Tribal plan?
62.14521 If my CISWI unit is not listed in the Federal plan inventory, am I exempt from this subpart?
62.14525 Can my combustion unit be exempt from this subpart?
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Compliance Schedule and Increments of Progress

62.14535 When must I comply with this subpart if I plan to continue operation of my CISWI unit?
62.14536 What steps are required to request an extension of the initial compliance date if I plan to continue operation of my CISWI unit?
62.14540 When must I complete each increment of progress?
62.14545 What must I include in each notification of achievement of an increment of progress?
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62.14555 What if I do not meet an increment of progress?
62.14560 How do I comply with the increment of progress for submittal of a control plan?
62.14565 How do I comply with the increment of progress for achieving final compliance?
62.14570 What must I do if I plan to permanently close my CISWI unit?
62.14575 What must I do if I close my CISWI unit and then restart it?

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62.14595 What are the operator training and qualification requirements?
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62.14605 How do I obtain my operator qualification?
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62.14625 What if all the qualified operators are temporarily not accessible?

Emission Limitations and Operating Limits

62.14630 What emission limitations must I meet and by when?
62.14635 What operating limits must I meet and by when?
62.14640 What if I do not use a wet scrubber to comply with the emission limitations?
62.14645 What happens during periods of startup, shutdown, and malfunction?

Performance Testing

62.14650 How do I conduct the initial and annual performance test?
62.14655 How are the performance test data used?

Initial Compliance Requirements

62.14660 How do I demonstrate initial compliance with the emission limitations and establish the operating limits?
62.14665 By what date must I conduct the initial performance test?

Continuous Compliance Requirements

62.14670 How do I demonstrate continuous compliance with the emission limitations and the operating limits?
62.14675 By what date must I conduct the annual performance test?
62.14680 May I conduct performance testing less often?
62.14685 May I conduct a repeat performance test to establish new operating limits?

Monitoring

62.14690 What monitoring equipment must I install and what parameters must I monitor?
62.14695 Is there a minimum amount of monitoring data I must obtain?

Recordkeeping and Reporting

62.14700 What records must I keep?
62.14705 Where and in what format must I keep my records?
62.14710 What reports must I submit?
62.14715 When must I submit my waste management plan?
62.14720 What information must I submit following my initial performance test?
62.14725 When must I submit my annual report?
62.14730 What information must I include in my annual report?
62.14735 What else must I report if I have a deviation from the operating limits or the emission limitations?
62.14740 What must I include in the deviation report?
62.14745 What else must I report if I have a deviation from the requirement to have a qualified operator accessible?
62.14750 Are there any other notifications or reports that I must submit?
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Air Curtain Incinerators That Burn 100 Percent Wood Wastes, Clean Lumber and/or Yard Waste

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62.14805 What must I do if I close my air curtain incinerator and then restart it?
62.14810 What must I do if I plan to permanently close my air curtain incinerator and not restart it?
62.14815 What are the emission limitations for air curtain incinerators that burn 100 percent wood wastes, clean lumber and/or yard waste?
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Title V Requirements

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62.14835 When must I submit a title V permit application for my existing CISWI unit?

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62.13838 What authorities are withheld by the EPA Administrator?

Definitions

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Tables

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Table 2 of Subpart III of Part 62—Operating Limits for Wet Scrubbers
Table 3 of Subpart III of Part 62—Toxic Equivalency Factors
Table 4 of Subpart III of Part 62—Summary of Reporting Requirements

Introduction

§ 62.14500 What is the purpose of this subpart?

(a) This subpart establishes emission requirements and compliance schedules for the control of emissions from commercial and industrial solid waste incineration (CISWI) units that are not covered by an EPA approved and currently effective State or Tribal plan. The pollutants addressed by these emission requirements are listed in Table 1 of this subpart. These emission requirements are developed in accordance with sections 111 and 129 of the Clean Air Act and subpart B of 40 CFR part 60.

(b) In this subpart, ''you'' means the owner or operator of a CISWI unit.

§ 62.14505 What are the principal components of this subpart?

This subpart contains the eleven major components listed in paragraphs (a) through (k) of this section.

(a) Increments of progress toward compliance.

(b) Waste management plan.

(c) Operator training and qualification.

(d) Emission limitations and operating limits.

(e) Performance testing.

(f) Initial compliance requirements.

(g) Continuous compliance requirements.

(h) Monitoring.

(i) Recordkeeping and reporting.

(j) Definitions.

(k) Tables.

Applicability

§ 62.14510 Am I subject to this subpart?

(a) You are subject to this subpart if you own or operate a CISWI unit as defined in § 62.14840 and the CISWI unit meets the criteria described in paragraphs (a)(1) through (a)(3) of this section.

(1) Construction of your CISWI unit commenced on or before November 30, 1999.

(2) Your CISWI unit is not exempt under § 62.14525.

(3) Your CISWI unit is not regulated by an EPA approved and currently effective State or Tribal plan, or your CISWI unit is located in any State whose approved State or Tribal plan is subsequently vacated in whole or in part.

(b) If you made changes after June 1, 2001 that meet the definition of modification or reconstruction after promulgation of the final 40 CFR part 60 subpart CCCC (New Source Performance Standards for Commercial and Industrial Solid Waste Incineration Units), your CISWI unit is subject to subpart CCCC of 40 CFR part 60 and this subpart no longer applies to that unit.

(c) If you make physical or operational changes to your existing CISWI unit primarily to comply with this subpart, then such changes do not qualify as modifications or reconstructions under subpart CCCC of 40 CFR part 60.

§ 62.14515 Can my CISWI unit be covered by both a State plan and this subpart?

(a) If your CISWI unit is located in a State that does not have an EPA-approved State plan or your State's plan has not become effective, this subpart applies to your CISWI unit until the EPA approves a State plan that covers your CISWI unit and that State plan becomes effective. However, a State may enforce the requirements of a State regulation while your CISWI unit is still subject to this subpart.

(b) After the EPA approves a State plan covering your CISWI unit, and after that State plan becomes effective, you will no longer be subject to this subpart and will only be subject to the approved and effective State plan.

§ 62.14520 How do I determine if my CISWI unit is covered by an approved and effective State or Tribal plan?

This part (40 CFR part 62) contains a list of State and Tribal areas with approved Clean Air Act section 111(d) and section 129 plans along with the effective dates for such plans. The list is published annually. If this part does not indicate that your State or Tribal area has an approved and effective plan, you should contact your State environmental agency's air director or your EPA Regional Office to determine if the EPA has approved a State plan covering your unit since publication of the most recent version of this subpart.

§ 62.14521 If my CISWI unit is not listed in the Federal plan inventory, am I exempt from this subpart?

If a CISWI unit is not listed in the Federal plan inventory, it is not necessarily exempt from this subpart. Sources subject to this subpart are not limited to the inventory of sources listed in Docket A–2000–52 for the Federal plan. If your CISWI units meets the applicability criteria in § 62.14510, this subpart applies to you whether or not your unit is listed in the Federal plan inventory in the docket.

§ 62.14525 Can my combustion unit be exempt from this subpart?

This subpart exempts 15 types of units described in paragraphs (a) through (o) of this section from complying with the requirements of this subpart except for the requirements specified in this section and in § 62.14531.

(a) *Pathological waste incineration units.* Incineration units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste as defined in § 62.14840 are not subject to this subpart if you meet the two requirements specified in paragraphs (a)(1) and (2) of this section.

(1) Notify the Administrator that the unit meets these criteria.

(2) Keep records on a calendar quarter basis of the weight of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste burned, and the weight of all other fuels and wastes burned in the unit.

(b) *Agricultural waste incineration units.* Incineration units burning 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of agricultural wastes as defined in § 62.14840 are not subject to this subpart if you meet the two requirements specified in paragraphs (b)(1) and (2) of this section.

(1) Notify the Administrator that the unit meets these criteria.

(2) Keep records on a calendar quarter basis of the weight of agricultural waste burned, and the weight of all other fuels and wastes burned in the unit.

(c) *Municipal waste combustion units.* Incineration units that meet either of the two criteria specified in paragraphs (c)(1) or (2) of this section.

(1) Units that are regulated under subpart Ea of 40 CFR part 60 (Standards of Performance for Municipal Waste Combustors); subpart Eb of 40 CFR part 60 (Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994); subpart Cb of 40 CFR part 60 (Emission Guidelines and Compliance Times for Large Municipal Waste Combustors Constructed on or Before September 20, 1994); subpart AAAA of 40 CFR part 60 (Standards of Performance for New Stationary Sources: Small Municipal Waste Combustion Units); subpart BBBB of 40 CFR part 60 (Emission Guidelines for Existing Stationary Sources: Small Municipal Waste Combustion Units); or subpart JJJ of 40 CFR part 62 (Federal Plan Requirements for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999).

(2) Units that burn greater than 30 percent municipal solid waste or refuse-derived fuel, as defined in 40 CFR part 60 subpart Ea, subpart Eb, subpart AAAA, and subpart BBBB, and that have the capacity to burn less than 35 tons (32 megagrams) per day of municipal solid waste or refuse-derived fuel, if you meet the two requirements in paragraphs (c)(2)(i) and (ii) of this section.

(i) Notify the Administrator that the unit meets these criteria.

(ii) Keep records on a calendar quarter basis of the weight of municipal solid waste burned, and the weight of all other fuels and wastes burned in the unit.

(d) *Medical waste incineration units.* Incineration units regulated under subpart Ec of 40 CFR part 60 (Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996); 40 CFR part 60 subpart Ce (Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators); and 40 CFR part 62 subpart HHH (Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed on or before June 20, 1996).

(e) *Small power production facilities.* Units that meet the three requirements specified in paragraphs (e)(1) through (3) of this section.

(1) The unit qualifies as a small power-production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity.

(3) You notify the Administrator that the unit meets all of these criteria.

(f) *Cogeneration facilities.* Units that meet the three requirements specified in paragraphs (f)(1) through (3) of this section.

(1) The unit qualifies as a cogeneration facility under section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(3) You notify the Administrator that the unit meets all of these criteria.

(g) *Hazardous waste combustion units.* Units regulated under subpart EEE of part 63 (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors).

(h) *Materials recovery units.* Units that combust waste for the primary purpose of recovering metals, such as primary and secondary smelters.

(i) *Air curtain incinerators.* Air curtain incinerators that burn 100 percent wood waste; 100 percent clean lumber; or a 100 percent mixture of only wood waste, clean lumber, and/or yard waste; are required to meet only the requirements under ''Air Curtain Incinerators That Burn 100 Percent Wood Wastes, Clean Lumber and/or Yard Waste'' (§§ 62.14765 through 62.14825) and the title V operating permit requirements (§§ 62.14830 and 62.14835).

(j) *Cyclonic barrel burners.*

(k) *Rack, part, and drum reclamation units.*

(l) *Cement kilns.*

(m) *Sewage sludge incinerators.* Incineration units regulated under subpart O of 40 CFR part 60 (Standards of Performance for Sewage Treatment Plants).

(n) *Chemical recovery units.* Combustion units burning materials to recover chemical constituents or to produce chemical compounds where there is an existing commercial market for such recovered chemical constituents or compounds. The eight types of units described in paragraphs (n)(1) through (8) of this section are considered chemical recovery units.

(1) Units burning only pulping liquors (*i.e.*, black liquor) that are reclaimed in a pulping liquor recovery process and reused in the pulping process.

(2) Units burning only spent sulfuric acid used to produce virgin sulfuric acid.

(3) Units burning only wood or coal feedstock for the production of charcoal.

(4) Units burning only manufacturing byproduct streams/residues containing catalyst metals which are reclaimed and reused as catalysts or used to produce commercial grade catalysts.

(5) Units burning only coke to produce purified carbon monoxide that is used as an intermediate in the production of other chemical compounds.

(6) Units burning only hydrocarbon liquids or solids to produce hydrogen, carbon monoxide, synthesis gas, or other gases for use in other manufacturing processes.

(7) Units burning only photographic film to recover silver.

(8) Units granted exemptions resulting from petitions submitted under the provisions of either § 60.2025 or § 60.2558.

(o) *Laboratory units.* Units that burn samples of materials for the purpose of chemical or physical analysis.

§ 62.14530 What if I have a chemical recovery unit that is not listed in § 62.14525(n)?

If you have a recovery unit that is not listed in § 62.14525(n), you can petition the Administrator to add the unit to the list of exempted units in 40 CFR 60.2020(n) or 60.2555(n) pursuant to the requirements of 40 CFR 60.2025 or 60.2558. Units granted exemptions under 40 CFR 60.2025 or 60.2558 are exempt from the requirement of this Federal plan under § 62.14525(n)(8).

§ 62.14531 When must I submit any records required pursuant to an exemption allowed under § 62.14525?

Owners or operators of sources that qualify for the exemptions in § 62.14525(a) through (o) must submit any records required to support their claims of exemption to the EPA Administrator (or delegated enforcement authority) upon request. Upon request by any person under the regulation at part 2 of this chapter (or a comparable law or regulation governing a delegated enforcement authority), the EPA Administrator (or delegated enforcement authority) must request the records in § 62.14525(a) through (o) from an owner or operator and make such records available to the requestor to the extent required by part 2 of this chapter (or a comparable law governing a delegated enforcement authority). Any records required under § 62.14525(a) through (o) must be maintained by the source for a period of at least 5 years. Notifications of exemption claims required under § 62.14525(a) through (o) of this section must be maintained by the EPA or delegated enforcement authority for a period of at least 5 years. Any information obtained from an owner or operator of a source accompanied by a claim of confidentiality will be treated in accordance with the regulations in part 2 of this chapter (or a comparable law governing a delegated enforcement authority).

Compliance Schedule and Increments of Progress

§ 62.14535 When must I comply with this subpart if I plan to continue operation of my CISWI unit?

If you plan to continue operation of your CISWI unit, then you must follow the requirements in paragraph (a) or (b) of this section depending on when you plan to come into compliance with the requirements of this subpart.

(a) If you plan to continue operation and come into compliance with the requirements of this subpart by October 4, 2004, then you must complete the requirements of paragraphs (a)(1) through (a)(5) of this section.

(1) You must comply with the operator training and qualification requirements and inspection requirements (if applicable) of this subpart by October 4, 2004.

(2) You must submit a waste management plan no later than April 5, 2004.

(3) You must achieve final compliance by October 4, 2004. To achieve final compliance, you must incorporate all process changes and complete retrofit construction of control devices, as specified in the final control plan, so that, if the affected CISWI unit is brought online, all necessary process changes and air pollution control devices would operate as designed.

(4) You must conduct the initial performance test within 90 days after the date when you are required to achieve final compliance under paragraph (a)(3) of this section.

(5) You must submit an initial report including the results of the initial performance test no later than 60 days following the initial performance test (see §§ 62.14700 through 62.14760 for complete reporting and recordkeeping requirements).

(b) If you plan to continue operation and come into compliance with the requirements of this subpart after October 4, 2004, but before October 3, 2005 you must petition for and be granted an extension of the final compliance date specified § 62.14535(a)(3) by meeting the requirements of § 62.14536 and you must meet the requirements for increments of progress specified in § 62.14540 through § 62.14565. To achieve the final compliance increment of progress, you must complete the requirements of paragraphs (b)(1) through (b)(5) of this section.

(1) You must comply with the operator training and qualification requirements and inspection requirements (if applicable) of this subpart by October 4, 2004.

(2) You must submit a waste management plan no later than April 5, 2004.

(3) You must achieve final compliance by October 3, 2005. For the final compliance increment of progress, you must incorporate all process changes and complete retrofit construction of control devices, as specified in the final control plan, so that, when the affected CISWI unit is brought online, all necessary process changes and air pollution control devices operate as designed.

(4) You must conduct the initial performance test within 90 days after the date when you are required to achieve final compliance under paragraph (b)(3) of this section.

(5) You must submit an initial report including the result of the initial performance no later than 60 days following the initial performance test (see §§ 62.14700 through 62.14760 for complete reporting and recordkeeping requirements).

§ 62.14536 What steps are required to request an extension of the initial compliance date if I plan to continue operation of my CISWI unit?

If you plan to continue operation and want to come into compliance with the requirements of this subpart after October 4, 2004, but before October 3, 2005, then you must you must petition to the Administrator to grant you an extension by following the procedures outlined in paragraphs (a) and (b) of this section.

(a) You must submit your request for an extension to the EPA Administrator (or delegated enforcement authority) on or before December 3, 2003.

(b) Your request must include documentation of the analyses undertaken to support your need for an extension, including an explanation of why you are unable to meet the final compliance date specified in § 62.14535(a)(3) and why your requested extension date is needed to provide sufficient time for you to design, fabricate, and install the emissions control systems necessary to meet the requirements of this Subpart. A request based upon the avoidance of costs of meeting provisions of this Subpart is not acceptable and will be denied.

§ 62.14540 When must I complete each increment of progress?

If you plan to come into compliance after October 4, 2004, you must meet the two increments of progress specified in paragraphs (a) and (b) of this section.

(a) Increment 1. Submit a final control plan by April 5, 2004.

(b) Increment 2. Reach final compliance by October 3, 2005.

§ 62.14545 What must I include in each notification of achievement of an increment of progress?

Your notification of achievement of an increment of progress must include the four items specified in paragraphs (a) through (d) of this section.

(a) Notification of the date that the increment of progress has been achieved.

(b) Any items required to be submitted with each increment of progress.

(c) Signature of the owner or operator of the CISWI unit.

(d) The date you were required to complete the increment of progress.

§ 62.14550 When must I submit a notification of achievement of the first increment of progress?

Your notification for achieving the first increment of progress must be postmarked no later than April 15, 2004.

§ 62.14555 What if I do not meet an increment of progress?

Failure to meet an increment of progress is a violation of the standards under this subpart. If you fail to meet an increment of progress, you must submit a notification to the Administrator postmarked within 10 business days after the due date for that increment of progress. You must inform the Administrator that you did not meet the increment, and you must continue to submit reports each subsequent calendar month until the increment of progress is met.

§ 62.14560 How do I comply with the increment of progress for submittal of a control plan?

For your control plan increment of progress, you must satisfy the two requirements specified in paragraphs (a) and (b) of this section.

(a) Submit the final control plan that includes the six items described in paragraphs (a)(1) through (6) of this section.

(1) A description of the devices for air pollution control and process changes that you will use to comply with the emission limitations and other requirements of this subpart.

(2) The type(s) of waste to be burned.

(3) The maximum design waste burning capacity.

(4) The anticipated maximum charge rate.

(5) If applicable, the petition for site-specific operating limits under § 62.14640.

(6) A schedule that includes the date by which you will award the contracts to procure emission control equipment or related materials, initiate on-site construction, initiate on-site installation of emission control equipment, and/or incorporate process changes, and the date by which you will initiate on-site construction.

(b) Maintain an on-site copy of the final control plan.

§ 62.14565 How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must incorporate all process changes and complete retrofit construction of control devices, as specified in the final control plan, so that, when the affected CISWI unit is brought online, all necessary process changes and air pollution control devices operate as designed.

§ 62.14570 What must I do if I plan to permanently close my CISWI unit?

If you plan to permanently close your CISWI unit, then you must follow the requirements in either paragraph (a) or (b) of this section depending on when you plan to shut down.

(a) If you plan to shut down by October 4, 2004, rather that come into compliance with the complete set of requirements in this subpart, then you must shut down by October 4, 2004. In addition, while still in operation, your CISWI unit is subject to the same requirement to apply for and obtain a title V operating permit that applies to a CISWI unit that will not be permanently closing. *See* §§ 62.14830 and 62.14835.

(b) If you plan to shut down rather than come into compliance with the complete set of requirements of this subpart, but are unable to shut down by October 4, 2004, then you must petition EPA for and be granted an extension by following the procedures outlined in paragraphs (b)(1) through (5) of this section.

(1) You must submit your request for an extension to the EPA Administrator (or delegated enforcement authority) by December 3, 2003. Your request must include:

(i) Documentation of the analyses undertaken to support your need for an extension, including an explanation of why your requested extension date is sufficient time for you to shut down while October 4, 2004 does not provide sufficient time for shut down. A request based upon the avoidance of costs of meeting provisions of this subpart is not acceptable and will be denied. Your documentation must include an evaluation of the option to transport your waste offsite to a commercial or municipal waste treatment and/or disposal facility on a temporary or permanent basis; and

(ii) Documentation of incremental steps of progress, including dates for completing the increments of progress, that you will take towards shutting down. Some suggested incremental steps of progress towards shut down are provided as follows:

If you . . .	Then your increments of progress could be . . .
(A) Need an extension so you can install an onsite alternative waste treatment technology before you shut down your CISWI.	*(1)* Date when you will enter into a contract with an alternative treatment technology vendor, *(2)* Date for initiating onsite construction or installation of the alternative technology, *(3)* Date for completing onsite construction or installation of the alternative technology, and *(4)* Date for shutting down the CISWI.
(B) Need an extension so you can acquire the services of a commercial waste disposal company before you shut down your CISWI.	*(1)* Date when price quotes will be obtained from commercial disposal companies, *(2)* Date when you will enter into a contract with a commercial disposal company, and *(3)* Date for shutting down the CISWI.

(2) You must shut down no later than by October 3, 2005.

(3) You must comply with the operator training and qualification requirements and inspection requirements (if applicable) of this subpart by October 4, 2004.

(4) You must submit a legally binding closure agreement to the Administrator by April 5, 2004. The closure agreement must specify the date by which operation will cease. The closure date cannot be later than October 3, 2005.

(5) While still in operation, your CISWI unit is subject to the same requirement to apply for and obtain a title V operating permit that applies to a CISWI unit that will not be permanently closing. *See* §§ 62.14830 and 62.14835.

§ 62.14575 What must I do if I close my CISWI unit and then restart it?

If you temporarily close your CISWI unit and restart the unit for the purpose of continuing operation of your CISWI unit, then you must follow the

requirements in paragraphs (a), (b), or (c) of this section depending on when you plan to come into compliance with the requirements of this subpart. You are subject to the operating permit requirements of title V of the CAA and 40 CFR part 70 or 71 until you close your CISWI unit and at the time you restart it.

(a) If you plan to continue operation and come into compliance with the requirements of this subpart by October 4, 2004, then you must complete the requirements of § 62.14535(a).

(b) If you plan to continue operation and come into compliance with the requirements of this subpart on or before October 3, 2005, then you must complete the requirements of § 62.14535(b). You must have first requested and been granted an extension from the initial compliance date by following the requirements of § 62.14536.

(c) If you restart your CISWI unit after the October 4, 2004 and resume operation, but have not previously requested an extension by meeting all of the requirements of § 62.14536, you must meet all of the requirements of § 62.14535(a)(1) through (a)(5) at the time you restart your CISWI unit. Upon restarting your CISWI unit, you must have incorporated all process changes and completed retrofit construction of control devices so that when the affected CISWI unit is brought online, all necessary process changes and air pollution control devices operate as designed.

Waste Management Plan

§ 62.14580 What is a waste management plan?

A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste.

§ 62.14585 When must I submit my waste management plan?

You must submit a waste management plan no later than April 5, 2004.

§ 62.14590 What should I include in my waste management plan?

A waste management plan must include consideration of the reduction or separation of waste-stream elements such as paper, cardboard, plastics, glass, batteries, or metals; or the use of recyclable materials. The plan must identify any additional waste management measures, and the source must implement those measures considered practical and feasible, based on the effectiveness of waste management measures already in place, the costs of additional measures, the emissions reductions expected to be achieved, and any other environmental or energy impacts they might have.

Operator Training and Qualification

§ 62.14595 What are the operator training and qualification requirements?

(a) You must have a fully trained and qualified CISWI unit operator accessible at all times when the unit is in operation, either at your facility or able to be at your facility within one hour. The trained and qualified CISWI unit operator may operate the CISWI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified CISWI unit operators are temporarily not accessible, you must follow the procedures in § 62.14625.

(b) Operator training and qualification must be obtained through a State-approved program or by completing the requirements included in paragraph (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (c)(1) through (3) of this section.

(1) Training on the thirteen subjects listed in paragraphs (c)(1)(i) through (xiii) of this section.

(i) Environmental concerns, including types of emissions.

(ii) Basic combustion principles, including products of combustion.

(iii) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures.

(iv) Combustion controls and monitoring.

(v) Operation of air pollution control equipment and factors affecting performance (where applicable).

(vi) Inspection and maintenance of the incinerator and air pollution control devices.

(vii) Actions to correct malfunctions or conditions that may lead to malfunction.

(viii) Bottom and fly ash characteristics and handling procedures.

(ix) Applicable Federal, State, and local regulations, including Occupational Safety and Health Administration workplace standards.

(x) Pollution prevention.

(xi) Waste management practices.

(xii) Recordkeeping requirements.

(xiii) Methods to continuously monitor CISWI unit and air pollution control device operating parameters and monitoring equipment calibration procedures (where applicable).

(2) An examination designed and administered by the instructor.

(3) Written material covering the training course topics that can serve as reference material following completion of the course.

§ 62.14600 When must the operator training course be completed?

(a) The operator training course must be completed by the later of the two dates specified in paragraphs (a)(1) and (2) of this section.

(1) October 4, 2004.

(2) Six months after an employee assumes responsibility for operating the CISWI unit or assumes responsibility for supervising the operation of the CISWI unit.

(b) You must follow the requirements in § 63.14625 if all qualified operators are temporarily not accessible.

§ 62.14605 How do I obtain my operator qualification?

(a) You must obtain operator qualification by completing a training course that satisfies the criteria under § 62.14595(b) or (c).

(b) Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under § 62.14595(c)(2).

§ 62.14610 How do I maintain my operator qualification?

To maintain qualification, you must complete an annual review or refresher course of at least 4 hours covering, at a minimum, the five topics described in paragraphs (a) through (e) of this section.

(a) Update of regulations.

(b) Incinerator operation, including startup and shutdown procedures, waste charging, and ash handling.

(c) Inspection and maintenance.

(d) Responses to malfunctions or conditions that may lead to malfunction.

(e) Discussion of operating problems encountered by attendees.

§ 62.14615 How do I renew my lapsed operator qualification?

You must renew a lapsed operator qualification by one of the two methods specified in paragraphs (a) and (b) of this section.

(a) For a lapse of less than 3 years, you must complete a standard annual refresher course described in § 62.14610.

(b) For a lapse of 3 years or more, you must repeat the initial qualification requirements in § 62.14605(a).

§ 62.14620 What site-specific documentation is required?

(a) Documentation must be available at the facility and readily accessible for all CISWI unit operators that addresses the ten topics described in paragraphs (a)(1) through (10) of this section. You must maintain this information and the training records required by paragraph (c) of this section in a manner that they can be readily accessed and are suitable for inspection upon request.

(1) Summary of the applicable standards under this subpart.

(2) Procedures for receiving, handling, and charging waste.

(3) Incinerator startup, shutdown, and malfunction procedures.

(4) Procedures for maintaining proper combustion air supply levels.

(5) Procedures for operating the incinerator and associated air pollution control systems within the standards established under this subpart.

(6) Monitoring procedures for demonstrating compliance with the incinerator operating limits.

(7) Reporting and recordkeeping procedures.

(8) The waste management plan required under §§ 62.14580 through 62.14590.

(9) Procedures for handling ash.

(10) A list of the wastes burned during the performance test.

(b) You must establish a program for reviewing the information listed in paragraph (a) of this section with each employee who operates your incinerator.

(1) The initial review of the information listed in paragraph (a) of this section must be conducted by the later of the two dates specified in paragraphs (b)(1)(i) through (ii) of this section.

(i) October 4, 2004.

(ii) Two months after being assigned to operate the CISWI unit.

(2) Subsequent annual reviews of the information listed in paragraph (a) of this section must be conducted no later than 12 months following the previous review.

(c) You must also maintain the information specified in paragraphs (c)(1) through (3) of this section.

(1) Records showing the names of all plant personnel who operate your CISWI unit who have completed review of the information in § 62.14620(a) as required by § 62.14620(b), including the date of the initial review and all subsequent annual reviews.

(2) Records showing the names of all plant personnel who operate your CISWI unit who have completed the operator training requirements under § 62.14595, met the criteria for qualification under § 62.14605, and maintained or renewed their qualification under § 62.14610 or § 62.14615. Records must include documentation of training, the dates of the initial refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(3) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

§ 62.14625 What if all the qualified operators are temporarily not accessible?

If all qualified operators are temporarily not accessible (*i.e.*, not at the facility and not able to be at the facility within 1 hour), you must meet one of the two criteria specified in paragraphs (a) and (b) of this section, depending on the length of time that a qualified operator is not accessible.

(a) When all qualified operators are not accessible for more than 8 hours, but less than 2 weeks, the CISWI unit may be operated by other plant personnel familiar with the operation of the CISWI unit who have completed a review of the information specified in § 62.14620(a) within the past 12 months. However, you must record the period when all qualified operators were not accessible and include this deviation in the annual report as specified under § 62.14730.

(b) When all qualified operators are not accessible for 2 weeks or more, you must take the two actions that are described in paragraphs (b)(1) and (2) of this section.

(1) Notify the Administrator of this deviation in writing within 10 days. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible.

(2) Submit a status report to the Administrator every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible and requesting approval from the Administrator to continue operation of the CISWI unit. You must submit the first status report 4 weeks after you notify the Administrator of the deviation under paragraph (b)(1) of this section. If the Administrator notifies you that your request to continue operation of the CISWI unit is disapproved, the CISWI unit may continue operation for 90 days, then must cease operation. Operation of the unit may resume if you meet the two requirements in paragraphs (b)(2)(i) and (ii) of this section.

(i) A qualified operator is accessible as required under § 62.14595(a).

(ii) You notify the Administrator that a qualified operator is accessible and that you are resuming operation.

Emission Limitations and Operating Limits

§ 62.14630 What emission limitations must I meet and by when?

You must meet the emission limitations specified in table 1 of this subpart by the applicable final compliance date for your CISWI unit.

§ 62.14635 What operating limits must I meet and by when?

(a) If you use a wet scrubber to comply with the emission limitations, you must establish operating limits for four operating parameters (as specified in table 2 of this subpart) as described in paragraphs (a)(1) through (4) of this section during the initial performance test.

(1) Maximum charge rate, calculated using one of the two different procedures in paragraph (a)(1)(i) or (ii) of this section, as appropriate.

(i) For continuous and intermittent units, maximum charge rate is 110 percent of the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(ii) For batch units, maximum charge rate is 110 percent of the daily charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(2) Minimum pressure drop across the wet scrubber, which is calculated as 90 percent of the average pressure drop across the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations; or minimum amperage to the wet scrubber, which is calculated as 90 percent of the average amperage to the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(3) Minimum scrubber liquor flow rate, which is calculated as 90 percent of the average liquor flow rate at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(4) Minimum scrubber liquor pH, which is calculated as 90 percent of the average liquor pH at the inlet to the wet scrubber measured during the most

recent performance test demonstrating compliance with the hydrogen chloride emission limitation.

(b) You must meet the operating limits established during the initial performance test on the date the initial performance test is required or completed (whichever is earlier).

(c) If you use a fabric filter to comply with the emission limitations, you must operate each fabric filter system such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during any 6-month period. In calculating this operating time percentage, if inspection of the fabric filter demonstrates that no corrective action is required, no alarm time is counted. If corrective action is required, each alarm shall be counted as a minimum of 1 hour. If you take longer than 1 hour to initiate corrective action, the alarm time shall be counted as the actual amount of time taken by you to initiate corrective action.

§ 62.14640 What if I do not use a wet scrubber to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber, or limit emissions in some other manner, to comply with the emission limitations under § 62.14630, you must petition the Administrator for specific operating limits to be established during the initial performance test and continuously monitored thereafter. You must not conduct the initial performance test until after the petition has been approved by the Administrator. Your petition must include the five items listed in paragraphs (a) through (e) of this section.

(a) Identification of the specific parameters you propose to use as additional operating limits.

(b) A discussion of the relationship between these parameters and emissions of regulated pollutants, identifying how emissions of regulated pollutants change with changes in these parameters, and how limits on these parameters will serve to limit emissions of regulated pollutants.

(c) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the operating limits on these parameters.

(d) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments.

(e) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

§ 62.14645 What happens during periods of startup, shutdown, and malfunction?

(a) The emission limitations and operating limits apply at all times except during periods of CISWI unit startup, shutdown, or malfunction as defined in § 62.14840.

(b) Each malfunction must last no longer than 3 hours.

Performance Testing

§ 62.14650 How do I conduct the initial and annual performance test?

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

(b) You must document that the waste burned during the performance test is representative of the waste burned under normal operating conditions by maintaining a log of the quantity of waste burned (as required in § 62.14700(b)(1)) and the types of waste burned during the performance test.

(c) All performance tests must be conducted using the minimum run duration specified in Table 1 of this subpart.

(d) Method 1 of 40 CFR part 60, Appendix A must be used to select the sampling location and number of traverse points.

(e) Method 3A or 3B of 40 CFR part 60, Appendix A must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B of 40 CFR part 60, Appendix A must be used simultaneously with each method.

(f) All pollutant concentrations, except for opacity, must be adjusted to 7 percent oxygen using Equation 1 of this section:

$$C_{adj} = C_{meas} (20.9 - 7)/(20.9 - \%O_2) \quad \text{(Eq. 1)}$$

Where:

C_{adj} = pollutant concentration adjusted to 7 percent oxygen;

C_{meas} = pollutant concentration measured on a dry basis;

$(20.9 - 7)$ = 20.9 percent oxygen − 7 percent oxygen (defined oxygen correction basis);

20.9 = oxygen concentration in air, percent; and

$\%O_2$ = oxygen concentration measured on a dry basis, percent.

(g) You must determine dioxins/furans toxic equivalency by following the procedures in paragraphs (g)(1) through (3) of this section.

(1) Measure the concentration of each dioxin/furan tetra- through octa-congener emitted using EPA Method 23.

(2) For each dioxin/furan congener measured in accordance with paragraph (g)(1) of this section, multiply the congener concentration by its corresponding toxic equivalency factor specified in Table 3 of this subpart.

(3) Sum the products calculated in accordance with paragraph (g)(2) of this section to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

§ 62.14655 How are the performance test data used?

You use results of performance tests to demonstrate compliance with the emission limitations in Table 1 of this subpart.

Initial Compliance Requirements

§ 62.14660 How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

You must conduct an initial performance test, as required under 40 CFR 60.8, to determine compliance with the emission limitations in Table 1 of this subpart and to establish operating limits using the procedure in § 62.14635 or § 62.14640. The initial performance test must be conducted using the test methods listed in table 1 of this subpart and the procedures in § 62.14650.

§ 62.14665 By what date must I conduct the initial performance test?

The initial performance test must be conducted no later than 90 days after your final compliance date.

Continuous Compliance Requirements

§ 62.14670 How do I demonstrate continuous compliance with the emission limitations and the operating limits?

(a) You must conduct an annual performance test for particulate matter, hydrogen chloride, and opacity for each CISWI unit as required under 40 CFR 60.8 to determine compliance with the emission limitations. The annual performance test must be conducted using the test methods listed in table 1 of this subpart and the procedures in § 62.14650.

(b) You must continuously monitor the operating parameters specified in § 62.14635 or established under § 62.14640. Operation above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. Three-hour rolling average values are used to determine compliance (except for baghouse leak detection system alarms) unless a different averaging period is established under § 62.14640. Operating limits do not apply during performance tests.

(c) You must only burn the same types of waste used to establish operating limits during the performance test.

§ 62.14675 By what date must I conduct the annual performance test?

You must conduct annual performance tests for particulate matter, hydrogen chloride, and opacity within 12 months following the initial performance test. Conduct subsequent annual performance tests within 12 months following the previous one.

§ 62.14680 May I conduct performance testing less often?

(a) You can test less often for a given pollutant if you have test data for at least 3 years, and all performance tests for the pollutant (particulate matter, hydrogen chloride, or opacity) over 3 consecutive years show that you comply with the emission limitation. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the third year and no later than 36 months following the previous performance test.

(b) If your CISWI unit continues to meet the emission limitation for particulate matter, hydrogen chloride, or opacity, you may choose to conduct performance tests for these pollutants every third year, but each test must be within 36 months of the previous performance test.

(c) If a performance test shows a deviation from an emission limitation for particulate matter, hydrogen chloride, or opacity, you must conduct annual performance tests for that pollutant until all performance tests over a 3-year period show compliance.

§ 62.14685 May I conduct a repeat performance test to establish new operating limits?

(a) Yes. You may conduct a repeat performance test at any time to establish new values for the operating limits. The Administrator may request a repeat performance test at any time.

(b) You must repeat the performance test if your feed stream is different than the feed streams used during any performance test used to demonstrate compliance.

Monitoring

§ 62.14690 What monitoring equipment must I install and what parameters must I monitor?

(a) If you are using a wet scrubber to comply with the emission limitation under § 62.14630, you must install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in table 2 of this subpart. These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in table 2 of this subpart at all times except as specified in § 62.14695(a).

(b) If you use a fabric filter to comply with the requirements of this subpart, you must install, calibrate, maintain, and continuously operate a bag leak detection system as specified in paragraphs (b)(1) through (8) of this section.

(1) You must install and operate a bag leak detection system for each exhaust stack of the fabric filter.

(2) Each bag leak detection system must be installed, operated, calibrated, and maintained in a manner consistent with the manufacturer's written specifications and recommendations.

(3) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 10 milligrams per actual cubic meter or less.

(4) The bag leak detection system sensor must provide output of relative or absolute particulate matter loadings.

(5) The bag leak detection system must be equipped with a device to continuously record the output signal from the sensor.

(6) The bag leak detection system must be equipped with an alarm system that will sound automatically when an increase in relative particulate matter emissions over a preset level is detected. The alarm must be located where it is easily heard by plant operating personnel.

(7) For positive pressure fabric filter systems, a bag leak detection system must be installed in each baghouse compartment or cell. For negative pressure or induced air fabric filters, the bag leak detector must be installed downstream of the fabric filter.

(8) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(c) If you are using an emission control system other than a wet scrubber to comply with the emission limitations under § 62.14630, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in § 62.14640.

§ 62.14695 Is there a minimum amount of monitoring data I must obtain?

(a) Except for monitoring malfunctions, associated repairs, and required quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments of the monitoring system), you must conduct all monitoring at all times the CISWI unit is operating.

(b) Do not use data recorded during monitor malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this subpart, including data averages and calculations. You must use all the data collected during all other periods in assessing compliance with the operating limits.

Recordkeeping and Reporting

§ 62.14700 What records must I keep?

You must maintain the 13 items (as applicable) as specified in paragraphs (a) through (m) of this section for a period of at least 5 years:

(a) Calendar date of each record.

(b) Records of the data described in paragraphs (b)(1) through (6) of this section:

(1) The CISWI unit charge dates, times, weights, and hourly charge rates.

(2) Liquor flow rate to the wet scrubber inlet every 15 minutes of operation, as applicable.

(3) Pressure drop across the wet scrubber system every 15 minutes of operation or amperage to the wet scrubber every 15 minutes of operation, as applicable.

(4) Liquor pH as introduced to the wet scrubber every 15 minutes of operation, as applicable.

(5) For affected CISWI units that establish operating limits for controls other than wet scrubbers under § 62.14640, you must maintain data collected for all operating parameters used to determine compliance with the operating limits.

(6) If a fabric filter is used to comply with the emission limitations, you must record the date, time, and duration of each alarm and the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective action taken. You must also record the percent of operating time during each 6-month period that the alarm sounds, calculated as specified in § 62.14635(c).

(c) Identification of calendar dates and times for which monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (except for downtime

associated with zero and span and other routine calibration checks). Identify the operating parameters not measured, the duration, reasons for not obtaining the data, and a description of corrective actions taken.

(d) Identification of calendar dates, times, and durations of malfunctions, and a description of the malfunction and the corrective action taken.

(e) Identification of calendar dates and times for which data show a deviation from the operating limits in table 2 of this subpart or a deviation from other operating limits established under § 62.14640 with a description of the deviations, reasons for such deviations, and a description of corrective actions taken.

(f) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations.

(g) Records showing the names of CISWI unit operators who have completed review of the information in § 62.14620(a) as required by § 62.14620(b), including the date of the initial review and all subsequent annual reviews.

(h) Records showing the names of the CISWI operators who have completed the operator training requirements under § 62.14595, met the criteria for qualification under § 62.14605, and maintained or renewed their qualification under § 62.14610 or § 62.14615. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(i) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

(j) Records of calibration of any monitoring devices as required under § 62.14690.

(k) Equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment.

(l) The information listed in § 62.14620(a).

(m) On a daily basis, keep a log of the quantity of waste burned and the types of waste burned (always required).

§ 62.14705 Where and in what format must I keep my records?

All records must be available onsite in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the Administrator.

§ 62.14710 What reports must I submit?

See table 4 of this subpart for a summary of the reporting requirements.

§ 62.14715 When must I submit my waste management plan?

You must submit the waste management plan no later than April 5, 2004.

§ 62.14720 What information must I submit following my initial performance test?

You must submit the information specified in paragraphs (a) through (c) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager.

(a) The complete test report for the initial performance test results obtained under § 62.14660, as applicable.

(b) The values for the site-specific operating limits established in § 62.14635 or § 62.14640.

(c) If you are using a fabric filter to comply with the emission limitations, documentation that a bag leak detection system has been installed and is being operated, calibrated, and maintained as required by § 62.14690(b).

§ 62.14725 When must I submit my annual report?

You must submit an annual report no later than 12 months following the submission of the information in § 62.14720. You must submit subsequent reports no more than 12 months following the previous report. As with all other requirements in this subpart, the requirement to submit an annual report does not modify or replace the operating permit requirements of 40 CFR parts 70 and 71.

§ 62.14730 What information must I include in my annual report?

The annual report required under § 62.14725 must include the ten items listed in paragraphs (a) through (j) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§ 62.14735, 62.14740, and 62.14745.

(a) Company name and address.

(b) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(c) Date of report and beginning and ending dates of the reporting period.

(d) The values for the operating limits established pursuant to § 62.14635 or § 62.14640.

(e) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the operating limits was inoperative, inactive, malfunctioning or out of control.

(f) The highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(g) Information recorded under § 62.14700(b)(6) and (c) through (e) for the calendar year being reported.

(h) If a performance test was conducted during the reporting period, the results of that test.

(i) If you met the requirements of § 62.14680(a) or (b), and did not conduct a performance test during the reporting period, you must state that you met the requirements of § 62.14680(a) or (b), and, therefore, you were not required to conduct a performance test during the reporting period.

(j) Documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours, but less than 2 weeks.

§ 62.14735 What else must I report if I have a deviation from the operating limits or the emission limitations?

(a) You must submit a deviation report if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit established under this subpart, if the bag leak detection system alarm sounds for more than 5 percent of the operating time for any 6-month reporting period, or if a performance test was conducted that yielded results that deviated from any emission limitation.

(b) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

§ 62.14740 What must I include in the deviation report?

In each report required under § 62.14735, for any pollutant or parameter that deviated from the emission limitations or operating limits specified in this subpart, include the six items described in paragraphs (a) through (f) of this section.

(a) The calendar dates and times your unit deviated from the emission limitations or operating limit requirements.

(b) The averaged and recorded data for those dates.

(c) Duration and causes of each deviation from the emission limitations or operating limits and your corrective actions.

(d) A copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels.

(e) The dates, times, number, duration, and causes for monitoring downtime incidents (other than downtime associated with zero, span, and other routine calibration checks).

(f) Whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.

§ 62.14745 What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

(a) If all qualified operators are not accessible for two weeks or more, you must take the two actions in paragraphs (a)(1) and (2) of this section.

(1) Within 10 days of each deviation, you must submit a notification that includes the three items in paragraphs (a)(1)(i) through (iii) of this section.

(i) A statement of what caused the deviation.

(ii) A description of what you are doing to ensure that a qualified operator is accessible.

(iii) The date when you anticipate that a qualified operator will be available.

(2) Submit a status report to the Administrator every 4 weeks that includes the three items in paragraphs (a)(2)(i) through (iii) of this section.

(i) A description of what you are doing to ensure that a qualified operator is accessible.

(ii) The date when you anticipate that a qualified operator will be accessible.

(iii) Request approval from the Administrator to continue operation of the CISWI unit.

(b) If your unit was shut down by the Administrator, under the provisions of § 62.14625(b)(2), due to a failure to provide an accessible qualified operator, you must notify the Administrator that you are resuming operation once a qualified operator is accessible.

§ 62.14750 Are there any other notifications or reports that I must submit?

You must submit notifications as provided by 40 CFR 60.7.

§ 62.14755 In what form can I submit my reports?

Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates.

§ 62.14760 Can reporting dates be changed?

If the Administrator agrees, you may change the semiannual or annual reporting dates. See 40 CFR 60.19(c) for procedures to seek approval to change your reporting date.

Air Curtain Incinerators That Burn 100 Percent Wood Wastes, Clean Lumber and/or Yard Waste

§ 62.14765 What is an air curtain incinerator?

An air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are different from conventional combustion devices which typically have enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

§ 62.14770 When must I achieve final compliance?

If you plan to continue operating, then you must achieve final compliance by October October 4, 2004. It is unlawful for your air curtain incinerator to operate after October 4, 2004 if you have not achieved final compliance. An air curtain incinerator that continues to operate after October 4, 2004 without being in compliance is subject to penalties.

§ 62.14795 How do I achieve final compliance?

For the final compliance, you must complete all equipment changes and retrofit installation control devices so that, when the affected air curtain incinerator is placed into service, all necessary equipment and air pollution control devices operate as designed and meet the opacity limits of § 62.14815.

§ 62.14805 What must I do if I close my air curtain incinerator and then restart it?

(a) If you close your incinerator but will reopen it prior to the final compliance date in this subpart, you must achieve final compliance by October 4, 2004.

(b) If you close your incinerator but will restart it after October 4, 2004, you must have completed any needed emission control retrofits and meet the opacity limits of § 62.14815 on the date your incinerator restarts operation.

(c) You are subject to the operating permit requirements of title V of the CAA and 40 CFR part 70 or 71 until you close your air curtain incinerator and at the time you restart it.

§ 62.14810 What must I do if I plan to permanently close my air curtain incinerator and not restart it?

If you plan to permanently close your incinerator rather than comply with this subpart, you must submit a closure notification, including the date of closure, to the Administrator by March 31, 2004. In addition, while still in operation, your air curtain incinerator is subject to the same requirement to apply for and obtain a title V operating permit that applies to an air curtain incinerator that will not be permanently closing.

§ 62.14815 What are the emission limitations for air curtain incinerators that burn 100 percent wood wastes, clean lumber and/or yard waste?

(a) After the date the initial test for opacity is required or completed (whichever is earlier), you must meet the limitations in paragraphs (a)(1) and (2) of this section.

(1) The opacity limitation is 10 percent (6-minute average), except as described in paragraph (a)(2) of this section.

(2) The opacity limitation is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) Except during malfunctions, the requirements of this subpart apply at all times, and each malfunction must not exceed 3 hours.

§ 62.14820 How must I monitor opacity for air curtain incinerators that burn 100 percent wood wastes, clean lumber, and/or yard waste?

(a) Use Method 9 of 40 CFR part 60, Appendix A to determine compliance with the opacity limitation.

(b) Conduct an initial test for opacity as specified in § 60.8 no later than January 2, 2005.

(c) After the initial test for opacity, conduct annual tests no more than 12 calendar months following the date of your previous test.

§ 62.14825 What are the recordkeeping and reporting requirements for air curtain incinerators that burn 100 percent wood wastes, clean lumber, and/or yard waste?

(a) Keep records of results of all initial and annual opacity tests onsite in either paper copy or electronic format, unless the Administrator approves another format, for at least 5 years.

(b) Make all records available for submittal to the Administrator or for an inspector's onsite review.

(c) Submit an initial report no later than 60 days following the initial opacity test that includes the information specified in paragraphs (c)(1) and (2) of this section.

(1) The types of materials you plan to combust in your air curtain incinerator.

(2) The results (each 6-minute average) of the initial opacity tests.

(d) Submit annual opacity test results within 12 months following the previous report.

(e) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date and keep a copy onsite for a period of five years.

Title V Requirements

§ 62.14830 Does this subpart require me to obtain an operating permit under title V of the Clean Air Act?

If you are subject to this subpart, you are required to apply for and obtain a title V operating permit unless you meet the relevant requirements specified in 40 CFR 62.14525(a) through (h) and (j) through (o) and all of the requirements specified in 40 CFR 62.14531.

§ 62.14835 When must I submit a title V permit application for my existing CISWI unit?

(a) If your existing CISWI unit is not subject to an earlier permit application deadline, a complete title V permit application must be submitted not later than the date 36 months after promulgation of 40 CFR Part 60, subpart DDDD (December 1, 2003), or by the effective date of the applicable State, Tribal, or Federal operating permits program, whichever is later. For any existing CISWI unit not subject to an earlier application deadline, this final application deadline applies regardless of when this Federal plan is effective, or when the relevant State or Tribal section 111(d)/129 plan is approved by the EPA and becomes effective. See sections 129(e), 503(c), 503(d), and 502(a) of the Clean Air Act.

(b) A ''complete'' title V permit application is one that has been determined or deemed complete by the relevant permitting authority under section 503(d) of the Clean Air Act and 40 CFR 70.5(a)(2) or 71.5(a)(2). You must submit a complete permit application by the relevant application deadline in order to operate after this date in compliance with Federal law. See sections 503(d) and 502(a) of the Clean Air Act; 40 CFR 70.7(b) and 71.7(b).

Delegation of Authority

§ 62.14838 What authorities are withheld by the EPA Administrator?

The following authorities are withheld by the EPA Administrator and not transferred to the State or Tribe:

(a) Approval of alternatives to the emission limitations in table 1 of this subpart and operating limits established under § 62.14635 and table 2 of this subpart.

(b) Approval of petitions submitted pursuant to the requirements of § 62.14640 establishing operating parameters when using controls other than a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and a wet scrubber.

(c) Approval of major alternatives to test methods established under § 62.14650 and table 1 of this subpart.

(d) Approval of major alternatives to monitoring requirements established under § 62.14690, § 62.14605 and table 2 of this subpart.

(e) Approval of major alternatives to recordkeeping and reporting requirements of this subpart.

(f) Approval of petitions submitted pursuant to the requirements of § 62.14530 establishing requirements for petitions and approvals of exemptions for chemical recovery units included in § 62.14525(n).

(g) Approval of requests submitted pursuant to the requirements in § 62.14625(b)(2).

Definitions

§ 62.14840 What definitions must I know?

Terms used but not defined in this subpart are defined in the Clean Air Act, subparts A and B of part 60 and subpart A of this part 62.

Administrator means the Administrator of the U.S. Environmental Protection Agency or his/her authorized representative or Administrator of a State Air Pollution Control Agency.

Agricultural waste means vegetative agricultural materials such as nut and grain hulls and chaff (*e.g.,* almond, walnut, peanut, rice, and wheat), bagasse, orchard prunings, corn stalks, coffee bean hulls and grounds, and other vegetative waste materials generated as a result of agricultural operations.

Air curtain incinerator means an incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are different from conventional combustion devices which typically have enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

Auxiliary fuel means natural gas, liquified petroleum gas, fuel oil, or diesel fuel.

Bag leak detection system means an instrument that is capable of monitoring particulate matter loadings in the exhaust of a fabric filter (*i.e.,* baghouse) in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, light transmittance, or other principle to monitor relative particulate matter loadings.

Calendar quarter means 3 consecutive months (non-overlapping) beginning on: January 1, April 1, July 1, or October 1.

Calendar year means 365 consecutive days starting on January 1 and ending on December 31.

Chemotherapeutic waste means waste material resulting from the production or use of antineoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

Clean lumber means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

Commercial and industrial solid waste incineration (CISWI) unit means any combustion device that combusts commercial and industrial waste, as defined in this subpart. The boundaries of a CISWI unit are defined as, but not limited to, the commercial or industrial solid waste fuel feed system, grate system, flue gas system, and bottom ash. The CISWI unit does not include air pollution control equipment or the stack. The CISWI unit boundary starts at the commercial and industrial solid waste hopper (if applicable) and extends through two areas:

(1) The combustion unit flue gas system, which ends immediately after the last combustion chamber.

(2) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

Commercial and industrial waste, for the purposes of this subpart, means solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field-erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility.

Contained gaseous material means gases that are in a container when that container is combusted.

Cyclonic barrel burner means a combustion device for waste materials that is attached to a 55 gallon, open-

head drum. The device consists of a lid, which fits onto and encloses the drum, and a blower that forces combustion air into the drum in a cyclonic manner to enhance the mixing of waste material and air.

Deviation means any instance in which an affected source subject to this subpart, or an owner or operator of such a source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any affected source required to obtain such a permit; or

(3) Fails to meet any emission limitation, operating limit, or operator qualification and accessibility requirement in this subpart during startup, shutdown, or malfunction, regardless or whether or not such failure is permitted by this subpart.

Dioxins/furans means tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

Discard means, for purposes of this subpart and 40 CFR part 60, subpart DDDD, only, burned in an incineration unit without energy recovery.

Drum reclamation unit means a unit that burns residues out of drums (*e.g.,* 55 gallon drums) so that the drums can be reused.

Energy recovery means the process of recovering thermal energy from combustion for useful purposes such as steam generation or process heating.

Fabric filter means an add-on air pollution control device used to capture particulate matter by filtering gas streams through filter media, also known as a baghouse.

Low-level radioactive waste means waste material which contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable Federal or State standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or by-product material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

Modification or *modified CISWI unit* means a CISWI unit you have changed later than promulgation of the final CISWI emission guidelines in 40 CFR part 60, subpart DDDD and that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including the cost of land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.

(2) Any physical change in the CISWI unit or change in the method of operating it that increases the amount of any air pollutant emitted for which section 129 or section 111 of the Clean Air Act has established standards.

Particulate matter means total particulate matter emitted from CISWI units as measured by Method 5 or Method 29 of 40 CFR part 60, Appendix A.

Parts reclamation unit means a unit that burns coatings off parts (*e.g.,* tools, equipment) so that the parts can be reconditioned and reused.

Pathological waste means waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

Rack reclamation unit means a unit that burns the coatings off racks used to hold small items for application of a coating. The unit burns the coating overspray off the rack so the rack can be reused.

Reconstruction means rebuilding a CISWI unit and meeting two criteria:

(1) The reconstruction begins on or after promulgation of the final CISWI emission guidelines in 40 CFR part 60, subpart DDDD.

(2) The cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.

Refuse-derived fuel means a type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(1) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(2) Pelletized refuse-derived fuel.

Shutdown means the period of time after all waste has been combusted in the primary chamber.

Solid waste means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended (86 Stat. 880), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923). For purposes of this subpart and 40 CFR part 60, subpart DDDD, only, solid waste does not include the waste burned in the fifteen types of units described in 40 CFR 60.2555 of subpart DDDD and § 62.14525 of this subpart.

Standard conditions, when referring to units of measure, means a temperature of 68 °F (20 °C) and a pressure of 1 atmosphere (101.3 kilopascals).

Startup period means the period of time between the Activation of the system and the first charge to the unit.

Tribal plan means a plan submitted by a Tribal Authority pursuant to 40 CFR parts 9, 35, 49, 50, and 81 that implements and enforces 40 CFR part 60, subpart DDDD.

Wet scrubber means an add-on air pollution control device that utilizes an aqueous or alkaline scrubbing liquor to collect particulate matter (including non-vaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

Wood waste means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

(1) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

(2) Construction, renovation, or demolition wastes.

(3) Clean lumber.

Yard waste means grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from

residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

TABLE 1 OF SUBPART III OF PART 62.—EMISSION LIMITATIONS

For the air pollutant	You must meet this emission limitation [a]	Using this averaging time	And determining compliance using this method
Cadmium	0.004 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of part 60).
Carbon monoxide	157 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Method 10, 10A, or 10B, of appendix A of part 60).
Dioxins/furans (toxic equivalency basis).	0.41 nanograms per dry standard cubic meter.	3-run average (4 hour minimum sample time per run).	Performance test (Method 23 of appendix A of part 60).
Hydrogen chloride	62 parts per million by dry volume	3-run average (1 hour minimum sample time per run).	Performance test (Method 26A of appendix A of part 60).
Lead	0.04 milligrams per dry standard cubic meter.	3-run (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of part 60).
Mercury	0.47 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 29 of appendix A of part 60).
Opacity	10 percent	6-minute averages	Performance test (Method 9 of appendix A of part 60).
Oxides of nitrogen	388 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Performance test (Methods 7, 7A, 7C, 7D, or 7E of appendix A of part 60).
Particulate matter	70 milligrams per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Performance test (Method 5 or 29 of appendix A of part 60).
Sulfur dioxide	20 parts per million by dry volume	3-run average (1 hour minimum sample time per run).	Performance test (Method 6 or 6c of appendix A of part 60).

[a] All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions.

TABLE 2 OF SUBPART III OF PART 62.—OPERATING LIMITS FOR WET SCRUBBERS

For these operating parameters	You must establish these operating limits	And monitor using these minimum frequencies		
		Data measurement	Data recording	Averaging time
Charge rate	Maximum charge rate	Continuous	Every hour	1. Daily (batch units) 2. 3-hour rolling (continuous and intermittent units) [a]
Pressure drop across the wet scrubber or amperage to wet scrubber.	Minimum pressure drop or amperage.	Continuous	Every 15 minutes	3-hour rolling [a]
Scrubber liquor flow rate	Minimum flow rate	Continuous	Every 15 minutes	3-hour rolling [a]
Scrubber liquor pH	Minimum pH	Continuous	Every 15 minutes	3-hour rolling [a]

[a] Calculated each hour as the average of the previous 3 operating hours.

TABLE 3 OF SUBPART III OF PART 62.—TOXIC EQUIVALENCY FACTORS

Dioxin/furan congener	Toxic equivalency factor
A. 2,3,7,8-tetrachlorinated dibenzo-p-dioxin	1
B. 12,3,7,8-pentachlorinated dibenzo-p-dioxin	0.5
C. 1,2,3,4,7,8-hexachlorinated dibenzo-p-dioxin	0.1
D. 1,2,3,7,8,9-hexachlorinated dibenzo-p-dioxin	0.1
E. 12,3,6,7,8-hexachlorinated dibenzo-p-dioxin	0.1
F. 1,2,3,4,6,7,8-heptachlorinated dibenzo-p-dioxin	0.01
G. 0ctachlorinated dibenzo-p-dioxin	0.001
H. 2,3,7,8-tetrachlorinated dibenzofuran	0.1
I. 2,3,4,7,8-pentachlorinated dibenzofuran	0.5
J. 1,2,3,7,8-pentachlorinated dibenzofuran	0.05
K. 1,2,3,4,7,8-hexachlorinated dibenzofuran	0.1
L. 1,2,3,6,7,8-hexachlorinated dibenzofuran	0.1
M. 1,2,3,7,8,9-hexachlorinated dibenzofuran	0.1
N. 2,3,4,6,7,8-hexachlorinated dibenzofuran	0.1
O. 1,2,3,4,6,7,8-heptachlorinated dibenzofuran	0.01
P. 1,2,3,4,7,8,9-heptachlorinated dibenzofuran	0.01
Q. 0ctachlorinated dibenzofuran	0.001

TABLE 4 OF SUBPART III—SUMMARY OF REPORTING REQUIREMENTS [A]

Report	Due date	Contents	Reference
A. Waste Management Plan	No later than April 5, 2004	Waste management plan	§ 62.14715.
B. Initial Test Report	No later than 60 days following the initial performance test.	1. Complete test report for the initial performance test. 2. The values for the site-specific operating limits. 3. Installation of bag leak detection systems for fabric filters.	§ 62.14720.
C. Annual report	No later than 12 months following the submission of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report.	1. Name and address 2. Statement and signature by responsible official. 3. Date of report. 4. Values for the operating limits. 5. If no deviations or malfunctions were reported, a statement that no deviations occurred during the reporting period. 6. Highest recorded 3-hour average and the lowest 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported 7. Information for deviations or malfunctions recorded under § 62.14700(b)(6) and (c) through (e). 8. If a performance test was conducted during the reporting period, the results of the test. 9. If a performance test was not conducted during the reporting period, a statement that the requirements of § 62.14680(a) or (b) were met. 10. Documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours but less than 2 weeks.	§§ 62.14725 and 62.14730. Subsequent reports are to be submitted no more than 12 months following the previous report.
D. Emission Limitation or Operating Limit Deviation Report.	By August 1 of that year for data collected during the first half of the calendar year. By February 1 of the following year for data collected during the second half of the calendar year.	1. Dates and times of deviations 2. Averaged and recorded data for these dates. 3. Duration and causes for each deviation and the corrective actions taken. 4. Copy of operating limit monitoring data and any test reports. 5. Dates, times, and causes for monitor downtime incidents. 6. Whether each deviation occurred during a period of startup, shutdown, or malfunction.	§§ 62.14735 and 62.14740.
E. Qualified Operator Deviation Notification.	Within 10 days of deviation	1. Statement of cause of deviation. 2. Description of efforts to have an accessible qualified operator. 3. The date a qualified operator will be accessible.	§ 62.14745(a)(1).
F. Qualified Operator Deviation Status Report.	Every 4 weeks following deviation.	1. Description of efforts to have an accessible qualified operator. 2. The date a qualified operator will be accessible. 3. Request for approval to continue operation.	§ 62.14745(a)(2).
G. Qualified Operator Deviation Notification of Resumed Operation.	Prior to resuming operation	Notification that you are resuming operation.	§ 62.14745(b).

[a] This table is only a summary, see the referenced sections of the rule for the complete requirements.

[FR Doc. 03–24004 Filed 10–2–03; 8:45 am]

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Federal Register

Monday,
December 18, 2006

Part II

Environmental Protection Agency

40 CFR Part 62

Federal Plan Requirements for Other Solid Waste Incineration Units Constructed on or Before December 9, 2004; Proposed Rule

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[EPA–HQ–OAR–2006–0364; FRL–8254–9]

RIN 2060–AN43

Federal Plan Requirements for Other Solid Waste Incineration Units Constructed on or Before December 9, 2004

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: On December 16, 2005, the EPA promulgated emission guidelines (EG) for existing ''other'' solid waste incineration (OSWI) units. Sections 111 and 129 of the Clean Air Act (CAA) require States with existing OSWI units subject to the EG to submit plans to the EPA that implement and enforce the emission guidelines. Indian Tribes may submit, but are not required to submit, Tribal plans to implement and enforce the EG in Indian country. State plans are due from States with OSWI units subject to the EG on December 16, 2006. If a State or Tribe with existing OSWI units does not submit an approvable plan, sections 111(d) and 129 of the CAA require the EPA to develop, implement, and enforce a Federal plan for OSWI units located in that State or Tribal area within 2 years after promulgation of the EG (December 16, 2007). This action proposes a Federal plan to implement EG for OSWI units located in States and Indian country without effective State or Tribal plans. On the effective date of an approved State or Tribal plan, the Federal plan would no longer apply to OSWI units covered by the State or Tribal plan.

DATES: Comments must be received on or before February 16, 2007.

Public Hearing. If anyone contacts EPA by January 8, 2007 requesting to speak at a public hearing, EPA will hold a public hearing on January 22, 2007. If you are interested in attending the public hearing, contact Ms. Dorothy Apple at (919) 541–4487 to verify that a hearing will be held.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–HQ–OAR–2006–0364, by one of the following methods:

Web site: http://www.regulations.gov. Follow the on-line instructions for submitting comments.

E-mail: Send your comments via electronic mail to *a-and-r-docket@epa.gov.* Attention: Docket ID No. EPA–HQ–OAR–2006–0364.

Mail: Send your comments to: EPA Docket Center (EPA/DC), Environmental Protection Agency, Mailcode: 6102T, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Attention Docket ID No. EPA–HQ–OAR–2006–0364. Please include a total of two copies. The EPA requests a separate copy also be sent to the contact person identified below (see **FOR FURTHER INFORMATION CONTACT**).

Hand Delivery: EPA Docket Center (EPA/DC), EPA West Building, Room B108, 1301 Constitution Ave., NW., Washington, DC, 20460, Attention Docket ID No. EPA–HQ–OAR–2006–0364. Such deliveries are accepted only during the normal hours of operation (8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays), and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA–HQ–OAR–2006–0364. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *http://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *http://www.regulations.gov* or e-mail. The *http://www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through *http://www.regulations.gov,* your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Public Hearing: If a public hearing is held, it will be held at EPA's Campus located at 109 T.W. Alexander Drive in Research Triangle Park, NC, or an alternate site nearby.

Docket: All documents in the docket are listed in the *http://www.regulations.gov* index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy. Publicly available docket materials are available either electronically at *http://www.regulations.gov* or in hard copy at the EPA Docket Center (EPA/DC), EPA West Building, Room B102, 1301 Constitution Ave., NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566–1744, and the telephone number for the EPA Docket Center is (202) 566–1742.

Note: The EPA Docket Center suffered damage due to flooding during the last week of June 2006. The Docket Center is continuing to operate. However, during the cleanup, there will be temporary changes to Docket Center telephone numbers, addresses, and hours of operation for people who wish to make hand deliveries or visit the Public Reading Room to view documents. Consult EPA's **Federal Register** notice at 71 FR 38147 (July 5, 2006) or the EPA Web site at *http://www.epa.gov/epahome/dockets.htm* for current information on docket operations, locations, and telephone numbers. The Docket Center's mailing address for U.S. mail and the procedure for submitting comments to *www.regulations.gov* are not affected by the flooding and will remain the same.

FOR FURTHER INFORMATION CONTACT: For information concerning specific aspects of this proposal, contact Ms. Martha Smith, Natural Resources and Commerce Group, Sector Policies and Programs Division (E143–03), U.S. EPA, Research Triangle Park, North Carolina 27711; telephone number: (919) 541–2421; e-mail address: *smith.martha@epa.gov.* For technical information, contact Ms. Mary Johnson, Energy Strategies Group, Sector Policies Program Division (D243–01), U.S. EPA, Research Triangle Park, NC 27711; telephone number: (919) 541–5025; e-mail address: *johnson.mary@epa.gov.*

SUPPLEMENTARY INFORMATION:

Organization of This Document. The following outline is provided to aid in locating information in this preamble.

I. General Information
  A. Does this action apply to me?
  B. What should I consider as I prepare my comments for EPA?
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  A. What is the regulatory development background for this proposed rule?
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B. Does the Federal plan apply to me?
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IV. Elements of the OSWI Federal Plan
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G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks
H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution or Use
I. National Technology Transfer Advancement Act

I. General Information

A. Does this action apply to me?

Categories and entities potentially regulated by the proposed rules are very small municipal waste combustion (VSMWC) units and institutional waste incineration (IWI) units. The OSWI Federal plan would affect the following categories of sources:

Category	NAICS* code	Examples of potentially regulated entities
Any State, local, or Tribal Government using a VSMWC unit as defined in the regulations.	562213, 92411	Solid waste combustion units burning municipal waste collected from the general public and from residential, commercial, institutional, and industrial sources.
Institutions using an IWI unit as defined in the regulations	922, 6111, 623, 7121	Correctional institutions, primary and secondary schools, camps and national parks.
Any Federal Government Agency using an OSWI unit as defined in the regulations.	928	Department of Defense (labs, military bases, munitions facilities).
Any college or university using an OSWI unit as defined in the regulations.	6113, 6112	Universities, colleges and community colleges.
Any church or convent using an OSWI unit as defined in the regulations.	8131	Churches and convents.
Any civic or religious organization using an OSWI unit as defined in the regulations.	8134	Civic associations and fraternal associations.

* North American Industry Classification System.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by the proposed rules. To determine whether your facility would be regulated by the proposed rules, you should examine the applicability criteria in CAA sections 62.15460 through 62.15500 of the proposed Federal plan. If you have any questions regarding the applicability of the proposed rules to a particular entity, contact either of the persons listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

B. What should I consider as I prepare my comments for EPA?

1. *Submitting CBI.* Do not submit information that you consider to be CBI electronically through *www.regulations.gov* or e-mail. Send or deliver information identified as CBI to only the following address: Mr. Roberto Morales, c/o OAQPS Document Control Officer (Mail Drop C404–02), U.S. EPA, Research Triangle Park, NC 27711, Attention Docket ID No. EPA–HQ–OAR–2006–0364. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

If you have any questions about CBI or the procedures for claiming CBI, please consult either of the persons identified in the **FOR FURTHER INFORMATION CONTACT** section.

2. *Tips for Preparing Your Comments.* When submitting comments, remember to:

a. Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date and page number).

b. Follow directions. The EPA may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

c. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

d. Describe any assumptions and provide any technical information and/or data that you used.

e. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

f. Provide specific examples to illustrate your concerns, and suggest alternatives.

g. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

h. Make sure to submit your comments by the comment period deadline identified.

Docket. The docket number for the proposed Federal plan (40 CFR part 620, subpart KKK) is Docket ID No. EPA–HQ–OAR–2005–0364.

Worldwide Web (WWW). In addition to being available in the docket, an electronic copy of the proposed rules is available on the WWW through the Technology Transfer Network Website (TTN Web). Following signature, EPA will post a copy of the proposed rules on the TTN's policy and guidance page for newly proposed or promulgated rules at *http://www.epa.gov/ttn/oarpg*. The TTN provides information and technology exchange in various areas of air pollution control.

II. Background Information

A. What is the regulatory development background for this proposed rule?

Section 129 of the CAA requires EPA to develop emission guidelines for, among other things, unspecified ''other categories of solid waste incineration units'', herein referenced as OSWI units. The EPA proposed emission guidelines for OSWI units on December 9, 2004, and promulgated them on December 16, 2005 (70 FR 74870), to be codified at 40 CFR part 60, subpart FFFF. In writing Section 129 of the CAA, Congress looked first to the States as the preferred implementers of emission guidelines for existing OSWI units. To make these emission guidelines enforceable, States with existing OSWI units must have submitted to EPA within one year following promulgation of the emission guidelines (by December 16, 2006) State plans that implement and enforce the emission guidelines. For States or Tribes that do not have an EPA-approved and effective plan, EPA must develop and implement a Federal plan within two years following promulgation of the emission guidelines (by December 16, 2007). The EPA sees the Federal plan as an interim measure to ensure that congressionally mandated emission standards are implemented until States assume their role as the preferred implementers of the emissions guidelines. Thus, the EPA encourages States to either use the Federal plan as a template to reduce the effort needed to develop their own plans or to simply take delegation to directly implement and enforce the guidelines. States without any existing OSWI units are required to submit to the Administrator a letter of negative declaration certifying that there are no OSWI units in the State. No plan is required for States that do not have any OSWI units.

As discussed in section VII.E of this preamble, Indian Tribes may, but are not required to, submit Tribal plans to cover OSWI units in Indian country. A Tribe may submit to the Administrator a letter of negative declaration certifying that no OSWI units are located in the Tribal area. No plan is required for Tribes that do not have any OSWI units. OSWI units located in States or Tribal areas that mistakenly submit a letter of negative declaration would be subject to the Federal plan until a State or Tribal plan becomes approved and effective covering those OSWI units.

This action proposes a Federal plan for OSWI units that are not covered by an approved State or Tribal plan as of December 16, 2006. Sections 111 and 129 of the CAA and 40 CFR 60.27(c) and (d) require EPA to develop, implement, and enforce a Federal plan to cover existing OSWI units located in States that do not have an approved plan within two years after promulgation of the emission guidelines (by December 16, 2007, for OSWI units). The EPA is proposing this Federal plan now so that a promulgated Federal plan will be in place at the earliest possible date, thus ensuring timely implementation and enforcement of the OSWI emission guidelines. In addition, EPA's timing allows a State or Tribe the opportunity to take delegation of the Federal plan in lieu of writing a State plan.

B. What associated regulatory activity preceded this proposed rule?

Regulations have been developed for each of the listed categories of solid waste incineration unit except for the ''other categories of solid waste incineration units.'' This notice proposes regulations for these ''other'' (or OSWI) units. Several previous notices have been published regarding OSWI regulatory development (58 FR 31358, June 2, 1993; 58 FR 58498, November 2, 1993; 65 FR 67367, November 9, 2000). In the November 9, 2000 notice, EPA revised the OSWI regulatory schedule to promulgate regulations by November 2005. This was subsequently incorporated into a consent decree, requiring that EPA propose regulations for the OSWI source category by November 30, 2004, and promulgate by November 30, 2005. We proposed regulations on December 9, 2004. On December 16, 2005, we promulgated EG for OSWI constructed on or before December 9, 2004 (70 FR 74870), which are to be implemented via today's proposed rulemaking.

C. What impact does the EPA's granting of a request for reconsideration have on this Federal plan?

On February 14, 2006, subsequent to EPA's promulgation of the final rule establishing the New Source Performance Standards (NSPS) and the Emission Guidelines (EG) for OSWI units, the Sierra Club filed a petition for reconsideration, pursuant to section 307(d)(7)(B) of the CAA.[1] On June 28, 2006 (71 FR 36726–36730), EPA granted reconsideration of one issue raised by the Sierra Club. In granting reconsideration on this issue, EPA agreed to undertake further notice and comment proceedings related to whether sewage sludge incinerators should be regulated under CAA section 129.[2] EPA's granting reconsideration on an issue does not stay, vacate or otherwise influence the effective date of the OSWI regulations. Specifically, CAA section 307(d)(7)(B) provides that ''reconsideration shall not postpone the effectiveness of the rule,'' except that ''the effectiveness of the rule may be stayed during such reconsideration * * * by the Administrator or the court for a period not to exceed three months.'' In this case, neither EPA nor the court stayed the effectiveness of the final OSWI regulations in connection with the reconsideration petition. Because the existing OSWI regulations remain in effect, EPA's obligation under CAA section 129(b)(3) to promulgate a Federal Plan (to implement those regulations for existing units that are not covered by an approved and effective State plan) remains unchanged.[3] Therefore, EPA is complying with its statutory obligations by issuing today's proposed Federal Plan for OSWI units.

If, after reconsidering any issues raised in the petition for reconsideration, EPA revises the OSWI rules, EPA plans to make corresponding changes to the final Federal Plan. Thus, by this notice, we are informing the public that EPA is reconsidering this same issue (*e.g.*, involving sewage sludge incinerators) as it pertains to the OSWI Federal Plan as well, and if the Federal Plan is finalized after EPA final action on reconsideration, it too will reflect EPA's final decision on the issue.

[1] The Sierra Club also filed a petition for review in the D.C. Circuit, challenging the final OSWI rule. *Sierra Club* v. *EPA*, No. 06–1066 (D.C. Cir.). That case is being held in abeyance while EPA undertakes its reconsideration proceeding.

[2] EPA will respond to other issues raised in the petition for reconsideration no later than when it takes final action on the sewage sludge issue, which EPA expects to be no later than January 2007.

[3] Similarly, the obligations of States and sources are unaffected by EPA's reconsidering one issue.

III. Affected Facilities

A. What is an OSWI unit?

The term OSWI unit means either a very small municipal waste combustion unit or an institutional waste incineration unit, as defined in proposed 40 CFR part 62, subpart KKK. Seventeen types of combustion units, which are listed in CAA section 62.15845 of proposed subpart KKK are conditionally exempt from specific provisions of the proposed Federal plan.

B. Does the Federal plan apply to me?

The proposed Federal plan will apply to you if you are the owner or operator of an OSWI unit, including any OSWI air curtain incinerator (ACI), not covered by an approved and effective State or Tribal plan as of the date of promulgation of the Federal plan. The Federal plan proposed herein would cover your OSWI unit until EPA should approve a State or Tribal plan that would cover your OSWI unit and that plan should become effective.

If you began the construction of your OSWI unit on or before December 9, 2004, it is considered an existing OSWI unit and could be subject to the Federal plan. If you began the construction of your OSWI unit after December 9, 2004, it is considered a new OSWI unit and is subject to the new source performance standards (NSPS). If you began reconstruction or modification of your OSWI unit prior to June 16, 2006, it is considered an existing OSWI unit and could be subject to the Federal plan. Likewise, if you began reconstruction or modification of your OSWI unit on or after June 16, 2006, it is considered a new OSWI unit and is subject to the NSPS.

Your existing OSWI unit would be subject to this Federal plan if on the effective date of the Federal plan, EPA has not approved a State or Tribal Plan that covers your unit, or the EPA-approved State or Tribal plan has not become effective. The specific applicability of this plan is described in CAA sections 62.15460 through 62.15500 of proposed subpart KKK.

Once an approved State or Tribal plan is in effect, the Federal plan will no longer apply to an OSWI unit covered by such plan. An approved State or Tribal plan is a plan developed by a State or Tribe that EPA has reviewed and approved based on the requirements in 40 CFR part 60, subpart B to implement and enforce 40 CFR part 60, subpart DDDD. The State or Tribal plan is effective on the date specified in the notice published in the **Federal Register** announcing EPA's approval of the plan.

The EPA's promulgation of an OSWI Federal plan will not preclude States or Tribes from submitting a plan. If a State or Tribe submits a plan after promulgation of the OSWI Federal plan final rule, EPA will review and approve or disapprove the State or Tribal plan. If EPA approves a plan, then the Federal plan would no longer apply to OSWI units covered by the State or Tribal plan as of the effective date of the State or Tribal plan. If an OSWI unit were overlooked by a State or Tribe and the State or Tribe submitted a negative declaration letter, or if an individual OSWI unit were not covered by an approved and effective State or Tribal plan, the OSWI unit would be subject to this Federal plan.

C. How do I determine if my OSWI unit is covered by an approved and effective State or Tribal plan?

Part 62 of Title 40 of the Code of Federal Regulations identifies the approval and promulgation of sections 111(d) and section 129 State or Tribal plans for designated facilities in each State or area of Indian Country. However, 40 CFR part 62 is updated once per year. Thus, if 40 CFR part 62 does not indicate that your State or Tribal area has an approved and effective plan, you should contact your State environmental agency's air director or your EPA Regional Office to determine if approval occurred since publication of the most recent version of 40 CFR part 62.

EPA REGIONAL CONTACTS FOR OSWI

Region	Contact	Phone/fax	States and protectors
I	EPA New England, Director, Air Compliance Program, 1 Congress Street, Suite 1100 (SEA), Boston, MA 02114–2023.	617–918–1650, 617–918–1505 (fax)	CT, ME, MA, NH, RI, VT.
II	U.S. EPA Region 2, Air Compliance Branch, 290 Broadway, New York, NY 10007.	212–637–4080, 212–637–3998 (fax)	NJ, NY, Puerto Rico, Virgin Islands.
III	U.S. EPA Region 3, Chief, Air Enforcement Branch (3AP12), 1650 Arch Street, Philadelphia, PA 19103–2029.	215–814–3438, 215–814–2134 (fax)	DE, DC, MD, PA, VA, WV.
IV	U.S. EPA Region 4, Air and Radiation Technology Branch, Atlanta Federal Center, 61 Forsyth Street, Atlanta, GA 30303–3104.	404–562–9105, 404–562–9095 (fax)	AL, FL, GA, KY, MS, NC, SC, TN.
V	U.S. EPA Region 5, Air Enforcement and Compliance Assurance Branch (AR–18J), 77 West Jackson Boulevard, Chicago, IL 60604–3590.	312–353–2088, 312–353–2018 (fax)	IL, IN, MN, OH, WI.
VI	U.S. EPA Region 6, Chief, Toxics Enforcement Section (6EN–AT), 1445 Ross Avenue, Dallas, TX 75202–2733.	214–665–7224, 214–665–7446 (fax)	AR, LA, NM, OK, TX.
VII	U.S. EPA Region 7, Air Permitting and Compliance Branch (ARTD/APCO–2119F), 901 N. 5th Street, Kansas City, KS 66101.	913–551–7020, 913–551–7844 (fax)	IA, KS, MO, NE.
VIII	U.S. EPA Region 8, Air and Radiation Program Air Technical Assistance Unit (Mail Code 8P—AR), 999 18th Street, Suite 200, Denver, CO 80202.	303–312–6526, 303–312–6064 (fax)	CO, MT, ND, SD, UT, WY.
IX	U.S. EPA Region 9, Air Division, 75 Hawthorne Street, San Francisco, CA 94105.	415–947–4200, 415–744–1076 (fax)	AZ, CA, HI, NV, American Samoa, Guam.
X	U.S. EPA Region 10, Office of Air Quality, 1200 Sixth Avenue, Seattle, WA 98101.	206–553–1602, 206–553–0110 (fax)	AK, ID, OR, WA.

IV. Elements of the OSWI Federal Plan

Because EPA is proposing a Federal plan to cover OSWI units located in States and areas of Indian Country where plans are not in effect, EPA has elected to include in this proposal the same elements as are required for State plans: (1) Identification of legal authority and mechanisms for implementation, (2) inventory of OSWI units, (3) emissions inventory, (4) emission limitations, (5) compliance schedules, (6) waste management plan, (7) testing, monitoring, inspection, reporting, and recordkeeping, (8) operator training and qualification, (9) public hearing, and (10) progress reporting. See 40 CFR part 60 subparts B and C and sections 111 and 129 of the CAA. Each plan element is described below as it relates to this proposed OSWI Federal plan. The table below lists each element and identifies where it is located or codified.

ELEMENTS OF THE OSWI FEDERAL PLAN

Legal authority and enforcement mechanism	Sections 129(b)(3) 111(d), 301(a), and 301(d)(4) of the CAA.
Inventory of Affected MWC Units	Docket EPA–HQ–OAR–2003–0156.
Inventory of Emissions	Docket EPA–HQ–OAR–2003–0156.
Emission Limits	40 CFR 62.15575–62.15605.
Compliance Schedules	40 CFR 62.15505–62.15515.
Operator Training and Qualification	40 CFR 62.15535–62.15570.
Waste Management Plan	40 CFR 62.15520–62.15530.
Record of Public Hearings	Docket EPA–HQ–OAR–2003–0156.
Testing, Monitoring, Recordkeeping, and Reporting	40 CFR 62.15610, 40 CFR 15665–62.15710, 40 CFR 62.15715–62.15780.
Progress Reports	Section IV.J. of this preamble.

A. Legal Authority and Enforcement Mechanism

1. EPA's Legal Authority in States

Section 301(a) of the CAA provides EPA with broad authority to write regulations that carry out the functions of the CAA. Sections 111(d) and 129(b)(3) of the CAA direct EPA to develop a Federal plan for States that do not submit approvable State plans. Sections 111 and 129 of the CAA provide EPA with the authority to implement and enforce the Federal plan in cases where the State fails to submit a satisfactory State plan. CAA Section 129(b)(3) requires EPA to develop, implement, and enforce a Federal plan within 2 years after the date the relevant emission guidelines are promulgated (by December 16, 2007). Compliance with the emission guidelines cannot be later than 5 years after the relevant emission guidelines are promulgated (by December 16, 2010 for OSWI units).

2. EPA's Legal Authority in Indian Country

Section 301 of the CAA provides EPA with the authority to administer Federal programs in Indian country. See CAA sections 301 (a) and (d). Section 301(d)(4) of the CAA authorizes the Administrator to directly administer provisions of the CAA where Tribal implementation of those provisions is not appropriate or administratively not feasible. See section VII.E of this preamble for a more detailed discussion of EPA's authority to administer the OSWI Federal plan in Indian country.

The EPA is proposing this Federal regulation under the legal authority of the CAA to implement the emission guidelines in those States and areas of Indian country not covered by an approved plan. As discussed in section VII of this document, implementation and enforcement of the Federal plan may be delegated to eligible Tribal, State, or local agencies when requested by a State, eligible Tribal, or local agency, and when EPA determines that such delegation is appropriate.

B. Inventory of Affected OSWI Units

The proposed Federal plan includes an inventory of OSWI units affected by the emission guidelines. (See 40 CFR part 60.25(a).) Docket No. EPA–HQ–OAR–2003–0156 contains an inventory of the OSWI units that may potentially be covered by this proposed Federal plan in the absence of State or Tribal plans. This inventory contains 248 OSWI units in 26 States. It is based on information collected from State and Federal databases, information collection request survey responses, and stakeholder meetings during the development of the OSWI emission guidelines. The EPA recognizes that this list may not be complete. Therefore, sources potentially subject to this Federal plan may include, but are not limited to, the OSWI units listed in the inventory memorandum in Docket No. EPA–HQ–OAR–2003–0156. Any OSWI unit that meets the applicability criteria in the Federal plan rule is subject to the Federal plan, regardless of whether it is listed in the inventory. States, Tribes, or individuals are invited to identify additional sources for inclusion to the list during the comment period for this proposal.

C. Inventory of Emissions

The proposed Federal plan includes an emissions estimate for OSWI units subject to the emission guidelines. (See 40 CFR 60.25(a).) The pollutants to be inventoried are dioxins/furans, cadmium (Cd), lead (Pb), mercury (Hg), particulate matter (PM), hydrogen chloride (HCl), oxides of nitrogen (NO_X), carbon monoxide (CO), and sulfur dioxide (SO_2). For this proposal, EPA has estimated the emissions from each known OSWI unit that potentially may be covered by the Federal plan for the nine pollutants regulated by the Federal plan.

The emissions inventory is based on available information about the OSWI units, emission factors, and typical emission rates developed for calculating nationwide air impacts of the OSWI emission guidelines and the Federal plan. Refer to the inventory memorandum in Docket No. EPA–HQ–OAR–2003–0156 for the complete emissions inventory and details on the emissions calculations.

D. Emission Limitations

The proposed Federal plan includes emission limitations. (See 40 CFR 60.24(a).) Section 129(b)(2) of the CAA requires these emission limitations to be ''at least as protective as'' those in the emission guidelines. The emission limitations in this proposed OSWI Federal plan are the same as those contained in the EG. Section V of this preamble discusses the emission limitations and operating limits. The EG promulgated December 16, 2005, had a technical error which is being corrected through a technical amendment. Due to the uncertainty of the publication date for the amendment, the technical error will not appear in the proposal of this Federal plan. The correct opacity measurement averaging time appears in

this proposal. This possible discrepancy between the EG and Federal Plan is in Table 2 of the rule in the EG and Table 1 of the rule in the Federal Plan.

E. Compliance Schedules

Typically, State or Federal plans include increments of progress for units that need more than one year from State plan approval to comply, or in the case of the Federal plan, more than one year after promulgation of the final Federal plan. (See 40 CFR part 60.24(e)(1).) The purpose of increments of progress is to ensure that each affected unit needing more time to comply is making progress toward meeting the emission limits.

Section 129(f) of the CAA specifies the dates by which affected facilities must comply with EG. Existing units must be in compliance with the guidelines as expeditiously as practicable after approval of a State plan, but no later than three years after the effective date of State plan approval or five years after promulgation of the guidelines, whichever is earlier. To proceed in an expeditious manner, we are proposing to implement the EG within that same time frame.

For the EG, we are incorporating the full compliance time allowed by CAA section and to include final compliance as the sole increment of progress. The OSWI units are small and are located at small municipalities and institutions that do not always have full-time environmental staff. They will need time to investigate the regulatory, technical, cost, financing, and economic implications of control techniques and alternative waste disposal options available to their facility. The EPA wants to allow sufficient time for owners and operators of OSWI units to investigate, plan, and carry out activities for compliance or, as expected in most cases, a closure of their waste combustion units and an orderly transition to the use of alternative waste disposal methods. Our compliance schedule was developed to allow small sources maximum flexibility in accomplishing final compliance by a date 3 years after publication of a final rule for the Federal plan.

F. Waste Management Plan Requirements

A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream to reduce or eliminate toxic emissions from incinerated waste. The waste management plan must be submitted no later than the date sixty days after the initial performance test. This date is 240 days after the final compliance date.

G. Testing, Monitoring, Recordkeeping, and Reporting

The proposed Federal plan includes testing, monitoring, recordkeeping, and reporting requirements. (See 40 CFR part 60.25).) Testing, monitoring, recordkeeping, and reporting requirements are consistent with 40 CFR part 60 subpart FFFF, and assure initial and ongoing compliance.

H. Operator Training and Qualification Requirements

The owner or operator must qualify operators or their supervisors (at least one per facility) by ensuring that they complete an operator training course and annual review or refresher course. CAA sections 62.15535 through 62.15570 of the proposed subpart KKK contain the operator training and qualification requirements.

I. Record of Public Hearings

The proposed Federal plan provides opportunity for public participation in adopting the plan. (See 40 CFR part 60.23(c).) If requested to do so, EPA will hold a public hearing in Research Triangle Park, NC. A record of the public hearing, if any, will appear in Docket No. EPA–HQ–OAR–2006–0364. If a public hearing is requested and held, EPA will ask clarifying questions during the oral presentation but will not respond to the presentations or comments. Written statements and supporting information submitted during the public comment period will be considered with equivalent weight as any oral statement and supporting information subsequently presented at a public hearing, if held.

J. Progress Reports

Under the Federal plan, the EPA Regional Offices will prepare annual progress reports to show progress of OSWI units in the Region toward implementation of the emission guidelines. (See 40 CFR 60.25(e).) States or Tribes that have been delegated the authority to implement and enforce this Federal plan would also be required to submit annual progress reports to the appropriate EPA Regional Office.

Each progress report must include the following items: (1) Status of enforcement actions; (2) status of increments of progress; (3) identification of sources that have shut down or started operation; (4) emission inventory data for sources that were not in operation at the time of plan development, but that began operation during the reporting period; (5) additional data as necessary to update previously submitted source and emission information; and (6) copies of technical reports on any performance testing and monitoring.

V. Summary of OSWI Federal Plan

A. Might the proposed rules apply to me?

The proposed OSWI Federal rules could apply to you if you own or operate either of the following at a location not subject to an approved State or Tribal plan:

(1) An incineration unit with a capacity less than 35 tpd burning municipal solid waste (MSW) (as defined in CAA sections 129 and 62.15850 of 40 CFR part 62 subpart KKK); or

(2) An incineration unit located at an institutional facility burning institutional waste (as defined in CAA section 62.15850 of 40 CFR part 62 subpart KKK) generated at that facility.

Requirements for air curtain incineration units that would otherwise be VSMWC or IWI units, but for the fact that they burn certain materials, are discussed later in this preamble. If your incineration unit is currently meeting emission limitations and other requirements of another CAA section 129 regulation (i.e., small or large municipal waste combustion (MWC) units; hospital, medical, infectious waste incineration (HMIWI) units; or commercial and industrial solid waste incineration (CISWI) units), the proposed OSWI rules would not apply to you. Likewise, if an institutional combustion unit is covered under the CAA section 112 national emission standards for hazardous air pollutants (NESHAP) for industrial, commercial, and institutional boilers and process heaters (boilers NESHAP), it would not be subject to the proposed OSWI rules. Certain types of combustion units listed in CAA section 62.15485 of 40 CFR part 62 subpart KKK also would be excluded from the final OSWI rules.

If you began construction of your incineration unit on or before December 9, 2004, it is considered an existing unit and would be subject to the proposed Federal plan. If you began construction of your incineration unit after December 9, 2004, it is considered a new unit and is subject to the NSPS (40 CFR part 60, subpart EEEE). If you began reconstruction or modification of your incineration unit prior to June 16, 2006, it would be considered an existing unit and subject to the Federal plan. Likewise, if you begin reconstruction or modification of your incineration unit on or after June 16, 2006, it is

considered a new unit and is subject to the NSPS.

B. What emission limitations would apply?

As the owner or operator of an existing OSWI unit, you would be required to meet the proposed emission limitations as specified in the table below. See CAA section V.F of this preamble for a discussion of the compliance schedule.

EMISSION LIMITS FOR EXISTING OSWI UNITS

For these pollutants	You must meet these emission limits [a]	And determine compliance using these methods [b c]
Cd	18 micrograms per dry standard cubic meter (µg/dscm)	EPA Method 29.
CO	40.0 parts per million dry volume (ppmdv)	EPA Methods 10, 10A or 10B.
Dioxins/Furans (total mass basis)	33 nanograms per dry standard cubic meter (ng/dscm)	EPA Method 23.
HCl	15.0 ppmdv	EPA Method 26A.
Pb	226 µg/dscm	EPA Method 29.
Hg	74 µg/dscm	EPA Method 29.
Opacity	10%	EPA Method 9.
NO_X	103 ppmdv	EPA Methods 7, 7A, 7C, 7D, or 7E.[d]
PM	0.013 grains per dry standard cubic foot (gr/dscf)	EPA Method 5 or 29.
SO_2	3.1 ppmdv	EPA Method 6 or 6C.[e]

[a] All emission limits (except opacity) are measured at 7 percent oxygen, dry basis at standard conditions.
[b] These methods are in 40 CFR part 60, appendix A.
[c] Compliance with the CO emission limit is determined on a 12-hour rolling average basis using continuous emission monitoring system data. Compliance for the other pollutants' emission limits is determined by stack testing.
[d] ASME PTC 19–10–1981—Part 10 is an acceptable alternative to only Methods 7 and 7C.
[e] ASME PTC 19–10–1981—Part 10 is an acceptable alternative to only Method 6.

C. What operating limits would apply?

If you use a wet scrubber to comply with the emission limits, you would be required to establish the maximum and minimum site-specific operating limits indicated in Table 1 of this preamble. You would then be required to operate the OSWI unit so that the charge rate does not exceed the established maximum charge rate. You would be required to operate the wet scrubber so that the pressure drop or amperage, scrubber liquor flow rate, and scrubber liquor pH do not fall below the minimum established operating limits.

TABLE 1.—OPERATING LIMITS FOR EXISTING OSWI UNITS USING WET SCRUBBERS

For these operating parameters	You must establish these operating limits	And monitor continuously using these recording times
Charge rate	Maximum charge rate	Every hour.
Pressure drop across the wet scrubber, or amperage to the wet scrubber.	Minimum pressure drop or amperage	Every 15 minutes.
Scrubber liquor flow rate	Minimum flow rate	Every 15 minutes.
Scrubber liquor pH	Minimum pH	Every 15 minutes.

Note: Compliance is determined on a 3-hour rolling average basis, except charge rate for batch incinerators, which is determined on a 24-hour basis.

If you use an air pollution control device other than a wet scrubber to comply with the emission limits, you would be required to petition the EPA for approval of other site-specific operating limits to be established during the initial performance test and continuously monitored thereafter. The information you must include in your petition is described in 40 CFR 62.15595 of proposed subpart KKK.

D. What would be the requirements for OSWI air curtain incinerators?

The final OSWI rules establish opacity limitations for air curtain incineration units that would otherwise meet the definitions of IWI or VSMWC units, but burn only:

- 100 percent wood wastes;
- 100 percent clean lumber;
- 100 percent yard waste; or
- 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

The opacity limit is 10 percent. However, 35 percent opacity is allowed during startup periods that are within the first 30 minutes of operation. Air curtain incinerators burning only these materials must meet the opacity limits and certain monitoring, recordkeeping, and reporting requirements, and must apply for and obtain a title V operating permit.

Air curtain incinerators burning other institutional waste or municipal waste must meet the requirements of the final OSWI rules including all emission limits in table 1 of this preamble and the associated testing, permitting, monitoring, recordkeeping, and reporting requirements.

E. What other requirements would apply?

As the owner or operator of an OSWI unit, you would be required to meet the following additional requirements.

Waste Management Plan:

- Submit a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream to reduce or eliminate toxic emissions from incinerated waste.

Operator Training and Qualification Requirements:

- Qualify operators or their supervisors (at least one per facility) by ensuring that they complete an operator training course and annual review or refresher course.

Testing Requirements:

- Conduct initial performance tests for Cd, CO, dioxins/furans, HCl, Pb, Hg, NO_X, opacity, PM, and SO_2 and

establish operating limits (i.e., maximum or minimum values for operating parameters).

• Conduct annual performance tests for all nine pollutants and opacity. (An owner or operator may conduct less frequent testing if the facility demonstrates that it is in compliance with the emission limits for three consecutive performance tests).

Monitoring Requirements:

• Continuously monitor CO emissions.

• If using a wet scrubber to comply with the emission limits, continuously monitor the following operating parameters: charge rate, pressure drop across the wet scrubber (or amperage), and scrubber liquid flow rate and pH.

• If using something other than a wet scrubber to comply with the emission limits, monitor other operating parameters, as approved by the EPA.

Recordkeeping and Reporting Requirements:

• Maintain for 5 years records of the initial performance tests and all subsequent performance tests, operating parameters, any maintenance, the siting analysis (for new units only), and operator training and qualification. Each record must be kept on site for at least 2 years. The records may be kept off site for the remaining 3 years.

• Submit the results of the initial performance tests and all subsequent performance tests and values for the operating parameters.

• Submit annual compliance reports and semiannual reports of any deviations from the emission limits, operating limits, or other requirements.

• Apply for and obtain a title V operating permit.

F. What is the proposed compliance schedule?

Each incineration unit will be required to reach final compliance by the date 3 years after publication of the final rule in the **Federal Register**. In addition, the owner or operator will need to comply with the operator training and qualification requirements and inspection requirements by the date 1 year after publication of the final rule in the **Federal Register**, regardless of when the OSWI unit reaches final compliance.

To achieve final compliance, the owner or operator of each OSWI unit must incorporate all process changes or complete retrofit construction in accordance with the final control plan. The owner or operator must connect the air pollution control equipment or process changes such that when the OSWI unit is brought on line all necessary process changes or air pollution control equipment will operate as designed.

G. How did EPA determine the compliance schedule?

Section 129(f) of the CAA specifies the dates by which affected facilities must comply with the EG. Existing units must be in compliance with the guidelines as expeditiously as practicable after approval of a State plan, but no later than three years after the effective date of State plan approval or five years after promulgation of the guidelines, whichever is earlier.

EPA chose to include the full compliance time allowed by CAA section 129 in the EG and proposes to do the same in the proposed Federal plan for OSWI units. The OSWI units are small and are located at small municipalities and institutions that do not always have full-time environmental staff. They will need time to investigate the regulatory, technical, cost, financing, and economic implications of control techniques and alternative waste disposal options available to their facility. The EPA wants to allow sufficient time for owners and operators of OSWI units to investigate, plan, and carry out activities for compliance or, as expected in most cases, a closure of their waste combustion units and an orderly transition to the use of alternative waste disposal methods.

VI. OSWI That Have or Will Shut Down

A. Units That Plan To Close Rather Than Comply

If you plan to permanently close your currently operating incineration unit, you must do so by the date three years after publication of the final rule for this Federal plan in the **Federal Register**. If you close your OSWI unit after the date one year after publication of the final rule in the **Federal Register**, but before the date three years after publication of the final rule in the **Federal Register**, then you must comply with the operator training and qualification requirements by the date one year after publication of the final rule in the **Federal Register.** In addition, while still in operation, you are subject to the same requirements for title V operating permits that apply to units that will not shut down.

B. Inoperable Units

In cases where an OSWI unit has already shut down, has been rendered inoperable, and does not intend to restart, the OSWI unit may be left off the source inventory in a State, Tribal, or this Federal plan. An OSWI unit that has been rendered inoperable would not be covered by the Federal plan. The OSWI owner or operator may do the following to render an OSWI unit inoperable: (1) Weld the waste charge door shut, (2) remove stack (and by-pass stack, if applicable), (3) remove combustion air blowers, or (4) remove burners or fuel supply appurtenances.

C. OSWI Units That Have Shut Down

OSWI units that are known to have already shut down (but are not known to be inoperable) are included in the source inventory for the proposed Federal plan and will be identified in any State or Tribal plan submitted to EPA.

1. Restarting Before the Final Compliance Date

If the owner or operator of an inactive incineration unit plans to restart before the final compliance date, the owner or operator must meet any requirements for operator training or obtaining title V operating permits that apply to units planning to meet the final compliance date.

2. Restarting After the Final Compliance Date

Before restarting, such OSWI units would have to complete the operator training and qualification requirements and inspection requirements (if applicable) and complete retrofit or process modifications. Performance testing to demonstrate compliance would be required within 30 days after restarting. An incineration unit that operates out of compliance after the final compliance date would be in violation of the Federal plan and subject to enforcement action.

VII. Implementation of the Federal Plan and Delegation

A. Background of Authority

Under sections 111(d) and 129(b) of the CAA, EPA is required to adopt emission guidelines that are applicable to existing solid waste incineration sources. These emission guidelines are enforceable once EPA approves a State or Tribal plan or adopts a Federal plan that implements and enforces them, and the State, Tribal, or Federal plan has become effective. As discussed above, the Federal plan regulates OSWI units in a State or Tribal area that does not have an EPA-approved plan currently in effect.

Congress has determined that the primary responsibility for air pollution prevention and control rests with State and local agencies. See section 101(a)(3) of the CAA. Consistent with that overall determination, Congress established sections 111 and 129 of the CAA with the intent that the States and local

agencies take the primary responsibility for ensuring that the emission limitations and other requirements in the emission guidelines are achieved. Also, in section 111(d) of the CAA, Congress explicitly required that EPA establish procedures that are similar to those under section 110(c) for State Implementation Plans. Although Congress required EPA to propose and promulgate a Federal plan for States that fail to submit approvable State plans on time, States and Tribes may submit approvable plans after promulgation of the OSWI Federal plan. The EPA strongly encourages States that are unable to submit approvable plans to request delegation of the Federal plan so that they can have primary responsibility for implementing the emission guidelines, consistent with the intent of Congress.

Approved and effective State plans or delegation of the Federal plan is EPA's preferred outcome since EPA believes that State and local agencies not only have the responsibility to carry out the emission guidelines, but also have the practical knowledge and enforcement resources critical to achieving the highest rate of compliance. For these reasons, EPA will do all that it can to expedite delegation of the Federal plan to State and local agencies, whenever possible.

EPA also believes that Indian Tribes should be the primary parties responsible for regulating air quality within Indian country, if they desire to do so. See EPA's Indian Policy (''Policy for Administration of Environmental Programs on Indian Reservations,'' signed by William D. Ruckelshaus, Administrator of EPA, dated November 4, 1984), reaffirmed in a 2001 memorandum (''EPA Indian Policy,'' signed by Christine Todd Whitman, Administrator of EPA, dated July 11, 2001).

B. Delegation of the Federal Plan and Retained Authorities

If a State or Indian Tribe intends to take delegation of the Federal plan, the State or Indian Tribe must submit to the appropriate EPA Regional Office a written request for delegation of authority. The State or Indian Tribe must explain how it meets the criteria for delegation. *See generally* ''Good Practices Manual for Delegation of NSPS and NESHAP'' (EPA, February 1983). In order to obtain delegation, an Indian Tribe must also establish its eligibility to be treated in the same manner as a State. The letter requesting delegation of authority to implement the Federal plan must demonstrate that the State or Tribe has adequate resources, as well as the legal and enforcement authority to administer and enforce the program. A memorandum of agreement between the State or Tribe and EPA would set forth the terms and conditions of the delegation, the effective date of the agreement, and would also serve as the mechanism to transfer authority. Upon signature of the agreement, the appropriate EPA Regional Office would publish an approval notice in the **Federal Register**; thereby incorporating the delegation of authority into the appropriate subpart of 40 CFR part 62.

If authority is not delegated to a State or Indian Tribe, EPA will implement the Federal plan. Also, if a State or Tribe fails to properly implement a delegated portion of the Federal plan, EPA will assume direct implementation and enforcement of that portion. The EPA will continue to hold enforcement authority along with the State or Tribe even when a State or Tribe has received delegation of the Federal plan. In all cases where the Federal plan is delegated, EPA will retain and will not transfer authority to a State or Tribe to approve the following items:

The following authorities are withheld by the EPA Administrator and not transferred to the State or Tribe:

(1) Approval of alternatives to the emission limitations in Table 1 of the proposed rule and operating limits established under 40 CFR 62.15585 and Table 2 of the proposed rule.

(2) Approval of petitions for specific operating limits in 40 CFR 62.15595 the proposed rule.

(3) Approval of major alternatives to test methods.

(4) Approval of major alternatives to monitoring.

(5) Approval of major alternatives to recordkeeping and reporting.

(6) The status report requirements in 40 CFR 62.15570(c)(2) the proposed rule.

C. Mechanisms for Transferring Authority

There are two mechanisms for transferring implementation authority to State or Tribal agencies: (1) EPA approval of a State or Tribal plan after the Federal plan is in effect; and (2) if a State or Tribe does not submit or obtain approval of its own plan, EPA delegation to a State or Tribe of the authority to implement certain portions of this Federal plan to the extent appropriate and if allowed by State or Tribal law. Both of these options are described in more detail below.

1. Federal Plan Becomes Effective Prior to Approval of a State or Tribal Plan

After OSWI units in a State or Tribal area become subject to the Federal plan, the State or Tribal agency may still adopt and submit a plan to EPA. If EPA determines that the State or Tribal plan is as protective as the emission guidelines, EPA will approve the State or Tribal plan. If EPA determines that the plan is not as protective as the emission guidelines, EPA will disapprove the plan and the OSWI units covered in the State or Tribal plan would remain subject to the Federal plan until a State or Tribal plan covering those OSWI units is approved and effective.

Upon the effective date of an approved State or Tribal plan, the Federal plan would no longer apply to OSWI units covered by such a plan, and the State or Tribal agency would implement and enforce the State or Tribal plan in lieu of the Federal plan. When an EPA Regional Office approves a State or Tribal plan, it will amend the appropriate subpart of 40 CFR part 62 to indicate such approval.

2. State or Tribe Takes Delegation of the Federal Plan

EPA, in its discretion, may delegate to State or eligible Tribal agencies the authority to implement this Federal plan. As discussed above, EPA believes that it is advantageous and the best use of resources for State or Tribal agencies to agree to undertake, on EPA's behalf, the administrative and substantive roles in implementing the Federal plan to the extent appropriate and where authorized by State or Tribal law. If a State requests delegation, EPA will generally delegate the entire Federal plan to the State agency. These functions include administration and oversight of compliance reporting and recordkeeping requirements, OSWI inspections, and preparation of draft notices of violation, but will not include any retained authorities.

EPA also believes that it is the best use of resources for Tribal agencies to undertake a role in the implementation of the Federal plan. The Tribal Authority Rule issued on February 12, 1998 (63 FR 7254), provides Tribes the opportunity to develop and implement Clean Air Act programs. However, due to resource constraints and other factors unique to Tribal governments, it leaves to the discretion of the Tribe whether to develop these programs and which elements of the program they will adopt. Consistent with the approach of the Tribal Authority Rule, EPA may choose to delegate a partial Federal plan (i.e., to

delegate authority for some functions needed to carry out the plan) in appropriate circumstances and where consistent with Tribal law.

Both States and Tribal agencies, that have taken delegation, as well as EPA, will have responsibility for bringing enforcement actions against sources violating Federal plan provisions. However, EPA recognizes that Tribes have limited criminal enforcement authority, and EPA will address in the delegation agreement with the Tribe how criminal enforcement issues are referred to EPA.

D. Implementing Authority

The EPA delegated authority within the Agency to the EPA Regional Administrators to implement the OSWI Federal plan. All reports required by this Federal plan should be submitted to the appropriate Regional Office Administrator.

E. OSWI Federal Plan and Indian Country

The term ''Indian country,'' as used in this preamble, means (1) all land within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; (2) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State; and (3) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

The OSWI Federal plan would apply throughout Indian country to ensure that there is not a regulatory gap for existing OSWI units in Indian country. However, eligible Indian tribes now have the authority under the CAA to develop Tribal plans in the same manner that States develop State plans. On February 12, 1998, EPA promulgated regulations that outline provisions of the CAA for which it is appropriate to treat Tribes in the same manner as States. See 63 FR 7254 (Final Rule for Indian Tribes: Air Quality Planning and Management, (Tribal Authority Rule)) (codified at 40 CFR part 49). As of March 16, 1998, the effective date of the Tribal Authority Rule, EPA has had authority under the CAA to approve Tribal programs such as Tribal plans to implement and enforce the OSWI emission guidelines.

1. Tribal Implementation

Section 301(d) of the CAA authorizes the Administrator to treat an Indian tribe as a State under certain circumstances. The Tribal Authority Rule, which implements section 301(d) of the CAA, identifies provisions of the CAA for which it is appropriate to treat a Tribe as a State. (See 40 CFR part 49.3 and 49.4.) Under the Tribal Authority Rule, a Tribe may be treated as a State for purposes of this Federal plan. If a Tribe meets the criteria below, EPA can delegate to an Indian tribe authority to implement the Federal plan in the same way it can delegate authority to a State:

(1) The applicant is an Indian tribe recognized by the Secretary of the Interior;

(2) The Indian tribe has a governing body carrying out substantial governmental duties and functions;

(3) The functions to be exercised by the Indian tribe pertain to the management and protection of air resources within the exterior boundaries of the reservation or other areas within the tribe's jurisdiction; and

(4) The Indian tribe is reasonably expected to be capable, in the EPA Regional Administrator's judgment, of carrying out the functions to be exercised in a manner consistent with the terms and purposes of the CAA and all applicable regulations. (See 40 CFR part 49.6).

2. EPA Implementation

The CAA also provides EPA with the authority to administer Federal programs in Indian country. This authority is based in part on the general purpose of the CAA, which is national in scope. Section 301(a) of the CAA provides EPA broad authority to issue regulations that are necessary to carry out the functions of the CAA. Congress intended for EPA to have the authority to operate a Federal program when Tribes choose not to develop a program, do not adopt an approvable program, or fail to adequately implement an air program authorized under section 301(d) of the CAA.

Section 301(d)(4) of the CAA authorizes the Administrator to directly administer provisions of the CAA to achieve the appropriate purpose where Tribal implementation is not appropriate or administratively not feasible. The EPA's interpretation of its authority to directly implement Clean Air Act programs in Indian country is discussed in more detail in the Tribal Authority Rule. See 63 FR at 7262–7263. As mentioned previously, Tribes may, but are not required to, submit a OSWI plan under section 111(d) of the CAA.

3. Applicability in Indian Country

The Federal plan would apply throughout Indian country except where an EPA-approved plan already covers an area of Indian country. This approach is consistent with EPA's implementation of the Federal Operating Permits program in Indian country (see 64 FR 8247 (February 19, 1999).)

VIII. Title V Operating Permits

All existing OSWI units and air curtain incinerators to be regulated by the proposed OSWI Federal plan will have to apply for and obtain a title V operating permit. These title V operating permits assure compliance with all applicable Federal requirements for regulated incineration units, including all applicable CAA section 129 requirements. (See 40 CFR 70.6(a)(1), 40 CFR 70.2, 40 CFR 71.6(a)(1), and 40 CFR 71.2.)

The permit application deadline for a CAA section 129 source applying for a title V operating permit depends on when the source first becomes subject to the relevant title V permits program. If your existing incineration unit is not subject to an earlier permit application deadline, a complete title V permit application must be submitted by the earlier of the following dates:

(1) 12 months after the effective date of any applicable EPA-approved CAA section 111(d)/129 plan (i.e., an approved State or Tribal plan that implements the OSWI emission guidelines);

(2) 12 months after the effective date of any applicable Federal plan; or

(3) December 16, 2008.

For any existing incineration unit not subject to an earlier permit application deadline, the application deadline of 36 months after the promulgation of 40 CFR part 60, subpart FFFF, applies regardless of whether or when any applicable Federal plan is effective, or whether or when any applicable CAA section 111(d)/129 plan is approved by EPA and becomes effective. (See CAA sections 129(e), 503(c), 503(d), and 502(a) and 40 CFR parts70.5(a)(1)(i) and 40 CFR 71.5(a)(1)(i).)

If your incineration unit is subject to title V as a result of some triggering requirement(s) other than those mentioned above (for example, a unit may be a major source or part of a major source), then you may be required to apply for a title V operating permit for that unit prior to the deadlines specified above. If more than one requirement triggers a source's obligation to apply for a title V operating permit, the 12-month timeframe for filing a title V permit application is triggered by the

requirement which first causes the source to be subject to title V. (See CAA section 503(c) and 40 CFR parts 70.3(a) and (b), 40 CFR 70.5(a)(1)(i), 40 CFR 71.3(a) and (b), and 40 CFR 71.5(a)(1)(i).)

For additional background information on the interface between CAA section 129 and title V, including EPA's interpretation of CAA section 129(e), as well as information on submitting title V permit applications, updating existing title V permit applications and reopening existing title V permits, see the final Federal Plan for Commercial and Industrial Solid Waste Incinerators, October 3, 2003 (68 FR 57518, 57532), as well as the ''Summary of Public Comments and Responses'' document in EPA's OSWI emission guidelines docket (EPA–HQ–OAR–2003–0156).

Title V and Delegation of a Federal plan

We have previously stated our position that issuance of a Title V permit is not equivalent to the approval of a State plan or delegation of a Federal plan. Legally, delegation of a standard or requirement results in a delegated State or Tribe standing in for EPA as a matter of Federal law. This means that obligations a source may have to the EPA under a Federally promulgated standard become obligations to a State (except for functions that the EPA retains for itself) upon delegation.[4] Although a State or Tribe may have the authority under State or Tribal law to incorporate section 111/129 requirements into its title V permits, and implement and enforce these requirements in these permits without first taking delegation of the section 111/129 Federal plan, the State or Tribe is not standing in for EPA as a matter of Federal law in this situation. Where a State or Tribe does not take delegation of a section 111/129 Federal plan, obligations that a source has to EPA under the Federal plan continue after a title V permit is issued to the source. As a result, the EPA continues to maintain that an approved part 70 operating permits program cannot be used as a mechanism to transfer the authority to implement and enforce the Federal plan from the EPA to a State or Tribe.

As mentioned above, a State or Tribe may have the authority under State or Tribal law to incorporate section 111/129 requirements into its title V permits, and implement and enforce these requirements in that context without first taking delegation of the section 111/129 Federal plan.[5] Some States or Tribes, however, may not be able to implement and enforce a section 111/129 standard in a title V permit until the section 111/129 standard has been delegated. In these situations, a State or Tribe should not issue a part 70 permit to a source subject to a Federal plan before taking delegation of the section 111/129 Federal plan.

If a State or Tribe can provide an Attorney General's (AG's) opinion delineating its authority to incorporate section 111/129 requirements into its Title V permits, and then implement and enforce these requirements through its Title V permits without first taking delegation of the requirements, then a State or Tribe does not need to take delegation of the section 111/129 requirements for purposes of title V permitting.[6] In practical terms, without approval of a State or Tribal plan, delegation of a Federal plan, or an adequate AG's opinion, States and Tribes with approved part 70 permitting programs open themselves up to potential questions regarding their authority to issue permits containing section 111/129 requirements, and to assure compliance with these requirements. Such questions could lead to the issuance of a notice of deficiency for a State's or Tribe's part 70 program. As a result, prior to a State or Tribal permitting authority drafting a part 70 permit for a source subject to a section 111/129 Federal plan, the State or Tribe, EPA Regional Office, and source in question are advised to ensure that delegation of the relevant Federal plan has taken place or that the permitting authority has provided to the EPA Regional Office an adequate AG's opinion.

In addition, if a permitting authority chooses to rely on an AG's opinion and not take delegation of a Federal plan, a section 111/129 source subject to the Federal plan in that State must simultaneously submit to both EPA and the State or Tribe all reports required by the standard to be submitted to the EPA. Given that these reports are necessary to implement and enforce the section 111/129 requirements when they have been included in title V permits, the permitting authority needs to receive these reports at the same time as the EPA.

In the situation where a permitting authority chooses to rely on an AG's opinion and not take delegation of a Federal plan, EPA Regional Offices will be responsible for implementing and enforcing section 111/129 requirements outside of any title V permits. Moreover, in this situation, EPA Regional Offices will continue to be responsible for developing progress reports, and conducting any other administrative functions required under this Federal plan or any other section 111/129 Federal plan. See the section IV.J. of this preamble titled ''Progress Reports''.

It is important to note that the EPA is not using its authority under 40 CFR part 70.4(i)(3) to request that all States and Tribes which do not take delegation of this Federal plan submit supplemental AG's opinions at this time. However, the EPA Regional Offices shall request, and permitting authorities shall provide, such opinions when the EPA questions a State's or Tribe's authority to incorporate section 111/129 requirements into a title V permit, and implement and enforce these requirements in that context without delegation.

IX. Statutory and Executive Order Reviews

A. Executive Order 12866: Regulatory Planning and Review

This action is not a ''significant regulatory action'' under terms of Executive Order (EO) 12866 (58 FR 51735, October 4, 1993) and is therefore not subject to review under the EO.

B. Paperwork Reduction Act

This action does not impose any new information collection burden. However, the information collection requirements in the proposed rules have been previously submitted for approval to OMB under the Paperwork Reduction Act, 44 U.S.C. 3501, *et seq.* and has been assigned OMB control number 2060–0562 for the proposed rule and the emission guideline (ICR No. 2164.02 for 40 CFR part 60 subpart FFFF). A copy of the OMB approved Information Collection Request (ICR) may be obtained from Susan Auby by mail at the Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460, or by calling (202) 566–1672.

[4] If the Administrator chooses to retain certain authorities under a standard, those authorities cannot be delegated, e.g., alternative methods of demonstrating compliance.

[5] The EPA interprets the phrase ''assure compliance'' in section 502(b)(5)(A) to mean that permitting authorities will implement and enforce each applicable standard, regulation, or requirement which must be included in the title V permits the permitting authorities issue. *See* definition of ''applicable requirement'' in 40 CFR 70.2. *See also* 40 CFR 70.4(b)(3)(i) and 70.6(a)(1).

[6] It is important to note that an AG's opinion submitted at the time of initial title V program approval is sufficient if it demonstrates that a State or Tribe has adequate authority to incorporate CAA section 111/129 requirements into its title V permits, and to implement and enforce these requirements through its title V permits without delegation.

This ICR reflects the burden estimate for the emission guidelines which were promulgated in the **Federal Register** on December 16, 2005. The burden estimate includes the burden associated with State or Tribal plans as well as the burden associated with the proposed Federal plan. Consequently, the burden estimates described below overstate the information collection burden associated with the Federal plan. However, upon approval by EPA, a State or Tribal plan becomes Federally enforceable. Therefore, it is important to estimate the full burden associated with the State or Tribal plans and the Federal plan. As State or Tribal plans are approved, the Federal plan burden will decrease, but the overall burden of the State or Tribal plans and the Federal plan will remain the same.

The proposed rules contain monitoring, reporting, and recordkeeping requirements. Information specified in the emission guidelines would be used by States or EPA to identify existing units subject to the State or Federal plans that implement the emission guidelines, and to ensure that these units comply with their emission limits and other requirements. Records and reports would be necessary to enable EPA or States to identify waste incineration units that may not be in compliance with the requirements. Based on reported information, EPA would decide which units and what records or processes should be inspected.

These recordkeeping and reporting requirements are specifically authorized by CAA section 114 (42 U.S.C. 7414). All information submitted to EPA for which a claim of confidentiality is made will be safeguarded according to EPA policies in 40 CFR part 2, subpart B, Confidentiality of Business Information.

The estimated average annual burden for the first 3 years after promulgation of the emission guidelines for industry and the implementing agency is outlined below.

Affected entity	Average annual hours	Labor costs	Capital costs	O&M costs	Total annual costs
Industry	3,803	$174,703	$0	$0	$174,703
Implementing agency	383	17,611	0	0	17,611

EPA expects the emission guidelines to affect a maximum of 248 OSWI units over the first 3 years. There are no capital, start-up, or operation and maintenance costs for existing units during the first 3 years, because compliance with the emission guidelines is not required until 5 years after promulgation of the emission guidelines (or 3 years after the effective date of approval of a State or Federal plan to implement the guidelines). Costs in the first 3 years include time to review the guidelines and the State or Federal plan. The implementing agency will not incur any capital or start-up costs.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for our regulations are listed in 40 CFR part 9.

C. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedures Act or any other statute unless the agency certifies that the proposed rules will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small government organizations, and small government jurisdictions.

For purposes of assessing the impacts of the proposed rules on small entities, small entity is defined as follows:

1. A small business that is an ultimate parent entity in the regulated industry that has a gross annual revenue less than $6.5 million (this varies by industry category, ranging up to $10.5 million for North American Industrial Classification System (NAICS) code 562213 (VSMWC)), based on Small Business Administration's size standards;

2. a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; or

3. a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field.

After considering the economic impacts of the proposed rules on small entities, I certify that this action will not have a significant economic impact on a substantial number of small entities. The economic impacts on small entities will not be significant because the cost of the proposed rules is expected to range from negligible to actual cost savings. EPA expects that the majority of these entities may realize a cost savings under the likely response to the proposed rules.

Alternative waste disposal methods, such as land filling, are available for OSWI units. During development of the underlying EG, our analysis using model plants and a supplemental analysis using site-specific data both supported the idea that the annual cost to landfill waste will typically be less than the annual cost of using an OSWI unit for waste disposal. Thus, the likely response to the proposed Federal implementation plan will be for small entities that own and operate OSWI units to close the units and use an alternative waste disposal method. More detailed information about these analyses is available in the docket for the underlying EG (see Revised Economic Analysis for Other Solid Waste Incineration (OSWI) Units, November 2005; and Impacts of Other Solid Waste Incinerator Rule on Affected Small Entities, November 2005 in Docket ID No. EPA–HQ–OAR–2003–0156).

The Small Business Administration's Office of Advocacy (SBA) expressed concerns that EPA's certification that the proposed emission guidelines would not have a significant economic impact on a substantial number of small entities is not based on an adequate analysis of IWI units operated by small entities. In response to SBA's public comment, we conducted further detailed analyses (as

summarized in this preamble and available in the docket) and sent small entity outreach surveys requesting information regarding the use of solid waste incinerators at schools to eight entities (identified by SBA) associated with schools. All responses from the small entity outreach survey, with one exception, indicate that incinerators are not being used by the respondents. The one exception regards an institution that owns/operates pathological waste incinerators, which are excluded from regulation under the standards and guidelines.

Although the underlying EG rules will not have a significant economic impact on a substantial number of small entities, EPA nonetheless has tried to reduce the impact of the rules on small entities. The final EG rules provide various exclusions for some sources that may find it unreasonably costly to comply with the rules or utilize alternative disposal options. These exclusions should provide relief for many small entities for which a reasonable disposal alternative is unavailable. In addition, to ensure that affected sources were aware of the proposed rules, EPA sent fact sheets to 361 existing OSWI units in our inventory and an additional 125 fact sheets to trade organizations and interest groups that represented potential OSWI unit owners/operators. The fact sheets explained the proposed regulations, the anticipated costs and impacts to their facilities, and how they could submit comments. None of the facilities or interest groups submitted comments on the proposed OSWI rules or on the cost or other impacts EPA anticipated due to the rulemaking and, in fact, about one-third of the 361 facilities informed us that they no longer own or operate an incineration unit. We continue to be interested in the potential impacts of the proposed rule on small entities and welcome comments on issues related to such impacts.

D. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act (UMRA) of 1995, Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and Tribal governments and the private sector. Under section 202 of the UMRA, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures by State, local, and Tribal governments, in the aggregate, or by the private sector, of $100 million or more in any 1 year. Before promulgating an EPA rule for which a written statement is needed, section 205 of the UMRA generally requires EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the proposed rules. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective, or least burdensome alternative if EPA publishes with the final rule an explanation why that alternative was not adopted.

Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including Tribal governments, EPA must develop a small government agency plan under section 203 of the UMRA. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA's regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

The EPA has determined that the proposed rules do not contain a Federal mandate that may result in expenditures of $100 million or more for State, local, and Tribal governments, in the aggregate, or the private sector in any 1 year. In the preamble promulgating the emissions guidelines, we presented our expectation that most OSWI units would close and utilize an economical alternative waste disposal method rather than complying with the final rules, rendering the cost impacts negligible. Thus, the final EG, and by extension the proposed Federal plan, are not subject to the requirements of section 202 and 205 of the UMRA. In addition, EPA has determined that the proposed rules contain no regulatory requirements that might significantly or uniquely affect small governments because the burden is small and the regulations do not unfairly apply to small governments. Therefore, the proposed rules are not subject to the requirements of section 203 of the UMRA.

E. Executive Order 13132: Federalism

Executive Order 13132 (64 FR 43255, August 10, 1999), requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.''

Under section 6 of Executive Order 13132, EPA may not issue a regulation that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. Also, EPA may not issue a regulation that has federalism implications and that preempts State law, unless EPA consults with State and local officials early in the process of developing the proposed regulation.

The proposed rules do not have federalism implications. They will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. The proposed rules will not impose substantial direct compliance costs on State or local governments, and will not preempt State law. Thus, Executive Order 13132 does not apply to the proposed rules.

F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

Executive Order 13175, (65 FR 67249, November 9, 2000), requires EPA to develop an accountable process to ensure ''meaningful and timely input by Tribal officials in the development of regulatory policies that have Tribal implications.'' The proposed rule does not have Tribal implications, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to the proposed rules.

G. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

Executive Order 13045 (62 FR 19885, April 23, 1997), applies to any rule that: (1) Is determined to be ''economically significant'' as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria,

EPA must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives EPA considered.

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required under section 5–501 of the Executive Order has the potential to influence the regulation. The proposed rules are not subject to Executive Order 13045 because they are based on technology performance and not on health and safety risks. Also, the proposed rules are not ''economically significant.''

H. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution or Use

This rule is not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR28355; May 22, 2001) because it is not a significant regulatory action under Executive Order 12866.

I. National Technology Transfer Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) of 1995 (Pub. L. 104–113; 15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in their regulatory and procurement activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, business practices) developed or adopted by one or more voluntary consensus bodies. The NTTAA directs EPA to provide Congress, through annual reports to OMB, with explanations when an agency does not use available and applicable voluntary consensus standards.

The proposed rules involve technical standards. The EPA proposes to use EPA Methods 1, 2, 3A, 3B, 4, 5, 6 or 6C, 7 or 7A, 7C, 7D, or 7E, 9, 10, 10A or 10B, 23, 26A, and 29 of 40 CFR part 60, appendix A.

Consistent with the NTTAA, EPA conducted searches to identify voluntary consensus standards in addition to these EPA methods. No applicable voluntary consensus standards were identified for EPA Methods 7D, 9, and 10A. The search and review results have been documented and are placed in the docket for the OSWI emission guidelines.

One voluntary consensus standard was identified as an acceptable alternative to EPA test methods for the purposes of the proposed rules. The voluntary consensus standard ASME PTC 19–10–1981–Part 10, ''Flue and Exhaust Gas Analyses,'' is cited in the emission guidelines and the proposed rules for its manual methods for measuring the nitrogen oxide, oxygen, and sulfur dioxide content of exhaust gas. These parts of ASME PTC 19–10–1981–Part 10 are acceptable alternatives to Methods 3B, 6, 7, and 7C.

The search for emissions measurement procedures identified 29 voluntary consensus standards applicable to the proposed rules. The EPA determined these 29 standards identified for measuring emissions of Cd, CO, dioxins/furans, HCl, Hg, Pb, PM, NO_X, and SO_2 subject to the emission limits were impractical alternatives to EPA test methods for the purposes of the proposed rules. Therefore, EPA does not intend to adopt the standards for this purpose. (See Docket ID No. EPA–HQ–OAR–2003–0156 for further information on the methods.)

Four of the 29 voluntary consensus standards identified in this search were not available at the time the review was conducted because they are under development by a voluntary consensus body: ASME/BSR MFC 13M, ''Flow Measurement by Velocity Traverse,'' for EPA Method 2 (and possibly 1); ASME/BSR MFC 12M, ''Flow in Closed Conduits Using Multiport Averaging Pitot Primary Flowmeters,'' for EPA Method 2; ISO/DIS 12039, ''Stationary Source Emissions-Determination of Carbon Monoxide, Carbon Dioxide, and Oxygen-Automated Methods'' for EPA Method 3A; and ASTM Z6590Z, ''Manual Method for Both Speciated and Elemental Mercury'' for EPA Method 29 (portion for Hg only).

Tables 2 and 4 of subpart FFFF of 40 CFR part 60 list the EPA testing methods from the underlying EG that would be included in the proposed rules. Under 40 CFR part 60.8(b) and 60.13(i) of subpart A (General Provisions), a source may apply to EPA for permission to use alternative test methods or alternative monitoring requirements in place of any of the EPA testing methods, performance specifications, or procedures.

List of Subjects in 40 CFR Part 62

Environmental protection, Administrative practice and procedure, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: December 8, 2006.

Stephen L. Johnson,

Administrator.

40 CFR part 62 is proposed to be amended as follows:

PART 62—[AMENDED]

1. The authority citation for part 62 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

2. Section 62.13 is amended by revising paragraph (e) to read as follows:

§ 62.13 Federal plans.

* * * * *

(e) The substantive requirements of the other solid waste incineration units Federal plan are contained in subpart KKK of this part. These requirements include emission limits, compliance schedules, testing, monitoring, and reporting and recordkeeping requirements.

3. Part 62 is amended by adding a new subpart KKK to read as follows:

Subpart KKK—Federal Plan Requirements for Other Solid Waste Incineration Units That Commenced Construction on or Before December 9, 2004

Sec.

Introduction

62.15450 What is the purpose of this subpart?
62.15455 What are the principal components of this subpart?

Applicability

62.15460 Am I subject to this subpart?
62.15470 Can my OSWI unit be covered by both a State plan and this subpart?
62.15475 How do I determine if my OSWI unit is covered by an approved and effective State or Tribal plan?
62.15480 If my OSWI unit is not listed in the Federal plan inventory, am I exempt from this subpart?
62.15485 Can my combustion unit be exempt from this subpart?
62.15495 When must I submit any records required pursuant to an exemption allowed under § 62.15485?
62.15500 Are air curtain incinerators regulated under this subpart?

Compliance Schedule and Increments of Progress

62.15505 When must I comply with this subpart if I plan to continue operation of my OSWI unit?
62.15510 What must I do if I plan to permanently close my OSWI unit and not restart it?
62.15515 What must I do if I close my OSWI unit and then restart it?

Waste Management Plan

62.15520 What is a waste management plan?
62.15525 When must I submit my waste management plan?

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Introduction

§ 62.15450 What is the purpose of this subpart?

(a) This subpart establishes emission requirements and compliance schedules for the control of emissions from other solid waste incineration (OSWI) units that are not covered by an EPA approved and currently effective State or Tribal plan. The pollutants addressed by these emission requirements are listed in Table 1 of this subpart. These emission requirements are developed in accordance with sections 111 and 129 of the Clean Air Act and subpart B of 40 CFR part 60.

(b) In this subpart, ''you'' means the owner or operator of an OSWI unit or air curtain incinerator subject to this subpart.

§ 62.15455 What are the principal components of this subpart?

This subpart contains the twelve major components listed in paragraphs (a) through (l) of this section.

(a) Compliance schedule.
(b) Waste management plan.
(c) Operator training and qualification.
(d) Emission limitations and operating limits.
(e) Performance testing.
(f) Initial compliance requirements.
(g) Continuous compliance requirements.
(h) Monitoring.
(i) Recordkeeping and reporting.
(j) Definitions.
(k) Equations
(l) Tables.

Applicability

§ 62.15460 Am I subject to this subpart?

(a) You are subject to this subpart if you own or operate an OSWI unit as defined in § 62.15850, or an air curtain incinerator subject to this subpart as defined in § 62.15785. OSWI units are very small municipal waste combustion units and institutional waste incineration units as defined in § 62.15850. Units subject to this subpart meet the criteria described in paragraphs (a)(1) through (a)(3) of this section.

(1) Construction of your incineration unit commenced on or before November December 9, 2004.

(2) Your incineration unit is not exempt under § 62.15485.

(3) Your incineration unit is not regulated by an EPA approved and currently effective State or Tribal plan, or your incineration unit is located in any State whose approved State or Tribal plan is subsequently vacated in whole or in part.

(b) If the owner or operator of an incineration unit subject to this subpart makes changes that meet the definition of modification or reconstruction on or after June 16, 2006, that unit becomes subject to subpart EEEE of 40 CFR part 60 (New Source Performance Standards for Other Solid Waste Incineration Units) and this subpart no longer applies to that unit.

(c) If you make physical or operational changes to your existing incineration unit primarily to comply with this subpart, then such changes do not qualify as modifications or reconstructions under subpart EEEE of 40 CFR part 60.

§ 62.15470 Can my OSWI unit be covered by both a State plan and this subpart?

(a) If your OSWI unit is located in a State that does not have an EPA-approved State plan or your State's plan has not become effective, this subpart applies to your OSWI unit until the EPA approves a State plan that covers your OSWI unit and that State plan becomes effective. However, a State may enforce the requirements of a State regulation while your OSWI unit is still subject to this subpart.

(b) After the EPA approves a State plan covering your OSWI unit, and after that State plan becomes effective, you will no longer be subject to this subpart and will only be subject to the approved and effective State plan.

§ 62.15475 How do I determine if my OSWI unit is covered by an approved and effective State or Tribal plan?

This part (40 CFR part 62) contains a list of State and Tribal areas with approved Clean Air Act section 111(d) and section 129 plans along with the effective dates for such plans. The list is published annually. If this part does not indicate that your State or Tribal area has an approved and effective plan, you should contact your State environmental agency's air director or your EPA Regional Office to determine if the EPA has approved a State plan covering your unit since publication of the most recent version of this subpart.

§ 62.15480 If my OSWI unit is not listed in the Federal plan inventory, am I exempt from this subpart?

Not necessarily. Sources subject to this subpart are not limited to the inventory of sources listed in Docket No. EPA–HQ–OAR–2006–0364 for the Federal plan. If your incineration unit meets the applicability criteria in § 62.15460, this subpart applies to you whether or not your unit is listed in the Federal plan inventory in the docket.

§ 62.15485 Can my combustion unit be exempt from this subpart?

This subpart exempts the types of units described in paragraphs (a) through (q) of this section from complying with the requirements of this subpart except for the requirements specified in this section.

(a) *Cement kilns.* The unit is excluded if it is regulated under subpart LLL of part 63 of this chapter (National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry).

(b) *Co-fired combustors.* The unit, that would otherwise be considered a very small municipal waste combustion unit, is excluded if the owner/operator of the unit meets the following five requirements:

(1) Has a Federally enforceable permit limiting the combustion of municipal solid waste to 30 percent of the total fuel input by weight.

(2) Notifies the Administrator that the unit qualifies for the exclusion.

(3) Provides the Administrator with a copy of the Federally enforceable permit.

(4) Records the weights, each calendar quarter, of municipal solid waste and of all other fuels combusted.

(5) Keeps each report for 5 years. These records must be kept on site for at least 2 years, but may be kept off site for the remaining 3 years.

(c) *Cogeneration facilities.* The unit is excluded if it meets the three requirements specified in paragraphs (c)(1) through (3) of this section.

(1) The unit qualifies as a cogeneration facility under section 3(18)(B) of the Federal Power Act (16 U.S.C. 796(18)(B)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity and steam or other forms of energy used for industrial, commercial, heating, or cooling purposes.

(3) The owner/operator of the unit notifies the Administrator that the unit meets all of these criteria.

(d) *Commercial and industrial solid waste incineration units.* The unit is excluded if it is regulated under subparts CCCC or DDDD of part 60 or subpart III of part 62 and is required to meet the emission limitations established in those subparts.

(e) *Hazardous waste combustion units.* The unit is excluded if it meets either of the two criteria specified in paragraph (e)(1) or (2) of this section.

(1) The owner/operator of the unit is required to get a permit for the unit under section 3005 of the Solid Waste Disposal Act.

(2) The unit is regulated under 40 CFR part 63, subpart EEE (National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors).

(f) *Hospital/medical/infectious waste incinerators.* The unit is excluded if it is regulated under subparts Ce or Ec of part 60 (New Source Performance Standards and Emission Guidelines for Hospital/Medical/Infectious Waste Incinerators) or subpart HHH of part 62 (Federal Plan Requirements for Hospital/Medical/Infectious Waste Incinerators Constructed on or before June 20, 1996).

(g) *Incinerators and air curtain incinerators in isolated areas of Alaska.* The incineration unit is excluded if it is used at a solid waste disposal site in Alaska that is classified as a Class II or Class III municipal solid waste landfill, as defined in § 62.15850.

(h) *Rural institutional waste incinerators.* The incineration unit is excluded if it is an institutional waste incinerator, as defined in § 62.15850, and the application for exclusion described in paragraphs (h)(1) and (2) of this section has been approved by the Administrator.

(1) Prior to 1 year before the final compliance date, an application and supporting documentation demonstrating that the institutional waste incineration unit meets the two requirements specified in paragraphs (h)(1)(i) and (ii) of this section must be submitted to the Administrator for approval.

(i) The unit is located more than 50 miles from the boundary of the nearest Metropolitan Statistical Area,

(ii) Alternative disposal options are not available or are economically infeasible,

(2) The application described in paragraph (h)(1) of this section must be revised and resubmitted to the Administrator for approval every 5 years following the initial approval of the exclusion for your unit.

(3) If you re-applied for an exclusion pursuant to paragraph (h)(2) of this section and were denied exclusion by the Administrator, you have 3 years from the expiration date of the current exclusion to comply with the emission limits and all other applicable requirements of this subpart.

(i) *Institutional boilers and process heaters.* The unit is excluded if it is regulated under 40 CFR part 63, subpart DDDDD (National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters).

(j) *Laboratory Analysis Units.* The unit is excluded if it burns samples of materials only for the purpose of chemical or physical analysis.

(k) *Materials recovery units.* The unit is excluded if it combusts waste for the primary purpose of recovering metals. Examples include primary and secondary smelters.

(l) *Pathological waste incineration units.* An institutional waste incineration unit or very small municipal waste combustion unit is excluded from this subpart if it burns 90 percent or more by weight (on a calendar quarter basis and excluding the weight of auxiliary fuel and combustion air) of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste as defined in § 62.15850 and the owner/operator of the unit meets the criteria specified in paragraphs (l)(1) and (2) of this section.

(1) Notify the Administrator that the unit meets these criteria.

(2) Keeps records on a calendar quarter basis of the weight of pathological waste, low-level radioactive waste, and/or chemotherapeutic waste burned, and the weight of all other fuels and wastes burned in the unit.

(m) *Small or large municipal waste combustion units.* The unit is excluded if it is regulated under 40 CFR part 60, subparts AAAA, BBBB, Ea, Eb, or Cb, and is required to meet the emission limitations established in those subparts. Also excluded are units regulated under 40 CFR part 62, subparts FFF or JJJ.

(n) *Small power production facilities.* The unit is excluded if it meets the three requirements specified in paragraphs (n)(1) through (3) of this section.

(1) The unit qualifies as a small power-production facility under section 3(17)(C) of the Federal Power Act (16 U.S.C. 796(17)(C)).

(2) The unit burns homogeneous waste (not including refuse-derived fuel) to produce electricity.

(3) The owner/operator of the unit notifies the Administrator that the unit meets all of these criteria.

(o) *Temporary-use incinerators and air curtain incinerators used in disaster recovery.* The incineration unit is excluded if it is used on a temporary basis to combust debris from a disaster or emergency such as a tornado, hurricane, flood, ice storm, high winds, or act of bioterrorism and you comply with the requirements in § 62.15835.

(p) *Units that combust contraband or prohibited goods.* The incineration unit is excluded if the unit is owned or operated by a government agency such as police, customs, agricultural inspection, or a similar agency to destroy only illegal or prohibited goods such as illegal drugs, or agricultural food products that can not be transported into the country or across state lines to prevent biocontamination. The exclusion does not apply to items either confiscated or incinerated by private, industrial, or commercial entities.

(q) *Incinerators used for national security.* Your incineration unit is excluded if it meets the requirements specified in either (q)(1) or (2) of this section.

(1) The incineration unit is used solely during military training field exercises to destroy national security materials integral to the field exercises.

(2) The incineration unit is used solely to incinerate national security materials, its use is necessary to safeguard national security, you follow the exclusion request requirements in paragraphs (q)(2)(i) and (ii) of this section, and the Administrator has approved your request for exclusion.

(i) The request for exclusion and supporting documentation must demonstrate both that the incineration unit is used solely to destroy national security materials and that a reliable alternative to incineration that ensures acceptable destruction of national security materials is unavailable, on either a permanent or temporary basis.

(ii) The request for exclusion must be submitted to the Administrator prior to 1 year before the final compliance date.

§ 62.15495 When must I submit any records required pursuant to an exemption allowed under § 62.15485?

Owners or operators of sources that qualify for the exemptions in § 62.15485(b) and (l) must submit any records required to support their claims of exemption to the EPA Administrator (or delegated enforcement authority) upon request. Upon request by any person under the regulation at part 2 of this chapter (or a comparable law or regulation governing a delegated enforcement authority), the EPA Administrator (or delegated enforcement authority) must request the records in § 62.15485(b) and (l) from an owner or operator and make such records available to the requestor to the extent required by part 2 of this chapter (or a comparable law governing a delegated enforcement authority). Any records required under § 62.15485(b) and (l) must be maintained by the source for a period of at least 5 years. Notifications of exemption claims required under § 62.15485(b) and (l) of this section must be maintained by the EPA or delegated enforcement authority for a period of at least five years. Any information obtained from an owner or operator of a source accompanied by a claim of confidentiality will be treated in accordance with the regulations in part 2 of this chapter (or a comparable law governing a delegated enforcement authority).

§ 62.15500 Are air curtain incinerators regulated under this subpart?

(a) Air curtain incinerators that burn less than 35 tons per day of municipal solid waste or air curtain incinerators located at institutional facilities burning any amount of institutional waste generated at that facility are subject to all requirements of this subpart, including the emission limitations specified in Table 1 of this subpart.

(b) Air curtain incinerators that burn only less than 35 tons per day of the materials listed in paragraphs (b)(1) through (4) of this section collected from the general public and from residential, commercial, institutional, and industrial sources; or, air curtain incinerators located at institutional facilities that burn only the materials listed in paragraphs (b)(1) through (4) of this section generated at that facility, are required to meet only the requirements in §§ 62.15785 through 62.15830 and are exempt from all other requirements of this subpart.

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent yard waste.

(4) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

Compliance Schedule and Increments of Progress

§ 62.15505 When must I comply with this subpart if I plan to continue operation of my OSWI unit?

If you plan to continue operation and come into compliance with the requirements of this subpart by [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS AFTER DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**], then you must complete the requirements of paragraphs (a) through (f) of this section.

(a) You must comply with the operator training and qualification requirements and inspection requirements (if applicable) of this subpart by [A DATE WILL BE INSERTED WHICH WILL BE ONE YEAR AFTER DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**].

(b) You must submit a waste management plan no later than 60 days following the initial performance test as specified in Table 4 of this subpart.

(c) You must achieve final compliance by [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS AFTER THE DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**]. To achieve final compliance, you must incorporate all process changes and complete retrofit construction of control devices, so that, if the affected CISWI unit is brought online, all necessary process changes and air pollution control devices would operate as designed.

(d) You must conduct the initial performance test no later than [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS PLUS 180 DAYS AFTER THE DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**].

(e) You must submit an initial test report including the results of the initial performance test no later than 60 days following the initial performance test.

(f) You must submit a notification to the Administrator stating whether final compliance has been achieved, postmarked within 10 business days after [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS PLUS 10 DAYS AFTER THE DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**].

§ 62.15510 What must I do if I plan to permanently close my OSWI unit and not restart it?

You must close the unit before the final compliance date on [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS AFTER DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**].

(1) You must comply with the operator training and qualification requirements and inspection requirements (if applicable) of this subpart by [A DATE WILL BE INSERTED WHICH WILL BE ONE YEAR AFTER DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**].

(2) While still in operation, your OSWI unit is subject to the same requirement to apply for and obtain a title V operating permit that applies to an OSWI unit that will not be permanently closing. See §§ 62.15825 and 62.15830.

§ 62.15515 What must I do if I close my OSWI unit and then restart it?

(a) If you close your OSWI unit but will reopen it prior to [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS AFTER DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**], you must meet all the requirements of § 62.15505.

(b) If you close your OSWI unit and restart the unit after [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS AFTER THE DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**] and resume operation, you must meet all of the requirements of § 62.15505(a), (b), (c), and (e) at the time you restart your OSWI unit. You must conduct the initial performance test within 30 days of restarting your OSWI unit. Upon restarting your OSWI unit, you must have incorporated all process changes and completed retrofit construction of control devices so that when the affected OSWI unit is brought online, all necessary process changes and air pollution control devices operate as designed.

Waste Management Plan

§ 62.15520 What is a waste management plan?

A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste.

§ 62.15525 When must I submit my waste management plan?

You must submit a waste management plan no later than 60 days following the initial performance test as specified in Table 4 of this subpart

§ 62.15530 What should I include in my waste management plan?

A waste management plan must include consideration of the reduction or separation of waste-stream elements such as paper, cardboard, plastics, glass, batteries, or metals; or the use of recyclable materials. The plan must identify any additional waste management measures, and the source must implement those measures considered practical and feasible, based on the effectiveness of waste management measures already in place, the costs of additional measures, the emissions reductions expected to be achieved, and any other environmental or energy impacts they might have.

Operator Training and Qualification

§ 62.15535 What are the operator training and qualification requirements?

(a) No OSWI unit can be operated unless a fully trained and qualified OSWI unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified OSWI unit operator may operate the OSWI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified OSWI unit operators are temporarily not accessible, you must follow the procedures in § 62.15570.

(b) Operator training and qualification must be obtained through a State-approved program or by completing the requirements included in paragraph (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (c)(1) through (3) of this section.

(1) Training on the 13 subjects listed in paragraphs (c)(1)(i) through (xiii) of this section.

(i) Environmental concerns, including types of emissions.

(ii) Basic combustion principles, including products of combustion.

(iii) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures.

(iv) Combustion controls and monitoring.

(v) Operation of air pollution control equipment and factors affecting performance (if applicable).

(vi) Inspection and maintenance of the incinerator and air pollution control devices.

(vii) Methods to monitor pollutants (including monitoring of incinerator and control device operating parameters) and monitoring equipment calibration procedures, where applicable.

(viii) Actions to correct malfunctions or conditions that may lead to malfunction.

(ix) Bottom and fly ash characteristics and handling procedures.

(x) Applicable Federal, State, and local regulations, including Occupational Safety and Health Administration workplace standards.

(xi) Pollution prevention.

(xii) Waste management practices.

(xiii) Recordkeeping requirements.

(2) An examination designed and administered by the instructor.

(3) Written material covering the training course topics that may serve as reference material following completion of the course.

§ 62.15545 When must the operator training course be completed?

The operator training course must be completed by the latest of the three dates specified in paragraphs (a) through (c) of this section.

(a) The final compliance date specified in § 62.15505.

(b) Six months after your OSWI unit startup.

(c) Six months after an employee assumes responsibility for operating the OSWI unit or assumes responsibility for supervising the operation of the OSWI unit.

§ 62.15550 How do I obtain my operator qualification?

(a) You must obtain operator qualification by completing a training course that satisfies the criteria under § 62.15535(c).

(b) Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under § 62.15535(c)(2).

§ 62.15555 How do I maintain my operator qualification?

To maintain qualification, you must complete an annual review or refresher course covering, at a minimum, the five topics described in paragraphs (a) through (e) of this section.

(a) Update of regulations.

(b) Incinerator operation, including startup and shutdown procedures, waste charging, and ash handling.

(c) Inspection and maintenance.

(d) Responses to malfunctions or conditions that may lead to malfunction.

(e) Discussion of operating problems encountered by attendees.

§ 62.15560 How do I renew my lapsed operator qualification?

You must renew a lapsed operator qualification by one of the two methods specified in paragraphs (a) and (b) of this section.

(a) For a lapse of less than 3 years, you must complete a standard annual refresher course described in § 62.15555.

(b) For a lapse of 3 years or more, you must repeat the initial qualification requirements in § 62.15550(a).

§ 62.15565 What site-specific documentation is required?

(a) Documentation must be available at the facility and readily accessible for all OSWI unit operators that addresses the nine topics described in paragraphs (a)(1) through (9) of this section. You must maintain this information and the training records required by paragraph (c) of this section in a manner that they can be readily accessed and are suitable for inspection upon request.

(1) Summary of the applicable standards under this subpart.

(2) Procedures for receiving, handling, and charging waste.

(3) Incinerator startup, shutdown, and malfunction procedures.

(4) Procedures for maintaining proper combustion air supply levels.

(5) Procedures for operating the incinerator and associated air pollution control systems within the standards established under this subpart.

(6) Monitoring procedures for demonstrating compliance with the operating limits established under this subpart.

(7) Reporting and recordkeeping procedures.

(8) The waste management plan required under §§ 62.15520 through 62.15530.

(9) Procedures for handling ash.

(b) You must establish a program for reviewing the information listed in paragraph (a) of this section with each incinerator operator.

(1) The initial review of the information listed in paragraph (a) of this section must be conducted by the latest of three dates specified in paragraphs (b)(1)(i) through (iii) of this section.

(i) [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS AFTER DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**].

(ii) Six months after your OSWI unit startup.

(iii) Six months after an employee assumes responsibility for operating the OSWI unit or assumes responsibility for supervising the operation of the OSWI unit.

(2) Subsequent annual reviews of the information listed in paragraph (a) of this section must be conducted not later than 12 months following the previous review.

(c) You must also maintain the information specified in paragraphs (c)(1) through (3) of this section.

(1) Records showing the names of OSWI unit operators who have completed review of the information in paragraph (a) of this section as required by paragraph (b) of this section, including the date of the initial review and all subsequent annual reviews.

(2) Records showing the names of the OSWI unit operators who have completed the operator training requirements under § 62.15535, met the criteria for qualification under § 62.15550, and maintained or renewed their qualification under § 62.15555 or § 62.15560. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(3) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

§ 62.15570 What if all the qualified operators are temporarily not accessible?

If all qualified operators are temporarily not accessible (i.e., not at the facility and not able to be at the facility within 1 hour), you must meet one of the three criteria specified in paragraphs (a) through (c) of this section, depending on the length of time that a qualified operator is not accessible.

(a) When all qualified operators are not accessible for 12 hours or less, the OSWI unit may be operated by other plant personnel familiar with the operation of the OSWI unit who have completed review of the information specified in § 62.15565(a) within the past 12 months. You do not need to notify the Administrator or include this as a deviation in your annual report.

(b) When all qualified operators are not accessible for more than 12 hours, but less than 2 weeks, the OSWI unit may be operated by other plant personnel familiar with the operation of the OSWI unit who have completed a review of the information specified in § 62.15565(a) within the past 12 months. However, you must record the period when all qualified operators were not accessible and include this deviation in the annual report as specified under § 62.15570.

(c) When all qualified operators are not accessible for 2 weeks or more, you must take the two actions that are described in paragraphs (c)(1) and (2) of this section.

(1) Notify the Administrator of this deviation in writing within 10 days. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible.

(2) Submit a status report to the EPA every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible and requesting approval from the EPA to continue operation of the OSWI unit. You must submit the first status report 4 weeks after you notify the EPA of the deviation under paragraph (c)(1) of this section. If the EPA notifies you that your request to continue operation of the OSWI unit is disapproved, the OSWI unit may continue operation for 90 days, then must cease operation. Operation of the unit may resume if you meet the two requirements in paragraphs (c)(2)(i) and (ii) of this section.

(i) A qualified operator is accessible as required under § 62.15535(a).

(ii) You notify the EPA that a qualified operator is accessible and that you are resuming operation.

Emission Limitations and Operating Limits

§ 62.15575 What emission limitations must I meet and by when?

You must meet the emission limitations specified in Table 1 of this subpart on the date the initial performance test is required or completed, whichever is earlier. Section 62.15630 specifies the date by which you are required to conduct your performance test.

§ 62.15585 What operating limits must I meet and by when?

(a) If you use a wet scrubber to comply with the emission limitations, you must establish operating limits for four operating parameters (as specified in Table 2 of this subpart) as described in paragraphs (a)(1) through (4) of this section during the initial performance test.

(1) Maximum charge rate, calculated using one of the two different procedures in paragraphs (a)(1)(i) or (ii) of this section, as appropriate.

(i) For continuous and intermittent units, maximum charge rate is the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(ii) For batch units, maximum charge rate is the charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(2) Minimum pressure drop across the wet scrubber, which is calculated as the average pressure drop across the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations; or minimum amperage to the wet scrubber, which is calculated as the average amperage to the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(3) Minimum scrubber liquor flow rate, which is calculated as the average liquor flow rate at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(4) Minimum scrubber liquor pH, which is calculated as the average liquor pH at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with the hydrogen chloride and sulfur dioxide emission limitations.

(b) You must meet the operating limits established during the initial performance test beginning on the date [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS PLUS 180 DAYS AFTER THE DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**].

§ 62.15595 What if I do not use a wet scrubber to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber or limit emissions in some other manner to comply with the emission limitations under § 62.15575, you must petition the EPA for specific operating limits, the values of which are to be established during the initial performance test and then continuously monitored thereafter. You must not conduct the initial performance test until after the petition has been approved by the EPA. Your petition must include the five items listed in paragraphs (a) through (e) of this section.

(a) Identification of the specific parameters you propose to use as operating limits.

(b) A discussion of the relationship between these parameters and emissions of regulated pollutants, identifying how emissions of regulated pollutants change with changes in these parameters, and how limits on these parameters will serve to limit emissions of regulated pollutants.

(c) A discussion of how you will establish the upper and/or lower values for these parameters that will establish the operating limits on these parameters.

(d) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments.

(e) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

§ 62.15605 What happens during periods of startup, shutdown, and malfunction?

The emission limitations and operating limits apply at all times except during OSWI unit startups, shutdowns, or malfunctions.

Performance Testing

§ 62.15610 How do I conduct the initial and annual performance test?

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

(b) All performance tests must be conducted using the methods in Table 1 of this subpart.

(c) All performance tests must be conducted using the minimum run duration specified in Table 1 of this subpart.

(d) Method 1 of appendix A of 40 CFR part 60 must be used to select the sampling location and number of traverse points.

(e) Method 3A or 3B of appendix A of 40 CFR part 60 must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B of appendix A of 40 CFR part 60 must be used simultaneously with each method.

(f) All pollutant concentrations, except for opacity, must be adjusted to 7 percent oxygen using Equation 1 in § 62.15845(a).

(g) Method 26A of appendix A of 40 CFR part 60 must be used for hydrogen chloride concentration analysis, with the additional requirements specified in paragraphs (g)(1) through (3) of this section.

(1) The probe and filter must be conditioned prior to sampling using the procedure described in paragraphs (g)(1)(i) through (iii) of this section.

(i) Assemble the sampling train(s) and conduct a conditioning run by collecting between 14 liters per minute (0.5 cubic feet per minute) and 30 liters per minute (1.0 cubic feet per minute) of gas over a 1-hour period. Follow the sampling procedures outlined in section 8.1.5 of Method 26A of appendix A of 40 CFR part 60. For the conditioning run, water can be used as the impinger solution.

(ii) Remove the impingers from the sampling train and replace with a fresh impinger train for the sampling run, leaving the probe and filter (and cyclone, if used) in position. Do not

recover the filter or rinse the probe before the first run. Thoroughly rinse the impingers used in the preconditioning run with deionized water and discard these rinses.

(iii) The probe and filter assembly are conditioned by the stack gas and are not recovered or cleaned until the end of testing.

(2) For the duration of sampling, a temperature around the probe and filter (and cyclone, if used) between 120 °C (248 °F) and 134 °C (273 °F) must be maintained.

(3) If water droplets are present in the sample gas stream, the requirements specified in paragraphs (g)(3)(i) and (ii) of this section must be met.

(i) The cyclone described in section 6.1.4 of Method 26A of appendix A of 40 CFR part 60.

(ii) The post-test moisture removal procedure described in section 8.1.6 of Method 26A of appendix A of 40 CFR part 60 must be used.

§ 62.15615 How are the performance test data used?

You use results of performance tests to demonstrate compliance with the emission limitations in Table 1 of this subpart.

Initial Compliance Requirements

§ 62.15620 How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

You must conduct an initial performance test, as required under section 60.8, to determine compliance with the emission limitations in Table 1 of this subpart of part 62 and to establish operating limits using the procedure in § 62.15585 or § 62.15595. The initial performance test must be conducted using the test methods listed in Table 1 of this subpart and the procedures in § 62.15610.

§ 62.15630 By what date must I conduct the initial performance test?

The initial performance test must be conducted no later than [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS PLUS 180 DAYS AFTER THE DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**].

Continuous Compliance Requirements

§ 62.15635 How do I demonstrate continuous compliance with the emission limitations and the operating limits?

(a) You must conduct an annual performance test for all of the pollutants in Table 1 of this subpart for each OSWI unit to determine compliance with the emission limitations. The annual performance test must be conducted using the test methods listed in Table 2 of this subpart and the procedures in § 62.15610.

(b) You must continuously monitor carbon monoxide emissions to determine compliance with the carbon monoxide emissions limitation. Twelve-hour rolling average values are used to determine compliance. A 12-hour rolling average value the carbon monoxide emission limit in Table 1 constitutes a deviation from the emission limitation.

(c) You must continuously monitor the operating parameters specified in § 62.15585 or established under § 62.15595. Three-hour rolling average values are used to determine compliance with the operating limits unless a different averaging period is established under § 62.15595. A 3-hour rolling average value (unless a different averaging period is established under § 62.15595) above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. Operating limits do not apply during performance tests.

§ 62.15645 By what date must I conduct the annual performance test?

You must conduct annual performance tests within 12 months following the initial performance test. Conduct subsequent annual performance tests within 12 months following the previous one.

§ 62.15650 May I conduct performance testing less often?

(a) You can test less often for a given pollutant if you have test data for at least three consecutive annual tests, and all performance tests for the pollutant over that period show that you comply with the emission limitation. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the 3rd year and no more than 36 months following the previous performance test.

(b) If your OSWI unit continues to meet the emission limitation for the pollutant, you may choose to conduct performance tests for that pollutant every 3rd year, but each test must be within 36 months of the previous performance test.

(c) If a performance test shows a deviation from an emission limitation for any pollutant, you must conduct annual performance tests for that pollutant until three consecutive annual performance tests for that pollutant all show compliance.

§ 62.15660 May I conduct a repeat performance test to establish new operating limits?

Yes. You may conduct a repeat performance test at any time to establish new values for the operating limits. The Administrator may request a repeat performance test at any time.

Monitoring

§ 62.15665 What continuous emission monitoring systems must I install?

(a) You must install, calibrate, maintain, and operate continuous emission monitoring systems for carbon monoxide and for oxygen. You must monitor the oxygen concentration at each location where you monitor carbon monoxide.

(b) You must install, evaluate, and operate each continuous emission monitoring system according to the ''Monitoring Requirements'' in § 60.13.

§ 62.15675 How do I make sure my continuous emission monitoring systems are operating correctly?

(a) Conduct initial, daily, quarterly, and annual evaluations of your continuous emission monitoring systems that measure carbon monoxide and oxygen.

(b) Complete your initial evaluation of the continuous emission monitoring systems by the date not later than within 180 days after [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS PLUS 180 DAYS AFTER THE DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**]

(c) For initial and annual evaluations, collect data concurrently (or within 30 to 60 minutes) using your carbon monoxide and oxygen continuous emission monitoring systems. To validate carbon monoxide concentration levels, use EPA Method 10, 10A, or 10B of appendix A of part 60. Use EPA Method 3 or 3A to measure oxygen. Collect the data during each initial and annual evaluation of your continuous emission monitoring systems following the applicable performance specifications in appendix B of 40 CFR part 60. Table 3 of this subpart shows the required span values and performance specifications that apply to each continuous emission monitoring system.

(d) Follow the quality assurance procedures in Procedure 1 of appendix F of 40 CFR part 60 for each continuous emission monitoring system. The procedures include daily calibration drift and quarterly accuracy determinations.

§ 62.15685 What is my schedule for evaluating continuous emission monitoring systems?

(a) Conduct annual evaluations of your continuous emission monitoring systems no more than 12 months after the previous evaluation was conducted.

(b) Evaluate your continuous emission monitoring systems daily and quarterly as specified in appendix F of 40 CFR part 60.

§ 62.15690 What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems, and is the data collection requirement enforceable?

(a) Where continuous emission monitoring systems are required, obtain 1-hour arithmetic averages. Make sure the averages for carbon monoxide are in parts per million by dry volume at 7 percent oxygen. Use the 1-hour averages of oxygen data from your continuous emission monitoring system to determine the actual oxygen level and to calculate emissions at 7 percent oxygen.

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average. Section 60.13(e)(2) requires your continuous emission monitoring systems to complete at least one cycle of operation (sampling, analyzing, and data recording) for each 15-minute period.

(c) Obtain valid 1-hour averages for at least 75 percent of the operating hours per day for at least 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal or institutional solid waste.

(d) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you have deviated from the data collection requirement regardless of the emission level monitored.

(e) If you do not obtain the minimum data required in paragraphs (a) through (c) of this section, you must still use all valid data from the continuous emission monitoring systems in calculating emission concentrations.

(f) If continuous emission monitoring systems are temporarily unavailable to meet the data collection requirements, refer to Table 3 of this subpart. It shows alternate methods for collecting data when systems malfunction or when repairs, calibration checks, or zero and span checks keep you from collecting the minimum amount of data.

§ 62.15700 How do I convert my 1-hour arithmetic averages into the appropriate averaging times and units?

(a) Use Equation 1 in § 62.15845 to calculate emissions at 7 percent oxygen.

(b) Use Equation 2 in § 62.15845 to calculate the 12-hour rolling averages for concentrations of carbon monoxide.

§ 62.15705 What operating parameter monitoring equipment must I install, and what operating parameters must I monitor?

(a) If you are using a wet scrubber to comply with the emission limitations under § 62.15575, you must install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in Table 2 of this subpart. These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in Table 2 of this subpart at all times.

(b) You must install, calibrate (to manufacturers' specifications), maintain, and operate a device or method for measuring the use of any stack that could be used to bypass the control device. The measurement must include the date, time, and duration of the use of the bypass stack.

(c) If you are using a method or air pollution control device other than a wet scrubber to comply with the emission limitations under § 62.15575, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in § 62.15595.

§ 62.15710 Is there a minimum amount of operating parameter monitoring data I must obtain?

(a) Except for monitor malfunctions, associated repairs, and required quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments of the monitoring system), you must conduct all monitoring at all times the OSWI unit is operating.

(b) You must obtain valid monitoring data for at least 75 percent of the operating hours per day for at least 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal or institutional solid waste.

(c) If you do not obtain the minimum data required in paragraphs (a) and (b) of this section, you have deviated from the data collection requirement regardless of the operating parameter level monitored.

(d) Do not use data recorded during monitor malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this subpart, including data averages and calculations. You must use all the data collected during all other periods in assessing compliance with the operating limits.

Recordkeeping and Reporting

§ 62.15715 What records must I keep?

You must maintain the 14 items (as applicable) as specified in paragraphs (a) through (n) of this section for a period of at least 5 years:

(a) Calendar date of each record.

(b) Records of the data described in paragraphs (b)(1) through (8) of this section.

(1) The OSWI unit charge dates, times, weights, and hourly charge rates.

(2) Liquor flow rate to the wet scrubber inlet every 15 minutes of operation, as applicable.

(3) Pressure drop across the wet scrubber system every 15 minutes of operation or amperage to the wet scrubber every 15 minutes of operation, as applicable.

(4) Liquor pH as introduced to the wet scrubber every 15 minutes of operation, as applicable.

(5) For OSWI units that establish operating limits for controls other than wet scrubbers under § 62.15595, you must maintain data collected for all operating parameters used to determine compliance with the operating limits.

(6) All 1-hour average concentrations of carbon monoxide emissions.

(7) All 12-hour rolling average values of carbon monoxide emissions and all 3-hour rolling average values of continuously monitored operating parameters.

(8) Records of the dates, times, and durations of any bypass of the control device.

(c) Identification of calendar dates and times for which continuous emission monitoring systems or monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (except for downtime associated with zero and span and other routine calibration checks). Identify the pollutant emissions or operating parameters not measured, the duration, reasons for not obtaining the data, and a description of corrective actions taken.

(d) Identification of calendar dates, times, and durations of malfunctions, and a description of the malfunction and the corrective action taken.

(e) Identification of calendar dates and times for which monitoring data show a deviation from the carbon monoxide emissions limit in Table 1 of this subpart or a deviation from the

operating limits in Table 2 of this subpart or a deviation from other operating limits established under § 62.15595 with a description of the deviations, reasons for such deviations, and a description of corrective actions taken.

(f) Calendar dates when continuous monitoring systems did not collect the minimum amount of data required under §§ 62.15690 and 62.15710.

(g) For carbon monoxide continuous emissions monitoring systems, document the results of your daily drift tests and quarterly accuracy determinations according to Procedure 1 of appendix F of 40 CFR part 60.

(h) Records of the calibration of any monitoring devices required under § 62.15705.

(i) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations and a description of the types of waste burned during the test.

(j) Records showing the names of OSWI unit operators who have completed review of the information in § 62.15565(a) as required by § 62.15565(b), including the date of the initial review and all subsequent annual reviews.

(k) Records showing the names of the OSWI unit operators who have completed the operator training requirements under § 62.15535, met the criteria for qualification under § 62.15550, and maintained or renewed their qualification under § 62.15555 or § 62.15560. Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(l) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

(m) Equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment.

(n) The information listed in § 62.15565(a).

§ 62.15725 Where and in what format must I keep my records?

(a) You must keep each record on site for at least two years. You may keep the records off site for the remaining three years.

(b) All records must be available in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the Administrator.

§ 62.15730 What reports must I submit?

See Table 4 of this subpart for a summary of the reporting requirements.

§ 62.15740 What information must I submit following my initial performance test?

You must submit the information specified in paragraphs (a) through (c) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager.

(a) The complete test report for the initial performance test results obtained under § 62.15620, as applicable.

(b) The values for the site-specific operating limits established in § 62.15585 or § 62.15595.

(c) The waste management plan, as specified in §§ 62.15520 through 62.15530.

§ 62.15745 When must I submit my annual report?

You must submit an annual report no later than 12 months following the submission of the information in § 62.15740. You must submit subsequent reports no more than 12 months following the previous report.

§ 62.15750 What information must I include in my annual report?

The annual report required under § 62.15745 must include the ten items listed in paragraphs (a) through (j) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§ 62.15755 through 62.15765.

(a) Company name and address.

(b) Statement by the owner or operator, with their name, title, and signature, certifying the truth, accuracy, and completeness of the report. Such certifications must also comply with the requirements of 40 CFR part 70.5(d) or 40 CFR part 71.5(d).

(c) Date of report and beginning and ending dates of the reporting period.

(d) The values for the operating limits established pursuant to § 62.15585 or § 62.15595.

(e) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the emission limitations or operating limits was inoperative, inactive, malfunctioning or out of control.

(f) The highest recorded 12-hour average and the lowest recorded 12-hour average, as applicable, for carbon monoxide emissions and the highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(g) Information recorded under § 62.15715(b)(6) and (c) through (e) for the calendar year being reported.

(h) If a performance test was conducted during the reporting period, the results of that test.

(i) If you met the requirements of § 62.15650(a) or (b), and did not conduct a performance test during the reporting period, you must state that you met the requirements of § 62.15650(a) or (b), and, therefore, you were not required to conduct a performance test during the reporting period.

(j) Documentation of periods when all qualified OSWI unit operators were unavailable for more than 12 hours, but less than two weeks.

§ 62.15755 What else must I report if I have a deviation from the operating limits or the emission limitations?

(a) You must submit a deviation report if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit established under this subpart, if any recorded 12-hour average carbon monoxide emission rate is above the emission limitation, if the control device was bypassed, or if a performance test was conducted showed a deviation from any emission limitation.

(b) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

§ 62.15760 What must I include in the deviation report?

In each report required under § 62.15755, for any pollutant or operating parameter that deviated from the emission limitations or operating limits specified in this subpart, include the seven items described in paragraphs (a) through (g) of this section.

(a) The calendar dates and times your unit deviated from the emission limitations or operating limit requirements.

(b) The averaged and recorded data for those dates.

(c) Durations and causes of each deviation from the emission limitations or operating limits and your corrective actions.

(d) A copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels.

(e) The dates, times, number, duration, and causes for monitor downtime incidents (other than downtime associated with zero, span, and other routine calibration checks).

(f) Whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.

(g) The dates, times, and durations of any bypass of the control device.

§ 62.15765 What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

(a) If all qualified operators are not accessible for two weeks or more, you must take the two actions in paragraphs (a)(1) and (2) of this section.

(1) Submit a notification of the deviation within 10 days that includes the three items in paragraphs (a)(1)(i) through (iii) of this section.

(i) A statement of what caused the deviation.

(ii) A description of what you are doing to ensure that a qualified operator is accessible.

(iii) The date when you anticipate that a qualified operator will be available.

(2) Submit a status report to the EPA every 4 weeks that includes the three items in paragraphs (a)(2)(i) through (iii) of this section.

(i) A description of what you are doing to ensure that a qualified operator is accessible.

(ii) The date when you anticipate that a qualified operator will be accessible.

(iii) Request approval from the EPA to continue operation of the OSWI unit.

(b) If your unit was shut down by the EPA, under the provisions of § 62.15570(c)(2), due to a failure to provide an accessible qualified operator, you must notify the EPA that you are resuming operation once a qualified operator is accessible.

§ 62.15770 Are there any other notifications or reports that I must submit?

Yes. You must submit notifications as provided by § 60.7.

§ 62.15775 In what form can I submit my reports?

Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates.

§ 62.15780 Can reporting dates be changed?

If the Administrator agrees, you may change the semiannual or annual reporting dates. See § 60.19(c) for procedures to seek approval to change your reporting date.

Air Curtain Incinerators That Burn Only Wood Waste, Clean Lumber, and/or Yard Waste

§ 62.15785 What is an air curtain incinerator?

(a) An air curtain incinerator operates by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs. For the purpose of this subpart, air curtain incinerators include both firebox and trench burner units.

(b) Air curtain incinerators that burn only the materials listed in paragraphs (b)(1) through (4) of this section are required to meet only the requirements in §§ 62.15785 through 62.15820 and are exempt from all other requirements of this subpart.

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent yard waste.

(4) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

§ 62.15790 When must I comply if my air curtain incinerator burns only wood waste, clean lumber, and yard waste?

You must achieve compliance by [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS AFTER THE DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**]. You must submit a notification to the Administrator postmarked within 10 business days after [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS AFTER THE DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**.

§ 62.15795 What must I do if I close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and then restart it?

(a) If you close your incinerator and re-start it, but will reopen it prior to the final compliance date in your State plan, you must achieve compliance by [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS AFTER THE DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**].

(b) If you close your incinerator but will restart it after your final compliance date, you must meet the emission limitations in § 62.15805 on the date your incinerator restarts operation.

§ 62.15800 What must I do if I plan to permanently close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and not restart it?

You must close the unit before [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS AFTER THE DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**].

§ 62.15805 What are the emission limitations for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Within 180 days after [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS AFTER THE DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**], you must meet the two limitations specified in paragraphs (a)(1) and (2) of this section.

(1) The opacity limitation is 10 percent (6-minute average), except as described in paragraph (a)(2) of this section.

(2) The opacity limitation is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) The limitations in paragraph (a) of this section apply at all times except during malfunctions.

§ 62.15810 How must I monitor opacity for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Use Method 9 of appendix A of 40 CFR part 60 to determine compliance with the opacity limitation.

(b) Conduct an initial test for opacity as specified in § 60.8 within 180 days after [A DATE WILL BE INSERTED WHICH WILL BE THREE YEARS AFTER THE DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register.**

(c) After the initial test for opacity, conduct annual tests no more than 12 months following the date of your previous test.

(d) If the air curtain incinerator has been out of operation for more than 12 months following the date of your previous test, then you must conduct a test for opacity upon startup of the unit.

§ 62.15815 What are the recordkeeping and reporting requirements for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Keep records of results of all initial and annual opacity tests in either paper copy or computer-readable format that can be printed upon request, unless the Administrator approves another format, for at least five years. You must keep each record on site for at least two years. You may keep the records off site for the remaining three years.

(b) Make all records available for submittal to the Administrator or for an inspector's review.

(c) You must submit the results (each 6-minute average) of the initial opacity tests no later than 60 days following the initial test. Submit annual opacity test results within 12 months following the previous report.

(d) Submit initial and annual opacity test reports as electronic or paper copy

on or before the applicable submittal date.

(e) Keep a copy of the initial and annual reports for a period of five years. You must keep each report on site for at least two years. You may keep the reports off site for the remaining three years.

§ 62.15820 Am I required to apply for and obtain a title V operating permit for my air curtain incinerator that burns only wood waste, clean lumber, and yard waste?

Yes. If your air curtain incinerator is subject to this subpart, you are required to apply for and obtain a title V operating permit as specified in §§ 62.15825 and 62.15830.

Title V Operating Permits

§ 62.15825 Am I required to apply for and obtain a title V operating permit for my existing unit?

Yes. If you are subject to the requirements of this subpart, you are required to apply for and obtain a title V operating permit unless you meet the relevant requirements for an exemption specified in § 62.15485.

§ 62.15830 When must I submit a title V permit application for my existing unit?

(a)(1) If your existing unit is not subject to an earlier permit application deadline, a complete title V permit application must be submitted on or before the earlier of the dates specified in paragraphs (a)(1)(i) through (iii) of this section. (*See* sections 129(e), 503(c), 503(d), and 502(a) of the Clean Air Act and 40 CFR parts 70.5(a)(1)(i) and 40 CFR part 71.5(a)(1)(i).)

(i) 12 months after the effective date of any applicable EPA-approved Clean Air Act section 111(d)/129 State or Tribal plan.

(ii) [A DATE WILL BE INSERTED WHICH WILL BE ONE YEAR AFTER DATE THE FINAL RULE IS PUBLISHED IN THE **Federal Register**].

(iii) December 16, 2008.

(2) For any existing incineration unit not subject to an earlier permit application deadline, the application deadline of 36 months after the promulgation of 40 CFR part 60, subpart FFFF, applies regardless of whether or when any applicable Federal plan is effective, or whether or when any applicable Clean Air Act section 111(d)/129 State or Tribal plan is approved by the EPA and becomes effective.

(b) If your existing unit is subject to title V as a result of some triggering requirement(s) other than those specified in paragraph (a) of this section (for example, a unit may be a major source or part of a major source), then your unit may be required to apply for a title V permit prior to the deadlines specified in paragraph (a). If more than one requirement triggers a source's obligation to apply for a title V permit, the 12-month timeframe for filing a title V permit application is triggered by the requirement which first causes the source to be subject to title V. (See section 503(c) of the Clean Air Act and 40 CFR part 70.3(a) and (b), 40 CFR parts 70.5(a)(1)(i), 40 CFR parts 71.3(a) and (b), and 40 CFR parts 71.5(a)(1)(i).)

(c) A ''complete'' title V permit application is one that has been determined or deemed complete by the relevant permitting authority under section 503(d) of the Clean Air Act and 40 CFR parts 70.5(a)(2) or 40 CFR part 71.5(a)(2). You must submit a complete permit application by the relevant application deadline in order to operate after this date in compliance with Federal law. (*See* sections 503(d) and 502(a) of the Clean Air Act and 40 CFR parts 70.7(b) and 40 CFR part 71.7(b).)

Temporary-Use Incinerators and Air Curtain Incinerators Used in Disaster Recovery

§ 62.15835 What are the requirements for temporary-use incinerators and air curtain incinerators used in disaster recovery?

Your incinerator or air curtain incinerator is excluded from the requirements of this subpart if it is used on a temporary basis to combust debris from a disaster or emergency such as a tornado, hurricane, flood, ice storm, high winds, or act of bioterrorism. To qualify for this exclusion, the incinerator or air curtain incinerator must be used to combust debris in an area declared a State of Emergency by a local or State government, or the President, under the authority of the Stafford Act, has declared that an emergency or a major disaster exists in the area, and you must follow the requirements specified in paragraphs (a) through (c) of this section.

(a) If the incinerator or air curtain incinerator is used during a period that begins on the date the unit started operation and lasts 8 weeks or less within the boundaries of the same emergency or disaster declaration area, then it is excluded from the requirements of this subpart. You do not need to notify the Administrator of its use or meet the emission limitations or other requirements of this subpart.

(b) If the incinerator or air curtain incinerator will be used during a period that begins on the date the unit started operation and lasts more than 8 weeks within the boundaries of the same emergency or disaster declaration area, you must notify the EPA that the temporary-use incinerator or air curtain incinerator will be used for more than 8 weeks and request permission to continue to operate the unit as specified in paragraphs (b)(1) and (2) of this section.

(1) The notification must be submitted in writing by the date 8 weeks after you start operation of the temporary-use incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area.

(2) The notification must contain the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, identification of the disaster or emergency for which the incinerator or air curtain incinerator is being used, a description of the types of materials being burned in the incinerator or air curtain incinerator, a brief description of the size and design of the unit (for example, an air curtain incinerator or a modular starved-air incinerator), the reasons the incinerator or air curtain incinerator must be operated for more than 8 weeks, and the amount of time for which you request permission to operate including the date you expect to cease operation of the unit.

(c) If you submitted the notification containing the information in paragraph (b)(2) by the date specified in paragraph (b)(1), you may continue to operate the incinerator or air curtain incinerator for another 8 weeks, which is a total of 16 weeks from the date the unit started operation within the boundaries of the current emergency or disaster declaration area. You do not have to meet the emission limitations or other requirements of this subpart during this period.

(1) At the end of 16 weeks from the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, you must cease operation of the unit or comply with all requirements of this subpart, unless the Administrator has approved in writing your request to continue operation.

(2) If the Administrator has approved in writing your request to continue operation, then you may continue to operate the incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area until the date specified in the approval, and you do not need to comply with any other requirements of this subpart during the approved time period.

Delegation of Authority

§ 62.15840 What authorities are withheld by the EPA?

The following authorities are withheld by the EPA and not transferred to the State or Tribe:

(a) Approval of alternatives to the emission limitations in Table 1 of this subpart and operating limits established under § 62.15585 and Table 2 of this subpart.

(b) Approval of petitions submitted pursuant to the requirements of § 62.15595 establishing operating parameters when using controls other than a dry scrubber followed by a fabric filter, a wet scrubber, or a dry scrubber followed by a fabric filter and a wet scrubber.

(c) Approval of major alternatives to test methods established under § 62.15610 and Table 1 of this subpart.

(d) Approval of major alternatives to monitoring requirements established under §§ 62.15665 through 62.15710 and Table 2 of this subpart.

(e) Approval of major alternatives to recordkeeping and reporting requirements of this subpart.

(f) Approval of requests submitted pursuant to the requirements in § 62.15570(c)(2)}.

Equations

§ 62.15845 What equations must I use?

(a) *Percent oxygen.* Adjust all pollutant concentrations to 7 percent oxygen using Equation 1 of this section.

$$C_{adj} = C_{meas} * (20.9 - 7)/(20.9 - \%O_2) \qquad \text{(Eq. 1)}$$

Where:

C_{adj} = pollutant concentration adjusted to 7 percent oxygen

C_{meas} = pollutant concentration measured on a dry basis

(20.9–7) = 20.9 percent oxygen–7 percent oxygen (defined oxygen correction basis)

20.9 = oxygen concentration in air, percent

$\%O_2$ = oxygen concentration measured on a dry basis, percent

(b) *Capacity of a very small municipal waste combustion unit.* For very small municipal waste combustion units that can operate continuously for 24-hour periods, calculate the unit capacity based on 24 hours of operation at the maximum charge rate. To determine the maximum charge rate, use one of two methods:

(1) For very small municipal waste combustion units with a design based on heat input capacity, calculate the maximum charging rate based on the maximum heat input capacity and one of two heating values:

(i) If your very small municipal waste combustion unit combusts refuse-derived fuel, use a heating value of 12,800 kilojoules per kilogram (5,500 British thermal units per pound).

(ii) If your very small municipal waste combustion unit combusts municipal solid waste, use a heating value of 10,500 kilojoules per kilogram (4,500 British thermal units per pound).

(2) For very small municipal waste combustion units with a design not based on heat input capacity, use the maximum design charging rate.

(c) *Capacity of a batch very small municipal waste combustion unit.* Calculate the capacity of a batch OSWI unit as the maximum design amount of municipal solid waste it can charge per batch multiplied by the maximum number of batches it can process in 24 hours. Calculate the maximum number of batches by dividing 24 by the number of hours needed to process one batch. Retain fractional batches in the calculation. For example, if one batch requires 16 hours, the OSWI unit can combust 24/16, or 1.5 batches, in 24 hours.

(d) *Carbon monoxide pollutant rate.* When hourly average pollutant rates (E_h) are obtained (e.g., CEMS values), compute the rolling average carbon monoxide pollutant rate (E_a) for each 12-hour period using the following equation:

$$E_a = \frac{1}{12}\sum_{j=1}^{12} E_{hj} \qquad \text{(Eq. 2)}$$

Where:

E_a = Average carbon monoxide pollutant rate for the 12-hour period, ppm corrected to 7 percent O_2.

E_{hj} = Hourly arithmetic average pollutant rate for hour ''j,'' ppm corrected to 7 percent O_2.

Definitions

§ 62.15850 What definitions must I know?

Terms used but not defined in this subpart are defined in the Clean Air Act and 40 CFR part 60, subpart A (General Provisions).

Administrator means the Administrator of the EPA, an employee of the EPA, the Director of the State air pollution control agency, or employee of the State air pollution control agency to whom the authority has been delegated by the Administrator of the EPA to perform the specified task.

Air curtain incinerator means an incineration unit operating by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs. For the purpose of this subpart only, air curtain incinerators include both firebox and trench burner units.

Auxiliary fuel means natural gas, liquefied petroleum gas, fuel oil, or diesel fuel.

Batch OSWI unit means an OSWI unit that is designed such that neither waste charging nor ash removal can occur during combustion.

Calendar quarter means three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

Calendar year means 365 consecutive days starting on January 1 and ending on December 31.

Chemotherapeutic waste means waste material resulting from the production or use of anti-neoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

Class II municipal solid waste landfill means a landfill that meets four criteria:

(1) Accepts, for incineration or disposal, less than 20 tons per day of municipal solid waste or other solid wastes based on an annual average;

(2) Is located on a site where there is no evidence of groundwater pollution caused or contributed to by the landfill;

(3) Is not connected by road to a Class I municipal solid waste landfill, as defined by Alaska regulatory code 18 AAC 60.300(c) or, if connected by road, is located more than 50 miles from a Class I municipal solid waste landfill; and

(4) Serves a community that meets one of two criteria:

(i) Experiences for at least three months each year, an interruption in access to surface transportation, preventing access to a Class I municipal solid waste landfill; or

(ii) Has no practicable waste management alternative, with a landfill located in an area that annually receives 25 inches or less of precipitation.

Class III municipal solid waste landfill is a landfill that is not connected by road to a Class I municipal solid waste landfill, as defined by Alaska regulatory code 18 AAC 60.300(c) or, if connected by road, is located more than 50 miles from a Class I municipal solid waste landfill, and

that accepts, for disposal, either of the following two criteria:

(1) Ash from incinerated municipal waste in quantities less than one ton per day on an annual average, which ash must be free of food scraps that might attract animals; or

(2) Less than five tons per day of municipal solid waste, based on an annual average, and is not located in a place that meets either of the following criteria:

(i) Where public access is restricted, including restrictions on the right to move to the place and reside there; or

(ii) That is provided by an employer and that is populated totally by persons who are required to reside there as a condition of employment and who do not consider the place to be their permanent residence.

Clean lumber means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

Collected from means the transfer of material from the site at which the material is generated to a separate site where the material is burned.

Contained gaseous material means gases that are in a container when that container is combusted.

Continuous emission monitoring system or CEMS means a monitoring system for continuously measuring and recording the emissions of a pollutant from an OSWI unit.

Continuous OSWI unit means an OSWI unit that is designed to allow waste charging and ash removal during combustion.

Deviation means any instance in which a unit that meets the requirements in § 62.15460, or an owner or operator of such source:

(1) Fails to meet any requirement or obligation established by this subpart, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements;

(2) Fails to meet any term or condition that is adopted to implement an applicable requirement in this subpart and that is included in the operating permit for any unit that meets requirements in § 62.15460 and is required to obtain such a permit; or

(3) Fails to meet any emission limitation, operating limit, or operator qualification and accessibility requirement in this subpart during startup, shutdown, or malfunction, regardless of whether or not such failure is allowed by this subpart.

Dioxins/furans means tetra- through octachlorinated dibenzo-p-dioxins and dibenzofurans.

Energy recovery means the process of recovering thermal energy from combustion for useful purposes such as steam generation or process heating.

EPA means the Administrator of the EPA or employee of the EPA that is delegated the authority to perform the specified task.

Institutional facility means a land-based facility owned and/or operated by an organization having a governmental, educational, civic, or religious purpose such as a school, hospital, prison, military installation, church, or other similar establishment or facility.

Institutional waste means solid waste (as defined in this subpart) that is combusted at any institutional facility using controlled flame combustion in an enclosed, distinct operating unit: Whose design does not provide for energy recovery (as defined in this subpart); operated without energy recovery (as defined in this subpart); or operated with only waste heat recovery (as defined in this subpart). Institutional waste also means solid waste (as defined in this subpart) combusted on site in an air curtain incinerator that is a distinct operating unit of any institutional facility.

Institutional waste incineration unit means any combustion unit that combusts institutional waste (as defined in this subpart), and is a distinct operating unit of the institutional facility that generated the waste. Institutional waste incineration units include field-erected, modular, cyclonic burn barrel, and custom built incineration units operating with starved or excess air, and any air curtain incinerator that is a distinct operating unit of the institutional facility that generated the institutional waste (except those air curtain incinerators listed in § 62.15500(b).

Intermittent OSWI unit means an OSWI unit that is designed to allow waste charging, but not ash removal, during combustion.

Low-level radioactive waste means waste material that contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable Federal or State standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or byproduct material as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014(e)(2)).

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

Metropolitan Statistical Area means any areas listed as metropolitan statistical areas in OMB Bulletin No. 05–02 entitled ''Update of Statistical Area Definitions and Guidance on Their Uses'' dated February 22, 2005 (available on the Web at *http://www.whitehouse.gov/omb/bulletins/*).

Modification or modified unit means an incineration unit you have changed on or after June 16, 2006 and that meets one of two criteria:

(1) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the unit (not including the cost of land) updated to current costs (current dollars). For an OSWI unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

(2) Any physical change in the OSWI unit or change in the method of operating it that increases the amount of any air pollutant emitted for which section 129 or section 111 of the Clean Air Act has established standards.

Municipal solid waste means refuse (and refuse-derived fuel) collected from the general public and from residential, commercial, institutional, and industrial sources consisting of paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustible materials and non-combustible materials such as metal, glass and rock, provided that: (A) the term does not include industrial process wastes or medical wastes that are segregated from such other wastes; and (B) an incineration unit shall not be considered to be combusting municipal waste for purposes of this subpart if it combusts a fuel feed stream, 30 percent or less of the weight of which is comprised, in aggregate, of municipal waste, as determined by § 62.15485(c).

Municipal waste combustion unit means, for the purpose of this subpart, any setting or equipment that combusts municipal solid waste (as defined in this subpart) including, but not limited to, field-erected, modular, cyclonic burn barrel, and custom built incineration units (with or without energy recovery) operating with starved or excess air, boilers, furnaces, pyrolysis/combustion units, and air curtain incinerators

(except those air curtain incinerators listed in § 62.15500(b)).

Other solid waste incineration (OSWI) unit means either a very small municipal waste combustion unit or an institutional waste incineration unit, as defined in this subpart. Unit types listed in § 62.15485 as being excluded from the subpart are not OSWI units subject to this subpart. While not all OSWI units will include all of the following components, an OSWI unit includes, but is not limited to, the municipal or institutional solid waste feed system, grate system, flue gas system, waste heat recovery equipment, if any, and bottom ash system. The OSWI unit does not include air pollution control equipment or the stack. The OSWI unit boundary starts at the municipal or institutional waste hopper (if applicable) and extends through two areas:

(1) The combustion unit flue gas system, which ends immediately after the last combustion chamber or after the waste heat recovery equipment, if any; and

(2) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. The OSWI unit includes all ash handling systems connected to the bottom ash handling system.

Particulate matter means total particulate matter emitted from OSWI units as measured by Method 5 or Method 29 of appendix A of 40 CFR part 60.

Pathological waste means waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

Reconstruction means rebuilding an incineration unit and meeting two criteria:

(1) The reconstruction begins on or after June 16, 2006.

(2) The cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the unit (not including land) updated to current costs (current dollars). For an OSWI unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

Refuse-derived fuel means a type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(1) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(2) Pelletized refuse-derived fuel.

Shutdown means the period of time after all waste has been combusted in the primary chamber. For continuous OSWI, shutdown shall commence no less than 2 hours after the last charge to the incinerator. For intermittent OSWI, shutdown shall commence no less than 4 hours after the last charge to the incinerator. For batch OSWI, shutdown shall commence no less than 5 hours after the high-air phase of combustion has been completed.

Solid waste means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1342), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2014).

Standard conditions, when referring to units of measure, means a temperature of 68° F (20° C) and a pressure of 1 atmosphere (101.3 kilopascals).

Startup period means the period of time between the activation of the system and the first charge to the OSWI unit. For batch OSWI, startup means the period of time between activation of the system and ignition of the waste.

Very small municipal waste combustion unit means any municipal waste combustion unit that has the capacity to combust less than 35 tons per day of municipal solid waste or refuse-derived fuel, as determined by the calculations in § 62.15845.

Waste heat recovery means the process of recovering heat from the combustion flue gases by convective heat transfer only.

Wet scrubber means an add-on air pollution control device that utilizes an aqueous or alkaline scrubbing liquor to collect particulate matter (including nonvaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

Wood waste means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

(1) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

(2) Construction, renovation, or demolition wastes.

(3) Clean lumber.

(4) Treated wood and treated wood products, including wood products that have been painted, pigment-stained, or pressure treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

Yard waste means grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. Yard waste comes from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(1) Construction, renovation, and demolition wastes.

(2) Clean lumber.

Tables to Subpart KKK of Part 62

TABLE 1 OF SUBPART KKK OF PART 62.—EMISSION LIMITATIONS

[As stated in § 62.15575, you must comply with the following]

For the air pollutant	You must meet this emission limitation [a]	Using this averaging time	And determining compliance using this method
1. Cadmium	18 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of 40 CFR part 60.

TABLE 1 OF SUBPART KKK OF PART 62.—EMISSION LIMITATIONS—Continued

[As stated in § 62.15575, you must comply with the following]

For the air pollutant	You must meet this emission limitation [a]	Using this averaging time	And determining compliance using this method
2. Carbon monoxide	40 parts per million by dry volume	3-run average (1 hour minimum sample time per run during performance test), and 12-hour rolling averages measured using CEMS [b].	Method 10, 10A, or 10B of appendix A of 40 CFR part 60 and CEMS.
3. Dioxins/furans (total basis)	33 nanograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 23 of appendix A of 40 CFR part 60.
4. Hydrogen chloride	15 parts per million by dry volume	3-run average (1 hour minimum sample time per run).	Method 26A of appendix A of 40 CFR part 60.
5. Lead	226 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of 40 CFR part 60.
6. Mercury	74 micrograms per dry standard cubic meter.	3-run average (1 hour minimum sample time per run).	Method 29 of appendix A of 40 CFR part 60.
7. Opacity	10 percent	6-minute average (observe over three 1-hour test runs; i.e., thirty 6-minute averages).	Method 9 of appendix A of 40 CFR part 60.
8. Oxides of nitrogen	103 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 7, 7A, 7C, 7D, or 7E of appendix A of part 60. ASME PTC 19.10–1981—Part 10 is an acceptable alternative to Method 7 and 7C only (IBR, see § 60.17(h)).
9. Particulate matter	0.013 grains per dry standard cubic foot.	3-run average (1 hour minimum sample time per run).	Method 5 or 29 of appendix A of 40 CFR part 60.
10. Sulfur dioxide	3.1 parts per million by dry volume.	3-run average (1 hour minimum sample time per run).	Method 6 or 6C of appendix A of 40 CFR part 60, or ANSI/ASME PTC 19.10–1981 (IBR, see § 60.17(h)) in lieu of Method 6 only.

[a] All emission limitations (except for opacity) are measured at 7 percent oxygen, dry basis at standard conditions.
[b] Calculated each hour as the average of the previous 12 operating hours.

TABLE 2 OF SUBPART KKK OF PART 62.—OPERATING LIMITS FOR INCINERATORS AND WET SCRUBBERS

[As stated in § 62.15585, you must comply with the following]

For these operating parameters	You must establish these operating limits	And monitoring using these minimum frequencies		
		Data measurement	Data recording	Averaging time
1. Charge rate	Maximum charge rate	Continuous	Every hour	Daily for batch units. 3-hour rolling for continuous and intermittent units. [a]
2. Pressure drop across the wet scrubber or amperage to wet scrubber.	Minimum pressure drop or amperage.	Continuous	Every 15 minutes	3-hour rolling. [a]
3. Scrubber liquor flow rate	Minimum flow rate	Continuous	Every 15 minutes	3-hour rolling. [a]
4. Scrubber liquor pH	Minimum pH	Continuous	Every 15 minutes	3-hour rolling. [a]

[a] Calculated each hour as the average of the previous 3 operating hours.

TABLE 3 OF SUBPART KKK OF PART 62.—REQUIREMENTS FOR CONTINUOUS EMISSION MONITORING SYSTEMS (CEMS)

[As stated in § 62.15675, you must comply with the following]

For the following pollutants	Use the following span values for your CEMS	Use the following performance specifications (P.S.) in appendix B of 40 CFR part 60 for your CEMS	If needed to meet minimum data requirements, use the following alternate methods in appendix A of 40 CFR part 60 to collect data
1. Carbon Monoxide	125 percent of the maximum hourly potential carbon monoxide emissions of the waste combustion unit.	P.S.4A	Method 10.
2. Oxygen	25 percent oxygen	P.S.3	Method 3A or 3B, or ANSI/ASME PTC 19.10–1981 (IBR, see § 60.17(h)) in lieu of Method 3B only.

TABLE 4 OF SUBPART KKK OF PART 62.—SUMMARY OF REPORTING REQUIREMENTS

[As stated in § 62.15730, you must comply with the following]

Report	Due date	Contents	Reference
1. Initial test report	a. No later than 60 days following the initial performance test.	i. Complete test report for the initial performance test; and	§ 62.15740.
		ii. The values for the site-specific operating limits.	§ 62.15740.
2. Waste management plan	a. No later than 60 days following the initial performance test.	i. Reduction or separation of recyclable materials; and	§§ 62.15520 through 62.15530.
		ii. Identification of additional waste management measures and how they will be implemented.	§§ 62.15520 through 62.15530.
3. Annual report	a. No later than 12 months following the submission of the initial test report. Subsequent reports are to be submitted no more than 12 months following the previous report.	i. Company Name and address;	§§ 62.15745 through 62.15750.
		ii. Statement and signature by the owner or operator;	§§ 62.15745 through 62.15750.
		iii. Date of report;	§§ 62.15745 through 62.15750.
		iv. Values for the operating limits;	§§ 62.15745 through 62.15750.
		v. If no deviations or malfunctions were reported, a statement that no deviations occurred during the reporting period;	§§ 62.15745 through 62.15750.
		vi. Highest and lowest recorded 12-hour averages, as applicable, for carbon monoxide emissions and highest and lowest recorded 3-hour averages, as applicable, for each operating parameter recorded for the calendar year being reported;	§§ 62.15745 through 62.15750.
		vii. Information for deviations or malfunctions recorded under § 62.15715(b)(6) and (c) through (e);	§§ 62.15745 through 62.15750.
		viii. If a performance test was conducted during the reporting period, the results of the test;	§§ 62.15745 through 62.15750.
		ix. If a performance test was not conducted during the reporting period, a statement that the requirements of § 60.2934(a) or (b) were met; and	§§ 62.15745 through 62.15750.
		x. Documentation of periods when all qualified OSWI unit operators were unavailable for more than 12 hours but less than 2 weeks.	§§ 62.15745 through 62.15750.

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(3) [~~(2)~~] Notice by the Provider shall include [~~POLR~~]:

(A) The date the Provider [~~POLR~~] will begin serving the customer and a contact number for the Provider [~~POLR~~];

(B) A description of the Provider's rate [~~POLR pricing mechanism~~] for [~~the appropriate customer class and~~] service and, in the case of a notice from a non-volunteering provider, [~~area and~~] a statement that the [~~POLR~~] price is generally higher than available competitive prices, that the [~~POLR~~] price is unpredictable, and that the exact [~~POLR~~] rate for each billing period will not be determined until the time the bill is prepared;

(C) The deposit requirements of the customer and any applicable deposit waiver provisions and a statement that, if the customer chooses a competitive product or service offered by the Provider [~~POLR~~], a REP affiliated with the Provider [~~POLR~~], or another competitive REP, a deposit may be required;

(D) A statement that the competitive products or services may be available through the Provider [~~POLR~~], a REP affiliated with the Provider [~~POLR~~], or another competitive REP, and the customer can leave Provider's [~~POLR~~] service by choosing a competitive product or service offered by the Provider [~~POLR~~], a REP affiliated with the Provider [~~POLR~~], or another competitive REP, as well as the following statement: "If you would like to choose a different retail electric provider, please access www.powertochoose.org, or call toll-free 1-866-PWR-4-TEX (1-866-797-4839) for a list of providers in your area;"

(E) The applicable [~~POLR~~] Standard Terms of Service;

(F) The applicable disconnection procedures;

(G) Notice to the customer that after being transitioned to [~~POLR~~] service from a Provider, the customer may accelerate a switch to another REP by requesting a "special or out-of-cycle meter read;" [~~and that the applicable transmission and distribution utility charge for the meter read will be charged to the gaining REP, which may pass the charge on to you as the customer;~~]

(H) Notice that after enrolling in a [~~non-POLR,~~] competitive product or service, the customer shall no longer be considered a [~~POLR~~] customer; and

(I) For residential customers, with each bill from the Provider [~~POLR~~], notice from the commission in the form of a bill insert or a bill message with the header "A Message from the Public Utility Commission" addressing why the customer has been transitioned to the Provider [~~POLR~~], the continuity of service purpose under this section [~~and temporary nature of POLR service~~], the need to choose a competitive provider, and information on competitive markets to be found at www.powertochoose.org or toll-free 1-866-PWR-4-TEX (1-866-797-4839); and[.]

(J) For residential customers that are transitioned to service based on the pricing in subsection (m)(3) of this subsection and those customers do not choose an alternative product from the Provider or switch to another REP, that proprietary information will be made available to competitive REPs for marketing purposes.

(u) [~~(s)~~] Disconnection by a Provider [~~POLR~~]. The Provider [~~POLR~~] must comply with the applicable customer protection rules as provided for under Subchapter R of this chapter, except as otherwise stated in this section. To ensure continuity of service, [~~POLR~~] service under this section shall begin when the customer's [~~ESI ID~~] transition to the Provider [~~POLR~~] is complete. A customer deposit is not a prerequisite for the initiation of [~~POLR~~] service under this section. Once [~~POLR~~] service has been initiated, a customer deposit may be required to prevent disconnection. Disconnection for failure to pay a deposit may not occur until after the proper notice and after that appropriate payment period detailed in §25.478 of this title[,] has elapsed, except where otherwise noted in this section.

(v) Reporting by REPs. All REPs shall provide to ERCOT a monthly report containing valid customer information. This information shall include ESI ID, service address, phone number, email address, and customer name. A REP is subject to enforcement action for failure to provide a report or failure to provide accurate information. The commission shall establish a procedure in order to verify customer information submitted by REPs to ERCOT. ERCOT shall notify the commission if any REP fails to comply with the reporting requirements in this subsection.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

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Adriana A. Gonzales
Rules Coordinator
Public Utility Commission of Texas
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For further information, please call: (512) 936-7223

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TITLE 30. ENVIRONMENTAL QUALITY

PART 1. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHAPTER 113. STANDARDS OF PERFORMANCE FOR HAZARDOUS AIR POLLUTANTS AND FOR DESIGNATED FACILITIES AND POLLUTANTS

SUBCHAPTER D. DESIGNATED FACILITIES AND POLLUTANTS

The Texas Commission on Environmental Quality (TCEQ or commission) proposes Subchapter D, new Division 3, §§113.2100 - 113.2174; new Division 4, §§113.2200 - 113.2261; and new Division 5, §§113.2300 - 113.2357.

The commission also proposes to include these proposed rules in the accompanying Federal Clean Air Act (FCAA), §111(d)/129 State Plan.

BACKGROUND AND SUMMARY OF THE FACTUAL BASIS FOR THE PROPOSED RULES

The proposed amendments to Chapter 113 would revise Subchapter D (Designated Facilities and Pollutants), to add new Division 3 (Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999), new Division 4 (Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999), and new Division 5 (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004)

to incorporate the emission guidelines found in 40 Code of Federal Regulations (CFR) Part 60 (Standards of Performance for New Stationary Sources).

New Source Performance Standards and Emission Guidelines

The FCAA, §111 (Standards of Performance for New Stationary Sources) and §129 (Solid Waste Combustion) require the United States Environmental Protection Agency (EPA) to develop and adopt performance standards and other requirements for each category of solid waste incineration units. The standards are required to include emissions limitations and other requirements applicable to new units and other requirements applicable to existing units. The new source performance standards (NSPS) apply to new stationary sources in which construction begins after the NSPS is proposed or that are reconstructed or modified on or after a specified date. Emission guidelines are similar to the NSPS, except that they apply to existing sources in which construction begins on or before the date the NSPS is proposed or that are reconstructed or modified before a specified date. Unlike the NSPS, emission guidelines are not enforceable until the EPA approves a state plan or adopts a federal plan for implementing and enforcing them, and the state or federal plan becomes effective. The emission guidelines proposed for incorporation as part of this rulemaking are for certain solid waste incineration units, as specified in this preamble. Under the FCAA, §129, the NSPS and emission guidelines adopted for solid waste incineration units must meet maximum achievable control technology, or the maximum degree of reduction in emissions of air pollutants that the EPA determines is achievable, taking into consideration the cost of achieving reductions and any non-air quality health and environmental impacts and energy requirements.

Additionally, states are required under the FCAA, §129 and the emission guidelines, to adopt and submit to the EPA for approval, a state plan to implement and enforce the emission guidelines. The state plan is required to be at least as protective as the emission guidelines. The FCAA, §129 requires the EPA to develop, implement, and enforce a federal plan if a state fails to submit a satisfactory state plan. The EPA promulgated a federal plan to implement 40 CFR Part 60, Subpart BBBB for existing small municipal waste combustors on January 31, 2003, in 40 CFR Part 62, Subpart JJJ. This federal plan became effective on January 31, 2003. The EPA also promulgated a federal plan to implement 40 CFR Part 60, Subpart DDDD for existing commercial and industrial solid waste incinerators (CISWIs) on October 3, 2003, in 40 CFR Part 62, Subpart III. This federal plan became effective on November 3, 2003. While the EPA proposed a federal plan to implement 40 CFR Part 60, Subpart FFFF for other solid waste incineration (OSWI) units on December 18, 2006 (40 CFR Part 62, Subpart KKK), the EPA has not yet finalized the federal plan. Interested persons may consult the emission guidelines and proposed and final federal plans for further information concerning the requirements that are the subject of this proposed rulemaking. The commission is proposing a state plan to implement and enforce the emission guidelines that are the subject of this proposed rulemaking as part of a separate, concurrent process.

40 CFR Part 60, Subparts BBBB, DDDD, and FFFF

To meet the requirements of the FCAA, §129, the commission proposes to incorporate three new emission guidelines into Chapter 113: 40 CFR Part 60, Subpart BBBB (Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999) published in the December 6, 2000, issue of the *Federal Register* (65 FR 76378); Subpart DDDD (Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999) published in the December 1, 2000, issue of the *Federal Register* (65 FR 75338); and Subpart FFFF (Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004) published in the December 16, 2005, issue of the *Federal Register* (70 FR 74870).

Copies of these emission guidelines are available through the EPA, the commission, or online from the EPA Federal Register Web site at: *http://www.epa.gov/fedrgstr/*.

40 CFR Part 60, Subpart BBBB, Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999

On December 6, 2000, the EPA promulgated emission guidelines for small municipal waste combustion (MWC) units constructed on or before August 30, 1999, defined as any MWC unit with a combustion design capacity of 35 to 250 tons per day. As required by the FCAA, §129, the emission guidelines establish numerical emission limits for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, sulfur dioxide, hydrogen chloride, nitrogen oxides, and carbon monoxide, in addition to other requirements.

40 CFR Part 60, Subpart DDDD, Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction On or Before November 30, 1999

On December 1, 2000, the EPA promulgated emission guidelines for CISWI units that commenced construction on or before November 30, 1999, defined as any combustion device that combusts commercial and industrial waste, as defined in this subpart. As required by the FCAA, §129, the emission guidelines establish numerical emission limits for cadmium, carbon monoxide, dioxins/furans, hydrogen chloride, lead, mercury, opacity, oxides of nitrogen, particulate matter, and sulfur dioxide, in addition to other requirements.

40 CFR Part 60, Subpart FFFF, Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004

On December 16, 2005, the EPA promulgated emission guidelines for OSWI units that commenced construction on or before December 9, 2004, defined as either a very small MWC unit or an institutional waste incineration unit, as defined in this subpart. As required by the FCAA, §129, the emission guidelines establish numerical emission limits for cadmium, carbon monoxide, dioxins/furans, hydrogen chloride, lead, mercury, opacity, oxides of nitrogen, particulate matter, and sulfur dioxide, in addition to other requirements.

EPA Model Rules

In the emission guidelines for 40 CFR Part 60, Subparts BBBB, DDDD, and FFFF, the EPA included model rule language. The EPA states that the model rule is the portion of each of the emission guidelines that addresses the applicable requirements for each subpart in a standard regulation format, and that a state may either use the EPA's model rules as a part of its state plan, or may use alternative language if it is at least as protective as the model rule contained in each subpart.

To meet the federal requirements for its FCAA, §111(d)/129 State Plan, the commission opted to use the model language provided

by the EPA in 40 CFR, and proposes to incorporate the EPA rules into 30 TAC Chapter 113, Standards of Performance for Hazardous Air Pollutants and for Designated Facilities and Pollutants; Subchapter D, Designated Facilities and Pollutants; new Divisions 3 - 5, with the administrative changes noted in this preamble.

SECTION BY SECTION DISCUSSION

The commission proposes various changes to the EPA model rules that would be incorporated into Chapter 113 primarily to revise rule subdivision formatting and cross-references to conform with the publication requirements of the Texas Register. Throughout the rules, where appropriate, the commission also proposes additional changes to the model rule language for administrative ease and clarity, including: changing the word "Administrator" to "executive director" so that when the Chapter 113 rules and state plan are approved by the EPA, the rules reflect that the commission will enforce the rules, rather than the EPA; changing the EPA's subpart references to the appropriate TCEQ division references; defining acronyms as they are used in each section; and revising legal citations so that they will clearly identify the federal statute, such as the FCAA. Finally, the commission proposes minor spelling, capitalization, and grammatical revisions, such as the addition of "United States" before "Environmental Protection Agency" and consistent use of the term "operating permit" throughout the rules. These nonsubstantive changes conform to both Texas Register formatting requirements and agency style conventions.

Besides the general changes listed in the previous paragraph, throughout the rules, the commission also proposes specific changes that are noted in this preamble under the specific section number where the change is proposed. The commission proposes these additional, specific changes to the EPA model rules to ensure clear understanding of the rule requirements and proper state enforcement of the rules.

Division 3, Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999 (40 CFR Part 60, Subpart BBBB)

§113.2100--Definitions.

The commission proposes new §113.2100, which defines terms used in new Division 3 that are either previously undefined or are used differently by the federal emission guidelines that are the basis for the rules. The definitions are taken from 40 CFR §60.1940 (What definitions must I know?).

§113.2101--What are my requirements for meeting increments of progress and achieving final compliance?

The commission proposes new §113.2101, which specifies what must be completed for both Class I and Class II units to meet final compliance. The proposed section states that the increments of progress for Class I units include the following: final control plan, notification of retrofit contract award, initiation of onsite construction, completion of onsite construction, and final compliance. Class II units need only submit a final control plan and achieve final compliance.

§113.2102--When must I complete each increment of progress?

The commission proposes new §113.2102, which specifies that the compliance dates for each of the increments of progress for Class I and Class II units are located in Table 1 of Division 3 (§113.2174).

§113.2103--What must I include in the notifications of achievement of my increments of progress?

The commission proposes new §113.2103, which specifies that notifications demonstrating achievement of increments of progress must include three items: notification that the increment of progress has been achieved; any items required to be submitted with the increment of progress; and signature on the notification by the owner or operator.

§113.2104--When must I submit the notifications of achievement of increments of progress?

The commission proposes new §113.2104, which specifies that notifications demonstrating compliance with the increments of progress must be postmarked no later than 10 days after the compliance date for the increment.

§113.2105--What if I do not meet an increment of progress?

The commission proposes new §113.2105, which describes what notification must be submitted to the executive director if an increment of progress is not completed. The proposed section states that the notification: must be postmarked within 10 business days after the specified date in Table 1 of Division 3 (§113.2174); and must convey to the executive director that the increment was not met, contain an explanation of why the increment was not met, and contain the plan to meet the requirements of the increment. The proposed section further states that the reports must continue to be submitted each subsequent month until the increment of progress is met.

For clarification, the commission proposes to specify that monthly progress reports be due on the first day of each month.

§113.2106--How do I comply with the increment of progress for submittal of a control plan?

The commission proposes new §113.2106, which describes two items that must be completed for the control plan increment of progress. The first item is to submit the complete final control plan as specified.

In paragraph (2), the commission proposes to clarify the wording to specify that a copy of the final control plan must be maintained at the same location as the solid waste incineration unit.

§113.2107--How do I comply with the increment of progress for awarding contracts?

The commission proposes new §113.2107, which specifies that a signed copy of the contracts awarded must be submitted to initiate onsite construction, initiate onsite installation of emission control equipment, and incorporate process changes. The proposed section further states that the copy of the contracts with notification that the increment of progress has been achieved must be submitted to comply with the increment of progress for awarding contracts.

For clarification, the commission proposes to add, in two locations of the section, that items for submittal must be provided to the executive director.

§113.2108--How do I comply with the increment of progress for initiating onsite construction?

The commission proposes new §113.2108, which specifies that onsite construction and installation of emission control equipment and process changes must be completed to achieve the increment of progress for initiating onsite construction.

§113.2109--How do I comply with the increment of progress for completing onsite construction?

The commission proposes new §113.2109, which specifies that onsite construction and installation of control equipment and process changes must be completed to achieve the increment of progress for completing onsite construction.

§113.2110--How do I comply with the increment of progress for achieving final compliance?

The commission proposes new §113.2110, which specifies the two items that must be completed to achieve the final compliance increment of progress. The proposed section states that this includes completion of all process changes and retrofit construction and connection of the air pollution control equipment with the MWC unit, as well as completion of process changes to the MWC unit.

§113.2111--What must I do if I close my municipal waste combustion unit and then restart my municipal waste combustion unit?

The commission proposes new §113.2111, which describes what must be met when a MWC unit is closed and restarted. The proposed section specifies different requirements, depending on whether the MWC unit reopens before or after the final compliance date in the state plan.

§113.2112--What must I do if I plan to permanently close my municipal waste combustion unit and not restart it?

The commission proposes new §113.2112, which states that a closure notification must be submitted by the date the final control plan is due if an MWC unit is permanently closed. The proposed section also states that if the closure date is later than 1 year after the effective date of state plan approval, the owner or operator must enter into a legally binding closure agreement with the executive director.

§113.2113--What types of training must I do?

The commission proposes new §113.2113, which describes the types of training that operators and plant personnel must receive.

§113.2114--Who must complete the operator training course? By when?

The commission proposes new §113.2114, which states the classifications of employees who must complete the operator training course and by what date. These employees include: chief facility operators, shift supervisors, and control room operators. The section specifies EPA or state-approved training courses, unless the employee has obtained full certification from the American Society of Mechanical Engineers on or before the effective date of state plan approval. The proposed section also states that if these employees have obtained provisional certification from the American Society of Mechanical Engineers on or before the effective date of state plan approval, the EPA may waive the requirement for completion of the EPA or state-approved operator training course, if requested.

§113.2115--Who must complete the plant-specific training course?

The commission proposes new §113.2115, which states the classifications of employees who must complete the plant-specific training course. These employees include: chief facility operators, shift supervisors, control room operators, ash handlers, maintenance personnel, and crane or load handlers.

§113.2116--What plant-specific training must I provide?

The commission proposes new §113.2116, which details what must be included in the plant-specific training provided to employees, and when. This includes: developing a specific operating manual for that plant; establishing a program to review the manual with people whose responsibilities affect the operation of the MWC unit; updating the manual annually; and reviewing it with staff annually.

§113.2117--What information must I include in the plant-specific operating manual?

The commission proposes new §113.2117, which details what must be included in the plant-specific operating manual for the plant, such as a summary of applicable requirements, description of the basic combustion principles that apply to MWC units, and several specific procedures.

§113.2118--Where must I keep the plant-specific operating manual?

The commission proposes new §113.2118, which specifies that the plant-specific operating manual must be maintained in an easily accessible location at the plant. The proposed section further states that the manual must be available for review or inspection by employees and the executive director.

§113.2119--What types of operator certification must the chief facility operator and shift supervisor obtain and by when must they obtain it?

The commission proposes new §113.2119, which details what types of operator certifications must be obtained and by when. The proposed section states that each chief facility operator and shift supervisor must receive certification from the American Society of Mechanical Engineers or a state certification program. The proposed section also describes the requirements and time frames for both provisional operator certification and full certification.

§113.2120--After the required date for operator certification, who may operate the municipal waste combustion unit?

The commission proposes new §113.2120, which specifies that the MWC unit cannot be operated unless one of four certified employees are on duty. These four employees include a fully certified chief facility operator, a provisionally certified chief facility operator, a fully certified shift supervisor, and a provisionally certified shift supervisor.

§113.2121--What if all the certified operators must be temporarily offsite?

The commission proposes new §113.2121, which details the three criteria that must be met if a certified operator is temporarily offsite and a provisionally certified control room operator is fulfilling the requirement. The proposed section states that these criteria are dependant upon how long the certified operator is temporarily offsite. For instance, if the certified operator is offsite for more than 2 weeks, the executive director must be notified.

For clarification, the commission proposes to add the word "prior" before "notice" in paragraph (3) to reflect that the provisionally certified control room operator may perform the necessary duties without first giving notice and receiving approval from the executive director. Though prior notice and approval is not necessary, in paragraph (3)(A), the owner or operator is required to follow up with a notification to the executive director, an explanation of what caused the absence of the certified operator, and

what is being done to ensure that a certified operator is onsite. Paragraph (3)(B) then contains the required procedures for status reports and corrective action summaries.

In paragraph (3)(A), the commission proposes to add clarification that the notification to the executive director must be done within 10 days after the end of the 2-week period in which a certified operator is required to be onsite. The 10-day clarification is consistent with the time period provided in §§113.2219, 113.2243, 113.2313, and 113.2341, and the commission proposes the clarification regarding the beginning of the 10-day period to clearly outline the rule requirements for regulated entities.

§113.2122--What are the operating practice requirements for my municipal waste combustion unit?

The commission proposes new §113.2122, which specifies the operating practice requirements for MWC units. These requirements include maximum loads, maximum temperatures, carbon feed rate, and total carbon usage. The proposed section states the conditions and time frames under which the MWC unit is exempt from requirements, as well as specific activities that are exempt.

For clarification, the commission proposes to modify the sentence in subsection (e)(5). This paragraph refers to both the executive director and the delegated state authority, and since the executive director is the delegated state authority for Texas, the additional wording is unnecessary.

§113.2123--What happens to the operating requirements during periods of startup, shutdown, and malfunction?

The commission proposes new §113.2123, which states that all operating requirements apply at all times except during periods of startup, shutdown, or malfunction, which should last no longer than 3 hours.

§113.2124--What pollutants are regulated by this division?

The commission proposes new §113.2124, which lists the 11 pollutants that are regulated. The groups of pollutants include: organics, metals, acid gases, and other.

§113.2125--What emission limits must I meet? By when?

The commission proposes new §113.2125, which states the emission limits for Class I and II units in Tables 2 through 5 of Division 3 (§113.2174) that must be met, as applicable, after the date the initial stack test and continuous emission monitoring system evaluation are required or completed.

§113.2126--What happens to the emission limits during periods of startup, shutdown, and malfunction?

The commission proposes new §113.2126, which states that the emission limits of Division 3 apply at all times except during periods of startup, shutdown, or malfunction, which should last no longer than 3 hours. The proposed section states that a maximum of 3 hours of test data can be dismissed from compliance calculations during periods of startup, shutdown, or malfunction.

§113.2127--What types of continuous emission monitoring must I perform?

The commission proposes new §113.2127, which specifies the four tasks that must be performed to continuously monitor emissions. These tasks include: installing a continuous emission monitoring system; operating it correctly; obtaining the minimum amount of monitoring data; and installing a continuous opacity monitoring system.

§113.2128--What continuous emission monitoring systems must I install for gaseous pollutants?

The commission proposes new §113.2128, which states that a continuous emission monitoring system must be installed, calibrated, maintained, and operated for oxygen (or carbon dioxide), sulfur dioxide, and carbon monoxide. The proposed section states that the system must meet the monitoring requirements in 40 CFR §60.13 (Monitoring requirements).

§113.2129--How are the data from the continuous emission monitoring systems used?

The commission proposes new §113.2129, which states that the data from the continuous emission monitoring systems for sulfur dioxide, nitrogen oxides, and carbon monoxide must be used to demonstrate continuous compliance with the applicable emission limit tables of Division 3 (§113.2174).

§113.2130--How do I make sure my continuous emission monitoring systems are operating correctly?

The commission proposes new §113.2130, which describes how and when to verify that continuous emission monitoring systems are operating properly. The proposed section specifies that initial, daily, quarterly, and annual evaluations must be conducted, and that the initial evaluation must be completed within 180 days after the final compliance date. Verification includes evaluating the continuous emission monitoring system, collecting data, and following quality assurance procedures in 40 CFR Part 60, Appendix F (Quality Assurance Procedures).

§113.2131--Am I exempt from any 40 Code of Federal Regulations Part 60, Appendix B or Appendix F requirements to evaluate continuous emission monitoring systems?

The commission proposes new §113.2131, which states that the accuracy tests for sulfur dioxide continuous emission monitoring systems require evaluation of oxygen (or carbon dioxide) continuous emission monitoring systems; therefore, the oxygen system (or carbon dioxide) is exempt from two specific requirements in 40 CFR Part 60.

§113.2132--What is my schedule for evaluating continuous emission monitoring systems?

The commission proposes new §113.2132, which states that annual evaluations of continuous emission monitoring systems must be conducted no more than 13 months after the previous evaluations. This proposed section also states that continuous emission monitoring systems will be evaluated daily and quarterly as specified in 40 CFR Part 60, Appendix F.

§113.2133--What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?

The commission proposes new §113.2133, which states that if carbon dioxide is monitored instead of oxygen, the relationship between oxygen and carbon dioxide must be established during the initial evaluation of the continuous emission monitoring systems by three specific procedures.

§113.2134--What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems and is the data collection requirement enforceable?

The commission proposes new §113.2134, which details what monitoring data must be collected from the continuous emission monitoring systems and how often. In addition, requirements, including notifying the executive director, are included if the minimum data requirements are not met.

§113.2135--How do I convert my 1-hour arithmetic averages into appropriate averaging times and units?

The commission proposes new §113.2135, which includes the specific equations and methods that must be used to convert 1-hour arithmetic averages into appropriate averaging times and units.

§113.2136--What is required for my continuous opacity monitoring system and how are the data used?

The commission proposes new §113.2136, which details the requirements for the continuous opacity monitoring system. The proposed section includes specific time frames, CFR cites, and table references for the opacity limit.

§113.2137--What additional requirements must I meet for the operation of my continuous emission monitoring systems and continuous opacity monitoring system?

The commission proposes new §113.2137, which requires the use of span values and applicable performance specifications in Table 8 of Division 3 (§113.2174) for the operation of continuous emission monitoring systems and continuous opacity monitoring system.

§113.2138--What must I do if any of my continuous emission monitoring systems are temporarily unavailable to meet the data collection requirements?

The commission proposes new §113.2138, which refers to Table 8 of Division 3 (§113.2174). This table provides alternate methods for collecting data when continuous emission monitoring systems are temporarily unavailable.

§113.2139--What types of stack tests must I conduct?

The commission proposes new §113.2139, which states that initial and annual stack tests must be conducted to measure emission levels of dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

§113.2140--How are the stack test data used?

The commission proposes new §113.2140, which requires the use of stack test results to demonstrate compliance with the applicable emission limits in Tables 2 and 4 of Division 3 (§113.2174) for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

§113.2141--What schedule must I follow for the stack testing?

The commission proposes new §113.2141, which requires that initial stack testing be conducted no later than 180 days after the final compliance date. The proposed section also states that annual stack tests must be conducted no later than 13 months after the previous stack test.

§113.2142--What test methods must I use to stack test?

The commission proposes new §113.2142, which describes the test methods that must be used for stack testing, including the criteria in Table 8 of Division 3 (§113.2174), number of test runs, determining diluent gas levels, calculating emission levels, and procedures for applying for an alternative method.

§113.2143--May I conduct stack testing less often?

The commission proposes new §113.2143, which allows testing less often for a Class II MWC unit for which all stack tests for a given pollutant over 3 consecutive years show compliance with the emission limit. In addition, this proposed section allows testing less often for dioxins/furans emissions for a MWC plant that meets the following two conditions: multiple MWC units are on-site that are subject to this division; and all those MWC units have demonstrated levels of dioxins/furans emissions less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, for 2 consecutive years.

§113.2144--May I deviate from the 13-month testing schedule if unforeseen circumstances arise?

The commission proposes new §113.2144, which does not allow for deviation from the 13-month testing schedules, unless the executive director has approved an alternative schedule.

§113.2145--Must I meet other requirements for continuous monitoring?

The commission proposes new §113.2145, which specifies three other operating parameters for continuous monitoring: load level, flue gas temperature, and carbon feed rate.

§113.2146--How do I monitor the load of my municipal waste combustion unit?

The commission proposes new §113.2146, which specifies two ways to monitor the load of the MWC unit. If the unit generates steam, the owner or operator must install, calibrate, maintain, and operate a steam flowmeter or a feed water flowmeter. If the unit does not generate steam or units have shared steam systems, the owner or operator must determine one or more operating parameters that can be used to continuously estimate load level and receive approval from the executive director.

§113.2147--How do I monitor the temperature of flue gases at the inlet of my particulate matter control device?

The commission proposes new §113.2147, which states that to monitor the temperature of the flue gases, a device to continuously measure the temperature must be installed, calibrated, maintained, and operated.

§113.2148--How do I monitor the injection rate of activated carbon?

The commission proposes new §113.2148, which requires that owners or operators of MWC units using activated carbon to control dioxins/furans or mercury emissions do the following: select a carbon injection system operating parameter to calculate carbon feed rate; during stack tests, determine the average carbon feed rate; and continuously monitor the selected operating parameter during all periods when the unit is operating and combusting waste.

§113.2149--What is the minimum amount of monitoring data I must collect with my continuous parameter monitoring systems and is the data collection requirement enforceable?

The commission proposes new §113.2149, which details the parameter monitoring data collection requirements. If continuous parameter monitoring is used, a 1-hour arithmetic average must be calculated with at least two data points per hour. Valid 1-hour averages for at least 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter must be obtained. The proposed section states that failure to collect the minimum data requires notification to the executive director.

§113.2150--What records must I keep?

The commission proposes new §113.2150, which states that the four types of records that must be kept are: operator training and

certification; stack tests; continuously monitored pollutants and parameters; and carbon feed rate.

§113.2151--Where must I keep my records and for how long?

The commission proposes new §113.2151, which requires that all records be maintained onsite in paper copy or electronic format for at least 5 years. The proposed section states that these records must be available for submittal to the executive director or for onsite review.

§113.2152--What records must I keep for operator training and certification?

The commission proposes new §113.2152, which requires records for operator training and certification of the following six items: provisional certifications; full certifications; completion of the operator training course; reviews for plant-specific operating manuals; records of when a certified operator is temporarily offsite; and calendar dates on each record.

§113.2153--What records must I keep for stack tests?

The commission proposes new §113.2153, which requires that stack test records contain the following four items: results of stack tests for eight pollutants or parameters; test reports; maximum demonstrated load and temperature; and calendar date of each record.

§113.2154--What records must I keep for continuously monitored pollutants or parameters?

The commission proposes new §113.2154, which requires that eight records be maintained for continuously monitored pollutants or parameters. These eight records are: monitoring data; average concentrations and percent reductions; exceedances; minimum data; exclusions; drift and accuracy; relationship between oxygen and carbon dioxide; and calendar dates.

§113.2155--What records must I keep for municipal waste combustion units that use activated carbon?

The commission proposes new §113.2155, which requires five records for MWC units that use activated carbon to control dioxins/furans or mercury emissions. These five records are: average carbon feed rate; low carbon feed rates; minimum carbon feed rate data; exclusions; and calendar dates.

§113.2156--What reports must I submit and in what form?

The commission proposes new §113.2156, which states what reports must be submitted and how. These reports include initial, semiannual, and annual reports and the section states that reports must be submitted on paper, postmarked on or before the submittal dates. The section further states that the executive director must approve submission of electronic reports, and that copies of all reports must be maintained onsite for 5 years.

The commission proposes to add, for clarification, that electronic reporting must meet the specifications of 30 TAC Chapter 19 (Electronic Reporting).

§113.2157--What are the appropriate units of measurement for reporting my data?

The commission proposes new §113.2157, which refers readers to Tables 2 through 5 of Division 3 (§113.2174) for appropriate units of measurement to be used when reporting data.

§113.2158--When must I submit the initial report?

The commission proposes new §113.2158, which requires that the initial report be submitted no later than 180 days after the final compliance date. The final compliance date is contained in Table 1 of Division 3 (§113.2174), and for both Class I and Class II units, is no later than 36 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval.

§113.2159--What must I include in my initial report?

The commission proposes new §113.2159, which states the seven items that must be included in the initial report. These items include the following: emission levels measured on the date of the initial evaluation of the continuous emission monitoring systems; results of initial stack tests; the test report that documents initial stack tests; the initial performance evaluation of the continuous emissions monitoring systems; the maximum demonstrated load and temperature; the average carbon feed rate recorded during the initial stack tests; and documentation of the relationship between oxygen and carbon dioxide.

§113.2160--When must I submit the annual report?

The commission proposes new §113.2160, which states that annual reports must be submitted no later than February 1 of each year that follows the calendar year in which data was collected.

To clarify and simplify the requirements of this section, the commission proposes to delete the reference to 40 CFR Part 71, since federal requirements are contained within this part and they are not necessary for state implementation of the rules.

§113.2161--What must I include in my annual report?

The commission proposes new §113.2161, which states that a summary of data collected for all pollutants and parameters regulated must be included in the annual report. The 12 items that must be included in the summary are: the results of the annual stack test; a list of the highest average levels recorded; the highest 6-minute opacity level measured; for MWC units that use activated carbon for controlling dioxins/furans or mercury emissions, four records; the total number of days that minimum number of hours of data were not obtained; the number of hours of excluded data from the calculation of average levels; notice of intent to begin a reduced stack testing schedule for dioxins/furans; a summary of any emission or parameter level that did not meet the limits; a summary of data that gives a summary of the performance of the MWC unit; documentation of the relationship between oxygen and carbon dioxide; and documentation of periods when all certified chief facility operators and certified shift supervisors are offsite for more than 12 hours.

§113.2162--What must I do if I am out of compliance with the requirements of this division?

The commission proposes new §113.2162, which requires that a semiannual report be submitted on any recorded emission or parameter level that is out of compliance.

§113.2163--If a semiannual report is required, when must I submit it?

The commission proposes new §113.2163, which requires that the semiannual report be submitted by August 1 of the year for data collected during the first half of the calendar year. The section requires that data collected during the second half of the calendar year be submitted in the semiannual report by February 1 of the following year.

§113.2164--What must I include in the semiannual out-of-compliance reports?

The commission proposes new §113.2164, which requires that three items be included in the semiannual reports: calendar

dates in which limits were exceeded, along with averaged and recorded data, the reasons for exceeding the limits, and corrective actions; if stack tests indicate that emissions are above specified limits, a copy of the test report that documents emission levels and corrective actions; and for MWC units that apply activated carbon to control dioxins/furans or mercury emissions, documentation of all dates when the 8-hour block average carbon feed rate is less than the highest carbon feed rate established during the most recent mercury and dioxins/furans stack test and documentation of each quarter when total carbon purchased and delivered to the MWC plant is less than the total required quarterly usage of carbon.

§113.2165--Can reporting dates be changed?

The commission proposes new §113.2165, which states that if the executive director agrees, semiannual and annual reporting dates may be changed. The proposed section cites 40 CFR §60.19(c) (General notification and reporting requirements) for procedures to seek approval to change a reporting date.

§113.2166--What is an air curtain incinerator?

The commission proposes new §113.2166, which defines an air curtain incinerator. The proposed section states that an air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. The rules in this division require that owners or operators of air curtain incinerators obtain a Title V permit; however, these units are only required to comply with limited requirements, as opposed to larger entities.

§113.2167--What is yard waste?

The commission proposes new §113.2167, which defines yard waste as grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. The proposed section further states that yard waste comes from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Finally, the proposed section states that yard waste does not include construction, renovation, and demolition wastes that are exempt from the definition of "Municipal solid waste" in §113.2100, or clean wood that is exempt from the definition of "Municipal solid waste" in §113.2100.

§113.2168--What are the emission limits for air curtain incinerators that burn 100 percent yard waste?

The commission proposes new §113.2168, which states that air curtain incinerators that burn 100 percent yard waste must meet an opacity limit of 10 percent (6-minute average) and 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation. The section states that the emission limits must be met by 180 days after the final compliance date.

§113.2169--How must I monitor opacity for air curtain incinerators that burn 100 percent yard waste?

The commission proposes new §113.2169, which requires the use of EPA Reference Method 9 in 40 CFR Part 60, Appendix A (Test Methods 1 through 30B), to determine compliance with the opacity limit. The proposed section states that an initial test must also be conducted as specified in 40 CFR §60.8 (Performance tests). Annual tests must be conducted no more than 13 calendar months following the date of the previous test. As discussed in the FISCAL NOTE: COSTS TO STATE AND LOCAL GOVERNMENT portion of this preamble, there would be costs associated with training for conducting opacity testing.

§113.2170--What are the recordkeeping and reporting requirements for air curtain incinerators that burn 100 percent yard waste?

The commission proposes new §113.2170, which requires that a notice of construction be provided that includes four items: intent to construct; planned initial startup date; types of fuels to be combusted; and capacity of the incinerator. The proposed section states that records of opacity test results, as well as copies of all reports, must be maintained onsite for each incinerator for at least 5 years and that all records must be made available to the executive director or for onsite review by an inspector. The proposed section further states that all opacity test results must be submitted by February 1 of the year following the year of the test as a paper copy, unless the executive director approves electronic submission.

§113.2171--What equations must I use?

The commission proposes new §113.2171, which details the equations that must be used in Division 3. Equations are provided to calculate the following: concentration correction to 7 percent oxygen; percent reduction in potential mercury emissions; percent reduction in potential hydrogen chloride emissions; capacity of an MWC unit; capacity of a batch MWC unit; and quarterly carbon usage, for plant basis and unit basis.

§113.2172--Does this subpart require me to obtain an operating permit under Title V of the Federal Clean Air Act?

The commission proposes new §113.2172, which states that units subject to Chapter 113, Subchapter D, Division 3 on the effective date of state plan approval or later are required to apply for and obtain a Title V operating permit. Because these rules and FCAA, §111(d)/129 State Plan are not enforceable by Texas until they are approved by the EPA, the commission proposes to state that applicants are subject to Division 3 on the effective date of state plan approval, rather than on the effective date of the division, which would be 20 days after the commission files the Chapter 113 rule adoption with the Texas Secretary of State's Office. Upon state plan approval, the commission will publish notice in the *Texas Register* and on the TCEQ Web site, to ensure that all affected entities are notified.

This section was not included in the emission guidelines published in the December 6, 2000, issue of the *Federal Register*; however, it was included in the federal plan promulgation that was published in the January 31, 2003, issue of the *Federal Register* (68 FR 5144), as 40 CFR Part 62, Subpart JJJ, §65.15020 (Can my small municipal waste combustion unit be exempt from this subpart?) and §62.15395 (Does this subpart require me to obtain an operating permit under title V of the Clean Air Act?). The federal plan promulgation, including this Title V requirement, became effective on December 6, 2002. Therefore, to ensure that the incorporated rules are as protective as the EPA's rules, as required by FCAA, §129, the commission included this section regarding the Title V permit requirement into its incorporation in Division 3.

In particular, the commission notes that 40 CFR §60.1555 (Are any small municipal waste combustion units exempt from my State plan?) has added some confusion to whether air curtain incinerators are obligated to apply for and obtain Title V permits, since §60.1555 provides that air curtain incinerators that burn 100 percent yard waste must only meet the requirements under §§60.1910 - 60.1930, which do not include the requirement to apply for and obtain a Title V operating permit. As noted above, the federal plan for these sources, 40 CFR Part 62, Subpart JJJ,

in §62.15020, requires that air curtain incinerators that burn 100 yard waste must meet only the requirements of §§62.15365 - 62.15385 *and the Title V operating permit requirements of Subpart 62*.

§113.2173--When must I submit a Title V permit application for my existing small municipal waste combustion unit?

The commission proposes new §113.2173, which contains the deadlines for submitting a complete Title V permit application for existing small MWC units. The Title V application submittal date is based either on the promulgation of 40 CFR Part 60, Subpart BBBB (December 6, 2003), or the effective date of the applicable state, tribal, or federal operating permits program, whichever is later. The section also defines a "complete" Title V permit application as one that has been determined or deemed complete by the relevant permitting authority under the FCAA, §503(d) and 40 CFR §70.5(a)(2).

To clarify and simplify the requirements of this section, the commission proposes to delete references to 40 CFR Part 71 in subsections (a) and (c), since federal requirements are contained within this part and they are not necessary for state implementation of the rules.

This section was not included in the emission guidelines published in the December 6, 2000, issue of the *Federal Register*; however, it was included in the federal plan promulgation that was published in the January 31, 2003, issue of the *Federal Register* (68 FR 5144), as 40 CFR Part 62, Subpart JJJ, §62.15400 (When must I submit a title V permit application for my existing small municipal waste combustion unit?). The federal plan promulgation, including this Title V requirement, became effective on December 6, 2002. Therefore, to ensure that the incorporated rules are as protective as the EPA's rules, as required by FCAA, §129, the commission included this section regarding the Title V permit requirement into its incorporation in Division 3.

§113.2174--Tables Relating to Division 3.

The commission proposes new §113.2174, which contains the tables referenced in Division 3. These tables include the following: Compliance Schedules and Increments of Progress; Class I Emission Limits for Existing Small Municipal Waste Combustion Units; Class I Nitrogen Oxides Emission Limits for Existing Small Municipal Waste Combustion Units; Class II Emission Limits for Existing Small Municipal Waste Combustion Unit; Carbon Monoxide Emission Limits for Existing Small Municipal Waste Combustion Units; Requirements for Validating Continuous Emission Monitoring Systems (CEMS); Requirements for Continuous Emission Monitoring Systems (CEMS); and Requirements for Stack Tests.

Table 1 specifies the compliance schedules and increments of progress for Class I and Class II units. The emission guidelines for 40 CFR Part 60, Subpart BBBB define Class I units as small MWC units subject to the subpart that are located at MWC plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. Class II units are defined as small MWC units subject to the subpart that are located at MWC plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. If the owner or operator plans to achieve final compliance for a unit more than 1 year following the effective date of state plan approval, and a permit modification is not required, or more than 1 year following the date of issuance of a revised construction or operating permit if a permit modification is required, owners or operators of the units must meet the deadlines for defined increments of progress. Five increments of progress are required for Class I units, and two are required for Class II units. The last increment for both types of units is final compliance. The first increment for all units, which is submission of the final control plan, is within 60 days from the date the TCEQ publishes notice in the *Texas Register* of state plan approval. Class I units are required to meet three additional increments of progress before meeting the final compliance date, and these increment deadlines are: no later than 18 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval for Increment 2; no later than 24 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval for Increment 3; no later than 34 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval for Increment 4; and no later than 36 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval for Increment 5. Class II units must only meet Increment 1 and then Increment 5, or final progress. Class II units are also given no later than 36 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval to meet Increment 5.

To clarify and simplify the information in the tables contained in this section, the commission proposes minor formatting changes and also proposes to delete information that may confuse regulated entities, such as references to past federal compliance dates.

Division 4, Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units That Commenced Construction On or Before November 30, 1999 (40 CFR Part 60, Subpart DDDD)

§113.2200--Definitions.

The commission proposes new §113.2200, which defines terms used in new Division 4 that are either previously undefined or are used differently by the federal emission guidelines that are the basis for the rules. The definitions are taken from 40 CFR §60.2875 (What definitions must I know?).

For clarification, the commission proposes to modify the wording in paragraph (14)(C), under the definition of deviation. In the portion of the sentence in paragraph (14)(C) that states ". . . regardless or whether or not such failure is permitted by this division. . .," the commission proposes to insert the word "of." Therefore, the sentence would read as ". . .regardless of whether or not such failure is permitted by this division."

Also for clarification, the commission proposes to modify the wording in paragraph (16), under the definition of discard. This definition includes a reference both to Division 4 and to 40 CFR Part 60, Subpart DDDD, and because the Chapter 113 rules in Division 4 are equivalent to Subpart DDDD, the additional wording is unnecessary. The definition of solid waste, paragraph (30), contains a similar reference to Subpart CCCC, and the commission also proposes to delete this reference, because Subpart CCCC applies to new sources, not existing sources, which is the subject of Division 4.

In the September 22, 2005, issue of the *Federal Register* (70 FR 55568), the EPA published amended versions of the definitions for solid waste, commercial or industrial waste, and CISWI unit. Because a federal court has issued a full vacatur of these three definitions, the versions contained in this rule package are the versions as published in the December 1, 2000, issue of the *Federal Register* (65 FR 75338).

§113.2201--What are my requirements for meeting increments of progress and achieving final compliance?

The commission proposes new §113.2201, which states that to achieve compliance more than 1 year following the effective date of the state plan approval, a final control plan must be submitted and final compliance must be achieved.

§113.2202--When must I complete each increment of progress?

The commission proposes new §113.2202, which states that the compliance dates for each increment of progress are established in Table 1 of Division 4 (§113.2261).

§113.2203--What must I include in the notifications of achievement of increments of progress?

The commission proposes new §113.2203, which requires that the following three items be included in the notification of achievement of increments of progress: notification that the increment of progress has been achieved; items required to be submitted with each increment of progress; and signature of the owner or operator of the unit.

§113.2204--When must I submit the notifications of achievement of increments of progress?

The commission proposes new §113.2204, which states that the notifications of achievement of increments of progress must be postmarked no later than 10 business days after the compliance date for the increment.

§113.2205--What if I do not meet an increment of progress?

The commission proposes new §113.2205, which states that a notification must be submitted to the executive director postmarked within 10 business days if an increment of progress is not met. The proposed section also states that reports must continue to be submitted until the increment of progress is met.

§113.2206--How do I comply with the increment of progress for submittal of a control plan?

The commission proposes new §113.2206, which states that to be in compliance with the increment of progress for submittal of a control plan, the final control plan must include the following: description of control devices and process changes; type of waste burned; maximum design waste burning capacity; maximum charge rate; and petition for site-specific operating limits, if applicable. In addition, a copy of the final control plan must be maintained onsite.

§113.2207--How do I comply with the increment of progress for achieving final compliance?

The commission proposes new §113.2207, which requires that all process changes and retrofit construction be completed for the final compliance of the increment of progress.

§113.2208--What must I do if I close my commercial and industrial solid waste incineration unit and then restart it?

The commission proposes new §113.2208, which states that if a CISWI unit is closed and restarted before the final compliance date, the increments of progress must be met as specified in §113.2201. The section states that if the CISWI is restarted after the final compliance date, emission control retrofits must be completed and the emission limitations and operating limits must be met on the date the unit restarts.

§113.2209--What must I do if I plan to permanently close my commercial and industrial solid waste incineration unit and not restart it?

The commission proposes new §113.2209, which states that if the owner or operator chooses to permanently close the CISWI unit rather than comply with the state plan, a closure notification must be submitted to the executive director by the date the final control plan is due.

§113.2210--What is a waste management plan?

The commission proposes new §113.2210, which states that a waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream to reduce or eliminate toxic emissions from incinerated waste.

§113.2211--When must I submit my waste management plan?

The commission proposes new §113.2211, which specifies that Table 1 of Division 4 (§113.2261) contains the dates to submit the waste management plan.

§113.2212--What should I include in my waste management plan?

The commission proposes new §113.2212, which details what must be included in the waste management plan, such as consideration of the reduction or separation of waste-stream elements and any additional waste management measures. The proposed section states that measures that are considered practical and feasible, based on certain specific criteria, must be implemented.

§113.2213--What are the operator training and qualification requirements?

The commission proposes new §113.2213, which states that no CISWI unit can be operated unless a fully trained and qualified CISWI unit operator is accessible within 1 hour. The proposed section also states that operator training and qualification must be obtained through a state-approved program or an incinerator operator training course must be completed. The proposed section lists the three elements that the operator training course must include, which are: training on 11 topics as specified in this section; an examination designed and administered by the instructor; and written material covering the training course topics that can serve as a reference following completion of the course.

§113.2214--When must the operator training course be completed?

The commission proposes new §113.2214, which requires that the operator training course be completed by the later of the following: the final compliance date; six months after CISWI unit startup; or six months after an employee assumes responsibility for operating or supervising the operation of the CISWI unit.

§113.2215--How do I obtain my operator qualification?

The commission proposes new §113.2215, which states that operator qualification must be obtained by completing a training course. The proposed section also states that the qualification is valid from the date the training course is completed and the operator passes the examination successfully. As stated in §113.2216, operators must complete an annual review or refresher course to maintain qualification.

§113.2216--How do I maintain my operator qualification?

The commission proposes new §113.2216, which requires completion of an annual review or refresher course to maintain qualification. The section specifies that five topics must be included: update of regulations; incinerator operation; inspection and maintenance; malfunctions; and operating problems.

§113.2217--How do I renew my lapsed operator qualification?

The commission proposes new §113.2217, which requires completion of a standard annual refresher course or a repeat of the initial qualification requirements to renew a lapsed operator qualification. The requirement that applies is based on either a lapse of less than 3 years or 3 years or more.

§113.2218--What site-specific documentation is required?

The commission proposes new §113.2218, which requires the following for site-specific documentation: availability and accessibility of documents at the facility for all CISWI unit operators; establishment of a program for reviewing this information with each incinerator operator; and maintenance of specific CISWI unit operator information in the records.

§113.2219--What if all the qualified operators are temporarily not accessible?

The commission proposes new §113.2219, which states that a CISWI unit may be operated by other plant personnel familiar with the operation if all qualified operators are temporarily not accessible for more than 8 hours, but less than 2 weeks. The proposed section also states that if all qualified operators are not accessible for 2 weeks or more, the executive director must be notified within 10 days and a status report submitted every 4 weeks following the outlined conditions and procedures.

In paragraph (2)(A), the commission proposes to add clarification that the notification to the executive director must be done within 10 days after the end of the 2-week period in which a certified operator is not accessible. The commission proposes the clarification regarding the beginning of the 10-day period to clearly outline the rule requirements for regulated entities, and similar clarification is proposed to be added in §§113.2121, 113.2243, 113.2313, and 113.2341.

§113.2220--What emission limitations must I meet and by when?

The commission proposes new §113.2220, which requires that the emission limits specified in Table 2 of Division 4 (§113.2261) be met on the date the initial performance test is required or completed.

§113.2221--What operating limits must I meet and by when?

The commission proposes new §113.2221, which describes the operating limits based on whether a wet scrubber or fabric filter is used. In both cases, the operating limits established during the initial performance test must be met on the date the initial performance test is required or completed.

For clarification and for consistency with §113.2228, the commission proposes to use the word "hydrogen chloride" rather than HCl in subsection (a)(4).

§113.2222--What if I do not use a wet scrubber to comply with the emission limitations?

The commission proposes new §113.2222, which requires a petition to the executive director for specific operating limits to be established during the initial performance test and continuously monitored thereafter for use of an air pollution control device other than a wet scrubber. The section states that the initial performance test must not be conducted until after the petition has been approved, and specifies five items that must be included in the petition.

§113.2223--What happens during periods of startup, shutdown, and malfunction?

The commission proposes new §113.2223, which requires that emission limitations and operating limits apply at all times except during startups, shutdowns, or malfunctions of the CISWI unit. The proposed section further states that each malfunction must last no longer than 3 hours.

§113.2224--How do I conduct the initial and annual performance test?

The commission proposes new §113.2224, which details the requirements for conducting initial and annual performance tests. The requirements include conducting a minimum of three test runs, and documenting that the waste burned during the test is representative. The proposed section specifies minimum run duration and test methods. The proposed section also includes an equation regarding the pollutant concentration that must be adjusted to 7 percent oxygen, except for opacity.

§113.2225--How are the performance test data used?

The commission proposes new §113.2225, which states that the results of the performance tests must be used to determine compliance with emission limitations in Table 2 of Division 4 (§113.2261).

§113.2226--How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

The commission proposes new §113.2226, which requires an initial performance test to determine compliance with emission limitations and to establish operating limits. The proposed section states that the initial performance test must be conducted using the methods in Table 2 of Division 4 (§113.2261) and §113.2224.

§113.2227--By what date must I conduct the initial performance test?

The commission proposes new §113.2227, which requires that the initial performance test be conducted no later than 180 days after final compliance. The section further states that final compliance dates are specified in Table 1 of Division 4 (§113.2261).

The commission also proposes to add language to clarify that the initial performance test must be conducted no later than 180 days after the deadline for the final compliance date.

§113.2228--How do I demonstrate continuous compliance with the emission limitations and the operating limits?

The commission proposes new §113.2228, which requires an annual performance test for particulate matter, hydrogen chloride, and opacity to determine compliance with emission limitations. The proposed section also states that the operating parameters must be continuously monitored and only the same types of waste used to establish the operating limits must be burned.

§113.2229--By what date must I conduct the annual performance test?

The commission proposes new §113.2229, which requires that the annual performance tests for particulate matter, hydrogen chloride, and opacity be conducted within 12 months following the initial performance test. The proposed section further states

that subsequent annual performance tests must be conducted within 12 months following the previous one.

§113.2230--May I conduct performance testing less often?

The commission proposes new §113.2230, which allows performance testing to be conducted less often if there is test data for at least 3 years and all performance tests for the pollutant over 3 consecutive years show compliance. In addition, if the CISWI unit continues to meet the emission limitations, performance tests may be conducted every third year, but within 36 months of the previous performance test, unless there is a deviation.

§113.2231--May I conduct a repeat performance test to establish new operating limits?

The commission proposes new §113.2231, which allows a repeat performance test to establish new values for operating limits. The performance test must be repeated if the feed stream is different than the feed streams during any performance test used to demonstrate compliance.

§113.2232--What monitoring equipment must I install and what parameters must I monitor?

The commission proposes new §113.2232, which specifies that if a wet scrubber is used to comply with emission limitations, devices for monitoring the value of the operating parameters must be installed, calibrated, maintained, and operated so that the wet scrubber complies with the operating limits listed in Table 3 of Division 4 (§113.2261). The proposed section states that if a fabric filter is used, a bag leak detection system must be installed, calibrated, maintained, and continuously operated as specified in this section and if something other than a wet scrubber is used, equipment necessary to monitor compliance must be installed, calibrated, maintained, and operated.

§113.2233--Is there a minimum amount of monitoring data I must obtain?

The commission proposes new §113.2233, which requires that all monitoring be conducted at all times the CISWI unit is operating, except for monitoring malfunctions, associated repairs, and required quality assurance or quality control activities.

§113.2234--What records must I keep?

The commission proposes new §113.2234, which specifies the 13 items that must be recorded and maintained: calendar date of each record; records of various types of data; identification of calendar dates and times for which monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control; identification of calendar dates, times, and durations of malfunctions; identification of calendar dates and times for which data show a deviation from the operating limits in Table 3 of this division (§113.2261); the results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable; records showing the names of CISWI unit operators who have completed review of the required site-specific documentation; records showing the names of CISWI unit operators who have completed the operator training requirements, met the criteria for qualification, and maintained or renewed qualification; for each qualified operator, a phone and pager number; records of calibration of any required monitoring devices; equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment; the information listed in §113.2218(a); and on a daily basis, a log of the quantity of waste burned and the types of waste burned. The section states that these records must be maintained for at least 5 years.

§113.2235--Where and in what format must I keep my records?

The commission proposes new §113.2235, which requires that records be available onsite, and in either paper or electronic format that can be printed upon request, unless an alternative format is approved by the executive director.

§113.2236--What reports must I submit?

The commission proposes new §113.2236, which states that the reporting requirements summary is contained in Table 5 of Division 4 (§113.2261).

§113.2237--When must I submit my waste management plan?

The commission proposes new §113.2237, which states that the dates for submittal of the waste management plan are located in Table 1 of Division 4 (§113.2261) for submittal of the final control plan.

§113.2238--What information must I submit following my initial performance test?

The commission proposes new §113.2238, which details the information that must be submitted no later than 60 days following the initial performance test. The proposed section states that these reports must be signed by the facilities manager.

§113.2239--When must I submit my annual report?

The commission proposes new §113.2239, which states that annual reports must be submitted no later than 12 months following the submittal of the information in §113.2238. The section also states that subsequent reports must be submitted no later than 12 months following the previous report.

§113.2240--What information must I include in my annual report?

The commission proposes new §113.2240, which details the ten items that must be included in the annual report. The ten items listed include: company name and address; statement by a responsible official, along with the official's name, title, and signature; date of report and beginning and ending dates of the reporting period; the values for the operating limits; if no deviation from any emission limitation or operating limit that applies to the owner or operator has been reported, a statement to that effect; the highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded by calendar year; information recorded under §113.2234(2)(F) and (3) through (5), by calendar year; if a performance test was conducted during the reporting period, the results of that test; if the requirements of §113.2230(a) or (b) were met, and a performance test was not conducted during the reporting period, a statement that the requirements of §113.2230(a) or (b) were met; and documentation of periods when all qualified CISWI unit operators were unavailable for more than 8 hours, but less than 2 weeks. The section also states that deviation reports must be submitted to record a deviation from the operating limits or the emission limitations.

§113.2241--What else must I report if I have a deviation from the operating limits or the emission limitations?

The commission proposes new §113.2241, which states that a deviation report must be submitted if any recorded 3-hour average parameter level is above the maximum operating limit or be-

low the minimum operating limit established under this division, if the bag leak detection system alarm sounds for more than 5 percent of the operating time for the 6-month reporting period, or if a performance test was conducted that deviated from any emission limitation. The proposed section specifies that the deadline is August 1 for the first half of the calendar year, and February 1 for the second half of the calendar year.

§113.2242--What must I include in the deviation report?

The commission proposes new §113.2242, which details the six items that must be included in the deviation report: the calendar dates and times the unit deviated from the emission limitations or operating limit requirements; the averaged and recorded data; the duration and causes of each deviation from the emission limitations or operating limits and corrective actions; a copy of the operating limit monitoring date during each deviation and any test report that documents the emission levels; the dates, times, number, duration, and causes for monitoring downtime incidents; and whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.

§113.2243--What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

The commission proposes new §113.2243, which requires that if all qualified operators are not accessible for 2 weeks or more, a notification of the deviation must be submitted within 10 days and a status report must be submitted to the executive director every 4 weeks. The proposed section also states that a unit that was shut down by the executive director because of a failure to provide an accessible qualified operator requires notification to the executive director once operations resume and a qualified operator is accessible.

In subsection (a)(1), the commission proposes to add clarification that the notification to the executive director must be done within 10 days after the end of the 2-week period in which a certified operator is not accessible. The commission proposes the clarification regarding the beginning of the 10-day period to clearly outline the rule requirements for regulated entities, and similar clarification is proposed to be added in §§113.2121, 113.2219, 113.2313, and 113.2341.

§113.2244--Are there any other notifications or reports that I must submit?

The commission proposes new §113.2244, which requires that notifications or reports be submitted as required by 40 CFR §60.7 (Notification and record keeping).

§113.2245--In what form can I submit my reports?

The commission proposes new §113.2245, which allows initial, annual, and deviation reports to be submitted electronically or in paper format. The proposed section also specifies that reports must be postmarked on or before the submittal due dates.

§113.2246--Can reporting dates be changed?

The commission proposes new §113.2246, which allows semi-annual or annual reporting dates to be changed if approved by the executive director. The section references 40 CFR §60.19(c) for procedures to seek approval to change a reporting date.

§113.2247--Am I required to apply for and obtain a Title V operating permit for my unit?

The commission proposes new §113.2247, which requires each CISWI unit owner or operator to obtain a Title V permit. As required by the model rule, the Title V application submittal date is based either on the promulgation of 40 CFR Part 60, Subpart DDDD (December 1, 2003), or on the effective date of the Title V permit program to which the unit is subject.

For further clarity and precision, the commission proposes to change the reference to the deadlines "noted above" in paragraph (2) to the deadlines noted in "this section."

§113.2248--What is an air curtain incinerator?

The commission proposes new §113.2248, which states that an air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. The proposed section further states that incinerators of this type can be constructed above or below ground and with or without refractory walls and floor.

In particular, the commission notes that 40 CFR §60.2555 (What combustion units are exempt from my State plan?) and this section have added some confusion to whether air curtain incinerators are obligated to apply for and obtain Title V permits, since both sections provide that air curtain incinerators that burn only 100 percent wood waste, 100 percent clean lumber, and 100 percent mixture of only wood waste, clean lumber, and/or yard waste must only meet the requirements under §§60.2810 - 60.2870, which do not include the requirement to apply for and obtain a Title V operating permit. However, the federal plan for these sources, 40 CFR Part 62, Subpart III, §62.14525, requires that air curtain incinerators that burn 100 percent wood waste, 100 percent clean lumber, and 100 percent mixture of only wood waste, clean lumber, and/or yard waste must meet only the requirements of §§62.14765 - 62.14825 *and the Title V operating permit requirements of Subpart 62*. Therefore, to further clarify the requirements for air curtain incinerators under §113.2248, the commission proposes to add the following sentence at the end of subsection (b): "In addition, air curtain incinerators must meet the requirements of §113.2247 of this title (relating to Am I required to apply for and obtain a Title V operating permit for my unit?)."

§113.2249--What are my requirements for meeting increments of progress and achieving final compliance?

The commission proposes new §113.2249, which states that two increments of progress must be met if achieving compliance more than one year following the effective date of state plan approval: a final control plan must be submitted; and final compliance must be achieved.

§113.2250--When must I complete each increment of progress?

The commission proposes new §113.2250, which specifies that the compliance dates for each increment of progress are contained in Table 1 of Division 4 (§113.2261).

§113.2251--What must I include in the notifications of achievement of increments of progress?

The commission proposes new §113.2251, which states what must be included in the notification of achievement of increments of progress: notification of the achievement; any items required to be submitted with each increment of progress; and signature of the owner or operator of the incinerator.

§113.2252--When must I submit the notifications of achievement of increments of progress?

The commission proposes new §113.2252, which requires that the notifications of achievement of increments of progress be

postmarked no later than 10 business days after the compliance date for the increment.

§113.2253--What if I do not meet an increment of progress?

The commission proposes new §113.2253, which states that if an increment of progress is not met, a notification must be submitted to the executive director postmarked within 10 business days after the date for that increment of progress. The proposed section further states that the submittal of reports must continue for each subsequent calendar month until the increment of progress is met.

§113.2254--How do I comply with the increment of progress for submittal of a control plan?

The commission proposes new §113.2254, which states that a control plan increment of progress must include submitting a final control plan and maintaining a copy onsite.

§113.2255--How do I comply with the increment of progress for achieving final compliance?

The commission proposes new §113.2255, which requires that all process changes and retrofit construction of control devices be completed for the final compliance increment of progress.

§113.2256--What must I do if I close my air curtain incinerator and then restart it?

The commission proposes new §113.2256, which states that if the incinerator is closed, but will reopen before the final compliance date, the increments of progress must be met. If the incinerator will restart after the final compliance date, emission control retrofits must be completed and emission limitations met on the date the incinerator restarts.

§113.2257--What must I do if I plan to permanently close my air curtain incinerator and not restart it?

The commission proposes new §113.2257, which states that if the incinerator will be closed rather than comply with the state plan, a closure notification must be submitted to the executive director by the date the final control plan is due.

§113.2258--What are the emission limitations for air curtain incinerators?

The commission proposes new §113.2258, which states that air curtain incinerators must meet an opacity limit of 10 percent (6-minute average) and 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation. The proposed section states that the requirements apply at all times except during malfunctions, and each malfunction must not exceed three hours.

§113.2259--How must I monitor opacity for air curtain incinerators?

The commission proposes new §113.2259, which requires the use of EPA Reference Method 9 in 40 CFR Part 60, Appendix A to determine compliance with the opacity limit. The proposed section states that an initial test must be conducted no later than 180 days after the final compliance date, and that annual tests must be conducted thereafter, no more than 12 calendar months following the date of the previous test.

As discussed in the FISCAL NOTE: COSTS TO STATE AND LOCAL GOVERNMENT portion of this preamble, there would be costs associated with training for conducting opacity testing.

§113.2260--What are the recordkeeping and reporting requirements for air curtain incinerators?

The commission proposes new §113.2260, which requires that records of opacity test results be maintained onsite for at least 5 years. The proposed section states that all records must be made available for submittal to the executive director or for an inspector's onsite review. Finally, the proposed section requires that an initial report be submitted no later than 60 days following the initial opacity test and that annual opacity test results be submitted within 12 months following the previous report.

§113.2261--Tables Relating to Division 4.

The commission proposes new §113.2261, which contains the tables as referenced in Division 4. The tables include the following: Increments of Progress and Compliance Schedules; Emission Limitations; Operating Limits for Wet Scrubbers; Toxic Equivalency Factors; and Summary of Reporting Requirements.

Table 1 specifies the compliance schedules and increments of progress for units subject to this division. Increment 1 is for submission of the final control plan, and the compliance date is no later than 12 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval. Increment 2 is for final compliance, and the compliance date is no later than 36 months from the date the TCEQ publishes notice in the *Texas Register* of state plan approval.

To clarify and simplify the information in the tables contained in this section, the commission proposes minor formatting changes and also proposes to delete information that may confuse regulated entities, such as references to past federal compliance dates.

Division 5, Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units That Commenced Construction On or Before December 9, 2004 (40 CFR Part 60, Subpart FFFF)

§113.2300--Definitions.

The commission proposes new §113.2300, which defines terms used in new Division 5 that are either previously undefined or are used differently by the federal emission guidelines that are the basis for the rules. The definitions are taken from 40 CFR §60.3078 (What definitions must I know?).

For clarification, the commission proposes to modify the wording in paragraph (1)(C), under the definition of administrator. The commission proposes to add that the NSPS are located within 40 CFR Part 60.

Also for clarification, the commission proposes to modify the wording in paragraph (2), under the definition of air curtain incinerator. This definition contains a reference both to Division 5 and to 40 CFR Part 60, Subpart EEEE. The commission proposes to delete the subpart reference, because Subpart EEEE applies to new sources, not existing sources, which is the subject of Division 5. The definition of MWC unit, paragraph (28), contains a similar reference to Subpart EEEE, and the commission also proposes to delete the subpart reference.

§113.2301--When must I comply?

The commission proposes new §113.2301, which specifies the final compliance date in Table 1 of Division 5 (§113.2357), as December 16, 2010. The proposed section also states that notification of final compliance must be submitted to the executive director and postmarked within 10 business days after the final compliance date.

§113.2302--What must I do if I close my other solid waste incineration unit and then restart it?

The commission proposes new §113.2302, which requires achievement of final compliance by the date specified in Table 1 of Division 5 (§113.2357) if the OSWI unit closes and then will restart before this date. If the OSWI unit will restart after the final compliance date, an emission control retrofit must be completed and emission limitations met when the OSWI restarts.

§113.2303--What must I do if I plan to permanently close my other solid waste incineration unit and not restart it?

The commission proposes new §113.2303, which states that an OSWI unit must permanently close before the final compliance date specified in Table 1 of Division 5 (§113.2357).

§113.2304--What is a waste management plan?

The commission proposes new §113.2304, which states that a waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream to reduce or eliminate toxic emissions from incinerated waste.

§113.2305--When must I submit my waste management plan?

The commission proposes new §113.2305, which requires that a waste management plan be submitted no later than 60 days following the initial performance test as specified in Table 5 of Division 5 (§113.2357).

§113.2306--What should I include in my waste management plan?

The commission proposes new §113.2306, which specifies what must be included in the waste management plan. The proposed section includes the following components: consideration of the reduction or separation of waste-stream elements; and identification of additional waste management measures and implementation of those measures that are considered practical and feasible, based on certain specific criteria.

§113.2307--What are the operator training and qualification requirements?

The commission proposes new §113.2307, which does not allow an OSWI unit to be operated unless a fully trained and qualified OSWI unit operator is accessible to the facility within 1 hour. The proposed section also states that operator training and qualification must be obtained through a state-approved program or by completing an incinerator operator training course that includes at least three of the elements listed. The elements include: training on 13 specified subjects; an examination designed and administered by the instructor; and written material covering the training course topics that may be a reference following completion of the course.

§113.2308--When must the operator training course be completed?

The commission proposes new §113.2308, which requires that the operator training be completed by the latest of the following three dates: the final compliance date as specified in Table 1 of Division 5 (§113.2357); six months after OSWI unit startup; or six months after an employee assumes responsibility for operating the OSWI unit or for supervising operation of the OSWI unit.

§113.2309--How do I obtain my operator qualification?

The commission proposes new §113.2309, which requires that operator qualification be obtained by completing a training course that satisfies certain criteria. The proposed section further states that qualification is valid from the date on which the training course is completed and the operator successfully passes the required examination. As stated in §113.2310, operators must complete an annual review or refresher course to maintain qualification.

§113.2310--How do I maintain my operator qualification?

The commission proposes new §113.2310, which states that to maintain operator qualification, an annual review or refresher course must be completed. The proposed section specifies that, at a minimum, five topics must be included: update of regulations; incinerator operation; inspection and maintenance; responses to malfunctions; and operating problems.

§113.2311--How do I renew my lapsed operator qualification?

The commission proposes new §113.2311, which states that if operator qualification lapses for less than 3 years, a standard annual refresher course must be completed. The proposed section states that if the lapse is 3 years or more, the initial qualification requirements must be repeated.

§113.2312--What site-specific documentation is required?

The commission proposes new §113.2312, which describes the site-specific documentation that is required to be in compliance. The proposed section specifies nine types of documents that must be available at the facility and readily accessible for all OSWI unit operators. The proposed section further states that a program for reviewing the information must be established with each incinerator operator by the dates specified. Finally, the proposed section includes the required training records.

§113.2313--What if all the qualified operators are temporarily not accessible?

The commission proposes new §113.2313, which states that depending on the length of time the qualified operator is not accessible, one of three criteria must be met. The criteria are: for 12 hours or less, the OSWI unit may be operated by other plant personnel familiar with the operation of the OSWI unit; for more than 12 hours, but less than 2 weeks, the OSWI unit may be operated by other plant personnel familiar with the operation of the OSWI unit; however, records of the period when the qualified operator was not accessible must be maintained and reported; for 2 weeks or more, the executive director must be notified of the deviation in writing within 10 days and status reports must be provided to the EPA every 4 weeks. The proposed section also states that status reports must outline what is being done to ensure that a qualified operator is accessible, when a qualified operator might be accessible, and contain a request for approval to continue operation.

In paragraph (3)(A), the commission proposes to add clarification that the notification to the executive director must be done within 10 days after the end of the 2-week period in which a certified operator is not accessible. The commission proposes the clarification regarding the beginning of the 10-day period to clearly outline the rule requirements for regulated entities, and similar clarification is proposed to be added in §§113.2121, 113.2219, 113.2243, and 113.2341.

In paragraph (3)(B) and in paragraph (3)(B)(ii), the commission proposes to change the recipient of status reports and approval of continued operation from the EPA, as is stated in 40 CFR Part 60, Subpart FFFF, to the executive director. The commission proposes this change so that this section is

consistent with §113.2121 (40 CFR §60.1685, Subpart BBBB) and with §113.2219 (40 CFR §60.2665, Subpart DDDD). The commission also proposes this change because it is appropriate that the TCEQ be informed of changes in the status of qualified operators for consistent and effective enforcement of the rules.

§113.2314--What emission limitations must I meet and by when?

The commission proposes new §113.2314, which states that the emission limitations that must be met on the date the initial performance test is required or completed are specified in Table 2 of Division 5 (§113.2357).

§113.2315--What operating limits must I meet and by when?

The commission proposes new §113.2315, which, for wet scrubbers, requires that operating limits for four operating parameters be established: maximum charge rate; minimum pressure drop across the wet scrubber; minimum scrubber liquor flow rate; and minimum scrubber liquor pH. The operating limits established during the initial performance test must be met beginning on the date 180 days after the final compliance date.

§113.2316--What if I do not use a wet scrubber to comply with the emission limitations?

The commission proposes new §113.2316, which states that if an air pollution control device other than a wet scrubber is used, or emissions are limited in some other manner to comply with the emission limitations, a petition must be submitted to the EPA for specific operating limits, the values of which are to be established during the initial performance test and then continuously monitored thereafter. The proposed section states that an initial performance test must not be conducted until after the petition has been approved by the EPA. A listing of what must be included in the petition is detailed in this proposed section.

§113.2317--What happens during periods of startup, shutdown, and malfunction?

The commission proposes new §113.2317, which states that emission limitations and operating limits apply at all times, except during OSWI unit startups, shutdowns, or malfunctions.

For clarification, the commission proposes to add that OSWI unit startups, shutdowns, and malfunctions should last no longer than 3 hours. This additional language will make this section consistent with similar sections in Division 3 (§113.2123) and Division 4 (§113.2223).

§113.2318--How do I conduct the initial and annual performance test?

The commission proposes new §113.2318, which requires that all performance tests be conducted using the methods and specifications listed in this proposed section to be in compliance.

§113.2319--How are the performance test data used?

The commission proposes new §113.2319, which requires that the results of performance tests be used to demonstrate compliance with the emission limits in Table 2 of Division 5 (§113.2357).

§113.2320--How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

The commission proposes new §113.2320, which requires that an initial performance test be conducted to determine compliance with the emission limitations and to establish operating limits. The proposed section states that the requirements for emission limitations and the test methods for the initial performance test are found in Table 2 of Division 5 (§113.2357).

§113.2321--By what date must I conduct the initial performance test?

The commission proposes new §113.2321, which requires that the initial performance test be conducted no later than 180 days after the final compliance date listed in Table 1 of Division 5 (§113.2357).

§113.2322--How do I demonstrate continuous compliance with the emission limitations and the operating limits?

The commission proposes new §113.2322, which requires that an annual performance test be conducted for all the pollutants in Table 2 of Division 5 (§113.2357) for each OSWI unit to determine compliance with the emission limits. The proposed section also states that to determine compliance with the carbon monoxide limits, carbon monoxide emissions and operating parameters must be continuously monitored.

§113.2323--By what date must I conduct the annual performance test?

The commission proposes new §113.2323, which requires that annual performance tests be conducted within 12 months of the initial performance test. The proposed section also states that subsequent annual performance tests must be conducted within 12 months following the previous one.

§113.2324--May I conduct performance testing less often?

The commission proposes new §113.2324, which allows performance tests to be conducted less often for a given pollutant if test data exists for at least three consecutive annual tests, and all performance tests over that period show compliance with the emission limit. The proposed section further states that if a performance test shows a deviation from an emission limitation for any pollutant, annual tests must be conducted for that pollutant until three consecutive annual performance tests for that pollutant all demonstrate compliance.

§113.2325--May I conduct a repeat performance test to establish new operating limits?

The commission proposes new §113.2325, which allows a repeat performance test to be conducted at any time to establish new operating limits. The proposed section also states that the executive director may request a repeat performance test at any time.

§113.2326--What continuous emission monitoring systems must I install?

The commission proposes new §113.2326, which requires that continuous emission monitoring systems be installed, calibrated, maintained, and operated for carbon monoxide and oxygen. The proposed section states that each continuous emission monitoring system must be in compliance with 40 CFR §60.13.

§113.2327--How do I make sure my continuous emission monitoring systems are operating correctly?

The commission proposes new §113.2327, which details the four requirements for ensuring that the continuous emission monitoring systems are operating correctly. The proposed section specifies evaluation and quality assurance procedures that must be followed.

For clarification in subsection (c), the commission proposes to specify that the reference to EPA Method 3 or 3A is located in 40 CFR Part 60, Appendix A.

§113.2328--What is my schedule for evaluating continuous emission monitoring systems?

The commission proposes new §113.2328, which requires that annual evaluations of the continuous emission monitoring systems be conducted no more than 12 months after the previous evaluation. The proposed section also states that daily and quarterly evaluations must be conducted in accordance with 40 CFR Part 60, Appendix F.

§113.2329--What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems, and is the data collection requirement enforceable?

The commission proposes new §113.2329, which details the minimum amount of monitoring data that is required to be collected from the continuous emission monitoring systems to be in compliance. The proposed section also states that a failure to obtain the minimum required data is a deviation from the data collection requirement. The proposed section further references Table 4 in Division 5 (§113.2357) for alternatives if continuous emission monitoring systems are temporarily unavailable to meet the data collection requirements.

§113.2330--How do I convert my 1-hour arithmetic averages into the appropriate averaging times and units?

The commission proposes new §113.2330, which requires the use of equations in 30 TAC §113.2356 (What equations must I use?) to calculate emissions at 7 percent oxygen and the 12-hour rolling averages for concentrations of carbon monoxide.

§113.2331--What operating parameter monitoring equipment must I install, and what operating parameters must I monitor?

The commission proposes new §113.2331, which specifies required procedures for using a wet scrubber or a method or air pollution control device other than a wet scrubber to comply with the emission limitations.

§113.2332--Is there a minimum amount of operating parameter monitoring data I must obtain?

The commission proposes new §113.2332, which requires that monitoring be conducted at all times the OSWI unit is operating, except for monitor malfunctions, associated repairs, and required quality assurance or control activities. The proposed section states that valid data must be obtained for at least 75 percent of the operating hours per day for at least 90 percent of the operating days per calendar quarter and that to not obtain the minimum data is a deviation.

§113.2333--What records must I keep?

The commission proposes new §113.2333, which lists the 14 items that must be maintained for a period of at least 5 years: the calendar date of each record; several types of records as specified in the section; an identification of calendar dates and times for which continuous emission monitoring systems or monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control; an identification of calendar dates, times, and durations of malfunctions; an identification of calendar dates and times for which monitoring data show a deviation from the carbon monoxide emissions limit in Table 2 of this division (§113.2357) or a deviation from the operating limits in Table 3 of this division (§113.2357) or a deviation from other operating limits established under §113.2316; calendar dates when continuous monitoring systems did not collect the minimum amount of data required under §113.2329 and §113.2332; for carbon monoxide continuous emissions monitoring systems, documentation of the results of the daily drift tests and quarterly accuracy determinations; records of the calibration of any monitoring devices required under §113.2331; the results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable; records showing the names of OSWI unit operators who have completed review of the information in §113.2312(a) as required by §113.2312(b); records showing the names of the OSWI unit operators who have completed the operator training requirements under §113.2307, met the criteria for qualification under §113.2309, and maintained or renewed their qualification under §113.2310 or §113.2311; for each qualified operator, the phone and/or pager number at which the operator can be reached; equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment; and the information listed in §113.2312(a).

§113.2334--Where and in what format must I keep my records?

The commission proposes new §113.2334, which requires that records be maintained on site for at least 2 years. The proposed section states that the records may be maintained off site for the remaining 3 years, and that all records must be in paper or electronic format that can be printed upon request, unless an alternative format has been approved by the executive director.

For clarification, the commission proposes to state at the beginning of subsection (a) that each record must be maintained for at least five years. This additional language ensures that there is no conflict with the requirements of §113.2333.

§113.2335--What reports must I submit?

The commission proposes new §113.2335, which states that reporting requirements are located in Table 5 of Division 5 (§113.2357).

§113.2336--What information must I submit following my initial performance test?

The commission proposes new §113.2336, which states that the following information must be submitted no later than 60 days following the initial performance test: the complete test report; values for the site-specific operating limits; and the waste management plan.

§113.2337--When must I submit my annual report?

The commission proposes new §113.2337, which requires that the annual report be submitted no later than 12 months following the submission of information required in §113.2336. The proposed section further states that subsequent reports must be submitted no more than 12 months following the previous report.

§113.2338--What information must I include in my annual report?

The commission proposes new §113.2338, which lists the 10 items that are required to be included in the annual report to be in compliance: company name and address; statement by the owner or operator certifying the truth, accuracy, and completeness of the report; the date of the report and beginning and ending dates of the reporting period; the values for the operating limits; if no deviation from any emission limitation or operating limit that applies to the owner or operator has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period; the highest recorded 12-hour average and the lowest recorded 12-hour average, as applicable, for carbon monoxide emissions and the highest recorded 3-hour average and the lowest recorded 3-hour

average, as applicable, for each operating parameter recorded for the calendar year being reported; information recorded under §113.2333(2)(F) and (3) through (5) for the calendar year being reported; if a performance test was conducted during the reporting period, the results of that test; if the requirements of §113.2324(a) or (b) were met, and a performance test was not conducted during the reporting period, a statement that the requirements of §113.2324(a) or (b) were met, and therefore, a performance test was not required during the reporting period; and documentation of periods when all qualified OSWI unit operators were unavailable for more than 12 hours, but less than 2 weeks.

To clarify and simplify the requirements of this section, the commission proposes to delete the reference to 40 CFR Part 71 in paragraph (2), since federal requirements are contained within this part and they are not necessary for state implementation of the rules.

§113.2339--What else must I report if I have a deviation from the operating limits or the emission limitations?

The commission proposes new §113.2339, which requires that a deviation report be submitted if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit, if any recorded 12-hour average carbon monoxide emission rate is above the emission limitation, if the control device was bypassed, or if a performance test was conducted that showed a deviation from any emission limitation. The proposed section also states that the deviation report must be submitted by August 1 of the year the data was collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data collected during the second half of the calendar year (July 1 to December 31).

§113.2340--What must I include in the deviation report?

The commission proposes new §113.2340, which details the seven items that must be included in deviation reports for any pollutant or operating parameter that deviated from the emission limitations or operating limits: the calendar dates and times the unit deviated from the emission limitations or operating limit requirements; the averaged and recorded data for those dates; durations and causes of each deviation from the emission limitations or operating limits and your corrective actions; a copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels; the dates, times, number, duration, and causes for monitor downtime incidents; whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period; and the dates, times, and durations of any bypass of the control device.

§113.2341--What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

The commission proposes new §113.2341, which states that if all qualified operators are not accessible for 2 weeks or more, a notification of deviation must be submitted within 10 days and a status report must be submitted to the EPA every 4 weeks. In addition, the proposed section states that a request must be submitted to the EPA to continue operation of the OSWI unit. The proposed section further states that the EPA must be notified once a qualified operator is accessible and operations have resumed if the unit was shut down by the EPA due to a failure to provide an accessible qualified operator.

In subsection (a)(1), the commission proposes to add clarification that the notification to the executive director must be done within 10 days after the end of the 2-week period in which a certified operator is required to be onsite. The commission proposes the clarification regarding the beginning of the 10-day period to clearly outline the rule requirements for regulated entities, and similar clarification is proposed to be added in §§113.2121, 113.2219, 113.2243, and 113.2313.

In subsection (a)(2), subsection (a)(2)(C), and in subsection (b), the commission proposes to change the recipient of status reports and approval of continued operation from the EPA, as is stated in 40 CFR Part 60, Subpart FFFF, to the executive director. The commission proposes this change so that this section is consistent with §113.2243 (40 CFR §60.2785, Subpart DDDD). The commission also proposes this change because it is appropriate that the TCEQ be informed of changes in the status of qualified operators for consistent and effective enforcement of the rules.

§113.2342--Are there any other notifications or reports that I must submit?

The commission proposes new §113.2342, which requires that the notifications in 40 CFR §60.7 also be submitted.

§113.2343--In what form can I submit my reports?

The commission proposes new §113.2343, which requires that initial, annual, and deviation reports be submitted electronically or in paper format, postmarked on or before the submittal due dates.

§113.2344--Can reporting dates be changed?

The commission proposes new §113.2344, which states that if the executive director agrees, the semiannual and annual reporting dates may be changed. The proposed section references 40 CFR §60.19(c) for the required procedures to seek approval to change a reporting date.

§113.2345--Am I required to apply for and obtain a Title V operating permit for my unit?

The commission proposes new §113.2345, which states that unless you meet the requirements for an exemption in 40 CFR §60.2993 (Are any combustion units excluded from my State plan?), if you are subject to an applicable EPA-approved and effective FCAA, §111(d)/129 state or tribal plan or an applicable and effective federal plan, you are required to apply for and obtain a Title V operating permit. The rules in this division require that owners or operators of air curtain incinerators obtain a Title V permit; however, these units are only required to comply with limited requirements, as opposed to larger entities.

§113.2346--When must I submit a Title V permit application for my existing unit?

The commission proposes new §113.2346, which provides the specific dates that a Title V permit application must be submitted for existing units: 12 months after the effective date of any applicable EPA-approved FCAA, §111(d)/129 state or tribal plan; 12 months after the effective date of any applicable federal plan; or December 16, 2008, whichever is earlier. Because there is currently no approved state or federal plan, December 16, 2008, is the required submission date for federal operating permit applications.

To clarify and simplify the requirements of this section, the commission proposes to delete references to 40 CFR Part 71 in sub-

sections (a), (c), and (d), since federal requirements are contained within this part and they are not necessary for state implementation of the rules.

§113.2347--What are the requirements for temporary-use incinerators and air curtain incinerators used in disaster recovery?

The commission proposes new §113.2347, which states that temporary-use incinerators and air curtain incinerators used in disaster recovery are exempt from Division 5 if they follow certain requirements. The proposed section defines a disaster or emergency as a tornado, hurricane, flood, ice storm, high winds, or act of bioterrorism, and specifies that the exclusion only applies in an area declared a State of Emergency. The proposed section specifies the periods of time and required notifications for the exclusion from the rules in Division 5.

§113.2348--What is an air curtain incinerator?

The commission proposes new §113.2348, which states that an air curtain incinerator operates by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs. The proposed section also states that air curtain incinerators used to burn only 100 percent wood waste, clean lumber, yard waste, or a mixture of the three materials are required to meet only the requirements in §§113.2348 - 113.2355.

For clarification, the commission proposes to modify the wording in subsection (a), which contains a reference both to Division 5 and to 40 CFR Part 60, Subpart EEEE. The commission proposes to delete the subpart reference, because Subpart EEEE applies to new sources, not existing sources, which is the subject of Division 5.

§113.2349--When must I comply if my air curtain incinerator burns only wood waste, clean lumber, and yard waste?

The commission proposes new §113.2349, which requires air curtain incinerators that burn only wood waste, clean lumber, and yard waste to comply with the final compliance date listed in Table 1 of Division 5 (§113.2357). The proposed section states that notification to the executive director is required and must be postmarked within 10 business days after the final compliance date.

§113.2350--What must I do if I close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and then restart it?

The commission proposes new §113.2350, which states that if the incinerator is closed, but will reopen before the final compliance date, the final compliance date specified in Table 1 of Division 5 (§113.2357) must be met. If the incinerator is closed, but will restart after the final compliance date, the emission limitations must be met on the date the incinerator restarts operation.

§113.2351--What must I do if I plan to permanently close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and not restart it?

The commission proposes new §113.2351, which states that if the incinerator is permanently closed and will not restart, the unit must be closed before the final compliance date listed in Table 1 of Division 5 (§113.2357).

§113.2352--What are the emission limitations for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

The commission proposes new §113.2352, which states that within 180 days after the final compliance date in Table 1 of Division 5 (§113.2357), air curtain incinerators that burn only wood waste, clean lumber, and yard waste must meet an opacity limit of 10 percent (6-minute average) and 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

§113.2353--How must I monitor opacity for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

The commission proposes new §113.2353, which requires the use of EPA Reference Method 9 in 40 CFR Part 60, Appendix A, to determine compliance with the opacity limit. An initial test would be conducted within 180 days after the final compliance date, and annual tests conducted thereafter. As discussed in the FISCAL NOTE: COSTS TO STATE AND LOCAL GOVERNMENT portion of this preamble, there would be costs associated with training for conducting opacity testing.

§113.2354--What are the recordkeeping and reporting requirements for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

The commission proposes new §113.2354, which requires that records of results of all initial and annual opacity test results, as well as a copy of the initial and annual reports, be maintained for at least 5 years. The proposed section also states that records of results must be kept in either paper copy or computer-readable format that can be printed upon request, and that all records must be made available to the executive director or for an inspector's review. The proposed section further states that an initial report must be submitted no later than 60 days following the initial opacity test and annual opacity test results must be submitted within 12 months following the previous report. As specified in the proposed section, initial and annual opacity test reports must be submitted as electronic or paper copy on or before the applicable submittal date.

§113.2355--Am I required to apply for and obtain a Title V operating permit for my air curtain incinerator that burns only wood waste, clean lumber, and yard waste?

The commission proposes new §113.2355, which specifies that if the air curtain incinerator is subject to Division 5, an application for a Title V operating permit must be submitted. 40 CFR §60.2993 contains a listing of types of units that are excluded from the requirements of the state plan, as long as the owner or operator meets the requirements of 40 CFR §60.2993.

§113.2356--What equations must I use?

The commission proposes new §113.2356, which contains the two equations that must be used in Division 5. The equations are for determining the following: pollutant concentration adjusted to 7 percent oxygen and average carbon monoxide pollutant rate for each 12-hour period.

For clarification and for consistency with the equation contained within subsection (a), the commission proposes to use the word "oxygen," rather than using O_2 in subsection (d).

§113.2357--Tables Relating to Division 5.

The commission proposes new §113.2357, which contains the tables relating to Division 5. The tables are as follows: Compliance Schedule; Emission Limitations; Operating Limits for Incinerators and Wet Scrubbers; Requirements for Continuous Emission Monitoring Systems (CEMS); and Summary of Reporting Requirements.

Table 1 specifies the compliance schedule for units subject to this division. Final compliance is required by December 16, 2010.

To clarify and simplify the information in the tables contained in this section, the commission proposes minor formatting changes and also proposes to delete information that may confuse regulated entities, such as references to past federal compliance dates.

FISCAL NOTE: COSTS TO STATE AND LOCAL GOVERNMENT

Nina Chamness, Analyst, Strategic Planning and Assessment, determined that, for the first five-year period the proposed rules are in effect, fiscal implications are anticipated for the agency as a result of administration or enforcement of the proposed rules. Revenue in Account 5094 - Operating Permit Fees - Dedicated will increase due to the collection of annual emissions fees on units that have not previously been required to obtain Title V permits. Any additional revenue collected will be used to offset any additional costs to implement and administer the proposed rules. Other state agencies and local governments that own or operate existing waste combustion or incineration units may also experience fiscal implications under the proposed rules.

The purpose of the proposed rules is to incorporate existing EPA regulations that affect air emissions of the following waste combustion or incineration units: small MWC units constructed on or before August 30, 1999; CISWI units that commenced construction on or before November 30, 1999; and OSWI units that commenced construction on or before December 9, 2004. The agency is not imposing any new costs in this rulemaking that would not have been imposed by the EPA. The proposed rules will amend 30 TAC Chapter 113, Subchapter D by adding new Divisions 3, 4, and 5 in order to receive delegated authority from the EPA to administer these emission guidelines. In addition to the proposed rules, the agency must submit a corresponding state plan before the EPA will delegate regulatory responsibility to the agency.

In establishing new emission guidelines for these waste combustion and incineration units, the EPA allowed some flexibility with regards to emission and testing requirements and various exclusions and alternative disposal methods in order to minimize the economic impact on small entities that might own or operate these units. For MWC units, the EPA allowed for less frequent testing. For CISWI units, the EPA allowed for alternative disposal methods, such as off-site landfills. For OSWI units, the EPA provided various exclusions or alternative disposal options for some emission sources. For these reasons, the EPA determined that these emission guidelines would have no significant economic impact on the majority of small entities affected by the federal rules.

The agency expects that many of the state agencies, local governments, and businesses owning these types of waste combustion and incineration units will already have complied with the emission guidelines established by the EPA or be able to avail themselves of the alternative methods of compliance provided by the EPA. However, those entities that have not yet complied with these guidelines or cannot utilize alternative methods of compliance will incur additional costs to comply with the proposed rules. Staff does not have sufficient information to know which regulated entities will choose to implement a control technology, which control will be utilized, or whether an alternate compliance method will be chosen. If controls must be installed, owners or operators of MWC units, CISWI units, and OSWI units may incur training costs, stack testing costs, continuous monitoring costs, public notice costs, and annual emissions fees.

Impact to the Agency

The proposed rules for Divisions 3, 4, and 5 will require regulated parties to obtain a Title V permit. This permit does not require the payment of an application fee, but regulated parties will be required to pay annual emissions fees. The annual emissions fee will vary depending on the size of the combustion or incineration unit and the amount of pollutants emitted. Under current rules, annual emissions fees are $33 per ton of emissions.

The proposed rules for Divisions 3, 4, and 5 will require an estimated 471 owners of air curtain incinerators to obtain a Title V permit and pay annual emissions fees. Staff estimates that annual emissions fees for air curtain incinerators may be as much as $1,000 per unit and that the increase in Account 5094 - Operating Permit Fees - Dedicated for air curtain incinerators may be as much as $471,000 per year for the first five years the proposed rules are in effect.

There may be as many as one local government and four large businesses that will be required to pay annual emissions fees estimated to be $1,000 per unit per year under the proposed Division 3 rules. The increase in revenue for Account 5094 is estimated to be $5,000 per year.

Staff estimates that there may be as many as 201 businesses that own or operate CISWI units that will be subject to the proposed rules in Division 4. Staff expects that many of these units will already have Title V permits since they are mostly located at major sources. However, if a Title V permit must be obtained under the proposed rules, annual emissions fees could range from $400 to $200,000 per unit depending on the type and quantity of air emissions. Data is not available to determine how many of the 201 businesses with CISWI units will have to obtain a new Title V permit under the proposed Division 4 rules, and the total statewide revenue increase to Account 5094 for these units cannot be reasonably estimated at this time.

Staff estimates that as many as 12 institutions will be required to obtain Title V permits under the proposed rules for Division 5. Annual emissions fees are estimated to range from $400 to $8,000 per unit. The total revenue increase to Account 5094 could range from $4,800 to $96,000.

Impact on State and Local Government

The proposed rules for Division 3 regarding MWC units may have fiscal impacts for one state higher education medical facility if EPA emission requirements have not already been met. Costs for the first year of complying with the proposed Division 3 rules are: an estimated $1,000 per unit for emissions fees; public notice costs ranging from $200 - $2,000 depending on the newspaper chosen; cost of monitoring equipment estimated to range from $150,000 to $400,000; operating costs for continuous monitoring of $50,000 to $125,000; and initial stack testing ranging from $30,000 to $100,000 per stack. In years two through five, costs are estimated to be: an estimated $1,000 per unit per year for emissions fees; annual operating costs for continuous monitoring of $50,000 to $125,000; and annual stack testing costs ranging from $20,000 to $30,000 per stack.

Staff estimates that there may be one university that owns an OSWI unit that may incur costs to comply with proposed Division 5 rules. Costs for the first year of complying with the proposed Division 5 rules are: an estimated $400 to $8,000 per unit for emissions fees; public notice costs ranging from $200 - $2,000

depending on the newspaper chosen; cost of monitoring equipment estimated to range from $85,000 to $300,000; operating costs for continuous monitoring of $35,000 to $85,000; and initial stack testing ranging from $30,000 to $100,000 per stack. In years two through five, costs are estimated to be: an estimated $400 to $8,000 per unit per year for emissions fees; annual operating costs for continuous monitoring of $35,000 to $85,000, and annual stack testing costs ranging from $20,000 to $30,000 per stack.

Staff estimates that there may be as many as 27 local governments that own air curtain incinerators that will be subject to the proposed Division 3, 4, or 5 rules. Each local government will be responsible for determining which division will govern any needed Title V permit for their air curtain incinerators. In any case, staff estimates that local governments owning air curtain incinerators will be required to incur the same costs regardless of which proposed division governs their Title V permit. Costs are annual emissions fees of approximately $1,000 per unit per year and approximately $470 of training costs per person per year for Method 9 opacity testing. There will also be public notice costs ranging from $200 to $2,000 when the Title V permit is issued or renewed.

The proposed rules for Division 4 principally affect manufacturers of chemicals, electronic equipment, wholesale trade and durable goods, and lumber and wood furniture and are not expected to have fiscal implications for state agencies and local governments. Local governments do not typically participate in these activities.

PUBLIC BENEFITS AND COSTS

Nina Chamness also determined that for each year of the first five years the proposed new rules are in effect, the public benefit anticipated from the changes seen in the proposed rules will be compliance with federal regulations and increased protection of public health by reducing exposure to air contaminants.

Staff estimates that there may be as many as 444 businesses that own air curtain incinerators that may be required to obtain Title V permits under the proposed rules for either Division 3, 4, or 5. Most of these 444 businesses are thought to be small or micro-businesses, and the fiscal implications of the proposed rules for these owners of air curtain incinerators are discussed in the SMALL BUSINESS AND MICRO-BUSINESS ASSESSMENT portion of this fiscal note.

The proposed rules for Division 3 may affect as many as four businesses that own MWC units. If these businesses are not already in compliance with EPA rules or cannot avail themselves of alternate methods proposed by the EPA, they will incur the same types of costs to obtain a Title V permit as those incurred by local governments. Costs for the first year of complying with the proposed Division 3 rules are: an estimated $1,000 per unit for emissions fees; public notice costs ranging from $200 - $2,000 depending on the newspaper chosen; cost of monitoring equipment estimated to range from $150,000 to $400,000; operating costs for continuous monitoring of $50,000 to $125,000; and initial stack testing ranging from $30,000 to $100,000 per stack. In years two through five costs are estimated to be: an estimated $1,000 per unit per year for emissions fees; annual operating costs for continuous monitoring of $50,000 to $125,000; and annual stack testing costs ranging from $20,000 to $30,000 per stack.

Staff estimates that there are 201 manufacturers statewide of chemical, electronic equipment, wholesale trade and durable goods, and lumber and wood furniture that own or operate CISWI units. If these entities do not already have Title V permits, they could incur costs to comply with the proposed Division 4 rules. Costs in the first year would be: public notice costs ranging from $200 to $2,000, depending on the newspaper; annual emissions fees estimated to range from $400 to $200,000 per unit; cost of monitoring equipment estimated to range from $5,000 - $50,000; operating costs for continuous monitoring of approximately $10,000; and initial stack testing ranging from $30,000 to $100,000 per stack. In years two through five, costs are estimated to be: an estimated $400 to $200,000 per unit per year for emissions fees; annual operating costs for continuous monitoring of $10,000; and annual stack testing costs ranging from $20,000 to $30,000 per stack.

Staff estimates that there may be as many as 11 institutions (Department of Defense facilities, hospitals, etc.) that are not local governments that may have to obtain Title V permits for OSWI units. These entities will incur the same costs as local governments required to comply with the proposed Division 5 rules. Costs for the first year of complying with the proposed Division 5 rules are: an estimated $400 to $8,000 per unit for emissions fees; public notice costs ranging from $200 - $2,000 depending on the newspaper chosen; cost of monitoring equipment estimated to range from $85,000 to $300,000; operating costs for continuous monitoring of $35,000 to $85,000; and initial stack testing ranging from $30,000 to $100,000 per stack. In years two through five costs are estimated to be: an estimated $400 to $8,000 per unit per year for emissions fees; annual operating costs for continuous monitoring of $35,000 to $85,000; and annual stack testing costs ranging from $20,000 to $30,000 per stack.

SMALL BUSINESS AND MICRO-BUSINESS ASSESSMENT

Adverse fiscal implications, which are not expected to be significant, are anticipated for small or micro-businesses that own or operate air curtain incinerators as a result of the proposed rules. Small or micro-businesses are expected to incur the same annual emissions fees, public notice costs, and Method 9 opacity training costs as those incurred by local governments that own air curtain incinerators. Staff estimates that there may be as many as 444 small or micro-businesses that own or operate air curtain incinerators that have not previously been required to obtain Title V permits. Estimated costs to obtain a Title V permit for air curtain incinerators under the proposed Division 3, 4, or 5 rules are: approximately $1,000 in annual emissions fees, $470 per person per year to train in-house personnel to conduct opacity tests, and public notice costs ranging from $200 to $2,000 when the Title V permit is issued or renewed.

SMALL BUSINESS REGULATORY FLEXIBILITY ANALYSIS

The commission reviewed this proposed rulemaking and determined that a small business regulatory flexibility analysis is not required because the proposed rules are required to comply with federal rules concerning the protection of the environment. The agency is implementing EPA guidelines for incinerators and combustion units, and the EPA's guidelines include a variety of options that can be utilized by small or micro-businesses to comply with the proposed rules. LOCAL EMPLOYMENT IMPACT STATEMENT

The commission reviewed this proposed rulemaking and determined that a local employment impact statement is not required because the proposed rules are required to comply with federal law concerning the protection of the environment.

DRAFT REGULATORY IMPACT ANALYSIS DETERMINATION

The commission reviewed the rulemaking in light of the regulatory impact analysis requirements of Texas Government Code, §2001.0225, and determined that the rulemaking does not meet the definition of a major environmental rule as defined in that statute, and in addition, if it did meet the definition, would not be subject to the requirement to prepare a regulatory impact analysis.

A major environmental rule means a rule, the specific intent of which is to protect the environment or reduce risks to human health from environmental exposure, and that may adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, or the public health and safety of the state or a sector of the state. The specific intent of these proposed rules is to adopt emission guidelines for existing certain solid waste incineration units mandated by 42 United States Code (USC), and required to be included in operating permits by 42 USC, §7661a, as specified elsewhere in this preamble. These sources are required to comply with the emission guidelines whether or not the commission adopts the emission guidelines or takes delegation from the EPA, due to the federal plans that are adopted by the EPA to implement and enforce the emission guidelines if states do not adopt state plans to do so. As discussed in the FISCAL NOTE portion of this preamble, the proposed rules are not anticipated to add any significant additional costs to affected individuals or businesses beyond what is already required to comply with these federal standards on the economy, a sector of the economy, productivity, competition, jobs, the environment, or the public health and safety of the state or a sector of the state.

Additionally, the rulemaking does not meet any of the four applicability criteria for requiring a regulatory impact analysis for a major environmental rule, which are listed in Texas Government Code, §2001.0225(a). Texas Government Code, §2001.0225, applies only to a major environmental rule, the result of which is to: 1) exceed a standard set by federal law, unless the rule is specifically required by state law; 2) exceed an express requirement of state law, unless the rule is specifically required by federal law; 3) exceed a requirement of a delegation agreement or contract between the state and an agency or representative of the federal government to implement a state and federal program; or 4) adopt a rule solely under the general powers of the agency instead of under a specific state law.

Under 42 USC, §7661a, states are required to have federal operating permit programs that provide authority to issue permits and assure compliance with each applicable standard, regulation, or requirement under the FCAA, including emission guidelines, which are required under 42 USC, §7429. Similar to requirements in 42 USC, §7410, regarding the requirement to adopt and implement plans to attain and maintain the national ambient air quality standards, states are not free to ignore requirements in 42 USC, §7661a, and must develop and submit programs to provide for operating permits for major sources that include all applicable requirements of the FCAA. Additionally, states are required by 42 USC, §7429 to adopt and implement plans to implement and enforce emission guidelines.

The requirement to provide a fiscal analysis of regulations in the Texas Government Code was amended by Senate Bill (SB) 633 during the 75th legislative session. The intent of SB 633 was to require agencies to conduct a regulatory impact analysis of extraordinary rules. These are identified in the statutory language as major environmental rules that will have a material adverse impact and will exceed a requirement of state law, federal law, or a delegated federal program, or are adopted solely under the general powers of the agency. With the understanding that this requirement would seldom apply, the commission provided a cost estimate for SB 633 that concluded "based on an assessment of rules adopted by the agency in the past, it is not anticipated that the bill will have significant fiscal implications for the agency due to its limited application." The commission also noted that the number of rules that would require assessment under the provisions of the bill was not large. This conclusion was based, in part, on the criteria set forth in the bill that exempted rules from the full analysis unless the rule was a major environmental rule that exceeds a federal law.

Because of the ongoing need to meet federal requirements, the commission routinely proposes and adopts rules incorporating or designed to satisfy specific federal requirements. The legislature is presumed to understand this federal scheme. If each rule proposed by the commission to meet a federal requirement was considered to be a major environmental rule that exceeds federal law, then each of those rules would require the full regulatory impact analysis (RIA) contemplated by SB 633. This conclusion is inconsistent with the conclusions reached by the commission in its cost estimate and by the Legislative Budget Board (LBB) in its fiscal notes. Since the legislature is presumed to understand the fiscal impacts of the bills it passes, and that presumption is based on information provided by state agencies and the LBB, the commission believes that the intent of SB 633 was only to require the full RIA for rules that are extraordinary in nature. While the proposed rules may have a broad impact, that impact is no greater than is necessary or appropriate to meet the requirements of the FCAA, and in fact creates no additional impacts since the proposed rules do not modify the federal emission guidelines in any substantive aspect, but merely provide for minor administrative changes as described elsewhere in this preamble. For these reasons, the proposed rules fall under the exception in Texas Government Code, §2001.0225(a), because they are required by, and do not exceed, federal law.

The commission has consistently applied this construction to its rules since this statute was enacted in 1997. Since that time, the legislature has revised the Texas Government Code, but left this provision substantially unamended. It is presumed that "when an agency interpretation is in effect at the time the legislature amends the laws without making substantial change in the statute, the legislature is deemed to have accepted the agency's interpretation." (*Central Power & Light Co. v. Sharp*, 919 S.W.2d 485, 489 (Tex. App. Austin 1995), *writ denied with per curiam opinion respecting another issue*, 960 S.W.2d 617 (Tex. 1997); *Bullock v. Marathon Oil Co.*, 798 S.W.2d 353, 357 (Tex. App. Austin 1990, *no writ*). *Cf. Humble Oil & Refining Co. v. Calvert*, 414 S.W.2d 172 (Tex. 1967); *Dudney v. State Farm Mut. Auto Ins. Co.*, 9 S.W.3d 884, 893 (Tex. App. Austin 2000); *Southwestern Life Ins. Co. v. Montemayor*, 24 S.W.3d 581 (Tex. App. Austin 2000, *pet. denied*); and *Coastal Indust. Water Auth. v. Trinity Portland Cement Div.*, 563 S.W.2d 916 (Tex. 1978).)

The commission's interpretation of the RIA requirements is also supported by a change made to the Texas Administrative Procedure Act (APA) by the legislature in 1999. In an attempt to limit the number of rule challenges based upon APA requirements, the legislature clarified that state agencies are required to meet these sections of the APA against the standard of "substantial compliance" (Texas Government Code, §2001.035). The legislature specifically identified Texas Government Code, §2001.0225 as falling under this standard. As discussed in

this analysis and elsewhere in this preamble, the commission has substantially complied with the requirements of Texas Government Code, §2001.0225.

The proposed rules implement requirements of the FCAA. The emission guidelines being incorporated into state law are federal standards that are required by 42 USC, §7429, required to be included in permits under 42 USC, §7661a, proposed to be adopted with only minor administrative changes, and will not exceed any standard set by state or federal law. These rules are not an express requirement of state law. The proposed rules do not exceed a requirement of a delegation agreement or a contract between state and federal government, as the EPA will delegate implementation and enforcement of the emission guidelines to Texas if this rulemaking is adopted. The amendments were not developed solely under the general powers of the agency, but are authorized by specific sections of Texas Health and Safety Code, Chapter 382 (also known as the Texas Clean Air Act), and the Texas Water Code, which are cited in the STATUTORY AUTHORITY section of this preamble, including Texas Health and Safety Code, §§382.011, 382.012, and 382.017.

Therefore, this proposed rulemaking action is not subject to the regulatory analysis provisions of Texas Government Code, §2001.0225(b). Comments on the draft RIA determination may be submitted to the contact person at the address listed under the SUBMITTAL OF COMMENTS portion of this preamble.

TAKINGS IMPACT ASSESSMENT

Under Texas Government Code, §2007.002(5), taking means a governmental action that affects private real property, in whole or in part or temporarily or permanently, in a manner that requires the governmental entity to compensate the private real property owner as provided by the Fifth and Fourteenth Amendments to the United States Constitution or §17 or §19, Article I, Texas Constitution; or a governmental action that affects an owner's private real property that is the subject of the governmental action, in whole or in part or temporarily or permanently, in a manner that restricts or limits the owner's right to the property that would otherwise exist in the absence of the governmental action; and is the producing cause of a reduction of at least 25 percent in the market value of the affected private real property, determined by comparing the market value of the property as if the governmental action is not in effect and the market value of the property determined as if the governmental action is in effect.

The commission completed a takings impact analysis for the proposed rulemaking action under the Texas Government Code, §2007.043. The primary purpose of this proposed rulemaking action, as discussed elsewhere in this preamble, is to adopt emission guidelines for certain solid waste incineration units, as specified elsewhere in this preamble, mandated by 42 USC, §7429 and required to be included in operating permits by 42 USC, §7661a and facilitate implementation and enforcement of the emission guidelines by the state. The proposed rules will not create any additional burden on private real property. Under federal law, the affected industries will be required to comply with the emission guidelines regardless of whether the commission or the EPA is the agency responsible for implementation of the emission guidelines. The proposed rules will not affect private real property in a manner that would require compensation to private real property owners under the United States Constitution or the Texas Constitution. The proposal also will not affect private real property in a manner that restricts or limits an owner's right to the property that would otherwise exist in the absence of the governmental action. Therefore, the proposed rulemaking will not cause a taking under Texas Government Code, Chapter 2007.

CONSISTENCY WITH THE COASTAL MANAGEMENT PROGRAM

The commission reviewed the proposed rulemaking and found that the proposal is subject to the Texas Coastal Management Program (CMP) in accordance with the Coastal Coordination Act, Texas Natural Resources Code, §§33.201 *et seq*., and therefore must be consistent with all applicable CMP goals and policies. The commission conducted a consistency determination for the proposed rules in accordance with Coastal Coordination Act Implementation Rules, 31 TAC §505.22, and found the proposed rulemaking is consistent with the applicable CMP goals and policies.

CMP goals applicable to the proposed rules are to protect, preserve, restore, and enhance the diversity, quality, quantity, functions, and values of coastal natural resource areas. The CMP policy applicable to the proposed rules is the policy that commission rules comply with federal regulations in 40 CFR, to protect and enhance air quality in the coastal areas (31 TAC §501.32). These rules are consistent because the emission guidelines incorporated through this rulemaking implement state rules which are as strict as the minimum emission guidelines found in 40 CFR Part 60, Subparts BBBB, DDDD, and FFFF.

Promulgation and enforcement of these rules will not violate or exceed any standards identified in the applicable CMP goals and policies because the proposed rules are consistent with these CMP goals and policies and because these rules do not create or have a direct or significant adverse effect on any coastal natural resource areas.

Comments on the consistency of this rulemaking may be submitted to the contact person at the address listed under the SUBMITTAL OF COMMENTS portion of this preamble.

EFFECT ON SITES SUBJECT TO THE FEDERAL OPERATING PERMITS PROGRAM

Chapter 113 is an applicable requirement under 30 TAC Chapter 122, Federal Operating Permits Program. If the proposed rules are adopted, owners or operators subject to the federal operating permit program must, consistent with the revision process in Chapter 122, upon the effective date of the adopted rulemaking, revise their operating permit to include the new Chapter 113 requirements. Additionally, sources subject to the emission guidelines may become subject to the federal operating permit program.

ANNOUNCEMENT OF PUBLIC HEARING

The commission will hold a public hearing on this proposal and the FCAA, §111(d)/129 State Plan in Austin on January 5, 2009, at 2:00 p.m. in Building B, Room 201A, at the commission's central office. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion is not permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes before the hearing.

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Michael Parrish, Office of Legal Services, at (512) 239-2548. Requests should be made as far in advance as possible.

SUBMITTAL OF COMMENTS

Comments may be submitted to Michael Parrish, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to (512) 239-4808. Electronic comments may be submitted at *http://www5.tceq.state.tx.us/rules/ecomments/*. File size restrictions may apply to comments submitted through the eComments system. All comments should reference Rule Project Number 2008-007-113-PR. The comment period closes January 7, 2009. Copies of the proposed rule documents can be obtained from the commission's Web site at *http://www.tceq.state.tx.us/nav/rules/propose_adopt.html*. For further information, please contact Lisa Martin, Air Permits Division, (512) 239-1966.

DIVISION 3. EMISSION GUIDELINES AND COMPLIANCE TIMES FOR SMALL MUNICIPAL WASTE COMBUSTION UNITS CONSTRUCTED ON OR BEFORE AUGUST 30, 1999

30 TAC §§113.2100 - 113.2174

STATUTORY AUTHORITY

The new sections are proposed under Texas Water Code, §5.103, concerning Rules, and §5.105, concerning General Policy, which authorize the commission to adopt rules necessary to carry out its powers and duties under the Texas Water Code; and under Texas Health and Safety Code, §382.017, concerning Rules, which authorizes the commission to adopt rules consistent with the policy and purpose of the Texas Clean Air Act. The new sections are also proposed under Texas Health and Safety Code, §382.002, concerning Policy and Purpose, which establishes the commission's purpose to safeguard the state's air resources, consistent with the protection of public health, general welfare, and physical property; §382.011, concerning General Powers and Duties, which authorizes the commission to control the quality of the state's air; §382.012, concerning State Air Control Plan, which authorizes the commission to prepare and develop a general, comprehensive plan for the proper control of the state's air; §382.016, concerning Monitoring Requirements; Examination of Records, which authorizes the commission to prescribe reasonable requirements for measuring and monitoring the emissions of air contaminants; and §382.051, concerning Permitting Authority of Commission; Rules, which authorizes the commission to adopt rules as necessary to comply with changes in federal law or regulations applicable to permits issued under the Texas Clean Air Act. The new sections are also proposed under the Texas Water Code, §7.002, Enforcement Authority, which authorizes the commission to institute legal proceedings to compel compliance; §7.032, Injunctive Relief, which provides that injunctive relief may be sought by the executive director; and §7.302, Grounds for Revocation or Suspension of Permit, which provides authority to the commission to revoke or suspend any air quality permit.

The proposed new sections implement Texas Health and Safety Code, §§382.002, 382.011, 382.012, 382.016, 382.017, and 382.051.

§113.2100. Definitions.

Terms used but not defined in this division are defined in the Federal Clean Air Act and in 40 Code of Federal Regulations Part 60, Subparts A and B.

(1) Administrator--The administrator of the United States Environmental Protection Agency or his/her authorized representative or the administrator of a state air pollution control agency.

(2) Air curtain incinerator--An incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of that type can be constructed above or below ground and with or without refractory walls and floor.

(3) Batch municipal waste combustion unit--A municipal waste combustion unit designed so it cannot combust municipal solid waste continuously 24 hours per day because the design does not allow waste to be fed to the unit or ash to be removed during combustion.

(4) Calendar quarter--Three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

(5) Calendar year--365 (or 366 consecutive days in leap years) consecutive days starting on January 1 and ending on December 31.

(6) Chief facility operator--The person in direct charge and control of the operation of a municipal waste combustion unit. That person is responsible for daily onsite supervision, technical direction, management, and overall performance of the municipal waste combustion unit.

(7) Class I units--Small municipal waste combustion units subject to this division that are located at municipal waste combustion plants with an aggregate plant combustion capacity greater than 250 tons per day of municipal solid waste. See the definition in this section of "Municipal waste combustion plant capacity" for specification of which units at a plant site are included in the aggregate capacity calculation.

(8) Class II units--Small municipal combustion units subject to this division that are located at municipal waste combustion plants with aggregate plant combustion capacity less than or equal to 250 tons per day of municipal solid waste. See the definition in this section of "Municipal waste combustion plant capacity" for specification of which units at a plant site are included in the aggregate capacity calculation.

(9) Clean wood--Untreated wood or untreated wood products including clean untreated lumber, tree stumps (whole or chipped), and tree limbs (whole or chipped). Clean wood does not include two items:

(A) "Yard waste," which is defined elsewhere in this section.

(B) Construction, renovation, or demolition wastes (for example, railroad ties and telephone poles) that are exempt from the definition of "Municipal solid waste" in this section.

(10) Co-fired combustion unit--A unit that combusts municipal solid waste with nonmunicipal solid waste fuel (for example, coal, industrial process waste). To be considered a co-fired combustion unit, the unit must be subject to a federally enforceable permit that limits it to combusting a fuel feed stream which is 30 percent or less (by weight) municipal solid waste as measured each calendar quarter.

(11) Continuous burning--The continuous, semicontinuous, or batch feeding of municipal solid waste to dispose of the waste, produce energy, or provide heat to the combustion system in preparation for waste disposal or energy production. Continuous burning does not mean the use of municipal solid waste solely to

thermally protect the grate or hearth during the startup period when municipal solid waste is not fed to the grate or hearth.

(12) Continuous emission monitoring system--A monitoring system that continuously measures the emissions of a pollutant from a municipal waste combustion unit.

(13) Dioxins/furans--Tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

(14) Effective date of state plan approval--The effective date that the United States Environmental Protection Agency (EPA) approves the state plan. The *Federal Register* specifies the date in the notice that announces the EPA's approval of the state plan.

(15) Eight-hour block average--The average of all hourly emission concentrations or parameter levels when the municipal waste combustion unit operates and combusts municipal solid waste measured over any of three 8-hour periods of time:

(A) 12:00 midnight to 8:00 a.m.

(B) 8:00 a.m. to 4:00 p.m.

(C) 4:00 p.m. to 12:00 midnight.

(16) Federally enforceable--All limits and conditions the administrator can enforce (including the requirements of 40 Code of Federal Regulations (CFR) Parts 60, 61, and 63), requirements in a state's implementation plan, and any permit requirements established under 40 CFR §52.21 or under 40 CFR §51.18 and 40 CFR §51.24.

(17) First calendar half--The period that starts on January 1 and ends on June 30 in any year.

(18) Fluidized bed combustion unit--A unit where municipal waste is combusted in a fluidized bed of material. The fluidized bed material may remain in the primary combustion zone or may be carried out of the primary combustion zone and returned through a recirculation loop.

(19) Four-hour block average or 4-hour block average--The average of all hourly emission concentrations or parameter levels when the municipal waste combustion unit operates and combusts municipal solid waste measured over any of six 4-hour periods:

(A) 12:00 midnight to 4:00 a.m.

(B) 4:00 a.m. to 8:00 a.m.

(C) 8:00 a.m. to 12:00 noon.

(D) 12:00 noon to 4:00 p.m.

(E) 4:00 p.m. to 8:00 p.m.

(F) 8:00 p.m. to 12:00 midnight.

(20) Mass burn refractory municipal waste combustion unit--A field-erected municipal waste combustion unit that combusts municipal solid waste in a refractory wall furnace. Unless otherwise specified, that includes municipal waste combustion units with a cylindrical rotary refractory wall furnace.

(21) Mass burn rotary waterwall municipal waste combustion unit--A field-erected municipal waste combustion unit that combusts municipal solid waste in a cylindrical rotary waterwall furnace.

(22) Mass burn waterwall municipal waste combustion unit--A field-erected municipal waste combustion unit that combusts municipal solid waste in a waterwall furnace.

(23) Maximum demonstrated load of a municipal waste combustion unit--The highest 4-hour block arithmetic average municipal waste combustion unit load achieved during 4 consecutive hours in the course of the most recent dioxins/furans stack test that demonstrates compliance with the applicable emission limit for dioxins/furans specified in this division.

(24) Maximum demonstrated temperature of the particulate matter control device--The highest 4-hour block arithmetic average flue gas temperature measured at the inlet of the particulate matter control device during 4 consecutive hours in the course of the most recent stack test for dioxins/furans emissions that demonstrates compliance with the limits specified in this division.

(25) Medical/infectious waste--Any waste meeting the definition of "medical/infectious waste" in 40 Code of Federal Regulations §60.51c.

(26) Mixed fuel-fired (pulverized coal/refuse-derived fuel) combustion unit--A combustion unit that combusts coal and refuse-derived fuel simultaneously, in which pulverized coal is introduced into an air stream that carries the coal to the combustion chamber of the unit where it is combusted in suspension. That includes both conventional pulverized coal and micropulverized coal.

(27) Modification or modified municipal waste combustion unit--A municipal waste combustion unit you have changed after June 6, 2001, and that meets one of two criteria:

(A) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the unit (not including the cost of land) updated to current costs.

(B) Any physical change in the municipal waste combustion unit or change in the method of operating it that increases the emission level of any air pollutant for which new source performance standards have been established under the Federal Clean Air Act, §111 or §129. Increases in the emission level of any air pollutant are determined when the municipal waste combustion unit operates at 100 percent of its physical load capability and are measured downstream of all air pollution control devices. Load restrictions based on permits or other nonphysical operational restrictions cannot be considered in the determination.

(28) Modular excess-air municipal waste combustion unit--A municipal waste combustion unit that combusts municipal solid waste, is not field-erected, and has multiple combustion chambers, all of which are designed to operate at conditions with combustion air amounts in excess of theoretical air requirements.

(29) Modular starved-air municipal waste combustion unit--A municipal waste combustion unit that combusts municipal solid waste, is not field-erected, and has multiple combustion chambers in which the primary combustion chamber is designed to operate at substoichiometric conditions.

(30) Municipal solid waste or municipal-type solid waste--Household, commercial/retail, or institutional waste. Household waste includes material discarded by residential dwellings, hotels, motels, and other similar permanent or temporary housing. Commercial/retail waste includes material discarded by stores, offices, restaurants, warehouses, nonmanufacturing activities at industrial facilities, and other similar establishments or facilities. Institutional waste includes materials discarded by schools, by hospitals (nonmedical), by nonmanufacturing activities at prisons and government facilities, and other similar establishments or facilities. Household, commercial/retail, and institutional waste does include yard waste and refuse-derived fuel. Household, commercial/retail, and institutional waste does not include used oil; sewage sludge; wood pallets; construction, renovation, and demolition wastes (which include railroad ties and telephone poles); clean wood; industrial process or manufacturing wastes; medical waste; or motor vehicles (including motor vehicle parts or vehicle fluff).

(31) Municipal waste combustion plant--One or more municipal waste combustion units at the same location as specified under Applicability of State Plans (40 Code of Federal Regulations §60.1550(a)).

(32) Municipal waste combustion plant capacity--The aggregate municipal waste combustion capacity of all municipal waste combustion units at the plant that are not subject to 40 Code of Federal Regulations Part 60, Subparts Ea, Eb, or AAAA.

(33) Municipal waste combustion unit--Any setting or equipment that combusts solid, liquid, or gasified municipal solid waste including, but not limited to, field-erected combustion units (with or without heat recovery), modular combustion units (starved-air or excess-air), boilers (for example, steam generating units), furnaces (whether suspension-fired, grate-fired, mass-fired, air curtain incinerators, or fluidized bed-fired), and pyrolysis/combustion units. Two criteria further define municipal waste combustion units:

(A) Municipal waste combustion units do not include pyrolysis or combustion units located at a plastics or rubber recycling unit as specified under Applicability of State Plans (40 Code of Federal Regulations §60.1555(h) and (i)). Municipal waste combustion units do not include cement kilns that combust municipal solid waste. Municipal waste combustion units also do not include internal combustion engines, gas turbines, or other combustion devices that combust landfill gases collected by landfill gas collection systems.

(B) The boundaries of a municipal waste combustion unit are defined as follows. The municipal waste combustion unit includes, but is not limited to, the municipal solid waste fuel feed system, grate system, flue gas system, bottom ash system, and the combustion unit water system. The municipal waste combustion unit does not include air pollution control equipment, the stack, water treatment equipment, or the turbine-generator set. The municipal waste combustion unit boundary starts at the municipal solid waste pit or hopper and extends through three areas.

(i) The combustion unit flue gas system, which ends immediately after the heat recovery equipment or, if there is no heat recovery equipment, immediately after the combustion chamber.

(ii) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

(iii) The combustion unit water system, which starts at the feed water pump and ends at the piping that exits the steam drum or superheater.

(34) Particulate matter--Total particulate matter emitted from municipal waste combustion units as measured using United States Environmental Protection Agency Reference Method 5 in 40 Code of Federal Regulations Part 60, Appendix A and the procedures specified in §113.2142 of this title (relating to What test methods must I use to stack test?).

(35) Plastics or rubber recycling unit--An integrated processing unit for which plastics, rubber, or rubber tires are the only feed materials (incidental contaminants may be in the feed materials). The feed materials are processed and marketed to become input feed stock for chemical plants or petroleum refineries. The following three criteria further define a plastics or rubber recycling unit:

(A) Each calendar quarter, the combined weight of the feed stock that a plastics or rubber recycling unit produces must be more than 70 percent of the combined weight of the plastics, rubber, and rubber tires that recycling unit processes.

(B) The plastics, rubber, or rubber tires fed to the recycling unit may originate from separating or diverting plastics, rubber, or rubber tires from municipal or industrial solid waste. The feed materials may include manufacturing scraps, trimmings, and off-specification plastics, rubber, and rubber tire discards.

(C) The plastics, rubber, and rubber tires fed to the recycling unit may contain incidental contaminants (for example, paper labels on plastic bottles or metal rings on plastic bottle caps).

(36) Potential hydrogen chloride emissions--The level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without emission controls for acid gases.

(37) Potential mercury emissions--The level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without controls for mercury emissions.

(38) Potential sulfur dioxide emissions--The level of emissions from a municipal waste combustion unit that would occur from combusting municipal solid waste without emission controls for acid gases.

(39) Pyrolysis/combustion unit--A unit that produces gases, liquids, or solids by heating municipal solid waste. The gases, liquids, or solids produced are combusted and the emissions vented to the atmosphere.

(40) Reconstruction--Rebuilding a municipal waste combustion unit and meeting two criteria:

(A) The reconstruction begins after June 6, 2001.

(B) The cumulative cost of the construction over the life of the unit exceeds 50 percent of the original cost of building and installing the municipal waste combustion unit (not including land) updated to current costs (current dollars). To determine what systems are within the boundary of the municipal waste combustion unit used to calculate the costs, see the definition in this section of "Municipal waste combustion unit."

(41) Refractory unit or refractory wall furnace--A municipal waste combustion unit that has no energy recovery (such as through a waterwall) in the furnace of the municipal waste combustion unit.

(42) Refuse-derived fuel--A type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. That includes all classes of refuse-derived fuel including two fuels:

(A) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(B) Pelletized refuse-derived fuel.

(43) Same location--The same or contiguous properties under common ownership or control, including those separated only by a street, road, highway, or other public right-of-way. Common ownership or control includes properties that are owned, leased, or operated by the same entity, parent entity, subsidiary, subdivision, or any combination thereof. Entities may include a municipality, other governmental unit, or any quasi-governmental authority (for example, a public utility district or regional authority for waste disposal).

(44) Second calendar half--The period that starts on July 1 and ends on December 31 in any year.

(45) Shift supervisor--The person who is in direct charge and control of operating a municipal waste combustion unit and who is responsible for onsite supervision, technical direction, management,

and overall performance of the municipal waste combustion unit during an assigned shift.

(46) Spreader stoker, mixed fuel-fired (coal/refuse-derived fuel) combustion unit--A municipal waste combustion unit that combusts coal and refuse-derived fuel simultaneously, in which coal is introduced to the combustion zone by a mechanism that throws the fuel onto a grate from above. Combustion takes place both in suspension and on the grate.

(47) Standard conditions--When referring to units of measure, a temperature of 20 degrees Celsius and a pressure of 101.3 kilopascals.

(48) Startup period--The period when a municipal waste combustion unit begins the continuous combustion of municipal solid waste. It does not include any warmup period during which the municipal waste combustion unit combusts fossil fuel or other solid waste fuel but receives no municipal solid waste.

(49) State--Any of the 50 United States and the protectorates of the United States.

(50) State plan--A plan submitted pursuant to the Federal Clean Air Act, §111(d) and §129(b)(2) and 40 Code of Federal Regulations Part 60, Subpart B, that implements and enforces this division.

(51) Stoker (refuse-derived fuel) combustion unit--A steam generating unit that combusts refuse-derived fuel in a semisuspension combusting mode, using air-fed distributors.

(52) Total mass dioxins/furans or total mass--The total mass of tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans as determined using United States Environmental Protection Agency Reference Method 23 in 40 Code of Federal Regulations Part 60, Appendix A and the procedures specified in §113.2142 of this title (relating to What test methods must I use to stack test?).

(53) Twenty-four hour daily average or 24-hour daily average--Either the arithmetic mean or geometric mean (as specified) of all hourly emission concentrations when the municipal waste combustion unit operates and combusts municipal solid waste measured during the 24 hours between 12:00 midnight and the following midnight.

(54) Untreated lumber--Wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Untreated lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

(55) Waterwall furnace--A municipal waste combustion unit that has energy (heat) recovery in the furnace (for example, radiant heat transfer section) of the combustion unit.

(56) Yard waste--Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. They come from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(A) Construction, renovation, and demolition wastes that are exempt from the definition of "Municipal solid waste" in this section.

(B) Clean wood that is exempt from the definition of "Municipal solid waste" in this section.

§113.2101. What are my requirements for meeting increments of progress and achieving final compliance?

(a) Class I units. If you plan to achieve compliance more than 1 year following the effective date of state plan approval and a permit modification is not required, or more than 1 year following the date of issuance of a revised construction or operating permit if a permit modification is required, you must meet five increments of progress:

(1) Submit a final control plan.

(2) Submit a notification of retrofit contract award.

(3) Initiate onsite construction.

(4) Complete onsite construction.

(5) Achieve final compliance.

(b) Class II units. If you plan to achieve compliance more than 1 year following the effective date of state plan approval and a permit modification is not required, or more than 1 year following the date of issuance of a revised construction or operating permit if a permit modification is required, you must meet two increments of progress:

(1) Submit a final control plan.

(2) Achieve final compliance.

§113.2102. When must I complete each increment of progress?

Table 1 in §113.2174 of this title (relating to Tables Relating to Division 3) specifies compliance dates for each of the increments of progress for Class I and II units. (See §113.2100 of this title (relating to Definitions) for definitions of classes.)

§113.2103. What must I include in the notifications of achievement of my increments of progress?

Your notification of achievement of increments of progress must include three items:

(1) Notification that the increment of progress has been achieved.

(2) Any items required to be submitted with the increment of progress (§113.2106 through §113.2110 of this title (relating to How do I comply with the increment of progress for submittal of a control plan? How do I comply with the increment of progress for awarding contracts? How do I comply with the increment of progress for initiating onsite construction? How do I comply with the increment of progress for completing onsite construction? and How do I comply with the increment of progress for achieving final compliance?)).

(3) The notification must be signed by the owner or operator of the municipal waste combustion unit.

§113.2104. When must I submit the notifications of achievement of increments of progress?

Notifications of the achievement of increments of progress must be postmarked no later than 10 days after the compliance date for the increment.

§113.2105. What if I do not meet an increment of progress?

If you fail to meet an increment of progress, you must submit a notification to the executive director postmarked within 10 business days after the specified date in Table 1 in §113.2174 of this title (relating to Tables Relating to Division 3) for achieving that increment of progress. The notification must inform the executive director that you did not meet the increment. You must include in the notification an explanation of why the increment of progress was not met and your plan for meeting the increment as expeditiously as possible. You must continue to submit reports on the first day of each subsequent month until the increment of progress is met.

§113.2106. How do I comply with the increment of progress for submittal of a control plan?

For your control plan increment of progress, you must complete two items:

(1) Submit the final control plan, including a description of the devices for air pollution control and process changes that you will use to comply with the emission limits and other requirements of this division.

(2) You must maintain a copy of the final control plan at the same location as the solid waste incineration unit.

§113.2107. How do I comply with the increment of progress for awarding contracts?

You must submit to the executive director a signed copy of the contracts awarded to initiate onsite construction, initiate onsite installation of emission control equipment, and incorporate process changes. Submit the copy of the contracts with the notification that the increment of progress has been achieved to the executive director. You do not need to include documents incorporated by reference or the attachments to the contracts.

§113.2108. How do I comply with the increment of progress for initiating onsite construction?

You must initiate onsite construction and installation of emission control equipment and initiate the process changes outlined in the final control plan.

§113.2109. How do I comply with the increment of progress for completing onsite construction?

You must complete onsite construction and installation of emission control equipment and complete process changes outlined in the final control plan.

§113.2110. How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must complete two items:

(1) Complete all process changes and complete retrofit construction as specified in the final control plan.

(2) Connect the air pollution control equipment with the municipal waste combustion unit identified in the final control plan and complete process changes to the municipal waste combustion unit so that if the affected municipal waste combustion unit is brought online, all necessary process changes and air pollution control equipment are operating as designed.

§113.2111. What must I do if I close my municipal waste combustion unit and then restart my municipal waste combustion unit?

(a) If you close your municipal waste combustion unit but will reopen it prior to the final compliance date in your state plan, you must meet the increments of progress specified in §113.2101 of this title (relating to What are my requirements for meeting increments of progress and achieving final compliance?).

(b) If you close your municipal waste combustion unit but will restart it after your final compliance date, you must complete emission control retrofit and meet the emission limits and good combustion practices on the date your municipal waste combustion unit restarts operation.

§113.2112. What must I do if I plan to permanently close my municipal waste combustion unit and not restart it?

(a) If you plan to close your municipal waste combustion unit rather than comply with the state plan, you must submit a closure notification, including the date of closure, to the executive director by the date your final control plan is due.

(b) If the closure date is later than 1 year after the effective date of state plan approval, you must enter into a legally binding closure agreement with the executive director by the date your final control plan is due. The agreement must specify the date by which operation will cease.

§113.2113. What types of training must I do?

There are two types of required training:

(1) Training of operators of municipal waste combustion units using the United States Environmental Protection Agency or a state-approved training course.

(2) Training of plant personnel using a plant-specific training course.

§113.2114. Who must complete the operator training course? By when?

(a) Three types of employees must complete the United States Environmental Protection Agency (EPA) or state-approved operator training course:

(1) Chief facility operators.

(2) Shift supervisors.

(3) Control room operators.

(b) Those employees must complete the operator training course by the later of three dates:

(1) One year after the effective date of state plan approval.

(2) Six months after your municipal waste combustion unit starts up.

(3) The date before an employee assumes responsibilities that affect operation of the municipal waste combustion unit.

(c) The requirement in subsection (a) of this section does not apply to chief facility operators, shift supervisors, and control room operators who have obtained full certification from the American Society of Mechanical Engineers on or before the effective date of state plan approval.

(d) You may request that the EPA waive the requirement in subsection (a) of this section for chief facility operators, shift supervisors, and control room operators who have obtained provisional certification from the American Society of Mechanical Engineers on or before the effective date of state plan approval.

§113.2115. Who must complete the plant-specific training course?

All employees with responsibilities that affect how a municipal waste combustion unit operates must complete the plant-specific training course. Include at least six types of employees:

(1) Chief facility operators.

(2) Shift supervisors.

(3) Control room operators.

(4) Ash handlers.

(5) Maintenance personnel.

(6) Crane or load handlers.

§113.2116. What plant-specific training must I provide?

For plant-specific training, you must do four things:

(1) For training at a particular plant, develop a specific operating manual for that plant by the later of two dates:

(A) Six months after your municipal waste combustion unit starts up.

(B) One year after the effective date of state plan approval.

(2) Establish a program to review the plant-specific operating manual with people whose responsibilities affect the operation of your municipal waste combustion unit. Complete the initial review by the later of three dates:

(A) One year after the effective date of state plan approval.

(B) Six months after your municipal waste combustion unit starts up.

(C) The date before an employee assumes responsibilities that affect operation of the municipal waste combustion unit.

(3) Update your manual annually.

(4) Review your manual with staff annually.

§113.2117. What information must I include in the plant-specific operating manual?

You must include 11 items in the operating manual for your plant:

(1) A summary of all applicable requirements in this division.

(2) A description of the basic combustion principles that apply to municipal waste combustion units.

(3) Procedures for receiving, handling, and feeding municipal solid waste.

(4) Procedures to be followed during periods of startup, shutdown, and malfunction of the municipal waste combustion unit.

(5) Procedures for maintaining a proper level of combustion air supply.

(6) Procedures for operating the municipal waste combustion unit in compliance with the requirements contained in this division.

(7) Procedures for responding to periodic upset or off-specification conditions.

(8) Procedures for minimizing carryover of particulate matter.

(9) Procedures for handling ash.

(10) Procedures for monitoring emissions from the municipal waste combustion unit.

(11) Procedures for recordkeeping and reporting.

§113.2118. Where must I keep the plant-specific operating manual?

You must keep your operating manual in an easily accessible location at your plant. It must be available for review or inspection by all employees who must review it and by the executive director.

§113.2119. What types of operator certification must the chief facility operator and shift supervisor obtain and by when must they obtain it?

(a) Each chief facility operator and shift supervisor must obtain and keep a current provisional operator certification from the American Society of Mechanical Engineers (QRO - 1 - 1994) (incorporated by reference in 40 Code of Federal Regulations (CFR) §60.17(h)(1)) or a current provisional operator certification from your state certification program.

(b) Each chief facility operator and shift supervisor must obtain a provisional certification by the later of three dates:

(1) For Class I units, 12 months after the effective date of state plan approval. For Class II units, 18 months after the effective date of state plan approval.

(2) Six months after the municipal waste combustion unit starts up.

(3) Six months after they transfer to the municipal waste combustion unit or 6 months after they are hired to work at the municipal waste combustion unit.

(c) Each chief facility operator and shift supervisor must take one of three actions:

(1) Obtain a full certification from the American Society of Mechanical Engineers or a state certification program in your state.

(2) Schedule a full certification exam with the American Society of Mechanical Engineers (QRO - 1 - 1994) (incorporated by reference in 40 CFR §60.17(h)(1)).

(3) Schedule a full certification exam with your state certification program.

(d) The chief facility operator and shift supervisor must obtain the full certification or be scheduled to take the certification exam by the later of the following dates:

(1) For Class I units, 12 months after the effective date of state plan approval. For Class II units, 18 months after the effective date of state plan approval.

(2) Six months after the municipal waste combustion unit starts up.

(3) Six months after they transfer to the municipal waste combustion unit or 6 months after they are hired to work at the municipal waste combustion unit.

§113.2120. After the required date for operator certification, who may operate the municipal waste combustion unit?

After the required date for full or provisional certification, you must not operate your municipal waste combustion unit unless one of four employees is on duty:

(1) A fully certified chief facility operator.

(2) A provisionally certified chief facility operator who is scheduled to take the full certification exam.

(3) A fully certified shift supervisor.

(4) A provisionally certified shift supervisor who is scheduled to take the full certification exam.

§113.2121. What if all the certified operators must be temporarily offsite?

If the certified chief facility operator and certified shift supervisor both are unavailable, a provisionally certified control room operator at the municipal waste combustion unit may fulfill the certified operator requirement. Depending on the length of time that a certified chief facility operator and certified shift supervisor are away, you must meet one of three criteria:

(1) When the certified chief facility operator and certified shift supervisor are both offsite for 12 hours or less and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without notice to, or approval by, the executive director.

(2) When the certified chief facility operator and certified shift supervisor are offsite for more than 12 hours, but for 2 weeks or

less, and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without notice to, or approval by, the executive director. However, you must record the periods when the certified chief facility operator and certified shift supervisor are offsite and include the information in the annual report as specified under §113.2161(12) of this title (relating to What must I include in my annual report?).

(3) When the certified chief facility operator and certified shift supervisor are offsite for more than 2 weeks, and no other certified operator is onsite, the provisionally certified control room operator may perform those duties without prior notice to, or approval by, the executive director. However, you must take two actions:

(A) Notify the executive director in writing within 10 days after the end of the 2-week period. In the notice, state what caused the absence and what you are doing to ensure that a certified chief facility operator or certified shift supervisor is onsite.

(B) Submit a status report and corrective action summary to the executive director every 4 weeks following the initial notification. If the executive director notifies you that your status report or corrective action summary is disapproved, the municipal waste combustion unit may continue operation for 90 days, but then must cease operation. If corrective actions are taken in the 90-day period such that the executive director withdraws the disapproval, municipal waste combustion unit operation may continue.

§113.2122. What are the operating practice requirements for my municipal waste combustion unit?

(a) You must not operate your municipal waste combustion unit at loads greater than 110 percent of the maximum demonstrated load of the municipal waste combustion unit (4-hour block average), as specified in §113.2100 of this title (relating to Definitions).

(b) You must not operate your municipal waste combustion unit so that the temperature at the inlet of the particulate matter control device exceeds 17 degrees Celsius above the maximum demonstrated temperature of the particulate matter control device (4-hour block average), as specified in §113.2100 of this title.

(c) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must maintain an 8-hour block average carbon feed rate at or above the highest average level established during the most recent dioxins/furans or mercury test.

(d) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must evaluate total carbon usage for each calendar quarter. The total amount of carbon purchased and delivered to your municipal waste combustion plant must be at or above the required quarterly usage of carbon. At your option, you may choose to evaluate required quarterly carbon usage on a municipal waste combustion unit basis for each individual municipal waste combustion unit at your plant. Calculate the required quarterly usage of carbon using equation 4 or 5 in §113.2171(f) of this title (relating to What equations must I use?).

(e) Your municipal waste combustion unit is exempt from limits on load level, temperature at the inlet of the particulate matter control device, and carbon feed rate during any of five situations:

(1) During your annual tests for dioxins/furans.

(2) During your annual mercury tests (for carbon feed rate requirements only).

(3) During the 2 weeks preceding your annual tests for dioxins/furans.

(4) During the 2 weeks preceding your annual mercury tests (for carbon feed rate requirements only).

(5) Whenever the executive director permits you to do any of five activities:

(A) Evaluate system performance.

(B) Test new technology or control technologies.

(C) Perform diagnostic testing.

(D) Perform other activities to improve the performance of your municipal waste combustion unit.

(E) Perform other activities to advance the state of the art for emission controls for your municipal waste combustion unit.

§113.2123. What happens to the operating requirements during periods of startup, shutdown, and malfunction?

(a) The operating requirements of this division apply at all times except during periods of municipal waste combustion unit startup, shutdown, or malfunction.

(b) Each startup, shutdown, or malfunction must not last for longer than 3 hours.

§113.2124. What pollutants are regulated by this division?

Eleven pollutants, in four groupings, are regulated:

(1) Organics. Dioxins/furans.

(2) Metals.

(A) Cadmium.

(B) Lead.

(C) Mercury.

(D) Opacity.

(E) Particulate matter.

(3) Acid gases.

(A) Hydrogen chloride.

(B) Nitrogen oxides.

(C) Sulfur dioxide.

(4) Other.

(A) Carbon monoxide.

(B) Fugitive ash.

§113.2125. What emission limits must I meet? By when?

(a) After the date the initial stack test and continuous emission monitoring system evaluation are required or completed (whichever is earlier), you must meet the applicable emission limits specified in the four tables of this division:

(1) For Class I units, see Tables 2 and 3 in §113.2174 of this title (relating to Tables Relating to Division 3).

(2) For Class II units, see Table 4 in §113.2174 of this title.

(3) For carbon monoxide emission limits for both classes of units, see Table 5 in §113.2174 of this title.

(b) If your Class I municipal waste combustion unit began construction, reconstruction, or modification after June 26, 1987, then you must comply with the dioxins/furans and mercury emission limits specified in Table 2 in §113.2174 of this title as applicable by the later of the following two dates:

(1) One year after the effective date of state plan approval.

(2) One year after the issuance of a revised construction or operating permit, if a permit modification is required. Final compliance with the dioxins/furans limits must be achieved no later than December 6, 2005, even if the date 1 year after the issuance of a revised construction or operating permit is later than December 6, 2005.

§113.2126. What happens to the emission limits during periods of startup, shutdown, and malfunction?

(a) The emission limits of this division apply at all times except during periods of municipal waste combustion unit startup, shutdown, or malfunction.

(b) Each startup, shutdown, or malfunction must not last for longer than 3 hours.

(c) A maximum of 3 hours of test data can be dismissed from compliance calculations during periods of startup, shutdown, or malfunction.

(d) During startup, shutdown, or malfunction periods longer than 3 hours, emissions data cannot be discarded from compliance calculations and all provisions under 40 Code of Federal Regulations §60.11(d) apply.

§113.2127. What types of continuous emission monitoring must I perform?

To continuously monitor emissions, you must perform four tasks:

(1) Install continuous emission monitoring systems for certain gaseous pollutants.

(2) Make sure your continuous emission monitoring systems are operating correctly.

(3) Make sure you obtain the minimum amount of monitoring data.

(4) Install a continuous opacity monitoring system.

§113.2128. What continuous emission monitoring systems must I install for gaseous pollutants?

(a) You must install, calibrate, maintain, and operate continuous emission monitoring systems for oxygen (or carbon dioxide), sulfur dioxide, and carbon monoxide. If you operate a Class I municipal waste combustion unit, also install, calibrate, maintain, and operate a continuous emission monitoring system for nitrogen oxides. Install the continuous emission monitoring systems for sulfur dioxide, nitrogen oxides, and oxygen (or carbon dioxide) at the outlet of the air pollution control device.

(b) You must install, evaluate, and operate each continuous emission monitoring system according to the "Monitoring Requirements" in 40 Code of Federal Regulations (CFR) §60.13.

(c) You must monitor the oxygen (or carbon dioxide) concentration at each location where you monitor sulfur dioxide and carbon monoxide. Additionally, if you operate a Class I municipal waste combustion unit, you must also monitor the oxygen (or carbon dioxide) concentration at the location where you monitor nitrogen oxides.

(d) You may choose to monitor carbon dioxide instead of oxygen as a diluent gas. If you choose to monitor carbon dioxide, then an oxygen monitor is not required and you must follow the requirements in §113.2133 of this title (relating to What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?).

(e) If you choose to demonstrate compliance by monitoring the percent reduction of sulfur dioxide, you must also install continuous emission monitoring systems for sulfur dioxide and oxygen (or carbon dioxide) at the inlet of the air pollution control device.

(f) If you prefer to use an alternative sulfur dioxide monitoring method, such as parametric monitoring, or cannot monitor emissions at the inlet of the air pollution control device to determine percent reduction, you can apply to the executive director for approval to use an alternative monitoring method under 40 CFR §60.13(i).

§113.2129. How are the data from the continuous emission monitoring systems used?

You must use data from the continuous emission monitoring systems for sulfur dioxide, nitrogen oxides, and carbon monoxide to demonstrate continuous compliance with the applicable emission limits specified in Tables 2, 3, 4, and 5 in §113.2174 of this title (relating to Tables Relating to Division 3). To demonstrate compliance for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash, see §113.2140 of this title (relating to How are the stack test data used?).

§113.2130. How do I make sure my continuous emission monitoring systems are operating correctly?

(a) Conduct initial, daily, quarterly, and annual evaluations of your continuous emission monitoring systems that measure oxygen (or carbon dioxide), sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide.

(b) Complete your initial evaluation of the continuous emission monitoring systems within 180 days after your final compliance date.

(c) For initial and annual evaluations, collect data concurrently (or within 30 to 60 minutes) using your oxygen (or carbon dioxide) continuous emission monitoring system, your sulfur dioxide, nitrogen oxides, or carbon monoxide continuous emission monitoring systems, as appropriate, and the appropriate test methods specified in Table 6 in §113.2174 of this title (relating to Tables Relating to Division 3). Collect the data during each initial and annual evaluation of your continuous emission monitoring systems following the applicable performance specifications in 40 Code of Federal Regulations (CFR) Part 60, Appendix B. Table 7 in §113.2174 of this title shows the performance specifications that apply to each continuous emission monitoring system.

(d) Follow the quality assurance procedures in Procedure 1 of 40 CFR Part 60, Appendix F for each continuous emission monitoring system. The procedures include daily calibration drift and quarterly accuracy determinations.

§113.2131. Am I exempt from any 40 Code of Federal Regulations Part 60, Appendix B or Appendix F requirements to evaluate continuous emission monitoring systems?

Yes, the accuracy tests for your sulfur dioxide continuous emission monitoring system require you to also evaluate your oxygen (or carbon dioxide) continuous emission monitoring system. Therefore, your oxygen (or carbon dioxide) continuous emission monitoring system is exempt from two requirements:

(1) Section 2.3 of Performance Specification 3 in 40 Code of Federal Regulations Part 60, Appendix B (relative accuracy requirement).

(2) Section 5.1.1 of 40 Code of Federal Regulations Part 60, Appendix F (relative accuracy test audit).

§113.2132. What is my schedule for evaluating continuous emission monitoring systems?

(a) Conduct annual evaluations of your continuous emission monitoring systems no more than 13 months after the previous evaluation was conducted.

(b) Evaluate your continuous emission monitoring systems daily and quarterly as specified in 40 Code of Federal Regulations Part 60, Appendix F.

§113.2133. What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?

You must establish the relationship between oxygen and carbon dioxide during the initial evaluation of your continuous emission monitoring systems. You may reestablish the relationship during annual evaluations. To establish the relationship use three procedures:

(1) Use United States Environmental Protection Agency (EPA) Reference Method 3A or 3B in 40 Code of Federal Regulations (CFR) Part 60, Appendix A to determine oxygen concentration at the location of your carbon dioxide monitor.

(2) Conduct at least three test runs for oxygen. Make sure each test run represents a 1-hour average and that sampling continues for at least 30 minutes in each hour.

(3) Use the fuel-factor equation in EPA Reference Method 3B in 40 CFR Part 60, Appendix A to determine the relationship between oxygen and carbon dioxide.

§113.2134. What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems and is the data collection requirement enforceable?

(a) Where continuous emission monitoring systems are required, obtain 1-hour arithmetic averages. Make sure the averages for sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide are in parts per million by dry volume at 7 percent oxygen (or the equivalent carbon dioxide level). Use the 1-hour averages of oxygen (or carbon dioxide) data from your continuous emission monitoring system to determine the actual oxygen (or carbon dioxide) level and to calculate emissions at 7 percent oxygen (or the equivalent carbon dioxide level).

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average. 40 Code of Federal Regulations §60.13(e)(2) requires your continuous emission monitoring systems to complete at least one cycle of operation (sampling, analyzing, and data recording) for each 15-minute period.

(c) Obtain valid 1-hour averages for 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal solid waste or refuse-derived fuel.

(d) If you do not obtain the minimum data required in subsections (a) through (c) of this section, you are in violation of the data collection requirement regardless of the emission level monitored, and you must notify the executive director according to §113.2161(5) of this title (relating to What must I include in my annual report?).

(e) If you do not obtain the minimum data required in subsections (a) through (c) of this section, you must still use all valid data from the continuous emission monitoring systems in calculating emission concentrations and percent reductions in accordance with §113.2135 of this title (relating to How do I convert my 1-hour arithmetic averages into appropriate averaging times and units?).

§113.2135. How do I convert my 1-hour arithmetic averages into appropriate averaging times and units?

(a) Use the equation in §113.2171(a) of this title (relating to What equations must I use?) to calculate emissions at 7 percent oxygen.

(b) Use United States Environmental Protection Agency (EPA) Reference Method 19 in 40 Code of Federal Regulations (CFR) Part 60, Appendix A, §4.3, to calculate the daily geometric average concentrations of sulfur dioxide emissions. If you are monitoring the percent reduction of sulfur dioxide, use EPA Reference Method 19 in 40 CFR Part 60, Appendix A, §5.4, to determine the daily geometric average percent reduction of potential sulfur dioxide emissions.

(c) If you operate a Class I municipal waste combustion unit, use EPA Reference Method 19 in 40 CFR Part 60, Appendix A, §4.1, to calculate the daily arithmetic average for concentrations of nitrogen oxides.

(d) Use EPA Reference Method 19 in 40 CFR Part 60, Appendix A, §4.1, to calculate the 4-hour or 24-hour daily block averages (as applicable) for concentrations of carbon monoxide.

§113.2136. What is required for my continuous opacity monitoring system and how are the data used?

(a) Install, calibrate, maintain, and operate a continuous opacity monitoring system.

(b) Install, evaluate, and operate each continuous opacity monitoring system according to 40 Code of Federal Regulations (CFR) §60.13.

(c) Complete an initial evaluation of your continuous opacity monitoring system according to Performance Specification 1 in 40 CFR Part 60, Appendix B. Complete the evaluation by 180 days after your final compliance date.

(d) Complete each annual evaluation of your continuous opacity monitoring system no more than 13 months after the previous evaluation.

(e) Use tests conducted according to United States Environmental Protection Agency Reference Method 9 in 40 CFR Part 60, Appendix A, as specified in §113.2142 of this title (relating to What test methods must I use to stack test?), to determine compliance with the opacity limit in Table 2 or 4 in §113.2174 of this title (relating to Tables Relating to Division 3). The data obtained from your continuous opacity monitoring system are not used to determine compliance with the opacity limit.

§113.2137. What additional requirements must I meet for the operation of my continuous emission monitoring systems and continuous opacity monitoring system?

Use the required span values and applicable performance specifications in Table 8 in §113.2174 of this title (relating to Tables Relating to Division 3).

§113.2138. What must I do if any of my continuous emission monitoring systems are temporarily unavailable to meet the data collection requirements?

Refer to Table 8 in §113.2174 of this title (relating to Tables Relating to Division 3). It shows alternate methods for collecting data when systems malfunction or when repairs, calibration checks, or zero and span checks keep you from collecting the minimum amount of data.

§113.2139. What types of stack tests must I conduct?

Conduct initial and annual stack tests to measure the emission levels of dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

§113.2140. How are the stack test data used?

You must use results of stack tests for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash to demonstrate compliance with the applicable emission limits in Tables 2 and 4 in §113.2174 of this title (relating to Tables Relating to

Division 3). To demonstrate compliance for carbon monoxide, nitrogen oxides, and sulfur dioxide, see §113.2129 of this title (relating to How are the data from the continuous emission monitoring systems used?).

§113.2141. What schedule must I follow for the stack testing?

(a) Conduct initial stack tests for the pollutants listed in §113.2139 of this title (relating to What types of stack tests must I conduct?) by 180 days after your final compliance date.

(b) Conduct annual stack tests for the same pollutants after the initial stack test. Conduct each annual stack test no later than 13 months after the previous stack test.

§113.2142. What test methods must I use to stack test?

(a) Follow Table 8 in §113.2174 of this title (relating to Tables Relating to Division 3) to establish the sampling location and to determine pollutant concentrations, number of traverse points, individual test methods, and other specific testing requirements for the different pollutants.

(b) Make sure that stack tests for all the pollutants consist of at least three test runs, as specified in 40 Code of Federal Regulations (CFR) §60.8. Use the average of the pollutant emission concentrations from the three test runs to determine compliance with the applicable emission limits in Tables 2 and 4 in §113.2174 of this title.

(c) Obtain an oxygen (or carbon dioxide) measurement at the same time as your pollutant measurements to determine diluent gas levels, as specified in §113.2128 of this title (relating to What continuous emission monitoring systems must I install for gaseous pollutants?).

(d) Use the equations in §113.2171(a) of this title (relating to What equations must I use?) to calculate emission levels at 7 percent oxygen (or an equivalent carbon dioxide basis), the percent reduction in potential hydrogen chloride emissions, and the reduction efficiency for mercury emissions. See the individual test methods in Table 6 in §113.2174 of this title for other required equations.

(e) You can apply to the executive director for approval under 40 CFR §60.8(b) to use a reference method with minor changes in methodology, use an equivalent method, use an alternative method the results of which the executive director has determined are adequate for demonstrating compliance, waive the requirement for a performance test because you have demonstrated by other means that you are in compliance, or use a shorter sampling time or smaller sampling volume.

§113.2143. May I conduct stack testing less often?

(a) You may test less often if you own or operate a Class II municipal waste combustion unit and if all stack tests for a given pollutant over 3 consecutive years show you comply with the emission limit. In that case, you are not required to conduct a stack test for that pollutant for the next 2 years. However, you must conduct another stack test within 36 months of the anniversary date of the third consecutive stack test that shows you comply with the emission limit. Thereafter, you must perform stack tests every 3rd year but no later than 36 months following the previous stack tests. If a stack test shows noncompliance with an emission limit, you must conduct annual stack tests for that pollutant until all stack tests over 3 consecutive years show compliance with the emission limit for that pollutant. The provision applies to all pollutants subject to stack testing requirements: dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash.

(b) You can test less often for dioxins/furans emissions if you own or operate a municipal waste combustion plant that meets two conditions. First, you have multiple municipal waste combustion units onsite that are subject to this division. Second, all those municipal waste combustion units have demonstrated levels of dioxins/furans emissions less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, for 2 consecutive years. In that case, you may choose to conduct annual stack tests on only one municipal waste combustion unit per year at your plant. The provision only applies to stack testing for dioxins/furans emissions.

(1) Conduct the stack test no more than 13 months following a stack test on any municipal waste combustion unit subject to this division at your plant. Each year, test a different municipal waste combustion unit subject to this division and test all municipal waste combustion units subject to this division in a sequence that you determine. Once you determine a testing sequence, it must not be changed without approval by the executive director.

(2) If each annual stack test shows levels of dioxins/furans emissions less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, you may continue stack tests on only one municipal waste combustion unit subject to this division per year.

(3) If any annual stack test indicates levels of dioxins/furans emissions greater than 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, conduct subsequent annual stack tests on all municipal waste combustion units subject to this division at your plant. You may return to testing one municipal waste combustion unit subject to this division per year if you can demonstrate dioxins/furans emissions levels less than or equal to 15 nanograms per dry standard cubic meter (total mass) for Class I units, or 30 nanograms per dry standard cubic meter (total mass) for Class II units, for all municipal waste combustion units at your plant subject to this division for 2 consecutive years.

§113.2144. May I deviate from the 13-month testing schedule if unforeseen circumstances arise?

You may not deviate from the 13-month testing schedules specified in §113.2141(b) and §113.2143(b)(1) of this title (relating to What schedule must I follow for the stack testing? and May I conduct stack testing less often?) unless you apply to the executive director for an alternative schedule, and the executive director approves your request for alternate scheduling prior to the date on which you would otherwise have been required to conduct the next stack test.

§113.2145. Must I meet other requirements for continuous monitoring?

You must also monitor three operating parameters:

(1) Load level of each municipal waste combustion unit.

(2) Temperature of flue gases at the inlet of your particulate matter air pollution control device.

(3) Carbon feed rate if activated carbon is used to control dioxins/furans or mercury emissions.

§113.2146. How do I monitor the load of my municipal waste combustion unit?

(a) If your municipal waste combustion unit generates steam, you must install, calibrate, maintain, and operate a steam flowmeter or a feed water flowmeter and meet five requirements:

(1) Continuously measure and record the measurements of steam (or feed water) in kilograms (or pounds) per hour.

(2) Calculate your steam (or feed water) flow in 4-hour block averages.

(3) Calculate the steam (or feed water) flow rate using the method in "American Society of Mechanical Engineers Power Test Codes: Test Code for Steam Generating Units, Power Test Code 4.1 - 1964 (R1991)," section 4 (incorporated by reference in 40 Code of Federal Regulations (CFR) §60.17(h)(2)).

(4) Design, construct, install, calibrate, and use nozzles or orifices for flow rate measurements, using the recommendations in "American Society of Mechanical Engineers Interim Supplement 19.5 on Instruments and Apparatus: Application, Part II of Fluid Meters," 6th Edition (1971), chapter 4 (incorporated by reference in 40 CFR §60.17(h)(3)).

(5) Before each dioxins/furans stack test, or at least once a year, calibrate all signal conversion elements associated with steam (or feed water) flow measurements according to the manufacturer instructions.

(b) If your municipal waste combustion units do not generate steam, or, if your municipal waste combustion units have shared steam systems and steam load cannot be estimated per unit, you must determine, to the satisfaction of the executive director, one or more operating parameters that can be used to continuously estimate load level (for example, the feed rate of municipal solid waste or refuse-derived fuel). You must continuously monitor the selected parameters.

§113.2147. How do I monitor the temperature of flue gases at the inlet of my particulate matter control device?

You must install, calibrate, maintain, and operate a device to continuously measure the temperature of the flue gas stream at the inlet of each particulate matter control device.

§113.2148. How do I monitor the injection rate of activated carbon?

If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, you must meet three requirements:

(1) Select a carbon injection system operating parameter that can be used to calculate carbon feed rate (for example, screw feeder speed).

(2) During each dioxins/furans and mercury stack test, determine the average carbon feed rate in kilograms (or pounds) per hour. Also, determine the average operating parameter level that correlates to the carbon feed rate. Establish a relationship between the operating parameter and the carbon feed rate in order to calculate the carbon feed rate based on the operating parameter level.

(3) Continuously monitor the selected operating parameter during all periods when the municipal waste combustion unit is operating and combusting waste and calculate the 8-hour block average carbon feed rate in kilograms (or pounds) per hour, based on the selected operating parameter. When calculating the 8-hour block average, do two things:

(A) Exclude hours when the municipal waste combustion unit is not operating.

(B) Include hours when the municipal waste combustion unit is operating but the carbon feed system is not working correctly.

§113.2149. What is the minimum amount of monitoring data I must collect with my continuous parameter monitoring systems and is the data collection requirement enforceable?

(a) Where continuous parameter monitoring systems are used, obtain 1-hour arithmetic averages for three parameters:

(1) Load level of the municipal waste combustion unit.

(2) Temperature of the flue gases at the inlet of your particulate matter control device.

(3) Carbon feed rate if activated carbon is used to control dioxins/furans or mercury emissions.

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average.

(c) Obtain valid 1-hour averages for at least 75 percent of the operating hours per day for 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal solid waste or refuse-derived fuel.

(d) If you do not obtain the minimum data required in subsections (a) through (c) of this section, you are in violation of the data collection requirement, and you must notify the executive director according to §113.2161(5) of this title (relating to What must I include in my annual report?).

§113.2150. What records must I keep?

You must keep four types of records:

(1) Operator training and certification.

(2) Stack tests.

(3) Continuously monitored pollutants and parameters.

(4) Carbon feed rate.

§113.2151. Where must I keep my records and for how long?

(a) Keep all records onsite in paper copy or electronic format unless the executive director approves another format.

(b) Keep all records on each municipal waste combustion unit for at least 5 years.

(c) Make all records available for submittal to the executive director, or for onsite review by an inspector.

§113.2152. What records must I keep for operator training and certification?

You must keep records of six items:

(1) Records of provisional certifications. Include three items:

(A) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room operators who are provisionally certified by the American Society of Mechanical Engineers or an equivalent state-approved certification program.

(B) Dates of the initial provisional certifications.

(C) Documentation showing current provisional certifications.

(2) Records of full certifications. Include three items:

(A) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room operators who are fully certified by the American Society of Mechanical Engineers or an equivalent state-approved certification program.

(B) Dates of initial and renewal full certifications.

(C) Documentation showing current full certifications.

(3) Records showing completion of the operator training course. Include three items:

(A) For your municipal waste combustion plant, names of the chief facility operator, shift supervisors, and control room oper-

ators who have completed the United States Environmental Protection Agency or state municipal waste combustion operator training course.

(B) Dates of completion of the operator training course.

(C) Documentation showing completion of operator training course.

(4) Records of reviews for plant-specific operating manuals. Include three items:

(A) Names of persons who have reviewed the operating manual.

(B) Date of the initial review.

(C) Dates of subsequent annual reviews.

(5) Records of when a certified operator is temporarily offsite. Include two main items:

(A) If the certified chief facility operator and certified shift supervisor are offsite for more than 12 hours, but for 2 weeks or less, and no other certified operator is onsite, record the dates that the certified chief facility operator and certified shift supervisor were offsite.

(B) When all certified chief facility operators and certified shift supervisors are offsite for more than 2 weeks and no other certified operator is onsite, keep records of four items:

(i) Your notice that all certified persons are offsite.

(ii) The conditions that cause those people to be offsite.

(iii) The corrective actions you are taking to ensure a certified chief facility operator or certified shift supervisor is onsite.

(iv) Copies of the written reports submitted every 4 weeks that summarize the actions taken to ensure that a certified chief facility operator or certified shift supervisor will be onsite.

(6) Records of calendar dates. Include the calendar date on each record.

§113.2153. What records must I keep for stack tests?

For stack tests required under §113.2139 of this title (relating to What types of stack tests must I conduct?), you must keep records of four items:

(1) The results of the stack tests for eight pollutants or parameters recorded in the appropriate units of measure specified in Table 2 or 4 in §113.2174 of this title (relating to Tables Relating to Division 3):

(A) Dioxins/furans.

(B) Cadmium.

(C) Lead.

(D) Mercury.

(E) Opacity.

(F) Particulate matter.

(G) Hydrogen chloride.

(H) Fugitive ash.

(2) Test reports including supporting calculations that document the results of all stack tests.

(3) The maximum demonstrated load of your municipal waste combustion units and maximum temperature at the inlet of your particulate matter control device during all stack tests for dioxins/furans emissions.

(4) The calendar date of each record.

§113.2154. What records must I keep for continuously monitored pollutants or parameters?

You must keep records of eight items.

(1) Records of monitoring data. Document six parameters measured using continuous monitoring systems:

(A) All 6-minute average levels of opacity.

(B) All 1-hour average concentrations of sulfur dioxide emissions.

(C) For Class I municipal waste combustion units only, all 1-hour average concentrations of nitrogen oxides emissions.

(D) All 1-hour average concentrations of carbon monoxide emissions.

(E) All 1-hour average load levels of your municipal waste combustion unit.

(F) All 1-hour average flue gas temperatures at the inlet of the particulate matter control device.

(2) Records of average concentrations and percent reductions. Document five parameters:

(A) All 24-hour daily block geometric average concentrations of sulfur dioxide emissions or average percent reductions of sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, all 24-hour daily arithmetic average concentrations of nitrogen oxides emissions.

(C) All 4-hour block or 24-hour daily block arithmetic average concentrations of carbon monoxide emissions.

(D) All 4-hour block arithmetic average load levels of your municipal waste combustion unit.

(E) All 4-hour block arithmetic average flue gas temperatures at the inlet of the particulate matter control device.

(3) Records of exceedances. Document three items:

(A) Calendar dates whenever any of the five pollutant or parameter levels recorded in paragraph (2) of this section or the opacity level recorded in paragraph (1)(A) of this section did not meet the emission limits or operating levels specified in this division.

(B) Reasons you exceeded the applicable emission limits or operating levels.

(C) Corrective actions you took, or are taking, to meet the emission limits or operating levels.

(4) Records of minimum data. Document three items:

(A) Calendar dates for which you did not collect the minimum amount of data required under §113.2134 and §113.2149 of this title (relating to What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems and is the data collection requirement enforceable? and What is the minimum amount of data I must collect with my continuous parameter monitoring systems and is the data collection requirement enforceable?). Record those dates for five types of pollutants and parameters:

(i) Sulfur dioxide emissions.

(ii) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(iii) Carbon monoxide emissions.

(iv) Load levels of your municipal waste combustion unit.

(v) Temperatures of the flue gases at the inlet of the particulate matter control device.

(B) Reasons you did not collect the minimum data.

(C) Corrective actions you took or are taking to obtain the required amount of data.

(5) Records of exclusions. Document each time you have excluded data from your calculation of averages for any of the following five pollutants or parameters and the reasons the data were excluded:

(A) Sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(C) Carbon monoxide emissions.

(D) Load levels of your municipal waste combustion unit.

(E) Temperatures of the flue gases at the inlet of the particulate matter control device.

(6) Records of drift and accuracy. Document the results of your daily drift tests and quarterly accuracy determinations according to Procedure 1 of 40 Code of Federal Regulations Part 60, Appendix F. Keep those records for the sulfur dioxide, nitrogen oxides (Class I municipal waste combustion units only), and carbon monoxide continuous emissions monitoring systems.

(7) Records of the relationship between oxygen and carbon dioxide. If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, document the relationship between oxygen and carbon dioxide, as specified in §113.2133 of this title (relating to What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?).

(8) Records of calendar dates. Include the calendar date on each record.

§113.2155. What records must I keep for municipal waste combustion units that use activated carbon?

For municipal waste combustion units that use activated carbon to control dioxins/furans or mercury emissions, you must keep records of five items:

(1) Records of average carbon feed rate. Document five items:

(A) Average carbon feed rate in kilograms (or pounds) per hour during all stack tests for dioxins/furans and mercury emissions. Include supporting calculations in the records.

(B) For the operating parameter chosen to monitor carbon feed rate, average operating level during all stack tests for dioxins/furans and mercury emissions. Include supporting data that document the relationship between the operating parameter and the carbon feed rate.

(C) All 8-hour block average carbon feed rates in kilograms (or pounds) per hour calculated from the monitored operating parameter.

(D) Total carbon purchased and delivered to the municipal waste combustion plant for each calendar quarter. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant. Include supporting documentation.

(E) Required quarterly usage of carbon for the municipal waste combustion plant, calculated using equation 4 or 5 in §113.2171(f) of this title (relating to What equations must I use?). If you choose to evaluate required quarterly usage for carbon on a municipal waste combustion unit basis, record the required quarterly usage for each municipal waste combustion unit at your plant. Include supporting calculations.

(2) Records of low carbon feed rates. Document three items:

(A) The calendar dates when the average carbon feed rate over an 8-hour block was less than the average carbon feed rates determined during the most recent stack test for dioxins/furans or mercury emissions (whichever has a higher feed rate).

(B) Reasons for the low carbon feed rates.

(C) Corrective actions you took or are taking to meet the 8-hour average carbon feed rate requirement.

(3) Records of minimum carbon feed rate data. Document three items:

(A) Calendar dates for which you did not collect the minimum amount of carbon feed rate data required under §113.2149 of this title (relating to What is the minimum amount of monitoring data I must collect with my continuous parameter monitoring systems and is the data collection requirement enforceable?).

(B) Reasons you did not collect the minimum data.

(C) Corrective actions you took or are taking to get the required amount of data.

(4) Records of exclusions. Document each time you have excluded data from your calculation of average carbon feed rates and the reasons the data were excluded.

(5) Records of calendar dates. Include the calendar date on each record.

§113.2156. What reports must I submit and in what form?

(a) Submit an initial report and annual reports, plus semiannual reports for any emission or parameter level that does not meet the limits specified in this division.

(b) Submit all reports on paper, postmarked on or before the submittal dates in §§113.2158, 113.2160, and 113.2163 of this title (relating to When must I submit the initial report?, When must I submit the annual report?, and If a semiannual report is required, when must I submit it?). If the executive director agrees, you may submit electronic reports, as specified in Chapter 19 of this title (relating to Electronic Reporting).

(c) Keep a copy of all reports required by §§113.2159, 113.2161, and 113.2164 of this title (relating to What must I include in my initial report?, What must I include in my annual report?, and What must I include in the semiannual out-of-compliance reports?) onsite for 5 years.

§113.2157. What are the appropriate units of measurement for reporting my data?

See Tables 2, 3, 4, and 5 in §113.2174 of this title (relating to Tables Relating to Division 3) for appropriate units of measurement.

§113.2158. When must I submit the initial report?

As specified in 40 Code of Federal Regulations §60.7(c), submit your initial report by 180 days after your final compliance date.

§113.2159. What must I include in my initial report?

You must include seven items:

(1) The emission levels measured on the date of the initial evaluation of your continuous emission monitoring systems for all of the following five pollutants or parameters as recorded in accordance with §113.2154(2) of this title (relating to What records must I keep for continuously monitored pollutants or parameters?).

(A) The 24-hour daily geometric average concentration of sulfur dioxide emissions or the 24-hour daily geometric percent reduction of sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, the 24-hour daily arithmetic average concentration of nitrogen oxides emissions.

(C) The 4-hour block or 24-hour daily arithmetic average concentration of carbon monoxide emissions.

(D) The 4-hour block arithmetic average load level of your municipal waste combustion unit.

(E) The 4-hour block arithmetic average flue gas temperature at the inlet of the particulate matter control device.

(2) The results of the initial stack tests for eight pollutants or parameters (use appropriate units as specified in Table 2 or 4 in §113.2174 of this title (relating to Tables Relating to Division 3)):

(A) Dioxins/furans.

(B) Cadmium.

(C) Lead.

(D) Mercury.

(E) Opacity.

(F) Particulate matter.

(G) Hydrogen chloride.

(H) Fugitive ash.

(3) The test report that documents the initial stack tests including supporting calculations.

(4) The initial performance evaluation of your continuous emissions monitoring systems. Use the applicable performance specifications in 40 Code of Federal Regulations Part 60, Appendix B in conducting the evaluation.

(5) The maximum demonstrated load of your municipal waste combustion unit and the maximum demonstrated temperature of the flue gases at the inlet of the particulate matter control device. Use values established during your initial stack test for dioxins/furans emissions and include supporting calculations.

(6) If your municipal waste combustion unit uses activated carbon to control dioxins/furans or mercury emissions, the average carbon feed rates that you recorded during the initial stack tests for dioxins/furans and mercury emissions. Include supporting calculations as specified in §113.2155(1)(A) and (B) of this title (relating to What records must I keep for municipal waste combustion units that use activated carbon?).

(7) If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, documentation of the relationship between oxygen and carbon dioxide, as specified in §113.2133 of this title (relating to What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?).

§113.2160. When must I submit the annual report?

Submit the annual report no later than February 1 of each year that follows the calendar year in which you collected the data. If you have an operating permit for any unit under Title V of the Federal Clean Air Act, the permit may require you to submit semiannual reports. Title 40 Code of Federal Regulations Part 70 contains program requirements for permits.

§113.2161. What must I include in my annual report?

Summarize data collected for all pollutants and parameters regulated under this division. Your summary must include twelve items:

(1) The results of the annual stack test, using appropriate units, for eight pollutants, as recorded under §113.2153(1) of this title (relating to What records must I keep for stack tests?):

(A) Dioxins/furans.

(B) Cadmium.

(C) Lead.

(D) Mercury.

(E) Opacity.

(F) Particulate matter.

(G) Hydrogen chloride.

(H) Fugitive ash.

(2) A list of the highest average levels recorded, in the appropriate units. List those values for five pollutants or parameters:

(A) Sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(C) Carbon monoxide emissions.

(D) Load level of the municipal waste combustion unit.

(E) Temperature of the flue gases at the inlet of the particulate matter air pollution control device (4-hour block average).

(3) The highest 6-minute opacity level measured. Base the value on all 6-minute average opacity levels recorded by your continuous opacity monitoring system (§113.2154(1)(A) of this title (relating to What records must I keep for continuously monitored pollutants or parameters?)).

(4) For municipal waste combustion units that use activated carbon for controlling dioxins/furans or mercury emissions, include four records:

(A) The average carbon feed rates recorded during the most recent dioxins/furans and mercury stack tests.

(B) The lowest 8-hour block average carbon feed rate recorded during the year.

(C) The total carbon purchased and delivered to the municipal waste combustion plant for each calendar quarter. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant.

(D) The required quarterly carbon usage of your municipal waste combustion plant calculated using equation 4 or 5 in

§113.2171(f) of this title (relating to What equations must I use?). If you choose to evaluate required quarterly usage for carbon on a municipal waste combustion unit basis, record the required quarterly usage for each municipal waste combustion unit at your plant.

(5) The total number of days that you did not obtain the minimum number of hours of data for six pollutants or parameters. Include the reasons you did not obtain the data and corrective actions that you have taken to obtain the data in the future. Include data on:

(A) Sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(C) Carbon monoxide emissions.

(D) Load level of the municipal waste combustion unit.

(E) Temperature of the flue gases at the inlet of the particulate matter air pollution control device.

(F) Carbon feed rate.

(6) The number of hours you have excluded data from the calculation of average levels (include the reasons for excluding it). Include data for six pollutants or parameters:

(A) Sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, nitrogen oxides emissions.

(C) Carbon monoxide emissions.

(D) Load level of the municipal waste combustion unit.

(E) Temperature of the flue gases at the inlet of the particulate matter air pollution control device.

(F) Carbon feed rate.

(7) A notice of your intent to begin a reduced stack testing schedule for dioxins/furans emissions during the following calendar year if you are eligible for alternative scheduling (§113.2143(a) or (b) of this title (relating to May I conduct stack testing less often?)).

(8) A notice of your intent to begin a reduced stack testing schedule for other pollutants during the following calendar year if you are eligible for alternative scheduling (§113.2143(a) of this title).

(9) A summary of any emission or parameter level that did not meet the limits specified in this division.

(10) A summary of the data in paragraphs (1) through (4) of this section from the year preceding the reporting year which gives the executive director a summary of the performance of the municipal waste combustion unit over a 2-year period.

(11) If you choose to monitor carbon dioxide instead of oxygen as a diluent gas, documentation of the relationship between oxygen and carbon dioxide, as specified in §113.2133 of this title (relating to What must I do if I choose to monitor carbon dioxide instead of oxygen as a diluent gas?).

(12) Documentation of periods when all certified chief facility operators and certified shift supervisors are offsite for more than 12 hours.

§113.2162. What must I do if I am out of compliance with the requirements of this division?

You must submit a semiannual report on any recorded emission or parameter level that does not meet the requirements specified in this division.

§113.2163. If a semiannual report is required, when must I submit it?

(a) For data collected during the first half of a calendar year, submit your semiannual report by August 1 of that year.

(b) For data you collected during the second half of the calendar year, submit your semiannual report by February 1 of the following year.

§113.2164. What must I include in the semiannual out-of-compliance reports?

You must include three items in the semiannual report:

(1) For any of the following six pollutants or parameters that exceeded the limits specified in this division, include the calendar date they exceeded the limits, the averaged and recorded data for that date, the reasons for exceeding the limits, and your corrective actions:

(A) Concentration or percent reduction of sulfur dioxide emissions.

(B) For Class I municipal waste combustion units only, concentration of nitrogen oxides emissions.

(C) Concentration of carbon monoxide emissions.

(D) Load level of your municipal waste combustion unit.

(E) Temperature of the flue gases at the inlet of your particulate matter air pollution control device.

(F) Average 6-minute opacity level. The data obtained from your continuous opacity monitoring system are not used to determine compliance with the limit on opacity emissions.

(2) If the results of your annual stack tests (as recorded in §113.2153(1) of this title (relating to What records must I keep for stack tests?)) show emissions above the limits specified in Table 2 or 4 in §113.2174 of this title (relating to Tables Relating to Division 3) as applicable for dioxins/furans, cadmium, lead, mercury, particulate matter, opacity, hydrogen chloride, and fugitive ash, include a copy of the test report that documents the emission levels and your corrective actions.

(3) For municipal waste combustion units that apply activated carbon to control dioxins/furans or mercury emissions, include two items:

(A) Documentation of all dates when the 8-hour block average carbon feed rate (calculated from the carbon injection system operating parameter) is less than the highest carbon feed rate established during the most recent mercury and dioxins/furans stack test (as specified in §113.2155(1)(A) of this title (relating to What records must I keep for municipal waste combustion units that use activated carbon?)). Include four items:

(i) Eight-hour average carbon feed rate.

(ii) Reasons for occurrences of low carbon feed rates.

(iii) The corrective actions you have taken to meet the carbon feed rate requirement.

(iv) The calendar date.

(B) Documentation of each quarter when total carbon purchased and delivered to the municipal waste combustion plant is less than the total required quarterly usage of carbon. If you choose to evaluate total carbon purchased and delivered on a municipal waste combustion unit basis, record the total carbon purchased and delivered for each individual municipal waste combustion unit at your plant. Include five items:

(i) Amount of carbon purchased and delivered to the plant.

(ii) Required quarterly usage of carbon.

(iii) Reasons for not meeting the required quarterly usage of carbon.

(iv) The corrective actions you have taken to meet the required quarterly usage of carbon.

(v) The calendar date.

§113.2165. Can reporting dates be changed?

(a) If the executive director agrees, you may change the semi-annual or annual reporting dates.

(b) See 40 Code of Federal Regulations §60.19(c) for procedures to seek approval to change your reporting date.

§113.2166. What is an air curtain incinerator?

An air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. Incinerators of that type can be constructed above or below ground and with or without refractory walls and floor.

§113.2167. What is yard waste?

Yard waste is grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. They come from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(1) Construction, renovation, and demolition wastes that are exempt from the definition of "Municipal solid waste" in §113.2100 of this title (relating to Definitions).

(2) Clean wood that is exempt from the definition of "Municipal solid waste" in §113.2100 of this title.

§113.2168. What are the emission limits for air curtain incinerators that burn 100 percent yard waste?

If your air curtain incinerator combusts 100 percent yard waste, you must only meet the emission limits in this section.

(1) By 180 days after your final compliance date, you must meet two limits:

(A) The opacity limit is 10 percent (6-minute average) for air curtain incinerators that can combust at least 35 tons per day of municipal solid waste and no more than 250 tons per day of municipal solid waste.

(B) The opacity limit is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(2) Except during malfunctions, the requirements of this division apply at all times. Each malfunction must not exceed 3 hours.

§113.2169. How must I monitor opacity for air curtain incinerators that burn 100 percent yard waste?

(a) Use United States Environmental Protection Agency Reference Method 9 in 40 Code of Federal Regulations (CFR) Part 60, Appendix A to determine compliance with the opacity limit.

(b) Conduct an initial test for opacity as specified in 40 CFR §60.8.

(c) After the initial test for opacity, conduct annual tests no more than 13 calendar months following the date of your previous test.

§113.2170. What are the recordkeeping and reporting requirements for air curtain incinerators that burn 100 percent yard waste?

(a) Provide a notice of construction that includes four items:

(1) Your intent to construct the air curtain incinerator.

(2) Your planned initial startup date.

(3) Types of fuels you plan to combust in your air curtain incinerator.

(4) The capacity of your incinerator, including supporting capacity calculations, as specified in §113.2171(d) and (e) of this title (relating to What equations must I use?).

(b) Keep records of results of all opacity tests onsite in either paper copy or electronic format unless the executive director approves another format.

(c) Keep all records for each incinerator for at least 5 years.

(d) Make all records available for submittal to the executive director or for onsite review by an inspector.

(e) Submit the results (each 6-minute average) of the opacity tests by February 1 of the year following the year of the opacity emission test.

(f) Submit reports as a paper copy on or before the applicable submittal date. If the executive director agrees, you may submit reports on electronic media.

(g) If the executive director agrees, you may change the annual reporting dates (see 40 Code of Federal Regulations §60.19(c)).

(h) Keep a copy of all reports onsite for a period of 5 years.

§113.2171. What equations must I use?

(a) Concentration correction to 7 percent oxygen. Correct any pollutant concentration to 7 percent oxygen using equation 1 of this section:

Figure: 30 TAC §113.2171(a)

(b) Percent reduction in potential mercury emissions. Calculate the percent reduction in potential mercury emissions ($\%P_{Hg}$) using equation 2 of this section:

Figure: 30 TAC §113.2171(b)

(c) Percent reduction in potential hydrogen chloride emissions. Calculate the percent reduction in potential hydrogen chloride emissions ($\%P_{HCl}$) using equation 3 of this section:

Figure: 30 TAC §113.2171(c)

(d) Capacity of a municipal waste combustion unit. For a municipal waste combustion unit that can operate continuously for 24-hour periods, calculate the municipal waste combustion unit capacity based on 24 hours of operation at the maximum charge rate. To determine the maximum charge rate, use one of two methods:

(1) For municipal waste combustion units with a design based on heat input capacity, calculate the maximum charging rate based on the maximum heat input capacity and one of two heating values:

(A) If your municipal waste combustion unit combusts refuse-derived fuel, use a heating value of 12,800 kilojoules per kilogram (5,500 British thermal units per pound).

(B) If your municipal waste combustion unit combusts municipal solid waste, use a heating value of 10,500 kilojoules per kilogram (4,500 British thermal units per pound).

(2) For municipal waste combustion units with a design not based on heat input capacity, use the maximum designed charging rate.

(e) Capacity of a batch municipal waste combustion unit. Calculate the capacity of a batch municipal waste combustion unit as the maximum design amount of municipal solid waste it can charge per

batch multiplied by the maximum number of batches it can process in 24 hours. Calculate the maximum number of batches by dividing 24 by the number of hours needed to process one batch. Retain fractional batches in the calculation. For example, if one batch requires 16 hours, the municipal waste combustion unit can combust 24/16, or 1.5 batches, in 24 hours.

(f) Quarterly carbon usage. If you use activated carbon to comply with the dioxins/furans or mercury limits, calculate the required quarterly usage of carbon using equation 4 of this section for plant basis or equation 5 of this section for unit basis:

(1) Plant basis.
Figure: 30 TAC §113.2171(f)(1)

(2) Unit basis.
Figure: 30 TAC §113.2171(f)(2)

§113.2172. Does this subpart require me to obtain an operating permit under Title V of the Federal Clean Air Act?

Yes. If you are subject to this division on the effective date of state plan approval or any time thereafter, you are required to apply for and obtain a Title V operating permit.

§113.2173. When must I submit a Title V permit application for my existing small municipal waste combustion unit?

(a) You must submit a complete Title V permit application within 12 months of when your source first becomes subject to a Title V permitting program. See 40 Code of Federal Regulations (CFR) §70.3(a) and (b) and §70.5(a)(1). As provided in the Federal Clean Air Act, §503(c), permitting authorities may establish permit application deadlines earlier than the 12-month deadline.

(b) If your existing small municipal waste combustion unit is not subject to an earlier permit application deadline, a complete Title V permit application must be submitted not later than the date 36 months after promulgation of 40 CFR Part 60, Subpart BBBB (December 6, 2003), or by the effective date of the applicable state, tribal, or federal operating permits program, whichever is later. For any existing small municipal waste combustion unit not subject to an earlier application deadline, this final application deadline applies regardless of when the federal plan is effective, or when the relevant state or tribal Federal Clean Air Act, §111(d)/129 plan is approved by the United States Environmental Protection Agency and becomes effective. See the Federal Clean Air Act, §§129(e), 503(c), 503(d), and 502(a).

(c) A "complete" Title V permit application is one that has been determined or deemed complete by the relevant permitting authority under the Federal Clean Air Act, §503(d) and 40 CFR §70.5(a)(2). You must submit a complete permit application by the relevant application deadline in order to operate after this date in compliance with federal law. See the Federal Clean Air Act, §503(d) and §502(a); 40 CFR §70.7(b).

§113.2174. Tables Relating to Division 3.

(a) Table 1 of this subsection specifies the compliance schedules and increments of progress for Division 3 of this subchapter.
Figure: 30 TAC §113.2174(a)

(b) Table 2 of this subsection specifies the Class I emission limits for existing small municipal waste combustion units for Division 3 of this subchapter.
Figure: 30 TAC §113.2174(b)

(c) Table 3 of this subsection specifies the Class I nitrogen oxides emission limits for existing small municipal waste combustion units for Division 3 of this subchapter.
Figure: 30 TAC §113.2174(c)

(d) Table 4 of this subsection specifies the Class II emission limits for existing small municipal waste combustion units for Division 3 of this subchapter.
Figure: 30 TAC §113.2174(d)

(e) Table 5 of this subsection specifies the carbon monoxide emission limits for existing small municipal waste combustion units for Division 3 of this subchapter.
Figure: 30 TAC §113.2174(e)

(f) Table 6 of this subsection specifies the requirements for validating continuous emission monitoring systems for Division 3 of this subchapter.
Figure: 30 TAC §113.2174(f)

(g) Table 7 of this subsection specifies the requirements for continuous emission monitoring systems for Division 3 of this subchapter.
Figure: 30 TAC §113.2174(g)

(h) Table 8 of this subsection specifies the requirements for stack tests for Division 3 of this subchapter.
Figure: 30 TAC §113.2174(h)

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Filed with the Office of the Secretary of State on November 7, 2008.

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Robert Martinez
Director, Environmental Law Division
Texas Commission on Environmental Quality
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For further information, please call: (512) 239-2548

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DIVISION 4. EMISSIONS GUIDELINES AND COMPLIANCE TIMES FOR COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS THAT COMMENCED CONSTRUCTION ON OR BEFORE NOVEMBER 30, 1999

30 TAC §§113.2200 - 113.2261

STATUTORY AUTHORITY

The new sections are proposed under Texas Water Code, §5.103, concerning Rules, and §5.105, concerning General Policy, which authorize the commission to adopt rules necessary to carry out its powers and duties under the Texas Water Code; and under Texas Health and Safety Code, §382.017, concerning Rules, which authorizes the commission to adopt rules consistent with the policy and purpose of the Texas Clean Air Act. The new sections are also proposed under Texas Health and Safety Code, §382.002, concerning Policy and Purpose, which establishes the commission's purpose to safeguard the state's air resources, consistent with the protection of public health, general welfare, and physical property; §382.011, concerning General Powers and Duties, which authorizes the commission to control the quality of the state's air; §382.012, concerning State Air Control Plan, which authorizes the commission to

prepare and develop a general, comprehensive plan for the proper control of the state's air; §382.016, concerning Monitoring Requirements; Examination of Records, which authorizes the commission to prescribe reasonable requirements for measuring and monitoring the emissions of air contaminants; and §382.051, concerning Permitting Authority of Commission; Rules, which authorizes the commission to adopt rules as necessary to comply with changes in federal law or regulations applicable to permits issued under the Texas Clean Air Act. The new sections are also proposed under the Texas Water Code, §7.002, Enforcement Authority, which authorizes the commission to institute legal proceedings to compel compliance; §7.032, Injunctive Relief, which provides that injunctive relief may be sought by the executive director; and §7.302, Grounds for Revocation or Suspension of Permit, which provides authority to the commission to revoke or suspend any air quality permit.

The proposed new sections implement Texas Health and Safety Code, §§382.002, 382.011, 382.012, 382.016, 382.017, and 382.051.

§113.2200. Definitions.

Terms used but not defined in this division are defined in the Federal Clean Air Act and 40 Code of Federal Regulations Part 60, Subparts A and B.

(1) Administrator--The administrator of the United States Environmental Protection Agency or his/her authorized representative or administrator of a state air pollution control agency.

(2) Agricultural waste--Vegetative agricultural materials such as nut and grain hulls and chaff (e.g., almond, walnut, peanut, rice, and wheat), bagasse, orchard prunings, corn stalks, coffee bean hulls and grounds, and other vegetative waste materials generated as a result of agricultural operations.

(3) Air curtain incinerator--An incinerator that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

(4) Auxiliary fuel--Natural gas, liquified petroleum gas, fuel oil, or diesel fuel.

(5) Bag leak detection system--An instrument that is capable of monitoring particulate matter loadings in the exhaust of a fabric filter (i.e., baghouse) in order to detect bag failures. A bag leak detection system includes, but is not limited to, an instrument that operates on triboelectric, light scattering, light transmittance, or other principle to monitor relative particulate matter loadings.

(6) Calendar quarter--Three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

(7) Calendar year--365 consecutive days starting on January 1 and ending on December 31.

(8) Chemotherapeutic waste--Waste material resulting from the production or use of antineoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

(9) Clean lumber--Wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote.

(10) Commercial and industrial solid waste incineration (CISWI) unit--Any combustion device that combusts commercial and industrial waste, as defined in this division. The boundaries of a CISWI unit are defined as, but not limited to, the commercial or industrial solid waste fuel feed system, grate system, flue gas system, and bottom ash. The CISWI unit does not include air pollution control equipment or the stack. The CISWI unit boundary starts at the commercial and industrial solid waste hopper (if applicable) and extends through two areas:

(A) The combustion unit flue gas system, which ends immediately after the last combustion chamber.

(B) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. It includes all ash handling systems connected to the bottom ash handling system.

(11) Commercial and industrial waste--Solid waste combusted in an enclosed device using controlled flame combustion without energy recovery that is a distinct operating unit of any commercial or industrial facility (including field-erected, modular, and custom built incineration units operating with starved or excess air), or solid waste combusted in an air curtain incinerator without energy recovery that is a distinct operating unit of any commercial or industrial facility.

(12) Contained gaseous material--Gases that are in a container when that container is combusted.

(13) Cyclonic barrel burner--A combustion device for waste materials that is attached to a 55 gallon, open-head drum. The device consists of a lid, which fits onto and encloses the drum, and a blower that forces combustion air into the drum in a cyclonic manner to enhance the mixing of waste material and air.

(14) Deviation--Any instance in which an affected source subject to this division, or an owner or operator of such a source:

(A) Fails to meet any requirement or obligation established by this division, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements;

(B) Fails to meet any term or condition that is adopted to implement an applicable requirement in this division and that is included in the operating permit for any affected source required to obtain such a permit; or

(C) Fails to meet any emission limitation, operating limit, or operator qualification and accessibility requirement in this division during startup, shutdown, or malfunction, regardless of whether or not such failure is permitted by this division.

(15) Dioxins/furans--Tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

(16) Discard--For purposes of this division, only, burned in an incineration unit without energy recovery.

(17) Drum reclamation unit--A unit that burns residues out of drums (e.g., 55 gallon drums) so that the drums can be reused.

(18) Energy recovery--The process of recovering thermal energy from combustion for useful purposes such as steam generation or process heating.

(19) Fabric filter--An add-on air pollution control device used to capture particulate matter by filtering gas streams through filter media, also known as a baghouse.

(20) Low-level radioactive waste--Waste material which contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable federal or state standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or by-product material as defined by the Atomic Energy Act of 1954 (42 United States Code, §2014(e)(2)).

(21) Malfunction--Any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

(22) Modification or modified commercial and industrial solid waste incineration (CISWI) unit--A CISWI unit you have changed later than June 1, 2001, and that meets one of two criteria:

(A) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including the cost of land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.

(B) Any physical change in the CISWI unit or change in the method of operating it that increases the amount of any air pollutant emitted for which the Federal Clean Air Act, §111 or §129 has established standards.

(23) Part reclamation unit--A unit that burns coatings off parts (e.g., tools, equipment) so that the parts can be reconditioned and reused.

(24) Particulate matter--Total particulate matter emitted from commercial and industrial solid waste incineration units as measured by Method 5 or Method 29 of 40 Code of Federal Regulations Part 60, Appendix A.

(25) Pathological waste--Waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

(26) Rack reclamation unit--A unit that burns the coatings off racks used to hold small items for application of a coating. The unit burns the coating overspray off the rack so the rack can be reused.

(27) Reconstruction--Rebuilding a commercial and industrial solid waste incineration (CISWI) unit and meeting two criteria:

(A) The reconstruction begins on or after June 1, 2001.

(B) The cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the CISWI unit (not including land) updated to current costs (current dollars). To determine what systems are within the boundary of the CISWI unit used to calculate these costs, see the definition of CISWI unit.

(28) Refuse-derived fuel--A type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(A) Low-density fluff refuse-derived fuel through densified refuse-derived fuel.

(B) Pelletized refuse-derived fuel.

(29) Shutdown--The period of time after all waste has been combusted in the primary chamber.

(30) Solid waste--Any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under the Federal Water Pollution Control Act, §402, as amended (33 United States Code (USC), §1342), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (42 USC, §2014). For purposes of this division, only, solid waste does not include the waste burned in the fifteen types of units described in 40 Code of Federal Regulations §60.2555.

(31) Standard conditions--When referring to units of measure, a temperature of 68 degrees Fahrenheit (20 degrees Celsius) and a pressure of 1 atmosphere (101.3 kilopascals).

(32) Startup period--The period of time between the activation of the system and the first charge to the unit.

(33) Wet scrubber--An add-on air pollution control device that utilizes an aqueous or alkaline scrubbing liquor to collect particulate matter (including nonvaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

(34) Wood waste--Untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

(A) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

(B) Construction, renovation, or demolition wastes.

(C) Clean lumber.

§113.2201. What are my requirements for meeting increments of progress and achieving final compliance?

If you plan to achieve compliance more than 1 year following the effective date of state plan approval, you must meet the two increments of progress specified in paragraphs (1) and (2) of this section.

(1) Submit a final control plan.

(2) Achieve final compliance.

§113.2202. When must I complete each increment of progress?

Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4) specifies compliance dates for each of the increments of progress.

§113.2203. What must I include in the notifications of achievement of increments of progress?

Your notification of achievement of increments of progress must include the three items specified in paragraphs (1) through (3) of this section.

(1) Notification that the increment of progress has been achieved.

(2) Any items required to be submitted with each increment of progress.

(3) Signature of the owner or operator of the commercial and industrial solid waste incineration unit.

§113.2204. When must I submit the notifications of achievement of increments of progress?

Notifications for achieving increments of progress must be postmarked no later than 10 business days after the compliance date for the increment.

§113.2205. What if I do not meet an increment of progress?

If you fail to meet an increment of progress, you must submit a notification to the executive director postmarked within 10 business days after the date for that increment of progress in Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4). You must inform the executive director that you did not meet the increment, and you must continue to submit reports each subsequent calendar month until the increment of progress is met.

§113.2206. How do I comply with the increment of progress for submittal of a control plan?

For your control plan increment of progress, you must satisfy the two requirements specified in paragraphs (1) and (2) of this section.

(1) Submit the final control plan that includes the five items described in subparagraphs (A) through (E) of this paragraph.

(A) A description of the devices for air pollution control and process changes that you will use to comply with the emission limitations and other requirements of this division.

(B) The type(s) of waste to be burned.

(C) The maximum design waste burning capacity.

(D) The anticipated maximum charge rate.

(E) If applicable, the petition for site-specific operating limits under §113.2222 of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?).

(2) Maintain an onsite copy of the final control plan.

§113.2207. How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must complete all process changes and retrofit construction of control devices, as specified in the final control plan, so that, if the affected commercial and industrial solid waste incineration unit is brought online, all necessary process changes and air pollution control devices would operate as designed.

§113.2208. What must I do if I close my commercial and industrial solid waste incineration unit and then restart it?

(a) If you close your commercial and industrial solid waste incineration (CISWI) unit but will restart it prior to the final compliance date in your state plan, you must meet the increments of progress specified in §113.2201 of this title (relating to What are my requirements for meeting increments of progress and achieving final compliance?).

(b) If you close your CISWI unit but will restart it after your final compliance date, you must complete emission control retrofits and meet the emission limitations and operating limits on the date your unit restarts operation.

§113.2209. What must I do if I plan to permanently close my commercial and industrial solid waste incineration unit and not restart it?

If you plan to close your commercial and industrial solid waste incineration unit rather than comply with the state plan, submit a closure notification, including the date of closure, to the executive director by the date your final control plan is due.

§113.2210. What is a waste management plan?

A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste.

§113.2211. When must I submit my waste management plan?

You must submit a waste management plan no later than the date specified in Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4) for submittal of the final control plan.

§113.2212. What should I include in my waste management plan?

A waste management plan must include consideration of the reduction or separation of waste-stream elements such as paper, cardboard, plastics, glass, batteries, or metals; or the use of recyclable materials. The plan must identify any additional waste management measures, and the source must implement those measures considered practical and feasible, based on the effectiveness of waste management measures already in place, the costs of additional measures, the emissions reductions expected to be achieved, and any other environmental or energy impacts they might have.

§113.2213. What are the operator training and qualification requirements?

(a) No commercial and industrial solid waste incineration (CISWI) unit can be operated unless a fully trained and qualified CISWI unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified CISWI unit operator may operate the CISWI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified CISWI unit operators are temporarily not accessible, you must follow the procedures in §113.2219 of this title (relating to What if all the qualified operators are temporarily not accessible?).

(b) Operator training and qualification must be obtained through a state-approved program or by completing the requirements included in subsection (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (1) through (3) of this subsection.

(1) Training on the eleven subjects listed in subparagraphs (A) through (K) of this paragraph.

(A) Environmental concerns, including types of emissions.

(B) Basic combustion principles, including products of combustion.

(C) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures.

(D) Combustion controls and monitoring.

(E) Operation of air pollution control equipment and factors affecting performance (if applicable).

(F) Inspection and maintenance of the incinerator and air pollution control devices.

(G) Actions to correct malfunctions or conditions that may lead to malfunction.

(H) Bottom and fly ash characteristics and handling procedures.

(I) Applicable federal, state, and local regulations, including Occupational Safety and Health Administration workplace standards.

(J) Pollution prevention.

(K) Waste management practices.

(2) An examination designed and administered by the instructor.

(3) Written material covering the training course topics that can serve as reference material following completion of the course.

§113.2214. When must the operator training course be completed?

The operator training course must be completed by the later of the three dates specified in paragraphs (1) through (3) of this section.

(1) The final compliance date (Increment 2).

(2) Six months after commercial and industrial solid waste incineration (CISWI) unit startup.

(3) Six months after an employee assumes responsibility for operating the CISWI unit or assumes responsibility for supervising the operation of the CISWI unit.

§113.2215. How do I obtain my operator qualification?

(a) You must obtain operator qualification by completing a training course that satisfies the criteria under §113.2213(b) of this title (relating to What are the operator training and qualification requirements?).

(b) Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under §113.2213(c)(2) of this title.

§113.2216. How do I maintain my operator qualification?

To maintain qualification, you must complete an annual review or refresher course covering, at a minimum, the five topics described in paragraphs (1) through (5) of this section.

(1) Update of regulations.

(2) Incinerator operation, including startup and shutdown procedures, waste charging, and ash handling.

(3) Inspection and maintenance.

(4) Responses to malfunctions or conditions that may lead to malfunction.

(5) Discussion of operating problems encountered by attendees.

§113.2217. How do I renew my lapsed operator qualification?

You must renew a lapsed operator qualification by one of the two methods specified in paragraphs (1) and (2) of this section.

(1) For a lapse of less than 3 years, you must complete a standard annual refresher course described in §113.2216 of this title (relating to How do I maintain my operator qualification?).

(2) For a lapse of 3 years or more, you must repeat the initial qualification requirements in §113.2215(a) of this title (relating to How do I obtain my operator qualification?).

§113.2218. What site-specific documentation is required?

(a) Documentation must be available at the facility and readily accessible for all commercial and industrial solid waste incineration (CISWI) unit operators that addresses the ten topics described in paragraphs (1) through (10) of this subsection. You must maintain this information and the training records required by subsection (c) of this section in a manner that they can be readily accessed and are suitable for inspection upon request.

(1) Summary of the applicable standards under this division.

(2) Procedures for receiving, handling, and charging waste.

(3) Incinerator startup, shutdown, and malfunction procedures.

(4) Procedures for maintaining proper combustion air supply levels.

(5) Procedures for operating the incinerator and associated air pollution control systems within the standards established under this division.

(6) Monitoring procedures for demonstrating compliance with the incinerator operating limits.

(7) Reporting and recordkeeping procedures.

(8) The waste management plan required under §§113.2210 through 113.2212 of this title (relating to What is a waste management plan? When must I submit my waste management plan? and What should I include in my waste management plan?).

(9) Procedures for handling ash.

(10) A list of the wastes burned during the performance test.

(b) You must establish a program for reviewing the information listed in subsection (a) of this section with each incinerator operator.

(1) The initial review of the information listed in subsection (a) of this section must be conducted by the later of the three dates specified in subparagraphs (A) through (C) of this paragraph.

(A) The final compliance date (Increment 2).

(B) Six months after CISWI unit startup.

(C) Six months after being assigned to operate the CISWI unit.

(2) Subsequent annual reviews of the information listed in subsection (a) of this section must be conducted no later than 12 months following the previous review.

(c) You must also maintain the information specified in paragraphs (1) through (3) of this subsection.

(1) Records showing the names of CISWI unit operators who have completed review of the information in subsection (a) of this section as required by subsection (b) of this section, including the date of the initial review and all subsequent annual reviews.

(2) Records showing the names of the CISWI operators who have completed the operator training requirements under §113.2213 of this title (relating to What are the operator training and qualification requirements?), met the criteria for qualification under §113.2215 of this title (relating to How do I obtain my operator qualification?), and maintained or renewed their qualification under §113.2216 or §113.2217 of this title (relating to How do I maintain my operator qualification? or How do I renew my lapsed operator qualification?). Records must include documentation of training, the dates of the initial refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(3) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

§113.2219. What if all the qualified operators are temporarily not accessible?

If all qualified operators are temporarily not accessible (i.e., not at the facility and not able to be at the facility within 1 hour), you must meet

one of the two criteria specified in paragraphs (1) and (2) of this section, depending on the length of time that a qualified operator is not accessible.

(1) When all qualified operators are not accessible for more than 8 hours, but less than 2 weeks, the commercial and industrial solid waste incineration (CISWI) unit may be operated by other plant personnel familiar with the operation of the CISWI unit who have completed a review of the information specified in §113.2218(a) of this title (relating to What site-specific documentation is required?) within the past 12 months. However, you must record the period when all qualified operators were not accessible and include this deviation in the annual report as specified under §113.2240 of this title (relating to What information must I include in my annual report?).

(2) When all qualified operators are not accessible for 2 weeks or more, you must take the two actions that are described in subparagraphs (A) and (B) of this paragraph.

(A) Notify the executive director of this deviation in writing within 10 days after the end of the 2-week period. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible.

(B) Submit a status report to the executive director every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible, and requesting approval from the executive director to continue operation of the CISWI unit. You must submit the first status report 4 weeks after you notify the executive director of the deviation under subparagraph (A) of this paragraph. If the executive director notifies you that your request to continue operation of the CISWI unit is disapproved, the CISWI unit may continue operation for 90 days, then must cease operation. Operation of the unit may resume if you meet the two requirements in clauses (i) and (ii) of this subparagraph.

(i) A qualified operator is accessible as required under §113.2213(a) of this title (relating to What are the operator training and qualification requirements?).

(ii) You notify the executive director that a qualified operator is accessible and that you are resuming operation.

§113.2220. What emission limitations must I meet and by when?

You must meet the emission limitations specified in Table 2 in §113.2261 of this title (relating to Tables Relating to Division 4) on the date the initial performance test is required or completed (whichever is earlier).

§113.2221. What operating limits must I meet and by when?

(a) If you use a wet scrubber to comply with the emission limitations, you must establish operating limits for four operating parameters (as specified in Table 3 in §113.2261 of this title (relating to Tables Relating to Division 4)) as described in paragraphs (1) through (4) of this subsection during the initial performance test.

(1) Maximum charge rate, calculated using one of the two different procedures in subparagraph (A) or (B) of this paragraph, as appropriate.

(A) For continuous and intermittent units, maximum charge rate is 110 percent of the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(B) For batch units, maximum charge rate is 110 percent of the daily charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(2) Minimum pressure drop across the wet scrubber, which is calculated as 90 percent of the average pressure drop across the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations; or minimum amperage to the wet scrubber, which is calculated as 90 percent of the average amperage to the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(3) Minimum scrubber liquor flow rate, which is calculated as 90 percent of the average liquor flow rate at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(4) Minimum scrubber liquor pH, which is calculated as 90 percent of the average liquor pH at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with the hydrogen chloride emission limitation.

(b) You must meet the operating limits established during the initial performance test on the date the initial performance test is required or completed (whichever is earlier).

(c) If you use a fabric filter to comply with the emission limitations, you must operate each fabric filter system such that the bag leak detection system alarm does not sound more than 5 percent of the operating time during a 6-month period. In calculating this operating time percentage, if inspection of the fabric filter demonstrates that no corrective action is required, no alarm time is counted. If corrective action is required, each alarm shall be counted as a minimum of 1 hour. If you take longer than 1 hour to initiate corrective action, the alarm time shall be counted as the actual amount of time taken by you to initiate corrective action.

§113.2222. What if I do not use a wet scrubber to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber, or limit emissions in some other manner, to comply with the emission limitations under §113.2220 of this title (relating to What emission limitations must I meet and by when?), you must petition the executive director for specific operating limits to be established during the initial performance test and continuously monitored thereafter. You must not conduct the initial performance test until after the petition has been approved by the executive director. Your petition must include the five items listed in paragraphs (1) through (5) of this section.

(1) Identification of the specific parameters you propose to use as additional operating limits.

(2) A discussion of the relationship between these parameters and emissions of regulated pollutants, identifying how emissions of regulated pollutants change with changes in these parameters, and how limits on these parameters will serve to limit emissions of regulated pollutants.

(3) A discussion of how you will establish the upper and/or lower values for these parameters which will establish the operating limits on these parameters.

(4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments.

(5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

§113.2223. What happens during periods of startup, shutdown, and malfunction?

(a) The emission limitations and operating limits apply at all times except during commercial and industrial solid waste incineration unit startups, shutdowns, or malfunctions.

(b) Each malfunction must last no longer than 3 hours.

§113.2224. How do I conduct the initial and annual performance test?

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

(b) You must document that the waste burned during the performance test is representative of the waste burned under normal operating conditions by maintaining a log of the quantity of waste burned (as required in §113.2234(2)(A) of this title (relating to What records must I keep?)) and the types of waste burned during the performance test.

(c) All performance tests must be conducted using the minimum run duration specified in Table 2 in §113.2261 of this title (relating to Tables Relating to Division 4).

(d) Method 1 of 40 Code of Federal Regulations (CFR) Part 60, Appendix A must be used to select the sampling location and number of traverse points.

(e) Method 3A or 3B of 40 CFR Part 60, Appendix A must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B of 40 CFR Part 60, Appendix A must be used simultaneously with each method.

(f) All pollutant concentrations, except for opacity, must be adjusted to 7 percent oxygen using equation 1 of this subsection:
Figure: 30 TAC §113.2224(f)

(g) You must determine dioxins/furans toxic equivalency by following the procedures in paragraphs (1) through (3) of this subsection.

(1) Measure the concentration of each dioxin/furan tetra- through octa-congener emitted using United States Environmental Protection Agency Method 23 in 40 CFR Part 60, Appendix A.

(2) For each dioxin/furan congener measured in accordance with paragraph (1) of this subsection, multiply the congener concentration by its corresponding toxic equivalency factor specified in Table 4 in §113.2261 of this title.

(3) Sum the products calculated in accordance with paragraph (2) of this subsection to obtain the total concentration of dioxins/furans emitted in terms of toxic equivalency.

§113.2225. How are the performance test data used?

You use results of performance tests to demonstrate compliance with the emission limitations in Table 2 in §113.2261 of this title (relating to Tables Relating to Division 4).

§113.2226. How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

You must conduct an initial performance test, as required under 40 Code of Federal Regulations §60.8, to determine compliance with the emission limitations in Table 2 in §113.2261 of this title (relating to Tables Relating to Division 4) and to establish operating limits using the procedure in §113.2221 or §113.2222 of this title (relating to What operating limits must I meet and by when? or What if I do not use a wet scrubber to comply with the emission limitations?). The initial performance test must be conducted using the test methods listed in Table 2 in §113.2261 of this title and the procedures in §113.2224 of this title (relating to How do I conduct the initial and annual performance test?).

§113.2227. By what date must I conduct the initial performance test?

The initial performance test must be conducted no later than 180 days after the deadline for your final compliance date. Your final compliance date is specified in Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4).

§113.2228. How do I demonstrate continuous compliance with the emission limitations and the operating limits?

(a) You must conduct an annual performance test for particulate matter, hydrogen chloride, and opacity for each commercial and industrial solid waste incineration unit as required under 40 Code of Federal Regulations §60.8 to determine compliance with the emission limitations. The annual performance test must be conducted using the test methods listed in Table 2 in §113.2261 of this title (relating to Tables Relating to Division 4) and the procedures in §113.2224 of this title (relating to How do I conduct the initial and annual performance test?).

(b) You must continuously monitor the operating parameters specified in §113.2221 of this title (relating to What operating limits must I meet and by when?) or established under §113.2222 of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?). Operation above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. Three-hour rolling average values are used to determine compliance (except for baghouse leak detection system alarms) unless a different averaging period is established under §113.2222 of this title. Operating limits do not apply during performance tests.

(c) You must only burn the same types of waste used to establish operating limits during the performance test.

§113.2229. By what date must I conduct the annual performance test?

You must conduct annual performance tests for particulate matter, hydrogen chloride, and opacity within 12 months following the initial performance test. Conduct subsequent annual performance tests within 12 months following the previous one.

§113.2230. May I conduct performance testing less often?

(a) You can test less often for a given pollutant if you have test data for at least 3 years, and all performance tests for the pollutant (particulate matter, hydrogen chloride, or opacity) over 3 consecutive years show that you comply with the emission limitation. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the third year and no more than 36 months following the previous performance test.

(b) If your commercial and industrial solid waste incineration unit continues to meet the emission limitation for particulate matter, hydrogen chloride, or opacity, you may choose to conduct performance tests for these pollutants every third year, but each test must be within 36 months of the previous performance test.

(c) If a performance test shows a deviation from an emission limitation for particulate matter, hydrogen chloride, or opacity, you must conduct annual performance tests for that pollutant until all performance tests over a 3-year period show compliance.

§113.2231. May I conduct a repeat performance test to establish new operating limits?

(a) Yes. You may conduct a repeat performance test at any time to establish new values for the operating limits. The executive director may request a repeat performance test at any time.

(b) You must repeat the performance test if your feed stream is different than the feed streams used during any performance test used to demonstrate compliance.

§113.2232. What monitoring equipment must I install and what parameters must I monitor?

(a) If you are using a wet scrubber to comply with the emission limitation under §113.2220 of this title (relating to What emission limitations must I meet and by when?), you must install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in Table 3 in §113.2261 of this title (relating to Tables Relating to Division 4). These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in Table 3 in §113.2261 of this title at all times except as specified in §113.2233(a) of this title (relating to Is there a minimum amount of monitoring data I must obtain?).

(b) If you use a fabric filter to comply with the requirements of this division, you must install, calibrate, maintain, and continuously operate a bag leak detection system as specified in paragraphs (1) through (8) of this subsection.

(1) You must install and operate a bag leak detection system for each exhaust stack of the fabric filter.

(2) Each bag leak detection system must be installed, operated, calibrated, and maintained in a manner consistent with the manufacturer's written specifications and recommendations.

(3) The bag leak detection system must be certified by the manufacturer to be capable of detecting particulate matter emissions at concentrations of 10 milligrams per actual cubic meter or less.

(4) The bag leak detection system sensor must provide output of relative or absolute particulate matter loadings.

(5) The bag leak detection system must be equipped with a device to continuously record the output signal from the sensor.

(6) The bag leak detection system must be equipped with an alarm system that will sound automatically when an increase in relative particulate matter emissions over a preset level is detected. The alarm must be located where it is easily heard by plant operating personnel.

(7) For positive pressure fabric filter systems, a bag leak detection system must be installed in each baghouse compartment or cell. For negative pressure or induced air fabric filters, the bag leak detector must be installed downstream of the fabric filter.

(8) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(c) If you are using something other than a wet scrubber to comply with the emission limitations under §113.2220 of this title, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in §113.2222 of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?).

§113.2233. Is there a minimum amount of monitoring data I must obtain?

(a) Except for monitoring malfunctions, associated repairs, and required quality assurance or quality control activities (including, as applicable, calibration checks and required zero and span adjustments of the monitoring system), you must conduct all monitoring at all times the commercial and industrial solid waste incineration unit is operating.

(b) Do not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this division, including data averages and calculations. You must use all the data collected during all other periods in assessing compliance with the operating limits.

§113.2234. What records must I keep?

You must maintain the 13 items (as applicable) as specified in paragraphs (1) through (13) of this section for a period of at least 5 years:

(1) Calendar date of each record.

(2) Records of the data described in subparagraphs (A) through (F) of this paragraph:

(A) The commercial and industrial solid waste incineration (CISWI) unit charge dates, times, weights, and hourly charge rates.

(B) Liquor flow rate to the wet scrubber inlet every 15 minutes of operation, as applicable.

(C) Pressure drop across the wet scrubber system every 15 minutes of operation or amperage to the wet scrubber every 15 minutes of operation, as applicable.

(D) Liquor pH as introduced to the wet scrubber every 15 minutes of operation, as applicable.

(E) For affected CISWI units that establish operating limits for controls other than wet scrubbers under §113.2222 of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?), you must maintain data collected for all operating parameters used to determine compliance with the operating limits.

(F) If a fabric filter is used to comply with the emission limitations, you must record the date, time, and duration of each alarm and the time corrective action was initiated and completed, and a brief description of the cause of the alarm and the corrective action taken. You must also record the percent of operating time during each 6-month period that the alarm sounds, calculated as specified in §113.2221(c) of this title (relating to What operating limits must I meet and by when?).

(3) Identification of calendar dates and times for which monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (except for downtime associated with zero and span and other routine calibration checks). Identify the operating parameters not measured, the duration, reasons for not obtaining the data, and a description of corrective actions taken.

(4) Identification of calendar dates, times, and durations of malfunctions, and a description of the malfunction and the corrective action taken.

(5) Identification of calendar dates and times for which data show a deviation from the operating limits in Table 3 in §113.2261 of this title (relating to Tables Relating to Division 4) or a deviation from other operating limits established under §113.2222 of this title with a description of the deviations, reasons for such deviations, and a description of corrective actions taken.

(6) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations.

(7) Records showing the names of CISWI unit operators who have completed review of the information in §113.2218(a) of this

title (relating to What site-specific documentation is required?) as required by §113.2218(b) of this title, including the date of the initial review and all subsequent annual reviews.

(8) Records showing the names of the CISWI operators who have completed the operator training requirements under §113.2213 of this title (relating to What are the operator training and qualification requirements?), met the criteria for qualification under §113.2215 of this title (relating to How do I obtain my operator qualification?), and maintained or renewed their qualification under §113.2216 or §113.2217 of this title (relating to How do I maintain my operator qualification? or How do I renew my lapsed operator qualification?). Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(9) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

(10) Records of calibration of any monitoring devices as required under §113.2232 of this title (relating to What monitoring equipment must I install and what parameters must I monitor?).

(11) Equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment.

(12) The information listed in §113.2218(a) of this title.

(13) On a daily basis, keep a log of the quantity of waste burned and the types of waste burned (always required).

§113.2235. Where and in what format must I keep my records?

All records must be available onsite in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the executive director.

§113.2236. What reports must I submit?

See Table 5 in §113.2261 of this title (relating to Tables Relating to Division 4) for a summary of the reporting requirements.

§113.2237. When must I submit my waste management plan?

You must submit the waste management plan no later than the date specified in Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4) for submittal of the final control plan.

§113.2238. What information must I submit following my initial performance test?

You must submit the information specified in paragraphs (1) through (3) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager.

(1) The complete test report for the initial performance test results obtained under §113.2226 of this title (relating to How do I demonstrate initial compliance with the emission limitations and establish the operating limits?), as applicable.

(2) The values for the site-specific operating limits established in §113.2221 or §113.2222 of this title (relating to What operating limits must I meet and by when? or What if I do not use a web scrubber to comply with the emission limitations?).

(3) If you are using a fabric filter to comply with the emission limitations, documentation that a bag leak detection system has been installed and is being operated, calibrated, and maintained as required by §113.2232(b) of this title (relating to What monitoring equipment must I install and what parameters must I monitor?).

§113.2239. When must I submit my annual report?

You must submit an annual report no later than 12 months following the submittal of the information in §113.2238 of this title (relating to What information must I submit following my initial performance test?). You must submit subsequent reports no more than 12 months following the previous report. (If the unit is subject to permitting requirements under Title V of the Federal Clean Air Act, you may be required by the permit to submit these reports more frequently.)

§113.2240. What information must I include in my annual report?

The annual report required under §113.2239 of this title (relating to When must I submit my annual report?) must include the ten items listed in paragraphs (1) through (10) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§113.2241, 113.2242, and 113.2243 of this title (relating to What else must I report if I have a deviation from the operating limits or the emission limitations?, What must I include in the deviation report?, and What else must I report if I have a deviation from the requirement to have a qualified operator accessible?).

(1) Company name and address.

(2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report.

(3) Date of report and beginning and ending dates of the reporting period.

(4) The values for the operating limits established pursuant to §113.2221 or §113.2222 of this title (relating to What operating limits must I meet and by when? or What if I do not use a wet scrubber to comply with the emission limitations?).

(5) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the operating limits was inoperative, inactive, malfunctioning, or out of control.

(6) The highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(7) Information recorded under §113.2234(2)(F) and (3) through (5) of this title (relating to What records must I keep?) for the calendar year being reported.

(8) If a performance test was conducted during the reporting period, the results of that test.

(9) If you met the requirements of §113.2230(a) or (b) of this title (relating to May I conduct performance testing less often?), and did not conduct a performance test during the reporting period, you must state that you met the requirements of §113.2230(a) or (b) of this title, and, therefore, you were not required to conduct a performance test during the reporting period.

(10) Documentation of periods when all qualified commercial and industrial solid waste incineration unit operators were unavailable for more than 8 hours, but less than 2 weeks.

§113.2241. What else must I report if I have a deviation from the operating limits or the emission limitations?

(a) You must submit a deviation report if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit established under this division, if the bag leak detection system alarm sounds for more than 5 percent of the

operating time for the 6-month reporting period, or if a performance test was conducted that deviated from any emission limitation.

(b) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

§113.2242. What must I include in the deviation report?

In each report required under §113.2241 of this title (relating to What else must I report if I have a deviation from the operating limits or the emission limitations?), for any pollutant or parameter that deviated from the emission limitations or operating limits specified in this division, include the six items described in paragraphs (1) through (6) of this section.

(1) The calendar dates and times your unit deviated from the emission limitations or operating limit requirements.

(2) The averaged and recorded data for those dates.

(3) Duration and causes of each deviation from the emission limitations or operating limits and your corrective actions.

(4) A copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels.

(5) The dates, times, number, duration, and causes for monitoring downtime incidents (other than downtime associated with zero, span, and other routine calibration checks).

(6) Whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.

§113.2243. What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

(a) If all qualified operators are not accessible for 2 weeks or more, you must take the two actions in paragraphs (1) and (2) of this subsection.

(1) Submit a notification of the deviation within 10 days after the end of the 2-week period that includes the three items in subparagraphs (A) through (C) of this paragraph.

(A) A statement of what caused the deviation.

(B) A description of what you are doing to ensure that a qualified operator is accessible.

(C) The date when you anticipate that a qualified operator will be available.

(2) Submit a status report to the executive director every 4 weeks that includes the three items in subparagraphs (A) through (C) of this paragraph.

(A) A description of what you are doing to ensure that a qualified operator is accessible.

(B) The date when you anticipate that a qualified operator will be accessible.

(C) Request approval from the executive director to continue operation of the commercial and industrial solid waste incineration unit.

(b) If your unit was shut down by the executive director, under the provisions of §113.2219(2)(B) of this title (relating to What if all the qualified operators are temporarily not accessible?), due to a failure to provide an accessible qualified operator, you must notify the executive director that you are resuming operation once a qualified operator is accessible.

§113.2244. Are there any other notifications or reports that I must submit?

Yes. You must submit notifications as provided by 40 Code of Federal Regulations §60.7.

§113.2245. In what form can I submit my reports?

Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates.

§113.2246. Can reporting dates be changed?

If the executive director agrees, you may change the semiannual or annual reporting dates. See 40 Code of Federal Regulations §60.19(c) for procedures to seek approval to change your reporting date.

§113.2247. Am I required to apply for and obtain a Title V operating permit for my unit?

Yes. Each commercial and industrial solid waste incineration unit must operate pursuant to a permit issued under §129(e) and Title V of the Federal Clean Air Act by the later of the two dates in paragraphs (1) and (2) of this section.

(1) Thirty-six months after December 1, 2000.

(2) The effective date of the Title V permit program to which your unit is subject. If your unit is subject to Title V as a result of some triggering requirement(s) other than this division (for example, being a major source), then your unit may be required to apply for and obtain a Title V permit prior to the deadlines noted in this section. If more than one requirement triggers the requirement to apply for a Title V permit, the 12-month time frame for filing a Title V application is triggered by the requirement which first causes the source to be subject to Title V.

§113.2248. What is an air curtain incinerator?

(a) An air curtain incinerator operates by forcefully projecting a curtain of air across an open chamber or open pit in which combustion occurs. Incinerators of this type can be constructed above or below ground and with or without refractory walls and floor. (Air curtain incinerators are not to be confused with conventional combustion devices with enclosed fireboxes and controlled air technology such as mass burn, modular, and fluidized bed combustors.)

(b) Air curtain incinerators that burn only the materials listed in paragraphs (1) through (3) of this subsection are only required to meet the requirements under "Air Curtain Incinerators" (this section and §§113.2249 through 113.2260 of this title (relating to What are my requirements for meeting increments of progress and achieving final compliance?, When must I complete each increment of progress?, What must I include in the notifications of achievement of increments of progress?, When must I submit the notifications of achievement of increments of progress?, What if I do not meet an increment of progress?, How do I comply with the increment of progress for submittal of a control plan?, How do I comply with the increment of progress for achieving final compliance?, What must I do if I close my air curtain incinerator and then restart it?, What must I do if I plan to permanently close my air curtain incinerator and not restart it?, What are the emission limitations for air curtain incinerators?, How must I monitor opacity for air curtain incinerators?, and What are the recordkeeping and reporting requirements for air curtain incinerators?)). In addition, air curtain incinerators must meet the requirements of §113.2247 of this title (relating to Am I required to apply for and obtain a Title V operating permit for my unit?).

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

§113.2249. What are my requirements for meeting increments of progress and achieving final compliance?

If you plan to achieve compliance more than 1 year following the effective date of state plan approval, you must meet the two increments of progress specified in paragraphs (1) and (2) of this section.

(1) Submit a final control plan.

(2) Achieve final compliance.

§113.2250. When must I complete each increment of progress?

Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4) specifies compliance dates for each of the increments of progress.

§113.2251. What must I include in the notifications of achievement of increments of progress?

Your notification of achievement of increments of progress must include the three items described in paragraphs (1) through (3) of this section.

(1) Notification that the increment of progress has been achieved.

(2) Any items required to be submitted with each increment of progress (see §113.2254 of this title (relating to How do I comply with the increment of progress for submittal of a control plan?)).

(3) Signature of the owner or operator of the incinerator.

§113.2252. When must I submit the notifications of achievement of increments of progress?

Notifications for achieving increments of progress must be postmarked no later than 10 business days after the compliance date for the increment.

§113.2253. What if I do not meet an increment of progress?

If you fail to meet an increment of progress, you must submit a notification to the executive director postmarked within 10 business days after the date for that increment of progress in Table 1 in §113.2261 of this title (relating to Tables Relating to Division 4). You must inform the executive director that you did not meet the increment, and you must continue to submit reports each subsequent calendar month until the increment of progress is met.

§113.2254. How do I comply with the increment of progress for submittal of a control plan?

For your control plan increment of progress, you must satisfy the two requirements specified in paragraphs (1) and (2) of this section.

(1) Submit the final control plan, including a description of any devices for air pollution control and any process changes that you will use to comply with the emission limitations and other requirements of this division.

(2) Maintain an onsite copy of the final control plan.

§113.2255. How do I comply with the increment of progress for achieving final compliance?

For the final compliance increment of progress, you must complete all process changes and retrofit construction of control devices, as specified in the final control plan, so that, if the affected incinerator is brought online, all necessary process changes and air pollution control devices would operate as designed.

§113.2256. What must I do if I close my air curtain incinerator and then restart it?

(a) If you close your incinerator but will reopen it prior to the final compliance date in your state plan, you must meet the increments of progress specified in §113.2249 of this title (relating to What are my requirements for meeting increments of progress and achieving final compliance?).

(b) If you close your incinerator but will restart it after your final compliance date, you must complete emission control retrofits and meet the emission limitations on the date your incinerator restarts operation.

§113.2257. What must I do if I plan to permanently close my air curtain incinerator and not restart it?

If you plan to close your incinerator rather than comply with the state plan, submit a closure notification, including the date of closure, to the executive director by the date your final control plan is due.

§113.2258. What are the emission limitations for air curtain incinerators?

(a) After the date the initial stack test is required or completed (whichever is earlier), you must meet the limitations in paragraphs (1) and (2) of this subsection.

(1) The opacity limitation is 10 percent (6-minute average), except as described in paragraph (2) of this subsection.

(2) The opacity limitation is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) Except during malfunctions, the requirements of this division apply at all times, and each malfunction must not exceed 3 hours.

§113.2259. How must I monitor opacity for air curtain incinerators?

(a) Use Method 9 of 40 Code of Federal Regulations (CFR) Part 60, Appendix A to determine compliance with the opacity limitation.

(b) Conduct an initial test for opacity as specified in 40 CFR §60.8 no later than 180 days after your final compliance date.

(c) After the initial test for opacity, conduct annual tests no more than 12 calendar months following the date of your previous test.

§113.2260. What are the recordkeeping and reporting requirements for air curtain incinerators?

(a) Keep records of results of all initial and annual opacity tests onsite in either paper copy or electronic format, unless the executive director approves another format, for at least 5 years.

(b) Make all records available for submittal to the executive director or for an inspector's onsite review.

(c) Submit an initial report no later than 60 days following the initial opacity test that includes the information specified in paragraphs (1) and (2) of this subsection.

(1) The types of materials you plan to combust in your air curtain incinerator.

(2) The results (each 6-minute average) of the initial opacity tests.

(d) Submit annual opacity test results within 12 months following the previous report.

(e) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date and keep a copy onsite for a period of 5 years.

§113.2261. Tables Relating to Division 4.

(a) Table 1 specifies the increments of progress and compliance schedules for Division 4 of this subchapter.

Figure: 30 TAC §113.2261(a)

(b) Table 2 of this subsection specifies the emission limitations for Division 4 of this subchapter.
Figure: 30 TAC §113.2261(b)

(c) Table 3 of this subsection specifies operating limits for wet scrubbers for Division 4 of this subchapter.
Figure: 30 TAC §113.2261(c)

(d) Table 4 of this subsection specifies the toxic equivalency factors for Division 4 of this subchapter.
Figure: 30 TAC §113.2261(d)

(e) Table 5 of this subsection is a summary of reporting requirements for Division 4 of this subchapter.
Figure: 30 TAC §113.2261(e)

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

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Robert Martinez
Director, Environmental Law Division
Texas Commission on Environmental Quality
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For further information, please call: (512) 239-2548

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DIVISION 5. EMISSION GUIDELINES AND COMPLIANCE TIMES FOR OTHER SOLID WASTE INCINERATION UNITS THAT COMMENCED CONSTRUCTION ON OR BEFORE DECEMBER 9, 2004

30 TAC §§113.2300 - 113.2357

STATUTORY AUTHORITY

The new sections are proposed under Texas Water Code, §5.103, concerning Rules, and §5.105, concerning General Policy, which authorize the commission to adopt rules necessary to carry out its powers and duties under the Texas Water Code; and under Texas Health and Safety Code, §382.017, concerning Rules, which authorizes the commission to adopt rules consistent with the policy and purpose of the Texas Clean Air Act. The new sections are also proposed under Texas Health and Safety Code, §382.002, concerning Policy and Purpose, which establishes the commission's purpose to safeguard the state's air resources, consistent with the protection of public health, general welfare, and physical property; §382.011, concerning General Powers and Duties, which authorizes the commission to control the quality of the state's air; §382.012, concerning State Air Control Plan, which authorizes the commission to prepare and develop a general, comprehensive plan for the proper control of the state's air; §382.016, concerning Monitoring Requirements; Examination of Records, which authorizes the commission to prescribe reasonable requirements for measuring and monitoring the emissions of air contaminants; and §382.051, concerning Permitting Authority of Commission; Rules, which authorizes the commission to adopt rules as necessary to comply with changes in federal law or regulations applicable to permits issued under the Texas Clean Air Act. The new sections are also proposed under the Texas Water Code, §7.002, Enforcement Authority, which authorizes the commission to institute legal proceedings to compel compliance; §7.032, Injunctive Relief, which provides that injunctive relief may be sought by the executive director; and §7.302, Grounds for Revocation or Suspension of Permit, which provides authority to the commission to revoke or suspend any air quality permit.

The proposed new sections implement Texas Health and Safety Code, §§382.002, 382.011, 382.012, 382.016, 382.017, and 382.051.

§113.2300. Definitions.

Terms used but not defined in this division are defined in the Federal Clean Air Act and 40 Code of Federal Regulations Part 60, Subpart A (General Provisions).

(1) Administrator--As follows:

(A) For approved and effective state §111(d)/129 plans, the director of the state air pollution control agency, or his or her delegatee;

(B) For federal §111(d)/129 plans, the administrator of the United States Environmental Protection Agency (EPA), an employee of the EPA, the director of the state air pollution control agency, or employee of the state air pollution control agency to whom the authority has been delegated by the administrator of the EPA to perform the specified task; and

(C) For New Source Performance Standards in 40 Code of Federal Regulations Part 60, the administrator of the EPA, an employee of the EPA, the director of the state air pollution control agency, or employee of the state air pollution control agency to whom the authority has been delegated by the administrator of the EPA to perform the specified task.

(2) Air curtain incinerator--An incineration unit operating by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs. For the purpose of this division, air curtain incinerators include both firebox and trench burner units.

(3) Auxiliary fuel--Natural gas, liquified petroleum gas, fuel oil, or diesel fuel.

(4) Batch other solid waste incineration (OSWI) unit--An OSWI unit that is designed such that neither waste charging nor ash removal can occur during combustion.

(5) Calendar quarter--Three consecutive months (nonoverlapping) beginning on: January 1, April 1, July 1, or October 1.

(6) Calendar year--365 consecutive days starting on January 1 and ending on December 31.

(7) Chemotherapeutic waste--Waste material resulting from the production or use of anti-neoplastic agents used for the purpose of stopping or reversing the growth of malignant cells.

(8) Class II municipal solid waste landfill--A landfill that meets four criteria:

(A) Accepts, for incineration or disposal, less than 20 tons per day of municipal solid waste or other solid wastes based on an annual average;

(B) Is located on a site where there is no evidence of groundwater pollution caused or contributed to by the landfill;

(C) Is not connected by road to a Class I municipal solid waste landfill, as defined by Alaska regulatory code 18 AAC 60.300(c) or, if connected by road, is located more than 50 miles from a Class I municipal solid waste landfill; and

(D) Serves a community that meets one of two criteria:

(i) Experiences for at least 3 months each year, an interruption in access to surface transportation, preventing access to a Class I municipal solid waste landfill; or

(ii) Has no practicable waste management alternative, with a landfill located in an area that annually receives 25 inches or less of precipitation.

(9) Class III municipal solid waste landfill--A landfill that is not connected by road to a Class I municipal solid waste landfill, as defined by Alaska regulatory code 18 AAC 60.300(c) or, if connected by road, is located more than 50 miles from a Class I municipal solid waste landfill, and that accepts, for disposal, either of the following two criteria:

(A) Ash from incinerated municipal waste in quantities less than one ton per day on an annual average, which ash must be free of food scraps that might attract animals; or

(B) Less than five tons per day of municipal solid waste, based on an annual average, and is not located in a place that meets either of the following criteria:

(i) Where public access is restricted, including restrictions on the right to move to the place and reside there; or

(ii) That is provided by an employer and that is populated totally by persons who are required to reside there as a condition of employment and who do not consider the place to be their permanent residence.

(10) Clean lumber--Wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

(11) Collected from--The transfer of material from the site at which the material is generated to a separate site where the material is burned.

(12) Contained gaseous material--Gases that are in a container when that container is combusted.

(13) Continuous emission monitoring system or CEMS--A monitoring system for continuously measuring and recording the emissions of a pollutant from an other solid waste incineration unit.

(14) Continuous other solid waste incineration (OSWI) unit--An OSWI unit that is designed to allow waste charging and ash removal during combustion.

(15) Deviation--Any instance in which a unit that meets the requirements in 40 Code of Federal Regulations (CFR) §60.2991, or an owner or operator of such a source:

(A) Fails to meet any requirement or obligation established by this division, including but not limited to any emission limitation, operating limit, or operator qualification and accessibility requirements;

(B) Fails to meet any term or condition that is adopted to implement an applicable requirement in this division and that is included in the operating permit for any unit that meets requirements in 40 CFR §60.2991 and is required to obtain such a permit; or

(C) Fails to meet any emission limitation, operating limit, or operator qualification and accessibility requirement in this division during startup, shutdown, or malfunction, regardless of whether or not such failure is allowed by this division.

(16) Dioxins/furans--Tetra-through octachlorinated dibenzo-p-dioxins and dibenzofurans.

(17) Energy recovery--The process of recovering thermal energy from combustion for useful purposes such as steam generation or process heating.

(18) United States Environmental Protection Agency or EPA--The administrator of the EPA or employee of the EPA that is delegated the authority to perform the specified task.

(19) Institutional facility--A land-based facility owned and/or operated by an organization having a governmental, educational, civic, or religious purpose such as a school, hospital, prison, military installation, church, or other similar establishment or facility.

(20) Institutional waste--Solid waste (as defined in this division) that is combusted at any institutional facility using controlled flame combustion in an enclosed, distinct operating unit: whose design does not provide for energy recovery (as defined in this division); operated without energy recovery (as defined in this division); or operated with only waste heat recovery (as defined in this division). Institutional waste also means solid waste (as defined in this division) combusted on site in an air curtain incinerator that is a distinct operating unit of any institutional facility.

(21) Institutional waste incineration unit--Any combustion unit that combusts institutional waste (as defined in this division) and is a distinct operating unit of the institutional facility that generated the waste. Institutional waste incineration units include field-erected, modular, cyclonic burn barrel, and custom built incineration units operating with starved or excess air, and any air curtain incinerator that is a distinct operating unit of the institutional facility that generated the institutional waste (except those air curtain incinerators listed in 40 Code of Federal Regulations §60.2994(b)).

(22) Intermittent other solid waste incineration (OSWI) unit--An OSWI unit that is designed to allow waste charging, but not ash removal, during combustion.

(23) Low-level radioactive waste--Waste material that contains radioactive nuclides emitting primarily beta or gamma radiation, or both, in concentrations or quantities that exceed applicable federal or state standards for unrestricted release. Low-level radioactive waste is not high-level radioactive waste, spent nuclear fuel, or byproduct material as defined by the Atomic Energy Act of 1954 (42 United States Code 2014(e)(2)).

(24) Malfunction--Any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused, in part, by poor maintenance or careless operation are not malfunctions.

(25) Metropolitan Statistical Area--Any areas listed as metropolitan statistical areas in Office of Management and Budget Bulletin No. 05 - 02 entitled "Update of Statistical Area Definitions and Guidance on Their Uses" dated February 22, 2005 (available on the Web at *http://www.whitehouse.gov/omb/bulletins/*).

(26) Modification or modified unit--An incineration unit you have changed on or after June 16, 2006, and that meets one of two criteria:

(A) The cumulative cost of the changes over the life of the unit exceeds 50 percent of the original cost of building and installing the unit (not including the cost of land) updated to current costs (current dollars). For an other solid waste incineration (OSWI) unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

(B) Any physical change in the OSWI unit or change in the method of operating it that increases the amount of any air pollutant emitted for which the Federal Clean Air Act, §129 or §111 has established standards.

(27) Municipal solid waste--Refuse (and refuse-derived fuel) collected from the general public and from residential, commercial, institutional, and industrial sources consisting of paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustible materials and non-combustible materials such as metal, glass, and rock, provided that:

(A) The term does not include industrial process wastes or medical wastes that are segregated from such other wastes; and

(B) an incineration unit shall not be considered to be combusting municipal solid waste for purposes of this division if it combusts a fuel feed stream, 30 percent or less of the weight of which is comprised, in aggregate, of municipal solid waste, as determined by 40 Code of Federal Regulations §60.2993(b).

(28) Municipal waste combustion unit--For the purpose of this division, any setting or equipment that combusts municipal solid waste (as defined in this division) including, but not limited to, field-erected, modular, cyclonic burn barrel, and custom built incineration units (with or without energy recovery) operating with starved or excess air, boilers, furnaces, pyrolysis/combustion units, and air curtain incinerators (except those air curtain incinerators listed in 40 Code of Federal Regulations §60.2994(b)).

(29) Other solid waste incineration (OSWI) unit--Either a very small municipal waste combustion unit or an institutional waste incineration unit, as defined in this division. Unit types listed in 40 Code of Federal Regulations §60.2993 as being excluded from the division are not OSWI units subject to this division. While not all OSWI units will include all of the following components, an OSWI unit includes, but is not limited to, the municipal or institutional solid waste feed system, grate system, flue gas system, waste heat recovery equipment, if any, and bottom ash system. The OSWI unit does not include air pollution control equipment or the stack. The OSWI unit boundary starts at the municipal or institutional waste hopper (if applicable) and extends through two areas:

(A) The combustion unit flue gas system, which ends immediately after the last combustion chamber or after the waste heat recovery equipment, if any; and

(B) The combustion unit bottom ash system, which ends at the truck loading station or similar equipment that transfers the ash to final disposal. The OSWI unit includes all ash handling systems connected to the bottom ash handling system.

(30) Particulate matter--Total particulate matter emitted from other solid waste incineration units as measured by Method 5 or Method 29 of 40 Code of Federal Regulations Part 60, Appendix A.

(31) Pathological waste--Waste material consisting of only human or animal remains, anatomical parts, and/or tissue, the bags/containers used to collect and transport the waste material, and animal bedding (if applicable).

(32) Reconstruction--Rebuilding an incineration unit and meeting two criteria:

(A) The reconstruction begins on or after June 16, 2006.

(B) The cumulative cost of the construction over the life of the incineration unit exceeds 50 percent of the original cost of building and installing the unit (not including land) updated to current costs (current dollars). For an other solid waste incineration (OSWI) unit, to determine what systems are within the boundary of the unit used to calculate these costs, see the definition of OSWI unit.

(33) Refuse-derived fuel--A type of municipal solid waste produced by processing municipal solid waste through shredding and size classification. This includes all classes of refuse-derived fuel including two fuels:

(A) Low-density fluff refuse-derived fuel through densified refuse-derived fuel; and

(B) Pelletized refuse-derived fuel.

(34) Shutdown--The period of time after all waste has been combusted in the primary chamber. For continuous other solid waste incineration (OSWI), shutdown shall commence no less than 2 hours after the last charge to the incinerator. For intermittent OSWI, shutdown shall commence no less than 4 hours after the last charge to the incinerator. For batch OSWI, shutdown shall commence no less than 5 hours after the high-air phase of combustion has been completed.

(35) Solid waste--Any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, agricultural operations, and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permits under the Federal Water Pollution Control Act, §402 as amended (33 United States Code (USC), §1342), or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended (42 USC, §2014).

(36) Standard conditions--When referring to units of measure, a temperature of 68 degrees Fahrenheit (20 degrees Celsius) and a pressure of 1 atmosphere (101.3 kilopascals).

(37) Startup period--The period of time between the activation of the system and the first charge to the other solid waste incineration (OSWI) unit. For batch OSWI, startup means the period of time between activation of the system and ignition of the waste.

(38) Very small municipal waste combustion unit--Any municipal waste combustion unit that has the capacity to combust less than 35 tons per day of municipal solid waste or refuse-derived fuel, as determined by the calculations in §113.2356 of this title (relating to What equations must I use?).

(39) Waste heat recovery--The process of recovering heat from the combustion flue gases outside of the combustion firebox by convective heat transfer only.

(40) Wet scrubber--An add-on air pollution control device that utilizes an aqueous or alkaline scrubbing liquor to collect particulate matter (including nonvaporous metals and condensed organics) and/or to absorb and neutralize acid gases.

(41) Wood waste--Untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs

(whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

(A) Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands.

(B) Construction, renovation, or demolition wastes.

(C) Clean lumber.

(D) Treated wood and treated wood products, including wood products that have been painted, pigment-stained, or pressure treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote, or manufactured wood products that contain adhesives or resins (e.g., plywood, particle board, flake board, and oriented strand board).

(42) Yard waste--Grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs. Yard waste comes from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include two items:

(A) Construction, renovation, and demolition wastes.

(B) Clean lumber.

§113.2301. When must I comply?

Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5) specifies the final compliance date. You must submit a notification to the executive director stating whether final compliance has been achieved, postmarked within 10 business days after the final compliance date in Table 1 in §113.2357 of this title.

§113.2302. What must I do if I close my other solid waste incineration unit and then restart it?

(a) If you close your other solid waste incineration (OSWI) unit but will reopen it prior to the final compliance date in your state plan, you must meet the final compliance date specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

(b) If you close your OSWI unit but will restart it after your final compliance date, you must complete emission control retrofit and meet the emission limitations on the date your OSWI unit restarts operation. You must conduct your initial performance test within 30 days of restarting your OSWI unit.

§113.2303. What must I do if I plan to permanently close my other solid waste incineration unit and not restart it?

You must close the unit before the final compliance date specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

§113.2304. What is a waste management plan?

A waste management plan is a written plan that identifies both the feasibility and the methods used to reduce or separate certain components of solid waste from the waste stream in order to reduce or eliminate toxic emissions from incinerated waste.

§113.2305. When must I submit my waste management plan?

You must submit a waste management plan no later than 60 days following the initial performance test as specified in Table 5 in §113.2357 of this title (relating to Tables Relating to Division 5). Section 113.2321 of this title (relating to By what date must I conduct the initial performance test?) specifies the date by which you are required to conduct your performance test.

§113.2306. What should I include in my waste management plan?

A waste management plan must include consideration of the reduction or separation of waste-stream elements such as paper, cardboard, plastics, glass, batteries, or metals; or the use of recyclable materials. The plan must identify any additional waste management measures and implement those measures the source considers practical and feasible, considering the effectiveness of waste management measures already in place, the costs of additional measures, the emissions reductions expected to be achieved, and any other environmental or energy impacts they might have.

§113.2307. What are the operator training and qualification requirements?

(a) No other solid waste incineration (OSWI) unit can be operated unless a fully trained and qualified OSWI unit operator is accessible, either at the facility or can be at the facility within 1 hour. The trained and qualified OSWI unit operator may operate the OSWI unit directly or be the direct supervisor of one or more other plant personnel who operate the unit. If all qualified OSWI unit operators are temporarily not accessible, you must follow the procedures in §113.2313 of this title (relating to What if all the qualified operators are temporarily not accessible?).

(b) Operator training and qualification must be obtained through a state-approved program or by completing the requirements included in subsection (c) of this section.

(c) Training must be obtained by completing an incinerator operator training course that includes, at a minimum, the three elements described in paragraphs (1) through (3) of this subsection.

(1) Training on the 13 subjects listed in subparagraphs (A) through (M) of this paragraph.

(A) Environmental concerns, including types of emissions.

(B) Basic combustion principles, including products of combustion.

(C) Operation of the specific type of incinerator to be used by the operator, including proper startup, waste charging, and shutdown procedures.

(D) Combustion controls and monitoring.

(E) Operation of air pollution control equipment and factors affecting performance (if applicable).

(F) Inspection and maintenance of the incinerator and air pollution control devices.

(G) Methods to monitor pollutants (including monitoring of incinerator and control device operating parameters) and monitoring equipment calibration procedures, where applicable.

(H) Actions to correct malfunctions or conditions that may lead to malfunction.

(I) Bottom and fly ash characteristics and handling procedures.

(J) Applicable federal, state, and local regulations, including Occupational Safety and Health Administration workplace standards.

(K) Pollution prevention.

(L) Waste management practices.

(M) Recordkeeping requirements.

(2) An examination designed and administered by the instructor.

(3) Written material covering the training course topics that may serve as reference material following completion of the course.

§113.2308. When must the operator training course be completed?

The operator training course must be completed by the latest of the three dates specified in paragraphs (1) through (3) of this section.

(1) The final compliance date specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

(2) Six months after your other solid waste incineration (OSWI) unit startup.

(3) Six months after an employee assumes responsibility for operating the OSWI unit or assumes responsibility for supervising the operation of the OSWI unit.

§113.2309. How do I obtain my operator qualification?

(a) You must obtain operator qualification by completing a training course that satisfies the criteria under §113.2307(c) of this title (relating to What are the operator training and qualification requirements?).

(b) Qualification is valid from the date on which the training course is completed and the operator successfully passes the examination required under §113.2307(c)(2) of this title.

§113.2310. How do I maintain my operator qualification?

To maintain qualification, you must complete an annual review or refresher course covering, at a minimum, the five topics described in paragraphs (1) through (5) of this section.

(1) Update of regulations.

(2) Incinerator operation, including startup and shutdown procedures, waste charging, and ash handling.

(3) Inspection and maintenance.

(4) Responses to malfunctions or conditions that may lead to malfunction.

(5) Discussion of operating problems encountered by attendees.

§113.2311. How do I renew my lapsed operator qualification?

You must renew a lapsed operator qualification by one of the two methods specified in paragraphs (1) and (2) of this section.

(1) For a lapse of less than 3 years, you must complete a standard annual refresher course described in §113.2310 of this title (relating to How do I maintain my operator qualification?).

(2) For a lapse of 3 years or more, you must repeat the initial qualification requirements in §113.2309(a) of this title (relating to How do I obtain my operator qualification?).

§113.2312. What site-specific documentation is required?

(a) Documentation must be available at the facility and readily accessible for all other solid waste incineration (OSWI) unit operators that addresses the nine topics described in paragraphs (1) through (9) of this subsection. You must maintain this information and the training records required by subsection (c) of this section in a manner that they can be readily accessed and are suitable for inspection upon request.

(1) Summary of the applicable standards under this division.

(2) Procedures for receiving, handling, and charging waste.

(3) Incinerator startup, shutdown, and malfunction procedures.

(4) Procedures for maintaining proper combustion air supply levels.

(5) Procedures for operating the incinerator and associated air pollution control systems within the standards established under this division.

(6) Monitoring procedures for demonstrating compliance with the operating limits established under this division.

(7) Reporting and recordkeeping procedures.

(8) The waste management plan required under §§113.2304 through 113.2306 of this title (relating to What is a waste management plan? When must I submit my waste management plan? and What should I include in my waste management plan?).

(9) Procedures for handling ash.

(b) You must establish a program for reviewing the information listed in subsection (a) of this section with each incinerator operator.

(1) The initial review of the information listed in subsection (a) of this section must be conducted by the latest of three dates specified in subparagraphs (A) through (C) of this paragraph.

(A) The final compliance date specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

(B) Six months after your OSWI unit startup.

(C) Six months after an employee assumes responsibility for operating the OSWI unit or assumes responsibility for supervising the operation of the OSWI unit.

(2) Subsequent annual reviews of the information listed in subsection (a) of this section must be conducted not later than 12 months following the previous review.

(c) You must also maintain the information specified in paragraphs (1) through (3) of this subsection.

(1) Records showing the names of OSWI unit operators who have completed review of the information in subsection (a) of this section as required by subsection (b) of this section, including the date of the initial review and all subsequent annual reviews.

(2) Records showing the names of the OSWI unit operators who have completed the operator training requirements under §113.2307 of this title (relating to What are the operator training and qualification requirements?), met the criteria for qualification under §113.2309 of this title (relating to How do I obtain my operator qualification?), and maintained or renewed their qualification under §113.2310 or §113.2311 of this title (relating to How do I maintain my operator qualification? or How do I renew my lapsed operator qualification?). Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(3) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

§113.2313. What if all the qualified operators are temporarily not accessible?

If all qualified operators are temporarily not accessible (i.e., not at the facility and not able to be at the facility within 1 hour), you must meet one of the three criteria specified in paragraphs (1) through (3) of this section, depending on the length of time that a qualified operator is not accessible.

(1) When all qualified operators are not accessible for 12 hours or less, the other solid waste incineration (OSWI) unit may be operated by other plant personnel familiar with the operation of the OSWI unit who have completed review of the information specified in §113.2312(a) of this title (relating to What site-specific documentation is required?) within the past 12 months. You do not need to notify the executive director or include this as a deviation in your annual report.

(2) When all qualified operators are not accessible for more than 12 hours, but less than 2 weeks, the OSWI unit may be operated by other plant personnel familiar with the operation of the OSWI unit who have completed a review of the information specified in §113.2312(a) of this title within the past 12 months. However, you must record the period when all qualified operators were not accessible and include this deviation in the annual report as specified under §113.2338 of this title (relating to What information must I include in my annual report?).

(3) When all qualified operators are not accessible for 2 weeks or more, you must take the two actions that are described in subparagraphs (A) and (B) of this paragraph.

(A) Notify the executive director of this deviation in writing within 10 days after the end of the 2-week period. In the notice, state what caused this deviation, what you are doing to ensure that a qualified operator is accessible, and when you anticipate that a qualified operator will be accessible.

(B) Submit a status report to the executive director every 4 weeks outlining what you are doing to ensure that a qualified operator is accessible, stating when you anticipate that a qualified operator will be accessible, and requesting approval from the executive director to continue operation of the OSWI unit. You must submit the first status report 4 weeks after you notify the executive director of the deviation under subparagraph (A) of this paragraph. If the executive director notifies you that your request to continue operation of the OSWI unit is disapproved, the OSWI unit may continue operation for 90 days, then must cease operation. Operation of the unit may resume if you meet the two requirements in clauses (i) and (ii) of this subparagraph.

(i) A qualified operator is accessible as required under §113.2307(a) of this title (relating to What are the operator training and qualification requirements?)

(ii) You notify the executive director that a qualified operator is accessible and that you are resuming operation.

§113.2314. What emission limitations must I meet and by when?

You must meet the emission limitations specified in Table 2 in §113.2357 of this title (relating to Tables Relating to Division 5) on the date the initial performance test is required or completed (whichever is earlier). Section 113.2321 of this title (relating to By what date must I conduct the initial performance test?) specifies the date by which you are required to conduct your performance test.

§113.2315. What operating limits must I meet and by when?

(a) If you use a wet scrubber to comply with the emission limitations, you must establish operating limits for four operating parameters (as specified in Table 3 in §113.2357 of this title (relating to Tables Relating to Division 5)) as described in paragraphs (1) through (4) of this subsection during the initial performance test.

(1) Maximum charge rate, calculated using one of the two different procedures in subparagraph (A) or (B) of this paragraph, as appropriate.

(A) For continuous and intermittent units, maximum charge rate is the average charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(B) For batch units, maximum charge rate is the charge rate measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(2) Minimum pressure drop across the wet scrubber, which is calculated as the average pressure drop across the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations; or minimum amperage to the wet scrubber, which is calculated as the average amperage to the wet scrubber measured during the most recent performance test demonstrating compliance with the particulate matter emission limitations.

(3) Minimum scrubber liquor flow rate, which is calculated as the average liquor flow rate at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with all applicable emission limitations.

(4) Minimum scrubber liquor pH, which is calculated as the average liquor pH at the inlet to the wet scrubber measured during the most recent performance test demonstrating compliance with the hydrogen chloride and sulfur dioxide emission limitations.

(b) You must meet the operating limits established during the initial performance test beginning on the date 180 days after your final compliance date in Table 1 in §113.2357 of this title.

§113.2316. What if I do not use a wet scrubber to comply with the emission limitations?

If you use an air pollution control device other than a wet scrubber or limit emissions in some other manner to comply with the emission limitations under §113.2314 of this title (relating to What emission limitations must I meet and by when?), you must petition the United States Environmental Protection Agency (EPA) for specific operating limits, the values of which are to be established during the initial performance test and then continuously monitored thereafter. You must not conduct the initial performance test until after the petition has been approved by the EPA. Your petition must include the five items listed in paragraphs (1) through (5) of this section.

(1) Identification of the specific parameters you propose to use as operating limits.

(2) A discussion of the relationship between these parameters and emissions of regulated pollutants, identifying how emissions of regulated pollutants change with changes in these parameters, and how limits on these parameters will serve to limit emissions of regulated pollutants.

(3) A discussion of how you will establish the upper and/or lower values for these parameters that will establish the operating limits on these parameters.

(4) A discussion identifying the methods you will use to measure and the instruments you will use to monitor these parameters, as well as the relative accuracy and precision of these methods and instruments.

(5) A discussion identifying the frequency and methods for recalibrating the instruments you will use for monitoring these parameters.

§113.2317. What happens during periods of startup, shutdown, and malfunction?

The emission limitations and operating limits apply at all times except during other solid waste incineration unit startups, shutdowns, or malfunctions, which should last no longer than 3 hours.

§113.2318. How do I conduct the initial and annual performance test?

(a) All performance tests must consist of a minimum of three test runs conducted under conditions representative of normal operations.

(b) All performance tests must be conducted using the methods in Table 2 in §113.2357 of this title (relating to Tables Relating to Division 5).

(c) All performance tests must be conducted using the minimum run duration specified in Table 2 in §113.2357 of this title.

(d) Method 1 of 40 Code of Federal Regulations (CFR) Part 60, Appendix A must be used to select the sampling location and number of traverse points.

(e) Method 3A or 3B of 40 CFR Part 60, Appendix A must be used for gas composition analysis, including measurement of oxygen concentration. Method 3A or 3B of 40 CFR Part 60, Appendix A must be used simultaneously with each method.

(f) All pollutant concentrations, except for opacity, must be adjusted to 7 percent oxygen using equation 1 in §113.2356 of this title (relating to What equations must I use?).

(g) Method 26A of 40 CFR Part 60, Appendix A must be used for hydrogen chloride concentration analysis, with the additional requirements specified in paragraphs (1) through (3) of this subsection.

(1) The probe and filter must be conditioned prior to sampling using the procedure described in subparagraphs (A) through (C) of this paragraph.

(A) Assemble the sampling train(s) and conduct a conditioning run by collecting between 14 liters per minute (0.5 cubic feet per minute) and 30 liters per minute (1.0 cubic feet per minute) of gas over a 1-hour period. Follow the sampling procedures outlined in section 8.1.5 of Method 26A of 40 CFR Part 60, Appendix A. For the conditioning run, water can be used as the impinger solution.

(B) Remove the impingers from the sampling train and replace with a fresh impinger train for the sampling run, leaving the probe and filter (and cyclone, if used) in position. Do not recover the filter or rinse the probe before the first run. Thoroughly rinse the impingers used in the preconditioning run with deionized water and discard these rinses.

(C) The probe and filter assembly are conditioned by the stack gas and are not recovered or cleaned until the end of testing.

(2) For the duration of sampling, a temperature around the probe and filter (and cyclone, if used) between 120 degrees Celsius (248 degrees Fahrenheit) and 134 degrees Celsius (273 degrees Fahrenheit) must be maintained.

(3) If water droplets are present in the sample gas stream, the requirements specified in subparagraphs (A) and (B) of this paragraph must be met.

(A) The cyclone described in section 6.1.4 of Method 26A of 40 CFR Part 60, Appendix A must be used.

(B) The post-test moisture removal procedure described in section 8.1.6 of Method 26A of 40 CFR Part 60, Appendix A must be used.

§113.2319. How are the performance test data used?

You use results of performance tests to demonstrate compliance with the emission limitations in Table 2 in §113.2357 of this title (relating to Tables Relating to Division 5).

§113.2320. How do I demonstrate initial compliance with the emission limitations and establish the operating limits?

You must conduct an initial performance test, as required under 40 Code of Federal Regulations §60.8, to determine compliance with the emission limitations in Table 2 in §113.2357 of this title (relating to Tables Relating to Division 5) and to establish operating limits using the procedure in §113.2315 or §113.2316 of this title (relating to What operating limits must I meet and by when? or What if I do not use a wet scrubber to comply with the emission limitations?). The initial performance test must be conducted using the test methods listed in Table 2 in §113.2357 of this title and the procedures in §113.2318 of this title (relating to How do I conduct the initial and annual performance test?).

§113.2321. By what date must I conduct the initial performance test?

The initial performance test must be conducted no later than 180 days after your final compliance date. Your final compliance date is specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

§113.2322. How do I demonstrate continuous compliance with the emission limitations and the operating limits?

(a) You must conduct an annual performance test for all of the pollutants in Table 2 in §113.2357 of this title (relating to Tables Relating to Division 5) for each other solid waste incineration unit to determine compliance with the emission limitations. The annual performance test must be conducted using the test methods listed in Table 2 in §113.2357 of this title and the procedures in §113.2318 of this title (relating to How do I conduct the initial and annual performance test?).

(b) You must continuously monitor carbon monoxide emissions to determine compliance with the carbon monoxide emissions limitation. Twelve-hour rolling average values are used to determine compliance. A 12-hour rolling average value above the carbon monoxide emission limit in Table 2 in §113.2357 of this title constitutes a deviation from the emission limitation.

(c) You must continuously monitor the operating parameters specified in §113.2315 of this title (relating to What operating limits must I meet and by when?) or established under §113.2316 of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?). Three-hour rolling average values are used to determine compliance with the operating limits unless a different averaging period is established under §113.2316 of this title. A 3-hour rolling average value (unless a different averaging period is established under §113.2316 of this title) above the established maximum or below the established minimum operating limits constitutes a deviation from the established operating limits. Operating limits do not apply during performance tests.

§113.2323. By what date must I conduct the annual performance test?

You must conduct annual performance tests within 12 months following the initial performance test. Conduct subsequent annual performance tests within 12 months following the previous one.

§113.2324. May I conduct performance testing less often?

(a) You can test less often for a given pollutant if you have test data for at least three consecutive annual tests, and all performance tests for the pollutant over that period show that you comply with the emission limitation. In this case, you do not have to conduct a performance test for that pollutant for the next 2 years. You must conduct a performance test during the 3rd year and no more than 36 months following the previous performance test.

(b) If your other solid waste incineration unit continues to meet the emission limitation for the pollutant, you may choose to conduct

performance tests for that pollutant every 3rd year, but each test must be within 36 months of the previous performance test.

(c) If a performance test shows a deviation from an emission limitation for any pollutant, you must conduct annual performance tests for that pollutant until three consecutive annual performance tests for that pollutant all show compliance.

§113.2325. May I conduct a repeat performance test to establish new operating limits?

Yes, you may conduct a repeat performance test at any time to establish new values for the operating limits. The executive director may request a repeat performance test at any time.

§113.2326. What continuous emission monitoring systems must I install?

(a) You must install, calibrate, maintain, and operate continuous emission monitoring systems for carbon monoxide and for oxygen. You must monitor the oxygen concentration at each location where you monitor carbon monoxide.

(b) You must install, evaluate, and operate each continuous emission monitoring system according to the "Monitoring Requirements" in 40 Code of Federal Regulations §60.13.

§113.2327. How do I make sure my continuous emission monitoring systems are operating correctly?

(a) Conduct initial, daily, quarterly, and annual evaluations of your continuous emission monitoring systems that measure carbon monoxide and oxygen.

(b) Complete your initial evaluation of the continuous emission monitoring systems within 180 days after your final compliance date in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

(c) For initial and annual evaluations, collect data concurrently (or within 30 to 60 minutes) using your carbon monoxide and oxygen continuous emission monitoring systems. To validate carbon monoxide concentration levels, use United States Environmental Protection Agency (EPA) Method 10, 10A, or 10B of 40 Code of Federal Regulations (CFR) Part 60, Appendix A. Use EPA Method 3 or 3A of 40 CFR Part 60, Appendix A to measure oxygen. Collect the data during each initial and annual evaluation of your continuous emission monitoring systems following the applicable performance specifications in 40 CFR Part 60, Appendix B. Table 4 in §113.2357 of this title shows the required span values and performance specifications that apply to each continuous emission monitoring system.

(d) Follow the quality assurance procedures in Procedure 1 of 40 CFR Part 60, Appendix F for each continuous emission monitoring system. The procedures include daily calibration drift and quarterly accuracy determinations.

§113.2328. What is my schedule for evaluating continuous emission monitoring systems?

(a) Conduct annual evaluations of your continuous emission monitoring systems no more than 12 months after the previous evaluation was conducted.

(b) Evaluate your continuous emission monitoring systems daily and quarterly as specified in 40 Code of Federal Regulations Part 60, Appendix F.

§113.2329. What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems, and is the data collection requirement enforceable?

(a) Where continuous emission monitoring systems are required, obtain 1-hour arithmetic averages. Make sure the averages for carbon monoxide are in parts per million by dry volume at 7 percent oxygen. Use the 1-hour averages of oxygen data from your continuous emission monitoring system to determine the actual oxygen level and to calculate emissions at 7 percent oxygen.

(b) Obtain at least two data points per hour in order to calculate a valid 1-hour arithmetic average. Title 40 Code of Federal Regulations §60.13(e)(2) requires your continuous emission monitoring systems to complete at least one cycle of operation (sampling, analyzing, and data recording) for each 15-minute period.

(c) Obtain valid 1-hour averages for at least 75 percent of the operating hours per day for at least 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal or institutional solid waste.

(d) If you do not obtain the minimum data required in subsections (a) through (c) of this section, you have deviated from the data collection requirement regardless of the emission level monitored.

(e) If you do not obtain the minimum data required in subsections (a) through (c) of this section, you must still use all valid data from the continuous emission monitoring systems in calculating emission concentrations.

(f) If continuous emission monitoring systems are temporarily unavailable to meet the data collection requirements, refer to Table 4 in §113.2357 of this title (relating to Tables Relating to Division 5). It shows alternate methods for collecting data when systems malfunction or when repairs, calibration checks, or zero and span checks keep you from collecting the minimum amount of data.

§113.2330. How do I convert my 1-hour arithmetic averages into the appropriate averaging times and units?

(a) Use equation 1 in §113.2356 of this title (relating to What equations must I use?) to calculate emissions at 7 percent oxygen.

(b) Use equation 2 in §113.2356 of this title to calculate the 12-hour rolling averages for concentrations of carbon monoxide.

§113.2331. What operating parameter monitoring equipment must I install, and what operating parameters must I monitor?

(a) If you are using a wet scrubber to comply with the emission limitations under §113.2314 of this title (relating to What emission limitations must I meet and by when?), you must install, calibrate (to manufacturers' specifications), maintain, and operate devices (or establish methods) for monitoring the value of the operating parameters used to determine compliance with the operating limits listed in Table 3 in §113.2357 of this title (relating to Tables Relating to Division 5). These devices (or methods) must measure and record the values for these operating parameters at the frequencies indicated in Table 3 in §113.2357 of this title at all times.

(b) You must install, calibrate (to manufacturers' specifications), maintain, and operate a device or method for measuring the use of any stack that could be used to bypass the control device. The measurement must include the date, time, and duration of the use of the bypass stack.

(c) If you are using a method or air pollution control device other than a wet scrubber to comply with the emission limitations under §113.2314 of this title, you must install, calibrate (to the manufacturers' specifications), maintain, and operate the equipment necessary to monitor compliance with the site-specific operating limits established using the procedures in §113.2316 of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?).

§113.2332. Is there a minimum amount of operating parameter monitoring data I must obtain?

(a) Except for monitor malfunctions, associated repairs, and required quality assurance or quality control activities (including, as

applicable, calibration checks and required zero and span adjustments of the monitoring system), you must conduct all monitoring at all times the other solid waste incineration unit is operating.

(b) You must obtain valid monitoring data for at least 75 percent of the operating hours per day for at least 90 percent of the operating days per calendar quarter. An operating day is any day the unit combusts any municipal or institutional solid waste.

(c) If you do not obtain the minimum data required in subsections (a) and (b) of this section, you have deviated from the data collection requirement regardless of the operating parameter level monitored.

(d) Do not use data recorded during monitor malfunctions, associated repairs, and required quality assurance or quality control activities for meeting the requirements of this division, including data averages and calculations. You must use all the data collected during all other periods in assessing compliance with the operating limits.

§113.2333. What records must I keep?

You must maintain the 14 items (as applicable) as specified in paragraphs (1) through (14) of this section for a period of at least 5 years.

(1) Calendar date of each record.

(2) Records of the data described in subparagraphs (A) through (H) of this paragraph.

(A) The other solid waste incineration (OSWI) unit charge dates, times, weights, and hourly charge rates.

(B) Liquor flow rate to the wet scrubber inlet every 15 minutes of operation, as applicable.

(C) Pressure drop across the wet scrubber system every 15 minutes of operation or amperage to the wet scrubber every 15 minutes of operation, as applicable.

(D) Liquor pH as introduced to the wet scrubber every 15 minutes of operation, as applicable.

(E) For OSWI units that establish operating limits for controls other than wet scrubbers under §113.2316 of this title (relating to What if I do not use a wet scrubber to comply with the emission limitations?), you must maintain data collected for all operating parameters used to determine compliance with the operating limits.

(F) All 1-hour average concentrations of carbon monoxide emissions.

(G) All 12-hour rolling average values of carbon monoxide emissions and all 3-hour rolling average values of continuously monitored operating parameters.

(H) Records of the dates, times, and durations of any bypass of the control device.

(3) Identification of calendar dates and times for which continuous emission monitoring systems or monitoring systems used to monitor operating limits were inoperative, inactive, malfunctioning, or out of control (except for downtime associated with zero and span and other routine calibration checks). Identify the pollutant emissions or operating parameters not measured, the duration, reasons for not obtaining the data, and a description of corrective actions taken.

(4) Identification of calendar dates, times, and durations of malfunctions, and a description of the malfunction and the corrective action taken.

(5) Identification of calendar dates and times for which monitoring data show a deviation from the carbon monoxide emissions limit in Table 2 in §113.2357 of this title (relating to Tables Relating to Division 5) or a deviation from the operating limits in Table 3 in §113.2357 of this title or a deviation from other operating limits established under §113.2316 of this title with a description of the deviations, reasons for such deviations, and a description of corrective actions taken.

(6) Calendar dates when continuous monitoring systems did not collect the minimum amount of data required under §113.2329 and §113.2332 of this title (relating to What is the minimum amount of monitoring data I must collect with my continuous emission monitoring systems, and is the data collection requirement enforceable? and Is there a minimum amount of operating parameter monitoring data I must obtain?).

(7) For carbon monoxide continuous emissions monitoring systems, document the results of your daily drift tests and quarterly accuracy determinations according to Procedure 1 of 40 Code of Federal Regulations Part 60, Appendix F.

(8) Records of the calibration of any monitoring devices required under §113.2331 of this title (relating to What operating parameter monitoring equipment must I install, and what operating parameters must I monitor?).

(9) The results of the initial, annual, and any subsequent performance tests conducted to determine compliance with the emission limits and/or to establish operating limits, as applicable. Retain a copy of the complete test report including calculations and a description of the types of waste burned during the test.

(10) Records showing the names of OSWI unit operators who have completed review of the information in §113.2312(a) of this title (relating to What site-specific documentation is required?) as required by §113.2312(b) of this title, including the date of the initial review and all subsequent annual reviews.

(11) Records showing the names of the OSWI unit operators who have completed the operator training requirements under §113.2307 of this title (relating to What are the operator training and qualification requirements?), met the criteria for qualification under §113.2309 of this title (relating to How do I obtain my operator qualification?), and maintained or renewed their qualification under §113.2310 or §113.2311 of this title (relating to How do I maintain my operator qualification? or How do I renew my lapsed operator qualification?). Records must include documentation of training, the dates of the initial and refresher training, and the dates of their qualification and all subsequent renewals of such qualifications.

(12) For each qualified operator, the phone and/or pager number at which they can be reached during operating hours.

(13) Equipment vendor specifications and related operation and maintenance requirements for the incinerator, emission controls, and monitoring equipment.

(14) The information listed in §113.2312(a) of this title.

§113.2334. Where and in what format must I keep my records?

(a) You must keep each record for a period of at least five years; on site for at least 2 years. You may keep the records off site for the remaining 3 years.

(b) All records must be available in either paper copy or computer-readable format that can be printed upon request, unless an alternative format is approved by the executive director.

§113.2335. What reports must I submit?

See Table 5 in §113.2357 of this title (relating to Tables Relating to Division 5) for a summary of the reporting requirements.

§113.2336. What information must I submit following my initial performance test?

You must submit the information specified in paragraphs (1) through (3) of this section no later than 60 days following the initial performance test. All reports must be signed by the facilities manager.

(1) The complete test report for the initial performance test results obtained under §113.2320 of this title (relating to How do I demonstrate initial compliance with the emission limitations and establish the operating limits?), as applicable.

(2) The values for the site-specific operating limits established in §113.2315 or §113.2316 of this title (relating to What operating limits must I meet and by when? or What if I do not use a wet scrubber to comply with the emission limitations?).

(3) The waste management plan, as specified in §§113.2304 through 113.2306 of this title (relating to What is a waste management plan? When must I submit my waste management plan? and What should I include in my waste management plan?).

§113.2337. When must I submit my annual report?

You must submit an annual report no later than 12 months following the submission of the information in §113.2336 of this title (relating to What information must I submit following my initial performance test?). You must submit subsequent reports no more than 12 months following the previous report.

§113.2338. What information must I include in my annual report?

The annual report required under §113.2337 of this title (relating to When must I submit my annual report?) must include the ten items listed in paragraphs (1) through (10) of this section. If you have a deviation from the operating limits or the emission limitations, you must also submit deviation reports as specified in §§113.2339 through 113.2341 of this title (relating to What else must I report if I have a deviation from the operating limits or the emission limitations?, What must I include in the deviation report?, and What else must I report if I have a deviation from the requirement to have a qualified operator accessible?).

(1) Company name and address.

(2) Statement by the owner or operator, with the name, title, and signature, certifying the truth, accuracy, and completeness of the report. Such certifications must also comply with the requirements of 40 Code of Federal Regulations §70.5(d).

(3) Date of report and beginning and ending dates of the reporting period.

(4) The values for the operating limits established pursuant to §113.2315 or §113.2316 of this title (relating to What operating limits must I meet and by when? or What if I do not use a wet scrubber to comply with the emission limitations?).

(5) If no deviation from any emission limitation or operating limit that applies to you has been reported, a statement that there was no deviation from the emission limitations or operating limits during the reporting period, and that no monitoring system used to determine compliance with the emission limitations or operating limits was inoperative, inactive, malfunctioning, or out of control.

(6) The highest recorded 12-hour average and the lowest recorded 12-hour average, as applicable, for carbon monoxide emissions and the highest recorded 3-hour average and the lowest recorded 3-hour average, as applicable, for each operating parameter recorded for the calendar year being reported.

(7) Information recorded under §113.2333(2)(F) and (3) through (5) of this title (relating to What records must I keep?) for the calendar year being reported.

(8) If a performance test was conducted during the reporting period, the results of that test.

(9) If you met the requirements of §113.2324(a) or (b) of this title (relating to May I conduct performance testing less often?), and did not conduct a performance test during the reporting period, you must state that you met the requirements of §113.2324(a) or (b) of this title, and, therefore, you were not required to conduct a performance test during the reporting period.

(10) Documentation of periods when all qualified other solid waste incineration unit operators were unavailable for more than 12 hours, but less than 2 weeks.

§113.2339. What else must I report if I have a deviation from the operating limits or the emission limitations?

(a) You must submit a deviation report if any recorded 3-hour average parameter level is above the maximum operating limit or below the minimum operating limit established under this division, if any recorded 12-hour average carbon monoxide emission rate is above the emission limitation, if the control device was bypassed, or if a performance test was conducted that showed a deviation from any emission limitation.

(b) The deviation report must be submitted by August 1 of that year for data collected during the first half of the calendar year (January 1 to June 30), and by February 1 of the following year for data you collected during the second half of the calendar year (July 1 to December 31).

§113.2340. What must I include in the deviation report?

In each report required under §113.2339 of this title (relating to What else must I report if I have a deviation from the operating limits or the emission limitations?), for any pollutant or operating parameter that deviated from the emission limitations or operating limits specified in this division, include the seven items described in paragraphs (1) through (7) of this section.

(1) The calendar dates and times your unit deviated from the emission limitations or operating limit requirements.

(2) The averaged and recorded data for those dates.

(3) Durations and causes of each deviation from the emission limitations or operating limits and your corrective actions.

(4) A copy of the operating limit monitoring data during each deviation and any test report that documents the emission levels.

(5) The dates, times, number, duration, and causes for monitor downtime incidents (other than downtime associated with zero, span, and other routine calibration checks).

(6) Whether each deviation occurred during a period of startup, shutdown, or malfunction, or during another period.

(7) The dates, times, and durations of any bypass of the control device.

§113.2341. What else must I report if I have a deviation from the requirement to have a qualified operator accessible?

(a) If all qualified operators are not accessible for 2 weeks or more, you must take the two actions in paragraphs (1) and (2) of this subsection.

(1) Submit a notification of the deviation within 10 days after the end of the 2-week period that includes the three items in subparagraphs (A) through (C) of this paragraph.

(A) A statement of what caused the deviation.

(B) A description of what you are doing to ensure that a qualified operator is accessible.

(C) The date when you anticipate that a qualified operator will be available.

(2) Submit a status report to the executive director every 4 weeks that includes the three items in subparagraphs (A) through (C) of this paragraph.

(A) A description of what you are doing to ensure that a qualified operator is accessible.

(B) The date when you anticipate that a qualified operator will be accessible.

(C) Request approval from the executive director to continue operation of the other solid waste incineration unit.

(b) If your unit was shut down by the executive director, under the provisions of §113.2313(3)(B) of this title (relating to What if all the qualified operators are temporarily not accessible?), due to a failure to provide an accessible qualified operator, you must notify the executive director that you are resuming operation once a qualified operator is accessible.

§113.2342. Are there any other notifications or reports that I must submit?

Yes, you must submit notifications as provided by 40 Code of Federal Regulations §60.7.

§113.2343. In what form can I submit my reports?

Submit initial, annual, and deviation reports electronically or in paper format, postmarked on or before the submittal due dates.

§113.2344. Can reporting dates be changed?

If the executive director agrees, you may change the semiannual or annual reporting dates. See 40 Code of Federal Regulations §60.19(c) for procedures to seek approval to change your reporting date.

§113.2345. Am I required to apply for and obtain a Title V operating permit for my unit?

Yes, if you are subject to an applicable United States Environmental Protection Agency-approved and effective Federal Clean Air Act, §111(d)/129 state or tribal plan or an applicable and effective federal plan, you are required to apply for and obtain a Title V operating permit unless you meet the relevant requirements for an exemption specified in 40 Code of Federal Regulations §60.2993.

§113.2346. When must I submit a Title V permit application for my existing unit?

(a) If your existing unit is not subject to an earlier permit application deadline, a complete Title V permit application must be submitted on or before the earlier of the dates specified in paragraphs (1) through (3) of this subsection. (See the Federal Clean Air Act, §§129(e), 503(c), 503(d), and 502(a) and 40 Code of Federal Regulations (CFR) §70.5(a)(1)(i).)

(1) 12 months after the effective date of any applicable United States Environmental Protection Agency (EPA)-approved Federal Clean Air Act, §111(d)/129 state or tribal plan.

(2) 12 months after the effective date of any applicable federal plan.

(3) December 16, 2008.

(b) For any existing unit not subject to an earlier permit application deadline, the application deadline of 36 months after the promulgation of 40 CFR Part 60, Subpart FFFF, applies regardless of whether or when any applicable federal plan is effective, or whether or when any applicable Federal Clean Air Act, §111(d)/129 state or tribal plan is approved by the EPA and becomes effective.

(c) If your existing unit is subject to Title V as a result of some triggering requirement(s) other than those specified in subsection (a) or (b) of this section (for example, a unit may be a major source or part of a major source), then your unit may be required to apply for a Title V permit prior to the deadlines specified in subsections (a) and (b). If more than one requirement triggers a source's obligation to apply for a Title V permit, the 12-month timeframe for filing a Title V permit application is triggered by the requirement which first causes the source to be subject to Title V. (See the Federal Clean Air Act, §503(c) and 40 CFR §70.3(a) and (b) and §70.5(a)(1)(i).)

(d) A "complete" Title V permit application is one that has been determined or deemed complete by the relevant permitting authority under the Federal Clean Air Act, §503(d) and 40 CFR §70.5(a)(2). You must submit a complete permit application by the relevant application deadline in order to operate after this date in compliance with federal law. (See the Federal Clean Air Act, §503(d) and §502(a) and 40 CFR §70.7(b).)

§113.2347. What are the requirements for temporary-use incinerators and air curtain incinerators used in disaster recovery?

Your incinerator or air curtain incinerator is excluded from the requirements of this division if it is used on a temporary basis to combust debris from a disaster or emergency such as a tornado, hurricane, flood, ice storm, high winds, or act of bioterrorism. To qualify for this exclusion, the incinerator or air curtain incinerator must be used to combust debris in an area declared a State of Emergency by a local or state government, or the President, under the authority of the Stafford Act, has declared that an emergency or a major disaster exists in the area, and you must follow the requirements specified in paragraphs (1) through (3) of this section.

(1) If the incinerator or air curtain incinerator is used during a period that begins on the date the unit started operation and lasts 8 weeks or less within the boundaries of the same emergency or disaster declaration area, then it is excluded from the requirements of this division. You do not need to notify the executive director of its use or meet the emission limitations or other requirements of this division.

(2) If the incinerator or air curtain incinerator will be used during a period that begins on the date the unit started operation and lasts more than 8 weeks within the boundaries of the same emergency or disaster declaration area, you must notify the executive director that the temporary-use incinerator or air curtain incinerator will be used for more than 8 weeks and request permission to continue to operate the unit as specified in subparagraphs (A) and (B) of this paragraph.

(A) The notification must be submitted in writing by the date 8 weeks after you start operation of the temporary-use incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area.

(B) The notification must contain the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, identification of the disaster or emergency for which the incinerator or air curtain incinerator is being used, a description of the types of materials being burned in the incinerator or air curtain incinerator, a brief description of the size and design of the unit (for example, an air curtain incinerator or a modular starved-air incinerator), the reasons the incinerator or air curtain incinerator must be operated for more than 8 weeks, and the amount of time for which you request permission to operate including the date you expect to cease operation of the unit.

(3) If you submitted the notification containing the information in paragraph (2)(B) of this section by the date specified in paragraph (2)(A) of this section, you may continue to operate the incinerator or air curtain incinerator for another 8 weeks, which is a total of 16 weeks from the date the unit started operation within the boundaries of the current emergency or disaster declaration area. You do not have to meet the emission limitations or other requirements of this division during this period.

(A) At the end of 16 weeks from the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, you must cease operation of the unit or comply with all requirements of this division, unless the executive director has approved in writing your request to continue operation.

(B) If the executive director has approved in writing your request to continue operation, then you may continue to operate the incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area until the date specified in the approval, and you do not need to comply with any other requirements of this division during the approved time period.

§113.2348. What is an air curtain incinerator?

(a) An air curtain incinerator operates by forcefully projecting a curtain of air across an open, integrated combustion chamber (fire box) or open pit or trench (trench burner) in which combustion occurs. For the purpose of this division only, air curtain incinerators include both firebox and trench burner units.

(b) Air curtain incinerators that burn only the materials listed in paragraphs (1) through (4) of this subsection are required to meet only the requirements in this section and §§113.2349 through 113.2355 of this title (relating to When must I comply if my air curtain incinerator burns only wood waste, clean lumber, and yard waste?, What must I do if I close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and then restart it?, What must I do if I plan to permanently close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and not restart it?, What are the emission limitations for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?, How must I monitor opacity for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?, What are the recordkeeping and reporting requirements for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?, and Am I required to apply for and obtain a Title V operating permit for my air curtain incinerator that burns only wood waste, clean lumber, and yard waste?) and are exempt from all other requirements of this division.

(1) 100 percent wood waste.

(2) 100 percent clean lumber.

(3) 100 percent yard waste.

(4) 100 percent mixture of only wood waste, clean lumber, and/or yard waste.

§113.2349. When must I comply if my air curtain incinerator burns only wood waste, clean lumber, and yard waste?

Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5) specifies the final compliance date. You must submit a notification to the executive director postmarked within 10 business days after the final compliance date in Table 1 in §113.2357 of this title.

§113.2350. What must I do if I close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and then restart it?

(a) If you close your incinerator but will reopen it prior to the final compliance date in your state plan, you must meet the final compliance date specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

(b) If you close your incinerator but will restart it after your final compliance date, you must meet the emission limitations on the date your incinerator restarts operation.

§113.2351. What must I do if I plan to permanently close my air curtain incinerator that burns only wood waste, clean lumber, and yard waste and not restart it?

You must close the unit before the final compliance date specified in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

§113.2352. What are the emission limitations for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Within 180 days after your final compliance date in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5), you must meet the two limitations specified in paragraphs (1) and (2) of this subsection.

(1) The opacity limitation is 10 percent (6-minute average), except as described in paragraph (2) of this subsection.

(2) The opacity limitation is 35 percent (6-minute average) during the startup period that is within the first 30 minutes of operation.

(b) The limitations in subsection (a) of this section apply at all times except during malfunctions.

§113.2353. How must I monitor opacity for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Use Method 9 of 40 Code of Federal Regulations (CFR) Part 60, Appendix A to determine compliance with the opacity limitation.

(b) Conduct an initial test for opacity as specified in 40 CFR §60.8 within 180 days after the final compliance date in Table 1 in §113.2357 of this title (relating to Tables Relating to Division 5).

(c) After the initial test for opacity, conduct annual tests no more than 12 months following the date of your previous test.

(d) If the air curtain incinerator has been out of operation for more than 12 months following the date of your previous test, then you must conduct a test for opacity upon startup of the unit.

§113.2354. What are the recordkeeping and reporting requirements for air curtain incinerators that burn only wood waste, clean lumber, and yard waste?

(a) Keep records of results of all initial and annual opacity tests in either paper copy or computer-readable format that can be printed upon request, unless the executive director approves another format, for at least 5 years. You must keep each record on site for at least 2 years. You may keep the records off site for the remaining 3 years.

(b) Make all records available for submittal to the executive director or for an inspector's review.

(c) You must submit the results (each 6-minute average) of the initial opacity tests no later than 60 days following the initial test. Submit annual opacity test results within 12 months following the previous report.

(d) Submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date.

(e) Keep a copy of the initial and annual reports for a period of 5 years. You must keep each report on site for at least 2 years. You may keep the reports off site for the remaining 3 years.

§113.2355. Am I required to apply for and obtain a Title V operating permit for my air curtain incinerator that burns only wood waste, clean lumber, and yard waste?

Yes, if your air curtain incinerator is subject to this division, you are required to apply for and obtain a Title V operating permit as specified in §113.2345 and §113.2346 of this title (relating to Am I required to apply for and obtain a Title V operating permit for my unit? and When must I submit a Title V permit application for my existing unit?).

§113.2356. What equations must I use?

(a) Percent oxygen. Adjust all pollutant concentrations to 7 percent oxygen using equation 1 of this section.

Figure: 30 TAC §113.2356(a)

(b) Capacity of a very small municipal waste combustion unit. For very small municipal waste combustion units that can operate continuously for 24-hour periods, calculate the unit capacity based on 24 hours of operation at the maximum charge rate. To determine the maximum charge rate, use one of two methods:

(1) For very small municipal waste combustion units with a design based on heat input capacity, calculate the maximum charging rate based on the maximum heat input capacity and one of two heating values:

(A) If your very small municipal waste combustion unit combusts refuse-derived fuel, use a heating value of 12,800 kilojoules per kilogram (5,500 British thermal units per pound).

(B) If your very small municipal waste combustion unit combusts municipal solid waste, use a heating value of 10,500 kilojoules per kilogram (4,500 British thermal units per pound).

(2) For very small municipal waste combustion units with a design not based on heat input capacity, use the maximum design charging rate.

(c) Capacity of a batch very small municipal waste combustion unit. Calculate the capacity of a batch other solid waste incineration (OSWI) unit as the maximum design amount of municipal solid waste it can charge per batch multiplied by the maximum number of batches it can process in 24 hours. Calculate the maximum number of batches by dividing 24 by the number of hours needed to process one batch. Retain fractional batches in the calculation. For example, if one batch requires 16 hours, the OSWI unit can combust 24/16, or 1.5 batches, in 24 hours.

(d) Carbon monoxide pollutant rate. When hourly average pollutant rates (E_h) are obtained (e.g., continuous emission monitoring system values), compute the rolling average carbon monoxide pollutant rate (E_a) for each 12-hour period using the following equation:

Figure: 30 TAC §113.2356(d)

§113.2357. Tables Relating to Division 5.

(a) Table 1 of this subsection specifies the compliance schedule for Division 5 of this subchapter.

Figure: 30 TAC §113.2357(a)

(b) Table 2 of this subsection specifies the emission limitations for Division 5 of this subchapter.

Figure: 30 TAC §113.2357(b)

(c) Table 3 of this subsection specifies the operating limits for incinerators and wet scrubbers for Division 5 of this subchapter.

Figure: 30 TAC §113.2357(c)

(d) Table 4 of this subsection specifies the requirements for continuous emission monitoring systems for Division 5 of this subchapter.

Figure: 30 TAC §113.2357(d)

(e) Table 5 of this subsection is a summary of the reporting requirements for Division 5 of this subchapter.

Figure: 30 TAC §113.2357(e)

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

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Robert Martinez
Director, Environmental Law Division
Texas Commission on Environmental Quality
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For further information, please call: (512) 239-2548

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CHAPTER 334. UNDERGROUND AND ABOVEGROUND STORAGE TANKS

The Texas Commission on Environmental Quality (agency, commission, or TCEQ) proposes amendments to §§334.71, 334.201, and 334.503.

BACKGROUND AND SUMMARY OF THE FACTUAL BASIS FOR THE PROPOSED RULES

In a prior rulemaking proposal published May 2, 2008, the commission sought input regarding the appropriateness of whether Leaking Petroleum Storage Tank (LPST) sites should be removed from the requirements of Chapter 350 to support statutory changes made to Texas Water Code (TWC), §26.351(a) and (i), by House Bill 3554, 80th Legislature, 2007, authored by Representative Carl Isett. The commission directed staff at the October 8, 2008 Agenda to initiate rulemaking and address the LPST issue in a comprehensive rulemaking for both Chapter 334 and 30 TAC Chapter 350, Texas Risk Reduction Program.

SECTION BY SECTION DISCUSSION

Subchapter D - Release, Reporting, and Corrective Action

The commission proposes to amend §334.71(a) to remove language requiring the use of Chapter 350 for releases discovered and reported to the agency on or after September 1, 2003. Currently, LPST sites discovered and reported on or after September 1, 2003 are required to follow Chapter 334, with the exception that Chapter 350 be used in lieu of §§334.78 - 334.81. This proposed amendment would effectively reinstate the use of §§334.78 - 334.81. Corresponding rule changes would be made to amend §350.2(g), by eliminating language requiring compliance with Chapter 350, for the assessment, response actions, and post-response action care for releases of regulated substances from underground storage tanks (USTs) or aboveground storage tanks (ASTs).

Subchapter G - Target Concentration Criteria

The commission proposes to amend §334.201(a) and (b), to remove the applicability of the Texas Risk Reduction Program to the criteria by which target concentrations are established for cleanup of LPST site releases. The commission also proposes