

The Texas Commission on Environmental Quality (commission) adopts the amendments to §§113.100, 113.110, 113.120, 113.130, 113.140, 113.170, 113.180, 113.190, 113.200, 113.220, 113.230, 113.240, 113.250, 113.260, 113.280, 113.290, 113.300, 113.320, 113.330, 113.340, 113.350, 113.360, 113.380, 113.390, 113.400, 113.410, 113.420, 113.430, 113.440, 113.460, 113.470, 113.480, 113.490, 113.530, 113.600, 113.610, 113.620, 113.640, 113.650, 113.660, 113.670, 113.690, 113.700, 113.710, 113.720, 113.730, 113.750, 113.770, 113.790, and 113.810, and adopts new §§113.105, 113.106, 113.880, 113.890, 113.920, 113.940, 113.960, 113.980, 113.990, 113.1000, 113.1010, 113.1060, 113.1080, 113.1090, 113.1100, 113.1110, 113.1120, 113.1140, 113.1150, 113.1160, 113.1170, 113.1180, 113.1190, 113.1200, 113.1210, 113.1220, 113.1230, 113.1250, 113.1270, 113.1280, and 113.1290 *without changes* to the proposed text as published in the December 31, 2004, issue of the *Texas Register* (29 TexReg 12080), and will not be republished.

BACKGROUND AND SUMMARY OF THE FACTUAL BASIS FOR THE ADOPTED RULES

The amendments to Chapter 113 incorporate amendments that the United States Environmental Protection Agency (EPA) has made to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories, under 40 Code of Federal Regulations (CFR) Part 63. These are technology-based standards commonly referred to as the maximum achievable control technology (MACT) standards. In addition, the new sections incorporate by reference 29 MACT standards and two general MACT requirements that have not been previously incorporated into Chapter 113. The EPA is developing these national standards to regulate emissions of hazardous air pollutants under the Federal Clean Air Act (FCAA), §112, as codified in 42 United States Code (USC), §7412.

Under federal law, affected industries are required to implement the MACT standards regardless of whether the commission or the EPA is the agency responsible for implementation. As MACT standards are promulgated or amended by the EPA, they are reviewed for compatibility with current commission regulations and policies. The commission then incorporates them into Chapter 113 through formal rulemaking procedures. After each MACT standard or amendment is adopted, the commission will seek formal delegation from the EPA under 40 CFR Part 63, Subpart E, which implements 42 USC, §7412(1). Upon delegation, the commission will be responsible for administering and enforcing the MACT requirements.

The commission incorporates amendments that the EPA has made to the 40 CFR Part 63 General Provisions and 49 of the federal MACT standards previously incorporated into the commission rules by updating the federal promulgation dates and Federal Register (FR) citations stated in the commission rules. The standards, along with their corresponding Chapter 113 sections and original incorporation date, are listed in the following table.

Figure: 30 TAC Chapter 113 Preamble-1

40 CFR Part 63 Subpart (Chapter 113, Section)	Section Title	Original Incorporation (Commission Adoption)
A (§113.100)	General Provisions	June 25, 1997
F (§113.110)	Synthetic Organic Chemical Manufacturing Industry	June 25, 1997
G (§113.120)	Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater	June 25, 1997
H (§113.130)	Organic Hazardous Air Pollutants for Equipment Leaks	June 25, 1997
I (§113.140)	Certain Processes Subject to the Negotiated Regulations for Equipment Leaks	June 25, 1997
L (§113.170)	Coke Oven Batteries	July 14, 1999
M (§113.180)	Perchloroethylene Dry Cleaning Facilities	October 15, 1997
N (§113.190)	Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks	October 15, 1997
O (§113.200)	Ethylene Oxide Emissions Standards for Sterilization Facilities	October 15, 1997
Q (§113.220)	Industrial Process Cooling Towers	June 25, 1997
R (§113.230)	Gasoline Distribution Facilities	June 25, 1997
S (§113.240)	Pulp and Paper Industry	July 14, 1999
T (§113.250)	Halogenated Solvent Cleaning	June 25, 1997
U (§113.260)	Group I Polymers and Resins	October 7, 1998
W (§113.280)	Epoxy Resins Production and Non-Nylon Polyamides Production	October 15, 1997
X (§113.290)	Secondary Lead Smelting	June 25, 1997

40 CFR Part 63 Subpart (Chapter 113, Section)	Section Title	Original Incorporation (Commission Adoption)
Y (§113.300)	Marine Vessel Loading	June 25, 1997
AA (§113.320)	Phosphoric Acid Manufacturing Plants	June 14, 2000
BB (§113.330)	Phosphate Fertilizers Production Plants	June 14, 2000
CC (§113.340)	Petroleum Refineries	October 15, 1997
DD (§113.350)	Off-Site Waste and Recovery Operations	October 7, 1998
EE (§113.360)	Magnetic Tape Manufacturing Operations	June 25, 1997
GG (§113.380)	Aerospace Manufacturing and Rework Facilities	October 15, 1997
HH (§113.390)	Oil and Natural Gas Production Facilities	June 14, 2000
II (§113.400)	Shipbuilding and Ship Repair (Surface Coating)	October 7, 1998
JJ (§113.410)	Wood Furniture Manufacturing Operations	July 14, 1999
KK (§113.420)	Printing and Publishing	October 7, 1998
LL (§113.430)	Primary Aluminum Reduction Plants	July 14, 1999
MM (§113.440)	Chemical Recovery Combustion Sources at Kraft, Soda, Sulfitite, and Stand-Alone Semicemical Pulp Mills	June 18, 2003
OO (§113.460)	Tanks Level 1	July 14, 1999
PP (§113.470)	Containers	July 14, 1999
QQ (§113.480)	Surface Impoundments	July 14, 1999
RR (§113.490)	Individual Drain Systems	July 14, 1999
VV (§113.530)	Oil Water Separators and Organic-Water Separators	July 15, 1999
CCC (§113.600)	Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants	June 14, 2000
DDD (§113.610)	Mineral Wool Production	June 14, 2000
EEE (§113.620)	Hazardous Waste Combustors	July 14, 1999

40 CFR Part 63 Subpart (Chapter 113, Section)	Section Title	Original Incorporation (Commission Adoption)
GGG (§113.640)	Pharmaceuticals Production	July 14, 1999
HHH (§113.650)	Natural Gas Transmission and Storage Facilities	June 14, 2000
III (§113.660)	Flexible Polyurethane Foam Production	July 14, 1999
JJJ (§113.670)	Group IV Polymers and Resins	October 7, 1998
LLL (§113.690)	Portland Cement Manufacturing Industry	June 14, 2000
MMM (§113.700)	Pesticide Active Ingredient Production	June 14, 2000
NNN (§113.710)	Wool Fiberglass Manufacturing	June 14, 2000
OOO (§113.720)	Manufacture of Amino/Phenolic Resins	June 14, 2000
PPP (§113.730)	Polyether Polyols Production	June 14, 2000
RRR (§113.750)	Secondary Aluminum Production	June 18, 2003
TTT (§113.770)	Primary Lead Smelting	June 14, 2000
VVV (§113.790)	Publicly Owned Treatment Works	June 14, 2000
XXX (§113.810)	Ferroalloys Production: Ferromanganese and Silicomanganese	June 14, 2000

The commission also incorporates by reference, without change, 29 recent federal MACT standards not currently included in Chapter 113. In addition, the commission incorporates by reference, without change, general provisions related to FCAA, §112(j), as implemented by the EPA under 40 CFR §§63.50 - 63.56 (concerning Applicability, Definitions, Approval Process for New and Existing Emission Units, Application Content for Case-by-Case MACT Determinations, Preconstruction Review Procedures for New Emission Units, MACT Determinations for Emission Units Subject to Case-by-

Case Determination of Equivalent Emission Limitations, and Requirements for Case-by-Case Determination of Equivalent Emission Limitations after Promulgation of a Subsequent MACT Standard). The commission also incorporates by reference, without change, 40 CFR Part 63 Subpart C, concerning the List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List. These additions are summarized in the following table.

Figure: 30 TAC Chapter 113 Preamble-2

40 CFR Part 63 Subpart (Chapter 113 Section)	Section Title
B (§113.105)	Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act, Section 112(j)
C (§113.106)	List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List
EEEE (§113.880)	Organic Liquids Distribution (Non-Gasoline)
FFFF (§113.890)	Miscellaneous Organic Chemical Manufacturing
III (§113.920)	Surface Coating of Automobiles and Light-Duty Trucks
KKKK (§113.940)	Surface Coating of Metal Cans
MMMM (§113.960)	Surface Coating of Miscellaneous Metal Parts and Products
OOOO (§113.980)	Printing, Coating, and Dyeing of Fabrics and Other Textiles
PPPP (§113.990)	Surface Coating of Plastic Parts and Products
QQQQ (§113.1000)	Surface Coating of Wood Building Products
RRRR (§113.1010)	Surface Coating of Metal Furniture
WWWW (§113.1060)	Reinforced Plastic Composites Production
YYYY (§113.1080)	Stationary Combustion Turbines

40 CFR Part 63 Subpart (Chapter 113 Section)	Section Title
ZZZZ (§113.1090)	Stationary Reciprocating Internal Combustion Engines
AAAAA (§113.1100)	Lime Manufacturing Plants
BBBBB (§113.1110)	Semiconductor Manufacturing
CCCCC (§113.1120)	Coke Ovens: Pushing, Quenching, and Battery Stacks
EEEEE (§113.1140)	Iron and Steel Foundries
FFFFF (§113.1150)	Integrated Iron and Steel Manufacturing Facilities
GGGGG (§113.1160)	Site Remediation
HHHHH (§113.1170)	Miscellaneous Coating Manufacturing
IIIII (§113.1180)	Mercury Emissions from Mercury Cell Chlor-Alkali Plants
JJJJJ (§113.1190)	Brick and Structural Clay Products Manufacturing
KKKKK (§113.1200)	Clay Ceramics Manufacturing
LLLLL (§113.1210)	Asphalt Processing and Asphalt Roofing Manufacturing
MMMMM (§113. 1220)	Flexible Polyurethane Foam Fabrication Operations
NNNNN (§113.1230)	Hydrochloric Acid Production
PPPPP (§113.1250)	Engine Test Cells/Stands
RRRRR (§113.1270)	Taconite Iron Ore Processing
SSSSS (§113.1280)	Refractory Products Manufacturing
TTTTT (§113.1290)	Primary Magnesium Refining

SECTION BY SECTION DISCUSSION

Subchapter C: National Emission Standards for Hazardous Air Pollutants for Source Categories (FCAA, §112, 40 Code of Federal Regulations Part 63)

Throughout the new and amended sections, where needed, the commission adds “Part” to the titles of each section to conform to Texas Register guidelines. Additionally, throughout the amendments, the commission is adding the word “Part” after the phrase “Code of Federal Regulations.” Similarly, where the acronym “CFR” is used in existing sections, it is expanded to the Code of Federal Regulations. These amendments are made so that the rule language will conform to commission and Texas Register formatting and style standards.

Section 113.100 - General Provisions (40 Code of Federal Regulations Part 63, Subpart A)

The commission amends §113.100 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart A made by the EPA since April 12, 1999. During this time frame, EPA amended 40 CFR Part 63 Subpart A on June 10, 1999 (64 FR 31375), October 17, 2000 (65 FR 62215), March 12, 2001 (66 FR 14324), June 8, 2001 (66 FR 30822), July 3, 2001 (66 FR 35087), October 2, 2001 (66 FR 50124), January 29, 2002 (67 FR 4184), February 14, 2002 (67 FR 6986), February 27, 2002 (67 FR 9162), April 5, 2002 (67 FR 16595), June 10, 2002 (67 FR 39812), July 23, 2002 (67 FR 48262), December 4, 2002 (67 FR 72341), February 18, 2003 (68 FR 7713), April 21, 2003 (68 FR 19402), May 6, 2003 (68 FR 23898), May 20, 2003 (68 FR 27663), May 23, 2003 (68 FR 28619), May 27, 2003 (68 FR 28784), May 28, 2003 (68 FR 31615 and 31760), May 29, 2003 (68 FR 32189), May 30, 2003 (68 FR 32600), June 17, 2003 (68 FR 35792), November 13, 2003 (68 FR 64446), December 19, 2003 (68 FR 70965), January 2, 2004 (69 FR 157), February 3, 2004 (69 FR

5063), April 19, 2004 (69 FR 20990), April 22, 2004 (69 FR 21752), April 26, 2004 (69 FR 22623), and June 15, 2004 (69 FR 33506).

The June 10, 1999, amendments revised 40 CFR §63.14 by incorporating by reference several test methods associated with 40 CFR Part 63, Subparts AA and BB (MACTs for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production, respectively).

The October 17, 2000, amendments included numerous editorial and technical changes to testing and monitoring provisions, as well as changes in the format of test methods and performance specifications. These amendments corrected typographical errors, corrected technical errors, updated test methods to more current versions, and removed or revised obsolete narrative material. The affected sections included 40 CFR §63.7, Performance Testing Requirements, §63.11, Control Device Requirements, and §63.14, Incorporations by Reference, as well as various individual test methods in 40 CFR Part 63, Appendix A.

The March 12, 2001, amendments granted Puget Sound Clean Air authority to implement and enforce its perchloroethylene dry cleaning regulation in place of the federal dry cleaning MACT, for area sources in Puget Sound Clean Air's jurisdiction. This action revised 40 CFR §63.14 by incorporating the Puget Sound regulations under 40 CFR §63.14(d)(2).

The June 8, 2001, amendments granted the Delaware Department of Natural Resources and Environmental Control authority to implement and enforce its accidental release prevention regulation

in place of similar federal requirements. This action revised 40 CFR §63.14 by incorporating the Delaware regulations under 40 CFR §63.14(d)(3).

The July 3, 2001, amendments granted the New Jersey Department of Environmental Protection the authority to implement and enforce portions of the State of New Jersey's Toxic Catastrophe Prevention Act Program in place of the Federal Chemical Accident Prevention regulations, promulgated by the EPA under FCAA, §112(r), for all stationary sources with covered processes ("subject sources") under New Jersey's jurisdiction. This action revised 40 CFR §63.14 by incorporating the New Jersey Toxic Catastrophe Prevention Act Program under 40 CFR §63.14(d)(2).

The October 2, 2001, amendments approved certain Delaware Department of Natural Resources and Environmental Control regulations as equivalent to FCAA, §112(d) requirements as set forth in 40 CFR Part 63, Subparts A, M, N, and Q, respectively, for affected sources in the State of Delaware. This action revised 40 CFR §63.14 and §63.99, Delegated Federal Authorities, to reflect the incorporation and federal enforceability of Delaware Department of Natural Resources and Environmental Control's regulations under 40 CFR §63.14(d)(3).

The January 29, 2002, amendments revised 40 CFR §63.13, Addresses of State Air Pollution Control Agencies and EPA Regional Offices, by correcting the address listed for EPA Region III.

The February 14, 2002, amendments revised 40 CFR §63.14 by incorporating by reference American Society of Mechanical Engineers (ASME) standard numbers QHO-1-1994 and QHO-1a-1996

Addenda. This ASME standard is titled “Standard for the Qualification and Certification of Hazardous Waste Incinerator Operators,” and was added as 40 CFR §63.14(i) in conjunction with revisions to 40 CFR Part 63, Subpart EEE (MACT for Hazardous Waste Combustors).

The February 27, 2002, amendments revised 40 CFR §63.14 by adding and reserving §63.14(b)(19) and (20), and incorporating by reference American Society for Testing and Materials (ASTM) method D2099-00 under 40 CFR §63.14(b)(21). This test method was incorporated in conjunction with the addition of 40 CFR Part 63, Subpart TTTT (MACT for Leather Finishing Operations).

The April 5, 2002, amendments to 40 CFR Part 63, Subpart A contained numerous clarifications and changes as a result of settlement negotiations with six petitioners, and various public comments.

Amendments to 40 CFR §63.5, Construction and Reconstruction, streamlined preconstruction review requirements, including a provision to allow state or local agencies to use preconstruction review procedures used for other purposes to satisfy the federal preconstruction review requirements in 40 CFR Part 63, Subpart A. The amendments to 40 CFR §63.6, Compliance with Standards and Maintenance Requirements, added a notification requirement applicable to revisions of startup, shutdown, and malfunction plans, and added more comprehensive reporting requirements associated with malfunction events. The amendments also added language to clarify that startup, shutdown, and malfunction plans are not by themselves part of a facility’s operating permit, such that startup, shutdown, and malfunction plans can be revised without revising the operating permit. The amendments to 40 CFR §63.6 also revised compliance extension provisions, allowing affected sources greater flexibility to request compliance extensions. The amendments to 40 CFR §63.8, Monitoring

Requirements, clarified the owner or operator's obligations with respect to the accessibility of readouts from monitoring systems required for compliance, to ensure that this information is readily accessible to inspectors. The amendments also revised and created numerous definitions under 40 CFR §63.2, Definitions, including revisions to the definition of "affected source" and a definition of "new affected source."

The June 10, 2002, amendments revised 40 CFR §63.14 by incorporating test methods to support 40 CFR Part 63, Subpart SSSS (MACT for Surface Coating of Metal Coil).

The July 23, 2002, amendments revised 40 CFR §63.14 by revising and adding test methods to support 40 CFR Part 63, Subpart NNNN (MACT for Surface Coating of Large Appliances).

The December 4, 2002, amendments revised 40 CFR §63.14 by incorporating a test method to support 40 CFR Part 63, Subpart JJJJ (MACT for Paper and Other Web Coating).

The February 18, 2003, amendments revised 40 CFR §63.14 by revising and updating test methods related to 40 CFR Part 63, Subpart MM (MACT for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills).

The April 21, 2003, amendments revised 40 CFR §63.14 by incorporating a test method (ASTM D6420-99) to support 40 CFR Part 63, Subpart WWWW (MACT for Reinforced Plastic Composites Production).

The May 6, 2003, amendments revised 40 CFR §63.8 by making an administrative correction to §63.8(f).

The May 20, 2003, amendments revised 40 CFR §63.14 by incorporating a test method associated with 40 CFR Part 63, Subpart FFFFF (MACT for Integrated Iron and Steel Manufacturing).

The May 23, 2003, amendments revised 40 CFR §63.14 by incorporating test methods to support 40 CFR Part 63, Subpart RRRR (MACT for Surface Coating of Metal Furniture).

The May 27, 2003, amendments revised 40 CFR §63.14 by incorporating test methods to support 40 CFR Part 63, Subpart PFFFF (MACT for Engine Test Cells/Stands).

The May 28, 2003, amendments (68 FR 31615) granted the New Hampshire Department of Environmental Services the authority to implement New Hampshire Department of Environmental Services' "Management and Control of Asbestos Disposal Sites Not Operated After July 9, 1981" rule in lieu of some sections of the federal asbestos MACT rule. This action revised 40 CFR §63.14 by incorporating the New Hampshire rules under §63.14(d)(5).

The May 28, 2003, amendments (68 FR 31760) revised 40 CFR §63.14 by incorporating test methods associated with 40 CFR Part 63, Subpart QQQQ (MACT for Surface Coating of Wood Building Products).

The May 29, 2003, amendments revised 40 CFR §63.14 by incorporating a test method to support 40 CFR Part 63, Subpart OOOO (MACT for Printing, Coating, and Dyeing of Fabrics and Other Textiles).

The May 30, 2003, amendments revised 40 CFR §63.6 requirements associated with minimization of emissions and startup, shutdown, and malfunction plans, and clarified that startup, shutdown, and malfunction plans must be submitted to the EPA or the permitting authority upon request. The May 30, 2003, amendments also provided for public access to startup, shutdown, and malfunction plans, to be implemented through the permitting authority or by direct on-site inspection of the plan. The amendments also streamlined reporting requirements associated with startup, shutdown, and malfunction events, and added rule language to ensure that deficient startup, shutdown, and malfunction plans are revised to address the specified deficiencies. The amendments also revised the 40 CFR §63.2 definition of “malfunction” to only include events that may cause emission limitations to be exceeded, and expanded the definition of “monitoring” to include data or information collected for purposes of verifying compliance with work practice standards.

The June 17, 2003, amendments revised 40 CFR §63.13 by correcting the address listed for EPA Region VII.

The November 13, 2003, amendments revised 40 CFR §63.14 by incorporating test methods to support 40 CFR Part 63, Subpart KKKK (MACT for Surface Coating of Metal Cans).

The December 19, 2003, amendments revised 40 CFR §63.14 by incorporating test methods to support 40 CFR Part 63, Subpart R (MACT for Gasoline Distribution Facilities).

The January 2, 2004, amendments revised 40 CFR §63.14 by incorporating test methods to support 40 CFR Part 63, Subpart MMMM (MACT for Surface Coating of Miscellaneous Metal Parts and Products).

The February 3, 2004, amendments revised 40 CFR §63.14 by incorporating test methods to support 40 CFR Part 63, Subpart EEEE (MACT for Organic Liquids Distribution (Non-Gasoline)).

The April 19, 2004, amendments revised 40 CFR §63.14 by incorporating test methods to support 40 CFR Part 63, Subpart PPPP (MACT for Surface Coating of Plastic Parts and Products).

The April 22, 2004, amendments implemented a federal Performance Track program, which allows eligible sources to qualify for a reduction in the frequency of reporting.

The April 26, 2004, amendments revised 40 CFR §63.14 by incorporating test methods to support 40 CFR Part 63, Subpart IIII (MACT for Surface Coating of Automobiles and Light-Duty Trucks).

The June 15, 2004, amendments revised 40 CFR §63.14 by incorporating test methods to support 40 CFR Part 63, Subpart ZZZZ (MACT for Stationary Reciprocating Internal Combustion Engines).

Section 113.105 - Requirements for Control Technology Determinations for Major Sources in

Accordance with Clean Air Act, §112(j) (40 Code of Federal Regulations Part 63, Subpart B, §§63.50 - 63.56)

The commission adopts new §113.105, which will incorporate by reference, without change, the final promulgated rules and all amendments to 40 CFR §§63.50 - 63.56 adopted by the EPA since May 20, 1994. Adopted §113.105 implements the requirements of FCAA, §112(j), by ensuring control of hazardous air pollutant emissions if the EPA should miss a scheduled MACT promulgation date. FCAA, §112(j) is commonly referred to as the “MACT hammer.” If the EPA fails to promulgate an emission standard by the applicable FCAA, §112(j) deadline, major sources in that source category must submit to their respective state (or local) agencies a permit application to obtain source-specific case-by-case MACT. Conditions of the case-by-case MACT determination must be incorporated into the Title V operating permit.

Section 113.106 - List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List (40 Code of Federal Regulations Part 63, Subpart C)

The commission adopts new §113.106, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart C adopted by the EPA on June 18, 1996 (61 FR 30823), as amended on August 2, 2000 (65 FR 47348) and November 29, 2004 (69 FR 69325). Incorporation of 40 CFR Part 63, Subpart C into Chapter 113 is necessary because Subpart C is the mechanism by which the list of hazardous air pollutants is updated. The June 18, 1996, amendments deleted caprolactam from the list of hazardous air pollutants and reserved 40 CFR §§63.61 - 63.69 for future use. The August 2, 2000, amendments altered the definition of glycol ether compounds referenced in

the list of hazardous air pollutants. The November 29, 2004, amendments deleted ethylene glycol monobutyl ether from the list of hazardous air pollutants.

Section 113.110 - Synthetic Organic Chemical Manufacturing Industry (40 Code of Federal Regulations Part 63, Subpart F)

The commission amends §113.110 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart F made by the EPA since January 22, 2001. During this time frame, the EPA amended 40 CFR Part 63, Subpart F on June 23, 2003 (68 FR 37344). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.120 - Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater (40 Code of Federal Regulations Part 63, Subpart G)

The commission amends §113.120 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart G made by the EPA since January 22, 2001. During this time frame, the EPA amended 40 CFR Part 63, Subpart G on June 23, 2003 (68 FR 37344). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.130 - Organic Hazardous Air Pollutants for Equipment Leaks (40 Code of Federal Regulations Part 63, Subpart H)

The commission amends §113.130 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart H made by the EPA since January 22, 2001. During this time frame, the EPA amended 40 CFR Part 63, Subpart H on June 23, 2003 (68 FR 37345). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The June 23, 2003, amendments also slightly rephrased some sections to more clearly separate delegable requirements from non-delegable requirements.

Section 113.140 - Certain Processes Subject to the Negotiated Regulation for Equipment Leaks (40 Code of Federal Regulations Part 63, Subpart I)

The commission amends §113.140 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart I made by the EPA since January 17, 1997. During this time frame, the EPA amended 40 CFR Part 63, Subpart I on June 23, 2003 (68 FR 37345). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.170 - Coke Oven Batteries (40 Code of Federal Regulations Part 63, Subpart L)

The commission amends §113.170 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart L made by the EPA since October 17, 2000. During this time frame, the EPA amended 40 CFR Part 63, Subpart L on June 23, 2003 (68 FR 37345). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The June 23,

2003, amendments also rephrased some sections to more clearly separate delegable requirements from non-delegable requirements, and to provide language more consistent with the revised delegation of authority provisions.

Section 113.180 - Perchloroethylene Dry Cleaning Facilities (40 CFR Part 63, Subpart M)

The commission amends §113.180 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart M made by the EPA since December 14, 1999. During this time frame, the EPA amended 40 CFR Part 63, Subpart M on June 23, 2003 (68 FR 37347). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.190 - Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 Code of Federal Regulations Part 63, Subpart N)

The commission amends §113.190 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart N made by the EPA since December 14, 1999. During this time frame, the EPA amended 40 CFR Part 63, Subpart N on June 23, 2003 (68 FR 37347) and on July 19, 2004 (69 FR 42894). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The June 23, 2003, amendments also rephrased some sections to more clearly separate delegable requirements from non-delegable requirements, and to provide language more consistent with the revised delegation of authority provisions. The July 19, 2004, amendments addressed five technical areas: 1) the use of fume suppressants for controlling chromium emissions from hard chromium

electroplating tanks; 2) a revised surface tension limit for decorative chromium electroplating tanks when measuring surface tension with a tensiometer; 3) an alternate emission limit for hard chromium electroplating tanks equipped with enclosing hoods; 4) revised definitions for chromium electroplating and chromium anodizing tanks; and 5) the pressure drop monitoring requirement for composite mesh pad control systems. The July 19, 2004, amendments affected the emission limits, definitions, compliance provisions, and performance testing requirements of this MACT standard.

Section 113.200 - Ethylene Oxide Emissions Standards for Sterilization Facilities (40 Code of Federal Regulations Part 63, Subpart O)

The commission amends §113.200 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart O made by the EPA since November 2, 2001. During this time frame, the EPA amended 40 CFR Part 63, Subpart O on June 23, 2003 (68 FR 37348). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.220 - Industrial Process Cooling Towers (40 Code of Federal Regulations Part 63, Subpart Q)

The commission amends §113.220 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart Q made by the EPA since July 23, 1998. During this time frame, the EPA amended 40 CFR Part 63, Subpart Q on June 23, 2003 (68 FR 37348). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.230 - Gasoline Distribution Facilities (40 Code of Federal Regulations Part 63, Subpart R)

The commission amends §113.230 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart R made by the EPA since January 16, 1998. During this time frame, the EPA amended 40 CFR Part 63, Subpart R on June 23, 2003 (68 FR 37348) and December 19, 2003 (68 FR 70965). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The December 19, 2003, amendments clarified testing, monitoring, and recordkeeping requirements, and added additional flexibility to testing and recordkeeping requirements.

Section 113.240 - Pulp and Paper Industry (40 Code of Federal Regulations Part 63, Subpart S)

The commission amends §113.240 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart S made by the EPA since May 14, 2001. During this time frame, the EPA amended 40 CFR Part 63, Subpart S on June 27, 2001 (66 FR 34124), October 16, 2001 (66 FR 52538), and June 23, 2003 (68 FR 37348). The June 27, 2001, amendments implemented site-specific emission control requirements for a pulp mill facility in Georgia. The October 16, 2001, amendments contained technical corrections to the June 27, 2001, amendments. The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The June 23, 2003, amendments also rephrased some sections to more clearly separate delegable requirements from non-delegable requirements, and to provide language more consistent with the revised delegation of authority provisions.

Section 113.250 - Halogenated Solvent Cleaning (40 Code of Federal Regulations Part 63, Subpart T)

The commission amends §113.250 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart T made by the EPA since September 8, 2000. During this time frame, the EPA amended 40 CFR Part 63, Subpart T on June 23, 2003 (68 FR 37349). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The June 23, 2003, amendments also rephrased some sections to more clearly separate delegable requirements from non-delegable requirements, and to provide language more consistent with the revised delegation of authority provisions.

Section 113.260 - Group I Polymers and Resins (40 Code of Federal Regulations Part 63, Subpart U)

The commission amends §113.260 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart U made by the EPA since July 16, 2001. During this time frame, the EPA amended 40 CFR Part 63, Subpart U on June 23, 2003 (68 FR 37349). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.280 - Epoxy Resins Production and Non-Nylon Polyamides Production (40 Code of Federal Regulations Part 63, Subpart W)

The commission amends §113.280 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart W made by the EPA since May 8, 2000. During this time frame, 40 CFR Part 63, Subpart W was amended on June 23, 2003 (68 FR 37350). The June 23, 2003, amendments

clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.290 - Secondary Lead Smelting (40 Code of Federal Regulations Part 63, Subpart X)

The commission amends §113.290 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart X made by the EPA since December 14, 1999. During this time frame, the EPA amended 40 CFR Part 63, Subpart X on June 23, 2003 (68 FR 37350). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The June 23, 2003, amendments also rephrased some sections to provide language more consistent with the revised delegation of authority provisions.

Section 113.300 - Marine Vessel Loading (40 Code of Federal Regulations Part 63, Subpart Y)

The commission amends §113.300 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart Y made by the EPA since September 19, 1995. During this time frame, the EPA amended 40 CFR Part 63, Subpart Y on June 23, 2003 (68 FR 37350). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The June 23, 2003, amendments also rephrased some sections to more clearly separate delegable requirements from non-delegable requirements, and to provide language more consistent with the revised delegation of authority provisions.

Section 113.320 - Phosphoric Acid Manufacturing Plants (40 Code of Federal Regulations Part 63, Subpart AA)

The commission amends §113.320 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart AA made by the EPA since June 13, 2002. During this time frame, 40 CFR Part 63, Subpart AA was amended on June 23, 2003 (68 FR 37351). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.330 - Phosphate Fertilizers Production Plants (40 Code of Federal Regulations Part 63, Subpart BB)

The commission amends §113.330 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart BB made by the EPA since June 13, 2002. During this time frame, 40 CFR Part 63, Subpart BB was amended on June 23, 2003 (68 FR 37351). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.340 - Petroleum Refineries (40 Code of Federal Regulations Part 63, Subpart CC)

The commission amends §113.340 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart CC made by the EPA since May 25, 2001. During this time frame, the EPA amended 40 CFR Part 63, Subpart CC on June 23, 2003 (68 FR 37351). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.350 - Off-Site Waste and Recovery Operations (40 Code of Federal Regulations Part 63, Subpart DD)

The commission amends §113.350 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart DD made by the EPA since January 8, 2001. During this time frame, 40 CFR Part 63, Subpart DD was amended on June 23, 2003 (68 FR 37351). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The June 23, 2003, amendments also rephrased some sections to more clearly separate delegable requirements from non-delegable requirements, and to provide language more consistent with the revised delegation of authority provisions.

Section 113.360 - Magnetic Tape Manufacturing Operations (40 Code of Federal Regulations Part 63, Subpart EE)

The commission amends §113.360 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart EE made by the EPA since April 9, 1999. During this time frame, the EPA amended 40 CFR Part 63, Subpart EE on June 23, 2003 (68 FR 37352). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.380 - Aerospace Manufacturing and Rework Facilities (40 Code of Federal Regulations Part 63, Subpart GG)

The commission amends §113.380 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart GG made by the EPA since December 8, 2000. During this time frame, the EPA amended 40 CFR Part 63, Subpart GG on June 23, 2003 (68 FR 37352). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.390 - Oil and Natural Gas Production Facilities (40 Code of Federal Regulations Part 63, Subpart HH)

The commission amends §113.390 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart HH made by the EPA since June 29, 2001. During this time frame, 40 CFR Part 63, Subpart HH was amended on June 23, 2003 (68 FR 37353). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The June 23, 2003, amendments also rephrased some sections to more clearly separate delegable requirements from non-delegable requirements, and to provide language more consistent with the revised delegation of authority provisions.

Section 113.400 - Shipbuilding and Ship Repair (Surface Coating) (40 Code of Federal Regulations Part 63, Subpart II)

The commission amends §113.400 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart II made by the EPA since October 17, 2000. During this time frame, 40 CFR Part 63, Subpart II was amended on June 23, 2003 (68 FR 37353). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.410 - Wood Furniture Manufacturing Operations (40 Code of Federal Regulations Part 63, Subpart JJ)

The commission amends §113.410 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart JJ made by the EPA since December 28, 1998. During this time frame, 40 CFR Part 63, Subpart JJ was amended on June 23, 2003 (68 FR 37353). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The June 23, 2003, amendments also rephrased some sections to more clearly separate delegable requirements from non-delegable requirements, and to provide language more consistent with the revised delegation of authority provisions.

Section 113.420 - Printing and Publishing (40 Code of Federal Regulations Part 63, Subpart KK)

The commission amends §113.420 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart KK made by the EPA since May 30, 1996. During this time frame, 40 CFR Part 63, Subpart KK was amended on June 23, 2003 (68 FR 37354). The June 23, 2003, amendments

clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.430 - Primary Aluminum Reduction Plants (40 Code of Federal Regulations Part 63, Subpart LL)

The commission amends §113.430 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart LL made by the EPA since October 7, 1997. During this time frame, 40 CFR Part 63, Subpart LL was amended on June 23, 2003 (68 FR 37354). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.440 - Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicheical Pulp Mills (40 Code of Federal Regulations Part 63, Subpart MM)

The commission amends §113.440 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart MM made by the EPA since August 6, 2001. During this time frame, 40 CFR Part 63, Subpart MM was amended on February 18, 2003 (68 FR 7713), July 18, 2003 (68 FR 42605), August 5, 2003 (68 FR 46108), December 5, 2003 (68 FR 67954), and May 6, 2004 (69 FR 25323). The February 18, 2003, amendments clarified and consolidated monitoring and testing requirements and added a site-specific alternative standard for a facility in the State of Washington. The July 18, 2003, amendments deleted certain provisions previously adopted on February 18, 2003, which were the subject of adverse comments, and corrected a typographical error and a cross-referencing error. The August 5, 2003, amendments extended the compliance date for a site-specific

emission control project in Virginia. The December 5, 2003, amendments implemented technical corrections to restore monitoring and recordkeeping provisions inadvertently deleted by the July 18, 2003, amendments, and added clarifying language which was inadvertently omitted from an emission standard in the January 12, 2001, final rule. The May 6, 2004, amendments corrected cross-references in order to be consistent with changes made in the February 18, 2003, amendments.

Section 113.460 - Tanks-Level 1 (40 Code of Federal Regulations Part 63, Subpart OO)

The commission amends §113.460 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart OO made by the EPA since July 20, 1999. During this time frame, 40 CFR Part 63, Subpart OO was amended on June 23, 2003 (68 FR 37354). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.470 - Containers (40 Code of Federal Regulations Part 63, Subpart PP)

The commission amends §113.470 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart PP made by the EPA since January 8, 2001. During this time frame, 40 CFR Part 63, Subpart PP was amended on June 23, 2003 (68 FR 37355). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.480 - Surface Impoundments (40 Code of Federal Regulations Part 63, Subpart QQ)

The commission amends §113.480 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart QQ made by the EPA since July 20, 1999. During this time frame, 40 CFR Part 63, Subpart QQ was amended on June 23, 2003 (68 FR 37355). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.490 - Individual Drain Systems (40 Code of Federal Regulations Part 63, Subpart RR)

The commission amends §113.490 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart RR made by the EPA since January 8, 2001. During this time frame, 40 CFR Part 63, Subpart RR was amended on June 23, 2003 (68 FR 37355). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.530 - Oil-Water Separators and Organic-Water Separators (40 Code of Federal Regulations Part 63, Subpart VV)

The commission amends §113.530 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart VV made by the EPA since January 8, 2001. During this time frame, 40 CFR Part 63, Subpart VV was amended on June 23, 2003 (68 FR 37355). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.600 - Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants (40 Code of Federal Regulations Part 63, Subpart CCC)

The commission amends §113.600 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart CCC made by the EPA since June 22, 1999. During this time frame, 40 CFR Part 63, Subpart CCC was amended on June 23, 2003 (68 FR 37356). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.610 - Mineral Wool Production (40 Code of Federal Regulations Part 63, Subpart DDD)

The commission amends §113.610 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart DDD made by the EPA since June 1, 1999. During this time frame, 40 CFR Part 63, Subpart DDD was amended on June 23, 2003 (68 FR 37356). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.620 - Hazardous Waste Combustors (40 Code of Federal Regulations Part 63, Subpart EEE)

The commission amends §113.620 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart EEE made by the EPA since December 19, 2002. During this time frame, the EPA amended 40 CFR Part 63, Subpart EEE on June 23, 2003 (68 FR 37356). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal

authorities, and identified provisions for which the EPA retains exclusive authority. The adopted rule also corrects two typographical errors in §113.620.

Section 113.640 - Pharmaceuticals Production (40 Code of Federal Regulations Part 63, Subpart GGG)

The commission amends §113.640 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart GGG made by the EPA since April 2, 2002. During this time frame, the EPA amended 40 CFR Part 63, Subpart GGG on June 23, 2003 (68 FR 37356). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.650 - Natural Gas Transmission and Storage Facilities (40 Code of Federal Regulations Part 63, Subpart HHH)

The commission amends §113.650 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart HHH made by the EPA since February 22, 2002. During this time frame, the EPA amended 40 CFR Part 63, Subpart HHH on June 23, 2003 (68 FR 37357). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The June 23, 2003, amendments also restructured some sections to more clearly separate delegable requirements from non-delegable requirements, and to provide language more consistent with the revised delegation of authority provisions.

Section 113.660 - Flexible Polyurethane Foam Production (40 Code of Federal Regulations Part 63, Subpart III)

The commission amends §113.660 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart III made by the EPA since October 7, 1998. During this time frame, the EPA amended 40 CFR Part 63, Subpart III on June 23, 2003 (68 FR 37357). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.670 - Group IV Polymers and Resins (40 Code of Federal Regulations Part 63, Subpart JJJ)

The commission amends §113.670 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart JJJ made by the EPA since August 6, 2001. During this time frame, the EPA amended 40 CFR Part 63, Subpart JJJ on June 23, 2003 (68 FR 37357), with corrections published on June 2, 2004 (69 FR 31008). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The June 2, 2004, correction modified 40 CFR §63.1331, Equipment Leak Provisions.

Section 113.690 - Portland Cement Manufacturing Industry (40 Code of Federal Regulations Part 63, Subpart LLL)

The commission amends §113.690 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart LLL made by the EPA since December 6, 2002. During this time frame, the

EPA amended 40 CFR Part 63, Subpart LLL on June 23, 2003 (68 FR 37359). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.700 - Pesticide Active Ingredient Production (40 Code of Federal Regulations Part 63, Subpart MMM)

The commission amends §113.700 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart MMM made by the EPA since September 20, 2002. During this time frame, the EPA amended 40 CFR Part 63, Subpart MMM on June 23, 2003 (68 FR 37358). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The June 23, 2003, amendments also restructured some sections to more clearly separate delegable requirements from non-delegable requirements, and to provide language more consistent with the revised delegation of authority provisions.

Section 113.710 - Wool Fiberglass Manufacturing (40 Code of Federal Regulations Part 63, Subpart NNN)

The commission amends §113.710 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart NNN made by the EPA since June 14, 1999. During this time frame, the EPA amended 40 CFR Part 63, Subpart NNN on June 23, 2003 (68 FR 37358). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.720 - Manufacture of Amino/Phenolic Resins (40 Code of Federal Regulations Part 63, Subpart OOO)

The commission amends §113.720 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart OOO made by the EPA since February 22, 2000. During this time frame, the EPA amended 40 CFR Part 63, Subpart OOO on June 23, 2003 (68 FR 37359). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.730 - Polyether Polyols Production (40 Code of Federal Regulations Part 63, Subpart PPP)

The commission amends §113.730 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart PPP made by the EPA since May 8, 2000. During this time frame, the EPA amended 40 CFR Part 63, Subpart PPP on June 23, 2003 (68 FR 37359), with corrections published on July 1, 2004 (69 FR 39862). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority. The July 1, 2004, corrections modified several table headings and corrected Equation 11 in 40 CFR §63.1427.

Section 113.750 - Secondary Aluminum Production (40 Code of Federal Regulations Part 63, Subpart RRR)

The commission amends §113.750 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart RRR adopted by the EPA since December 30, 2002. During this time frame, the EPA amended 40 CFR Part 63, Subpart RRR on June 23, 2003 (68 FR 37359). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.770 - Primary Lead Smelting (40 Code of Federal Regulations Part 63, Subpart TTT)

The commission amends §113.770 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart TTT adopted by the EPA since June 4, 1999. During this time frame, the EPA amended 40 CFR Part 63, Subpart TTT on June 23, 2003 (68 FR 37360). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.790 - Publicly Owned Treatment Works (40 Code of Federal Regulations Part 63, Subpart VVV)

The commission amends §113.790 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart VVV made by the EPA since October 21, 2002. During this time frame, the EPA amended 40 CFR Part 63, Subpart VVV on June 23, 2003 (68 FR 37360). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.810 - Ferroalloys Production: Ferromanganese and Silicomanganese (40 Code of Federal Regulations Part 63, Subpart XXX)

The commission amends §113.810 by incorporating by reference, without change, all amendments to 40 CFR Part 63, Subpart XXX made by the EPA since March 22, 2001. During this time frame, the EPA amended 40 CFR Part 63, Subpart XXX on June 23, 2003 (68 FR 37360). The June 23, 2003, amendments clarified which provisions of this MACT can be delegated to state, local, and tribal authorities, and identified provisions for which the EPA retains exclusive authority.

Section 113.880 - Organic Liquids Distribution (Non-Gasoline) (40 Code of Federal Regulations Part 63, Subpart EEEE)

The commission adopts new §113.880, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart EEEE adopted by the EPA on February 3, 2004 (69 FR 5063). This MACT standard applies to new and existing non-gasoline organic liquid distribution operations that are located at, or are part of, a major source of hazardous air pollutant emissions. Hazardous air pollutants emitted from these operations include: benzene, ethylbenzene, toluene, vinyl chloride, and a large number of other organic hazardous air pollutants.

Section 113.890 - Miscellaneous Organic Chemical Manufacturing (40 Code of Federal Regulations Part 63, Subpart FFFF)

The commission adopts new §113.890, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart FFFF adopted by the EPA on November 10, 2003 (68 FR 63888). This MACT standard applies to new and existing miscellaneous organic chemical manufacturing process units, wastewater treatment and conveyance systems, transfer operations, and associated ancillary equipment. This standard applies to process units that are located at, or are part of, a major source of hazardous air pollutant emissions. Hazardous air pollutant emissions from these operations include: toluene, methanol, xylenes, hydrogen chloride, and methylene chloride.

Section 113.920 - Surface Coating of Automobiles and Light-Duty Trucks (40 Code of Federal Regulations Part 63, Subpart IIII)

The commission adopts new §113.920, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart IIII adopted by the EPA on April 26, 2004 (69 FR 22623). This MACT standard applies to new and existing auto and light-duty truck surface coating operations that are a major source, are located at a major source, or are part of a major source of hazardous air pollutant emissions. The primary hazardous air pollutants emitted by these facilities include: toluene, xylenes, glycol ethers, methyl ethyl ketone, methyl isobutyl ketone, ethylbenzene, and methanol.

Section 113.940 - Surface Coating of Metal Cans (40 Code of Federal Regulations Part 63, Subpart KKKK)

The commission adopts new §113.940, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart KKKK adopted by the EPA on November 13, 2003 (68 FR 64446). This MACT standard applies to new and existing metal can surface coating operations that are a major source, are located at a major source, or are part of a major source of hazardous air pollutants. The hazardous air pollutants emitted by these facilities include: certain glycol ethers, xylenes, hexane, methyl isobutyl ketone (MIBK), and methyl ethyl ketone (MEK).

Section 113.960 - Surface Coating of Miscellaneous Metal Parts and Products (40 Code of Federal Regulations Part 63, Subpart MMMM)

The commission adopts new §113.960, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart MMMM adopted by the EPA on January 2, 2004 (69 FR 157), as amended through April 26, 2004 (69 FR 22660). This MACT standard applies to new and existing miscellaneous metal parts and products surface coating operations located at major sources of hazardous air pollutants. Hazardous air pollutants emitted from these facilities include: xylenes, toluene, methyl ethyl ketone, phenol, cresols/cresylic acid, glycol ethers, styrene, methyl isobutyl ketone, and ethyl benzene. The April 26, 2004, amendments clarified the interaction of 40 CFR Part 63, Subpart MMMM with Subpart IIII, concerning Surface Coating of Automobiles and Light-Duty Trucks.

Section 113.980 - Printing, Coating, and Dyeing of Fabrics and Other Textiles (40 Code of Federal Regulations Part 63, Subpart OOOO)

The commission adopts new §113.980, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart OOOO adopted by the EPA on May 29, 2003 (68 FR 32189). This MACT standard applies to new and existing operations involving printing, coating, slashing, dyeing, or finishing of fabric and other textiles. This standard applies to operations that are a major source, are located at a major source, or are part of a major source of hazardous air pollutants. Hazardous air pollutant emissions from these operations include, but are not limited to: toluene, methyl ethyl ketone, methanol, xylenes, methyl isobutyl ketone, methylene chloride, trichloroethylene, n-hexane, glycol ethers, and formaldehyde.

Section 113.990 - Surface Coating of Plastic Parts and Products (40 Code of Federal Regulations Part 63, Subpart PPPP)

The commission adopts new §113.990, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart PPPP adopted by the EPA on April 19, 2004 (69 FR 20990), as amended through April 26, 2004 (69 FR 22660). This MACT standard applies to new and existing plastic parts and products surface coating operations that are a major source, are located at a major source, or are part of a major source of hazardous air pollutants. Hazardous air pollutant emissions from these operations include: methyl ethyl ketone, methyl isobutyl ketone, toluene, certain glycol ethers, and xylenes. The April 26, 2004, amendments clarified the interaction of 40 CFR Part 63, Subpart PPPP with Subpart IIII, concerning Surface Coating of Automobiles and Light-Duty Trucks.

Section 113.1000 - Surface Coating of Wood Building Products (40 Code of Federal Regulations Part 63, Subpart QQQQ)

The commission adopts new §113.1000, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart QQQQ adopted by the EPA on May 28, 2003 (68 FR 31760). This MACT standard applies to new and existing operations involving surface coating of wood building products. This standard applies to operations that are a major source, are located at a major source, or are part of a major source of hazardous air pollutants. Hazardous air pollutant emissions from these operations include, but are not limited to: xylenes, toluene, ethyl benzene, methyl ethyl ketone, methyl isobutyl ketone, methanol, styrene, and formaldehyde.

Section 113.1010 - Surface Coating of Metal Furniture (40 Code of Federal Regulations Part 63, Subpart RRRR)

The commission adopts new §113.1010, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart RRRR adopted by the EPA on May 23, 2003 (68 FR 28619). This MACT standard applies to new and existing operations involving surface coating of metal furniture. This standard applies to operations that are a major source, are located at a major source, or are part of a major source of hazardous air pollutants. Hazardous air pollutant emissions from these operations include, but are not limited to: xylenes, toluene, certain glycol ethers, ethylbenzene, and methyl ethyl ketone.

Section 113.1060 - Reinforced Plastic Composites Production (40 Code of Federal Regulations Part 63, Subpart WWWW)

The commission adopts new §113.1060, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart WWWW adopted by the EPA on April 21, 2003 (68 FR 19402). This MACT standard applies to new and existing reinforced plastic composites production facilities that are located at a major source of hazardous air pollutant emissions. Hazardous air pollutant emissions from these operations include, but are not limited to: styrene, methyl methacrylate, and methylene chloride.

Section 113.1080 - Stationary Combustion Turbines (40 Code of Federal Regulations Part 63, Subpart YYYY)

The commission adopts new §113.1080, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart YYYY adopted by the EPA on March 5, 2004 (69 FR 10537), as amended through August 18, 2004 (69 FR 51188). This MACT standard applies to new and existing stationary combustion turbines located at a major source of hazardous air pollutant emissions. Hazardous air pollutant emissions from stationary combustion turbines include: formaldehyde, toluene, benzene, and acetaldehyde. The August 18, 2004, amendments stayed the effectiveness of emission limitations and operating limitations for lean premix gas-fired turbines and diffusion flame gas-fired turbines.

Section 113.1090 - Stationary Reciprocating Internal Combustion Engines (40 Code of Federal Regulations Part 63, Subpart ZZZZ)

The commission adopts new §113.1090, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart ZZZZ adopted by the EPA on June 15, 2004 (69 FR 33506). This MACT standard applies to new and existing stationary reciprocating internal combustion engines located at a major source of hazardous air pollutant emissions. Hazardous air pollutant emissions from stationary reciprocating internal combustion engines include: formaldehyde, acrolein, toluene, methanol, and acetaldehyde.

Section 113.1100 - Lime Manufacturing Plants (40 Code of Federal Regulations Part 63, Subpart AAAAA)

The commission adopts new §113.1100, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart AAAAA adopted by the EPA on January 5, 2004 (69 FR 416). This MACT standard applies to new and existing lime manufacturing units, including lime kilns, lime coolers, and various types of processed stone handling operations. The standard applies to lime manufacturing plants that are major sources, co-located at major sources, or are part of a major source. However, this MACT standard does not apply to lime manufacturing plants that are located at pulp and paper mills or beet sugar factories. Hazardous air pollutant emissions from lime manufacturing plants include, but are not limited to: hydrogen chloride, antimony, arsenic, beryllium, cadmium, chromium, lead, manganese, mercury, nickel, and selenium.

*Section 113.1110 - Semiconductor Manufacturing (40 Code of Federal Regulations Part 63, Subpart
BBBBB)*

The commission adopts new §113.1110, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart BBBBB adopted by the EPA on May 22, 2003 (68 FR 27925). This MACT standard applies to new and existing semiconductor manufacturing operations that are a major source of hazardous air pollutants, are located at a major source of hazardous air pollutants, or are part of a major source of hazardous air pollutant emissions. Hazardous air pollutant emissions from these operations include, but are not limited to: hydrochloric acid, hydrogen fluoride, methanol, glycol ethers, and xylenes.

*Section 113.1120 - Coke Ovens: Pushing, Quenching, and Battery Stacks (40 Code of Federal
Regulations Part 63, Subpart CCCCC)*

The commission adopts new §113.1120, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart CCCCC adopted by the EPA on April 14, 2003 (68 FR 18025), with corrections published on April 22, 2003 (68 FR 19885). This MACT standard applies to each new or existing coke oven battery at a plant that is a major source of hazardous air pollutant emissions. Hazardous air pollutant emissions from these operations include, but are not limited to: polycyclic organic matter, benzene, and toluene. The corrections published on April 22, 2003, altered an incorrect compliance date in 40 CFR §63.7283(b) (When Do I Have to Comply with this Subpart?).

Section 113.1140 - Iron and Steel Foundries (40 Code of Federal Regulations Part 63, Subpart EEEEE)

The commission adopts new §113.1140, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart EEEEE adopted by the EPA on April 22, 2004 (69 FR 21923). This MACT standard applies to new and existing iron and steel foundries, which are (or are located at) a major source of hazardous air pollutants. Hazardous air pollutant emissions from these operations include: metallic compounds such as lead, manganese, cadmium, chromium, and nickel; and numerous organic compounds such as acetophenone, benzene, cumene, dibenzofurans, dioxins, formaldehyde, methanol, naphthalene, phenol, pyrene, toluene, triethylamine, and xylenes.

Section 113.1150 - Integrated Iron and Steel Manufacturing Facilities (40 Code of Federal Regulations Part 63, Subpart FFFFF)

The commission adopts new §113.1150, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart FFFFF adopted by the EPA on May 20, 2003 (68 FR 27663). This MACT standard applies to each new or existing sinter plant, blast furnace, and basic oxygen process furnace shop that are (or are located at) a major source of hazardous air pollutant emissions. Hazardous air pollutant emissions from these operations include, but are not limited to: manganese, lead, polycyclic organic matter, benzene, and carbon disulfide.

Section 113.1160 - Site Remediation (40 Code of Federal Regulations Part 63, Subpart GGGGG)

The commission adopts new §113.1160, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart GGGGG adopted by the EPA on October 8, 2003 (68 FR 58190). This MACT standard applies to site remediation projects (such as cleanup of contaminated soil, groundwater, or surface water) that meet all of the following criteria: 1) clean-up remediation materials defined in 40 CFR §63.7957, What Definitions Apply to this Subpart; 2) are co-located at a facility with one or more other stationary sources that emit hazardous air pollutants and meet an affected source definition for a source category that is regulated by another subpart under 40 CFR Part 63; and 3) the facility is a major source of hazardous air pollutant emissions. 40 CFR Part 63, Subpart GGGGG contains exemptions for remediation projects located at gasoline service stations, farms, residential sites, and certain remediation projects conducted under the authority of other environmental regulations, such as the Resource Conservation and Recovery Act (RCRA) or the Comprehensive Environmental Response and Compensation Liability Act (CERCLA). Hazardous air pollutant emissions regulated under this MACT standard include a wide variety of compounds listed in Table 1 of 40 CFR Part 63, Subpart GGGGG.

Section 113.1170 - Miscellaneous Coating Manufacturing (40 Code of Federal Regulations Part 63, Subpart HHHHH)

The commission adopts new §113.1170, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart HHHHH adopted by the EPA on December 11, 2003 (68 FR 69185), as amended through December 29, 2003 (68 FR 75033). This MACT standard applies to new and existing miscellaneous coating manufacturing operations that are located at or are part of a

major source of hazardous air pollutants. Hazardous air pollutant emissions from these operations include: toluene, xylenes, glycol ethers, methyl ethyl ketone, and methyl isobutyl ketone. The December 29, 2003, amendments corrected a compliance date stated in 40 CFR §63.7995 (When do I have to comply with this subpart?), which should have read “December 11, 2006.”

Section 113.1180 - Mercury Emissions from Mercury Cell Chlor-Alkali Plants (40 Code of Federal Regulations Part 63, Subpart IIII)

The commission adopts new §113.1180, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart IIII adopted by the EPA on December 19, 2003 (68 FR 70928). This MACT standard applies to new and existing mercury cell chlor-alkali plants. The hazardous air pollutant regulated by this standard is mercury.

Section 113.1190 - Brick and Structural Clay Products Manufacturing (40 Code of Federal Regulations Part 63, Subpart JJJJ)

The commission adopts new §113.1190, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart JJJJ adopted by the EPA on May 16, 2003 (68 FR 26722), with corrections published on May 28, 2003 (68 FR 31744). This MACT standard applies to new and existing sources at brick and structural clay products manufacturing plants. This MACT standard applies to brick and structural clay manufacturing facilities that are a major source of hazardous air pollutant emissions, are located at a major source of hazardous air pollutant emissions, or are part of a major source of hazardous air pollutant emissions. Hazardous air pollutant emissions from these operations include, but are not limited to: hydrogen fluoride; hydrogen chloride; and metallic

compounds such as antimony, arsenic, beryllium, cadmium, chromium, cobalt, mercury, manganese, nickel, lead, and selenium. The May 28, 2003, corrections altered an erroneous compliance date.

Section 113.1200 - Clay Ceramics Manufacturing (40 Code of Federal Regulations Part 63, Subpart KKKKK)

The commission adopts new §113.1200, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart KKKKK adopted by the EPA on May 16, 2003 (68 FR 26738), with corrections published on May 28, 2003 (68 FR 31744). This MACT standard applies to new and existing sources at clay ceramics manufacturing facilities. This MACT standard applies to clay ceramics manufacturing facilities that are a major source of hazardous air pollutant emissions, are located at a major source of hazardous air pollutant emissions, or are part of a major source of hazardous air pollutant emissions. Hazardous air pollutant emissions from these operations include, but are not limited to: hydrogen fluoride; hydrogen chloride; and metallic compounds such as antimony, arsenic, beryllium, cadmium, chromium, cobalt, mercury, manganese, nickel, lead, and selenium. The May 28, 2003, corrections altered an erroneous compliance date.

Section 113.1210 - Asphalt Processing and Asphalt Roofing Manufacturing (40 Code of Federal Regulations Part 63, Subpart LLLLL)

The commission adopts new §113.1210, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart LLLLL initially adopted by the EPA on April 29, 2003 (68 FR 22991), and republished with corrections on May 7, 2003 (68 FR 24577). This MACT standard applies to new and existing asphalt processing and asphalt roofing manufacturing facilities that

are a major source of hazardous air pollutant emissions, are located at a major source of hazardous air pollutants emissions, or are part of a major source of hazardous air pollutant emissions. Hazardous air pollutant emissions from these operations include, but are not limited to: formaldehyde, hexane, hydrogen chloride, phenol, polycyclic organic matter, and toluene.

Section 113.1220 - Flexible Polyurethane Foam Fabrication Operations (40 Code of Federal Regulations Part 63, Subpart MMMMM)

The commission adopts new §113.1220, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart MMMMM adopted by the EPA on April 14, 2003 (68 FR 18070). This MACT standard applies to new and existing flexible polyurethane foam fabrication facilities that are located at or are part of a major source of hazardous air pollutant emissions.

Hazardous air pollutant emissions from these operations include, but are not limited to: hydrochloric acid, 2,4-toluene diisocyanate, hydrogen cyanide, and methylene chloride.

Section 113.1230 - Hydrochloric Acid Production (40 Code of Federal Regulations Part 63, Subpart NNNNN)

The commission adopts new §113.1230, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart NNNNN adopted by the EPA on April 17, 2003 (68 FR 19090). This MACT standard applies to new and existing hydrochloric acid production units that normally produce liquid hydrochloric acid at a concentration of 30 weight percent or greater, and are located at a major source of hazardous air pollutant emissions, or are part of a major source of

hazardous air pollutant emissions. The primary hazardous air pollutant that will be controlled with this MACT standard is hydrochloric acid.

Section 113.1250 - Engine Test Cells/Standards (40 Code of Federal Regulations Part 63, Subpart P P P P P)

The commission adopts new §113.1250, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart P P P P P adopted by the EPA on May 27, 2003 (68 FR 28785), with corrections published on August 28, 2003 (68 FR 51830). This MACT standard applies to new and existing engine test cells/stands that are located at a major source of hazardous air pollutant emissions. Hazardous air pollutant emissions from these operations include, but are not limited to: toluene, benzene, mixed xylenes, and 1,3-butadiene. The August 28, 2003, corrections altered the title of the subpart.

Section 113.1270 - Taconite Iron Ore Processing (40 Code of Federal Regulations Part 63, Subpart R R R R R)

The commission adopts new §113.1270, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart R R R R R adopted by the EPA on October 30, 2003 (68 FR 61888). This MACT standard applies to new and existing taconite ore processing facilities, including ore crushing and handling operations, ore dryers, indurating furnaces, and finished pellet handling operations. The standard applies to ore processing facilities that are major sources of hazardous air pollutant emissions (or are part of a major source of hazardous air pollutant emissions). Hazardous air pollutants emitted from taconite ore processing operations include: metal compounds

such as manganese, arsenic, lead, nickel, chromium, and mercury; products of incomplete combustion, including formaldehyde; and the acid gases hydrogen chloride and hydrogen fluoride.

Section 113.1280 - Refractory Products Manufacturing (40 Code of Federal Regulations Part 63, Subpart SSSSS)

The commission adopts new §113.1280, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart SSSSS adopted by the EPA on April 16, 2003 (68 FR 18747). This MACT standard applies to new and existing refractory products manufacturing facilities that are a major source of hazardous air pollutant emissions, are located at a major source of hazardous air pollutant emissions, or are part of a major source of hazardous air pollutant emissions. Hazardous air pollutant emissions from these operations include, but are not limited to: ethylene glycol, formaldehyde, hydrogen fluoride, hydrochloric acid, methanol, phenol, and polycyclic organic matter.

Section 113.1290 - Primary Magnesium Refining (40 Code of Federal Regulations Part 63, Subpart TTTTT)

The commission adopts new §113.1290, which will incorporate by reference, without change, the final promulgated rules in 40 CFR Part 63, Subpart TTTTT adopted by the EPA on October 10, 2003 (68 FR 58620). This MACT standard applies to new and existing primary magnesium refining facilities that are major sources of hazardous air pollutant emissions, or are part of a major source of hazardous air pollutant emissions. Hazardous air pollutant emissions from these operations include, but are not limited to: chlorine, hydrochloric acid, dioxins and furans, and trace amounts of several hazardous air pollutant metals.

EFFECT ON SITES SUBJECT TO THE FEDERAL OPERATING PERMIT PROGRAM

Because Chapter 113 contains applicable requirements under 30 TAC Chapter 122, Federal Operating Permits, owners or operators subject to the Federal Operating Permit Program must, consistent with the amendment process in Chapter 122, revise their operating permit to include the amended Chapter 113 requirements.

FINAL REGULATORY IMPACT ANALYSIS DETERMINATION

The commission reviewed the adopted rulemaking action in light of the regulatory analysis requirements of Texas Government Code, §2001.0225, and determined that the rulemaking action does not meet the definition of a “major environmental rule” as defined in that statute. A “major environmental rule” is 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, productivity, competition, jobs, the environment, or the public health and safety of the state or a sector of the state. The specific intent of the adopted rules is to adopt MACT standards mandated by the FCAA and the amendments to that statute. The EPA is developing these national MACT standards to regulate emissions of hazardous air pollutants under 42 USC, §7412. Hazardous air pollutant sources affected by the MACT standards are required to comply with the federal standards whether or not the commission adopts or takes delegation of the standards from EPA. The adopted rules are not anticipated to add any significant additional costs to affected individuals or businesses beyond existing requirements to comply with the federal standards. The adopted rules are intended to protect the environment, but are not anticipated to have material adverse effects beyond what is already required to

comply with federal MACT 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.

In addition, the adopted rules do not meet any of the four applicability criteria of a “major environmental rule” as defined in the Texas Government Code. 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. This rulemaking does not meet any of the requirements because the MACT standards in this adoption are federal technology-based standards which will be incorporated by reference, and therefore, will not exceed any standard set by federal law. This adoption is not an express requirement of state law, but was developed by EPA as MACT standards mandated by the FCAA and the amendments to that statute. The adopted rules do not exceed a requirement of a delegation agreement or a contract between state and federal government. The adopted rules were not developed solely under the general powers of the agency, but are adopted under the Texas Clean Air Act (TCAA), as codified in Texas Health and Safety Code, §382.011, which authorizes the commission to establish the level of quality to be maintained in the state’s air; §382.012, which authorizes the commission to prepare and develop a general, comprehensive plan for the proper control of the state’s air; §382.016, which authorizes the commission to prescribe reasonable requirements for measuring and monitoring the emissions of air contaminants; §382.017, which authorizes the commission to adopt

rules consistent with the policy and purposes of the TCAA; and §382.051, which authorizes the commission to adopt rules as necessary to comply with changes in federal law and regulations applicable to air permits.

TAKINGS IMPACT ASSESSMENT

The commission completed a takings impact analysis for the adopted rulemaking action under Texas Government Code, §2007.043. The specific purpose of this rulemaking is to facilitate implementation and enforcement of MACT standards by the state. This rulemaking will not create any additional burden on private real property. Under federal law, the affected industries will be required to implement these MACT standards regardless of whether the commission or EPA is the agency responsible for implementation of the standards.

CONSISTENCY WITH THE COASTAL MANAGEMENT PROGRAM

The commission reviewed the 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 prepared a consistency determination for the rules in accordance with Coastal Coordination Act Implementation Rules, 31 TAC §505.22 and found the rulemaking is consistent with the applicable CMP goals and policies. The CMP goal applicable to the rules is to protect, preserve, restore, and enhance the diversity, quality, quantity, functions, and values of coastal natural resource areas. The CMP policy applicable to the rules is Emission of Air Pollutants. These rules are consistent because they only incorporate by reference the federal MACT standards that pertain

to certain industries and processes. The MACT standards provide the highest level of control of air emissions that is achievable.

PUBLIC COMMENT

A public hearing on this proposal was held in Austin on January 31, 2005, but no oral comments were received. The public comment period ended at 5:00 p.m. on January 31, 2005. No written comments were submitted.

**SUBCHAPTER C: NATIONAL EMISSION STANDARDS FOR HAZARDOUS
AIR POLLUTANTS FOR SOURCE CATEGORIES**

(FCAA, §112, 40 CFR PART 63)

**§§113.100, 113.105, 113.106, 113.110, 113.120, 113.130, 113.140, 113.170, 113.180, 113.190,
113.200, 113.220, 113.230, 113.240, 113.250, 113.260, 113.280, 113.290, 113.300, 113.320,
113.330, 113.340, 113.350, 113.360, 113.380, 113.390, 113.400, 113.410, 113.420, 113.430,
113.440, 113.460, 113.470, 113.480, 113.490, 113.530, 113.600, 113.610, 113.620, 113.640,
113.650, 113.660, 113.670, 113.690, 113.700, 113.710, 113.720, 113.730, 113.750, 113.770,
113.790, 113.810, 113.880, 113.890, 113.920, 113.940, 113.960, 113.980, 113.990, 113.1000,
113.1010, 113.1060, 113.1080, 113.1090, 113.1100, 113.1110, 113.1120, 113.1140, 113.1150,
113.1160, 113.1170, 113.1180, 113.1190, 113.1200, 113.1210, 113.1220, 113.1230, 113.1250,
113.1270, 113.1280, 113.1290**

STATUTORY AUTHORITY

The new and amended sections are adopted under Texas Water Code (TWC), §5.102, which provides the commission with the general powers to carry out its duties under the TWC; §5.103, which authorizes the commission to adopt any rules necessary to carry out the powers and the duties under the provisions of the TWC and other laws of this state; and §5.105, which authorizes the commission by rule to establish and approve all general policy of the commission. The amended and new sections are also adopted under Texas Health and Safety Code, TCAA, §382.017, which authorizes the commission to adopt rules consistent with the policy and purposes of the TCAA; §382.002, 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, which authorizes the commission to establish the level of quality to be maintained in the state's air and to control the quality of the state's air; §382.012, which authorizes the commission to prepare and develop a general, comprehensive plan for the control of the state's air; §382.016, which authorizes the commission to prescribe reasonable requirements for measuring and monitoring the emissions of air contaminants; and §382.051, which authorizes the commission to adopt rules as necessary to comply with changes in federal law or regulations applicable to permits issued under the TCAA.

The adopted new and amended sections implement Texas Health and Safety Code, §§382.002, 382.011, 382.012, 382.016, 382.017, and 382.051.

§113.100. General Provisions (40 Code of Federal Regulations Part 63, Subpart A).

The General Provisions for the National Emission Standards for Hazardous Air Pollutants for Source Categories as specified in 40 Code of Federal Regulations (CFR) Part 63, Subpart A, are incorporated by reference as amended through June 15, 2004 (69 FR 33506) with the following exceptions.

(1) The language of 40 CFR §63.5(e)(2)(i) is amended to read as follows: The executive director will notify the owner or operator in writing of approval or intention to deny approval of construction or reconstruction within 180 calendar days after receipt of sufficient information to evaluate an application submitted under 40 CFR §63.5(d). The 180-day approval or denial period will

begin after the owner or operator has been notified in writing that his/her application is complete. The executive director will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 90 calendar days after receipt of the original application and within 60 calendar days after receipt of any supplementary information that is submitted.

(2) The language of 40 CFR §63.6(i)(12)(i) is amended to read as follows: The executive director will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 60 calendar days after receipt of sufficient information to evaluate a request submitted under 40 CFR §63.6(i)(4)(i) or (i)(5). The 60-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The executive director will notify the owner or operator in writing of the status of his/her application, that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted.

(3) The language of 40 CFR §63.6(i)(13)(i) is amended to read as follows: The executive director will notify the owner or operator in writing of approval or intention to deny approval of a request for an extension of compliance within 60 calendar days after receipt of sufficient information to evaluate a request submitted under 40 CFR §63.6(i)(4)(ii). The 60-day approval or denial period will begin after the owner or operator has been notified in writing that his/her application is complete. The executive director will notify the owner or operator in writing of the status of his/her

application, that is, whether the application contains sufficient information to make a determination, within 30 calendar days after receipt of the original application and within 30 calendar days after receipt of any supplementary information that is submitted.

(4) The language of 40 CFR §63.6(i)(13)(ii) is amended to read as follows: When notifying the owner or operator that his/her application is not complete, the executive director will specify the information needed to complete the application and provide notice of opportunity for the applicant to present, in writing, within 30 calendar days after he/she is notified of the incomplete application, additional information, or arguments to the executive director to enable further action on the application.

(5) The language of 40 CFR §63.8(e)(5)(ii) is amended to read as follows: The owner or operator of an affected source using a Continuous Opacity Monitoring System (COMS) to determine opacity compliance during any performance test required under §63.7 and described in §63.6(d)(6) shall furnish the executive director two or, upon request, three copies of a written report of the results of the COMS performance evaluation under this paragraph. The copies shall be provided at least 30 calendar days before the performance test required under §63.7 is conducted.

(6) The language of 40 CFR §63.9(i)(3) is amended to read as follows: If, in the executive director's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the executive director will approve the adjustment. The

executive director will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 30 calendar days of receiving sufficient information to evaluate the request.

(7) The language of 40 CFR §63.10(e)(2)(ii) is amended to read as follows: The owner or operator of an affected source using a COMS to determine opacity compliance during any performance test required under §63.7 and described in §63.6(d)(6) shall furnish the executive director two or, upon request, three copies of a written report of the results of the COMS performance evaluation conducted under §63.8(e). The copies shall be furnished at least 30 calendar days before the performance test required under §63.7 is conducted.

§113.105. Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act, §112(j). (40 Code of Federal Regulations Part 63, Subpart B, §§63.50 - 63.56).

The Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act, §112(j), 40 Code of Federal Regulations Part 63, Subpart B, §§63.50 - 63.56, are incorporated by reference as amended through May 30, 2003 (68 FR 32601).

§113.106. List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List. (40 Code of Federal Regulations Part 63, Subpart C).

The provisions of 40 Code of Federal Regulations Part 63, Subpart C, concerning the List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List, are incorporated by reference as amended through November 29, 2004 (69 FR 69325).

§113.110. Synthetic Organic Chemical Manufacturing Industry (40 Code of Federal Regulations Part 63, Subpart F).

The Synthetic Organic Chemical Manufacturing Industry Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart F, is incorporated by reference as amended through June 23, 2003 (68 FR 37344).

§113.120. Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater (40 Code of Federal Regulations Part 63, Subpart G).

The Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart G, is incorporated by reference as amended through June 23, 2003 (68 FR 37344).

§113.130. Organic Hazardous Air Pollutants for Equipment Leaks (40 Code of Federal Regulations Part 63, Subpart H).

The Organic Hazardous Air Pollutants for Equipment Leaks Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart H, is incorporated by reference as amended through June 23, 2003 (68 FR 37345).

§113.140. Certain Processes Subject to the Negotiated Regulation for Equipment Leaks (40 Code of Federal Regulations Part 63, Subpart I).

The Certain Processes Subject to the Negotiated Regulations for Equipment Leaks Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart I, is incorporated by reference as amended through June 23, 2003 (68 FR 37345).

§113.170. Coke Oven Batteries (40 Code of Federal Regulations Part 63, Subpart L).

The Coke Oven Batteries Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart L, is incorporated by reference as amended through June 23, 2003 (68 FR 37345).

**§113.180. Perchloroethylene Dry Cleaning Facilities (40 Code of Federal Regulations Part 63 ,
Subpart M).**

The Perchloroethylene Dry Cleaning Facilities Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart M, is incorporated by reference as amended through June 23, 2003 (68 FR 37347).

**§113.190. Chromium Emissions from Hard and Decorative Chromium Electroplating and
Chromium Anodizing Tanks (40 Code of Federal Regulations Part 63, Subpart N).**

The Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart N, is incorporated by reference as amended through July 19, 2004 (69 FR 42894).

**§113.200. Ethylene Oxide Emissions Standards for Sterilization Facilities (40 Code of Federal
Regulations Part 63, Subpart O).**

The Ethylene Oxide Emissions Standards for Sterilization Facilities Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart O, is incorporated by reference as amended through June 23, 2003 (68 FR 37348).

§113.220. Industrial Process Cooling Towers (40 Code of Federal Regulations Part 63, Subpart Q).

The Industrial Process Cooling Towers Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart Q, is incorporated by reference as amended through June 23, 2003 (68 FR 37348).

§113.230. Gasoline Distribution Facilities (40 Code of Federal Regulations Part 63, Subpart R).

The Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart R, is incorporated by reference as amended through December 19, 2003 (68 FR 70965).

§113.240. Pulp and Paper Industry (40 Code of Federal Regulations Part 63, Subpart S).

The Pulp and Paper Industry Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart S, is incorporated by reference as amended through June 23, 2003 (68 FR 37348).

§113.250. Halogenated Solvent Cleaning (40 Code of Federal Regulations Part 63, Subpart T).

The Halogenated Solvent Cleaning Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart T, is incorporated by reference as amended through June 23, 2003 (68 FR 37349).

§113.260. Group I Polymers and Resins (40 Code of Federal Regulations Part 63, Subpart U).

The Group I Polymers and Resins Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart U, is incorporated by reference as amended through June 23, 2003 (68 FR 37349).

§113.280. Epoxy Resins Production and Non-Nylon Polyamides Production (40 Code of Federal Regulations Part 63, Subpart W).

The Epoxy Resins Production and Non-Nylon Polyamides Production Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart W, is incorporated by reference as amended through June 23, 2003 (68 FR 37350).

§113.290. Secondary Lead Smelting (40 Code of Federal Regulations Part 63, Subpart X).

The Secondary Lead Smelting Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart X, is incorporated by reference as amended through June 23, 2003 (68 FR 37350).

§113.300. Marine Vessel Loading (40 Code of Federal Regulations Part 63, Subpart Y).

The Marine Vessel Loading Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart Y, is incorporated by reference as amended through June 23, 2003 (68 FR 37350).

§113.320. Phosphoric Acid Manufacturing Plants (40 Code of Federal Regulations Part 63, Subpart AA).

The Phosphoric Acid Manufacturing Plants Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart AA, is incorporated by reference as amended through June 23, 2003 (68 FR 37351).

§113.330. Phosphate Fertilizers Production Plants (40 Code of Federal Regulations Part 63, Subpart BB).

The Phosphate Fertilizers Production Plants Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart BB, is incorporated by reference as amended through June 23, 2003 (68 FR 37351).

§113.340. Petroleum Refineries (40 Code of Federal Regulations Part 63, Subpart CC).

The Petroleum Refineries Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart CC, is incorporated by reference as amended through June 23, 2003 (68 FR 37351).

§113.350. Off-Site Waste and Recovery Operations (40 Code of Federal Regulations Part 63 , Subpart DD).

The Off-Site Waste and Recovery Operations Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart DD, is incorporated by reference as amended through June 23, 2003 (68 FR 37351).

**§113.360. Magnetic Tape Manufacturing Operations (40 Code of Federal Regulations Part 63 ,
Subpart EE).**

The Magnetic Tape Manufacturing Operations Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart EE, is incorporated by reference as amended through June 23, 2003 (68 FR 37352).

§113.380. Aerospace Manufacturing and Rework Facilities (40 Code of Federal Regulations Part 63, Subpart GG).

The Aerospace Manufacturing and Rework Facilities Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart GG, is incorporated by reference as amended through June 23, 2003 (68 FR 37352).

**§113.390. Oil and Natural Gas Production Facilities (40 Code of Federal Regulations Part 63 ,
Subpart HH).**

The Oil and Natural Gas Production Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart HH, is incorporated by reference as amended through June 23, 2003 (68 FR 37353).

§113.400. Shipbuilding and Ship Repair (Surface Coating) (40 Code of Federal Regulations Part 63, Subpart II).

The Shipbuilding and Ship Repair (Surface Coating) Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart II, is incorporated by reference as amended through June 23, 2003 (68 FR 37353).

§113.410. Wood Furniture Manufacturing Operations (40 Code of Federal Regulations Part 63 , Subpart JJ).

The Wood Furniture Manufacturing Operations Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart JJ, is incorporated by reference as amended through June 23, 2003 (68 FR 37353).

§113.420. Printing and Publishing (40 Code of Federal Regulations Part 63, Subpart KK).

The Printing and Publishing Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart KK, is incorporated by reference as amended through June 23, 2003 (68 FR 37354).

§113.430. Primary Aluminum Reduction Plants (40 Code of Federal Regulations Part 63, Subpart LL).

The Primary Aluminum Reduction Plants Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart LL, is incorporated by reference as amended through June 23, 2003 (68 FR 37354).

§113.440. Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills (40 Code of Federal Regulations Part 63, Subpart MM).

The Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart MM, is incorporated by reference as amended through May 6, 2004 (69 FR 25323).

§113.460. Tanks - Level 1 (40 Code of Federal Regulations Part 63, Subpart OO).

The Tanks - Level 1 Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart OO, is incorporated by reference as amended through June 23, 2003 (68 FR 37354).

§113.470. Containers (40 Code of Federal Regulations Part 63, Subpart PP).

The Containers Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart PP, is incorporated by reference as amended through June 23, 2003 (68 FR 37355).

§113.480. Surface Impoundments (40 Code of Federal Regulations Part 63, Subpart QQ).

The Surface Impoundments Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart QQ, is incorporated by reference as amended through June 23, 2003 (68 FR 37355).

§113.490. Individual Drain Systems (40 Code of Federal Regulations Part 63, Subpart RR).

The Individual Drain System Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart RR, is incorporated by reference as amended through June 23, 2003 (68 FR 37355).

§113.530. Oil-Water Separators and Organic-Water Separators (40 Code of Federal Regulations Part 63, Subpart VV).

The Oil-Water Separators and Organic-Water Separators Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart VV, is incorporated by reference as amended through June 23, 2003 (68 FR 37355).

§113.600. Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants (40 Code of Federal Regulations Part 63, Subpart CCC).

The Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart CCC, is incorporated by reference as amended through June 23, 2003 (68 FR 37356) .

§113.610. Mineral Wool Production (40 Code of Federal Regulations Part 63, Subpart DDD).

The Mineral Wool Production Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart DDD, is incorporated by reference as amended through June 23, 2003 (68 FR 37356).

§113.620. Hazardous Waste Combustors (40 Code of Federal Regulations Part 63, Subpart EEE).

The Hazardous Waste Combustor Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart EEE, is incorporated by reference as amended through June 23, 2003 (68 FR 37356).

§113.640. Pharmaceuticals Production (40 Code of Federal Regulations Part 63, Subpart GGG).

The Pharmaceuticals Production Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart GGG, is incorporated by reference as amended through June 23, 2003 (68 FR 37356).

§113.650. Natural Gas Transmission and Storage Facilities (40 Code of Federal Regulations Part 63, Subpart HHH).

The Natural Gas Transmission and Storage Facilities Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart HHH, is incorporated by reference as amended through June 23, 2003 (68 FR 37357).

§113.660. Flexible Polyurethane Foam Production (40 Code of Federal Regulations Part 63, Subpart III).

The Flexible Polyurethane Foam Production Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart III, is incorporated by reference as amended through June 23, 2003 (68 FR 37357).

§113.670. Group IV Polymers and Resins (40 Code of Federal Regulations Part 63, Subpart JJJ).

The Group IV Polymers and Resins Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart JJJ, is incorporated by reference as amended through June 2, 2004 (69 FR 31008).

§113.690. Portland Cement Manufacturing Industry (40 Code of Federal Regulations Part 63 , Subpart LLL).

The Portland Cement Manufacturing Industry Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart LLL, is incorporated by reference as amended through June 23, 2003 (68 FR 37359).

§113.700. Pesticide Active Ingredient Production (40 Code of Federal Regulations Part 63, Subpart MMM).

The Pesticide Active Ingredient Production Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart MMM, is incorporated by reference as amended through June 23, 2003 (68 FR 37358).

§113.710. Wool Fiberglass Manufacturing (40 Code of Federal Regulations Part 63, Subpart NNN).

The Wool Fiberglass Manufacturing Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart NNN, is incorporated by reference as amended through June 23, 2003 (68 FR 37358).

§113.720. Manufacture of Amino/Phenolic Resins (40 Code of Federal Regulations Part 63, Subpart OOO).

The Manufacture of Amino/Phenolic Resins Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart OOO, is incorporated by reference as amended through June 23, 2003 (68 FR 37359).

§113.730. Polyether Polyols Production (40 Code of Federal Regulations Part 63, Subpart PPP).

The Polyether Polyols Production Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart PPP, is incorporated by reference as amended through June 23, 2003 (68 FR 37359) with corrections published on July 1, 2004 (69 FR 39862).

§113.750. Secondary Aluminum Production (40 Code of Federal Regulations Part 63, Subpart RRR).

The Secondary Aluminum Production Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart RRR, is incorporated by reference as amended through June 23, 2003 (68 FR 37359).

§113.770. Primary Lead Smelting (40 Code of Federal Regulations Part 63, Subpart TTT).

The Primary Lead Smelting Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart TTT, is incorporated by reference as amended through June 23, 2003 (68 FR 37360).

§113.790. Publicly Owned Treatment Works (40 Code of Federal Regulations Part 63, Subpart VVV).

The Publicly Owned Treatment Works Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart VVV, is incorporated by reference as amended through June 23, 2003 (68 FR 37360).

§113.810. Ferroalloys Production: Ferromanganese and Silicomanganese (40 Code of Federal Regulations Part 63, Subpart XXX).

The Ferroalloys Production: Ferromanganese and Silicomanganese Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart XXX, is incorporated by reference as amended through June 23, 2003 (68 FR 37360).

§113.880. Organic Liquids Distribution (Non-Gasoline) (40 Code of Federal Regulations Part 63, Subpart EEEE).

The Organic Liquids Distribution (Non-Gasoline) Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart EEEE, is incorporated by reference as adopted February 3, 2004 (69 FR 5063).

§113.890. Miscellaneous Organic Chemical Manufacturing (40 Code of Federal Regulations Part 63, Subpart FFFF).

The Miscellaneous Organic Chemical Manufacturing Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart FFFF, is incorporated by reference as adopted November 10, 2003 (68 FR 63888).

§113.920. Surface Coating of Automobiles and Light-Duty Trucks (40 Code of Federal Regulations Part 63, Subpart IIII).

The Surface Coating of Automobiles and Light-Duty Trucks Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart IIII, is incorporated by reference as adopted April 26, 2004 (69 FR 22623).

§113.940. Surface Coating of Metal Cans (40 Code of Federal Regulations Part 63, Subpart KKKK).

The Surface Coating of Metal Cans Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart KKKK, is incorporated by reference as adopted November 13, 2003 (68 FR 64446).

§113.960. Surface Coating of Miscellaneous Metal Parts and Products (40 Code of Federal Regulations Part 63, Subpart MMMM).

The Surface Coating of Miscellaneous Metal Parts and Products Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart MMMM, is incorporated by reference as amended through April 26, 2004 (69 FR 22660).

§113.980. Printing, Coating, and Dyeing of Fabrics and Other Textiles (40 Code of Federal Regulations Part 63, Subpart OOOO).

The Printing, Coating, and Dyeing of Fabrics and Other Textiles Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart OOOO, is incorporated by reference as adopted May 29, 2003 (68 FR 32189).

§113.990. Surface Coating of Plastic Parts and Products (40 Code of Federal Regulations Part 63, Subpart PPPP).

The Surface Coating of Plastic Parts and Products Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart PPPP, is incorporated by reference as amended through April 26, 2004 (69 FR 22660).

§113.1000. Surface Coating of Wood Building Products (40 Code of Federal Regulations Part 63, Subpart QQQQ).

The Surface Coating of Wood Building Products Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart QQQQ, is incorporated by reference as adopted May 28, 2003 (68 FR 31760).

§113.1010. Surface Coating of Metal Furniture (40 Code of Federal Regulations Part 63, Subpart RRRR).

The Surface Coating of Metal Furniture Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart RRRR, is incorporated by reference as adopted May 23, 2003 (68 FR 28619).

§113.1060. Reinforced Plastic Composites Production (40 Code of Federal Regulations Part 63, Subpart WWWW).

The Reinforced Plastic Composites Production Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart WWWW, is incorporated by reference as adopted April 21, 2003 (68 FR 19402).

§113.1080. Stationary Combustion Turbines (40 Code of Federal Regulations Part 63, Subpart YYYY).

The Stationary Combustion Turbines Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart YYYY, is incorporated by reference as amended through August 18, 2004 (69 FR 51188).

§113.1090. Stationary Reciprocating Internal Combustion Engines (40 Code of Federal Regulations Part 63, Subpart ZZZZ).

The Stationary Reciprocating Internal Combustion Engines Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart ZZZZ, is incorporated by reference as adopted June 15, 2004 (69 FR 33506).

§113.1100. Lime Manufacturing Plants (40 Code of Federal Regulations Part 63, Subpart AAAAA).

The Lime Manufacturing Plants Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart AAAAA, is incorporated by reference as adopted January 5, 2004 (69 FR 416).

§113.1110. Semiconductor Manufacturing (40 Code of Federal Regulations Part 63, Subpart BBBB).

The Semiconductor Manufacturing Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart BBBB, is incorporated by reference as adopted May 22, 2003 (68 FR 27925).

§113.1120. Coke Ovens: Pushing, Quenching, and Battery Stacks (40 Code of Federal Regulations Part 63, Subpart CCCCC).

The Coke Ovens Pushing, Quenching, and Battery Stacks Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart CCCCC, is incorporated by reference as amended through April 22, 2003 (68 FR 19885).

§113.1140. Iron and Steel Foundries (40 Code of Federal Regulations Part 63, Subpart EEEEE).

The Iron and Steel Foundries Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart EEEEE, is incorporated by reference as adopted April 22, 2004 (69 FR 21923).

§113.1150. Integrated Iron and Steel Manufacturing Facilities (40 Code of Federal Regulations Part 63, Subpart FFFFF).

The Integrated Iron and Steel Manufacturing Facilities Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart FFFFF, is incorporated by reference as adopted May 20, 2003 (68 FR 27663).

§113.1160. Site Remediation (40 Code of Federal Regulations Part 63, Subpart GGGGG).

The Site Remediation Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart GGGGG, is incorporated by reference as adopted October 8, 2003 (68 FR 58190).

§113.1170. Miscellaneous Coating Manufacturing (40 Code of Federal Regulations Part 63, Subpart HHHHH).

The Miscellaneous Coating Manufacturing Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart HHHHH, is incorporated by reference as adopted December 11, 2003 (68 FR 69185) with corrections published on December 29, 2003 (68 FR 75033).

§113.1180. Mercury Emissions from Mercury Cell Chlor-Alkali Plants (40 Code of Federal Regulations Part 63, Subpart IIIII).

The Mercury Emissions from Mercury Cell Chlor-Alkali Plants Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart IIIII, is incorporated by reference as adopted December 19, 2003 (68 FR 70928).

§113.1190. Brick and Structural Clay Products Manufacturing (40 Code of Federal Regulations Part 63, Subpart JJJJJ).

The Brick and Structural Clay Products Manufacturing Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart JJJJJ, is incorporated by reference as adopted May 16, 2003 (68 FR 26722) with corrections published on May 28, 2003 (68 FR 31744).

§113.1200. Clay Ceramics Manufacturing (40 Code of Federal Regulations Part 63, Subpart KKKKK).

The Clay Ceramics Manufacturing Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart KKKKK, is incorporated by reference as adopted May 16, 2003 (68 FR 26738) with corrections published on May 28, 2003 (68 FR 31744).

§113.1210. Asphalt Processing and Asphalt Roofing Manufacturing (40 Code of Federal Regulations Part 63, Subpart LLLLL).

The Asphalt Processing and Asphalt Roofing Manufacturing Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart LLLLL, is incorporated by reference as amended through May 7, 2003 (68 FR 24577).

§113.1220. Flexible Polyurethane Foam Fabrication Operations (40 Code of Federal Regulations Part 63, Subpart MMMMM).

The Flexible Polyurethane Foam Fabrication Operations Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart MMMMM, is incorporated by reference as adopted April 14, 2003 (68 FR 18070).

§113.1230. Hydrochloric Acid Production (40 Code of Federal Regulations Part 63, Subpart NNNNN).

The Hydrochloric Acid Production Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart NNNNN, is incorporated by reference as adopted April 17, 2003 (68 FR 19090).

§113.1250. Engine Test Cells/Standards (40 Code of Federal Regulations Part 63, Subpart PPPPP).

The Engine Test Cells/Standards Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart PPPPP, is incorporated by reference as adopted May 27, 2003 (68 FR 28785) with corrections published on August 28, 2003 (68 FR 51830).

§113.1270. Taconite Iron Ore Processing (40 Code of Federal Regulations Part 63, Subpart RRRRR).

The Taconite Iron Ore Processing Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart RRRRR, is incorporated by reference as adopted October 30, 2003 (68 FR 61888).

§113.1280. Refractory Products Manufacturing (40 Code of Federal Regulations Part 63, Subpart SSSSS).

The Refractory Products Manufacturing Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart SSSSS, is incorporated by reference as adopted April 16, 2003 (68 FR 18747).

§113.1290. Primary Magnesium Refining (40 CFR Code of Federal Regulations Part 63, Subpart TTTTT).

The Primary Magnesium Refining Maximum Achievable Control Technology standard as specified in 40 Code of Federal Regulations Part 63, Subpart TTTTT, is incorporated by reference as adopted October 10, 2003 (68 FR 58620).