

MONTEREY BAY UNIFIED AIR POLLUTION CONTROL DISTRICT

**RULE 424 - NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAPS)**

*(Adopted 5-31-78; Revised 3-21-79, 10-11-84, 12-13-84, 12-17-86, 12-16-87, 2-20-91, 9-17-97, 12-15-99, 10-18-00, 11-14-01, 1-15-03, 4-21-04, 6-16-04, and 9-20-06.)*

CONTENTS

PART 1 GENERAL ..... 1

    1.1 Purpose ..... 1

    1.2 Applicability ..... 2

    1.3 Exemptions ..... 2

    1.4 Effective Dates ..... 2

    1.5 References ..... 2

PART 2 DEFINITION ..... 2

    2.1 Administrator ..... 2

PART 3 REQUIREMENTS ..... 3

    3.1 Incorporation of Federal Standards ..... 3

    3.2 List of Incorporated CFR Provisions ..... 3

PART 1 GENERAL

1.1 Purpose

The purpose of this Rule is to provide clarity on the District’s enforcement authority for the National Emission Standards for Hazardous Air Pollutants by incorporating those provisions of Parts 61 and 63, Chapter I, Title 40 of the Code of Federal Regulations (40 CFR Parts 61 & 63) into this Rule by reference.

1.2 Applicability

**ALL NEW STATIONARY SOURCES OF AIR POLLUTION, AND ALL MODIFIED OR RECONSTRUCTED STATIONARY SOURCES OF AIR POLLUTION SHALL COMPLY WITH THE STANDARDS, CRITERIA, AND REQUIREMENTS SET FORTH HEREIN. WHENEVER ANY SOURCE IS SUBJECT TO MORE THAN ONE RULE, REGULATION, PROVISION OR REQUIREMENT RELATING TO THE CONTROL OF ANY AIR CONTAMINANT, THE MOST STRINGENT PROVISION SHALL APPLY.**

### 1.3 Exemptions

As noted in each subpart's applicability section.

### 1.4 Effective Dates

This Rule as most recently revised is effective on September 20, 2006.

### 1.5 References

The authority for this Rule arises from the provisions of California Health and Safety Code Sections 40001 and 40702.

## PART 2 DEFINITION

For the purpose of this Rule, the definition below shall apply.

### 2.1 Administrator

**THE WORD "ADMINISTRATOR" AS USED IN 40 CFR PARTS 61 and 63 SHALL MEAN THE AIR POLLUTION CONTROL OFFICER (APCO) OF THE DISTRICT, EXCEPT WHERE THE REFERENCE TO "ADMINISTRATOR" RELATES TO APPROVAL OF ALTERNATE OR EQUIVALENT TEST METHODS OR ALTERNATIVE WORK PRACTICES.**

## PART 3 REQUIREMENTS

### 3.1 Incorporation of Federal Standards

The provisions of Parts 61 and 63, Chapter I, Title 40 of the Code of Federal Regulations (40 CFR Parts 61 & 63), as identified in Section 3.2 below, are incorporated herein as part of the Rules and Regulations of the Monterey Bay Unified Air Pollution Control District.

### 3.2 List of Incorporated CFR Provisions

**THE FOLLOWING TABLES LIST ALL PROVISIONS WHICH ARE INCORPORATED IN THEIR ENTIRETY AS PART OF THIS RULE. NOTATIONS IN THESE LISTS INDICATE DEVIATIONS FROM THE US EPA-PROMULGATED PROVISION FOUND IN THE CFR**

**WHICH HAVE BEEN ADOPTED BY THE DISTRICT BOARD FOR INCLUSION IN THIS RULE.**

3.2.1 40 CFR Part 61

<u>CFR Subpart</u>	<u>Title</u>
Subpart A	General Provisions.
Subpart C	National Emission Standard for Beryllium
Subpart D	National Emission Standard for Beryllium Rocket Motor Firing
Subpart E	National Emission Standard for Mercury
Subpart F	National Emission Standard for Vinyl Chloride
Subpart J	National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene
Subpart L	Benzene Emissions from Coke By-Products Recovery Plants
Subpart M	National Emission Standard for Asbestos

NOTE: The following provisions are added to the federal provisions indicated, or are District specified requirements.

- The definition of "Asbestos Mill" at §61.141 is revised to include the indoor or outdoor storage, handling, conveying, and loading of asbestos material.
- The definition of "Visible Emissions" at § 61.141 is clarified to include emissions from any source, whether a point source or an area source.
- The Standard for Roadways at §61.143 is revised to add: "No person shall cause or allow the deposition of any asbestos material upon any public roadway as a result of any transport or hauling activity."
- "Thoroughly Inspect" as required in §61.145(a) is clarified as follows: All suspect building materials, in each building, that will be disturbed by planned demolition or renovation activities shall be sampled and analyzed for asbestos using the method specified in Appendix E, Subpart E, 40 Code of Federal Regulations, Part 763, Section 1 (Polarized Light Microscopy) or assumed to be asbestos containing. Suspect materials include, friable asbestos-containing material, Category I nonfriable asbestos-containing material, Category

II nonfriable asbestos-containing material or any other material that may contain asbestos based on past manufacturing practices or use.

- The Standard for waste disposal for asbestos mills at §61.151 is revised to include incineration among the activities from which visible emissions are prohibited.
- Building surveys shall clearly identify all suspect building materials, sample locations and the laboratory analysis for each sample taken in a written report. The written building survey report shall be submitted along with the notification for each demolition project and for asbestos removal projects that will disturb building materials other than those being abated.
- For asbestos renovation projects, all containment areas shall have viewports installed where feasible to allow clear viewing of asbestos removal operations from outside the containment area.

Subpart N National Emission Standard for Inorganic Arsenic Emissions from Glass Manufacturing Plants

Subpart O National Emission Standard for Inorganic Arsenic Emissions from Primary Copper Smelters

Subpart P National Emission Standard for Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production Facilities

Subpart V National Emission Standard for Equipment Leaks (Fugitive Emission Sources)

Subpart Y Benzene Emissions from Benzene Storage Vessels

Subpart BB Benzene Emissions from Benzene Transfer Operations

Subpart FF Benzene Waste Operations

Appendix A COMPLIANCE STATUS INFORMATION

APPENDIX B TEST METHODS

APPENDIX C QUALITY ASSURANCE PROCEDURES

APPENDIX D METHODS FOR ESTIMATING RADIONUCLIDE EMISSIONS

APPENDIX E COMPLIANCE PROCEDURES METHODS FOR DETERMINING COMPLIANCE WITH SUBPART I

### 3.2.2 40 CFR Part 63

CFR Subpart	<u>Title</u>
Subpart A	General Provisions
Subpart D	Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants
Subpart F	National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry
Subpart G	National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater
Subpart H	National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks
Subpart I	National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks
Subpart J	National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production
Subpart L	National Emission Standards for Coke Oven Batteries
Subpart M	National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities
Note:	On May 21, 1996, the U.S. EPA granted approval to the ARB to implement and enforce the State Air Toxics Control Measure (ATCM) in place of the NESHAP. However, major sources are subject to both the State ATCM and the NESHAP.
Subpart N	National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks
Note:	On March 15, 1999, the U.S. EPA approved the State ATCM as equivalent to the NESHAP. However, major sources are subject to both the State ATCM and the NESHAP.
Subpart O	Ethylene Oxide Emissions Standards for Sterilization Facilities.

Note: The California Air Resources Board has submitted an equivalency request to the U.S. EPA for the State ATCM. If approved by EPA, the State ATCM will replace this NESHAP.

Subpart Q	National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers.
Subpart R	National Emissions Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)
Subpart S	National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry
Subpart T	National Emission Standards for Halogenated Solvent Cleaning
Subpart U	National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins
Subpart W	National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production
Subpart X	National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting
Subpart Y	National Emission Standards for Marine Tank Vessel Loading Operations
Subpart AA	National Emission Standards for Hazardous Air Pollutants From Phosphoric Acid Manufacturing Plants
Subpart BB	National Emission Standards for Hazardous Air Pollutants From Phosphate Fertilizers Production Plants
Subpart CC	National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries
Subpart DD	National Emission Standard for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations
Subpart EE	National Emission Standards for Magnetic Tape Manufacturing Operations
Subpart GG	National Emission Standards for Aerospace Manufacturing and Rework Facilities
Subpart HH	National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities

Subpart II	National Emission Standards for Shipbuilding and Ship Repair (Surface Coating)
Subpart JJ	National Emission Standards for Wood Furniture Manufacturing Operations
Subpart KK	National Emission Standards for the Printing and Publishing Industry
Subpart LL	National Emission Standards for Hazardous Air Pollutant for Primary Aluminum Reduction Plants
Subpart MM	National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfit, and Stand-Alone Semichemical Pulp Mills
Subpart YY	National Emissions Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards
Subpart CCC	National Emissions Standards for Hazardous Air Pollutants for Steel Pickling - HCL Process Facilities and Hydrochloric Acid Regeneration Plants
Subpart DDD	National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production
Subpart EEE	National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors
Subpart GGG	National Emission Standards for Hazardous Air Pollutants for Pharmaceuticals Production
Subpart HHH	National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities
Subpart III	National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production
Subpart JJJ	National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins
Subpart LLL	National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry
Subpart MMM	National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production

Subpart NNN	National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing
Subpart OOO	National Emission Standards for Hazardous Air Pollutant Emissions: Group III Polymers and Resins
Subpart PPP	National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Production
Subpart QQQ	National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting
Subpart RRR	National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production
Subpart TTT	National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting
Subpart UUU	National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units
Subpart VVV	National Emission Standards for Hazardous Air Pollutants for Publically Owned Treatment Works (POTWs)
Subpart XXX	National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese
Subpart AAAA	National Emission Standards for Hazardous Air Pollutants for Municipal Solid Waste Landfills
Subpart CCCC	National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast
Subpart DDDD	National Emission Standards for Hazardous Air Pollutants for Plywood and Composite Wood Products
Subpart EEEE	National Emission Standards for Hazardous Air Pollutants for Organic Liquids Distribution (Non-Gasoline)
Subpart FFFF	National Emission Standards for Hazardous Air Pollutants for Miscellaneous Organic Chemical Manufacturing
Subpart GGGG	National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production
Subpart HHHH	National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production



Subpart IIII	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Automobiles and Light-Duty Trucks
Subpart JJJJ	National Emission Standards for Hazardous Air Pollutants for Paper and Other Web Coating
Subpart KKKK	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Metal Cans
Subpart MMMM	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products
Subpart NNNN	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances
Subpart OOOO	National Emission Standards for Hazardous Air Pollutants for Printing, Coating, and Dyeing of Fabrics and Other Textiles
Subpart PPPP	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products
Subpart QQQQ	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Wood Building Products
Subpart RRRR	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Metal Furniture
Subpart SSSS	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil
Subpart TTTT	National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations
Subpart UUUU	National Emission Standards for Hazardous Air Pollutants: Cellulose Products Manufacturing
Subpart VVVV	National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing
Subpart WWWW	National Emission Standards for Hazardous Air Pollutants for Reinforced Plastic Composites Production
Subpart XXXX	National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing
Subpart YYYY	National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

Subpart ZZZZ	National Emission Standards for Hazardous Air Pollutants for Combustion Turbines
Subpart AAAAA	National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing
Subpart BBBBB	National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing
Subpart CCCCC	National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching and Battery Stacks
Subpart DDDDD	National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers and Process Heaters
Subpart EEEEE	National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries
Subpart FFFFF	National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing
Subpart GGGGG	National Emission Standards for Hazardous Air Pollutants for Site Remediation
Subpart HHHHH	National Emission Standards for Hazardous Air Pollutants for Miscellaneous Coating Manufacturing
Subpart IIIII	National Emission Standards for Hazardous Air Pollutants for Mercury Emissions from Mercury Cell Chlor-Alkali Plants
Subpart JJJJJ	National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing
Subpart KKKKK	National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing
Subpart LLLLL	National Emission Standards for Hazardous Air Pollutants for Asphalt Processing and Asphalt Roofing Manufacturing
Subpart MMMMM	National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Fabrication Operations
Subpart NNNNN	National Emission Standards for Hazardous Air Pollutants for Hydrochloric Acid Production
Subpart PPPPP	National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Standards

Subpart QQQQ	National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities
Subpart RRRR	National Emission Standards for Hazardous Air Pollutants for Taconite Iron Ore Processing
Subpart SSSS	National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing
Subpart TTTT	National Emission Standards for Hazardous Air Pollutants for Primary Magnesium Refining
Appendix A	Test Methods
Appendix B	Sources Defined For Early Reduction Provisions
Appendix C	Determination of the Fraction Biodegraded ( $F_{\text{bio}}$ ) in a Biological Treatment Unit
Appendix D	Alternative Validation Procedure for EPA Waste and Wastewater Methods

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