

REGULATION 5.02 Adoption and Incorporation by Reference of National Emission Standards for Hazardous Air Pollutants

**Air Pollution Control District of Jefferson County
Jefferson County, Kentucky**

Relates To: KRS Chapter 77 Air Pollution Control

Pursuant To: KRS Chapter 77 Air Pollution Control

Necessity and Function: KRS 77.180 authorizes the Air Pollution Control Board to adopt and enforce all orders, rules, and regulations necessary or proper to accomplish the purposes of KRS Chapter 77. This regulation adopts certain national emission standards for hazardous air pollutants in 40 CFR Parts 61 and 63.

SECTION 1 Adopted and Incorporated Subpart and Appendix Version Dates

The version of the *Code of Federal Regulations* (CFR) subparts and appendices adopted and incorporated by reference in this regulation is specified in Regulation 1.15 *Version of Federal Regulations Adopted and Incorporated by Reference*. If a *Federal Register* (FR) citation is included in Section 2 or Section 3 of Regulation 5.02, then the reference to the CFR for that subpart or appendix also includes the new or amended subpart or appendix as added or amended by the specified FR notice.

SECTION 2 Adoption and Incorporation by Reference of 40 CFR Part 61 National Emission Standards for Hazardous Air Pollutants

The following EPA regulations and all associated appendices are hereby adopted and incorporated by reference:

		40 CFR Part 61	Federal
	Subpart	Regulated Substance and/or Source	Register
2.1	A	General Provisions	
2.2	B	National Emission Standards for Radon Emissions From Underground Uranium Mines	
2.3	C	National Emission Standard for Beryllium	
2.4	D	National Emission Standard for Beryllium Rocket Motor Firing	
2.5	E	National Emission Standard for Mercury	
2.6	F	National Emission Standard for Vinyl Chloride	
2.7	H	National Emission Standards for Emissions of Radionuclides Other Than Radon From Department of Energy Facilities	
2.8	I	National Emission Standards for Radionuclide Emissions From Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Not Covered by Subpart H	

40 CFR Part 61			Federal Register
Subpart	Regulated Substance and/or Source		
2.9	J	National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene	
2.10	K	National Emission Standards for Radionuclide Emissions From Elemental Phosphorus Plants	
2.11	L	National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants	
2.12	N	National Emission Standard for Inorganic Arsenic Emissions From Glass Manufacturing Plants	
2.13	O	National Emission Standard for Inorganic Arsenic Emissions From Primary Copper Smelters	
2.14	P	National Emission Standard for Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities	
2.15	Q	National Emission Standards for Radon Emissions From Department of Energy Facilities	
2.16	R	National Emission Standards for Radon Emissions From Phosphogypsum Stacks	
2.17	T	National Emission Standards for Radon Emissions From the Disposal of Uranium Mill Tailings	
2.18	V	National Emission Standard for Equipment Leaks (Fugitive Emission Sources)	
2.19	W	National Emission Standards for Radon Emissions From Operating Mill Tailings	
2.20	Y	National Emission Standard for Benzene Emissions From Benzene Storage Vessels	
2.21	BB	National Emission Standard for Benzene Emissions From Benzene Transfer Operations	
2.22	FF	National Emission Standard for Benzene Waste Operations	

40 CFR Part 61 Appendices			Federal Register
Appendix	Appendix Title		
2.23	A	National Emission Standards for Hazardous Air Pollutants Compliance Status Information	

40 CFR Part 61 Appendices			Federal Register
Appendix	Appendix Title		
2.24	B	Test Methods	
2.25	C	Quality Assurance Procedures	
2.26	D	Methods for Estimating Radionuclide Emissions	
2.27	E	Compliance Procedures Methods for Determining Compliance With Subpart I	

SECTION 3 Adoption and Incorporation by Reference of 40 CFR Part 63 *National Emission Standards for Hazardous Air Pollutants for Source Categories*

The following EPA regulations and all associated appendices are hereby adopted and incorporated by reference:

40 CFR Part 63			Federal Register
Subpart	Regulated Substance and/or Source		
3.1	A	General Provisions	72 FR 38864 7-16-07 72 FR 61060 10-29-07 72 FR 73180 12-26-07 72 FR 74088 12-28-07 73 FR 226 1-2-08 73 FR 1738 1-9-08 73 FR 1916 1-10-08 73 FR 3568 1-18-08 73 FR 7210 2-7-08
3.2	B	Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j); excluding §§ 63.40 to 63.44	
3.3	C	List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List	
3.4	D	Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants	

40 CFR Part 63			Federal Register
Subpart	Regulated Substance and/or Source		
3.5	E	Approval of State Programs and Delegation of Federal Authorities	
3.6	F	National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry	
3.7	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	
3.8	H	National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks	
3.9	I	National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks	
3.10	J	National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production	
3.11	L	National Emission Standards for Coke Oven Batteries	
3.12	M	National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities	
3.13	N	National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks	
3.14	O	Ethylene Oxide Emissions Standards for Sterilization Facilities	
3.15	Q	National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers	
3.16	R	National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)	
3.17	S	National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry	
3.18	T	National Emission Standards for Halogenated Solvent Cleaning	

40 CFR Part 63			Federal Register
Subpart	Regulated Substance and/or Source		
3.19	U	National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins	
3.20	W	National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production	
3.21	X	National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelting	
3.22	Y	National Emission Standards for Marine Tank Vessel Loading Operations	
3.23	AA	National Emission Standards for Hazardous Air Pollutants From Phosphoric Acid Manufacturing Plants	
3.24	BB	National Emission Standards for Hazardous Air Pollutants From Phosphate Fertilizers Production Plants	
3.25	CC	National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries	
3.26	DD	National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations	
3.27	EE	National Emission Standards for Magnetic Tape Manufacturing Operations	
3.28	GG	National Emission Standards for Aerospace Manufacturing and Rework Facilities	
3.29	HH	National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities	
3.30	II	National Emission Standards for Shipbuilding and Ship Repair (Surface Coating)	
3.31	JJ	National Emission Standards for Wood Furniture Manufacturing Operations	
3.32	KK	National Emission Standards for the Printing and Publishing Industry	

	40 CFR Part 63		Federal Register
	Subpart	Regulated Substance and/or Source	
3.33	LL	National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants	
3.34	MM	National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semicheical Pulp Mills	
3.35	OO	National Emission Standards for Tanks - Level 1	
3.36	PP	National Emission Standards for Containers	
3.37	QQ	National Emission Standards for Surface Impoundments	
3.38	RR	National Emission Standards for Individual Drain Systems	
3.39	SS	National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process	
3.40	TT	National Emission Standards for Equipment Leaks - Control Level 1	
3.41	UU	National Emission Standards for Equipment Leaks - Control Level 2 Standards	
3.42	VV	National Emission Standards for Oil-Water Separators and Organic-Water Separators	
3.43	WW	National Emission Standards for Storage Vessels (Tanks) - Control Level 2	
3.44	XX	National Emissions Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations	
3.45	YY	National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards	
3.46	CCC	National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants	
3.47	DDD	National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production	

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Subpart	Regulated Substance and/or Source	
3.48	EEE	National Emission Standards for Hazardous Air Pollutants from Hazardous Waste Combustors
3.49	GGG	National Emission Standards for Pharmaceuticals Production
3.50	HHH	National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities
3.51	III	National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production
3.52	JJJ	National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins
3.53	LLL	National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry
3.54	MMM	National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production
3.55	NNN	National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing
3.56	OOO	National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins
3.57	PPP	National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production
3.58	QQQ	National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting
3.59	RRR	National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production
3.60	TTT	National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting
3.61	UUU	National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units

40 CFR Part 63			Federal Register
Subpart	Regulated Substance and/or Source		
3.62	VVV	National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works	
3.63	XXX	National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese	
3.64	AAAA	National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills	
3.65	CCCC	National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast	
3.66	DDDD	National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products	72 FR 61060 10-29-07
3.67	EEEE	National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline)	
3.68	FFFF	National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing	
3.69	GGGG	National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production	
3.70	HHHH	National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production	
3.71	IIII	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks	
3.72	JJJJ	National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating	
3.73	KKKK	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans	
3.74	MMMM	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products	
3.75	NNNN	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances	

40 CFR Part 63			Federal Register
Subpart	Regulated Substance and/or Source		
3.76	OOOO	National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles	
3.77	PPPP	National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products	
3.78	QQQQ	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products	
3.79	RRRR	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture	
3.80	SSSS	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil	
3.81	TTTT	National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations	
3.82	UUUU	National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing	
3.83	VVVV	National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing	
3.84	WWWW	National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production	
3.85	XXXX	National Emissions Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing	
3.86	YYYY	National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines	
3.87	ZZZZ	National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines	73 FR 3568 1-18-08
3.88	AAAAA	National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants	
3.89	BBBBB	National Emission Standards for Air Pollutants for Semiconductor Manufacturing	

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	Subpart	Regulated Substance and/or Source	Federal Register
3.90	CCCCC	National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks	
3.91	DDDDD	National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters	
3.92	EEEEE	National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries	73 FR 7210 2-7-08
3.93	FFFFF	National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities	
3.94	GGGGG	National Emission Standards for Hazardous Air Pollutants: Site Remediation	
3.95	HHHHH	National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing	
3.96	IIIII	National Emission Standards for Hazardous Air Pollutants: Mercury Emissions from Mercury Cell Chlor-Alkali Plants	
3.97	JJJJJ	National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing	
3.98	KKKKK	National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing	
3.99	LLLLL	National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing	
3.100	MMMMM	National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations	
3.101	NNNNN	National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production	
3.102	PPPPP	National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Standards	

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3.103	QQQQQ	National Emission Standards for Hazardous Air Pollutants for Friction Material Manufacturing Facilities	
3.104	RRRRR	National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing	
3.105	SSSSS	National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing	
3.106	TTTTT	National Emissions Standards for Hazardous Air Pollutants for Primary Magnesium Refining	
3.107	WWWWW	National Emission Standards for Hospital Ethylene Oxide Sterilizers	72 FR 73611 12-28-07
3.108	YYYYY	National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities	72 FR 74088 12-28-07
3.109	ZZZZZ	National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources	73 FR 226 1-2-08
3.110	BBBBB	National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities	73 FR 1916 1-10-08
3.111	CCCCC	National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities	73 FR 1916 1-10-08
3.112	DDDDD	National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources	
3.113	EEEEEE	National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources	72 FR 36363 7-3-07
3.114	FFFFFF	National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources	72 FR 36363 7-3-07
3.115	GGGGG	National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metal Area Sources - Zinc, Cadmium, and Beryllium	

40 CFR Part 63			Federal Register
Subpart	Regulated Substance and/or Source		Federal Register
3.116	HHHHHH	National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources	73 FR 1738 1-9-08 73 FR 8408 2-13-08
3.117	LLLLLL	National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources	72 FR 38864 7-16-07
3.118	MMMMMM	National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources	72 FR 38864 7-16-07
3.119	NNNNNN	National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds	72 FR 38864 7-16-07
3.120	OOOOOO	National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources	72 FR 38864 7-16-07
3.121	PPPPPP	National Emission Standards for Hazardous Air Pollutants for Lead Acid Mattery Manufacturing Area Sources	72 FR 38864 7-16-07
3.122	QQQQQQ	National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources	72 FR 38864 7-16-07
3.123	RRRRRR	National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources	72 FR 73180 12-26-07
3.124	SSSSSS	National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources	72 FR 73180 12-26-07
3.125	TTTTTT	National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources	72 FR 73180 12-26-07

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Appendix	Appendix Title		Federal Register
3.126	A	Test Methods	
3.127	B	Sources Defined for Early Reduction Provisions	
3.128	C	Determination of the Fraction Biodegraded (Fbio) in a Biological Treatment Unit	

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Appendix	Appendix Title	Federal Register
3.129	D Alternative Validation Procedure for EPA Waste and Waste Water Methods	
3.130	E Monitoring Procedure for Nonthoroughly Mixed Open Biological Treatment Systems at Kraft Pulp Mills Under Unsafe Sampling Conditions	

SECTION 4 Additional Applicable Requirements

In addition to complying with the EPA regulations listed in Sections 2 and 3, newly constructed, reconstructed, or modified processes and process equipment and affected facilities shall comply with any more stringent applicable requirements in these regulations.

SECTION 5 Availability

Copies of the CFR and the FR are available :

5.1 For sale from:

U.S. Government Printing Office
Superintendent of Documents
Mail Stop SSOP
Washington, DC 20402-9328

5.2 For free by downloading from the Internet:

<http://www.gpoaccess.gov/cfr/index.html>

Adopted v1/4-20-88 effective 4-20-88; amended v2/9-15-93, v3/12-21-94, v4/6-21-95, v5/3-20-96, v6/4-15-98, v7/7-21-99, v8/3-15-00, v9/6-20-01, v10/2-20-02, v11/5-15-02, v12/1-15-03, v13/8-20-03, v14/3-17-04, v15/9-21-05, v16/3-15-06, v17/2-20-08.