DRAFT

Iowa Department of Natural Resources

Environmental Protection Commission

ITEM ☐ **DECISION**

TOPIC **Notice of Intended Action: Air Quality Rules Update - Chapters 20, 22, 23, and 25**

The Department is requesting permission from the Commission to proceed with the rule making process and publish a Notice of Intended Action to amend Chapter 20, "Scope of Title—Definitions—Forms—Rules of Practice," Chapter 22 "Controlling Pollution," Chapter 23, "Emission Standards for Contaminants," and Chapter 25, "Measurement of Emissions," of the Iowa Administrative Code (IAC).

Reason for Rule Changes
Affected businesses and the public benefit from up-to-date air quality requirements and increased effectiveness.

The proposed changes to air quality rules:
1) Update rules to provide regulatory certainty and flexibility. The proposed changes will implement a portion of the Department's 5-year rules review plan to accomplish the requirements of Iowa Code section 17A.7(2).

2) Offer uniform rules by making changes that match federal regulations and eliminating inconsistency between federal and state rules. By adopting federal updates into state administrative rules, the Department is ensuring that Iowa's air quality rules are no more stringent than federal regulations. Additionally, the updates allow the Department, rather than the EPA, to be the primary agency to implement the air quality requirements in Iowa, thereby allowing the Department to provide compliance assistance and outreach to affected facilities.

Summary of Proposed Rule Changes
The proposed changes continue previous efforts to improve rules for air quality programs. The proposed changes adopt amendments to EPA methods for measuring air pollutant emissions (stack testing and continuous monitoring). The proposal also includes adoption of revisions to federal new source performance standards (NSPS) and air toxics standards (also known as National Emissions Standard for Hazardous Air Pollutants or NESHAP). Adopting EPA's amendments allows state rules to be consistent with federal regulations and provides certainty to affected businesses and other interested stakeholders.

NESHAP Risk and Technology Review
The majority of the proposed rule updates are in response to EPA's publication of final NESHAP amendments to address the Risk and Technology Review (RTR) required under the U.S. Clean Air Act (CAA). The CAA requires EPA to address air toxic emissions (formally known as hazardous air pollutants or HAP) from large industrial facilities in two phases. The first phase is "technology-based," where EPA develops standards for controlling the emissions of air toxics from sources in an industry group or "source category" (for example, industrial boilers). The second phase is a "risk-based" approach called residual risk. In this step, EPA must determine whether more health-protective standards are necessary.

Within eight years of finalizing the NESHAP, the CAA requires EPA to assess the remaining health risks from each source category to determine whether the standards protect public health with an ample margin of safety, and protect against adverse environmental effects. On this same schedule, the CAA also requires EPA to review the standards and, if necessary, revise them to account for improvements in air pollution controls or pollution prevention. The combined review of public health risk and air pollution control is called the "risk and technology review" (RTR).

Impact of the Recent NESHAP RTR Updates
For most of the recent NESHAP RTR updates, EPA has determined that the risks from emissions from affected source categories are acceptable and that there are no new cost-effective controls available. However, the updates do include revisions to the requirements for periods of startup, shutdown, and malfunction and require electronic reporting of performance test results and compliance reports.

In some cases, EPA made minor amendments to correct errors, clarify requirements and provide technical amendments. EPA also provided additional flexibilities in several of the NESHAP updates, such as alternative testing methods or reduced monitoring. A few of the NESHAP changes do include more substantive requirements for pollution control and monitoring.
The Department is also recommending that several recent NSPS and NESHAP amendments **not** be adopted at this time due to active legal challenges of the federal regulations.

Please refer to Table 1 and Table 2 in the attached Notice of Intended Action (pages 6-7) for more information on the specific NESHAP.

Stakeholder Involvement
The DNR distributed ten articles with summaries of the NESHAP RTRs and affected source categories using its Air Quality e-newsletter (GovDelivery), which currently has over 20,000 subscribers including industry, businesses associations, trade groups, small businesses, state and federal agencies and many other organizations and individuals. The articles are available on the DNR News Releases webpage at iowadnr.gov/About-DNR/DNR-News-Releases?Search=air+toxics. Additionally, the Department has contacted or will be contacting facilities which the Department identifies as being impacted and having substantively different requirements in facilities' permits from the updated NESHAP.

The draft rule making package was prepared and informal public input took place between [Dates TBD]. The Department announced the public input period through the air quality e-newsletter (GovDelivery) and posted the draft proposal on its air quality public input page (iowadnr.gov/airpublicinput).

Public Comments and Public Hearing

If the Commission approves the proposed rulemaking, the Department will hold a virtual public hearing on [Date TBD], in which participants my participate virtually and by phone. The Department will accept written public comments until 4:30 p.m. on [Date TBD].

Christine Paulson, Environmental Specialist Senior
Program Development Section, Air Quality Bureau
Environment Services Division
Memo date: [Date TBD]

ENVIRONMENTAL PROTECTION COMMISSION [567]

DRAFT

Notice of Intended Action

Rule making related to air quality

The Environmental Protection Commission (Commission) hereby proposes to amend Chapter 20, "Scope of Title—Definitions," Chapter 22, "Controlling Pollution," Chapter 23, "Emission Standards for Contaminants," and Chapter 25, "Measurement of Emissions," Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 455B.133 and 455B.134.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 455B.133 and 455B.134.

Purpose and Summary

The purposes of this rule making are to:

1. Update rules to provide regulatory certainty and flexibility. The amendments implement a portion of the five-year review of rules plan of the Department of Natural Resources (Department) pursuant to Iowa Code section 17A.7(2).

2. Offer uniform rules by making changes that match federal regulations and eliminate

inconsistencies between federal regulations and state administrative rules. By adopting federal updates into state administrative rules, the Commission is ensuring that Iowa's air quality rules are no more stringent than the federal regulations. Additionally, the updates allow the Department, rather than the U.S. Environmental Protection Agency (EPA), to be the primary agency to implement the air quality requirements in Iowa, thereby allowing the Department to provide compliance assistance and outreach to affected facilities.

Item 1 amends rule 567—20.2(455B), the definition of "EPA reference method" to adopt the most current EPA methods for measuring air pollutant emissions, performance testing (sometimes called "stack testing"), and continuous monitoring. EPA's revisions to 40 Code of Federal Regulations (CFR) Parts 51, 60, 61, and 63 to correct and update regulations for source testing of emissions were published in the Federal Register on October 7, 2020. (A correction to Part 63 was subsequently published on December 2, 2020.) EPA states in the final regulations that these revisions include corrections to inaccurate testing provisions, updates to outdated procedures, and approved alternative procedures that will provide flexibility to testers. EPA also states that the updates will improve the quality of data and will not impose any new substantive requirements on source owners or operators. Adopting EPA's updates ensures that state reference testing methods match current federal reference methods and are no more stringent than the federal methods.

The amendment in **Item 2** is proposed for adoption concurrently with the amendment in Item 1 and revises the definition of "EPA reference method" to similarly reflect updates to EPA testing and monitoring methods as the methods apply to the Title V Operating Permit rules in 567—Chapter 22.

Items 3, 4, and **5** adopt changes to the federal New Sources Performance Standards

(NSPS) and National Emissions Standards for Hazardous Air Pollutants (NESHAP). The U.S. Clean Air Act (CAA) obligates EPA to issue standards to control air pollution. The NSPS and NESHAP set federal standards and deadlines for industrial, commercial or institutional facilities to meet uniform standards for equipment operation and air pollutant emissions.

Because the NSPS and NESHAP adopted by reference are federal regulations, affected sources are subject to the federal requirements regardless of whether the Commission adopts the standards into the state rules. However, the CAA allows a state or local agency to implement NSPS and NESHAP as a delegated authority. Upon state adoption of the standards, the Department becomes the delegated authority for the specific NSPS or NESHAP and is the primary implementation agency in Iowa. Two local agencies, those in Polk County and Linn County, implement these standards within their counties.

The Department's rules, including all compliance deadlines, are identical to the federal NSPS and NESHAP as of a specific federal publication date. With delegation authority and adoption of the federal standards into the States's rules and the rules of Polk County and Linn County, the state and local agencies have the ability to make applicability determinations for facilities, rather than referring these decisions to EPA.

Stakeholders affected by NSPS and NESHAP typically prefer for the Department, rather than EPA, to be the primary implementation agency in Iowa. Upon adoption of the new and amended standards, the Department will work with affected facilities to provide any needed compliance assistance. Additionally, affected area sources that are small businesses are eligible for free assistance from the small business technical assistance program.

Item 3 amends subrule 23.1(2) to adopt by reference the changes that EPA made to the NSPS test methods published in 40 CFR Part 60, as explained above for Item 1, through revision

of the adoption date specified in the introductory paragraph of subrule 23.1(3).

The Commission is also proposing to exclude from adoption the recent changes that EPA made to the NSPS for Kraft Pulp Mills (40 CFR 60, Subpart BB) due to active litigation of the federal regulation. An additional proposed revision to subrule 23.1(2) indicates the previous date for which Subpart BB was adopted by reference, which will exclude the recent federal amendments from being adopted.

Item 4 amends subrule 23.1(3) to adopt by reference the changes that EPA made to the NESHAP test methods published in 40 CFR Part 61, as explained above for Item 1, through revision of the adoption date specified in the introductory paragraph of subrule 23.1(3).

Item 5 amends subrule 23.1(4) to adopt federal amendments to the NESHAP for source categories published in 40 CFR Part 63, as described below. The federal amendments are adopted by reference through revision of the adoption date specified in the introductory paragraph of subrule 23.1(4). The amendment also adopts the changes that EPA made to the NESHAP test methods, as explained above for Item 1.

Risk and Technology Review

Most of EPA's amendments proposed for adoption in subrule 23.1(4) address the Risk and Technology Reviews (RTR) required under the CAA. The CAA requires EPA to address air toxic emissions from large industrial facilities (major sources) in two phases.

The first phase is "technology-based," where EPA develops standards for controlling the emissions of air toxics from sources in an industry group or "source category" (for example, industrial boilers). These maximum achievable control technology (MACT) standards are based on emissions levels that controlled and low-emitting sources in an industry are already achieving. Typically, MACT affects only a "major source" of air toxics (a source with a potential to emit at

least 10 tons per year of any one HAP or 25 tons per year of any combination of HAPs).

The second phase is a "risk-based" approach called residual risk. In this step, EPA must determine whether more health-protective standards are necessary. Within eight years of setting the MACT standards, the Clean Air Act requires EPA to assess the remaining health risks from each source category to determine whether the MACT standards protect public health with an ample margin of safety, and protect against adverse environmental effects. On this same schedule, the Clean Air Act also requires EPA to review the standards and, if necessary, revise them to account for improvements in air pollution controls or prevention. The combined review of public health risk and air pollution control is called the "risk and technology review" (RTR).

Impact of the NESHAP Amendments

For most of the recent NESHAP RTR updates, EPA has determined that the risks from emissions from affected source categories are acceptable and that there are no new cost-effective controls available. However, the updates do include revisions to the requirements for periods of startup, shutdown, and malfunction (SSM) and require electronic reporting of performance test results and compliance reports.

In some cases, EPA made minor amendments to correct errors, clarify requirements and provide technical amendments. EPA also provided additional flexibilities in several of the final NESHAP RTRs, such as alternative testing methods or reduced monitoring. A few of the recent and upcoming NESHAP RTRs do include more substantive requirements for pollution control and monitoring.

Table 1 below identifies the amendments to the NESHAP source categories that the Commission proposes to adopt by reference. The standards are identified by source category and are listed in order of publication date in the Federal Register. The table also indicates the subpart

in 40 CFR Part 63, as well as the associated paragraph in subrule 23.1(4). Additionally, the table indicates the number of facilities that the Department estimates are currently affected by the specific standard. The Commission is including standards for adoption that don't currently affect any Iowa sources in case a new facility of that type is constructed in the future.

Table 1: NESHAP Amendments Proposed for Adoption

NESHAP: Affected Source Category (Note: "Mfg"is the abbreviation for "manufacturing")	**Date Published in Federal Register**	**40 CFR 63 Subpart/Subrule 23.1(4) Paragraph**	**Estimated Iowa Facilities Affected**
Surface Coating of Metal Cans	2/25/2020	KKKK/*"ck"*	0
Surface Coating of Metal Coil	2/25/2020	SSSS/*"cs"*	0
Asphalt Processing	3/12/2020	LLLLL/*"dl"*	0
Vegetable Oil Production	3/18/2020	GGGG/*"cg"*	17
Boat Mfg	3/20/2020	VVVV/*"cv"*	0
Reinforced Plastics	3/20/2020	WWWW/*"cw"*	15
HCl Acid Production	4/15/2020	NNNNN/*"dn"*	0
Engine Test Cells	6/3/2020	PPPPP/*"dp"*	1
Cellulose Products	7/2/2020	UUUU/*"cu"*	0
Automobiles and Light Duty Trucks	7/8/2020	IIII/*"ci"*	0
Miscellaneous Metal Parts	7/8/2020	MMMM/*"cm"*	31
Plastic Parts	7/8/2020	PPPP/*"cp"*	12
Paper and Other Web Coatings	7/9/2020	JJJJ/*"cj"*	2
Rubber Tire Mfg	7/24/2020	XXXX/*"cx"*	1
Miscellaneous Coating Mfg	8/14/2020	HHHHH/*"dh"*	1
Iron and Steel Foundries	9/10/2020	EEEEE/*"de"*	4
Phosphoric Acid Mfg	11/3/2020	AA/*"aa"*	0

There are several recent NESHAP amendments that the Commission is proposing to

exclude from adoption at this time due to active legal challenges of the federal regulations. Additional proposed revisions to subrule 23.1(4) indicate the previous dates for which the specific NESHAP were adopted by reference, which will exclude the recent federal amendments from being adopted. Table 2 below indicates the NESHAP amendments being excluded from adoption. Affected sources remain subject to these federal requirements regardless of whether the Commission adopts the standards into the state rules.

Table 2

NESHAP Amendments Excluded from Adoption Due to Legal Challenges

NESHAP: Affected Source Category (Note: "Mfg"is the abbreviation for "manufacturing")	**Date Published in Federal Register**	**40 CFR 63 Subpart/Subrule 23.1(4) paragraph and the previous adoption date**	**Estimated Iowa Facilities Affected by the NESHAP**
Combustion Turbines	3/9/2020	YYYY/*"cy"* *4/20/2006*	2
Municipal Solid Waste Landfills	3/26/2020	AAAA/*"ca"* 4/20/2006	5
Ethylene Production	7/6/2020	YY/*"ay"* 10/8/2014	1
Organic Liquids (Non-Gasoline) Distribution	7/7/2020	EEEE/*"ce"* 7/17/2008	3
Site Remediation	7/10/2020	GGGGG/*"dg"* 11/29/2006	0
Integrated Steel Mfg	7/13/2020	FFFFF/*"df"* 7/13/2006	0
Lime Mfg	7/24/2020	AAAAA/*"da"* 4/20/2006	0
Miscellaneous Organic Chemical Mfg (MON)	8/12/2020	FFFF/*"cf"* 7/14/2006	19
Plywood & Composites Mfg	8/13/2020	DDDD/*"cd"* 10/29/2007	2
Pulp Mills	11/5/2020	MM/*"am"* 10/11/2017	0

Stakeholder Involvement

The Department distributed ten articles with summaries of the NESHAP RTRs and affected source categories using its Air Quality e-newsletter (GovDelivery), which currently has over 20,000 subscribers including industry, businesses associations, trade groups, small businesses, state and federal agencies and many other organizations and individuals. The articles are available on the Department's News Releases webpage at iowadnr.gov/About-DNR/DNR-News-Releases?Search=air+toxics. Additionally, the Department has contacted or will be contacting facilities which the Department identifies as being impacted and having substantively different requirements in facilities' permits from the updated NESHAP.

Item 6 amends subrule 25.1(9) to adopt the changes EPA made to the federal test methods for measuring emissions, as explained above for Item 1.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa. After analysis and review of this rule making, the Commission has determined that most of the changes will have a neutral fiscal impact on affected facilities, the general public, and county or local governments. Some of the amendments may benefit the private sector because they streamline current air quality programs. Affected businesses and the public benefit from up-to-date air quality requirements and increased effectiveness. A copy of the fiscal impact statement is available from the Department upon request.

Jobs Impact

After analysis and review of this rule making, most of the amendments will have a neutral impact on private-sector jobs. Some of the amendments may benefit the private sector because

they streamline current air quality programs. For the amendments specified in Items 3, 4, and 5, the Department has determined that there may be jobs impacts to Iowa businesses. However, the amendments are only implementing federally mandated regulations. The amendments are identical to the federal regulations and will not impose any regulations on Iowa businesses not already required by federal law. In some cases, the revised federal standards being adopted provide more flexibility and potential cost savings for affected businesses, offering a positive impact on private-sector jobs. A copy of the jobs impact statement is available from the Department upon request.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 561—Chapter 10.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on [Date TBD]. Comments should be directed to:

Christine Paulson
Department of Natural Resources
Wallace State Office Building
502 East 9th Street
Des Moines, Iowa 50319
Email: christine.paulson@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows. [TBD (virtual meeting and teleconference)]

[Date TBD]
1 to 2 p.m.

[Meeting access instructions TBD]

Persons who wish to make oral comments at the public hearing will be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to participate in the hearing and have special requirements, such as those related to hearing or vision impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule making action is proposed:

ITEM 1. Amend rule **567—20.2(455B)**, definition of "EPA reference method" as follows:

"EPA reference method" means the following methods used for performance tests and continuous monitoring systems:

1. Performance test (stack test). A stack test shall be conducted according to EPA reference methods specified in 40 CFR 51, Appendix M (as amended or corrected through ~~November 14, 2018~~ October 7, 2020); 40 CFR 60, Appendix A (as amended or corrected through ~~November 14, 2018~~ October 7, 2020); 40 CFR 61, Appendix B (as amended or corrected through ~~August 30, 2016~~ October 7, 2020); and 40 CFR 63, Appendix A (as amended or corrected through ~~November 14, 2018~~ December 2, 2020).

2. Continuous monitoring systems. Minimum performance specifications and quality assurance procedures for performance evaluations of continuous monitoring systems are as specified in 40 CFR 60, Appendix B (as amended or corrected through ~~November 14, 2018~~ October 7, 2020); 40 CFR 60, Appendix F (as amended or corrected through ~~November 14, 2018~~ October 7, 2020); 40 CFR 75, Appendix A (as amended or corrected through August 30, 2016); 40 CFR 75, Appendix B (as amended or corrected through August 30, 2016); and 40 CFR 75, Appendix F (as amended or corrected through August 30, 2016).

ITEM 2. Amend rule **567—22.100(455B)**, the definition of "EPA reference method," as follows:

"EPA reference method" means the following methods used for performance tests and continuous monitoring systems:

1. Performance test (stack test). A stack test shall be conducted according to EPA reference methods specified in 40 CFR 51, Appendix M (as amended or corrected through ~~November 14, 2018~~ October 7, 2020); 40 CFR 60, Appendix A (as amended or corrected through ~~November 14, 2018~~ October 7, 2020); 40 CFR 61, Appendix B (as amended or corrected through

~~August 30, 2016~~ October 7, 2020); and 40 CFR 63, Appendix A (as amended or corrected through ~~November 14, 2018~~ December 2, 2020).

2. Continuous monitoring systems. Minimum performance specifications and quality assurance procedures for performance evaluations of continuous monitoring systems are as specified in 40 CFR 60, Appendix B (as amended or corrected through ~~November 14, 2018~~ October 7, 2020); 40 CFR 60, Appendix F (as amended or corrected through ~~November 14, 2018~~ October 7, 2020); 40 CFR 75, Appendix A (as amended or corrected through August 30, 2016); 40 CFR 75, Appendix B (as amended or corrected through August 30, 2016); and 40 CFR 75, Appendix F (as amended or corrected through August 30, 2016).

ITEM 3. Amend subrule 23.1(2), introductory paragraph, as follows:

23.1(2) *New source performance standards.* The federal standards of performance for new stationary sources, as defined in 40 Code of Federal Regulations Part 60 as amended or corrected through ~~November 14, 2018~~ October 7, 2020, are adopted by reference, except § 60.530 through § 60.539b (Part 60, Subpart AAA), and shall apply to the following affected facilities. The corresponding 40 CFR Part 60 subpart designation is in parentheses. An earlier date for adoption by reference may be included with the subpart designation in parentheses. Reference test methods (Appendix A), performance specifications (Appendix B), determination of emission rate change (Appendix C), quality assurance procedures (Appendix F) and the general provisions (Subpart A) of 40 CFR Part 60 also apply to the affected facilities.

a. through *w.* No change.

x. *Kraft pulp mills.* Any of the following in a kraft pulp mill: digester system; brown

stock washer system; multiple effect evaporator system; black liquor oxidation system; recovery furnace; smelt dissolving tank; lime kiln; and condensate stripper system. In pulp mills where kraft pulping is combined with neutral sulfite semichemical pulping, the provisions of the standard of performance are applicable when any portion of the material charged to an affected facility is produced by the kraft pulping operation. (Subpart BB, as amended or corrected through February 27, 2014)

y through *cccc*. No change.

ITEM 4. Amend subrule 23.1(3), introductory paragraph as follows:

23.1(3) *Emission standards for hazardous air pollutants.* The federal standards for emissions of hazardous air pollutants, 40 Code of Federal Regulations Part 61 as amended or corrected through ~~August 30, 2016,~~ October 7, 2020, and 40 CFR Part 503 as adopted on August 4, 1999, are adopted by reference, except 40 CFR §61.20 to §61.26, §61.90 to §61.97, §61.100 to §61.108, §61.120 to §61.127, §61.190 to §61.193, §61.200 to §61.205, §61.220 to §61.225, and §61.250 to §61.256, and shall apply to the following affected pollutants and facilities and activities listed below. The corresponding 40 CFR Part 61 subpart designation is in parentheses. An earlier date for adoption by reference may be included with the subpart designation in parentheses. Reference test methods (Appendix B), compliance status information requirements (Appendix A), quality assurance procedures (Appendix C) and the general provisions (Subpart A) of Part 61 also apply to the affected activities or facilities.

ITEM 5. Amend subrule 23.1(4), as follows:

23.1(4) *Emission standards for hazardous air pollutants for source categories.* The federal

standards for emissions of hazardous air pollutants for source categories, 40 Code of Federal Regulations Part 63 as amended or corrected through ~~August 3, 2018~~, November 3, 2020, are adopted by reference, except those provisions which cannot be delegated to the states. The corresponding 40 CFR Part 63 subpart designation is in parentheses. ~~An earlier~~ A different date for adoption by reference may be included with the subpart designation in parentheses, or as indicated in this introductory paragraph. 40 CFR Part 63, Subpart B, incorporates the requirements of Clean Air Act Sections 112(g) and 112(j) and does not adopt standards for a specific affected facility. Test methods (Appendix A, as amended or corrected through December 2, 2020), sources defined for early reduction provisions (Appendix B), and determination of the fraction biodegraded (Fbio) in the biological treatment unit (Appendix C) of Part 63 also apply to the affected activities or facilities. For the purposes of this subrule, "hazardous air pollutant" has the same meaning found in 567—22.100(455B). For the purposes of this subrule, a "major source" means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless a lesser quantity is established, or in the case of radionuclides, where different criteria are employed. For the purposes of this subrule, an "area source" means any stationary source of hazardous air pollutants that is not a "major source" as defined in this subrule. Paragraph *23.1(4)"a"* general provisions (Subpart A) of Part 63, shall apply to owners or operators who are subject to subsequent subparts of 40 CFR Part 63 (except when otherwise specified in a particular subpart or in a relevant standard) as adopted by reference below.

a. through *al.* No change.

am. *Emission standards for hazardous air pollutants for chemical recovery combustion sources at kraft, soda, sulfite, and stand-alone semichemical pulp mills.* (Part 63, Subpart MM, as amended or corrected through October 11, 2017)

an through *ax*. No change.

ay. *Emission standards for hazardous air pollutants: generic maximum achievable control technology (Generic MACT).* These standards apply to new and existing major sources of acetal resins (AR) production, acrylic and modacrylic fiber (AMF) production, hydrogen fluoride (HF) production, polycarbonate (PC) production, carbon black production, cyanide chemicals manufacturing, ethylene production, and Spandex production. Affected processes include, but are not limited to, producers of homopolymers and copolymers of alternating oxymethylene units, acrylic fiber, modacrylic fiber synthetics composed of acrylonitrile (AN) units, hydrogen fluoride and polycarbonate. (Subpart YY, as amended or corrected through October 8, 2014)

az through *bz*. No change.

ca. *Emission standards for hazardous air pollutants: municipal solid waste landfills.* This standard applies to existing and new municipal solid waste (MSW) landfills. (Part 63, Subpart AAAA, as amended or corrected through April 20, 2006)

cb. ~~No change~~. Reserved.

cc. *Emission standards for hazardous air pollutants for the manufacturing of nutritional yeast.* (Part 63, Subpart CCCC)

cd. *Emission standards for hazardous air pollutants for plywood and composite wood products (formerly plywood and particle board manufacturing).* These standards apply to new and existing major sources with equipment used to manufacture plywood and composite wood products. This equipment includes dryers, refiners, blenders, formers, presses, board coolers, and

other process units associated with the manufacturing process. This also includes coating operations, on-site storage and wastewater treatment. However, only certain process units (defined in the federal rule) are subject to control or work practice requirements. (Part 63, Subpart DDDD, as amended or corrected through October 29, 2007)

ce. *Emission standards for hazardous air pollutants for organic liquids distribution (non-gasoline).* These standards apply to new and existing major source organic liquids distribution (non-gasoline) operations, which are carried out at storage terminals, refineries, crude oil pipeline stations, and various manufacturing facilities. (Part 63, Subpart EEEE, as amended or corrected through July 17, 2008)

cf. *Emission standards for hazardous air pollutants for miscellaneous organic chemical manufacturing (MON).* These standards establish emission limits and work practice standards for new and existing major sources with miscellaneous organic chemical manufacturing process units, wastewater treatment and conveyance systems, transfer operations, and associated ancillary equipment. (Part 63, Subpart FFFF, as amended or corrected through July 14, 2006)

cg through *cx*. No change.

cy. *Emission standards for hazardous air pollutants for stationary combustion turbines.* These standards apply to stationary combustion turbines which are located at a major source of hazardous air pollutant emissions. Several subcategories have been defined within the stationary combustion turbine source category. Each subcategory has distinct requirements as specified in the standards. These standards do not apply to stationary combustion turbines located at an area source of hazardous air pollutant emissions. (Part 63, Subpart YYYY, as amended or corrected through April 20, 2006)

cz. No change.

da. *Emission standards for hazardous air pollutants for lime manufacturing plants.* These standards regulate hazardous air pollutant emissions from new and existing lime manufacturing plants that are major sources, are colocated with major sources, or are part of major sources. Additional applicability criteria and exemptions from these standards may apply. (Part 63, Subpart AAAAA, as amended or corrected through April 20, 2006)

db through *de*. No change.

df. *Emission standards for hazardous air pollutants for integrated iron and steel manufacturing.* These standards apply to affected sources at an integrated iron and steel manufacturing facility that is, or is part of, a major source of hazardous air pollutant emissions. The affected sources are each new or existing sinter plant, blast furnace, and basic oxygen process furnace (BOPF) shop at an integrated iron and steel manufacturing facility that is, or is part of, a major source of hazardous air pollutant emissions. (Part 63, Subpart FFFFF, as amended or corrected through July 13, 2006)

dg. *Emission standards for hazardous air pollutants: site remediation.* These standards apply to new and existing major sources with certain types of site remediation activity on the source's property or on a contiguous property. These standards control hazardous air pollutant (HAP) emissions at major sources where remediation technologies and practices are used at the site to clean up contaminated environmental media (e.g., soil, groundwater, or surface water) or certain stored or disposed materials that pose a reasonable potential threat to contaminate environmental media.

Some site remediations already regulated by rules established under the Comprehensive Environmental Response and Compensation Liability Act (CERCLA) or the Resource Conservation and Recovery Act (RCRA) are not subject to these standards, as specified in Subpart

GGGGG. There are also exemptions for short-term remediation and for certain leaking underground storage tanks, as specified in Subpart GGGGG. (Part 63, Subpart GGGGG, as amended or corrected through April 20, 2006)

dh through *fd*. No change

ITEM 6. Amend subrule 25.1(9) as follows:

25.1(9) *Methods and procedures.* Stack sampling and associated analytical methods used to evaluate compliance with emission limitations of 567—Chapter 23 or a permit condition are as follows:

a. Performance test (stack test). A stack test shall be conducted according to EPA reference methods as specified in 40 CFR 51, Appendix M (as amended or corrected through ~~November 14, 2018~~ October 7, 2020); 40 CFR 60, Appendix A (as amended or corrected through ~~November 14, 2018~~ October 7, 2020); 40 CFR 61, Appendix B (as amended or corrected through ~~August 30, 2016~~ October 7, 2020); and 40 CFR 63, Appendix A (as amended or corrected through ~~November 14, 2018~~ December 2, 2020). The owner of the equipment or the owner's authorized agent may use an alternative methodology if the methodology is approved by the department in writing before testing. Each test shall consist of at least three separate test runs. Unless otherwise specified by the department, compliance shall be assessed on the basis of the arithmetic mean of the emissions measured in the three test runs.

b. Continuous monitoring systems. Minimum performance specifications and quality assurance procedures for performance evaluations of continuous monitoring systems are as specified in 40 CFR 60, Appendix B (as amended or corrected through ~~November 14, 2018~~

October 7, 2020); 40 CFR 60, Appendix F (as amended or corrected through ~~November 14, 2018~~ October 7, 2020); 40 CFR 75, Appendix A (as amended or corrected through August 30, 2016); 40 CFR 75, Appendix B (as amended or corrected through August 30, 2016); and 40 CFR 75, Appendix F (as amended or corrected through August 30, 2016). The owner of the equipment or the owner's authorized agent may use an alternative methodology for continuous monitoring systems if the methodology is approved by the department in writing before the minimum performance specification and quality assurance procedure is conducted.

c. No change.

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Date

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Kayla Lyon, Director