

**Air Pollution Control Board**

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Air Pollution Control Officer

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**NOTICE OF WORKSHOP
FOR DISCUSSION OF A PROPOSED AMENDMENT TO
RULE 67.10 - KELP PROCESSING AND BIO-POLYMER
MANUFACTURING OPERATIONS**

The San Diego County Air Pollution Control District will hold a public meeting to consider proposed amendments to Rule 67.10 - Kelp Processing and Bio-Polymer Manufacturing Operations. Comments regarding the proposed amended rule may be submitted in writing before, or made at the workshop, which is scheduled as follows:

DATE: Wednesday - February 5, 1997

TIME: 10 a.m. - 12 p.m.

PLACE: San Diego Air Pollution Control District
Conference Room 139
9150 Chesapeake Drive
San Diego, CA

Rule 67.10 regulates emissions of volatile organic compounds (VOC's) resulting from kelp processing and bio-polymer manufacturing operations. It applies to one facility in San Diego County which is a major source of VOC emissions. In 1994 the District revised Rule 67.10 to comply with the Federal Clean Air Act which requires major stationary sources to install reasonably available control technology (RACT). Subsequently, the revised rule was submitted to Environmental Protection Agency (EPA) for inclusion in the California State Implementation Plan (SIP).

In February 1996, EPA notified the District that Rule 67.10 had been approved into the SIP but the rule would be given only a limited approval because of specified deficiencies. EPA also stated that failure to correct these deficiencies and receive full approval before October, 1997 would result in federal sanctions.

On November 6, 1996, the one affected company entered into a Consent Decree with EPA to resolve alleged violations of the California State Implementation Plan. The Consent Decree requires the facility to install new emission control equipment for specified processes and specifies a compliance schedule, the control efficiency requirements and applicable test methods. The company's obligations under the Consent Decree terminate when District Rule 67.10 has been amended to incorporate the requirements of the Consent Decree and approved by EPA into the California SIP.

The proposed amendments to Rule 67.10 correct the deficiencies identified by EPA and incorporate the requirements of the Consent Decree. They also update and clarify some definitions and record-keeping requirements, update the rule format, and delete outdated provisions. Specifically, amended Rule 67.10 will:

- Delete the exemption for low volatility organic compounds.

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- Revise the definition of "exempt compound" to be consistent with other District rules.
- Clarify the definition of "spent pot".
- Require uncontrolled emissions of previously exempt low volatility organic compounds from dryers in kelp processing lines be reduced by at least 90%.
- Require uncontrolled VOC emissions from incorporators be captured and reduced by at least 80%.
- Require a visual weekly inspection of system components to ensure they are free of fugitive liquid leaks.
- Delete the provision specifying that a fugitive liquid leak from incorporators is considered a violation of the rule only if the liquid contains more than 50 % by weight of VOC's.
- Delete the stipulation that a test period shorter than 16 hours cannot be used as the basis for determining non-compliance.
- Include a test method reference for determining the capture efficiency of an emission collection system.
- Add a compliance schedule for the installation of the newly required control equipment for incorporators and dryers.

If you would like a copy of proposed amended Rule 67.10, please call Juanita Ogata at (619) 694-8851. If you have any questions concerning the proposal, please call Rosa Salcedo at (619) 694-3209 or me at (619) 694-3303.



RICHARD J. SMITH
Deputy Director

RJSm:NZ:jo
12/30/96

**AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN DIEGO**

PROPOSED AMENDMENTS TO RULE 67.10

Proposed amendments to Rule 67.10 are to read as follows:

**RULE 67.10. KELP PROCESSING AND BIO-POLYMER MANUFACTURING
OPERATIONS**

(a) APPLICABILITY

(1) Except as otherwise provided in Section (b), this rule is applicable to any kelp processing or bio-polymer manufacturing line, or associated pilot plant facility, where volatile organic compounds (VOC's) are used as reactants, solvents or extractants or used to separate or purify the products of kelp processing or bio-polymer manufacturing line operations.

(2) Kelp processing and bio-polymer manufacturing operations subject to, or exempt from, this rule shall not be subject to Rule 66.

(b) EXEMPTIONS

The provisions of Sections (d), (e), and (g) of this rule shall not apply to:

(1) Any kelp processing or bio-polymer manufacturing line where emissions of VOC's, at the maximum design capacity of the line, are no greater than 15 pounds in any one day, provided total emissions of VOC's from all kelp processing or bio-polymer manufacturing equipment located at a stationary source are no greater than 100 pounds in a day. It shall be the responsibility of a person claiming this exemption to maintain daily records necessary for the District to determine the applicability of such an exemption; and

(2) Fuel oil; and

(3) Laboratory facilities used exclusively for research and development provided that monthly records are kept of the usage of VOC-containing materials; and

~~(4) Any low volatility organic compound which has a normal boiling point of 185°C or greater. Any person claiming this exemption shall maintain written records which substantiate the claim such as applicable manufacturer's specifications or, for pure compounds, standard reference texts.~~

~~(5)~~(4) Any temporary equipment installed in a pilot plant facility and resulting in an emissions increase not exceeding 10 pounds of VOC's per day. It shall be the responsibility of a person claiming this exemption to maintain daily records necessary for the District to determine the applicability of such an exemption.

All records pursuant to Subsections (b)(1), (b)(3), and (b)(4), ~~and (b)(5)~~ shall be retained on site for at least two years and shall be submitted to the District upon request.

(c) DEFINITIONS

For the purpose of this rule the following definitions shall apply:

(1) "Approved Air Pollution Control Device" means a single piece of equipment or combination of pieces of equipment which is designed to reduce the emissions of air contaminants and which is approved, in writing, by the Air Pollution Control Officer.

(2) **"Bio-polymer Manufacturing Line"** means one or more pieces of equipment linked by a process flow in which a bio-polymer or any of its precursors is dried, extracted, filtered, mixed or reacted with any VOC where the end product cannot be produced if any piece of equipment is removed or not functioning.

(3) **"Drier Dryer"** means a device used to remove water and/or VOC's from a material by applying heat, by flowing unsaturated air, or by subjecting the material to vacuum, or any combination thereof.

(4) **"Exempt Compound"** means the same as defined in Rule 2.

~~any of the following compounds or classes of compounds: 1,1,1 trichloroethane, methylene chloride, trichlorofluoromethane (CFC 11), dichlorodifluoromethane (CFC 12), trifluoromethane (HFC 23), trichlorotrifluoroethane (CFC 113), dichlorotetrafluoroethane (CFC 114), chloropentafluoroethane (CFC 115), chlorodifluoromethane (HCFC 22), dichlorotrifluoroethane (HCFC 123), dichlorofluoroethane (HCFC 141b), 1,1,1,2-tetrafluoroethane (HFC 134a), 1,1,2,2-tetrafluoroethane (HFC 134), chlorodifluoroethane (HCFC 142b), 2-chloro-1,1,1,2-tetrafluoroethane (HCFC 124), pentafluoroethane (HFC 125), 1,1,1-trifluoroethane (HFC 143a), 1,1-difluoroethane (HFC 152a), and the following four classes of perfluorocarbon (PFC) compounds:~~

- ~~(i) cyclic, branched, or linear, completely fluorinated alkanes;~~
- ~~(ii) cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;~~
- ~~(iii) cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and~~
- ~~(iv) sulfur-containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.~~

(5) **"Fugitive Liquid Leak"** means a visible leak of liquid, containing greater than 10 percent by weight VOC, at a rate in excess of three drops per minute, or a visible mist. For the purposes of this rule, a liquid leak dropping into a capture system which is connected to an air pollution control device shall not be considered a fugitive liquid leak.

(6) **"Incorporator"** means a device in which a solid and a VOC introduced into the device are mixed, where it is not intended that the VOC chemically modify the solid.

(7) **"In-Process Tank"** means a tank, which is part of a kelp processing or bio-polymer manufacturing line or pilot plant facility and which is used to handle or transfer VOC-containing material. In-process tanks include spent pots, but exclude stationary storage tanks.

(8) **"Kelp Processing Line"** means one or more pieces of equipment linked by a process flow in which kelp or any of its derivatives is dried, extracted, filtered, mixed, or reacted with any VOC where the end product cannot be produced if any piece of equipment is removed or not functioning.

(9) **"Laboratory Facility"** means a facility which uses bench-scale or small-scale equipment for the purpose of conducting studies or tests for the research, development or evaluation of a product, process, or service.

(10) **"Pilot Plant Facility"** means a facility which uses small-scale or intermediate-scale process equipment.

(11) **"Press"** means a mechanical device for separating liquids from solids.

(12) **"Reactor"** means a device in which a chemical reaction takes place between two or more materials introduced into the device, where a VOC chemically modifies one or more materials.

(13) **"Research and Development"** means bench-scale or small-scale kelp and/or bio-polymer processing operations, including operations performed for purposes of testing and quality control, which are not used for production purposes to produce a salable product or service, other than the first-article product or service.

(14) **"Spent Pot"** means the container where VOC-containing liquid is collected immediately after being discharged from a press before distillation.

(15) **"Stationary Source"** means the same as is defined in Rule 2.

(16) **"Stationary Storage Tank"** means any tank, reservoir, or other container used to store, but not transport, VOC. Stationary storage tanks do not include tanks used to separate solids from process streams or spent pots.

(17) **"Still"** means a device designed to separate, in whole or in part, the constituents of a mixture of miscible liquids by heating the liquid mixture and preferentially condensing and collecting the vapors.

(18) **"Temporary Equipment"**, for the purposes of the exemption in Subsection (b)(5), means equipment located at a pilot plant facility for a period not exceeding 90 days in any consecutive twelve-month period.

(19) **"Volatile Organic Compound (VOC)"** means any volatile compound containing at least one atom of carbon excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonates, and exempt compounds which may be emitted to the atmosphere during operations subject to any provision of this rule.

(d) STANDARDS

~~(1) A person shall not operate any kelp processing or bio-polymer manufacturing line unless all aboveground stationary storage tanks, having capacities greater than 20,000 gallons, containing VOC used in conjunction with the line are equipped with pressure-vacuum relief valves which have minimum relief settings of 5 oz/sq. in. (pressure) and 0.5 oz/sq. in. (vacuum). Tanks with capacities greater than 50,000 gallons shall have minimum relief settings of 0.5 oz/sq. in. (pressure) and 0.5 oz/sq. in. (vacuum).~~
moved to new Subsection (d)(6)

~~(2) A person shall not operate any kelp processing or bio-polymer manufacturing line or pilot plant facility unless all piping, valves, fittings, tanks, stills, process equipment and other devices used to transport, store, react or process VOC or materials containing VOC are free of fugitive liquid leaks. A fugitive liquid leak from incorporators shall only be considered a violation of this rule if the liquid contains more than 50 percent by weight of VOC.~~ *moved to new Subsection (d)(8)*

~~Repair of a fugitive liquid leak may be delayed until the leaking equipment is next scheduled to be off line, or a production cycle is completed, or within 72 hours of detection, whichever occurs first, provided:~~

~~(i) The time, date and location of the leak are recorded promptly following detection;~~

~~(ii) All practicable steps to minimize the magnitude of the leak are taken as soon as possible following detection; and~~

~~(iii) The record required by Subsection (d)(2)(i) is made available to the Air Pollution Control Officer upon request.~~

~~An unrecorded leak shall be considered a violation of this rule. The provisions of this subsection shall become effective June 15, 1997 for presses in a kelp processing manufacturing line.~~

~~This subsection shall not apply to liquid losses occurring during maintenance, repair or back flushing of process and storage equipment.~~

~~(3) A person shall not operate any kelp processing or bio polymer manufacturing line or pilot plant facility unless each in process tank for material containing VOC is equipped with an apparatus or cover which completely covers the tank but not necessarily provides a vapor tight seal, and which is closed or in place at all times except as necessary to meet operating requirements or for maintenance. moved to new Subsection (d)(5)~~

~~(4)(1) A person shall not operate any bio-polymer manufacturing line unless the total emissions of VOC's to the atmosphere from all driers dryers used in conjunction with all lines are reduced by at least 95 percent by weight by means of an approved air pollution control device. This requirement shall not apply to driers dryers whose exhaust contains VOC at an average concentration of 200 ppmv or less over a complete batch or cycle. Emissions of VOC occurring during the transfer of materials containing VOC into or out of a drier dryer shall be included when determining emissions from that drier dryer.~~

~~(5)(2) A person shall not operate a kelp processing line unless the total emissions of VOC to the atmosphere from all driers dryers and reactors used in conjunction with all affected lines are reduced by means of an approved air pollution control device as follows:~~

~~(i) For all driers in kelp processing lines or portions of lines where the primary VOC being emitted is not a process reactant or byproduct of a process reaction, by a total of at least 95 percent by weight.~~

~~(ii) For all reactors and dryers associated with those reactors in kelp processing lines or portions of lines where the primary VOC being emitted is a process reactant or byproduct of a process reaction, except propylene glycol, by a total of at least 80 percent by weight.~~

~~(iii) For all dryers in kelp processing lines where propylene glycol is being emitted, by a total of at least 90 percent by weight.~~

~~Emissions of VOC occurring during the transfer of materials containing VOC into or out of a drier dryer or reactor shall be included when determining emissions from the drier dryer or reactor.~~

(6)(3) A person shall not operate any pilot plant facility unless the total emissions of VOC's to the atmosphere from all ~~driers~~ dryers used in conjunction with all lines are reduced by at least 95 percent by weight by means of an approved air pollution control device. This requirement shall not apply to ~~driers~~ dryers whose exhaust contains VOC at an average concentration of 200 ppmv or less over a complete batch or cycle. Emissions of VOC occurring during the pneumatic transfer of materials containing VOC into or out of a ~~drier~~ dryer shall be included when determining emissions from that ~~drier~~ dryer. Emissions of VOC occurring during manual transfer of materials containing VOC into or out of a ~~drier~~ dryer shall not be included when determining emissions from that ~~drier~~ dryer, provided the containers used to transfer the materials are covered after filling and prior to discharge.

(4) A person shall not operate any kelp processing or bio-polymer manufacturing line or pilot plant facility unless:

(i) The uncontrolled emissions of VOC to the atmosphere from presses and spent pots are captured by an emission collection system and the captured emissions are transported to an air pollution control device, and the combined emissions capture and control device efficiency is at least 75% by weight; and

(ii) The uncontrolled emissions of VOC to the atmosphere from incorporators are captured by an emission collection system and the captured emissions are transported to an air pollution control device, and the combined emissions capture and control device efficiency is at least 80% by weight; and

(iii) Pumps processing VOC-containing material are equipped with dual mechanical seals, or equipped with other leak-free technology that has been approved in writing by the Air Pollution Control Officer and provided that the equipment complies with Subsection (d)(8); and

(iv) Liquid process mixtures containing VOC's are maintained at a temperature not higher than 115°F (46°C) before entering a press; and

(v) Presses are equipped with sealing door covers.

(5) A person shall not operate any kelp processing or bio-polymer manufacturing line or pilot plant facility unless each in-process tank for material containing VOC is equipped with an apparatus or cover which completely covers the tank but not necessarily provides a vapor tight seal, and which is closed or in place at all times except as necessary to meet operating requirements or for maintenance.

(6) A person shall not operate any kelp processing or bio-polymer manufacturing line unless all aboveground stationary storage tanks, having capacities greater than 20,000 gallons, containing VOC used in conjunction with the line are equipped with pressure-vacuum relief valves which have minimum relief settings of 5 oz/sq. in. (pressure) and 0.5 oz/sq. in. (vacuum). Tanks with capacities greater than 50,000 gallons shall have minimum relief settings of 0.5 oz/sq. in. (pressure) and 0.5 oz/sq. in. (vacuum).

(7) Equipment, devices and systems in use to transport and control VOC emissions pursuant to Subsections (d)(4)(1), (d)(5)(2), and (d)(6)(3), and (d)(4) shall be maintained so as to be free of visible holes, breaks, openings or separations between adjoining components, that are not consistent with their design and intended operating function, from which fugitive VOC vapors would be emitted to the atmosphere.

(8) A person shall not operate any kelp processing or bio-polymer manufacturing line or pilot plant facility unless all piping, valves, fittings, tanks, stills, process equipment and other devices used to transport, store, react or process VOC or materials containing VOC are free of fugitive liquid leaks. A visual inspection of these components shall also be performed weekly. A record of these weekly inspections shall be maintained and made available to the District upon request.

Repair of a fugitive liquid leak may be delayed until the leaking equipment is next scheduled to be off-line, or a production cycle is completed, or within 72 hours of detection, whichever occurs first, provided:

(i) The time, date and location of the leak are recorded promptly following detection;

(ii) All practicable steps to minimize the magnitude of the leak are taken as soon as possible following detection; and

(iii) The record required by Subsection (d)(8)(i) is made available to the Air Pollution Control Officer upon request.

An unrecorded leak identified at the time of the District compliance inspection shall be considered a violation of this rule. The provisions of this subsection shall become effective June 15, 1997 for presses in a kelp processing manufacturing line.

This subsection shall not apply to liquid losses occurring during maintenance, repair or back flushing of process and storage equipment.

(8)(9) An operation and maintenance program shall be submitted to the Air Pollution Control Officer for approval for new equipment required by Subsections (d)(1), (d)(2), (d)(3), (d)(4)(i), and (d)(4)(ii) ~~(d)(5) (d)(6), and (d)(11)~~. An existing operation and maintenance program that has been approved by the Air Pollution Control Officer need not be resubmitted for approval as a result of amendments to this rule unless such approved operation and maintenance program is revised. Each program shall be implemented and maintained on approval of the Air Pollution Control Officer.

Each operation and maintenance program submitted for approval shall:

(i) Maintain the VOC emission reduction efficiency required under Subsections (d)(1), (d)(2), (d)(3), (d)(4)(i), and (d)(4)(ii) ~~(d)(5) (d)(6), and (d)(11)~~; and

(ii) Identify and maintain all key system operating parameters. Key system operating parameters are those parameters, such as temperature, pressure, and/or flow rate, necessary to maintain the VOC emission reduction efficiency required under Subsections (d)(1), (d)(2), (d)(3), (d)(4)(i), and (d)(4)(ii), ~~(d)(5) (d)(6), and (d)(11)~~; and

(iii) Include proposed inspection schedules, anticipated ongoing maintenance steps and proposed daily recordkeeping practices regarding the key system operating parameters.

Each program will apply only to the equipment necessary to meet the requirements of Subsections (d)(1), (d)(2), (d)(3), (d)(4)(i), and (d)(4)(ii), ~~(d)(5) (d)(6), and (d)(11)~~ and need not include inspection, maintenance or recordkeeping relevant to compliance with Subsection (d)(7).

A copy of the most recent District-approved operation and maintenance program shall be maintained on site and made available to the Air Pollution Control Officer upon request.

(9)(10) Compliance with Subsections (d)(1), (d)(2), (d)(3), (d)(4)(i), and (d)(4)(ii), ~~(d)(5), (d)(6), and (d)(11)~~ shall be determined based upon tests or observations of the process equipment and air pollution control system during a period of at least 16 hours, but not more than 24 hours. Affirmative determination of compliance may be demonstrated through tests or observations for a shorter period of time provided such period of time has been determined appropriate in writing by the Air Pollution Control Officer. ~~Such a shorter test period shall not be the basis for determining non-compliance.~~

(10) ~~A person shall not operate any kelp processing or bio-polymer manufacturing line or pilot plant facility unless:~~

(i) ~~Pumps processing VOC-containing material are equipped with dual mechanical seals, or equipped with other leak-free technology that has been approved in writing by the Air Pollution Control Officer and provided that the equipment complies with Subsection (d)(2); and~~

(ii) ~~Liquid process mixtures containing VOC's are maintained at a temperature not higher than 115°F (46°C) before entering a press; and~~

(iii) ~~Presses are equipped with sealing door covers.~~
moved to new Subsection (d)(4)(iii), (d)(4)(iv) and (d)(4)(v)

(11) ~~A person shall not operate any kelp processing or bio-polymer manufacturing line or pilot plant facility unless:~~

(i) ~~The total uncontrolled emissions of VOC to the atmosphere from presses, and spent pots are captured by an emission collection system and the captured emissions are transported to an air pollution control device; and~~

~~(ii) The combined emissions capture and control device efficiency is at least 75% by weight.~~ *moved to new Subsection (d)(4)(i)*

(e) RECORDKEEPING

Any person subject to the requirements of Section (d) of this rule shall maintain the following records:

(1) A current list of VOC's, subject to this rule that are in use, and

(2) For air pollution control equipment, maintain records sufficient to document compliance, such as daily records of process and key system operating parameters and maintenance performed pursuant to Subsections (d)(1), (d)(2), (d)(3), (d)(4)(i), and (d)(4)(ii), ~~(d)(5), and (d)(9) (d)(6), (d)(8), and (d)(11)~~ which will demonstrate continuous operation and compliance of the emission control device during periods of emission producing activities.

All records shall be retained on site for at least two years, and shall be made available to the District upon request.

(f) VOC TEST METHODS

(1) The VOC content of fluids subject to Subsections (c)(5) and (d)(2) of this rule shall be determined in accordance with ASTM Standard Recommended Practices for General Gas Chromatography Procedures, E 260-73, General Techniques of Infrared Quantitative Analysis, E 168-67, or General Techniques of Ultraviolet Quantitative Analysis, E 169-63.

(2) ~~The determination of the normal boiling point of an organic compound pursuant to Subsection (b)(4) shall be conducted in accordance with ASTM Standard Test Method for Distillation Range of Volatile Organic Liquids, D 1078-86 or, for pure compounds, may be made from technical data contained in standard reference texts.~~

(3)(2) Measurements of VOC emissions subject to Subsections (d)(1), (d)(2), (d)(3), (d)(4)(i), and (d)(4)(ii), (d)(5) (d)(6), and (d)(11) of this rule shall be determined in accordance with EPA Test Methods 18 and 25 or 25A (40 CFR, Appendix A) as they exist on June 15, 1994. Test procedures shall be performed in accordance with a protocol approved by the Air Pollution Control Officer. An alternative method to EPA Test Method 18 may be used provided such method has been approved, in advance, by the Air Pollution Control Officer and U.S. Environmental Protection Agency for the specific processes being tested. Subsequent to the an initial compliance demonstration period, appropriate parameters as determined by the Air Pollution Control Officer may be used as indicators of the performance of the an emission control system.

(3) The capture efficiency of the emission collection systems subject to Subsections (d)(1), (d)(2), (d)(3), (d)(4)(i), and (d)(4)(ii) of this rule shall be determined according to EPA's technical document, "Guidelines for Determining Capture Efficiency", January 9, 1995. Test procedures shall be performed in accordance with a protocol approved by the Air Pollution Control Officer. Test Method 204 may be used if it is demonstrated to the satisfaction of the Air Pollution Control Officer that all criteria of the test applicability are met. Subsequent to an initial compliance demonstration, appropriate parameters as determined by the Air Pollution Control Officer may be used as indicators of the performance of an emission collection system.

(g) COMPLIANCE SCHEDULE

(1) ~~Any person operating an existing bio-polymer manufacturing line or pilot plant facility which is subject to the provisions of Subsections (d)(6), (d)(10) and/or (d)(11) shall meet the following increments of progress:~~

(i) ~~By December 15, 1994, submit to the Air Pollution Control Officer an application for Authority to Construct and Permit to Operate the equipment specified in Subsections (d)(6), (d)(10) and/or (d)(11).~~

(ii) ~~By June 15, 1995, demonstrate compliance with Subsections (d)(6), (d)(10), and/or (d)(11).~~

(2)(1) ~~Any person operating an existing kelp processing line which is subject to the provisions of Subsections (d)(10) and/or (d)(11)(4)(i) shall meet the following increments of progress: demonstrate compliance with Subsection (d)(4)(i) by June 15, 1997.~~

(i) ~~By June 15, 1995, submit to the Air Pollution Control Officer an application for Authority to Construct and Permit to Operate the equipment specified in Subsections (d)(10) and/or (d)(11).~~

~~(ii) By December 15, 1995, demonstrate compliance with Subsection (d)(10).~~

~~(iii) By June 15, 1997, demonstrate compliance with Subsection (d)(11).~~

(2) Any person operating an existing kelp processing line which is subject to Subsection (d)(2)(iii) shall demonstrate compliance with Subsection (d)(2)(iii) by May 4, 1999.

(3) Any person operating an existing kelp processing line which is subject to Subsection (d)(4)(ii) shall demonstrate compliance with Subsection (d)(4)(ii) by May 21, 1999.

~~(3)(4)~~ Any person installing a new kelp processing or bio-polymer manufacturing line or pilot plant facility which is subject to the provisions of Section (d) shall have equipment necessary to comply with the provisions of Section (d) installed and operating upon startup of the line or facility and shall demonstrate compliance within 180 days of startup.