



Air Pollution Control District Governing Board

San Diego County Air Pollution Control District

AGENDA ITEM #E.1

DATE: February 12, 2026

TO: SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT GOVERNING BOARD

SUBJECT:

NOTICED PUBLIC HEARING: ADOPTION OF AMENDMENTS TO REGULATION X - STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES AND INFORMATIONAL UPDATE FOR APPLICABLE NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS

REQUESTED ACTION:

1. Find that it can be seen with certainty that there is no possibility that the adoption of the proposed amendments to Regulation X may have a significant effect on the environment, and the adoption of those amendments is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14, Section 15061(b)(3).
2. Adopt the resolution entitled: RESOLUTION ADOPTING AMENDMENTS TO REGULATION X – STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES (NSPS), OF THE RULES AND REGULATIONS OF THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT.
3. Direct the Air Pollution Control Officer to request updated delegation of authority from the U.S. Environmental Protection Agency to the San Diego County Air Pollution Control District to locally implement and enforce the current federal Standards of Performance for New Stationary Sources, as incorporated in amended Regulation X.
4. Receive the informational updates for applicable National Emissions Standards for Hazardous Pollutants.

OVERVIEW:

The San Diego County Air Pollution Control District (District) implements and enforces federal air regulations on behalf of the U.S. Environmental Protection Agency (EPA) for a wide range of industrial and commercial activities in the region. District Regulation X contains federal New Source Performance Standards (NSPS) to control air pollutants emitted by new and modified facilities including power plants, manufacturing operations, landfills, and many other industry types. Today's action proposes to update Regulation X to incorporate new and amended NSPS recently issued and finalized by the EPA to further protect air quality and public health. The Staff Report (Attachment C) also provides an informational update on National Emissions Standards for Hazardous Air Pollutants (NESHAP), which are issued by EPA and administered directly by the District to control air pollutants

known to cause cancer or other serious health impacts.

FISCAL IMPACT:

Sources subject to NSPS and NESHAP already have Permits to Operate with the District, and staff already inspects these sources. Consequently, there is no fiscal impact associated with these requested actions.

ENVIRONMENTAL STATEMENT:

The California Environmental Quality Act (CEQA) requires an environmental review for certain actions. The District has conducted a review of whether CEQA applies both to the adoption of the proposed amendments to Regulation X, and corresponding revisions to the internal NSPS and NESHAP review process. For both circumstances, such amendments incorporate new and amended federal standards that are, or will be, already in effect and that are designed to protect air quality and public health. Therefore, District staff determined that the adoption of the proposed amendments to Regulation X, and the internal NSPS and NESHAP review process, are exempt from the provisions of CEQA pursuant to California Code of Regulations, Title 14, Sections 15061(b)(3) and 15308, since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, and as an action taken to assure the protection of the environment, where the regulatory process involves procedures for protection of the environment.

PREVIOUS RELEVANT BOARD ACTIONS:

September 12, 2024 (Item #D.2), NOTICED PUBLIC HEARING: ADOPTION OF AMENDMENTS TO REGULATION X – STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES AND INFORMATIONAL UPDATE FOR APPLICABLE NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS. January 29, 2020 (Item #AP1), NOTICED PUBLIC HEARING: ADOPTION OF AMENDMENTS TO REGULATION X – STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES. July 25, 1995 (Item #1), CHANGE IN THE ADOPTION PROCEDURE FOR CALIFORNIA AIR TOXIC CONTROL MEASURES AND NATIONAL EMISSIONS STANDARDS FOR HAZARDOUS AIR POLLUTANTS.

PUBLIC ENGAGEMENT AND OUTREACH:

Prior to the December 2025 Governing Board meeting (in which the item was not docketed), a 30-day Notice of Public Hearing regarding the proposed amendments to Regulation X was posted in a local newspaper on November 10, 2025, as well as on the District's website, and sent to subscribers of the District's email notification service, California Air Resources Board (CARB), and the EPA. The Notice was sent to over 12,100 subscribers to the District's email notification service, including to CARB and the EPA. The District invited and encouraged the public to participate and provide input within the 30-day comment period and received one letter in support of the action (Attachment D). An additional 30-day Notice of Public Hearing was posted once again on January 13, 2026, along with notifications to the same subscriber list(s) and government agencies.

EQUITY IMPACT STATEMENT

Today's item supports the District's vision of 'Clean Air for All' by proposing an amended local

regulation that will ensure enhanced federal air pollution regulations are incorporated by reference.

RECOMMENDED BY:

Michael Watt, Deputy Director

CONTACT PERSON(S):

Name: Nick Cormier, Supervising Air Resources Specialist

Phone: (858) 586-2798

Email: nick.cormier@sdapcd.org

ATTACHMENTS:

[Item E1_AttA_Reg X Resolution.pdf](#)

[Item E1_AttB_Reg X Change Copy.pdf](#)

[Item E1_AttC_Staff Report.pdf](#)

[Item E1_AttD_Letter of Support.pdf](#)

Resolution No: 26.001
Meeting Date: 02/11/26 (E.1)

**RESOLUTION ADOPTING AMENDMENTS TO
REGULATION X – STANDARDS OF PERFORMANCE FOR NEW STATIONARY
SOURCES (NSPS), OF THE RULES AND REGULATIONS OF THE
SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT**

On Motion of Member Ducan, seconded by Member Aguirre, the following resolution is adopted:

WHEREAS, the San Diego County Air Pollution Control District Governing Board (Governing Board), pursuant to Section 40702 of the California Health and Safety Code, adopted Rules and Regulations of the San Diego County Air Pollution Control District; and

WHEREAS, said Governing Board now desires to amend said Rules and Regulations; and

WHEREAS, notice has been given and a public hearing has been held relating to the amendment of said Rules and Regulations pursuant to Section 40725 of the California Health and Safety Code; and

WHEREAS, pursuant to Section 40727 of the California Health and Safety Code, the San Diego County Air Pollution Control District Governing Board makes the following findings:

- (1) (Necessity) The adoption of the proposed amendments to Regulation X is necessary in order to receive delegation from the U.S. Environmental Protection Agency to implement and enforce federal New Source Performance Standards (NSPS) subparts;
- (2) (Authority) The adoption of the amendments is authorized by Section 40702 of the California Health and Safety Code;
- (3) (Clarity) The amendments can be easily understood by persons directly affected by them;
- (4) (Consistency) The amendments are in harmony with, and not in conflict with or contrary to, existing statutes, court decisions, and state and federal regulations;
- (5) (Non-duplication) The amendments do not duplicate existing District, state, or federal requirements, but merely incorporates the federal NSPS subparts as well as their subsequent amendments;
- (6) (Reference) The adoption of the amendments is necessary to receive delegation from the U.S. Environmental Protection Agency to implement and enforce the federal NSPS subparts in accordance with Clean Air Act section 111 (42 U.S.C. § 7411); and

WHEREAS, the Governing Board further finds pursuant to Section 40727.2(g) of the Health and Safety Code, that because the proposed amendments to Regulation X incorporate by reference federal NSPS subparts and do not impose new emission limits or standards, that satisfies the analysis contemplated by Section 40727.2(a) of the Health and Safety Code; and

WHEREAS, the Governing Board further finds pursuant to Section 40001 of the California Health and Safety Code that the adoption of proposed amendments to Regulation X will facilitate the attainment and maintenance of ambient air quality standards; and

WHEREAS, the Governing Board further finds that an assessment of the socioeconomic impacts is not required pursuant to Section 40728.5 of the California Health and Safety Code because the proposed amendments will not significantly affect air quality or emissions limitations.

WHEREAS, the Governing Board further finds that an incremental cost-effectiveness analysis pursuant to Section 40920.6(a) of the California Health and Safety Code is not required for proposed amendments to Regulation X, as the proposed amendments are neither best available retrofit control technology nor a feasible measure pursuant to the sections identified in Section 40920.6(a); and

NOW THEREFORE IT IS RESOLVED AND ORDERED by the San Diego County Air Pollution Control Governing Board that the Rules and Regulations of the San Diego County Air Pollution Control District be, and hereby are amended as follows:

1. Proposed amended Regulation X is to read as follows:

REGULATION X. STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES (NSPS) (Rev. Effective *(date of adoption)*)

The provisions of Part 60, Chapter I, Title 40, of the Code of Federal Regulations, (40 CFR 60), applicable to the subparts listed in this Regulation are hereby adopted by reference on the date shown and made part of the Air Pollution Control District Rules and Regulations. Whenever any source is subject to more than one rule, regulation, provision, or requirement relating to the control of any air contaminant, in cases of conflict or duplication the most stringent rule, regulation, provision, or requirement shall apply.

All new sources of air pollution and all modified or reconstructed sources of air pollution shall comply with the applicable standards, criteria, and requirements set forth herein. For the purpose of this Regulation, the word “Administrator” as used in 40 CFR 60 shall mean the Air Pollution Control Officer of the San Diego County Air Pollution Control District (SDAPCD), except that the Air Pollution Control Officer shall not be empowered to approve alternate test methods, alternate standards, or work practices. Other deviations, if any, from the provisions of 40 CFR 60, which are adopted by the SDAPCD Governing Board are noted in the reference to the affected Subpart.

The U.S. Environmental Protection Agency (EPA) retains concurrent enforcement authority for these standards pursuant to Section 113 of the federal Clean Air Act, as amended, if the EPA Administrator desires to exercise it, including those not yet adopted by the Air Pollution Control District.

The addition of federal Subparts by reference to Regulation X shall take effect and be in force on the date of delegation of enforcement authority to the San Diego County Air Pollution Control District by EPA.

SUBPART A GENERAL PROVISIONS
40CFR60.1-19

	<u>Federal Register (FR) Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	40 FR 53346, Nov. 17, 1975	January 29, 2020	April 8, 2021
Last Date Amended	90 FR 27938, June 30, 2025	<i>(date of adoption)</i>	<i>(effective date)</i>

SUBPART D STANDARDS OF PERFORMANCE FOR FOSSIL-FUEL-FIRED
40CFR60.40-46 STEAM GENERATORS

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	39 FR 20791, June 14, 1974	October 17, 2001	January 3, 2008
Last Date Amended	77 FR 9447, Feb. 16, 2012	January 29, 2020	April 8, 2021

SUBPART Da STANDARDS OF PERFORMANCE FOR ELECTRIC UTILITY
40CFR60.40a-49a STEAM GENERATING UNITS

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	44 FR 33613, June 11, 1979	October 17, 2001	January 3, 2008
Last Date Amended	81 FR 20180, Apr. 6, 2016	January 29, 2020	April 8, 2021

San Diego County Air Pollution Control District
Regulation X A-3

SUBPART Db 40CFR60.40b-49b	STANDARDS OF PERFORMANCE FOR INDUSTRIAL COMMERCIAL-INSTITUTIONAL STEAM GENERATING UNITS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	51 FR 42768, Nov. 25, 1986	April 25, 2001	January 3, 2008
Last Date Amended	79 FR 11249, Feb. 27, 2014	January 29, 2020	April 8, 2021

SUBPART Dc 40CFR60.40c-48c	STANDARDS OF PERFORMANCE FOR SMALL INDUSTRIAL- COMMERCIAL-INSTITUTIONAL STEAM GENERATING UNITS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	55 FR 37683, Sept. 12, 1990	August 13, 1997	June 24, 1998
Last Date Amended	77 FR 9461, Feb. 16, 2012	January 29, 2020	April 8, 2021

SUBPART E 40CFR60.50-54	STANDARDS OF PERFORMANCE FOR INCINERATORS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	36 FR 24877, Dec. 23, 1971	January 29, 2020	April 8, 2021
Last Date Amended	71 FR 27335, May 10, 2006	January 29, 2020	April 8, 2021

SUBPART Eb 40CFR60.50b-59b	STANDARDS OF PERFORMANCE FOR LARGE MUNICIPAL WASTE COMBUSTORS FOR WHICH CONSTRUCTION IS COMMENCED AFTER SEPTEMBER 20, 1994 OR FOR WHICH MODIFICATION OR RECONSTRUCTION COMMENCED AFTER JUNE 19, 1996		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	60 FR 65419, Dec. 19, 1995	June 20, 2007	January 3, 2008
Last Date Amended	71 FR 27335, May 10, 2006	June 20, 2007	January 3, 2008

SUBPART Ec 40CFR60.50c-58c	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES FOR HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	62 FR 48382, Sept. 15, 1997	June 20, 2007	January 3, 2008
Last Date Amended	79 FR 11249, Feb. 27, 2014	January 29, 2020	April 8, 2021

SUBPART I 40CFR60.90-93	STANDARDS OF PERFORMANCE FOR HOT MIX ASPHALT FACILITIES		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	39 FR 9314, Mar. 8, 1974	January 29, 2020	April 8, 2021
Last Date Amended	54 FR 6667, Feb. 14, 1989	January 29, 2020	April 8, 2021

SUBPART J 40CFR60.100-109		STANDARDS OF PERFORMANCE FOR PETROLEUM REFINERIES		
		<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted		39 FR 9315, Mar. 8, 1974	January 29, 2020	April 8, 2021
Last Date Amended		80 FR 75229, Dec. 1, 2015	January 29, 2020	April 8, 2021
SUBPART K 40CFR60.110-113		STANDARDS OF PERFORMANCE FOR STORAGE VESSELS FOR PETROLEUM LIQUIDS FOR WHICH CONSTRUCTION, RECONSTRUCTION, OR MODIFICATION COMMENCED AFTER JUNE 11, 1973, AND PRIOR TO MAY 19, 1978		
		<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted		39 FR 9317, Mar. 8, 1974	June 20, 2007	January 3, 2008
Last Date Amended		65 FR 61755, Oct. 17, 2000	June 20, 2007	January 3, 2008
SUBPART Ka 40CFR60.110a-115a		STANDARDS OF PERFORMANCE FOR STORAGE VESSELS FOR PETROLEUM LIQUIDS FOR WHICH CONSTRUCTION, RECONSTRUCTION, OR MODIFICATION COMMENCED AFTER MAY 18, 1978, AND PRIOR TO JULY 23, 1984		
		<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted		45 FR 23379, Apr. 4, 1980	June 20, 2007	January 3, 2008
Last Date Amended		65 FR 78275, Dec. 14, 2000	June 20, 2007	January 3, 2008
SUBPART Kb 40CFR60.110b-117b		STANDARDS OF PERFORMANCE FOR VOLATILE ORGANIC LIQUID STORAGE VESSELS (INCLUDING PETROLEUM LIQUID STORAGE VESSELS) FOR WHICH CONSTRUCTION, RECONSTRUCTION, OR MODIFICATION COMMENCED AFTER JULY 23, 1984		
		<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted		52 FR 11429, Apr. 8, 1987	June 20, 2007	January 3, 2008
Last Date Amended		89 FR 83317, Oct. 15, 2024	<i>(date of adoption)</i>	<i>(effective date)</i>
SUBPART Kc 40CFR60.110c-117c		STANDARDS OF PERFORMANCE FOR VOLATILE ORGANIC LIQUID STORAGE VESSELS (INCLUDING PETROLEUM LIQUID STORAGE VESSELS) FOR WHICH CONSTRUCTION, RECONSTRUCTION, OR MODIFICATION COMMENCED AFTER OCTOBER 4, 2023		
		<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted		89 FR 83319, Oct. 15, 2024	<i>(date of adoption)</i>	<i>(effective date)</i>
SUBPART L 40CFR60.120-123		STANDARDS OF PERFORMANCE FOR SECONDARY LEAD SMELTERS		
		<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted		39 FR 9317, Mar. 8, 1974	January 29, 2020	April 8, 2021
Last Date Amended		88 FR 80610, Nov. 20, 2023	September 12, 2024	May 23, 2025
Regulation X				

SUBPART M 40CFR60.130-133	STANDARDS OF PERFORMANCE FOR SECONDARY BRASS AND BRONZE PRODUCTION PLANTS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	39 FR 9318, Mar. 8, 1974	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61756, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART O 40CFR60.150-156	STANDARDS OF PERFORMANCE FOR SEWAGE TREATMENT PLANTS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	39 FR 9319, Mar. 8, 1974	January 29, 2020	April 8, 2021
Last Date Amended	79 FR 11250, Feb. 27, 2014	January 29, 2020	April 8, 2021
SUBPART DD 40CFR60.300-304	STANDARDS OF PERFORMANCE FOR GRAIN ELEVATORS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	43 FR 34347, Aug. 3, 1978	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61759, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART EE 40CFR60.310-316	STANDARDS OF PERFORMANCE FOR SURFACE COATING OF METAL FURNITURE		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	47 FR 49287, Oct. 29, 1982	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61759, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART GG 40CFR60.330-335	STANDARDS OF PERFORMANCE FOR STATIONARY GAS TURBINES		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	44 FR 52798, Sept. 10, 1979	October 17, 2001	January 3, 2008
Last Date Amended	79 FR 11250, Feb. 27, 2014	January 29, 2020	April 8, 2021
SUBPART QQ 40CFR60.430-435	STANDARDS OF PERFORMANCE FOR THE GRAPHIC ARTS INDUSTRY: PUBLICATION ROTOGRAVURE PRINTING		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	47 FR 50649, Nov. 8, 1982	January 29, 2020	April 8, 2021
Last Date Amended	69 FR 18803, Apr. 9, 2004	January 29, 2020	April 8, 2021
SUBPART RR 40CFR60.440-447	STANDARDS OF PERFORMANCE FOR PRESSURE SENSITIVE TAPE AND LABEL SURFACE COATING OPERATIONS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	48 FR 48375, Oct. 18, 1983	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61761, Oct. 17, 2000	January 29, 2020	April 8, 2021

SUBPART SS 40CFR60.450-456	STANDARDS OF PERFORMANCE FOR INDUSTRIAL SURFACE COATING: LARGE APPLIANCES		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	47 FR 47785, Oct. 27, 1982	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61761, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART TT 40CFR60.460-466	STANDARDS OF PERFORMANCE FOR METAL COIL SURFACE COATING		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	47 FR 49612, Nov. 1, 1982	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61761, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART AAA 40CFR60.530-539b	STANDARDS OF PERFORMANCE FOR NEW RESIDENTIAL WOOD HEATERS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	53 FR 5873, Feb. 26, 1988	April 12, 2000	January 3, 2008
Last Date Amended	88 FR 18402, Mar. 29, 2023	September 12, 2024	May 23, 2025
SUBPART BBB 40CFR60.540-548	STANDARDS OF PERFORMANCE FOR THE RUBBER TIRE MANUFACTURING INDUSTRY		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	52 FR 34874, Sept. 15, 1987	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61764, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART FFF 40CFR60.580-585	STANDARDS OF PERFORMANCE FOR FLEXIBLE VINYL AND URETHANE COATING AND PRINTING		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	49 FR 26892, June 29, 1984	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61768, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART JJJ 40CFR60.620-625	STANDARDS OF PERFORMANCE FOR PETROLEUM DRY CLEANERS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	49 FR 37331, Sep. 21, 1984	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61773, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART OOO 40CFR60.670-676	STANDARDS OF PERFORMANCE FOR NONMETALLIC MINERAL PROCESSING PLANTS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	50 FR 31328, Aug. 1, 1985	April 28, 1999	May 28, 2002
Last Date Amended	74 FR 19309, Apr. 28, 2009	January 29, 2020	April 8, 2021

SUBPART UUU 40CFR60.730-737	STANDARDS OF PERFORMANCE FOR CALCINERS AND DRYERS IN MINERAL INDUSTRIES			
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>	
First Date Adopted	57 FR 44503, Sept. 28, 1992	November 17, 1999	May 28, 2002	
Last Date Amended	65 FR 61778, Oct. 17, 2000	January 29, 2020	April 8, 2021	
SUBPART VVV 40CFR60.740-748	STANDARDS OF PERFORMANCE FOR POLYMERIC COATING OF SUPPORTING SUBSTRATES FACILITIES			
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>	
First Date Adopted	54 FR 37551, Sept. 11, 1989	May 23, 2007	January 3, 2008	
SUBPART WWW 40CFR60.750-759	STANDARDS OF PERFORMANCE FOR MUNICIPAL SOLID WASTE LANDFILLS			
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>	
First Date Adopted	61 FR 9919, Mar. 12, 1996	August 13, 1997	June 24, 1998	
Last Date Amended	85 FR 17260, Mar. 26, 2020	April 6, 2021	April 8, 2021	
SUBPART AAAA 40CFR60.1000-1465	STANDARDS OF PERFORMANCE FOR SMALL MUNICIPAL WASTE COMBUSTION UNITS FOR WHICH CONSTRUCTION IS COMMENCED AFTER AUGUST 30, 1999 OR FOR WHICH MODIFICATION OR RECONSTRUCTION IS COMMENCED AFTER JUNE 6, 2001			
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>	
First Date Adopted	65 FR 76355, Dec. 6, 2000	June 20, 2007	January 3, 2008	
SUBPART CCCC 40CFR60.2000-2265	STANDARDS OF PERFORMANCE FOR COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS			
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>	
First Date Adopted	65 FR 75350, Dec. 1, 2000	June 20, 2007	January 3, 2008	
Last Date Amended	90 FR 27938, June 30, 2025	<i>(date of adoption)</i>	<i>(effective date)</i>	
SUBPART EEEE 40CFR60.2880-2977	STANDARDS OF PERFORMANCE FOR OTHER SOLID WASTE INCINERATION UNITS FOR WHICH CONSTRUCTION IS COMMENCED AFTER DECEMBER 9, 2004, OR FOR WHICH MODIFICATION OR RECONSTRUCTION IS COMMENCED ON OR AFTER JUNE 16, 2006			
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>	
First Date Adopted	70 FR 74892, Dec. 16, 2005	June 20, 2007	January 3, 2008	
Last Date Amended	90 FR 27939, June 30, 2025	<i>(date of adoption)</i>	<i>(effective date)</i>	

SUBPART IIII STANDARDS OF PERFORMANCE FOR STATIONARY
 40CFR60.4200-4219 COMPRESSION IGNITION INTERNAL COMBUSTION ENGINES

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	71 FR 39172, July 11, 2006	January 29, 2020	April 8, 2021
Last Date Amended	89 FR 70512, Aug. 30, 2024	<i>(date of adoption)</i>	<i>(effective date)</i>

SUBPART JJJJ STANDARDS OF PERFORMANCE FOR STATIONARY SPARK
 40CFR60.4230-4248 IGNITION INTERNAL COMBUSTION ENGINES

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	73 FR 3591, Jan. 18, 2008	January 29, 2020	April 8, 2021
Last Date Amended	89 FR 70514, Aug. 30, 2024	<i>(date of adoption)</i>	<i>(effective date)</i>

SUBPART KKKK STANDARDS OF PERFORMANCE FOR STATIONARY COMBUSTION
 40CFR60.4300-4420 TURBINES

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	71 FR 38497, July 6, 2006	February 25, 2009	June 1, 2009
Last Date Amended	85 FR 63410, Oct. 7, 2020	April 6, 2021	April 8, 2021

SUBPART QQQQ STANDARDS OF PERFORMANCE FOR NEW RESIDENTIAL
 40CFR60.5472-5483 HYDRONIC HEATERS AND FORCED-AIR FURNACES

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	80 FR 13715, Mar. 16, 2015	January 29, 2020	April 8, 2021
Last Date Amended	88 FR 18402, Mar 29, 2023	September 12, 2024	May 23, 2025

SUBPART TTTT STANDARDS OF PERFORMANCE FOR GREENHOUSE GAS
 40CFR60.5508-5580 EMISSIONS FOR ELECTRIC GENERATING UNITS

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	80 FR 64648, Oct. 23, 2015	January 29, 2020	April 8, 2021
Last Date Amended	89 FR 40028, May 9, 2024	September 12, 2024	May 23, 2025

IT IS FURTHER RESOLVED AND ORDERED that proposed amendments to Regulation X shall take effect on *(date of adoption)*.

PASSED AND ADOPTED by the San Diego County Air Pollution Control Governing Board of the San Diego County Air Pollution Control District, State of California, this 12th day of February, 2026, by the following votes:

AYES: Aguirre, Birkbeck-Garcia, Bush, Campbell, Duncan, Gloria, Gomez, Stigler Granados
 ABSENT: Fitzgerald, Lawson-Remer, Koval

APPROVED AS TO FORM AND LEGALITY
 COUNTY COUNSEL

BY: Heidi Gabriel-Pack, Senior Deputy

- - -

STATE OF CALIFORNIA)

County of San Diego)^{SS}

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the San Diego County Air Pollution Control District Governing Board.

A handwritten signature in black ink, appearing to read 'M. Mazyck', with a stylized flourish at the end.

MARVICE MAZYCK

Clerk of the San Diego County Air Pollution Control District Governing Board

ATTACHMENT B

REGULATION X. STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES (NSPS) (Rev. Effective ~~September 12, 2024~~ *(date of adoption)*)

The provisions of Part 60, Chapter I, Title 40, of the Code of Federal Regulations, (40 CFR 60), applicable to the subparts listed in this Regulation are hereby adopted by reference on the date shown and made part of the Air Pollution Control District Rules and Regulations. Whenever any source is subject to more than one rule, regulation, provision, or requirement relating to the control of any air contaminant, in cases of conflict or duplication the most stringent rule, regulation, provision, or requirement shall apply.

All new sources of air pollution and all modified or reconstructed sources of air pollution shall comply with the applicable standards, criteria, and requirements set forth herein. For the purpose of this Regulation, the word “Administrator” as used in 40 CFR 60 shall mean the Air Pollution Control Officer of the San Diego County Air Pollution Control District (SDAPCD), except that the Air Pollution Control Officer shall not be empowered to approve alternate test methods, alternate standards, or work practices. Other deviations, if any, from the provisions of 40 CFR 60, which are adopted by the SDAPCD Governing Board are noted in the reference to the affected Subpart.

The U.S. Environmental Protection Agency (EPA) retains concurrent enforcement authority for these standards pursuant to Section 113 of the federal Clean Air Act, as amended, if the EPA Administrator desires to exercise it, including those not yet adopted by the Air Pollution Control District.

The addition of federal Subparts by reference to Regulation X shall take effect and be in force on the date of delegation of enforcement authority to the San Diego County Air Pollution Control District by EPA.

SUBPART A GENERAL PROVISIONS
40CFR60.1-19

	<u>Federal Register (FR) Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	40 FR 53346, Nov. 17, 1975	January 29, 2020	April 8, 2021
Last Date Amended	89 FR 43067, May 16, 2024	September 12, 2024	May 23, 2025
	90 FR 27938, June 30, 2025	<i>(date of adoption)</i>	<i>(effective date)</i>

SUBPART D STANDARDS OF PERFORMANCE FOR FOSSIL-FUEL-FIRED
40CFR60.40-46 STEAM GENERATORS

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	39 FR 20791, June 14, 1974	October 17, 2001	January 3, 2008
Last Date Amended	77 FR 9447, Feb. 16, 2012	January 29, 2020	April 8, 2021

SUBPART Da STANDARDS OF PERFORMANCE FOR ELECTRIC UTILITY
40CFR60.40a-49a STEAM GENERATING UNITS

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	44 FR 33613, June 11, 1979	October 17, 2001	January 3, 2008
Last Date Amended	81 FR 20180, Apr. 6, 2016	January 29, 2020	April 8, 2021

SUBPART Db 40CFR60.40b-49b	STANDARDS OF PERFORMANCE FOR INDUSTRIAL COMMERCIAL-INSTITUTIONAL STEAM GENERATING UNITS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	51 FR 42768, Nov. 25, 1986	April 25, 2001	January 3, 2008
Last Date Amended	79 FR 11249, Feb. 27, 2014	January 29, 2020	April 8, 2021

SUBPART Dc 40CFR60.40c-48c	STANDARDS OF PERFORMANCE FOR SMALL INDUSTRIAL- COMMERCIAL-INSTITUTIONAL STEAM GENERATING UNITS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	55 FR 37683, Sept. 12, 1990	August 13, 1997	June 24, 1998
Last Date Amended	77 FR 9461, Feb. 16, 2012	January 29, 2020	April 8, 2021

SUBPART E 40CFR60.50-54	STANDARDS OF PERFORMANCE FOR INCINERATORS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	36 FR 24877, Dec. 23, 1971	January 29, 2020	April 8, 2021
Last Date Amended	71 FR 27335, May 10, 2006	January 29, 2020	April 8, 2021

SUBPART Eb 40CFR60.50b-59b	STANDARDS OF PERFORMANCE FOR LARGE MUNICIPAL WASTE COMBUSTORS FOR WHICH CONSTRUCTION IS COMMENCED AFTER SEPTEMBER 20, 1994 OR FOR WHICH MODIFICATION OR RECONSTRUCTION COMMENCED AFTER JUNE 19, 1996		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	60 FR 65419, Dec. 19, 1995	June 20, 2007	January 3, 2008
Last Date Amended	71 FR 27335, May 10, 2006	June 20, 2007	January 3, 2008

SUBPART Ec 40CFR60.50c-58c	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES FOR HOSPITAL/MEDICAL/INFECTIOUS WASTE INCINERATORS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	62 FR 48382, Sept. 15, 1997	June 20, 2007	January 3, 2008
Last Date Amended	79 FR 11249, Feb. 27, 2014	January 29, 2020	April 8, 2021

SUBPART I 40CFR60.90-93	STANDARDS OF PERFORMANCE FOR HOT MIX ASPHALT FACILITIES		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	39 FR 9314, Mar. 8, 1974	January 29, 2020	April 8, 2021
Last Date Amended	54 FR 6667, Feb. 14, 1989	January 29, 2020	April 8, 2021

SUBPART J STANDARDS OF PERFORMANCE FOR PETROLEUM REFINERIES
40CFR60.100-109

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	39 FR 9315, Mar. 8, 1974	January 29, 2020	April 8, 2021
Last Date Amended	80 FR 75229, Dec. 1, 2015	January 29, 2020	April 8, 2021

SUBPART K STANDARDS OF PERFORMANCE FOR STORAGE VESSELS FOR
40CFR60.110-113 PETROLEUM LIQUIDS FOR WHICH CONSTRUCTION,
RECONSTRUCTION, OR MODIFICATION COMMENCED AFTER
JUNE 11, 1973, AND PRIOR TO MAY 19, 1978

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	39 FR 9317, Mar. 8, 1974	June 20, 2007	January 3, 2008
Last Date Amended	65 FR 61755, Oct. 17, 2000	June 20, 2007	January 3, 2008

SUBPART Ka STANDARDS OF PERFORMANCE FOR STORAGE VESSELS FOR
40CFR60.110a-115a PETROLEUM LIQUIDS FOR WHICH CONSTRUCTION,
RECONSTRUCTION, OR MODIFICATION COMMENCED AFTER
MAY 18, 1978, AND PRIOR TO JULY 23, 1984

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	45 FR 23379, Apr. 4, 1980	June 20, 2007	January 3, 2008
Last Date Amended	65 FR 78275, Dec. 14, 2000	June 20, 2007	January 3, 2008

SUBPART Kb STANDARDS OF PERFORMANCE FOR VOLATILE ORGANIC
40CFR60.110b-117b LIQUID STORAGE VESSELS (INCLUDING PETROLEUM LIQUID
STORAGE VESSELS) FOR WHICH CONSTRUCTION,
RECONSTRUCTION, OR MODIFICATION COMMENCED AFTER
JULY 23, 1984

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	52 FR 11429, Apr. 8, 1987	June 20, 2007	January 3, 2008
Last Date Amended	86 FR 5019, Jan. 19, 2021 89 FR 83317, Oct. 15, 2024	April 6, 2021 <i>(date of adoption)</i>	May 23, 2025 <i>(effective date)</i>

SUBPART Kc STANDARDS OF PERFORMANCE FOR VOLATILE ORGANIC
40CFR60.110c-117c LIQUID STORAGE VESSELS (INCLUDING PETROLEUM LIQUID
STORAGE VESSELS) FOR WHICH CONSTRUCTION,
RECONSTRUCTION, OR MODIFICATION COMMENCED AFTER
OCTOBER 4, 2023

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	89 FR 83319, Oct. 15, 2024	<i>(date of adoption)</i>	<i>(effective date)</i>

SUBPART L 40CFR60.120-123	STANDARDS OF PERFORMANCE FOR SECONDARY LEAD SMELTERS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	39 FR 9317, Mar. 8, 1974	January 29, 2020	April 8, 2021
Last Date Amended	88 FR 80610, Nov. 20, 2023	September 12, 2024	May 23, 2025
SUBPART M 40CFR60.130-133	STANDARDS OF PERFORMANCE FOR SECONDARY BRASS AND BRONZE PRODUCTION PLANTS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	39 FR 9318, Mar. 8, 1974	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61756, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART O 40CFR60.150-156	STANDARDS OF PERFORMANCE FOR SEWAGE TREATMENT PLANTS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	39 FR 9319, Mar. 8, 1974	January 29, 2020	April 8, 2021
Last Date Amended	79 FR 11250, Feb. 27, 2014	January 29, 2020	April 8, 2021
SUBPART DD 40CFR60.300-304	STANDARDS OF PERFORMANCE FOR GRAIN ELEVATORS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	43 FR 34347, Aug. 3, 1978	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61759, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART EE 40CFR60.310-316	STANDARDS OF PERFORMANCE FOR SURFACE COATING OF METAL FURNITURE		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	47 FR 49287, Oct. 29, 1982	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61759, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART GG 40CFR60.330-335	STANDARDS OF PERFORMANCE FOR STATIONARY GAS TURBINES		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	44 FR 52798, Sept. 10, 1979	October 17, 2001	January 3, 2008
Last Date Amended	79 FR 11250, Feb. 27, 2014	January 29, 2020	April 8, 2021
SUBPART QQ 40CFR60.430-435	STANDARDS OF PERFORMANCE FOR THE GRAPHIC ARTS INDUSTRY: PUBLICATION ROTOGRAVURE PRINTING		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	47 FR 50649, Nov. 8, 1982	January 29, 2020	April 8, 2021
Last Date Amended	69 FR 18803, Apr. 9, 2004	January 29, 2020	April 8, 2021

SUBPART RR 40CFR60.440-447	STANDARDS OF PERFORMANCE FOR PRESSURE SENSITIVE TAPE AND LABEL SURFACE COATING OPERATIONS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	48 FR 48375, Oct. 18, 1983	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61761, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART SS 40CFR60.450-456	STANDARDS OF PERFORMANCE FOR INDUSTRIAL SURFACE COATING: LARGE APPLIANCES		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	47 FR 47785, Oct. 27, 1982	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61761, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART TT 40CFR60.460-466	STANDARDS OF PERFORMANCE FOR METAL COIL SURFACE COATING		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	47 FR 49612, Nov. 1, 1982	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61761, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART AAA 40CFR60.530-539b	STANDARDS OF PERFORMANCE FOR NEW RESIDENTIAL WOOD HEATERS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	53 FR 5873, Feb. 26, 1988	April 12, 2000	January 3, 2008
Last Date Amended	88 FR 18402, Mar. 29, 2023	September 12, 2024	May 23, 2025
SUBPART BBB 40CFR60.540-548	STANDARDS OF PERFORMANCE FOR THE RUBBER TIRE MANUFACTURING INDUSTRY		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	52 FR 34874, Sept. 15, 1987	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61764, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART FFF 40CFR60.580-585	STANDARDS OF PERFORMANCE FOR FLEXIBLE VINYL AND URETHANE COATING AND PRINTING		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	49 FR 26892, June 29, 1984	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61768, Oct. 17, 2000	January 29, 2020	April 8, 2021
SUBPART JJJ 40CFR60.620-625	STANDARDS OF PERFORMANCE FOR PETROLEUM DRY CLEANERS		
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	49 FR 37331, Sep. 21, 1984	January 29, 2020	April 8, 2021
Last Date Amended	65 FR 61773, Oct. 17, 2000	January 29, 2020	April 8, 2021

SUBPART OOO 40CFR60.670-676	STANDARDS OF PERFORMANCE FOR NONMETALLIC MINERAL PROCESSING PLANTS			
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>	
First Date Adopted	50 FR 31328, Aug. 1, 1985	April 28, 1999	May 28, 2002	
Last Date Amended	74 FR 19309, Apr. 28, 2009	January 29, 2020	April 8, 2021	
SUBPART UUU 40CFR60.730-737	STANDARDS OF PERFORMANCE FOR CALCINERS AND DRYERS IN MINERAL INDUSTRIES			
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>	
First Date Adopted	57 FR 44503, Sept. 28, 1992	November 17, 1999	May 28, 2002	
Last Date Amended	65 FR 61778, Oct. 17, 2000	January 29, 2020	April 8, 2021	
SUBPART VVV 40CFR60.740-748	STANDARDS OF PERFORMANCE FOR POLYMERIC COATING OF SUPPORTING SUBSTRATES FACILITIES			
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>	
First Date Adopted	54 FR 37551, Sept. 11, 1989	May 23, 2007	January 3, 2008	
SUBPART WWW 40CFR60.750-759	STANDARDS OF PERFORMANCE FOR MUNICIPAL SOLID WASTE LANDFILLS			
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>	
First Date Adopted	61 FR 9919, Mar. 12, 1996	August 13, 1997	June 24, 1998	
Last Date Amended	85 FR 17260, Mar. 26, 2020	April 6, 2021	April 8, 2021	
SUBPART AAAA 40CFR60.1000-1465	STANDARDS OF PERFORMANCE FOR SMALL MUNICIPAL WASTE COMBUSTION UNITS FOR WHICH CONSTRUCTION IS COMMENCED AFTER AUGUST 30, 1999 OR FOR WHICH MODIFICATION OR RECONSTRUCTION IS COMMENCED AFTER JUNE 6, 2001			
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>	
First Date Adopted	65 FR 76355, Dec. 6, 2000	June 20, 2007	January 3, 2008	
SUBPART CCCC 40CFR60.2000-2265	STANDARDS OF PERFORMANCE FOR COMMERCIAL AND INDUSTRIAL SOLID WASTE INCINERATION UNITS			
	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>	
First Date Adopted	65 FR 75350, Dec. 1, 2000	June 20, 2007	January 3, 2008	
Last Date Amended	88 FR 16742, Mar. 20, 2023	September 12, 2024	May 23, 2025	
	90 FR 27938, June 30, 2025	<i>(date of adoption)</i>	<i>(effective date)</i>	
SUBPART EEEE 40CFR60.2880-2977	STANDARDS OF PERFORMANCE FOR OTHER SOLID WASTE INCINERATION UNITS FOR WHICH CONSTRUCTION IS COMMENCED AFTER DECEMBER 9, 2004, OR FOR WHICH MODIFICATION OR RECONSTRUCTION IS COMMENCED ON OR AFTER JUNE 16, 2006			

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	70 FR 74892, Dec. 16, 2005	June 20, 2007	January 3, 2008
Last Date Amended	89 FR 27397, Apr. 17, 2024 90 FR 27939, June 30, 2025	September 12, 2024 <i>(date of adoption)</i>	May 23, 2025 <i>(effective date)</i>

SUBPART IIII STANDARDS OF PERFORMANCE FOR STATIONARY
40CFR60.4200-4219 COMPRESSION IGNITION INTERNAL COMBUSTION ENGINES

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	71 FR 39172, July 11, 2006	January 29, 2020	April 8, 2021
Last Date Amended	88 FR 4471, Jan. 24, 2023 89 FR 70512, Aug. 30, 2024	September 12, 2024 <i>(date of adoption)</i>	May 23, 2025 <i>(effective date)</i>

SUBPART JJJJ STANDARDS OF PERFORMANCE FOR STATIONARY SPARK
40CFR60.4230-4248 IGNITION INTERNAL COMBUSTION ENGINES

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	73 FR 3591, Jan. 18, 2008	January 29, 2020	April 8, 2021
Last Date Amended	88 FR 4471, Jan. 24, 2023 89 FR 70514, Aug. 30, 2024	September 12, 2024 <i>(date of adoption)</i>	May 23, 2025 <i>(effective date)</i>

SUBPART KKKK STANDARDS OF PERFORMANCE FOR STATIONARY COMBUSTION
40CFR60.4300-4420 TURBINES

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	71 FR 38497, July 6, 2006	February 25, 2009	June 1, 2009
Last Date Amended	85 FR 63410, Oct. 7, 2020	April 6, 2021	April 8, 2021

SUBPART QQQQ STANDARDS OF PERFORMANCE FOR NEW RESIDENTIAL
40CFR60.5472-5483 HYDRONIC HEATERS AND FORCED-AIR FURNACES

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	80 FR 13715, Mar. 16, 2015	January 29, 2020	April 8, 2021
Last Date Amended	88 FR 18403 2 , Mar 29, 2023	September 12, 2024	May 23, 2025

SUBPART TTTT STANDARDS OF PERFORMANCE FOR GREENHOUSE GAS
40CFR60.5508-5580 EMISSIONS FOR ELECTRIC GENERATING UNITS

	<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
First Date Adopted	80 FR 64648, Oct. 23, 2015	January 29, 2020	April 8, 2021
Last Date Amended	89 FR 40028, May 9, 2024	September 12, 2024	May 23, 2025

FINAL STAFF REPORT

**REGULATION X
STANDARDS OF PERFORMANCE FOR NEW STATIONARY
SOURCES (NSPS)**

&

**REGULATION XI
NATIONAL EMISSION STANDARDS FOR
HAZARDOUS AIR POLLUTANTS (NESHAP)**

San Diego County Air Pollution Control District
Rule Development Section

Completed by Nick Cormier
Reviewed by Mike Watt

TABLE OF CONTENTS

EXECUTIVE SUMMARY	C-3
I. INTRODUCTION.....	C-5
II. BACKGROUND	C-5
III. CONTROL TECHNOLOGIES.....	C-9
IV. SUMMARY OF PROPOSED AMENDMENTS.....	C-9
V. COMPARATIVE ANALYSIS.....	C-10
VI. EMISSION SOURCES AND IMPACTS	C-10
VII. ECONOMIC IMPACTS & COST-EFFECTIVENESS.....	C-11
VIII. ENVIRONMENTAL ANALYSIS.....	C-12
IX. RULE DEVELOPMENT AND PUBLIC PARTICIPATION PROCESS... 	C-12
X. OTHER RULE AMENDMENTS.....	C-13
XI. CONCLUSION	C-13
XII. REFERENCES.....	C-13
XIII. APPENDICES.....	C-13

EXECUTIVE SUMMARY

Pursuant to the Federal Clean Air Act (CAA), the U.S. Environmental Protection Agency (EPA) establishes emission standards for various emission source categories. These emissions standards limit the amount of air pollutants entering the ambient air in order to protect public health and the environment. Section 111 of the CAA requires that EPA establish nationwide emission standards for new and modified sources of pollutants, called New Source Performance Standards, or NSPS, whereas Section 112 of the CAA requires similar standards for existing sources of pollution, called National Emissions Standards for Hazardous Air Pollutants, or NESHAP. Facilities must comply with all existing and applicable NSPSs and NESHAPs, though such requirements are typically incorporated into existing permits and/or local rules.

This item describes the San Diego County Air Pollution Control District's (District) process for updating and administering new and revised NSPSs and NESHAPs from EPA, in a transparent and predictable manner for both District staff and affected stakeholders. Additionally, through the process completed within this action, the District is requesting revisions to specific NSPSs as noted below, which require Governing Board approval prior to incorporating them by reference and requesting EPA to delegate authority to the District to implement and enforce them.

District Regulation X (Standards of Performance for New Stationary Sources) incorporates federal NSPS that were locally adopted and for which the District has received delegated authority to implement and enforce in the San Diego region. The Governing Board last updated Regulation X on September 12, 2024. Since then, the EPA has issued new and amended standards, as noted in Appendix A. Consequently, Regulation X has become inconsistent with current federal requirements and requires amendment. The District proposes to amend Regulation X in accordance with the revisions in Appendix A, which includes the adoption by reference of all corresponding amendments to several previously locally adopted Subparts. District administration of the federal standards will facilitate local implementation and is preferred by both the EPA and regulated businesses. If approved by the Governing Board, District staff will submit a request for delegation authority from the EPA to implement and enforce any new, repealed, or amended NSPSs in the San Diego region. Routine approval by the EPA is anticipated.

Additionally, the District has prepared an informational update of NESHAPs that have been recently modified to ensure stakeholders are aware of relevant changes at the federal level. NESHAPs that have been revised are noted within Appendix A. NESHAP is similar to NSPS, however, the EPA requires facilities subject to NSPS to be subject to testing requirements to confirm compliance with the applicable NSPS. EPA has recently issued new and amended NESHAPs to further protect air quality and public health. These are presented for informational purposes for regulated facilities and the community to ensure such facilities are aware of such changes in a public manner (beyond the notification process that already occurs at the EPA). The revisions are noted in Appendix A. EPA Section 105 grant funding, which the District receives on an annual basis, requires the District to adopt or take action to otherwise implement any new or amended NESHAPs within 12 months of promulgation by the EPA. Local air districts can request delegation of authority to implement applicable NESHAPs from the EPA. To receive delegation, a local Subpart must be adopted incorporating the NESHAP's requirements, or implementation of the federal NESHAP must be authorized in some other manner acceptable to the EPA.

Staff implements a process that is transparent and streamlined, to ensure a routine review of NSPS and NESHAP changes that occur in a timely fashion and allow staff resources to work on other important rule development activities that could further reduce air pollution. This process is described within the Staff Report; the District envisions this process will continue to occur on an annual basis (or as needed).

The proposed rule amendments under consideration pertain solely to Regulation X and NSPSs. As such, Sections III through X of this staff report will refer only to analysis specific to the proposed revisions. A complete summary of modifications being made to Regulation X, as well as informational updates about NESHAPs that have been recently modified, are included within this staff report as Appendix A.

The following statements summarize important elements of the proposed rulemaking:

Comparative Analysis

An analysis comparing proposed amendments to Regulation X with applicable requirements of federal and local regulations (“Comparative Analysis”) is not required because the proposed amendments are verbatim adoption or incorporation by reference of a federal New Source Performance Standard adopted pursuant to Section 111.

Socioeconomic Impact Assessment

Sources must already comply with the requirements included in Regulation X whether or not the requirements are adopted by the District. The NSPS subparts included in Regulation X are already in effect under federal regulations and are enforceable by EPA. The action of adopting these regulations by reference does not impose any additional requirements on affected sources. Therefore, an assessment of the socioeconomic impacts of proposed amendments to Regulation X is not required.

California Environmental Quality Act (CEQA)

Proposed administrative amendments to Regulation X are categorically exempt from the provisions of CEQA as an action taken to assure the protection of the environment, where the regulatory process involves procedures for protection of the environment, and there is no possibility that the activity in question may have a significant effect on the environment.

Environmental Justice

The proposed amendments to Regulation X support the District’s commitment to integrating environmental justice and equity in District’s operations, policies, and regulations by ensuring relevant NSPSs at facilities countywide, including those in under-resourced communities, are made enforceable by the District at the local level. The Board actions will also support the District’s Public Participation Plan by ensuring affected stakeholders and members of the community understand what changes have recently been made in a clearer, more streamlined manner.

I. INTRODUCTION

Standards of Performance for New Stationary Sources (NSPS)

Section 111 of the Federal Clean Air Act requires the U.S. Environmental Protection Agency (EPA) to develop New Source Performance Standards (NSPS) for new and modified stationary sources. The regulations are located in Title 40, Part 60 of the Code of Federal Regulations (CFR).

NSPSs establish emission standards applicable to criteria pollutant emissions. NSPSs establish the minimum control requirements, known as “best demonstrated technology” for all facilities within a specified category. In addition, some standards developed are directed toward existing sources. These standards, known as emission guidelines, are either adopted by the state within their implementation plan or implemented through a federal plan. Each standard is aimed at a specific industry and/or emission unit. Each standard includes emission limitations (some may also include requirements for control equipment), monitoring, testing, reporting, and recordkeeping requirements.

The Federal Clean Air Act (CAA) authorizes EPA to delegate authority for implementing and enforcing NSPS regulations to states or local districts. The San Diego County Air Pollution Control District (District) first accepted delegation for the NSPS program on September 4, 2008. Delegation to the District allows staff to implement and enforce federal regulations at the local level, without further involvement by the EPA.

National Emissions Standards for Hazardous Air Pollutants (NESHAPs)

Section 112 of the Federal Clean Air Act requires that the U.S. Environmental Protection Agency (EPA) develop NESHAPs for all stationary sources. The regulations are located in Title 40, Part 63 of the Code of Federal Regulations (CFR).

NESHAPs are rules that apply to specific types of equipment or industries that emit hazardous air pollutants (HAPs). NESHAPs control HAPs through maximum achievable control technology (MACT) standards, which include control requirements for sources at facilities that have a potential to emit HAPs over the major source thresholds. Examples of sources regulated under NESHAPs include: asbestos in sources such as insulation, roofing, and paint; dry cleaning facilities; glass manufacturing plants; primary copper smelting; and wood furniture manufacturing. Often, the District incorporates requirements found in federal NESHAPs into local District rules and permits.

The Federal Clean Air Act (CAA) authorizes EPA to delegate authority for implementing and enforcing NESHAP regulations to states or local districts. The San Diego County Air Pollution Control District (District) first accepted delegation for the NESHAP program on September 4, 2008.

II. BACKGROUND

Standards of Performance for New Stationary Sources (NSPS)

NSPSs are federal regulations that establish air pollution control standards for certain new, modified, or reconstructed stationary sources. They are issued by the U.S. Environmental

Protection Agency (EPA) pursuant to Clean Air Act Section 111 through Subparts of Title 40, Chapter 1, Part 60, of the Code of Federal Regulations (40 CFR Part 60) and apply uniformly throughout the country. The EPA often delegates primary implementation and enforcement authority to state and local air pollution control agencies. Even so, the EPA retains independent enforcement authority.

District Regulation X (Standards of Performance for New Stationary Sources) incorporates federal standards that were locally adopted and for which the District has received delegated authority to implement and enforce in the San Diego region. Regulation X was last updated on September 12, 2024. Since then, the EPA has issued new and amended standards, as noted in Appendix A. Consequently, Regulation X has become inconsistent with current federal requirements.

The District's NSPS adoption process constitutes the following actions. The District envisions this process occurring on an annual basis (or as needed):

1. To ensure stakeholders are notified of applicable NSPS revisions, the District publishes a 30-day Notice of Public Hearing for proposed revisions to Regulation X and corresponding revisions to Appendix C (as found on the District's website) in a local newspaper (in print and/or electronically) for any new, repealed, or amended NSPS that has been issued by the EPA since the prior related Board action.
2. On an annual (or as needed) basis, the Governing Board considers incorporating by reference any new, repealed, or amended NSPS, and to request EPA to delegate authority to the District to implement and enforce any new, repealed, or amended NSPS, through a recommended action.
3. If recommended by the Board, District staff then submits a request for delegation authority from the EPA to implement and enforce any new, repealed, or amended NSPS.
4. If needed, District staff notifies the public and relevant stakeholders of any significant NSPS changes via a Compliance Advisory or other similar outreach.

National Emissions Standards for Hazardous Air Pollutants (NESHAPs)

Section 112 of the Federal Clean Air Act requires the U.S. Environmental Protection Agency (EPA) to promulgate NESHAPs that apply throughout the country. EPA Section 105 grant funding, which the District receives on an annual basis, requires the District to adopt or take action to otherwise implement any new or amended NESHAPs within 12 months of promulgation by the EPA. Local air districts can request delegation of authority to implement applicable NESHAPs from the EPA. To receive delegation, a local Subpart must be adopted incorporating the NESHAPs' requirements, or implementation of the federal NESHAPs must be authorized in some other manner acceptable to the EPA. NESHAPs are similar to NSPS, however, the EPA requires facilities subject to NSPS to be subject to testing requirements to confirm compliance with the applicable NSPS.

Under State law, a federal NESHAP becomes the State airborne toxic control measure (ATCM), unless the California Air Resources Board (CARB) has already adopted an ATCM for the source category and associated hazardous air pollutant(s). Once a NESHAP becomes an ATCM, CARB and air districts have certain responsibilities related to the implementation and enforcement of the

NESHAP/ATCM. To comply with Health and Safety Code, air districts are required to either implement and enforce the final NESHAP/ATCM no later than 120 days after the effective date of the NESHAP, or adopt an alternative regulation no later than six months after the effective date of the NESHAP.

The District's NESHAP adoption process constitutes the following actions. The District envisions this process occurring on an annual basis (or as needed):

1. To ensure stakeholders are notified of applicable NESHAP revisions, the District publishes a 30-day Notice of Public Hearing in a local newspaper (in print and/or electronically) prior to the relevant Governing Board item with information noting any new, repealed, or amended NESHAP (as found in Regulation XI and Appendix B of the District's Rules and Regulations) that have occurred since the prior related Board action.
2. On an annual (or as needed) basis, the Governing Board receives informational updates regarding any new, repealed, or amended NESHAP; no recommended actions, Board votes, or further delegation authority is necessary for implementation of applicable NESHAPs.
3. If needed, District staff notifies the public and relevant stakeholders of any significant NESHAP changes via a Compliance Advisory or other similar outreach.

A combined summary of the processes for both NSPS and NESHAP revisions are included in the table on the following page:

	NSPS	NESHAPs
Public Notification	To ensure stakeholders are notified of applicable NSPS revisions, the District publishes a 30-day Notice of Public Hearing for proposed revisions to Regulation X and corresponding revisions to Appendix C (as found on the District's website) in a local newspaper (in print and/or electronically) for any new, repealed, or amended NSPS that has been issued by the EPA since the prior related Board action.	To ensure stakeholders are notified of applicable NESHAP revisions, the District publishes a 30-day Notice of Public Hearing in a local newspaper (in print and/or electronically) prior to the relevant Governing Board item with information noting any new, repealed, or amended NESHAP (as found in Regulation XI and Appendix B of the District's Rules and Regulations) that have occurred since the prior related Board action.
Timeline	On an annual (or as needed) basis, the Governing Board considers incorporating by reference any new, repealed, or amended NSPS, and to request EPA to delegate authority to the District to implement and enforce any new, repealed, or amended NSPS, through a recommended action.	On an annual (or as needed) basis, the Governing Board receives informational updates regarding any new, repealed, or amended NESHAP.
Board & EPA Action	If approved by the Board, District staff submits a request for delegation authority from the EPA to implement and enforce any new, repealed, or amended NSPS.	N/A; Board votes or further delegation authority are unnecessary for implementation of applicable NESHAPs.
Notification to Affected Stakeholders	If needed, District staff notifies the public and relevant stakeholders of any significant NSPS changes via a Compliance Advisory or other similar outreach.	If needed, District staff notifies the public and relevant stakeholders of any significant NESHAP changes via a Compliance Advisory or other similar outreach.

EPA has recently issued new and amended NESHAPs to further protect air quality and public health and/or to make administrative revisions as needed. These are presented for informational purposes for regulated facilities and the community to ensure such facilities are aware of such changes in a public manner (beyond the notification process that already occurs at the EPA). The revisions are noted in Appendix A.

III. CONTROL TECHNOLOGIES

This section is not applicable to Regulation X. Sources must comply with the requirements included in Regulation X whether or not the requirements are adopted by the District. The NSPS subparts included in Regulation X are already in effect under federal regulations and are enforceable by EPA. The action of adopting these regulations by reference does not impose any additional requirements on affected sources.

IV. SUMMARY OF PROPOSED AMENDMENTS

The requirements for proposed amendments to Regulation X are summarized below:

Updated dates of recent amendment and/or adoption of NSPS Subparts through June 30, 2025

NSPS Subpart	CFR Reference	NSPS Subpart Title
Subpart A	40 CFR 60.1-19	General Provisions
Subpart Kb	40 CFR 60.110b-117b	Standards of Performance for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984
Subpart Kc	40 CFR 60.110c-117c	Standards of Performance for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after October 4, 2023
Subpart CCCC	40 CFR 60.2000-2265	Standards of Performance for Commercial and Industrial Solid Waste Incineration Units
Subpart EEEE	40 CFR 60.2880-2977	Standards of Performance for Other Solid Waste Incineration Units for which Construction is Commenced after December 9, 2004, or for which Modification or Reconstruction is Commenced on or after June 16, 2006.

NSPS Subpart	CFR Reference	NSPS Subpart Title
Subpart IIII	40 CFR 60.4200-4219	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
Subpart JJJJ	40 CFR 60.4230-4248	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

For consistency, other minor administrative edits were also made to dates and some Federal Register citations throughout proposed amended Regulation X.

V. COMPARATIVE ANALYSIS

Statutory Requirements

Prior to adopting, amending, or repealing a rule or regulation, California Health and Safety Code Section [40727](#) requires findings of necessity, authority, clarity, consistency, non-duplication, and reference, as defined therein. As part of the consistency finding and to ensure proposed rule requirements do not conflict with or contradict other District and/or federal regulations, Health and Safety Code Section 40727.2(a) requires the District to perform a written analysis identifying and comparing the air pollution control standards and other provisions of proposed amended Regulation X with existing or proposed District rules and guidelines and existing federal rules, requirements, and guidelines applying to the same source category.

Analysis

The District finds that an analysis comparing proposed amendments to Regulation X with applicable requirements of federal and local regulations (“Comparative Analysis”) is not required pursuant to Section 40727.2(g) of the California Health and Safety Code because the proposed amendments are verbatim adoption or incorporation by reference of a federal New Source Performance Standard adopted pursuant to Clean Air Act Section 111.

VI. EMISSION SOURCES AND IMPACTS

The proposed amendments to Regulation X, many of which are administrative in nature, are not expected to result in substantial emission reductions. Regardless, affected sources must comply with the revised NSPS requirements proposed for inclusion in Regulation X whether or not the requirements are ultimately adopted by the District. The NSPS subparts included in Regulation X are already in effect under federal regulations and are enforceable by EPA. The action of adopting these regulations by reference does not impose any additional requirements on affected sources. New or amended NSPSs added into Regulation X will result in additional administrative workload for the District’s Compliance and Engineering divisions, to enforce the new federal regulations at the local level and amendments to permits as needed. However, such federal provisions are non-discretionary for the District, and the impacts to existing workload by these divisions will need to be evaluated as new requirements are implemented.

VII. ECONOMIC IMPACTS & COST-EFFECTIVENESS

Statutory Requirements

California Health & Safety Code [40703](#) requires that in adopting any regulation, the District shall consider, pursuant to Section 40922, and make available to the public, its findings related to the cost effectiveness of a control measure, as well as the basis for the findings and the considerations involved. A district shall make reasonable efforts, to the extent feasible within existing budget constraints, to make specific reference to the direct costs expected to be incurred by regulated parties, including businesses and individuals. The District shall also comply with California Health & Safety Code [40920.6\(a\)](#) pertaining to cost-effectiveness of best available retrofit control technology as applicable.

Cost Effectiveness, Incremental Cost-Effectiveness, and Other Costs

Cost effectiveness accounts for the cost of emission reductions, typically expressed in dollars spent per pound or ton of emissions reduced. The District finds that a cost effectiveness evaluation (including an evaluation of incremental cost-effectiveness and other costs) is not applicable to proposed amendments for Regulation X, as the proposed amendments are neither best available retrofit control technology nor a feasible measure pursuant to the sections identified in Section 40920.6(a). Proposed amendments to Regulation X are verbatim adoption or incorporation by reference of a federal New Source Performance Standard adopted pursuant to Clean Air Act Section 111. Sources must comply with the requirements included in Regulation X whether or not the requirements are adopted by the District. The NSPS subparts included in Regulation X are already in effect under federal regulations and are enforceable by EPA. The action of adopting these regulations by reference does not impose any additional requirements on affected sources. Therefore, an analysis of cost-effectiveness is not required.

Socioeconomic Impacts Assessment (SIA)

Per California Health & Safety Code [40728.5](#) (if applicable), whenever a district intends to propose the adoption, amendment, or repeal of a rule or regulation that will significantly affect air quality or emissions limitations, that agency shall, to the extent data are available, perform an assessment of the socioeconomic impacts of the adoption, amendment, or repeal of the rule or regulation. The Governing Board shall actively consider the socioeconomic impact of regulations and make a good faith effort to minimize adverse socioeconomic impacts. This section does not apply to the adoption, amendment, or repeal of any rule or regulation that results in any less restrictive emissions limit if the action does not interfere with the district's adopted plan to attain ambient air quality standards or does not result in any significant increase in emissions.

The District finds that an assessment of the socioeconomic impacts of proposed amended Regulation X is not required pursuant to Section 40728.5(a) of the California Health and Safety Code. Affected sources must comply with the requirements included in Regulation X whether or not the requirements are adopted by the District. The NSPS subparts included in Regulation X are already in effect under federal regulations and are enforceable by EPA. The action of adopting these regulations by reference does not impose any additional requirements on affected sources. Therefore, an assessment of the socioeconomic impacts of proposed amendments to Regulation X is not required.

VIII. ENVIRONMENTAL ANALYSIS

California Environmental Quality Act (CEQA)

The California Environmental Quality Act (CEQA) requires environmental review of certain actions. District staff conducted a review of whether CEQA applies to the adoption of proposed amendments to Regulation X. The District finds that proposed amendments to Regulation X are categorically exempt from the provisions of CEQA pursuant to California Code of Regulations, Title 14, Section 15308, as an action taken to assure the protection of the environment, where the regulatory process involves procedures for protection of the environment, and Section 15061(b)(3) since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Analysis of Expected Methods of Compliance

Proposed amendments to Regulation X are verbatim adoption or incorporation by reference of a federal New Source Performance Standard adopted pursuant to Clean Air Act Section 111. Sources must comply with the requirements included in Regulation X whether or not the requirements are adopted by the District. The NSPS subparts included in Regulation X are already in effect under federal regulations and are enforceable by EPA. The action of adopting these regulations by reference does not impose any additional requirements on affected sources. Therefore, an analysis of expected methods of compliance is not required.

Environmental Justice

The proposed amendments to Regulation X support the District's commitment to integrating environmental justice and equity in District's operations, policies, and regulations. The amendments incorporate more stringent and up-to-date federal regulations, ensuring that such regulations apply to facilities located within or adjacent to under-resourced communities and are enforceable at the local level. Additionally, the District's process for adopting new/revised NSPSs and notifying the public about new/revised NESHAPs at the Governing Board level on an annual basis, ensures communities that are disproportionately impacted by air pollution are made aware of such revisions in a meaningful way through standard District processes, rather than having to find such information through the EPA.

IX. RULE DEVELOPMENT AND PUBLIC PARTICIPATION PROCESS

On November 10, 2025, a 30-day public notice regarding the Governing Board's public hearing to consider the proposed rule amendments was posted in a local newspaper for a 30-day review period, on the District's website and sent to subscribers of the District's email notification service, CARB, and the EPA. The public notice was sent to over 12,100 subscribers to the District's email notification service. The public notice invited an opportunity for the public to comment on the proposed action prior to and during the Governing Board's consideration of the action, and the District received one letter in support of the action. An additional 30-day Notice of Public Hearing was posted on January 13, 2026, along with notifications to the same subscriber list(s) and government agencies.

X. OTHER RULE AMENDMENTS

There are no other rule amendments associated with this report and rule development action.

XI. CONCLUSION

Proposed amendments to Regulation X are not expected to negatively impact affected residents or industries including small businesses, nor affect employment or the economy of San Diego County. Sources must already comply with the requirements proposed for inclusion in Regulation X whether or not the requirements are adopted by the District. The NSPS subparts included in Regulation X are already in effect under federal regulations and are enforceable by EPA. The action of adopting these regulations by reference does not impose any additional requirements on affected sources. The proposed amended regulation will help ensure the rule meets all federal requirements. This Staff Report addresses all the requirements specified in Health and Safety Code Sections 40725 through 40728.5 for rule development.

XII. REFERENCES

There are no references to this report.

XIII. APPENDICES

Appendix A – NSPS/NESHAP Table

Appendix A**Summary of Relevant NSPS Revisions (as of June 30, 2025)**

Subpart	Title	Date(s) of Final Actions Taken since September 12, 2024	Most Recent Corresponding Federal Register	Summary of Changes	District Action to be taken
A	General Provisions	6/30/2025 (+ 5 additional times)	90 FR 27938	<ul style="list-style-type: none"> • Finalized the periodic review of the emissions standards and other requirements for Other Solid Waste Incineration (OSWI) units. • Changed made to the Applicability and Definitions. • Changed made to OSWI subcategories and the standards for the new subcategories, • Changed startup, shutdown, and malfunction (SSM) provisions. • Changed testing, monitoring, recordkeeping, and reporting requirements. • Miscellaneous technical and editorial changes. • , • 	Adopt by reference the corresponding amendment to the following current federal Subpart of 40 CFR Part 60, which were subsequently amended by the EPA after the 2024 update of District Regulation X.
D	Fossil-Fuel-Fired Steam Generators	No Action Taken			None
Da	Electric Utility Steam Generating Units	No Action Taken			None
Db	Industrial-Commercial-Institutional Steam Generating Units	No Action Taken			None
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	No Action Taken			None
E	Incinerators	No Action Taken			None
Eb	Large Municipal Waste Combustors	No Action Taken			None

Subpart	Title	Date(s) of Final Actions Taken since September 12, 2024	Most Recent Corresponding Federal Register	Summary of Changes	District Action to be taken
Ec	Hospital/ Medical/ Infectious Waste Incinerators	No Action Taken			None
I	Hot Mix Asphalt Facilities	No Action Taken			None
J	Petroleum Refineries	No Action Taken			None
K	Storage Vessels for Petroleum Liquids (06/11/73-05/19/78)	No Action Taken			None
Ka	Storage Vessels for Petroleum Liquids (05/18/78-07/23/84)	No Action Taken			None
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984	10/15/2024	89 FR 83317	<ul style="list-style-type: none"> • Revisions applicable to volatile organic liquid (VOL) storage vessels that commenced construction, reconstruction, or modification after July 23, 1984 and on or before October 4, 2023. • Finalized requirements for degassing emission controls. • Clarified startup, shutdown, and malfunction (SSM) requirements. • Included additional monitoring requirements. • Made technical improvements. 	Adopt by reference the corresponding amendment to the following current federal Subpart of 40 CFR Part 60, which were subsequently amended by the EPA after the 2024 update of District Regulation X.

Subpart	Title	Date(s) of Final Actions Taken since September 12, 2024	Most Recent Corresponding Federal Register	Summary of Changes	District Action to be taken
Kc	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After October 4, 2023	10/15/2024	89 FR 83319	<ul style="list-style-type: none"> • Revisions applicable to volatile organic liquid (VOL) storage vessels that commenced construction, reconstruction, or modification after October 4, 2023. • Finalized requirements to reduce the vapor pressure applicability thresholds and revise the volatile organic compound (VOC) standards to reflect the best system of emission reduction (BSER) for affected storage vessels. • Finalized requirements for degassing emission controls. • Clarified startup, shutdown, and malfunction (SSM) requirements. • Included additional monitoring requirements. • Made other technical improvements. 	Adopt by reference the corresponding amendment to the following current federal Subpart of 40 CFR Part 60.
L	Secondary Lead Smelters	No Action Taken			None
M	Secondary Brass and Bronze Production Plants	No Action Taken			None
O	Sewage Treatment Plants	No Action Taken			None
DD	Grain Elevators	No Action Taken			None
EE	Surface Coating of Metal Furniture	No Action Taken			None
GG	Stationary Gas Turbines	No Action Taken			None

Subpart	Title	Date(s) of Final Actions Taken since September 12, 2024	Most Recent Corresponding Federal Register	Summary of Changes	District Action to be taken
QQ	Graphic Arts Industry: Publication Rotogravure Printing	No Action Taken			None
RR	Pressure Sensitive Tape and Label Surface Coating Operations	No Action Taken			None
SS	Industrial Surface Coating: Large Appliances	No Action Taken			None
TT	Metal Coil Surface Coating	No Action Taken			None
AAA	New Residential Wood Heaters	No Action Taken			None
BBB	Rubber Tire Manufacturing Industry	No Action Taken			None
FFF	Flexible Vinyl and Urethane Coating and Printing	No Action Taken			None
JJJ	Petroleum Dry Cleaners	No Action Taken			None
OOO	Non-Metallic Mineral Processing Plants	No Action Taken			None
UUU	Calciners and Dryers in Mineral Industries	No Action Taken			None
VVV	Polymeric Coating of Supporting Substrates Facilities	No Action Taken			None
WWW	Municipal Solid Waste Landfills	No Action Taken			None
AAAA	Small Municipal Waste Combustion Units	No Action Taken			None

Subpart	Title	Date(s) of Final Actions Taken since September 12, 2024	Most Recent Corresponding Federal Register	Summary of Changes	District Action to be taken
CCCC	Commercial and Industrial Solid Waste Incineration Units	6/30/2025	90 FR 27938	<ul style="list-style-type: none"> Finalized the periodic review of the emissions standards and other requirements for OSWI units. Changed Applicability and Definitions. Changed the OSWI subcategories and the standards for the new subcategories. Changed the SSM provisions. Changed testing, monitoring, recordkeeping, and reporting requirements. Made other miscellaneous technical and editorial changes to the regulatory text. 	Adopt by reference the corresponding amendment to the following current federal Subpart of 40 CFR Part 60, which were subsequently amended by the EPA after the 2024 update of District Regulation X.
EEEE	Other Solid Waste Incineration Units	6/30/2025	90 FR 27939	<ul style="list-style-type: none"> Same as Subpart CCCC. 	Adopt by reference the corresponding amendment to the following current federal Subpart of 40 CFR Part 60, which were subsequently amended by the EPA after the 2024 update of District Regulation X.
III	Stationary Compression Ignition Internal Combustion Engines	8/30/2024	89 FR 70512	<ul style="list-style-type: none"> Finalized amendments to add electronic reporting provisions. Made a small number of clarifications and corrections to clarify and correct inadvertent and minor errors (particularly related to the tables). 	Adopt by reference the corresponding amendment to the following current federal Subpart of 40 CFR Part 60, which were subsequently amended by the EPA after the 2024 update of District Regulation X.
JJJ	Stationary Spark Ignition Internal Combustion Engines	8/30/2024	89 FR 70514	<ul style="list-style-type: none"> Same as Subpart III. 	Adopt by reference the corresponding amendment to the following current federal Subpart of 40 CFR Part 60, which were subsequently amended by the EPA after the 2024 update of District Regulation X.

Subpart	Title	Date(s) of Final Actions Taken since September 12, 2024	Most Recent Corresponding Federal Register	Summary of Changes	District Action to be taken
KKKK	Stationary Combustion Turbines	No Action Taken			None
QQQQ	New Residential Hydronic Heaters and Forced-Air Furnaces	No Action Taken			None
TTTT	Greenhouse Gas Emissions for Electric Generating Units	No Action Taken			None

Summary of NESHAP Revisions (as of June 30, 2025)

Subpart	Title	Date(s) of Final Actions Taken since September 12, 2024	Most Recent Corresponding Federal Register	Summary of Changes	District Action to be Taken
A	General Provisions	1/7/2025 (+ 8 additional times)	90 FR 1041	<ul style="list-style-type: none"> Corrected inadvertent typographical error that appeared in 89 FR 73307 published September 10, 2024. 	None – Automatic EPA delegation that will be reflected in Appendix B of the District’s Rules and Regulations after participative review process (i.e. Governing Board update).
R	Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)	7/8/2024	89 FR 39358	<ul style="list-style-type: none"> Finalized the technology reviews pursuant to the requirements of the Clean Air Act (CAA). Revised requirements for storage vessels, loading operations, and equipment to reflect cost-effective developments in practices, processes, or controls. Finalized revisions related to emissions during periods of startup, shutdown, and malfunction (SSM). Added requirements for electronic reporting. Revised monitoring and operating requirements for control devices. Made minor technical improvements. 	None – Automatic EPA delegation that will be reflected in Appendix B of the District’s Rules and Regulations after participative review process (i.e. Governing Board update).
T	Halogenated Solvent Cleaning	No Action Taken			

Subpart	Title	Date(s) of Final Actions Taken since September 12, 2024	Most Recent Corresponding Federal Register	Summary of Changes	District Action to be Taken
DD	Off-Site Waste and Recovery Operations	No Action Taken			
GG	Aerospace Manufacturing and Rework Facilities	No Action Taken			
II	Shipbuilding and Ship Repair (Surface Coating)	No Action Taken			
JJ	Wood Furniture Manufacturing Operations	No Action Taken			
VVV	Publicly Owned Treatment Works	No Action Taken			
AAAA	Municipal Solid Waste Landfills	No Action Taken			
MMMM	Surface Coating of Miscellaneous Metal Parts and Products	No Action Taken			
PPPP	Surface Coating of Plastic Parts and Products	No Action Taken			
YYYY	Stationary Combustion Turbines	No Action Taken			
ZZZZ	Stationary Reciprocating Internal Combustion Engines	8/30/2024	89 FR 70515	<ul style="list-style-type: none"> Finalized amendments to add electronic reporting provisions. Made clarifications and corrected inadvertent and other minor errors. 	None – Automatic EPA delegation that will be reflected in Appendix B of the District’s Rules and Regulations after participative review process (i.e. Governing Board update).
DDDDD	Industrial, Commercial, and Institutional Boilers and Process Heaters	No Action Taken			

Subpart	Title	Date(s) of Final Actions Taken since September 12, 2024	Most Recent Corresponding Federal Register	Summary of Changes	District Action to be Taken
GGGGG	Site Remediation	No Action Taken			
PPPPP	Engine Test Cells/Stands	No Action Taken			
BBBBBB	Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities	7/8/2024	89 FR 39373	<ul style="list-style-type: none"> • Revised requirements for storage vessels, loading operations, and equipment to reflect cost-effective developments in practices, processes, or controls. • Finalized revisions related to emissions during periods of startup, shutdown, and malfunction (SSM). • Added requirements for electronic reporting. • Revised monitoring and operating requirements for control devices. • Made minor technical improvements. 	None – Automatic EPA delegation that will be reflected in Appendix B of the District’s Rules and Regulations after participative review process (i.e. Governing Board update).
CCCCC	Gasoline Dispensing Facilities	No Action Taken			

Subpart	Title	Date(s) of Final Actions Taken since September 12, 2024	Most Recent Corresponding Federal Register	Summary of Changes	District Action to be Taken
HHHHHH	Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources	No Action Taken			
OOOOOO	Flexible Polyurethane Foam Production and Fabrication Area Sources	No Action Taken			
VVVVVV	Chemical Manufacturing Area Sources	No Action Taken			
WWWWWW	Area Source Standards for Plating and Polishing Operations	No Action Taken			



December 2, 2025

Nick Cormier, Supervising Air Resources Specialist
San Diego County Air Pollution Control District
10124 Old Grove Road, San Diego, CA 92131
APCDRules@sdapcd.org

Dear Mr. Cormier and members of the Air Pollution Control District,

On behalf of the District 1 Office of National City, I am writing to express our strong support for the San Diego County Air Pollution Control District's proposed amendment to Regulation X to adopt and implement updated federal New Source Performance Standards (NSPS) for new and modified stationary sources.

District 1—which includes West National City—continues to experience some of the highest cumulative pollution burdens in the region. CalEnviroScreen 4.0 identifies several census tracts in our community within the higher percentiles of statewide pollution burden, with exposure to diesel particulate matter, industrial operations, and freight-related activity well above the county average. Our neighborhoods are also recognized as part of the Portside Environmental Justice Communities due to decades of disproportionate air-quality impacts.

Given this context, updating the District's NSPS rules is appropriate and urgently needed. Aligning local requirements with the most current federal standards will strengthen controls on sources such as internal combustion engines, incineration units, and volatile organic liquid storage vessels—sources that are relevant in and around West National City. Petitioning the Environmental Protection Agency for delegation of authority is a positive step that will enable timelier, context-aware enforcement and help prevent regulatory lag.

Improved pollution controls will also advance critical health and equity goals. Communities in National City's District 1 experience elevated rates of asthma, cardiovascular disease, and other pollution-related health conditions. Stronger controls on VOCs, NO_x, diesel particulate matter, and related pollutants can help reduce these longstanding disparities and improve quality of life for residents who have carried a disproportionate share of environmental burdens for decades.

LUZ MOLINA
COUNCILMEMBER, DISTRICT 1
CITY OF NATIONAL CITY
1243 NATIONAL CITY BOULEVARD, NATIONAL CITY, CA 91950
LMOLINA@NATIONALCITYCA.GOV



As the Air Pollution Control District moves forward with this amendment, we respectfully request ongoing attention to several implementation priorities that are vital for frontline communities:

1. **Robust monitoring and enforcement:** Adoption must be paired with adequate staffing, local monitoring, and transparent public reporting, particularly in high-burden neighborhoods such as West National City.
2. **Addressing cumulative and legacy sources:** While the amendment applies to new or modified sources, older industrial operations and freight-related activities remain significant contributors to local exposure. A parallel review of legacy sources would help address longstanding cumulative impacts.
3. **Meaningful community involvement:** Clear communication, accessible data, and inclusive engagement processes are essential for ensuring that impacted residents have a voice in regulatory decisions.
4. **Small business assistance:** Support for compliance—such as technical assistance or access to grants—will help ensure that local small businesses can meet new requirements without unintended economic hardship.

To ensure the strongest community benefits from the updated standards, the District 1 Office encourages the Board to incorporate:

- A local monitoring plan focused on West National City and other overburdened areas;
- An annual community-benefits or progress report tracking improvements in air quality and health indicators;
- A compliance-assistance pathway for small businesses;
- A review of legacy sources affecting National City's District 1.

We appreciate the Air Pollution Control District's leadership in advancing this important update and strongly support adoption of the proposed amendment. We look forward to continued collaboration to ensure cleaner air, healthier neighborhoods, and greater environmental justice for the residents all residents.

Sincerely,

Luz Molina

LUZ MOLINA
COUNCILMEMBER, DISTRICT 1
CITY OF NATIONAL CITY
1243 NATIONAL CITY BOULEVARD, NATIONAL CITY, CA 91950
LMOLINA@NATIONALCITYCA.GOV