



Air Pollution Control Board
Greg Cox District 1
Dianne Jacob District 2
Pam Slater-Price District 3
Ron Roberts District 4
Bill Horn District 5

April 5, 2007

NOTICE OF WORKSHOP

**TO DISCUSS PROPOSED REGULATION X AMENDMENTS
REPEAL AND ADOPTION BY REFERENCE OF THE FOLLOWING
NEW SOURCE PERFORMANCE STANDARDS (NSPS):**

- SUBPART K - STANDARDS OF PERFORMANCE FOR STORAGE VESSELS FOR PETROLEUM LIQUIDS FOR WHICH CONSTRUCTION, RECONSTRUCTION, OR MODIFICATION COMMENCED AFTER JUNE 11, 1973;**
- SUBPART Ka - STANDARDS OF PERFORMANCE FOR STORAGE VESSELS FOR PETROLEUM LIQUIDS FOR WHICH CONSTRUCTION, RECONSTRUCTION, OR MODIFICATION COMMENCED AFTER MAY 18, 1978; AND**
- SUBPART Kb - 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.**

The San Diego County Air Pollution Control District (District) will hold a public workshop to consider comments concerning the proposed repeal and adoption by reference of the existing NSPS Subparts listed above. Comments concerning this proposal may be submitted in writing before, or made at, the workshop which is scheduled as follows:

DATE: **Friday, May 4, 2007**
TIME: **1:00 p.m. – 3:00 p.m.**
PLACE: **San Diego Air Pollution Control District**
 10124 Old Grove Road
 San Diego, CA 92131
 Main Conference Room

New Source Performance Standards (NSPS) are promulgated under 40 Code of Federal Regulations (CFR) Part 60 as Subparts by the Environmental Protection Agency (EPA) and apply throughout the country. The Subparts are then adopted by the District to allow local implementation. In the past, the District has adopted NSPSs with minor modifications as separate District rules in Regulation X. Once adopted, the District requests, and routinely receives delegation from EPA to implement and enforce these federal requirements. However, EPA has indicated reluctance to review and approve these adopted District versions of the federal NSPSs.

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In addition, EPA has amended each of these federal Subparts several times since their original promulgation, causing the Regulation X version of the Subparts to become outdated. To correct this problem, the District proposes to repeal the existing Regulation X version of each Subpart, and adopt, by reference, the current federal NSPS versions of Subparts K, Ka, and Kb.

Regulation X will be amended to include the Federal Register citation of the original federal Subparts and their subsequent amendments and submitted to the San Diego County Air Pollution Control Board for adoption at a public hearing. Following adoption, the District will request EPA delegation to implement and enforce the most recent federal version of each Subpart.

SUBPART K

Subpart K – Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced after June 11, 1973 was first promulgated by the EPA on March 8, 1974 (original federal Subpart K), and subsequently adopted with minor modifications by the District into Regulation X - Standards of Performance for New Stationary Sources (Regulation X Subpart K). The District petitioned EPA for delegation and received authority to implement and enforce Regulation X Subpart K on November 8, 1976.

The Regulation X and federal version of Subpart K apply to storage vessels for petroleum liquids that have a storage capacity greater than 40,000 gallons (151,412 liters), which commenced construction or modification after June 11, 1971. The current federal Subpart K does not apply to storage vessels that commenced construction or modification on or after May 19, 1978. The current federal Subpart K also now excludes storage vessels with a capacity of 65,000 gallons (246,052 liters) or less that commenced construction or modification before March 8, 1974.

The Regulation X and federal version of Subpart K specify emission standards for volatile organic compounds. There are no changes to the emission standards for volatile organic compounds between these two versions.

There are no significant differences in the monitoring, reporting, recordkeeping, and testing requirements between the Regulation X Subpart and the current federal Subpart to be adopted by reference.

SUBPART Ka

Subpart Ka - Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978 was first promulgated by the EPA on April 4, 1980 (original federal Subpart Ka), and subsequently adopted with minor modifications by the District into Regulation X - Standards of Performance for New Stationary Sources (Regulation X Subpart Ka). The District petitioned EPA for delegation and received authority to implement and enforce Regulation X Subpart Ka on May 24, 1982.

The Regulation X and federal version of Subpart Ka apply to each storage vessel for petroleum liquids with a capacity greater than 40,000 gallons (151,416 liters) for which construction commenced after May 18, 1978. The current federal Subpart Ka contains alternative means of compliance by allowing owners or operators to comply with 40 CFR Part 65, Subpart C, to satisfy the requirements of Section 60.112a through 60.114a. Owners or operators who chose to comply with 40 CFR Part 65, Subpart C, must still comply with certain sections of 40 CFR Part 60, Subpart A and all of 40 CFR Part 65, Subpart A.

The Regulation X and federal version of Subpart Ka specify emission standards for volatile organic compounds. There are no changes to the emission standards for volatile organic compounds between these two versions.

There are no significant differences in the monitoring, reporting, recordkeeping, and testing requirements between the Regulation X Subpart and the current federal Subpart to be adopted by reference

SUBPART Kb

Subpart Kb - 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 was first promulgated by the EPA on April 8, 1987 (original federal Subpart Kb), and subsequently adopted with minor modifications by the District into Regulation X - Standards of Performance for New Stationary Sources (Regulation X Subpart Kb). The District petitioned EPA for delegation and received authority to implement and enforce Regulation X Subpart Kb on July 18, 1989.

The Regulation X and federal version of Subpart Kb apply to storage vessels used to store volatile organic liquids for which construction, reconstruction, or modification is commenced after July 23, 1984. Changes made to the current federal Subpart Kb include exempting smaller capacity vessels from all requirements. Regulation X Subpart Kb requires vessels between 10,567 gallons (40 m³) and 19,813 gallons (75 m³) to be subject only to recordkeeping requirements, while the current federal Subpart Kb exempts storage vessels less than 19,813 gallons (75 m³) from all requirements. Current federal Subpart Kb also exempts storage vessels with a capacity greater than or equal to 39,890 gallons (151 m³) storing a liquid with a maximum true vapor pressure less than 26.3 mmHg (3.5 kPa) or with a capacity greater than or equal to 19,813 gallons (75 m³) but less than 39,890 gallons (151 m³) storing a liquid with a maximum true vapor pressure less than 112.5 mmHg (15.0 kPa) from being subject to any part of this subpart. Regulation X Subpart Kb requires these vessels to be subject only to recordkeeping requirements.

The current federal Subpart Kb contains alternative means of compliance by allowing owners or operators of certain storage vessels to comply with 40 CFR Part 65, Subpart C, to satisfy the requirements of 40 CFR Sections 60.112b through 60.117b. Owners or operators who chose to comply with 40 CFR Part 65, Subpart C, must still comply with certain sections of 40 CFR Part 60, Subpart A, all of 40 CFR Part 65, Subpart A, and provisions in 40 CFR part 65.1. If an

owner or operator installs an internal or external floating roof at startup and chooses to comply with 40 CFR Part 65, then an initial report certifying compliance and notification must be submitted to the Administrator.

The Regulation X and federal version of Subpart Kb specify emission standards for volatile organic compounds. Current federal Subpart Kb contains additional language for clarity, but does not specify any new standards.

There are no significant differences in the monitoring, reporting, recordkeeping, and testing requirements between the Regulation X Subpart and the current federal Subpart to be adopted by reference.

If you would like a copy of the current federal version of Subpart K, Ka, or Kb, please visit the District's Web Site at www.sdapcd.org, under Rules and Regulations, Public Workshop; or contact Luann Serbesku at (858) 586-2755. If you have any questions concerning this proposal, please contact Steven Moore at (858) 586-2750.

A handwritten signature in cursive script that reads "Steven Moore for".

THOMAS R. WEEKS, Chief, Engineering Division
Air Pollution Control District

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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, 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 Air Pollution Control 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 D 40CFR60.40-46 STANDARDS OF PERFORMANCE FOR FOSSIL-FUEL-FIRED STEAM GENERATORS FOR WHICH CONSTRUCTION IS COMMENCED AFTER AUGUST 17, 1971

<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
39 FR 20791, June 14, 1974	October 17, 2001	Pending
40 FR 2803, Jan. 16, 1975	October 17, 2001	Pending
40 FR 46256, Oct. 6, 1975	October 17, 2001	Pending
41 FR 51398, Nov. 22, 1976	October 17, 2001	Pending
42 FR 37936, July 25, 1977	October 17, 2001	Pending
42 FR 61537, Dec. 5, 1977	October 17, 2001	Pending
43 FR 9278, Mar. 7, 1978	October 17, 2001	Pending
44 FR 33612, June 17, 1979	October 17, 2001	Pending
44 FR 76787, Dec. 28, 1979	October 17, 2001	Pending
45 FR 36077, May 29, 1980	October 17, 2001	Pending
45 FR 47146, July 14, 1980	October 17, 2001	Pending
46 FR 57498, Nov. 24, 1981	October 17, 2001	Pending
48 FR 3736, Jan. 27, 1983	October 17, 2001	Pending
51 FR 42797, Nov. 25, 1986	October 17, 2001	Pending
52 FR 28954, Aug. 4, 1987	October 17, 2001	Pending
54 FR 6662, Feb. 14, 1989	October 17, 2001	Pending
54 FR 21344, May 17, 1989	October 17, 2001	Pending
55 FR 5212, Feb. 14, 1990	October 17, 2001	Pending
61 FR 49976, Sept. 24, 1996	October 17, 2001	Pending
65 FR 61752, Oct. 17, 2000	Not Yet Adopted	

SUBPART Da
40CFR60.40a-49a

STANDARDS OF PERFORMANCE FOR ELECTRIC UTILITY
STEAM GENERATING UNITS FOR WHICH CONSTRUCTION
IS COMMENCED AFTER SEPTEMBER 18, 1978

<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
44 FR 33613, June 11, 1979	October 17, 2001	Pending
48 F4 3737, Jan. 27, 1983	October 17, 2001	Pending
54 FR 6663, Feb. 14, 1989	October 17, 2001	Pending
54 FR 21344, May 17, 1989	October 17, 2001	Pending
55 FR 5212, Feb. 14, 1990	October 17, 2001	Pending
55 FR 18876, May 7, 1990	October 17, 2001	Pending
63 FR 49453, Sept. 16, 1998	October 17, 2001	Pending
64 FR 7464, Feb. 12, 1999	October 17, 2001	Pending
65 FR 61752, Oct. 17, 2000	October 17, 2001	Pending
66 FR 18551, April 10, 2001	October 17, 2001	Pending
66 FR 31178, June 11, 2001	October 17, 2001	Pending
66 FR 42610, Aug. 14, 2001	Not Yet Adopted	
70 FR 28653, May 18, 2005	Not Yet Adopted	
70 FR 51268, Aug. 30, 2005	Not Yet Adopted	
71 FR 9876, Feb. 27, 2006	Not Yet Adopted	
71 FR 33399, June 9, 2006	Not Yet Adopted	

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>
51 FR 42768, Nov. 25, 1986	April 25, 2001	Pending
52 FR 47842, Dec. 16, 1987	April 25, 2001	Pending
54 FR 51824, Dec. 18, 1989	April 25, 2001	Pending
54 FR 51819, Dec. 18, 1989	April 25, 2001	Pending
55 FR 5212, Feb. 14, 1990	April 25, 2001	Pending
55 FR 18876, May 7, 1990	April 25, 2001	Pending
60 FR 28062, May 30, 1995	April 25, 2001	Pending
61 FR 14031, Mar. 29, 1996	April 25, 2001	Pending
62 FR 52641, Oct. 8, 1997	April 25, 2001	Pending
63 FR 49454, Sept. 16, 1998	April 25, 2001	Pending
64 FR 7464, Feb. 12, 1999	April 25, 2001	Pending
65 FR 13243, Mar. 13, 2000	April 25, 2001	Pending
65 FR 61752, Oct. 17, 2000	Not Yet Adopted	
66 FR 18553, April 10, 2001	Not Yet Adopted	
66 FR 42610, Aug. 14, 2001	Not Yet Adopted	
66 FR 49834, Oct. 1, 2001	Not Yet Adopted	
69 FR 40773, July 7, 2004	Not Yet Adopted	
71 FR 9881, Feb. 27, 2006	Not Yet Adopted	
71 FR 33400, June 9, 2006	Not Yet Adopted	

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>
55 FR 37683, Sept. 12, 1990	Aug. 13, 1997	June 24, 1998
61 FR 20736, May 8, 1996	Aug. 13, 1997	June 24, 1998
64 FR 7465, Feb. 12, 1999	Not Yet Adopted	
65 FR 61752, Oct. 17, 2000	Not Yet Adopted	
71 FR 9884, Feb. 27, 2006	Not Yet Adopted	

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>
<u>39 FR 9317, March 8, 1974</u>	<u>(Date of Adoption)</u>	
<u>39 FR 13776, April 17, 1974</u>	<u>(Date of Adoption)</u>	
<u>39 FR 20794, June 14, 1974</u>	<u>(Date of Adoption)</u>	
<u>42 FR 37937, July 25, 1977</u>	<u>(Date of Adoption)</u>	
<u>45 FR 23379, April 4, 1980</u>	<u>(Date of Adoption)</u>	
<u>48 FR 3737, Jan. 27, 1983</u>	<u>(Date of Adoption)</u>	
<u>52 FR 11429, April 8, 1987</u>	<u>(Date of Adoption)</u>	
<u>65 FR 61755, Oct. 17, 2000</u>	<u>(Date of Adoption)</u>	

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>
<u>45 FR 23379, April 4, 1980</u>	<u>(Date of Adoption)</u>	
<u>45 FR 83229, Dec. 18, 1980</u>	<u>(Date of Adoption)</u>	
<u>48 FR 3737, Jan. 27, 1983</u>	<u>(Date of Adoption)</u>	
<u>52 FR 11429, April 8, 1987</u>	<u>(Date of Adoption)</u>	
<u>65 FR 61756, Oct. 17, 2000</u>	<u>(Date of Adoption)</u>	
<u>65 FR 78275, Dec. 14, 2000</u>	<u>(Date of Adoption)</u>	

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>
<u>52 FR 11429, Aug. 11, 1987</u>	<u>(Date of Adoption)</u>	
<u>52 FR 22780, June 16, 1987</u>	<u>(Date of Adoption)</u>	
<u>54 FR 32973, Aug. 11, 1989</u>	<u>(Date of Adoption)</u>	
<u>62 FR 52641, Oct. 8, 1997</u>	<u>(Date of Adoption)</u>	
<u>65 FR 61756, Oct. 17, 2000</u>	<u>(Date of Adoption)</u>	
<u>65 FR 78275, Dec. 14, 2000</u>	<u>(Date of Adoption)</u>	
<u>68 FR 59332, Oct. 15, 2003</u>	<u>(Date of Adoption)</u>	

SUBPART GG
40CFR60.330-335

STANDARDS OF PERFORMANCE FOR STATIONARY
GAS TURBINES

<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
<u>44 FR 52798, Sept. 10, 1979</u>	<u>October 17, 2001</u>	<u>Pending</u>
<u>47 FR 3770, Jan. 27, 1982</u>	<u>October 17, 2001</u>	<u>Pending</u>
<u>52 FR 42434, Nov. 5, 1987</u>	<u>October 17, 2001</u>	<u>Pending</u>
<u>54 FR 6675 Feb. 14, 1989</u>	<u>October 17, 2001</u>	<u>Pending</u>
<u>54 FR 27016, June 27, 1989</u>	<u>October 17, 2001</u>	<u>Pending</u>
<u>65 FR 61759, Oct. 17, 2000</u>	<u>Not Yet Adopted</u>	

69 FR 41359, July 8, 2004
71 FR 9458, Feb. 24, 2006

Not Yet Adopted
Not Yet Adopted

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>
53 FR 5873, Feb. 26, 1988	April 12, 2000	Pending
53 FR 12009, April 12, 1988	April 12, 2000	Pending
53 FR 14889, April 26, 1988	April 12, 2000	Pending
57 FR 5328, Feb. 13, 1992	April 12, 2000	Pending
60 FR 33925, June 29, 1995	April 12, 2000	Pending
63 FR 64874, Nov. 24, 1998	April 12, 2000	Pending
64 FR 7466, Feb. 12, 1999	April 12, 2000	Pending
65 FR 61763, Oct. 17, 2000	Not Yet Adopted	

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>
50 FR 31328, Aug. 1, 1985	April 28, 1999	May 28, 2002
54 FR 6680, Feb. 14, 1989	Not Yet Adopted	
62 FR 31351, June 9, 1997	April 28, 1999	May 28, 2002
65 FR 61778, Oct. 17, 2000	Not Yet Adopted	

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>
57 FR 44503, Sept. 28, 1992	Nov. 17, 1999	May 28, 2002
58 FR 40591, July 29, 1993	Nov. 17, 1999	May 28, 2002
65 FR 61778, Oct. 17, 2000	Not Yet Adopted	

SUBPART VVV
40CFR60.740-748

STANDARDS OF PERFORMANCE FOR POLYMERIC COATING
OF SUPPORTING SUBSTRATES

<u>FR Citation</u>	<u>Adoption Date</u>	<u>Delegation Date</u>
54 FR 37551, Sept. 11, 1989	May 23, 2007	

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>
61 FR 9919, Mar. 12, 1996	Aug. 13, 1997	June 24, 1998
63 FR 32750, June 16, 1998	Not Yet Adopted	
64 FR 9262, Feb. 24, 1999	Not Yet Adopted	
65 FR 18908, Apr. 10, 2000	Not Yet Adopted	
65 FR 61778, Oct. 17, 2000	Not Yet Adopted	
71 FR 55127, Sept. 21, 2006	Not Yet Adopted	