

Document No. 3224

## DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

## CHAPTER 61

Statutory Authority: 1976 Code Sections 48-1-10 et seq.

## 61-62. Air Pollution Control Regulations and Standards

**Synopsis:**

The Department has amended R.61-62, Air Pollution Control Regulations and Standards, to adopt U.S. Environmental Protection Agency (EPA) federally mandated regulations pursuant to 40 CFR Parts 60, 61, 63, 70, 72, and 96. The federal amendments include clarification, guidance and technical amendments regarding *Standards of Performance for New Stationary Sources, National Emission Standards For Hazardous Air Pollutants, and National Emission Standards for Hazardous Air Pollutants For Source Categories.*

These amendments revise R. 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards (NSPS); R. 61-62.61, National Emission Standards for Hazardous Air Pollutants (NESHAP); R.61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories, R. 61-62.70, Title V Operating Permit Program, R. 61-62.72, Acid Rain, and R. 61-62.96, Nitrogen Oxides (NO<sub>x</sub>) and Sulfur Dioxide (SO<sub>2</sub>) Budget Trading Program General Provisions, to incorporate recent Federal amendments promulgated during the period from January 1, 2007, through December 31, 2007. R. 61-62.1, Definitions and General Requirements, was also revised to incorporate amendments to the definition of Volatile Organic Compounds (VOCs) promulgated by the EPA on January 18, 2007. R. 61-62.5, Standard No. 2, Ambient Air Quality Standards, was revised to adopt the Federal change in the National Ambient Air Quality Standard (NAAQS) for the 24-hour primary standard for fine particulate matter (PM<sub>2.5</sub>). Corrections were made to Standard No. 5 - Volatile Organic Compounds, and citation corrections were made to R. 61-62.5, Standard No. 3, Waste Combustion and Reduction, R. 61-62.5, Standard No. 3.1, Hospital/Medical/Infectious Waste Incinerators (HMIWI), and R. 61-62.70, Title V Operating Permit Program. Revisions also include typographical corrections and clarifications.

## Discussion of Revisions:

## SECTION CITATION/EXPLANATION OF CHANGE:

R. 61-62.1, Section I.94

Add "HFE-7300" to the definition of Volatile Organic Compounds.

R. 61-62.5, Std. No. 2

Amend Table to reflect changes in PM<sub>2.5</sub> 24-hour standard.

R. 61-62.5, Std. No. 3, Section VI.D.3

Change regulation citation.

R. 61-62.5, Std. No. 3.1, Section VIII(k)

Change regulation citation.

R. 61-62.5, Std. No. 5, Section II.Part Q.2.a.(i)(a)(b)

Correct previous omissions.

R. 61-62.60

Tables in Subparts A, B, D, Da, Db, Dc, BB, VV, and GGG are amended to incorporate revisions.

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R. 61-62.60

Subparts VVa and GGGa are added.

R. 61-62.61

Table in Subpart A is amended to incorporate revisions.

R.61-62.63

Tables in subparts A, E, T, HH, II, YY, DDDD, IIII and PPPP are amended to incorporate revisions.

R. 61-62.63.40(f)(2), (f)(3), (f)(4) and (f)(5)

Change regulation citation in Subpart B.

R. 61-62.63.41(n), (o), (p), (q), (r), and (s)

Add the definition of “organic HAP” and re-order corresponding sections in Subpart B.

R. 61-62.63

Subparts UUUUU, VVVVV, WWWWW, XXXXX, YYYYY, ZZZZZ, AAAAAA, BBBBBB, CCCCCC, DDDDDD, EEEEE, FFFFF, GGGGG, HHHHH, IIIII, JJJJJ, KKKKK, LLLLL, MMMMM, NNNNN, OOOOO, PPPPP, QQQQQ, RRRRR, SSSSS, and TTTTT are added.

R. 61-62.70.2(r)(2)(xx)

Revise the definition of “chemical process plants.”

R. 61-62.70.7(d)(3)(iii)

Change regulation citation.

R. 61-62.72

Table in Subpart B is amended to incorporate revisions.

R. 61-62.96

Tables in Subparts AA, AAA, AAAA are amended to incorporate revisions.

R. 61-62.96.153(c)

Add text to clarify the process of recording CAIR NO<sub>x</sub> allocations in Subpart FF.

R. 61-62.96.302

Add the definition of “Commence commercial operation” and correct/clarify the definitions of “Commence operation” (a), and “Fossil-fuel-fired” (b)(1) in Subpart AAAA.

R. 61-62.96.342(e)(2)

Add “s” in text in Subpart EEEE.

R. 61-62.96.353(c)

Add text to clarify the process of recording CAIR NO<sub>x</sub> allocations in Subpart FFFF.

### **Instructions:**

Amend Regulation 61-62, Air Pollution Control Regulations and Standards, pursuant to each individual instruction provided below with the text of the amendments.

**Text:****R.61-62.1, Definitions and General Requirements:**

*Regulation 61-62.1, Section 1.94 shall be revised as follows:*

94. Volatile Organic Compound (VOC) - Any organic compound which participates in atmospheric photochemical reactions; or which is measured by a reference method (as specified in 40 CFR 60, as of July 1, 1990), an equivalent method, an alternative method, or which is determined by procedures specified under any subpart of 40 CFR 60. This includes compounds other than the following compounds:

acetone;  
 $(\text{CF}_3)_2\text{CFCF}_2\text{OC}_2\text{H}_5$  (2-(ethoxydifluoromethyl)-(1,1,1,2,3,3,3-heptafluoropropane);  
 $((\text{CF}_3)_2\text{CFCF}_2\text{OCH}_3)$  (2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane);  
 CFC-11 (trichlorofluoromethane);  
 CFC-12 (dichlorodifluoromethane);  
 CFC-113 (1,1,2-trichloro-1,2,2-trifluoroethane);  
 CFC-114 (1,2-dichloro-1,1,2,2-tetrafluoroethane);  
 CFC-115 (chloropentafluoroethane);  
 ethane;  
 HCFC-22 (chlorodifluoromethane);  
 HCFC-31 (chlorofluoromethane);  
 HCFC-123 (1,1,1-trifluoro-2,2-dichloroethane);  
 HCFC-123a (1,2-dichloro-1,1,2-trifluoroethane);  
 HCFC-124 (2-chloro-1,1,1,2-tetra-fluoroethane);  
 HCFC-134a (1,1,1,2-tetrafluoroethane);  
 HCFC-141b (1,1-dichloro-1-fluoroethane);  
 HCFC-142b (1-chloro-1,1-difluoroethane);  
 HCFC-151a (1-chloro-1-fluoroethane);  
 HCFC 225ca (3,3-dichloro-1,1,1,2,2-pentafluoropropane);  
 HCFC 225cb (1,3-dichloro-1,1,2,2,3-pentafluoropropane);  
 HFC-23 (trifluoromethane);  
 HFC-32 (difluoromethane);  
 HFC 43-10mee (1,1,1,2,3,4,4,5,5,5-decafluoropentane);  
 HFC-125 (pentafluoroethane);  
 HFC-134 (1,1,2,2-tetrafluoroethane);  
 HFC-143a (1,1,1-trifluoroethane);  
 HFC-152a (1,1-difluoroethane);  
 HFC-161 (ethylfluoride);  
 HFC 227ea (1,1,1,2,3,3,3-heptafluoropropane);  
 HFC-236ea (1,1,1,2,3,3,3-hexafluoropropane);  
 HFC-236fa (1,1,1,3,3,3-hexafluoropropane);  
 HFC-245ca (1,1,2,2,3-pentafluoropropane);  
 HFC-245ea (1,1,2,3,3-pentafluoropropane);  
 HFC-245eb (1,1,1,2,3-pentafluoropropane);  
 HFC-245fa (1,1,1,3,3-pentafluoropropane);  
 HFC-365mfc (1,1,1,3,3-pentafluorobutane);  
 HFE-7000 (1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane) or  $(n\text{-C}_3\text{F}_7\text{OCH}_3)$ ;  
 HFE-7100 (1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxybutane) or  $(\text{C}_4\text{F}_9\text{OCH}_3)$ ;  
 HFE-7200 (1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane) or  $(\text{C}_4\text{F}_9\text{OC}_2\text{H}_5)$ ;  
 HFE-7300 (1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-trifluoromethyl-pentane);  
 HFE-7500 (3-ethoxy-1,1,1,2,3,4,4,5,5,6,6-dodecafluoro-2-(trifluoromethyl) hexane);  
 methane;

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methyl acetate;  
methyl chloroform (1,1,1-trichloroethane);  
methylene chloride (dichloromethane);  
methyl formate (HCOOCH<sub>3</sub>);  
parachlorobenzotrifluoride (PCBTF);  
perchloroethylene (tetrachloroethylene); and  
perfluorocarbon compounds that fall into these classes:  
    (i) cyclic, branched, or linear, completely fluorinated alkanes;  
    (ii) cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;  
    (iii) cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations;  
    (iv) sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.  
volatile methyl siloxanes (cyclic, branched, or linear completely methylated siloxanes) (VMS)

These compounds have been determined to have negligible photochemical reactivity. For purposes of determining compliance with emission limits, VOC will be measured by the approved test methods. Where such a method also inadvertently measures compounds with negligible photochemical reactivity, an owner or operator may exclude these negligibly reactive compounds when determining compliance with an emissions standard.

The following compound(s) are VOC for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling and inventory requirements which apply to VOC and shall be uniquely identified in emission reports, but are not VOC for purposes of VOC emissions limitations or VOC content requirements: t-butyl acetate (TBAC or TBAC).

### **R.61-62.5, Standard No. 2 Ambient Air Quality Standards:**

*Regulation 61-62.5, Standard No. 2, Section VI.D.3 shall be revised as follows:*

The following table constitutes the ambient air quality standards for the State of South Carolina. The analytical methods to be used will be those applicable Federal Reference Methods published in 40 CFR 50, Appendices A-N as revised July 18, 1997. In the case of fluorides either the double paper tape sampler methods (ASTM D-3266-79) or the sodium bicarbonate-coated glass tube and particulate filter method (ASTM D3268-78) may be used.

Pollutant	Measuring Interval	Micrograms Per Cubic Meter Unless Noted Otherwise (1) (2)
Sulfur Dioxide	3 hours	1300 (4)
	24 hours	365 (4)
	annual	80
Total Suspended Particulates	Annual Geometric Mean	75
PM10	24 hours	150 (3)
	annual	50 (3)
PM 2.5 (Primary and Secondary Standards)	24 hours	35 (3)
	annual	15 (3)
Carbon Monoxide	1 hour	40 mg per cubic meter
	8 hour	10 mg per cubic meter

Pollutant	Measuring Interval	Micrograms Per Cubic Meter Unless Noted Otherwise (1) (2)
Ozone	1 hour	0.12 ppm (3)
Ozone	8 hours	0.08 ppm (3)
Gaseous Fluorides (as HF)	12 hr. avg.	3.7
	24 hr. avg.	2.9
	1 wk. avg.	1.6
	1 mo. avg.	0.8
Nitrogen Dioxide	annual	100
Lead	Calendar Quarterly Mean	1.5

(1) Arithmetic Average except in case of total suspended particulate matter

(2) At 250 C and 760 mm Hg.

(3) Attainment determinations will be made based on the criteria contained in 40 CFR 50 Appendices H, I, K and N.

(4) Not to be exceeded more than once a year.

**R.61-62.5, Standard No. 3 - Waste Combustion and Reduction:**

*Regulation 61-62.5, Standard No. 3, Section VI.D.3 shall be revised as follows:*

SECTION VI - Continuous Monitoring Requirements

D. ...

3. For those sources not required to have a continuous emission monitor for the specified pollutant, a detailed report shall be submitted to the Department within 30 days following any exceedance of limits specified in the sources permit and/or this Standard unless otherwise approved in a Department approved malfunction plan. The report shall include at a minimum all of the elements listed in R.61-62.1 Section II. J.1.c.

**R.61-62.5, Standard No. 3.1 - Hospital/Medical/Infectious Waste Incinerators (HMIWI):**

*Regulation 61-62.5, Standard 3.1, Section VIII(k) shall be revised as follows:*

SECTION VIII. - Recordkeeping and Reporting Requirements

(k) The owner or operator of an affected facility shall ensure the appropriate District Environmental Quality Control Office is notified by telephone immediately following any failure of process equipment, failure of any air pollution control equipment, failure of any monitoring equipment, or a process operational error which results in an increase in emissions above any allowable emission rate. In addition, the owner or operator of an affected facility shall ensure that the Department is notified in writing of the problem and measures taken to correct the problem as expeditiously as possible in accordance with South Carolina Air Pollution Control Regulation 61-62.1, Section II. J.1.c.

**R.61-62.5, Standard No. 5 - Volatile Organic Compounds:**

*Regulation 61-62.5, Standard No. 5, Section II.Part Q.2.a.(i)(a)(b) shall be revised as follows:*

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### Part Q. Manufacture of Synthesized Pharmaceutical Products

2. ...

a. ...

(i) If surface condensers are used, the condenser outlet gas temperature must not exceed:

(a) minus (-)25° C when condensing VOC of vapor pressure greater than 40.0 k Pa (5.8 psi) measured at 20° C,

(b) minus (-)15° C when condensing VOC of vapor pressure greater than 20.0 k Pa (2.9 psi) measured at 20° C, ...

### R. 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards (NSPS):

*Regulation 61-62.60, Subpart A shall be revised as follows:*

#### Subpart A - "General Provisions"

The provisions of Title 40 CFR Part 60, subpart A, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 subpart A			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 36	December 23, 1971	[36 FR 24877]
Revision	Vol. 38	October 15, 1973	[38 FR 28565]
Revision	Vol. 39	March 8, 1974	[39 FR 9314]
Revision	Vol. 39	November 12, 1974	[39 FR 39873]
Revision	Vol. 40	April 25, 1975	[40 FR 18169]
Revision	Vol. 40	October 6, 1975	[40 FR 46254]
Revision	Vol. 40	November 17, 1975	[40 FR 53346]
Revision	Vol. 40	December 16, 1975	[40 FR 58418]
Revision	Vol. 40	December 22, 1975	[40 FR 59205]
Revision	Vol. 41	August 20, 1976	[41 FR 35185]
Revision	Vol. 42	July 19, 1977	[42 FR 37000]
Revision	Vol. 42	July 27, 1977	[42 FR 38178]
Revision	Vol. 42	November 1, 1977	[42 FR 57126]
Revision	Vol. 43	March 3, 1978	[43 FR 8800]
Revision	Vol. 43	August 3, 1978	[43 FR 34347]
Revision	Vol. 44	June 11, 1979	[44 FR 33612]
Revision	Vol. 44	September 25, 1979	[44 FR 55173]
Revision	Vol. 45	January 23, 1980	[45 FR 5617]
Revision	Vol. 45	April 4, 1980	[45 FR 23379]
Revision	Vol. 45	December 24, 1980	[45 FR 85415]
Revision	Vol. 47	January 8, 1982	[47 FR 951]
Revision	Vol. 47	July 23, 1982	[47 FR 31876]
Revision	Vol. 48	March 30, 1983	[48 FR 13326]
Revision	Vol. 48	May 25, 1983	[48 FR 23610]
Revision	Vol. 48	July 20, 1983	[48 FR 32986]

<b>40 CFR Part 60 subpart A</b>			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 48	October 18, 1983	[48 FR 48335]
Revision	Vol. 50	December 27, 1985	[50 FR 53113]
Revision	Vol. 51	January 15, 1986	[51 FR 1790]
Revision	Vol. 51	January 21, 1986	[51 FR 2701]
Revision	Vol. 51	November 25, 1986	[51 FR 42796]
Revision	Vol. 52	March 26, 1987	[52 FR 9781, 9782]
Revision	Vol. 52	April 8, 1987	[52 FR 11428]
Revision	Vol. 52	May 11, 1987	[52 FR 17555]
Revision	Vol. 52	June 4, 1987	[52 FR 21007]
Revision	Vol. 54	February 14, 1989	[54 FR 6662]
Revision	Vol. 54	May 17, 1989	[54 FR 21344]
Revision	Vol. 55	December 13, 1990	[55 FR 51382]
Revision	Vol. 57	July 21, 1992	[57 FR 32338, 32339]
Revision	Vol. 59	March 16, 1994	[59 FR 12427, 12428]
Revision	Vol. 59	September 15, 1994	[59 FR 47265]
Revision	Vol. 61	March 12, 1996	[61 FR 9919]
Revision	Vol. 62	February 24, 1997	[62 FR 8328]
Revision	Vol. 62	September 15, 1997	[62 FR 48348]
Revision	Vol. 63	May 4, 1998	[63 FR 24444]
Revision	Vol. 64	February 12, 1999	[64 FR 7463]
Revision	Vol. 65	August 10, 2000	[65 FR 48914]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 65	December 6, 2000	[65 FR 76350, 76378]
Revision	Vol. 65	December 14, 2000	[65 FR 78268]
Revision	Vol. 66	February 6, 2001	[66 FR 9034]
Revision	Vol. 67	June 28, 2002	[67 FR 43550]
Revision	Vol. 68	April 14, 2003	[68 FR 17990]
Revision	Vol. 68	May 28, 2003	[68 FR 31611]
Revision	Vol. 69	July 8, 2004	[69 FR 41346]
Revision	Vol. 70	May 18, 2005	[70 FR 28606]
Revision	Vol. 70	December 16, 2005	[70 FR 74870]
Revision	Vol. 71	June 1, 2006	[71 FR 31100]
Revision	Vol. 71	July 6, 2006	[71 FR 38482]
Revision	Vol. 72	May 16, 2007	[72 FR 27437]
Revision	Vol. 72	June 13, 2007	[72 FR 32710]

*Regulation 61-62.60, Subpart B shall be revised as follows:*

#### **Subpart B - "Adoption and Submittal of State Plans for Designated Facilities"**

The provisions of Title 40 CFR Part 60, subpart B, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 60 subpart B</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 40	November 17, 1975	[40 FR 53346]
Revision	Vol. 44	November 9, 1979	[44 FR 65071]

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40 CFR Part 60 subpart B			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 54	December 20, 1989	[54 FR 52189]
Revision	Vol. 60	December 19, 1995	[60 FR 65387]
Revision	Vol. 65	December 6, 2000	[65 FR 76378]
Revision	Vol. 70	May 18, 2005	[70 FR 28606]
Revision	Vol. 70	October 13, 2005	[70 FR 59848]
Revision	Vol. 71	June 9, 2006	[71 FR 33388]
Revision	Vol. 72	October 19, 2007	[72 FR 59190]

Regulation 61-62.60, Subpart D shall be revised as follows:

### Subpart D - “Standards of Performance for Fossil-Fuel Fired Steam Generators for Which Construction is Commenced After August 17, 1971”

The provisions of Title 40 CFR Part 60, subpart D, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 subpart D			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 39	June 14, 1974	[39 FR 20791]
Revision	Vol. 40	January 16, 1975	[40 FR 2803]
Revision	Vol. 40	October 6, 1975	[40 FR 46256]
Revision	Vol. 41	November 22, 1976	[41 FR 51398]
Revision	Vol. 42	July 25, 1977	[42 FR 37936]
Revision	Vol. 42	December 5, 1977	[42 FR 61537]
Revision	Vol. 43	March 7, 1978	[43 FR 9278]
Revision	Vol. 44	June 17, 1979	[44 FR 33612]
Revision	Vol. 44	December 28, 1979	[44 FR 76787]
Revision	Vol. 45	May 29, 1980	[45 FR 36077]
Revision	Vol. 45	July 14, 1980	[45 FR 47146]
Revision	Vol. 46	November 24, 1981	[46 FR 57498]
Revision	Vol. 48	January 27, 1983	[48 FR 3736]
Revision	Vol. 51	November 25, 1986	[51 FR 42797]
Revision	Vol. 52	August 4, 1987	[52 FR 28954]
Revision	Vol. 54	February 14, 1989	[54 FR 6662]
Revision	Vol. 54	May 17, 1989	[54 FR 21344]
Revision	Vol. 55	February 14, 1990	[55 FR 5212]
Revision	Vol. 61	September 24, 1996	[61 FR 49976]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 72	June 13, 2007	[72 FR 32710]

Revise Regulation 61-62.60, Subpart Da as follows:

### Subpart Da - “Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978”

The provisions of Title 40 CFR Part 60, subpart Da, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 60 subpart Da</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 44	June 11, 1979	[44 FR 33613]
Revision	Vol. 48	January 27, 1983	[48 FR 3737]
Revision	Vol. 54	February 14, 1989	[54 FR 6663]
Revision	Vol. 54	May 17, 1989	[54 FR 21344]
Revision	Vol. 55	February 14, 1990	[55 FR 5212]
Revision	Vol. 55	May 7, 1990	[55 FR 18876]
Revision	Vol. 63	September 16, 1998	[63 FR 49453, 49454]
Revision	Vol. 64	February 12, 1999	[64 FR 7464]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 66	April 10, 2001	[66 FR 18546]
Revision	Vol. 66	June 11, 2001	[66 FR 31177]
Revision	Vol. 66	August 14, 2001	[66 FR 42608]
Revision	Vol. 70	May 18, 2005	[70 FR 28606]
Revision	Vol. 70	August 30, 2005	[70 FR 51266]
Revision	Vol. 71	February 27, 2006	[71 FR 9866]
Revision	Vol. 71	June 9, 2006	[71 FR 33388]
Revision	Vol. 72	June 13, 2007	[72 FR 32710]

*Regulation 61-62.60, Subpart Db shall be revised as follows:*

**Subpart Db - “Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units”**

The provisions of Title 40 CFR Part 60, subpart Db, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 60 subpart Db</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 52	December 16, 1987	[52 FR 47842]
Revision	Vol. 54	December 18, 1989	[54 FR 51819, 51820]
Revision	Vol. 54	December 18, 1989	[54 FR 51825]
Revision	Vol. 55	May 7, 1990	[55 FR 18876]
Revision	Vol. 60	May 30, 1995	[60 FR 28062]
Revision	Vol. 61	March 29, 1996	[61 FR 14031]
Revision	Vol. 62	October 8, 1997	[62 FR 52641]
Revision	Vol. 63	September 16, 1998	[63 FR 49455]
Revision	Vol. 64	February 12, 1999	[64 FR 7464]
Revision	Vol. 65	March 13, 2000	[65 FR 13242]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 66	April 10, 2001	[66 FR 18546]
Revision	Vol. 66	June 11, 2001	[66 FR 31177]
Revision	Vol. 66	August 14, 2001	[66 FR 42608]
Revision	Vol. 66	October 1, 2001	[66 FR 49830]
Revision	Vol. 71	February 27, 2006	[71 FR 9866]
Revision	Vol. 71	June 9, 2006	[71 FR 33388]
Revision	Vol. 71	November 16, 2006	[71 FR 66681]

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40 CFR Part 60 subpart Db			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 72	June 13, 2007	[72 FR 32710]

*Regulation 61-62.60, Subpart Dc shall be revised as follows:*

### **Subpart Dc - “Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units”**

The provisions of Title 40 CFR Part 60, subpart Dc, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 subpart Dc			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 55	September 12, 1990	[55 FR 37683]
Revision	Vol. 61	May 8, 1996	[61 FR 20736]
Revision	Vol. 64	February 12, 1999	[64 FR 7465]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 71	February 27, 2006	[71 FR 9866]
Revision	Vol. 72	June 13, 2007	[72 FR 32710]

*Regulation 61-62.60, Subpart BB shall be revised as follows:*

### **Subpart BB - “Standards of Performance for Kraft Pulp Mills”**

The provisions of Title 40 CFR Part 60, subpart BB, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 subpart BB			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 43	February 23, 1978	[43 FR 7572]
Revision	Vol. 50	February 14, 1985	[50 FR 6317]
Revision	Vol. 51	May 20, 1986	[51 FR 18544]
Revision	Vol. 54	February 14, 1989	[54 FR 6673]
Revision	Vol. 54	May 17, 1989	[54 FR 21344]
Revision	Vol. 55	February 14, 1990	[55 FR 5212]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 71	September 21, 2006	[71 FR 55119]

*Regulation 61-62.60, Subpart VV shall be revised as follows:*

### **Subpart VV - “Standards of Performance for Equipment Leaks of VOC in Synthetic Organic Chemical Manufacturing Industry”**

The provisions of Title 40 CFR Part 60, subpart VV, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 subpart VV			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 48	October 18, 1983	[48 FR 48335]
Revision	Vol. 49	May 30, 1984	[49 FR 22607]
Revision	Vol. 49	June 29, 1984	[49 FR 26738]
Revision	Vol. 51	January 21, 1986	[51 FR 2702]
Revision	Vol. 54	February 14, 1989	[54 FR 6678]
Revision	Vol. 54	June 27, 1989	[54 FR 27016]
Revision	Vol. 60	August 18, 1995	[60 FR 43258]
Revision	Vol. 61	June 12, 1996	[61 FR 29878]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 65	December 14, 2000	[65 FR 78268]
Revision	Vol. 72	November 16, 2007	[72 FR 64860]

*Regulation 61-62.60, Subpart VVa shall be added in alpha-numeric order as follows:*

**Subpart VVa - “Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry; Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries”**

The provisions of Title 40 CFR Part 60, subpart VVa, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

40 CFR Part 60 subpart Vva			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	November 16, 2007	[72 FR 64860]

*Regulation 61-62.60, Subpart GGG shall be revised as follows:*

**Subpart GGG - “Standards of Performance for Equipment Leaks of VOC in Petroleum Refineries”**

The provisions of Title 40 CFR Part 60, subpart GGG as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 subpart GGG			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 49	May 30, 1984	[49 FR 22606]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 72	November 16, 2007	[72 FR 64860]

*Regulation 61-62.60, Subpart GGGa shall be added in alpha-numeric order as follows:*

**Subpart GGGa - “Standards Of Performance For Equipment Leaks Of VOC In Petroleum Refineries For Which Construction, Reconstruction, Or Modification Commenced After November 7, 2006”**

The provisions of Title 40 CFR Part 60, subpart GGGa, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

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40 CFR Part 60 subpart GGGa			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	November 16, 2007	[72 FR 64860]

### R. 61-62.61, National Emission Standards For Hazardous Air Pollutants:

*Regulation 61-62.61, Subpart A shall be revised as follows:*

#### Subpart A - "General Provisions"

The provisions of Title 40 CFR Part 61, subpart A, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 61 subpart A			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 38	April 6, 1973	[38 FR 8826]
Revision	Vol. 40	April 25, 1975	[40 FR 18170]
Revision	Vol. 40	October 14, 1975	[40 FR 48299]
Revision	Vol. 42	September 29, 1977	[42 FR 51574]
Revision	Vol. 44	September 25, 1979	[44 FR 55174]
Revision	Vol. 48	January 27, 1983	[48 FR 3740]
Revision	Vol. 48	December 9, 1983	[48 FR 55266]
Revision	Vol. 49	June 6, 1984	[49 FR 23520]
Revision	Vol. 50	November 7, 1985	[50 FR 46290]
Revision	Vol. 50	November 7, 1985	[50 FR 46291]
Revision	Vol. 50	November 7, 1985	[50 FR 46292]
Revision	Vol. 50	November 7, 1985	[50 FR 46293]
Revision	Vol. 50	November 7, 1985	[50 FR 46294]
Revision	Vol. 51	March 5, 1986	[51 FR 7715]
Revision	Vol. 51	March 5, 1986	[51 FR 7719]
Revision	Vol. 51	April 1, 1986	[51 FR 11022]
Revision	Vol. 51	September 30, 1986	[51 FR 34914]
Revision	Vol. 52	October 8, 1987	[52 FR 37617]
Revision	Vol. 54	September 14, 1989	[54 FR 38073]
Revision	Vol. 54	December 15, 1989	[54 FR 51704]
Revision	Vol. 55	March 7, 1990	[55 FR 8341]
Revision	Vol. 55	May 2, 1990	[55 FR 18331]
Revision	Vol. 55	May 31, 1990	[55 FR 22027]
Revision	Vol. 55	August 13, 1990	[55 FR 32914]
Revision	Vol. 57	January 13, 1992	[57 FR 1226]
Revision	Vol. 57	March 5, 1992	[57 FR 8016]
Revision	Vol. 58	January 7, 1993	[58 FR 3105]
Revision	Vol. 58	January 21, 1993	[58 FR 5299]
Revision	Vol. 58	April 7, 1993	[58 FR 18014]
Revision	Vol. 59	March 11, 1994	[59 FR 11554]
Revision	Vol. 59	March 16, 1994	[59 FR 12408]
Revision	Vol. 59	June 17, 1994	[59 FR 31157]
Revision	Vol. 59	July 15, 1994	[59 FR 36280]
Revision	Vol. 60	March 15, 1995	[60 FR 13912]

40 CFR Part 61 subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 60	August 21, 1995	[60 FR 43396]
Revision	Vol. 60	September 5, 1995	[60 FR 46206]
Revision	Vol. 60	September 28, 1995	[60 FR 50244]
Revision	Vol. 61	December 30, 1996	[61 FR 68972]
Revision	Vol. 62	January 14, 1997	[62 FR 1832]
Revision	Vol. 62	February 24, 1997	[62 FR 8314]
Revision	Vol. 63	December 1, 1998	[63 FR 66054]
Revision	Vol. 64	February 3, 1999	[64 FR 5574]
Revision	Vol. 64	February 12, 1999	[64 FR 7458]
Revision	Vol. 64	May 6, 1999	[64 FR 24288]
Revision	Vol. 65	February 28, 2000	[65 FR 10391]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 65	December 14, 2000	[65 FR 78268]
Revision	Vol. 66	June 15, 2001	[66 FR 32545]
Revision	Vol. 66	August 13, 2001	[66 FR 42425, 42427]
Revision	Vol. 66	September 19, 2001	[66 FR 48211]
Revision	Vol. 67	January 23, 2002	[67 FR 3106]
Revision	Vol. 67	March 14, 2002	[67 FR 11417]
Revision	Vol. 67	April 26, 2002	[67 FR 20652]
Revision	Vol. 67	June 10, 2002	[67 FR 39622]
Revision	Vol. 67	September 9, 2002	[67 FR 57159]
Revision	Vol. 67	October 7, 2002	[67 FR 62395]
Revision	Vol. 68	April 7, 2003	[68 FR 16726]
Revision	Vol. 68	May 28, 2003	[68 FR 31611]
Revision	Vol. 68	June 17, 2003	[68 FR 35792]
Revision	Vol. 68	December 11, 2003	[68 FR 69036]
Revision	Vol. 69	March 26, 2004	[69 FR 15687]
Revision	Vol. 69	April 9, 2004	[69 FR 18801]
Revision	Vol. 72	May 16, 2007	[72 FR 27437]

**R. 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories:**

*Regulation 61-62.63, Subpart A shall be revised as follows:*

**Subpart A - “General Provisions”**

The provisions of Title 40 CFR Part 63, subpart A, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 subpart A			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 59	March 16, 1994	[59 FR 12430]
Revision	Vol. 59	April 22, 1994	[59 FR 19453]
Revision	Vol. 59	December 6, 1994	[59 FR 62589]
Revision	Vol. 60	January 25, 1995	[60 FR 4963]
Revision	Vol. 60	June 27, 1995	[60 FR 33122]
Revision	Vol. 60	September 1, 1995	[60 FR 45980]

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<b>40 CFR Part 63 subpart A</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Revision	Vol. 61	May 21, 1996	[61 FR 25399]
Revision	Vol. 61	December 17, 1996	[61 FR 66227]
Revision	Vol. 62	December 10, 1997	[62 FR 65024]
Revision	Vol. 63	May 4, 1998	[63 FR 24444]
Revision	Vol. 63	May 13, 1998	[63 FR 26465]
Revision	Vol. 63	September 21, 1998	[63 FR 50326]
Revision	Vol. 63	October 7, 1998	[63 FR 53996]
Revision	Vol. 63	December 1, 1998	[63 FR 66061]
Revision	Vol. 64	January 28, 1999	[64 FR 4300]
Revision	Vol. 64	February 12, 1999	[64 FR 7468]
Revision	Vol. 64	April 12, 1999	[64 FR 17562]
Revision	Vol. 64	June 10, 1999	[64 FR 31375]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 67	February 14, 2002	[67 FR 6968]
Revision	Vol. 67	February 27, 2002	[67 FR 9156]
Revision	Vol. 67	April 5, 2002	[67 FR 16582]
Revision	Vol. 67	June 10, 2002	[67 FR 39794]
Revision	Vol. 67	July 23, 2002	[67 FR 48254]
Revision	Vol. 68	February 18, 2003	[68 FR 7706]
Revision	Vol. 68	April 21, 2003	[68 FR 19375]
Revision	Vol. 68	May 6, 2003	[68 FR 23898]
Revision	Vol. 68	May 8, 2003	[68 FR 24653]
Revision	Vol. 68	May 20, 2003	[68 FR 27646]
Revision	Vol. 68	May 23, 2003	[68 FR 28606]
Revision	Vol. 68	May 27, 2003	[68 FR 28774]
Revision	Vol. 68	May 28, 2003	[68 FR 31746]
Revision	Vol. 68	May 29, 2003	[68 FR 32172]
Revision	Vol. 68	May 30, 2003	[68 FR 32586]
Revision	Vol. 68	November 13, 2003	[68 FR 64432]
Revision	Vol. 68	December 19, 2003	[68 FR 70960]
Revision	Vol. 69	January 2, 2004	[69 FR 130]
Revision	Vol. 69	February 3, 2004	[69 FR 5038]
Revision	Vol. 69	April 9, 2004	[69 FR 18801]
Revision	Vol. 69	April 19, 2004	[69 FR 20968]
Revision	Vol. 69	April 22, 2004	[69 FR 21737]
Revision	Vol. 69	April 26, 2004	[69 FR 22602]
Revision	Vol. 69	June 15, 2004	[69 FR 33474]
Revision	Vol. 69	July 30, 2004	[69 FR 45944]
Revision	Vol. 69	September 13, 2004	[69 FR 55218]
Revision	Vol. 70	April 15, 2005	[70 FR 19992]
Revision	Vol. 70	May 20, 2005	[70 FR 29400]
Revision	Vol. 70	October 12, 2005	[70 FR 59402]
Revision	Vol. 71	February 16, 2006	[71 FR 8342]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	July 28, 2006	[71 FR 42898]
Revision	Vol. 71	December 6, 2006	[71 FR 70651]
Revision	Vol. 72	January 3, 2007	[72 FR 26]
Revision	Vol. 72	January 23, 2007	[72 FR 2930]
Revision	Vol. 72	July 16, 2007	[72 FR 38864]

40 CFR Part 63 subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 72	October 29, 2007	[72 FR 61060]
Revision	Vol. 72	November 16, 2007	[72 FR 64860]
Revision	Vol. 72	December 26, 2007	[72 FR 73180]
Revision	Vol. 72	December 28, 2007	[72 FR 74088]

*Regulation 61-62.63, Subpart B, Section 63.40(f)(2), (f)(3), (f)(4) and (f)(5) shall be revised as follows:*

**Subpart B - “Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j)”**

Section 63.40 - Applicability

(f) Synthetic Minor Provisions. Any “affected source,” as defined by Regulation 61-62.63, Section 63.41, may request to use federally enforceable permit conditions to limit the source’s potential to emit and become a synthetic minor source.

(1) An affected source desiring to be a synthetic minor source shall provide a written request to the Department for a federally enforceable construction permit conditioned to constrain the operation of the source, along with a completed construction permit application package. The construction or reconstruction of the source shall not commence until the source has received an effective permit to construct.

(2) The enforceable permit conditions provisions of S.C. Regulation 61-62.1, Section II. E.3 shall apply to synthetic minor source permits.

(3) The public participation procedures of S.C. Regulation 61-62.1, Section II. N shall apply to synthetic minor source permits.

(4) The emergency provisions of S.C. Regulation 61-62.1, Section II. L shall apply to synthetic minor source permits.

(5) The permit application provisions of S.C. Regulation 61-62.1, Section II. E.5 shall apply to synthetic minor source permits.

*Regulation 61-62.63, Subpart B, Section 63.41 (n), (o), (p), (q), (r), and (s) shall be revised as follows:*

**Subpart B - “Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j)”**

Section 63.41 - Definitions

(m) “Notice of MACT Approval” means a document issued by the Department containing all federally enforceable conditions necessary to enforce the application and operation of MACT or other control technologies such that the MACT emission limitation is met.

(n) “Organic Hap” means the compounds listed in Table 1 to subpart XX of this part.

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(o) “Presumptive MACT determination” means an estimation of maximum achievable control technology (MACT), based on limited data gathered within a short time frame, that serves as a basis for a decision on how to develop an emission standard for a particular source category. Factors such as control technology costs, non-air quality health and environmental impacts, energy requirements, and benefits are not typically considered in the estimation.

(p) “Process or production unit” means any collection of structures and/or equipment, that processes, assembles, applies, or otherwise uses material inputs to produce or store an intermediate or final product. A single facility may contain more than one process or production unit.

(q) “Reconstruct a major source” means the replacement of components at an existing process or production unit that in and of itself emits or has the potential to emit 10 tons per year of any HAP or 25 tons per year of any combination of HAP, whenever:

(1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable process or production unit; and

(2) It is technically and economically feasible for the reconstructed major source to meet the applicable maximum achievable control technology emission limitation for new sources established under this subpart.

(r) “Research and development activities” means activities conducted at a research or laboratory facility whose primary purpose is to conduct research and development into new processes and products, where such source is operated under the close supervision of technically trained personnel and is not engaged in the manufacture of products for sale or exchange for commercial profit, except in a de minimis manner.

(s) “Similar source” means a stationary source or process that has comparable emissions and is structurally similar in design and capacity to a constructed or reconstructed major source such that the source could be controlled using the same control technology.

*Regulation 61-62.63, Subpart E shall be revised as follows:*

### **Subpart E - “Approval of State Programs and Delegation of Federal Authorities”**

The provisions of Title 40 CFR Part 63, subpart E as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 subpart E</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 69	February 17, 2004	[69 FR 7372]
Revision	Vol. 70	October 13, 2005	[70 FR 59848]
Revision	Vol. 72	May 16, 2007	[72 FR 27437]

*Regulation 61-62.63, Subpart T shall be revised as follows:*

### **Subpart T - “National Emission Standards for Halogenated Solvent Cleaning”**

The provisions of Title 40 CFR Part 63, subpart T as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 subpart T			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 59	December 2, 1994	[59 FR 61805]
Revision	Vol. 59	December 30, 1994	[59 FR 67750]
Revision	Vol. 60	June 5, 1995	[60 FR 29485]
Revision	Vol. 63	May 5, 1998	[63 FR 24751]
Revision	Vol. 63	December 11, 1998	[63 FR 68400]
Revision	Vol. 64	July 13, 1999	[64 FR 37687]
Revision	Vol. 64	October 18, 1999	[64 FR 56173]
Revision	Vol. 64	December 3, 1999	[64 FR 67793]
Revision	Vol. 65	September 8, 2000	[65 FR 54419]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 70	December 19, 2005	[70 FR 75320]
Revision	Vol. 72	May 3, 2007	[72 FR 25138]

*Regulation 61-62.63, Subpart HH shall be revised as follows:*

#### **Subpart HH - “National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities”**

The provisions of Title 40 CFR Part 63, subpart HH, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 subpart HH			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 64	June 17, 1999	[64 FR 32628]
Revisions	Vol. 66	June 29, 2001	[66 FR 34548]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 72	January 3, 2007	[72 FR 26]

*Regulation 61-62.63, Subpart II shall be revised as follows:*

#### **Subpart II - “National Emission Standards for Shipbuilding and Ship Repair (Surface Coating)”**

The provisions of Title 40 CFR Part 63, subpart II, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 subpart II			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 60	December 15, 1995	[60 FR 64336]
Revision	Vol. 61	June 18, 1996	[61 FR 30816]
Revision	Vol. 61	December 17, 1996	[61 FR 66227]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	December 29, 2006	[71 FR 78369]
Revision	Vol. 72	February 27, 2007	[72 FR 8630]

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*Regulation 61-62.63, Subpart YY shall be revised as follows:*

### **Subpart YY - “National Emission Standards for Shipbuilding and Ship Repair (Surface Coating)”**

The provisions of Title 40 CFR Part 63, subpart YY, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 subpart YY</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 64	June 29, 1999	[64 FR 34921]
Revision	Vol. 64	November 22, 1999	[64 FR 63695]
Revision	Vol. 64	December 22, 1999	[64 FR 71852]
Revision	Vol. 66	November 2, 2001	[66 FR 55844]
Revision	Vol. 67	June 7, 2002	[67 FR 39301]
Revision	Vol. 67	July 12, 2002	[67 FR 46258, 46289]
Revision	Vol. 68	February 10, 2003	[68 FR 6635]
Revision	Vol. 70	April 13, 2005	[70 FR 19266]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 72	June 29, 2007	[72 FR 35663]

*Regulation 61-62.63, Subpart DDDD shall be revised as follows:*

### **Subpart DDDD - “National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products”**

The provisions of Title 40 CFR Part 63, subpart DDDD, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 subpart DDDD</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 69	July 30, 2004	[69 FR 45944]
Revision	Vol. 71	February 16, 2006	[71 FR 8347]
Revision	Vol. 72	October 29, 2007	[72 FR 61060]

*Regulation 61-62.63, Subpart IIII shall be revised as follows:*

### **Subpart IIII - “National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks”**

The provisions of Title 40 CFR Part 63, subpart IIII, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 subpart IIII</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 69	April 26, 2004	[69 FR 22602]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	December 22, 2006	[71 FR 76922]
Revision	Vol. 72	April 24, 2007	[72 FR 20227]

Regulation 61-62.63, Subpart PPPP shall be revised as follows:

**Subpart PPPP - “National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products”**

The provisions of Title 40 CFR Part 63, subpart PPPP, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* are incorporated by reference as if fully repeated herein.

40 CFR Part 63 subpart PPPP			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 69	April 19, 2004	[69 FR 20968]
Revision	Vol. 69	April 26, 2004	[69 FR 22602]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	December 22, 2006	[71 FR 76922]
Revision	Vol. 72	April 24, 2007	[72 FR 20227]

Regulation 61-62.63, Subpart UUUUU shall be added in alpha-numeric order as follows:

Subpart UUUUU – (Reserved)

Regulation 61-62.63, Subpart VVVVV shall be added in alpha-numeric order as follows:

Subpart VVVVV – (Reserved)

Regulation 61-62.63, Subpart WWWW shall be added in alpha-numeric order as follows:

**Subpart WWWW - “National Emission Standards For Hospital Ethylene Oxide Sterilizers Applicability And Compliance Dates”**

The provisions of Title 40 CFR Part 63, subpart WWWW, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

40 CFR Part 63 subpart WWWW			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	December 28, 2007	[72 FR 73611]

Regulation 61-62.63, Subpart XXXXX shall be added in alpha-numeric order as follows:

Subpart XXXXX – (Reserved)

Regulation 61-62.63, Subpart YYYYY shall be added in alpha-numeric order as follows:

**Subpart YYYYY - “National Emission Standards For Hazardous Air Pollutants For Area Sources: Electric Arc Furnace Steelmaking Facilities”**

The provisions of Title 40 CFR Part 63, subpart YYYYY, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

40 CFR Part 63 subpart YYYYY			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	December 28, 2007	[72 FR 74088]

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*Regulation 61-62.63, Subpart ZZZZZ shall be added in alpha-numeric order as follows:*

Subpart ZZZZZ – (Reserved)

*Regulation 61-62.63, Subpart AAAAAA shall be added in alpha-numeric order as follows:*

Subpart AAAAAA – (Reserved)

*Regulation 61-62.63, Subpart BBBBBB shall be added in alpha-numeric order as follows:*

Subpart BBBBBB – (Reserved)

*Regulation 61-62.63, Subpart CCCCCC shall be added in alpha-numeric order as follows:*

Subpart CCCCCC – (Reserved)

*Regulation 61-62.63, Subpart DDDDDD shall be added in alpha-numeric order as follows:*

### **Subpart DDDDDD - “National Emission Standards For Hazardous Air Pollutants For Polyvinyl Chloride And Copolymers Production Area Sources”**

The provisions of Title 40 CFR Part 63, subpart DDDDDD, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 subpart DDDDDD</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	January 23, 2007	[72 FR 2930]

*Regulation 61-62.63, Subpart EEEEE shall be added in alpha-numeric order as follows:*

### **Subpart EEEEE - “National Emission Standards For Hazardous Air Pollutants For Primary Copper Smelting Area Sources”**

The provisions of Title 40 CFR Part 63, subpart EEEEE, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 subpart EEEEE</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	January 23, 2007	[72 FR 2930]

*Regulation 61-62.63, Subpart FFFFF shall be added in alpha-numeric order as follows:*

### **Subpart FFFFF - “National Emission Standards For Hazardous Air Pollutants For Secondary Copper Smelting Area Sources”**

The provisions of Title 40 CFR Part 63, subpart FFFFF, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

40 CFR Part 63 subpart FFFFFF			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	January 23, 2007	[72 FR 2930]
Revision	Vol. 72	July 3, 2007	[72 FR 36363]

Regulation 61-62.63, Subpart GGGGGG shall be added in alpha-numeric order as follows:

**Subpart GGGGGG - “National Emission Standards For Hazardous Air Pollutants For Primary Nonferrous Metals Area Sources—Zinc, Cadmium, And Beryllium”**

The provisions of Title 40 CFR Part 63, subpart GGGGGG, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

40 CFR Part 63 subpart GGGGGG			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	January 23, 2007	[72 FR 2930]

Regulation 61-62.63, Subpart HHHHHH shall be added in alpha-numeric order as follows:

Subpart HHHHHH – (Reserved)

Regulation 61-62.63, Subpart IIIII shall be added in alpha-numeric order as follows:

Subpart IIIII – (Reserved)

Regulation 61-62.63, Subpart JJJJJ shall be added in alpha-numeric order as follows:

Subpart JJJJJ – (Reserved)

Regulation 61-62.63, Subpart KKKKK shall be added in alpha-numeric order as follows:

Subpart KKKKK – (Reserved)

Regulation 61-62.63, Subpart LLLLLL shall be added in alpha-numeric order as follows:

**Subpart LLLLLL - “National Emission Standards For Hazardous Air Pollutants For Acrylic And Modacrylic Fibers Production Area Sources”**

The provisions of Title 40 CFR Part 63, subpart LLLLLL, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

40 CFR Part 63 subpart LLLLLL			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	July 16, 2007	[72 FR 38864]

Regulation 61-62.63, Subpart MMMMM shall be added in alpha-numeric order as follows:

**Subpart MMMMM - “National Emission Standards For Hazardous Air Pollutants For Carbon Black Production Area Sources”**

The provisions of Title 40 CFR Part 63, subpart MMMMM, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

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<b>40 CFR Part 63 subpart MMMMMM</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	July 16, 2007	[72 FR 38864]

*Regulation 61-62.63, Subpart NNNNNN shall be added in alpha-numeric order as follows:*

**Subpart NNNNNN - “National Emission Standards For Hazardous Air Pollutants For Chemical Manufacturing Area Sources: Chromium Compounds”**

The provisions of Title 40 CFR Part 63, subpart NNNNNN, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 subpart NNNNNN</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	July 16, 2007	[72 FR 38864]

*Regulation 61-62.63, Subpart OOOOOO shall be added in alpha-numeric order as follows:*

**Subpart OOOOOO - “National Emission Standards For Hazardous Air Pollutants For Flexible Polyurethane Foam Production and Fabrication Area Sources”**

The provisions of Title 40 CFR Part 63, subpart OOOOOO, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 subpart OOOOOO</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	July 16, 2007	[72 FR 38864]

*Regulation 61-62.63, Subpart PPPPPP shall be added in alpha-numeric order as follows:*

**Subpart PPPPPP - “National Emission Standards For Hazardous Air Pollutants For Lead Acid Battery Manufacturing Area Sources”**

The provisions of Title 40 CFR Part 63, subpart PPPPPP, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 subpart PPPPPP</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	July 16, 2007	[72 FR 38864]

*Regulation 61-62.63, Subpart QQQQQQ shall be added in alpha-numeric order as follows:*

**Subpart QQQQQQ - “National Emission Standards For Hazardous Air Pollutants For Wood Preserving Area Sources”**

The provisions of Title 40 CFR Part 63, subpart QQQQQQ, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 subpart QQQQQQ</b>			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	July 16, 2007	[72 FR 38864]

Regulation 61-62.63, Subpart RRRRRR shall be added in alpha-numeric order as follows:

**Subpart RRRRRR - “National Emission Standards For Hazardous Air Pollutants For Clay Ceramics Manufacturing Area Sources”**

The provisions of Title 40 CFR Part 63, subpart RRRRRR, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

40 CFR Part 63 subpart RRRRRR			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	December 26, 2007	[72 FR 73180]

Regulation 61-62.63, Subpart SSSSSS shall be added in alpha-numeric order as follows:

**Subpart SSSSSS - “National Emission Standards For Hazardous Air Pollutants For Glass Manufacturing Area Sources”**

The provisions of Title 40 CFR Part 63, subpart SSSSSS, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

40 CFR Part 63 subpart SSSSSS			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	December 26, 2007	[72 FR 73180]

Regulation 61-62.63, Subpart TTTTTT shall be added in alpha-numeric order as follows:

**Subpart TTTTTT - “National Emission Standards For Hazardous Air Pollutants For Secondary Nonferrous Metals Processing Area Sources”**

The provisions of Title 40 CFR Part 63, subpart TTTTTT, as originally published in the *Federal Register* as listed below are incorporated by reference as if fully repeated herein.

40 CFR Part 63 subpart TTTTTT			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 72	December 26, 2007	[72 FR 73180]

**R. 61-62.70, Title V Operating Permit Program**

Regulation 61-62.70.2(r)(2)(xx) shall be revised as follows:

70.2 Definitions.

r. “Major source”...

(2)...

(xx) Chemical process plants - The term chemical processing plant shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140;...

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Regulation 61-62.70.7(d)(3)(iii) shall be revised as follows:

70.7 Permit issuance, renewal, reopenings, and revisions.

(d)...

(3)...

(iii) The source may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request, except transfer/ownership which must comply with South Carolina Code of Laws Regulation 61-62.1 Section II. M.

### R. 61-62.72, Acid Rain:

Regulation 61-62.72, Subpart B shall be revised as follows:

#### Subpart B - "Designated Representative"

The provisions of Title 40 CFR Part 72, subpart B, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 72 subpart B			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 58	January 11, 1993	[58 FR 3650]
Revision	Vol. 60	April 4, 1995	[60 FR 17100]
Revision	Vol. 62	October 24, 1997	[62 FR 55460]
Revision	Vol. 70	May 12, 2005	[70 FR 25162]
Revision	Vol. 71	April 28, 2006	[71 FR 25328]
Revision	Vol. 72	October 19, 2007	[72 FR 59190]

### R. 61-62.96, Nitrogen Oxides (NO<sub>x</sub>) and Sulfur Dioxide (SO<sub>2</sub>) Budget Trading Program General Provisions:

Regulation 61-62.96, Subpart AA shall be revised as follows:

#### Subpart AA - "South Carolina CAIR NO<sub>x</sub> Annual Trading Program General Provisions"

The provisions of Title 40 CFR Part 96, subpart AA, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 96 subpart AA			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 70	May 12, 2005	[70 FR 25162]
Revision	Vol. 71	April 28, 2006	[71 FR 25304]
Revision	Vol. 71	December 13, 2006	[71 FR 74792]
Revision	Vol. 72	October 19, 2007	[72 FR 59190]

**Subpart FF - “CAIR NO<sub>x</sub> Allowance Tracking System”**

*Section 96.153(c) is modified to read:*

*By December 1, 2009 and December 1 of each fourth year thereafter, the Administrator will record in the CAIR NO<sub>x</sub> source's compliance account the CAIR NO<sub>x</sub> allowances allocated for the CAIR NO<sub>x</sub> units at the source, as submitted by the permitting authority in accordance with §96.141(b), for the control period in the sixth year after the year of the applicable deadline for recordation under this paragraph.*

*The remainder of Section 96.153 is unchanged.*

*Regulation 61-62.96, Subpart AAA shall be revised as follows:*

**Subpart AAA - “CAIR SO<sub>2</sub> Trading Program General Provisions”**

The provisions of Title 40 CFR Part 96, subpart AAA, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 96 subpart AAA			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 70	May 12, 2005	[70 FR 25162]
Revision	Vol. 71	April 28, 2006	[71 FR 25304]
Revision	Vol. 71	December 13, 2006	[71 FR 74792]
Revision	Vol. 72	October 19, 2007	[72 FR 59190]

*Regulation 61-62.96, Subpart AAAA shall be revised as follows:*

**Subpart AAAA - “CAIR NO<sub>x</sub> Ozone Season Trading Program General Provisions”**

The provisions of Title 40 CFR Part 96, subpart AAAA, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein, except as noted below.

40 CFR Part 96 subpart AAAA			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 70	May 12, 2005	[70 FR 25162]
Revision	Vol. 71	April 28, 2006	[71 FR 25304]
Revision	Vol. 71	December 13, 2006	[71 FR 74792]
Revision	Vol. 72	October 19, 2007	[72 FR 59190]

*The following definitions are revised in Section 96.302 Definitions:*

“Commence commercial operation” - (a) For all units “commence commercial operation” means, with regard to a unit:

(1) To have begun to produce steam, gas, or other heated medium used to generate electricity for sale or use, including test generation, except as provided in §96.305 and §96.384(h).

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(i) For a unit that is a CAIR NO<sub>x</sub> Ozone Season unit under §96.304 on the later of November 15, 1990, or the date the unit commences commercial operation as defined in paragraph (1) of this definition and that subsequently undergoes a physical change (other than replacement of the unit by a unit at the same source), such date shall remain the date of commencement of commercial operation of the unit, which shall continue to be treated as the same unit.

(ii) For a unit that is a CAIR NO<sub>x</sub> Ozone Season unit under §96.304 on the later of November 15, 1990, or the date the unit commences commercial operation as defined in paragraph (1) of this definition and that is subsequently replaced by a unit at the same source (*e.g.*, repowered), such date shall remain the replaced unit's date of commencement of commercial operation, and the replacement unit shall be treated as a separate unit with a separate date for commencement of commercial operation as defined in paragraph (1) or (2) of this definition as appropriate.

(2) Notwithstanding paragraph (1) of this definition and except as provided in §96.305, for a unit that is not a CAIR NO<sub>x</sub> Ozone Season unit under §96.304 on the later of November 15, 1990, or the date the unit commences commercial operation as defined in paragraph (1) of this definition, the unit's date for commencement of commercial operation shall be the date on which the unit becomes a CAIR NO<sub>x</sub> Ozone Season unit under §96.304.

(i) For a unit with a date for commencement of commercial operation as defined in paragraph (2) of this definition and that subsequently undergoes a physical change (other than replacement of the unit by a unit at the same source), such date shall remain the date of commencement of commercial operation of the unit, which shall continue to be treated as the same unit.

(ii) For a unit with a date for commencement of commercial operation as defined in paragraph (2) of this definition and that is subsequently replaced by a unit at the same source (*e.g.*, repowered), such date shall remain the replaced unit's date of commencement of commercial operation, and the replacement unit shall be treated as a separate unit with a separate date for commencement of commercial operation as defined in paragraph (1) or (2) of this definition as appropriate.

“Commence operation” - (a) For all units “commence operation” means: ...

“Fossil-fuel-fired” - (a) For a unit subject to 96.304 (a)(1)(i), (a)(2) or (b), “fossil-fuel-fired” means with regard to a unit, combusting any amount of fossil fuel in any calendar year.

(b) ...

(1) For units that commenced operation before January 1, 1996, the combination of fossil fuel, alone or in combination with any other fuel, where fossil fuel actually combusted comprises more than 50 percent of the annual heat input on a Btu basis during 1995 or, if a unit had no heat input starting in 1995, during the last year of operation of the unit prior to 1995.

### Subpart EEEE - “CAIR NO<sub>x</sub> Ozone Season Allowance Allocations”

#### Section 96.342 CAIR NO<sub>x</sub> Ozone Season Allowance Allocations.

(e) The baseline heat input (in mmBtu) used with respect to CAIR NO<sub>x</sub> Ozone Season allowance allocations for non-EGUs for each CAIR NO<sub>x</sub> Ozone Season unit under section 96.341(b) will be: ...

(2) For a CAIR NO<sub>x</sub> Ozone Season allowance allocation under section 96.341(b)(2), the allowances will be determined using the unit's baseline heat input equal to the unit's single highest adjusted control period heat input for the years that are five, six, seven and eight years before the first year of the control periods for which the CAIR NO<sub>x</sub> Ozone Season allowance allocation is being calculated.

**Subpart FFFF - “CAIR NO<sub>x</sub> Ozone Season Allowance Tracking System”**

The provisions of Title 40 CFR Part 96, subpart FFFF, as originally published in the *Federal Register* and as subsequently amended upon publication in the *Federal Register* as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 96 subpart FFFF			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 70	May 12, 2005	[70 FR 25162]
Revision	Vol. 71	April 28, 2006	[71 FR 25304]
Revision	Vol. 71	December 13, 2006	[71 FR 74792]

*Section 96.353(c) is modified to read:*

*By December 1, 2010 and December 1 of each fourth year thereafter, the Administrator will record in the CAIR NO<sub>x</sub> Ozone Season source's compliance account the CAIR NO<sub>x</sub> Ozone Season allowances allocated for the CAIR NO<sub>x</sub> Ozone Season units at the source, as submitted by the permitting authority in accordance with §96.341(b), for the control period in the sixth year after the year of the applicable deadline for recordation under this paragraph.*

*The remainder of Section 96.353 is unchanged.*

**Statement of Need and Reasonableness:**

This statement of need and reasonableness was determined by staff analysis pursuant to S.C. Code Section 1-23-115(C)(1)-(3) and (9)-(11).

DESCRIPTION OF REGULATION: Amendments to Regulation 61-62, Air Pollution Control Regulations and Standards, and the South Carolina State Implementation Plan.

Purpose: These amendments will maintain conformity with Federal requirements and ensure compliance with Federal standards.

Legal Authority: The legal authority for Regulation 61-62, Air Pollution Control Regulations and Standards, is S.C. Code Sections 48-1-10 et seq.

Plan for Implementation: The amendments will take effect upon approval and adoption by the South Carolina Board of Health and Environmental Control and publication in the State Register.

**DETERMINATION OF NEED AND REASONABLENESS OF THE REGULATIONS BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:**

Each year the United States Environmental Protection Agency (EPA) promulgates amendments to Federal regulations to include clarification, guidance and technical amendments. States are mandated by law to adopt these federal amendments. These amendments are reasonable as they promote consistency and ensure compliance with both State and Federal regulations.

**DETERMINATION OF COSTS AND BENEFITS:**

There will be no increased cost to the State or its political subdivisions as a result of these amendments. The standards that have been adopted are already effective and applicable to the regulated community as a matter of Federal law. The amendments will benefit the regulated community by clarifying the regulations and increasing their ease of use.

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### UNCERTAINTIES OF ESTIMATES:

EPA provided the estimated costs and benefits for these standards in the *Federal Register* notices that are cited within this document.

### EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

Adoption of the recent changes in Federal law through these amendments to Regulation 61-62, Air Pollution Control Regulations and Standards, and the South Carolina State Implementation Plan will provide continued protection of the environment and public health.

### DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATIONS ARE NOT IMPLEMENTED:

While there is no specific detrimental effect on the environment and public health, the State's authority to implement Federal requirements, which are believed to be beneficial to the public health and environment, would be compromised if these amendments had not been adopted in South Carolina.