

(1) The Environmental Protection Agency Regulations, and the Appendices applicable thereto, governing Standards of Performance for New Stationary Sources (40 CFR 60 and Appendices) designated in rules 335-3-10-.02 and -.03 are incorporated by reference as they exist in 40 CFR 60 (July 1, 2023), ~~and 88 FR 58442 [8/25/2023; addition of Subpart AAb and amendments to Subparts A, AA and AAa], 89 FR 11198 [2/24/2024; amendments to Subparts AA, AAa and AAb4), and 89 FR 70505 [8/30/2024; amendments to Subparts IIII and JJJJ], 89 FR 74135 [9/12/2024; amendments to Subparts III, NNN and RRR], 89 FR 83296 [10/15/2024; amendments to Subparts A, and Kb and addition of Subpart Kc], and 89 FR 89928 [11/14/2024; amendments to Subpart EEEE]~~, as amended by the word or phrase substitutions given in rule 335-3-10-.04. References for specific documents containing the complete text of subject regulations are given in Appendix C to these Regulations. Authorities which are not delegable to the state are also listed in Appendix C.

**[NOTE: The standards pertaining to the Consolidated Federal Air Rule are located in Chapter 335-3-11A.]**

(a) The materials incorporated by reference are available for purchase and inspection at the Department's offices at 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

(2) The emission standards in this Chapter shall supercede the emission standards in Chapters 335-3-3, -4, -5, -6, -7, and -8 if both of the following criteria are met:

(a) the source category is subject to the regulations in this Chapter for the specific pollutants to which an emission standard under this Chapter applies, and

(b) the emission standard under Chapters 335-3-3, -4, -5, -6, -7, and -8 is more stringent than the emission standard in this Chapter for the specific pollutants regulated.

(3) Definitions. For purposes of this Chapter, the definitions listed in 40 CFR §60.2 will apply.

**Author:** Department of Environmental Management

**Statutory Authority:** Code of Ala. 1975, §§22-28-14, 22-22A-5, 22-22A-6, 22-22A-8, 41-22-9.

**History:** Effective Date: May 25, 1976. **Amended:** Effective Date: February 13, 1985; June 9, 1987; June 16, 1988; September 2, 1989; November 1, 1990; March 28, 1991; July 31, 1991; October 24, 1991. **Amended:** November 23, 1993; effective December 28, 1993.

**Amended:** Filed March 23, 1995; effective April 27, 1995.

**Amended:** Filed October 17, 1996; effective November 21, 1996.  
**Amended:** Filed August 21, 1997; effective September 25, 1997.  
**Amended:** Filed February 20, 1998; effective March 27, 1998.  
**Amended:** Filed June 10, 1999; effective July 15, 1999. **Amended:** Filed December 9, 1999; effective January 13, 2000. **Amended:** Filed August 3, 2000; effective September 7, 2000. **Amended:** Filed February 7, 2002; effective March 14, 2002. **Amended:** Filed August 29, 2002; effective October 3, 2002. **Amended:** Filed February 27, 2003; effective April 3, 2003. **Amended:** Filed August 28, 2003; effective October 2, 2003. **Amended:** Filed February 15, 2005; effective March 22, 2005. **Amended:** Filed November 7, 2005; effective December 12, 2005. **Amended:** Filed June 6, 2006; effective July 11, 2006. **Amended:** Filed February 27, 2007; effective April 3, 2007. **Amended:** Filed December 18, 2008; effective January 22, 2008. **Amended:** Filed July 1, 2008; effective August 5, 2008. **Amended:** Filed December 15, 2008; effective January 19, 2009. **Amended:** Filed February 23, 2010; effective March 30, 2010. **Amended:** Filed April 18, 2011; effective May 23, 2011. **Amended:** Filed April 24, 2012; effective May 29, 2012. **Amended:** Filed December 18, 2012; effective January 22, 2013. **Amended:** Filed April 23, 2013; effective May 28, 2013. **Amended:** Filed August 20, 2013; effective September 24, 2013. **Amended:** Filed October 20, 2015; effective November 24, 2015. **Amended:** Filed April 25, 2017; effective June 9, 2017. **Amended:** Filed August 21, 2018; effective October 5, 2018. **Amended:** Published February 28, 2020; effective April 13, 2020. **Amended:** Published October 29, 2021; effective December 13, 2021. **Amended:** Published December 29, 2023; effective February 12, 2024. **Amended:** Published August 30, 2024; effective October 14, 2024. **Amended:** Published ; effective .

- (1) Subpart A - General Provisions.
- (2) Subpart D - Fossil Fuel-Fired Steam Generators for which construction is commenced after August 17, 1971.
  - (a) Subpart Da - Electric Utility Steam Generating Units for which construction is commenced after September 18, 1978.
  - (b) Subpart Db - Industrial-Commercial-Institutional Steam Generating Units.
  - (c) Subpart Dc - Small Industrial-Commercial-Institutional Steam Generating Units.
- (3) Subpart E - Incinerators.
  - (a) Subpart Ea - Municipal Waste Combustors for which construction is commenced after December 20, 1989 and on or before September 20, 1994.
  - (b) Subpart Eb - Municipal Waste Combustors for which construction is commenced after September 20, 1994.
  - (c) Subpart Ec - Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for which construction is commenced after June 20, 1996.
- (4) Subpart F - Portland Cement Plants.
- (5) Subpart G - Nitric Acid Plants.
  - (a) Subpart Ga - Nitric Acid Plants for ~~Which~~which Construction, Reconstruction, or Modification Commenced After October 14, 2011.
- (6) Subpart H - Sulfuric Acid Plants.
- (7) Subpart I - Hot Mix Asphalt Facilities.
- (8) Subpart J - Petroleum Refineries.
  - (a) Subpart Ja - Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After May 14, 2007.
- (9) Subpart K - Storage Vessels for Petroleum Liquids constructed after June 11, 1973 and prior to May 19, 1978.

(a) Subpart Ka - Storage Vessels for Petroleum Liquids constructed after May 18, 1978.

(b) Subpart Kb - Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 12, 1984.

(c) Subpart Kc - Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After October 4, 2023.

(10) Reserved.

(11) Reserved.

(12) Subpart L - Secondary Lead Smelters.

(a) subpart La - Secondary Lead Smelters for Which Construction, Reconstruction, or Modification Commenced After December 1, 2022.

(13) Subpart M - Secondary Brass and Bronze Ingot Production Plants.

(14) Subpart N - Primary Emissions from Basic Oxygen Process Furnaces for which construction is commenced after June 11, 1973.

(a) Subpart Na - Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for which construction is commenced after January 20, 1983.

(15) Subpart O - Sewage Treatment Plants.

(16) Subpart P - Primary Copper Smelters.

(17) Subpart Q - Primary Zinc Smelters.

(18) Subpart R - Primary Lead Smelters.

(19) Subpart S - Primary Aluminum Reduction Plants.

(20) Subpart T - Wet Process Phosphoric Acid Plants.

(21) Subpart U - Superphosphoric Acid Plants.

(22) Subpart V - Diammonium Phosphate Plants.

(23) Subpart W - Triple Superphosphate Plants.

- (24) Subpart X - Granular Triple Superphosphate Storage Facilities.
- (25) Subpart Y - Coal Preparation Plants.
- (26) Subpart Z - Ferroalloy Production Facilities.
- (27) Subpart AA - Steel Plants (Electric arc furnaces and dust-handling equipment).
  - (a) Subpart AAa - Steel Plants: Electric Arc Furnaces and Argon Oxygen-Decarburization Vessels.
  - (b) Subpart AAb - Standards of Performance for Steel Plants: Electric Arc furnaces and Argon-Oxygen Decarbonization Vessels Constructed After May 16, 2022.
- (28) Subpart BB - Kraft Pulp Mills.
  - (a) Subpart BBa - Standards of Performance for Kraft Pulp Mill Affected Sources for ~~which~~which Construction, Reconstruction, or Modification Commenced After May 23, 2013.
- (29) Subpart CC - Standards of Performance for Glass Manufacturing Plants.
- (30) Subpart DD - Grain Elevators.
- (31) Subpart EE - Surface Coating of Metal Furniture.
- (32) Subpart FF - Reserved.
- (33) Subpart GG - Stationary Gas Turbines.
- (34) Subpart HH - Lime Manufacturing Plants.
- (35) Subpart II - Reserved.
- (36) Subpart JJ - Reserved.
- (37) Subpart KK - Lead-Acid Battery Manufacture.
  - (a) Subpart KKa - Lead Acid Battery Manufacturing Plants for ~~which~~which Construction, Modification or Reconstruction Commenced After February 23, 2022.
- (38) Subpart LL - Metallic Mineral Processing Plants.
- (39) Subpart MM - Automobile and Light-Duty Truck Surface Coating Operations.

(a) Subpart MMA - Automobile and Light Duty Truck Surface Coating Operations for which Construction, Modification or Reconstruction Commenced After May 18, 2022.

(40) Subpart NN - Phosphate Rock Plants.

(41) Subpart OO - Reserved.

(42) Subpart PP - Ammonium Sulfate Manufacturing.

(43) Subpart QQ - Graphic Arts Industry: Publication Rotogravure Printing.

(44) Subpart RR - Pressure Sensitive Tape and Label Surface Coating Industry.

(45) Subpart SS - Industrial Surface Coating - Large Appliances.

(46) Subpart TT - Metal Coil Surface Coating Operations.

(47) Subpart UU - Asphalt Processing and Asphalt Roofing Manufacture.

(48) Subpart VV - Equipment Leaks of VOC in the Synthetic Organic Chemical Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006.

(a) Subpart VVa - Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After November 7, 2006.

(b) Subpart VVb - Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After April 25, 2023.

(49) Subpart WW - Beverage Can Surface Coating Industry.

(50) Subpart XX - Bulk Gasoline Terminals.

(a) Subpart XXa - Bulk Gasoline Terminals that Commenced Construction, Modification, or Reconstruction After June 10, 2022.

(51) Subpart YY - Reserved.

(52) Subpart ZZ - Reserved.

- (53) Subpart AAA - Reserved.
- (54) Subpart BBB - Rubber Tire Manufacturing Industry.
- (55) Subpart CCC - Reserved.
- (56) Subpart DDD - Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.
- (57) Subpart EEE - Reserved.
- (58) Subpart FFF - Flexible Vinyl and Urethane Coating and Printing.
- (59) Subpart GGG - Subpart GGG - Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006.
- (a) Subpart GGGa - Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After November 7, 2006.
- (60) Subpart HHH - Synthetic Fiber Production Facilities.
- (61) Subpart III - VOC Emissions from SOCM I Air Oxidation Unit Processes.
- (a) Subpart IIIa - VOC Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes for which Construction, Reconstruction, or Modification Commenced After April 25, 2023.
- (62) Subpart JJJ - Petroleum Dry Cleaners.
- (63) Subpart KKK - Equipment Leaks of VOC from Onshore Natural Gas Processing Plants for which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011.
- (64) Subpart LLL - Standards of Performance for Onshore Natural Gas Processing for which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011: SO<sub>2</sub> Emissions.
- (65) Subpart MMM - Reserved.
- (66) Subpart NNN - VOC Emissions from SOCM I Distillation Operations.

(a) Subpart NNNa - VOC Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations for which Construction, Reconstruction, or Modification Commenced After April 25, 2023.

(67) Subpart OOO - Nonmetallic Mineral Processing Plants.

(68) Subpart PPP - Wool Fiberglass Insulation Manufacturing Plants.

(69) Subpart QQQ - VOC Emissions from Petroleum Refinery Wastewater Systems.

(70) Subpart RRR - Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry Reactor Processes.

(a) Subpart RRRa - VOC Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes for which Construction, Reconstruction, or Modification Commenced After April 25, 2023.

(71) Subpart SSS - Magnetic Tape Manufacturing Industry.

(72) Subpart TTT - Industrial Surface Coating; Plastic Parts for Business Machines.

(a) Subpart TTTa - Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines for ~~which~~which Construction, Reconstruction, or Modification Commenced After June 21, 2022.

(73) Subpart UUU - Calciners and Dryers in Mineral Industries.

(74) Subpart VVV - Polymeric Coating of Supporting Substrates.

(75) Subpart WWW - Municipal Waste Landfills.

(76) Subpart XXX - Municipal Solid Waste Landfills that commenced construction, reconstruction, or modification after July 17, 2014.

(77) Subpart YYY - Reserved.

(78) Subpart ZZZ - Reserved.

(79) Subpart AAAA - 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.



(80) Subpart BBBB - Reserved.

(81) Subpart CCCC - Commercial and Industrial Solid Waste Incineration Units for which construction is commenced after June 4, 2010 or for which modification or reconstruction is commenced on or after August 7, 2013.

(82) Subpart DDDD - Reserved.

(83) Subpart EEEE - ~~Reserved~~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.

(84) Subpart FFFF - Reserved.

(85) Subpart GGGG - Reserved.

(86) Subpart HHHH - Reserved.

(87) Subpart IIII - Stationary Compression Ignition Internal Combustion Engines.

(88) Subpart JJJJ - Stationary Spark Ignition Internal Combustion Engines.

(89) Subpart KKKK - Stationary Combustion Turbines.

(90) Subpart LLLL - New Sewage Sludge Incineration Units.

(91) Subpart OOOO - Crude Oil and Natural Gas Production, Transmission and Distribution.

(a) Subpart OOOOa - Crude Oil and Natural Gas Facilities for which construction, modification or reconstruction commenced after September 18, 2015.

(92) Subpart PPPP - Reserved.

(93) Subpart QQQQ - Reserved.

(94) Subpart RRRR - Reserved.

(95) Subpart SSSS - Reserved.

(96) Subpart TTTT - Greenhouse Gas Emissions from Electric Generating Units.

**Author:** Department of Environmental Management

**Statutory Authority:** Code of Ala. 1975, §§22-28-14, 22-22A-5, 22-22A-6, 22-22A-8, 41-22-9.

**History:** Effective May 25, 1976. **Amended:** Effective June 23, 1981; February 13, 1985; April 15, 1987; June 16, 1988; September 21, 1989; November 1, 1990; March 28, 1991; July 31, 1991; October 24, 1991. **Amended:** Filed November 23, 1993; effective December 28, 1993. **Amended:** Filed March 23, 1995; effective April 27, 1995. **Amended:** Filed October 17, 1996; effective November 21, 1996. **Amended:** Filed February 20, 1998; effective March 27, 1998. **Amended:** Filed June 10, 1999; effective July 15, 1999. **Amended:** Filed December 9, 1999; effective January 13, 2000. Adopted by Reference: Filed August 3, 2000; effective September 7, 2000. **Amended:** Filed February 7, 2002; effective March 14, 2002. **Amended:** Filed August 29, 2002; effective October 3, 2002. **Amended:** Filed February 27, 2003; effective April 3, 2003. **Amended:** Filed August 28, 2003; effective October 2, 2003. **Amended:** Filed February 15, 2005; effective March 22, 2005. **Amended:** Filed November 7, 2005; effective December 12, 2005. **Amended:** Filed June 6, 2006; effective July 11, 2006. **Amended:** Filed October 10, 2006; effective November 14, 2006. **Amended:** Filed February 27, 2007; effective April 3, 2007. **Amended:** Filed December 18, 2008; effective January 22, 2008. **Amended:** Filed July 1, 2008; effective August 5, 2008. **Amended:** Filed December 15, 2008; effective January 19, 2009. **Amended:** Filed February 23, 2010; effective March 30, 2010. **Amended:** Filed April 18, 2011; effective May 23, 2011. **Amended:** Filed April 24, 2012; effective May 29, 2012. **Amended:** Filed December 18, 2012; effective January 22, 2013. **Amended:** Filed April 23, 2013; effective May 28, 2013. **Amended:** Filed August 20, 2013; effective September 24, 2013. **Amended:** Filed October 20, 2015; effective November 24, 2015. **Amended:** Filed April 25, 2017; effective June 9, 2017. **Amended:** Published February 28, 2020; effective April 13, 2020. **Amended:** Published October 29, 2021; effective December 13, 2021. **Amended:** Published December 29, 2023; effective February 12, 2024. **Amended:** Published August 30, 2024; effective October 14, 2024. **Amended: Published ; effective** .

- (1) Appendix A - Reference Method.
- (2) Appendix B - Performance Specifications.
- (3) Appendix F - Quality Assurance Procedures.

**Author:** Robert Cowne

**Statutory Authority:** Code of Ala. 1975, §§22-28-14, 22-22A-5, 22-22A-6, 22-22A-8, 41-22-9.

**History:** Effective Date: June 16, 1988. **Amended:** Effective Date: November 1, 1990; March 28, 1991; July 31, 1991; October 24, 1991. **Amended:** Filed November 23, 1993; effective December 28, 1993. **Amended:** Filed October 17, 1996; effective November 21, 1996. **Amended:** Filed December 9, 1999; effective January 13, 2000. Adopted by Reference: Filed August 3, 2000; effective September 7, 2000. **Amended:** Filed February 7, 2002; effective March 14, 2002. **Amended:** Filed August 29, 2002; effective October 3, 2002. **Amended:** Filed February 15, 2005; effective March 22, 2005. **Amended:** Filed October 10, 2006; effective November 14, 2006. **Amended:** Filed February 27, 2007; effective April 3, 2007. **Amended:** Filed December 18, 2008; effective January 22, 2008. **Amended:** Filed December 15, 2008; effective January 19, 2009. **Amended:** Filed February 23, 2010; effective March 30, 2010. **Amended:** Filed April 18, 2011; effective May 23, 2011. **Amended:** Filed April 23, 2013; effective May 28, 2013. **Amended (No changes were made to text or title):** Filed October 20, 2015; effective November 24, 2015. **Amended:** Filed April 25, 2017; effective June 9, 2017. **Amended (No changes were made to text or title):** Filed August 21, 2018; effective October 5, 2018. **Amended:** Published February 28, 2020; effective April 13, 2020. **Amended:** Published October 29, 2021; effective December 13, 2021. **Amended (No changes in text):** Published December 29, 2023; effective February 12, 2024. **Amended:** Published ; effective .

**335-3-11-.01****General.**

(1) The Environmental Protection Agency Regulations, and the Appendices applicable thereto, governing Hazardous Air Pollutants, 40 CFR, Part 61 and Appendices, designated in rules 335-3-11-.02 and 335-3-11-.03 and 40 CFR Part 63, and Appendices designated in rules 335-3-11-.06 and 335-3-11-.07 are incorporated by reference as they exist in 40 CFR 61 (2021), and 40 CFR 63 (July 1, 2023), ~~and 89 FR 16408 [03/06/2024; amendments to Subpart A and RRRRR4]~~, and 89 FR 55684 [07/05/2024; amendments to Subparts A, L and CCCC], 89 FR 57735 [07/16/2024; amendments to Subparts A and AAAAA], 89 FR 70505 [08/30/2024; amendments to Subpart ZZZZ], 89 FR 73293 [09/10/2024; amendments to Subpart A], 89 FR 84291 [10/22/2024; amendments to Subparts HH and HHH], 89 FR 94886 [11/29/2024; amendments to Subparts A and XXXX], 89 FR 96106 [12/04/2024; amendments to Subpart AAAAA] and 90 FR 1040 [01/07/2025; amendments to Subpart A], as amended by the word or phrase substitutions given in rule 335-3-11-.04. References for specific documents containing the complete text of subject regulations are given in Appendix C to these Regulations. Authorities which are not delegable to the state are also listed in Appendix C.

**[NOTE: The standards pertaining to the Consolidated Federal Air Rule are located in Chapter 335-3-11A.]**

(a) The materials incorporated by reference are available for purchase and inspection at the Department's offices at 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

(2) In the event of any conflict between the regulations contained in this Chapter and regulations contained in other Chapters, the more stringent regulations will take precedence.

(3) Definitions. For purposes of this Chapter, the definitions listed in 40 CFR 61.02, Subpart A will apply in Rules 335-3-11-.02 and 335-3-11-.03 and the definitions listed in 40 CFR 63.2, Subpart A will apply in Rules 335-3-11-.06 and 335-3-11-.07.

**Author:** Department of Environmental Management

**Statutory Authority:** Code of Ala. 1975, §§22-28-14, 22-22A-5, 22-22A-6, 22-22A-8, 41-22-9.

**History:** Effective May 25, 1976. **Amended:** Effective February 13, 1985; June 9, 1987; June 16, 1988; November 1, 1990; March 28, 1991; July 31, 1991; September 19, 1991. **Amended:** Filed November 23, 1993; effective December 28, 1993. **Amended:** Filed October 19, 1995; effective November 23, 1995. **Amended:** Filed October 17, 1996; effective November 21, 1996. **Amended:** Filed August 21, 1997; effective September 25, 1997. **Amended:** Filed February 20, 1998; effective March 27, 1998. **Amended:** Filed

October 15, 1998; effective November 19, 1998. **Amended:** Filed June 10, 1999; effective July 15, 1999. **Amended:** Filed December 9, 1999; effective January 13, 2000. **Amended:** Filed August 3, 2000; effective September 7, 2000. **Amended:** Filed February 7, 2002; effective March 14, 2002. **Amended:** Filed August 29, 2002; effective October 3, 2002. **Amended:** Filed February 27, 2003; effective April 3, 2003. **Amended:** Filed August 28, 2003; effective October 2, 2003. **Amended:** Filed February 15, 2005; effective March 22, 2005. **Amended:** Filed November 7, 2005; effective December 12, 2005. **Amended:** Filed June 6, 2006; effective July 11, 2006. **Amended:** Filed February 27, 2007; effective April 3, 2007. **Amended:** Filed December 18, 2008; effective January 22, 2008. **Amended:** Filed July 1, 2008; effective August 5, 2008. **Amended:** Filed December 15, 2008; effective January 19, 2009. **Amended:** Filed February 23, 2010; effective March 30, 2010. **Amended:** Filed April 18, 2011; effective May 23, 2011. **Amended:** Filed April 24, 2012; effective May 29, 2012. **Amended:** Filed December 18, 2012; effective January 22, 2013. **Amended:** Filed April 13, 2013; effective May 28, 2013. **Amended:** Filed August 20, 2013; effective September 24, 2013. **Amended:** Filed October 20, 2015; effective November 24, 2015. **Amended:** Filed April 25, 2017; effective June 9, 2017. **Amended:** Filed August 21, 2018; effective October 5, 2018. **Amended:** Published February 28, 2020; effective April 13, 2020. **Amended:** Published October 29, 2021; effective December 13, 2021. **Amended:** Published December 29, 2023; effective February 12, 2024. **Amended:** Published August 30, 2024; effective October 14, 2024. **Amended:** Published ; effective .

**National Emission Standards For Hazardous Air  
Pollutants For Source Categories.**

(1) Subpart A - General Provisions.

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

**[NOTE: The requirements for implementation of §112(g) are found  
in Rule 335-3-14-.06]**

(3) Subpart D - Regulations Governing Compliance Extensions for  
Early Reductions of Hazardous Air Pollutants.

(4) Reserved.

(5) Subpart F - National Emission Standards for Hazardous Air  
Pollutants From Synthetic Organic Chemical Manufacturing  
Industry.

(6) Subpart G - National Emission Standards for Organic Hazardous  
Air Pollutants From Synthetic Organic Chemical Manufacturing  
Industry Process Vents, Storage Vessels, Transfer Operations, and  
Wastewater.

(7) Subpart H - National Emission Standards for Organic Hazardous  
Air Pollutants for Equipment Leaks.

(8) Subpart I - National Emission Standards for Organic Hazardous  
Air Pollutants for Certain Processes Subject to the Negotiated  
Regulation for Equipment Leaks.

(9) Reserved.

(10) Reserved.

(11) Subpart L - National Emission Standards for Coke Oven  
Batteries.

(12) Subpart M - National Perchloroethylene Air Emission  
Standards for Dry Cleaning Facilities.

(13) Subpart N - National Emission Standards for Chromium  
Emissions from Hard and Decorative Chromium Electroplating and  
Chromium Anodizing Tanks.

(14) Subpart O - Ethylene Oxide Emissions Standards for  
Sterilization Facilities.

(15) Reserved.

(16) Subpart Q - National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers.

(17) Subpart R - National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations).

(18) Subpart S - National Emission Standards for Hazardous Air Pollutants for Pulp and Paper Production.

(19) Subpart T - National Emission Standards for Halogenated Solvent Cleaning.

(20) Subpart U - National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins.

(21) Reserved.

(22) Subpart W - National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production.

(23) Subpart X - National Emission Standards from Secondary Lead Smelting.

(24) Subpart Y - National Emission Standards for Marine Tank Vessel Loading Operations [with the exceptions of those subsections referencing the Valdez Marine Terminal (VMT) in Alaska].

(25) Reserved.

(26) Subpart AA - National Emission Standards for Hazardous Air Pollutants from Phosphoric Acid Manufacturing Plants.

(27) Subpart BB - National Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizers Production Plants.

(28) Subpart CC - National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries.

(29) Subpart DD - National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations.

(30) Subpart EE - National Emission Standards for Magnetic Tape Manufacturing Operations.

(31) Reserved.

- (32) Subpart GG - National Emission Standards for Aerospace Manufacturing and Rework Facilities.
- (33) Subpart HH - National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities.
- (34) Subpart II - National Emission Standards for Shipbuilding and Ship Repair (Surface Coating) Operations.
- (35) Subpart JJ - National Emission Standards for Wood Furniture Manufacturing Operations.
- (36) Subpart KK - National Emission Standards for the Printing and Publishing Industry.
- (37) Reserved.
- (38) Subpart MM - National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills.
- (39) Reserved.
- (40) Subpart OO - National Emission Standards for Tanks - Level 1.
- (41) Subpart PP - National Emission Standards for Containers.
- (42) Subpart QQ - National Emission Standards for Surface Impoundments.
- (43) Subpart RR - National Emission Standards for Individual Drain Systems.
- (44) Subpart SS - National Emission Standards Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.
- (45) Subpart TT - National Emission Standards for Equipment Leaks - Control Level 1.
- (46) Subpart UU - National Emission Standards for Equipment Leaks - Control Level 2 Standards.
- (47) Subpart VV National Emission Standards for Oil-Water Separators and Organic-Water Separators.
- (48) Subpart WW - National Emission Standards for Storage Vessels (Tanks) - Control Level 2.



(49) Subpart XX - National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations.

(50) Subpart YY - National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards.

(51) Reserved.

(52) Reserved.

(53) Reserved.

(54) Subpart CCC - National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants.

(55) Subpart DDD - National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production.

(56) Subpart EEE - National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors.

(57) Reserved.

(58) Subpart GGG - National Emission Standards for Hazardous Air Pollutants for Source Categories: Pharmaceuticals Production.

(59) Subpart HHH - National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities.

(60) Subpart III - National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production.

(61) Subpart JJJ - National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins.

(62) Reserved.

(63) Subpart LLL - National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry.

(64) Subpart MMM - National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production.

(65) Subpart NNN - National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing.

(66) Subpart OOO - National Emission Standards for Hazardous Air Pollutants for Amino/Phenolic Resins Production.

(67) Subpart PPP - National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Production.

(68) Reserved.

(69) Subpart RRR - National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production.

(70) Reserved.

(71) Reserved.

(72) Subpart UUU - National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units.

(73) Subpart VVV - National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works.

(74) Reserved.

(75) Subpart XXX - National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese.

(76) Reserved.

(77) Reserved.

(78) Subpart AAAA -National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills.

(79) Reserved.

(80) Subpart CCCC - National Emission Standards for Hazardous Air Pollutants: Nutritional Yeast.

(81) Subpart DDDD - National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products.

(82) Subpart EEEE - National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline).

(83) Subpart FFFF - National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing.

(84) Subpart GGGG - National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production.

(85) Subpart HHHH - National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production.

(86) Subpart IIII - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks.

(87) Subpart JJJJ - National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating.

(88) Subpart KKKK - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans.

(89) Reserved.

(90) Subpart MMMM - National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products.

(91) Subpart NNNN - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances.

(92) Subpart OOOO - National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles.

(93) Subpart PPPP - National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products.

(94) Subpart QQQQ - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products.

(95) Subpart RRRR - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture.

(96) Subpart SSSS - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil.

(97) Reserved.

(98) Reserved.

(99) Subpart VVVV - National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing.

(100) Subpart WWWW - National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production.

(101) Subpart XXXX - National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing.

(102) Subpart YYYY - National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines.

(103) Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (major source provisions only).

(104) Subpart AAAAA - National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants.

(105) Subpart BBBB - National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing.

(106) Subpart CCCCC - National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks.

(107) Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters.

(108) Subpart EEEEE - National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries.

(109) Subpart FFFFF - National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities.

(110) Subpart GGGGG - National Emission Standards for Hazardous Air Pollutants: Site Remediation.

(111) Subpart HHHHH - National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing.

(112) Subpart IIIII - National Emission Standards for Hazardous Air Pollutants: Mercury Emissions From Mercury Cell Chlor-Alkali Plants.

(113) Subpart JJJJJ - National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing.

(114) Subpart KKKKK - National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing.

(115) Subpart LLLLL - National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing.

(116) Reserved.

(117) Subpart NNNNN - National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production.

(118) Reserved.

(119) Subpart PTTTT - National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Standards.

(120) Subpart QQQQQ - National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities

(121) Subpart RRRRR - National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing.

(122) Reserved.

(123) Subpart TTTTT - National Emission Standards for Hazardous Air Pollutants for Primary Magnesium Refining

(124) Subpart UUUUU- National Emission Standards for Hazardous Air Pollutants for Coal- and Oil-Fired Electric Utility Steam Generating Units.

(125) Reserved.

(126) Reserved.

(127) Reserved.

(128) Subpart YYYYY- National Emission Standards for Hazardous Air Pollutants for Electric arc Furnace Steelmaking Facilities Area Sources.

(129) Subpart ZZZZZ - National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources.

(130) Reserved.

(131) ~~Reserved~~ Subpart BBBBBB - National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.

(132) Reserved.

(133) Subpart DDDDDD - National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources.

(134) Subpart EEEEEEE - National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources.

(135) Subpart FFFFFFFF - National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources.

(136) Subpart GGGGGG - National Emission Standards for Hazardous Air Pollution for Primary Nonferrous Metals Area Sources - Zinc, Cadmium, and Beryllium.

(137) Reserved.

(138) Reserved.

(139) Reserved.

(140) Reserved.

(141) Subpart LLLLLL - National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources.

(142) Subpart MMMMM - National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources.

(143) Reserved.

(144) Subpart OOOOOO - National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources.

(145) Subpart PPPPPP - National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources.

(146) Subpart QQQQQQ - National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources.

(147) Reserved.

(148) Reserved.

(149) Subpart TTTTTT- National Emission Standards for Hazardous Air Pollutants for Secondary nonferrous Metals Processing Area Sources.

(150) Reserved.

(151) Subpart VVVVVV - National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources.

(152) Reserved.

(153) Reserved.

(154) Subpart YYYYYY- National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production Facilities Area Sources.

(155) Subpart ZZZZZZ - National Emission Standards for Hazardous Air Pollutants for Aluminum, Copper, and Other Nonferrous Foundries Area Sources.

(156) Subpart AAAAAA - National Emission Standards for Hazardous Air Pollutants for Asphalt Processing and Asphalt Roofing Manufacturing Area Sources.

(157) Reserved.

(158) Subpart CCCCCC - National Emission Standards for Hazardous Air Pollutants for Paints and Allied Products Manufacturing Area Sources.

(159) Subpart DDDDDD - National Emission Standards for Hazardous Air Pollutants for Prepared Feeds Manufacturing Area Sources.

(160) Reserved.

(161) Reserved.

(162) Reserved.

(163) Subpart HHHHHH - National Emission Standards for Hazardous Air Pollutant Emissions for Polyvinyl Chloride and Copolymers Production.

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**Author:** Richard E. Grusnick

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(1) General Standards.

(a) The Director shall deny a permit if the applicant does not show that every article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment, that it may be expected to operate without emitting or without causing to be emitted air contaminants in violation of these rules and regulations.

(b) The Director shall deny a permit if the applicant does not present, in writing, a plan whereby the emission of air contaminants by every article, machine, equipment, or other contrivance described in the permit application, will be reduced during periods of an Air Pollution Alert, Air Pollution Warning, and Air Pollution Emergency in accordance with the provisions of Chapter 335-3-2, where such a plan is required.

(c) Before an Air Permit is granted, the Director may require the applicant to provide and maintain such facilities as are necessary for sampling and testing purposes in order to secure information that will disclose the nature, extent, quantity or degree of air contaminants discharged into the atmosphere from the article, machine, equipment, or other contrivance described in the Air Permit. In the event of such a requirement, the Director shall notify the applicant in writing of the required size, number, and location of the sampling platform; the access to the sampling platform; and the utilities for operating and sampling and testing equipment.

(d) The Director may also require the applicant to install, use, and maintain such monitoring equipment or methods; sample such emissions in accordance with such methods, at such locations, intervals, and procedures as may be specified; and provide such information as the Director may require.

(e) Before acting on an application for an Air Permit, the Director may require the applicant to furnish further information or further plans or specifications.

(f) If the Director finds that the article, machine, or other contrivance has been constructed not in accordance with the Air Permit, and if the changes noted are of a substantial nature in that the amount of air contaminants emitted by the

article, machine, equipment, or other contrivance may be increased, or in that the effect is unknown, then he shall revoke the Air Permit. The Director shall not accept any further application for an Air Permit until the article, machine, equipment, or other contrivance has been reconstructed in accordance with said Air Permit or until the applicant has proven to the satisfaction of the Director that the change will not cause an increase in the emission of air contaminants.

(g) The Director shall deny an Air Permit where he determines that the construction and operation of such source will interfere with attaining or maintaining any primary or secondary standard established by Rule 335-3-1-.03(1). A new source or modification will be considered to interfere with attaining or maintaining a standard when such source or modification would, at a minimum, exceed the following significance levels at any locality that does not or would not meet the NAAQS:

Pollutant	Annual	24 hours	8 hours	3 hours	1 hour
SO <sub>2</sub>	1.0 µg/m <sup>3</sup>	5 µg/m <sup>3</sup>		25 µg/m <sup>3</sup>	
PM <sub>10</sub>	1.0 µg/m <sup>3</sup>	5 µg/m <sup>3</sup>			
PM <sub>2.5</sub>	0.3 µg/m <sup>3</sup>	1.2 µg/m <sup>3</sup>			
NO <sub>2</sub>	1.0 µg/m <sup>3</sup>				
CO			0.5 mg/m <sup>3</sup>		2 mg/m <sup>3</sup>

1. A proposed major source or major modification subject to this Paragraph may reduce the impact of its emissions upon air quality by obtaining sufficient emissions reductions to, at a minimum, compensate for its adverse ambient impact where this impact would otherwise cause or contribute to a violation of any national ambient air quality standard or exceed the significance levels of subparagraph (g). of this paragraph above. In the absence of such emission reductions, the Director shall deny the proposed construction.

2. The requirements of subparagraph (g) of this paragraph shall not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that, as to that pollutant, the source or modification is located in an area designated as nonattainment pursuant to Section 107 of the federal Clean Air Act.

(h) Exceptions to violations of emissions limits.

1. The Director may, in the Air Permit, exempt on a case by case basis any exceedances of emission limits which cannot reasonably be avoided, such as during periods of start-up, shut-down or load change.

2. Emergency provision.

(i) An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation require immediate corrective action to restore normal operation, and that causes the facility to exceed a technology based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

(ii) Exceedances of emission limitations during emergencies (as defined above) at a facility may be exempted as being violations provided that:

(I) the permittee can identify the cause(s) of the emergency;

(II) the permitted facility was at the time being properly operated;

(III) during the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements of the permit;

(IV) the permittee submitted notice of the emergency to the Department within 2 working days of the time when the emissions limitations were exceeded due to the emergency; and

(V) the permittee immediately documented the emergency exceedance in an "Emergency Log", which shall be maintained for 5 years in a form suitable for inspection upon request by a representative of the Department.

(iii) The Director shall be the sole determiner of whether an emergency has occurred.

(iv) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

~~3. ADEM Admin. Code r. 335-3-14-.03(1)(h)1. and 2. are repealed effective upon the EPA's final approval of this provision.~~

(i) A determination may be made by the Director to deny a permit application if the applicant operates other permitted facilities or sources within the state which are in substantial noncompliance as determined by the Director, until such noncompliance is corrected or if the Director determines that a permit that results in compliance with applicable air pollution control standards could not be issued, or if issued, could not be complied with.

(2) Stack Heights.

(a) Definitions. For purposes of this paragraph, the following words and phrases, unless a different meaning is plainly required by the context, shall have the following meanings:

1. "Emission limitation" and "emission standard" mean a requirement, established by ADEM or the EPA Administrator, which limits the quantity, rate, or concentration of emissions of air pollutants on a continuous basis, including any requirements which limit the level of opacity, prescribe equipment, set fuel specifications, or prescribe operation or maintenance procedures for a source to assure continuous emission reduction.

2. "Stack" means any point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct but not including flares.

3. "A stack in existence" means that the owner or operator had (1) begun, or caused to begin, a continuous program of physical on-site construction of the stack or (2) entered into binding agreements or contractual obligations, which could not be canceled or modified without substantial loss to the owner or operator, to undertake a program of construction of the stack to be completed in a reasonable time.

4. "Dispersion technique" means any technique which attempts to affect the concentration of a pollutant in the ambient air by:

(i) Using that portion of a stack which exceeds good engineering practice stack height;

(ii) Varying the rate of emission of a pollutant according to atmospheric conditions or ambient concentrations of that pollutant; or

(iii) Increasing final exhaust gas plume rise by manipulating source-process parameters, exhaust gas parameters, stack parameters, or combining exhaust gases from several existing stacks into one stack; or other selective handling of exhaust gas streams so as to increase the exhaust gas plume rise.

(iv) The preceding sentence does not include:

(I) The reheating of a gas stream, following use of a pollution control system, for the purpose of returning the gas to the temperature at which it was originally discharged from the facility generating the gas stream;

(II) The merging of exhaust gas streams where:

I. The source owner or operator demonstrates that the facility was originally designed and constructed with such merged gas streams:

II. After July 8, 1985, such merging is part of a change in operation at the facility that includes the installation of pollution controls and is accompanied by a net reduction in the allowable emissions of a pollutant. This exclusion from the definition of "dispersion techniques" shall apply only to the emission limitation for the pollutant affected by such change in operation; or

III. Before July 8, 1985, such merging was part of a change in operation at the facility that included the installation of emissions control equipment or was carried out for sound economic or engineering reasons. Where there was an increase in the

emission limitation or, in the event that no emission limitation was in existence prior to the merging, an increase in the quantity of pollutants actually emitted prior to the merging, the Director shall presume that merging was significantly motivated by an intent to gain emissions credit for greater dispersion. Absent a demonstration by the source owner or operator that merging was not significantly motivated by such intent, the Director shall deny credit for the effects of such merging in calculating the allowable emissions for the source:

(III) Smoke management in agricultural or silvicultural prescribed burning programs:

(IV) Episodic restrictions on residential woodburning and open burning; or

(V) Techniques under subparagraph (a)4.(iii) of this paragraph which increase final exhaust gas plume rise where the resulting allowable emissions of sulfur dioxide from the facility do not exceed 5,000 tons per year.

5. "Good engineering practice" (GEP) stack height means the greater of:

(i) 65 meters measured from the ground-level elevation at the base of the stack:

(ii) For stacks in existence on January 12, 1979, and for which the owner or operator had obtained all applicable permits or approvals required under 40 CFR 51 and 52, provided the owner or operator produces evidence that this equation was actually relied on in establishing an emission limitation;

$$H_g = 2.5H$$

(I) For all other stacks,

$$H_g = H + 1.5L$$

where:

$H_g$  = good engineering practice stack height measured from the ground-level elevation at the base of the stack,

H = height of nearby structure(s) measured from the ground-level elevation at the base of the stack,

L = lesser dimension, height or projected width of nearby structure(s), provided that the Director may require the use of a field study or fluid model to verify GEP stack height for the source; or

(iii) The height demonstrated by a fluid model or a field study approved by the Director, which ensures that the emissions from a stack do not result in excessive concentrations of any air pollutant as a result of atmospheric downwash, wakes, or eddy effects created by the source itself, nearby structures, or nearby terrain features.

6. "Nearby" as used in subparagraph (a)5. of this paragraph is defined for a specific structure or terrain feature and

(i) for purposes of applying the formulas provided in subparagraph (a)5.(ii) of this paragraph means that distance up to five times the lesser of the height or the width dimension of a structure, but not greater than 0.8 km ( $\frac{1}{2}$  mile); and

(ii) for conducting demonstrations under subparagraph (a)5.(iii) of this paragraph means not greater than 0.8 km ( $\frac{1}{2}$  mile), except that the portion of a terrain feature may be considered to be nearby which falls within a distance of up to 10 times the maximum height (ht) of the feature, not to exceed 2 miles if such feature achieves a height (ht) 0.8 km from the stack that is at least 40 percent of the GEP stack height determined by the formula provided in subparagraph (a)5.(ii)(I) of this paragraph or 26 meters, whichever is greater, as measured from the ground-level elevation at the base of the stack. The height of the structure or terrain feature is measured from the ground-level elevation at the base of the stack.

7. "Excessive concentration" is defined for the purpose of determining GEP stack height under subparagraph (a)5.(iii) of this paragraph and means:

(i) for sources seeking credit for stack height exceeding that established under subparagraph (a)5.(ii) of this paragraph, a maximum ground-level concentration due to emissions from a stack due in whole or part to downwash, wakes, and eddy effects produced by nearby structures or nearby terrain features which individually is at least 40 percent in excess of the maximum concentration experienced in the absence of such downwash, wakes, or eddy effects and which contributes to a total concentration due to emissions from all sources that is greater than a NAAQS. For sources subject to the PSD program (Rule 335-3-14-.04), an excessive concentration alternatively means a maximum ground-level concentration due to emissions from a stack due in whole or part to downwash, wakes, or eddy effects produced by nearby structures or nearby terrain features which individually is at least 40 percent in excess of the maximum concentration experienced in the absence of such downwash, wakes, or eddy effects and greater than a prevention of significant deterioration increment. The allowable emissions rate to be used in making demonstrations under this Rule shall be prescribed by the new source performance standard that is applicable to the source category unless the owner or operator demonstrates that this emission rate is infeasible. Where such demonstrations are approved by the Director, an alternative emission rate shall be established in consultation with the source owner or operator;

(ii) for sources seeking credit after October 11, 1983, for increases in existing stack heights up to the heights established under subparagraph (a)5.(ii) of this paragraph, either:

(I) a maximum ground-level concentration due in whole or part to downwash, wakes, or eddy effects as provided in subparagraph (a)7.(i) of this paragraph, except that the emission rate specified elsewhere in these regulations (or, in the absence of such a limit, the actual emission rate) shall be used, or



(II) the actual presence of a local nuisance caused by the existing stack, as determined by the Director; and

(iii) for sources seeking credit after January 12, 1979, for a stack height determined under subparagraph (a)5.(ii) of this paragraph where the Director requires that use of a field study or fluid model to verify GEP stack height, for sources seeking stack height credit after November 9, 1984, based on the aerodynamic influence of cooling towers, and for sources seeking stack height credit after December 31, 1970, based on the aerodynamic influence of structures not adequately represented by the equations in subparagraph (a)5.(ii) of this paragraph, a maximum ground-level concentration due in whole or part to downwash, wakes, or eddy effects that is at least 40 percent in excess of the maximum concentration experienced in the absence of such downwash, wakes, or eddy effects.

(b) Before acting on any Air Permit, the Director shall require that the degree of emission limitation required of any source for control of any air pollutants shall not be affected by so much of any source's stack height that exceeds GEP or by any other dispersion technique, except as provided in subparagraph (c) of this paragraph below.

(c) The provisions of subparagraph (b) above shall not apply to stack heights in existence, or dispersion techniques implemented, prior to December 31, 1970, except where pollutants are being emitted from such stacks or using such dispersion techniques by sources, as defined in Section 111(a) (3) of the Clean Air Act, which were constructed, or reconstructed or for which major modifications, as defined pursuant to Rules 335-3-14-.05(2) (d) and 335-3-14-.04(2) (b), were carried out after December 31, 1970.

(d) If any existing source, after appropriate application of the preceding limitations and provisions, is found to exceed or potentially exceed a NAAQS or PSD increment, when operating within previously established emission limitations, the emissions limitations applicable to that source shall be modified so as to eliminate and prevent the exceedance.

(e) If any new source or source modification, after appropriate application of the preceding limitations and provisions, is predicted to exceed a NAAQS or PSD increment when evaluated under emission limitations consistent with other applicable rules and regulations, the emission

limitations considered shall be deemed inadequate and different emission limits, based on air quality considerations, shall be made applicable.

(f) If any source provides a field study or fluid modeling demonstration proposing a GEP stack height greater than that allowed by subparagraphs (a)5.(i) and (a)5.(ii) of this paragraph, then the public will be notified of the availability of the study and provided the opportunity for a public hearing before any new or revised emission limitation or permit is approved.

(g) The actual stack height used or proposed by a source shall not be restricted in any manner by requirements of this paragraph.

**Author:** James W. Cooper, John E. Daniel, Ronald Gore

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(1) General Provisions.

(a) The Synthetic Minor Operating Permit shall include specific conditions that restrict the facility's potential to emit and that are federally enforceable.

(b) Any Stationary Source requesting a Synthetic Minor Operating Permit must undergo the public participation procedures prescribed in Rule 335-3-15-.05.

(c) A Potential Major Source that does not obtain a Synthetic Minor Operating Permit shall apply for an Operating Permit.

(d) The Department shall act, within a reasonable time, on an application for a Synthetic Minor Operating Permit and shall notify the applicant in writing of its approval, conditional approval, or denial.

(e) In the event of a denial of a Synthetic Minor Operating Permit, the Department shall notify the applicant in writing of the reason therefore. Service of this notification may be made in person or by mail, and such service may be proved by the written acknowledgment of the persons served or affidavit of the person making the service. The Department shall not accept a further application unless the applicant has complied with the objections specified by the Department as its reasons for denial of the Synthetic Minor Operating Permit.

(f) The facility shall obtain a Synthetic Minor Operating Permit prior to beginning operation of the new or modified Stationary Source and shall notify the Department at least ten (10) days prior to beginning such operation.

(g) Any Stationary Source applying for a Synthetic Minor Operating Permit shall submit applications for a Synthetic Minor Operating Permit at least 10 days prior to construction except as specified in subparagraph (3)(c) of this Rule.

(h) The holder of a Synthetic Minor Operating Permit shall comply with all conditions contained in such permit, as well as all applicable provisions of this Administrative Code. Such conditions shall be permanent, quantifiable and otherwise enforceable as a practical matter. Synthetic Minor Operating Permits which do not conform to the provision in this Chapter and the requirements of EPA's underlying regulations may be deemed not "federally enforceable" by EPA.

(2) Existing Potential Major Sources.

(a) Any facility that would request a Synthetic Minor Operating Permit shall apply to the Department within one year after approval by EPA of the Operating Permit regulations in Chapter 335-3-16.

(b) Any facility possessing an Operating Permit or whose potential emissions require it to obtain an Operating Permit may, at any time, accept federally enforceable permit restrictions which would allow it to obtain a Synthetic Minor Operating Permit.

(3) New Potential Major Sources.

(a) Any new Potential Major Source which commences construction after November 15, 1995, may apply to the Department for a Synthetic Minor Operating Permit. This application shall be accurately completed and submitted to the Department prior to such construction.

(b) A Synthetic Minor Operating Permit for a new Potential Major Source shall expire and the application shall be canceled two years from the date of issuance of the Synthetic Minor Operating Permit if construction has not begun.

(c) Any new Stationary Source applying for a Synthetic Minor Operating Permit at a greenfield site shall not initiate construction until the Synthetic Minor Operating Permit has been issued. "Greenfield site" shall have the same meaning as defined in Rule 335-3-14-.01(7)(a)1.(i).

(4) Modifications to Synthetic Minor Sources.

(a) Any Stationary Source subject to the regulations in this Chapter that is modified so that it becomes a major source as defined in Rule 335-3-16-.01(15) shall apply for an Operating Permit within twelve (12) months of beginning operation.

(b) Any modification which would require a change to existing permit conditions that restrict the facility's potential to emit or require new conditions that restrict the facility's potential to emit, as required in subparagraph (1)(a) of this Rule, must undergo the public participation procedures prescribed in Rule 335-3-15-.05.

(5) Exceptions to Violations of Emission Limits.

(a) The Director may, in the Synthetic Minor Operating Permit, exempt on a case by case basis any exceedances of

emission limits or permit conditions which cannot reasonably be avoided, such as during periods of start-up and shut-down or load change.

(b) The Director may exempt on a case by case basis exceedances of emission limits and permit conditions which cannot reasonably be avoided as a result of an "emergency" situation.

1. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God. These are situations that require immediate corrective action(s) to restore normal operation, and that cause the facility to exceed a technology based emission limitation set by the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include exceedances of the permit emission limitations caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.

2. Exceedances of emissions limitations during emergencies at a facility may be exempted as being violations provided that:

(i) the permittee identifies the cause(s) of the emergency;

(ii) the permitted facility was being properly operated until such a time as the emergency occurred;

(iii) during the period of which the emergency occurred, the permittee took all reasonable steps to minimize levels of emissions that exceeded the standards, or other requirements of the permit; and

(iv) the permittee submitted notice of the emergency to the Department within two (2) working days of the time when the emissions limitations were exceeded as a result of the emergency. Such notice shall include those deviations attributable to upset conditions as defined in the permit, the probable cause of said deviations, and any corrective actions or preventive measures that were taken. Within 5 working days of the emergency, a written documentation of what was reported in the notice of the emergency shall be submitted to the Department.

3. The Director shall be the sole determiner of whether an emergency has occurred.

4. This provision is in addition to any emergency or upset provision contained in any applicable requirement of the permit or the regulations.

~~(c) ADEM Admin. Code r. 335-3-15-.04(5)(a) and (b) are repealed effective upon the EPA's final approval of this provision.~~

**Author:** Richard E. Grusnick

**Statutory Authority:** Code of Ala. 1975, §§22-22A-4, 22-22A-5, 22-22A-6, and 22-22A-8.

**History: New Rule:** Filed November 23, 1993; effective December 28, 1993. **Amended:** October 17, 1996; effective November 21, 1996. **Amended:** Published December 29, 2023; effective February 12, 2024. **Amended:** Published ; effective .

(1) The Director may, in the operating permit, exempt on a case-by-case basis exceedances of emission limits which cannot reasonably be avoided, such as during periods of start-up, shut-down or load change. For emission limits established by federal rules (e.g., NSPS, NESHAP, and MACT) exemptions may be granted only where provisions for such exemptions are contained in the applicable rule or its general provisions.

~~(2) Emergency provision.~~

~~(a) An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.~~

~~(b) Exceedances of emission limits during emergencies (as defined above) at a facility may be exempted from being violations provided that:~~

~~1. The permittee can identify the cause(s) of the emergency;~~

~~2. At the time of the emergency, the permitted facility was being properly operated;~~

~~3. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit;~~

~~4. The permittee submitted notice of the emergency to the permitting authority within two (2) working days of the time when emission limitations were exceeded due to the emergency. Such notice shall include those deviations attributable to upset conditions as defined in the permit, the probable cause of said deviations, and any corrective actions or preventive measures that were taken. Within five (5) working days of the emergency, a written documentation what was reported in the notice of the emergency shall be submitted to the Department; and~~

~~5. The permittee immediately documented the emergency exceedance in an "Emergency Log", which shall be maintained for five (5)~~

~~years in a form suitable for inspection upon request by a representative of the Department.~~

~~(c) The Director shall be the sole determiner of whether an emergency has occurred.~~

~~(d) This provision is in addition to any emergency or upset provision contained in any applicable requirement.~~

~~(e) An emergency constitutes an affirmative defense.~~

**Author:** Richard E. Grusnick

**Statutory Authority:** Code of Ala. 1975, §§22-22A-4, 22-22A-5, 22-22A-6, 22-22A-8.

**History: New Rule:** Filed November 23, 1993; Effective Date: December 28, 1993. **Amended:** Filed December 9, 1999; effective January 13, 2000. Amended: Published ; effective .



335-3-C

**Appendix C - EPA Reference Documents For New Source  
Performance Standards And National Emission  
Standards For Hazardous Air Pollutants.**

**APPENDIX C**

**ENVIRONMENTAL PROTECTION AGENCY REGULATIONS  
REFERENCE DOCUMENTS**

**CROSS REFERENCED TO ADEM RULES AND REGULATIONS**

**NEW SOURCE PERFORMANCE STANDARDS  
NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS**

The complete text of all finalized EPA regulations incorporated into these regulations is located in the documents listed below. Amendments, revisions, or clarifications of EPA regulations which have been codified in the CFR, as well as of finalized regulations which have not yet been codified, are not included in this listing and interested parties are advised to consult the Federal Register for such amendments or revisions. The exceptions listed below are identified by EPA as nondelegable to the States.

<b>ADEM Chapter 335-3-10</b>	<b>40 CFR Part 60</b>	<b>Exceptions</b>
335-3-10-.02(1) Subpart A	Subpart A	§60.8 (b) (2) §60.8 (b) (3) §60.11 (e) (7) §60.11 (e) (8) §60.13 (g) §60.13 (i) §60.13 (j) (2)
335-3-10-.02(2) Subpart D	Subpart D	
335-3-10-.02(2) (a) Subpart Da	Subpart Da	§60.45a
335-3-10-.02(2) (b) Subpart Db	Subpart Db	§60.44b (f) §60.44b (g) §60.49b (a) (4)
335-3-10-.02(2) (c) Subpart Dc	Subpart Dc	§60.48c (a) (4)

335-3-10-.02(3) Subpart E	Subpart E	
335-3-10-.02(3)(a) Subpart Ea	Subpart Ea	
335-3-10-.02(3)(b) Subpart Eb	Subpart Eb	
335-3-10-.02(3)(c) Subpart Ec	Subpart Ec	§60.56c(i)
335-3-10-.02(4) Subpart F	Subpart F	§60.66
335-3-10-.02(5) Subpart G	Subpart G	
335-3-10-.02(5)(a) Subpart Ga	Subpart Ga	
335-3-10-.02(6) Subpart H	Subpart H	
335-3-10-.02(7) Subpart I	Subpart I	
335-3-10-.02(8) Subpart J	Subpart J	§60.105(a)(13)(iii)
		§60.106(i)(12)
335-3-10-.02(8)(a) Subpart Ja	Subpart Ja	§60.109b
335-3-10-.02(9) Subpart K	Subpart K	
335-3-10-.02(9)(a) Subpart Ka	Subpart Ka	§60.114a
335-3-10-.02(9)(b) Subpart Kb	Subpart Kb	§60.111b(f)(4)
		§60.114(b)
		§60.116(e)(3)(iii)
		§60.116(e)(3)(iv)
		§60.116b(f)(2)(iii)
335-3-10-.02(9)(c) <u>Subpart Kc</u>	<u>Subpart Kc</u>	<u>§60.117c(b)</u>
<u>335-3-10-.02</u> (12) Subpart L	Subpart L	<u>      </u>
<u>335-3-10-.02(12)(a) Subpart La</u>	<u>Subpart La</u>	
335-3-10-.02(13) Subpart M	Subpart M	
335-3-10-.02(14) Subpart N	Subpart N	
335-3-10-.02(14)(a) Subpart Na	Subpart Na	
335-3-10-.02(15) Subpart O	Subpart O	§60.153(e)

335-3-10-.02(16) Subpart P	Subpart P	
335-3-10-.02(17) Subpart Q	Subpart Q	
335-3-10-.02(18) Subpart R	Subpart R	
335-3-10-.02(19) Subpart S	Subpart S	
335-3-10-.02(20) Subpart T	Subpart T	
335-3-10-.02(21) Subpart U	Subpart U	
335-3-10-.02(22) Subpart V	Subpart V	
335-3-10-.02(23) Subpart W	Subpart W	
335-3-10-.02(24) Subpart X	Subpart X	
335-3-10-.02(25) Subpart Y	Subpart Y	
335-3-10-.02(26) Subpart Z	Subpart Z	
335-3-10-.02(27) Subpart AA	Subpart AA	
335-3-10-.02(27) (a) Subpart AAa	Subpart AAa	
335-3-10-.02(27) (b) Subpart AAb	Subpart AAb	
335-3-10-.02(28) Subpart BB	Subpart BB	
335-3-10-.02(28) Subpart BBa	Subpart BBa	
335-3-10-.02(29) Subpart CC	Subpart CC	
335-3-10-.02(30) Subpart DD	Subpart DD	
335-3-10-.02(31) Subpart EE	Subpart EE	§60.316(d)
335-3-10-.02(32) Subpart FF	Subpart FF	
335-3-10-.02(33) Subpart GG	Subpart GG	§60.334(b) (2)
		§60.335(f) (1)
35-3-10-.02(34) Subpart HH	Subpart HH	
335-3-10-.02(35) Subpart II	Reserved	
335-3-10-.02(36) Subpart JJ	Reserved	
335-3-10-.02(37) Subpart KK	Subpart KK	
335-3-10-.02(37) (a) Subpart KKa	Subpart KKa	
335-3-10-.02(38) Subpart LL	Subpart LL	

335-3-10-.02 (39) Subpart MM	Subpart MM	
335-3-10-.02 (39) (a) Subpart MMA	Subpart MMA	
335-3-10-.02 (40) Subpart NN	Subpart NN	
335-3-10-.02 (41) Subpart OO	Reserved	
335-3-10-.02 (42) Subpart PP	Subpart PP	
335-3-10-.02 (43) Subpart QQ	Subpart QQ	
335-3-10-.02 (44) Subpart RR	Subpart RR	§60.446 (c)
335-3-10-.02 (45) Subpart SS	Subpart SS	§60.456 (d)
335-3-10-.02 (46) Subpart TT	Subpart TT	§60.466 (d)
335-3-10-.02 (47) Subpart UU	Subpart UU	§60.474 (g)
335-3-10-.02 (48) Subpart VV	Subpart VV	§60.482-1 (c) (2)
		§60.484
335-3-10-.02 (48) (a) Subpart VVa	Subpart VVa	
335-3-10-.02 <a href="#">(48) (b) Subpart VVb</a>	<a href="#">Subpart VVb</a>	—
<a href="#">335-3-10-.02</a> (49) Subpart WW	Subpart WW	§60.496 (c)
335-3-10-.02 (50) Subpart XX	Subpart XX	§60.502 (e) (6)
<a href="#">335-3-10-.02 (50) (a) Subpart XXa</a>	<a href="#">Subpart XXa</a>	—
335-3-10-.02 (51) Subpart YY	Reserved	
335-3-10-.02 (52) Subpart ZZ	Reserved	
335-3-10-.02 (53) Subpart AAA	Reserved	
335-3-10-.02 (54) Subpart BBB	Subpart BBB	§60.543 (c) (2) (ii) (B)
335-3-10-.02 (55) Subpart CCC	Reserved	
335-3-10-.02 (56) Subpart DDD	Subpart DDD	§60.562-2 (c)
335-3-10-.02 (57) Subpart EEE	Reserved	
335-3-10-.02 (58) Subpart FFF	Subpart FFF	
335-3-10-.02 (59) Subpart GGG	Subpart GGG	
335-3-10-.02 (59) (a) Subpart GGG (a)	Subpart <del>GGG (a)</del> <a href="#">GGGa</a>	

335-3-10-.02 (60) Subpart HHH	Subpart HHH	
335-3-10-.02 (61) Subpart III	Subpart III	§60.613 (e)
<a href="#">335-3-10-.02 (61) (a) Subpart IIIa</a>	<a href="#">Subpart IIIa</a>	—
335-3-10-.02 (62) Subpart JJJ	Subpart JJJ	
335-3-10-.02 (63) Subpart KKK	Subpart KKK	
335-3-10-.02 (64) Subpart LLL	Subpart LLL	
335-3-10-.02 (65) Subpart MMM	Reserved	
335-3-10-.02 (66) Subpart NNN	Subpart NNN	§60.663 (e)
335-3-10-.02 <a href="#">(66) (a) Subpart NNNa</a>	<a href="#">Subpart NNNa</a>	—
<a href="#">335-3-10-.02</a> (67) Subpart OOO	Subpart OOO	
335-3-10-.02 (68) Subpart PPP	Subpart PPP	
335-3-10-.02 (69) Subpart QQQ	Subpart QQQ	
335-3-10-.02 (70) Subpart RRR	Subpart RRR	§60.703 (e)
<a href="#">335-3-10-.02 (70) (a) Subpart RRRa</a>	<a href="#">Subpart RRRa</a>	—
335-3-10-.02 (71) Subpart SSS	Subpart SSS	§60.711 (a) (16) §60.713 (b) (1) (i) §60.713 (b) (1) (ii)  §60.713 (b) (5) (i) §60.713 (d) §60.715 (a) §60.716
335-3-10-.02 (72) Subpart TTT	Subpart TTT	§60.726 (b)
335-3-10-.02 (72) (a) Subpart TTTa	Subpart TTTa	§60.726a (b)
335-3-10-.02 (73) Subpart UUU	Subpart UUU	
335-3-10-.02 (74) Subpart VVV	Subpart VVV	§60.743 (a) (3) (v) (A)  §60.743 (a) (3) (v) (B)

		§60.743 (e)
		§60.745 (a)
		§60.746
335-3-10-.02 (75) Subpart WWW	Subpart WWW	§60.754 (a) (5)
335-3-10-.02 (76) Subpart XXX	Subpart XXX	§60.754 (a) (5)
335-3-10-.02 (77) Reserved	Reserved	
335-3-10-.02 (78) Reserved	Reserved	
335-3-10-.02 (79) Subpart AAAA	Subpart AAAA	
335-3-10-.02 (80) Reserved	Reserved	
335-3-10-.02 (81) Subpart CCCC	Subpart CCCC	§60.2030 (c)
335-3-10-.02 (82) Reserved	Reserved	
335-3-10-.02 (83) <del>Reserved</del> <a href="#">Subpart EEEE</a>	<del>Reserved</del> <a href="#">Subpart EEEE</a>	<del>§60.2889 (b)</del>
335-3-10-.02 (84) Reserved	Reserved	
<b>ADEM Chapter 335-3-10</b>	<b>40 CFR Part 60</b>	<b>Exceptions</b>
335-3-10-.02 (85) Reserved	Reserved	
335-3-10-.02 (86) Reserved	Reserved	
335-3-10-.02 (87) Subpart IIII	Subpart IIII	§60.2025
335-3-10-.02 (88) Subpart JJJJ	Subpart JJJJ	
335-3-10-.02 (89) Subpart KKKK	Subpart KKKK	§60.2025
335-3-10-.02 (90) Subpart LLLL	Subpart LLLL	§60.4785 (c)
335-3-10-.02 (91) Subpart OOOO	Subpart OOOO	
335-3-10-.02 <del>(91a)</del> <a href="#">(91) (a)</a> Subpart OOOOa	Subpart OOOOa	
335-3-10-.02 (92) Reserved	Reserved	
335-3-10-.02 (93) Reserved	Reserved	
335-3-10-.02 (94) Reserved	Reserved	
335-3-10-.02 (95) Reserved	Reserved	
335-3-10-.02 (96) <a href="#">Subpart</a> TTTT	Subpart TTTT	§60.5575 (b)

335-3-10-.03(1) Appendix A

335-3-10-.03(2) Appendix B

335-3-10-.03(3) Appendix F

**ADEM Chapter 335-3-11**

335-3-11-.02(1) Subpart A

335-3-11-.02(2) Subpart C

335-3-11-.02(3) Subpart D

335-3-11-.02(4) Subpart E

335-3-11-.02(5) Subpart F

335-3-11-.02(9) Subpart J

335-3-11-.02(11) Subpart L

335-3-11-.02(12) Subpart M

335-3-11-.02(13) Subpart N

335-3-11-.02(14) Subpart O

Appendix A

Appendix B

Appendix F

**40 CFR Part 61**

Subpart A

Subpart C

Subpart D

Subpart E

Subpart F

Subpart J

Subpart L

Subpart M

Subpart N

Subpart O

**Exceptions**

§61.04 (b)

§61.12

§61.13 (h)

§61.13 (i)

§61.14 (d)

§61.14 (g)

§61.32 (b)

§61.53 (c) (4)

§61.55 (d)

§61.66

§61.67 (g)

§61.112 (c)

§61.136 (d)

§61.149 (c) (2)

§61.150 (a) (4)

§61.151 (c)

§61.152 (b) (3)

§61.154 (d)

§61.155 (a)

§61.162 (c)

§61.163 (h)

§61.164 (a)

§61.174 (a)

335-3-11-.02(15) Subpart P	Subpart P	
335-3-11-.02(21) Subpart V	Subpart V	§61.242-1(c)(2)
		§61.244
335-3-11-.02(22) Reserved	Reserved	
335-3-11-.02(23) Reserved	Reserved	
335-3-11-.02(24) Subpart Y	Subpart Y	§61.273
335-3-11-.02(25) Reserved	Reserved	
335-3-11-.02(26) Reserved	Reserved	
335-3-11-.02(27) Subpart BB	Subpart BB	
335-3-11-.02(28) Reserved	Reserved	
335-3-11-.02(29) Reserved	Reserved	
335-3-11-.02(30) Reserved	Reserved	
335-3-11-.02(31) Subpart FF	Subpart FF	§61.353
335-3-11-.03(1) Appendix B	Appendix B	
<b>ADEM Chapter 335-3-11</b>	<b>40 CFR Part 63</b>	<b>Exceptions</b>
335-3-11-.06(1) Subpart A	Subpart A	§63.6(g)
		§63.6(h)(9)
		§63.7(e)(2)(ii)
		§63.7(f)
		§63.8(f)
		§63.10(f)
335-3-11-.06(2) Subpart B	Subpart B	
335-3-11-.06(3) Subpart D	Subpart D	
335-3-11-.06(4) Reserved	Reserved	
335-3-11-.06(5) Subpart F	Subpart F <sup>1</sup>	<del>See Footnote</del> <a href="#">§63.106(c)</a>
335-3-11-.06(6) Subpart G	Subpart G	§63.153(c) <del>(1)-(4)</del>
335-4-11-.06(7) Subpart H	Subpart H <sup>2</sup>	<del>See Footnote</del> <a href="#">§63.183(c)</a>



335-3-11-.06(8) Subpart I	Subpart I <sup>3</sup>	<del>See Footnote</del> <a href="#">§63.507(c)</a>
335-3-11-.06(9) Reserved	Reserved	
335-3-11-.06(10) Reserved	Reserved	
335-3-11-.06(11) Subpart L	Subpart L <sup>4</sup>	<del>See Footnote</del> <a href="#">§63.313(d)</a>
335-3-11-.06(12) Subpart M	Subpart M <sup>5</sup>	<del>See Footnote</del> <a href="#">§63.326(c)</a>

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<sup>1</sup> ~~The following are not delegable: (1) Approval of alternatives to requirements in §§63.100, 63.102, and 63.104. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>2</sup> ~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.160, 63.162 through 63.176, 63.178 through 63.179. Follow the applicable procedures of §63.177 to request an alternative means of emission limitation for batch processes and enclosed vented process units. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart. Where these standards reference another subpart and modify the requirements, the requirements shall be modified as described in this subpart. Delegation of the modified requirements will also occur according to the delegation provisions of the referenced subpart. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>3</sup> ~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.190 and 63.192(a) through (b), (e), and (h) through (j). Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>4</sup> ~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.300 and 63.302 through 63.308 (except the authorities in 63.306(a)(2) and (d)). (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of any changes to~~

~~section 2 of Method 303 in appendix A of this part. (4) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (5) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<b>ADEM Chapter 335-3-11</b>	<b>40 CFR Part 63</b>	<b>Exceptions</b>
335-3-11-.06(13) Subpart N	Subpart N	§63.348 (c) <del>(1)–(4)</del>
335-3-11-.06(14) Subpart O	Subpart O	§63.368 (c) <del>(1)–(4)</del>
335-3-11-.06(15) Reserved	Reserved	
335-3-11-.06(16) Subpart Q	Subpart Q <sup>6</sup>	<del>See Footnote</del> <a href="#">§63.407 (c)</a>
335-3-11-.06(17) Subpart R	Subpart R	§63.429 (c)
335-3-11-.06(18) Subpart S	Subpart S <sup>7</sup>	<del>See Footnote</del> <a href="#">§63.458 (c)</a>
335-3-11-.06(19) Subpart T	Subpart T <sup>8</sup>	<del>See Footnote</del> <a href="#">§63.470 (c)</a>
335-3-11-.06(20) Subpart U	Subpart U <sup>9</sup>	<del>See Footnote</del> <a href="#">§63.507 (c)</a>
335-3-11-.06(21) Reserved	Reserved	
335-3-11-.06(22) Subpart W	Subpart W <sup>10</sup>	<del>See Footnote</del> <a href="#">§63.529 (c)</a>
335-3-11-.06(23) Subpart X	Subpart X	§63.551 (c) <del>(1)–(4)</del>
335-3-11-.06(24) Subpart Y	Subpart Y	§63.568 (c) <del>(1)–(4)</del>
335-3-11-.06(25) Reserved	Reserved	

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<sup>5</sup> ~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.320 and 63.322(a) through (j). Follow the requirements in §63.325 to demonstrate that alternative equipment or procedures are equivalent to the requirements of §63.322. (2) Approval of major alternatives to test methods under 63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>6</sup> ~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.400 and 63.402 through 63.403. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>7</sup>~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.440, 63.443 through 63.447 and 63.450. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart. (2) Approval of alternatives to using §§63.457(b)(5)(iii), 63.457(c)(5)(ii) through (iii), and 63.257(c)(5)(ii), and any major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of alternatives using §64.453(m) and any major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>8</sup>~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.460, 63.462(a) through (d), and 63.463 through 63.464 (except for the authorities in §63.463(d)(9)). Use the procedures in §63.469 to request the use of alternative equipment or procedures. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>9</sup>~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.480 through 63.481, 63.483(a) through (c), 63.484, 63.485(a) through (k), (m), through (s), (u), 63.486 through 63.487, 63.488(a), (b)(1) through (4), (5)(iv) through (v), (6) through (7), (c) through (i), 63.493 through 63.494, 63.500(a)(1) through (3), (b), 63.501, 63.502(a) through (f), (i), (k) through (m), and 63.503. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart. Where these standards reference another subpart and modify the requirements, the requirements shall be modified as described in this subpart. Delegation of the modified requirements will also occur according to the delegation provisions of the referenced subpart. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>10</sup>~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.520, 63.521, 63.523, and 63.524. Where these standards reference another rule, the cited provisions in that rule will be delegated according to the delegation provisions of that rule. (2) Approval of major alternatives to test methods for under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

335-3-11-.06(26)	Subpart AA	Subpart AA	§63.611 (b) <del>(1)–(5)</del>
335-3-11-.06(27)	Subpart BB	Subpart BB	§63.632 (b)
335-3-11-.06(28)	Subpart CC	Subpart CC	§63.656 (c) <del>(1)–(4)</del>
335-3-11-.06(29)	Subpart DD	Subpart DD <sup>11</sup>	<del>See Footnote</del> <a href="#">§63.698 (c)</a>
335-3-11-.06(30)	Subpart EE	Subpart EE <sup>12</sup>	<del>See Footnote</del> <a href="#">§63.708 (c)</a>
335-3-11-.06(31)	Reserved	Reserved	
335-3-11-.06(32)	Subpart GG	Subpart GG	§63.759 (c) <del>(1)–(4)</del>
335-3-11-.06(33)	Subpart HH	Subpart HH <sup>13</sup>	<del>See Footnote</del> <a href="#">§63.776 (c)</a>
335-3-11-.06(34)	Subpart II	Subpart II <sup>14</sup>	<del>See Footnote</del> <a href="#">§63.789 (c)</a>
335-3-11-.06(35)	Subpart JJ	Subpart JJ <sup>15</sup>	<del>See Footnote</del> <a href="#">§63.808 (c)</a>
335-3-11-.06(36)	Subpart KK	Subpart KK <sup>16</sup>	<del>See Footnote</del> <a href="#">§63.831 (c)</a>
335-3-11-.06(37)	Reserved	Reserved	
335-3-11-.06(38)	Subpart MM	Subpart MM	§63.868 (b)
335-3-11-.06(39)	Reserved	Reserved	
335-3-11-.06(40)	Subpart OO	Subpart OO <sup>17</sup>	<del>See Footnote</del> <a href="#">§63.908 (c)</a>

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<sup>11</sup> ~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.680, 63.683 through 63.691, and 63.693. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>12</sup> ~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.701 and 63.703. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>13</sup> ~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.760, 63.764 through 63.766, 63.769, 63.771, and 63.777. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major~~

~~alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>14</sup>~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.780 through 63.781, and 63.783 through 63.784. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>15</sup>~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.800, 63.802, and 63.803(a)(1), (b), (c) introductory text, and (d) through (1). (2) Approval of alternatives to the monitoring and compliance requirements in §§63.804(f)(4)(iv)(D) and (E), 63.804(g)(4)(iii)(C), 63.804(g)(4)(vi), and 63.804(g)(6)(vi). (3) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart, as well as approval of any alternatives to the specific test methods under §§63.805(a), 63.805(d)(2)(v), and 63.805(e)(1). (4) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (5) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>16</sup>~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.820 through 63.821 and 63.823 through 63.826. (2) Approval of alternatives to the test method for organic HAP content determination in §63.827(b) and alternatives to the test method for volatile matter in §63.827(c), and major alternatives to other test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in defined in §63.90, and as required in this subpart.~~

<sup>17</sup>~~The following are not delegable: (1) Approval of alternatives to the requirements in §63.900 and 63.902. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

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335-3-11-.06(41) Subpart PP  
335-3-11-.06(42) Subpart QQ  
335-3-11-.06(43) Subpart RR  
335-3-11-.06(44) Subpart SS  
335-3-11-.06(45) Subpart TT  
335-3-11-.06(46) Subpart UU  
335-3-11-.06(47) Subpart VV

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Subpart PP<sup>18</sup>  
Subpart QQ<sup>19</sup>  
Subpart RR<sup>20</sup>  
Subpart SS  
Subpart TT<sup>21</sup>  
Subpart UU<sup>22</sup>  
Subpart VV<sup>23</sup>

#### **Exceptions**

~~See Footnote~~[§63.939\(c\)](#)  
~~See Footnote~~[§63.949\(c\)](#)  
~~See Footnote~~[§63.967\(c\)](#)  
§63.992(b)  
~~See Footnote~~[§63.1000\(b\)\(1\)](#)  
~~See Footnote~~[§63.1019\(f\)\(1\)](#)  
~~See Footnote~~[§63.1050\(c\)](#)

335-3-11-.06(48) Subpart WW	Subpart WW <sup>24</sup>	<del>See Footnote</del> <a href="#">§63.1067(b)</a>
335-3-11-.06(49) Subpart XX	Subpart XX	§63.1097(b)
335-3-11-.06(50) Subpart YY	Subpart YY	§63.1114 <del>(e)(1)-(5)</del> <a href="#">(b)</a>

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<sup>18</sup> ~~The following are not delegable: (1) Approval of alternatives to the requirements in §§ 63.920 and 63.922 through 63.924. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>19</sup> ~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.940, 63.942, and 63.943. Where these standards reference subpart DD, the cited provisions will be delegated according to the delegation provisions of subpart DD. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>20</sup> ~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.960 and 63.962. Where these standards reference subpart DD, the cited provisions will be delegated according to the delegation provisions subpart DD of this part. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>21</sup> ~~The following are not delegable: (1) Approval of alternatives to the non-opacity emissions standards in §63.1003 through 63.1015, under §63.6(g). Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart. (2) Reserved. (3) Approval of major changes to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90. (4) Approval of major changes to monitoring under §63.8(f) and as defined in §63.90. (5) Approval of major changes to recordkeeping and reporting under §63.10(f) and as defined in §63.90.~~

<sup>22</sup> ~~The following are not delegable: (1) Approval of alternatives to the non-opacity emissions standards in §63.1022 through 63.1034, under §63.6(g), and the standards for quality improvement programs in §63.1035. Where these standards reference another subpart, the cited provisions will be delegated according to the delegation provisions of the referenced subpart. (2) Reserved. (3) Approval of major changes to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90. (4) Approval of major changes to monitoring under §63.8(f) and as defined in §63.90. (5) Approval of major changes to recordkeeping and reporting under §63.10(f) and as defined in §63.90.~~

<sup>23</sup> ~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.1040 and 63.1042 through 63.1045. Where these standards reference subpart DD, the cited provisions will be delegated according to the delegation provisions of subpart DD of this part. (2) Approval of major alternatives to test methods under §63.7(e) (2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

<sup>24</sup> ~~The following are not delegable: (1) Approval of alternatives to the non-opacity emissions standards in §§63.1062 and 63.1063(a) and (b) for alternative means of emission limitation, under §63.6(g). (2) Reserved. (3) Approval of major changes to test methods under §63.7(e) (2)(ii) and (f) and as defined in §63.90. (4) Approval of major changes to monitoring under §63.8(f) and as defined in §63.90. (5) Approval of major changes to recordkeeping and reporting under §63.10(f) and as defined in §63.90.~~

<b>ADEM Chapter 335-3-11</b>	<b>40 CFR Part 63</b>	<b>Exceptions</b>
335-3-11-.06(51) Reserved	Reserved	
335-3-11-.06(52) Reserved	Reserved	
335-3-11-.06(53) Reserved	Reserved	
335-3-11-.06(54) Subpart CCC	Subpart CCC <sup>25</sup>	<del>See Footnote</del> <a href="#">§63.1166(c)</a>
335-3-11-.06(55) Subpart DDD	Subpart DDD	§63.1195(c)
335-3-11-.06(56) Subpart EEE	Subpart EEE <sup>26</sup>	<del>See Footnote</del> <a href="#">§63.1214(c)</a>
335-3-11-.06(57) Reserved	Reserved	
335-3-11-.06(58) Subpart GGG	Subpart GGG	§63.1261(c) <del>(1)-(4)</del>
335-3-11-.06(59) Subpart HHH	Subpart HHH <sup>27</sup>	<del>See Footnote</del> <a href="#">§63.1286(c)</a>
335-3-11-.06(60) Subpart III	Subpart III	§63.1309(c) <del>(1)-(4)</del>
335-3-11-.06(61) Subpart JJJ	Subpart JJJ	§63.1336(c) <del>(1)-(4)</del>
335-3-11-.06(62) Reserved	Reserved	
335-3-11-.06(63) Subpart LLL	Subpart LLL	§63.1358
335-3-11-.06(64) Subpart MMM	Subpart MMM	§63.1369(c) <del>(1)-(4)</del>
335-3-11-.06(65) Subpart NNN	Subpart NNN	§63.1388(c)
335-3-11-.06(66) Subpart OOO	Subpart OOO	§63.1419(c) <del>(1)-(4)</del>
335-3-11-.06(67) Subpart PPP	Subpart PPP	§63.1421(c) <del>(1)-(4)</del>
335-3-11-.06(68) Reserved	Reserved	
335-3-11-.06(69) Subpart RRR	Subpart RRR	§63.1519(c) <del>(1)-(4)</del>
335-3-11-.06(70) Reserved	Reserved	
335-3-11-.06(71) Reserved	Reserved	
335-3-11-.06(72) Subpart UUU	Subpart UUU	§63.1578(c) <del>(1)-(5)</del>
335-3-11-.06(73) Subpart VVV	Subpart VVV <sup>28</sup>	<del>See Footnote</del> <a href="#">§63.1594(b)</a>
335-3-11-.06(74) Reserved	Reserved	
335-3-11-.06(75) Subpart XXX	Subpart XXX <sup>29</sup>	<del>See Footnote</del> <a href="#">§63.1661(c)</a>

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<sup>25</sup> ~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.1155, 63.1157 through 63.1159, and 63.1160(a). (2) Approval of major alternatives to test methods under §63.7(e) (2)(ii) and (f), as defined in §63.90, and as required in~~

~~this subpart. (3) Approval of any alternative measurement methods for HCl and CL2 to those specified in §63.1161(d)(1). (4) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (5) Approval of any alternative monitoring requirements to those specified in §§63.1162(a)(2) through (5) and 63.1162(b)(1) through (3). (6) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart. (7) Waiver of recordkeeping requirements specified in §63.1165. (8) Approval of an alternative schedule for conducting performance tests to the requirement specified in §63.1162(a)(1).~~

~~<sup>26</sup> The following are not delegable: (1) Approval of alternatives to the requirements in §§63.1200, 63.1203 through 63.1205, and 63.1206(a). (2) Approval of major alternatives to test methods under § 63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

~~<sup>27</sup> The following are not delegable: (1) Approval of alternatives to the requirements in §§63.1270, 63.1274 through 63.1275, 63.1281, and 63.1287. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

~~<sup>28</sup> The following are not delegable: (1) Approval of alternatives to the requirements in §§63.1580, 63.1583 through 63.1584, and 63.1586 through 63.1587. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

~~<sup>29</sup> The following are not delegable: (1) Approval of alternatives to the requirements in §§63.1650 and 63.1652 through 63.1654. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f), as defined in §63.90, and as required in this subpart. (3) Approval of major alternatives to monitoring under §63.8(f), as defined in §63.90, and as required in this subpart. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f), as defined in §63.90, and as required in this subpart.~~

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**40 CFR Part 63**

**Exceptions**

335-3-11-.06(76) Reserved

Reserved

335-3-11-.06(77) Reserved

Reserved



335-3-11-.06(78) Subpart AAAA	Subpart AAAA	§63.1985(c)
335-3-11-.06(79) Reserved	Reserved	
335-3-11-.06(80) Subpart CCCC	Subpart CCCC	
335-3-11-.06(81) Subpart DDDD	Subpart DDDD	§63.2291(c)
335-3-11-.06(82) Subpart EEEE	Subpart EEEE	§63.2402(b)
335-3-11-.06(83) Subpart FFFF	Subpart FFFF	§63.2545(b)
335-3-11-.06(84) Subpart GGGG	Subpart GGGG	§63.2871(c)
335-3-11-.06(85) Subpart HHHH	Subpart HHHH <sup>30</sup>	<del>See Footnote</del> <a href="#">§63.3002(b)</a>
335-3-11-.06(86) Subpart IIII	Subpart IIII	§63.3175(c)
335-3-11-.06(87) Subpart JJJJ	Subpart JJJJ	§63.3420(b)
335-3-11-.06(88) Subpart KKKK	Subpart KKKK	§63.3560(c)
335-3-11-.06(89) Reserved	Reserved	
335-3-11-.06(90) Subpart MMMM	Subpart MMMM	§63.3980(c)
335-3-11-.06(91) Subpart NNNN	Subpart NNNN	§63.4180(c)
335-3-11-.06(92) Subpart OOOO	Subpart OOOO <sup>31</sup>	<del>See Footnote</del> <a href="#">§63.4370(c)</a>
335-3-11-.06(93) Subpart PPPP	Subpart PPPP <sup>32</sup>	<del>See Footnote</del> <a href="#">§63.4580(c)</a>
335-3-11-.06(94) Subpart QQQQ	Subpart QQQQ <sup>33</sup>	<del>See Footnote</del> <a href="#">§63.4780(c)</a>
335-3-11-.06(95) Subpart RRRR	Subpart RRRR <sup>34</sup>	<del>See Footnote</del> <a href="#">§63.4980(c)</a>
335-3-11-.06(96) Subpart SSSS	Subpart SSSS <sup>35</sup>	<del>See Footnote</del> <a href="#">§63.5200(c)</a>
335-3-11-.06(97) Reserved	Reserved	

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<sup>30</sup> ~~The following are not delegable: (1) The authority under §63.6(g) to approve alternatives to the emission limits in §63.2983 and operating limits in §63.2984. (2) The authority under §63.7(e)(2)(ii) and (f) to approve of major alternatives (as defined in §63.90) to the test methods in §63.2993. (3) The authority under §63.8(f) to approve major alternatives (as defined in §63.90) to the monitoring requirements in §§63.2996 and 63.2997. (4) The authority under §63.10(f) to approve major alternatives (as defined in §63.90) to recordkeeping, notification, and reporting requirements in §§63.2998 through 63.3000.~~

<sup>31</sup> ~~The following are not delegable: (1) Approval of alternatives to the work practice standards in §63.4293 under §63.6(g). (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90. (3) Approval of major~~

~~alternatives to monitoring under § 63.8(f) and as defined in §63.90. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §63.90.~~

<sup>32</sup>~~The following are not delegable: (1) Approval of alternatives to the requirements in §§63.4481 through 4483 and §§63.4490 through 4493. (2) Approval of major alternatives to test methods under §63.7(e) (2) (ii) and (f) and as defined in §63.90. (3) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §63.90.~~

<sup>33</sup>~~The following are not delegable: (1) Approval of alternatives to the work practice standards under §63.4693. (2) Approval of major alternatives to test methods under §63.7(e) (2) (ii) and (f) and as defined in §63.90. (3) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90. (4) Approval of major changes to recordkeeping and reporting under §63.10(f) and as defined in §63.90.~~

<sup>34</sup>~~The following are not delegable: (1) Approval of alternatives to the work practice standards in §63.4893 under §63.6(g). (2) Approval of major alternatives to test methods under §63.7(e) (2) (ii) and (f), and as defined in §63.90. (3) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §63.90.~~

<sup>35</sup>~~The following are not delegable: (1) Approval of alternatives to the emission limitation in §63.5120. (2) Approval of major alternatives to test methods under §63.7(e) (2) (ii) and (f) and as defined in §63.5160. (3) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.5150. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §§63.5180 and 63.5190.~~

<b>ADEM Chapter 335-3-11</b>	<b>40 CFR Part 63</b>	<b>Exceptions</b>
335-3-11-.06(98) Reserved	Reserved	
335-3-11-.06(99) Subpart VVVV	Subpart VVVV <sup>36</sup>	§63.5776(b)
—	—	<del>§63.5728</del>
—	—	<del>§63.5731(a)</del>
—	—	<del>§63.5734</del>
—	—	<del>§63.5740(a)</del>
—	—	<del>§63.5743</del>
—	—	<del>§63.5746(g)</del>
—	—	<del>See Footnote</del>
335-3-11-.06(100) Subpart WWWW	Subpart WWWW	§63.5930(c)
335-3-11-.06(101) Subpart XXXX	Subpart XXXX	§63.6021 <del>14</del> (c)

335-3-11-.06(102) Subpart YYYY	Subpart YYYY	\$63.6170 (c)
335-3-11-.06(103) Subpart ZZZZ	Subpart ZZZZ	\$63.6670 (c)
335-3-11-.06(104) Subpart AAAAA	Subpart AAAAA	\$63.7141 (c)
335-3-11-.06(105) Subpart BBBBB	Subpart BBBB <sup>37</sup>	<del>See Footnote</del> <a href="#">\$63.7194 (c)</a>
335-3-11-.06(106) Subpart CCCCC	Subpart CCCCC <sup>38</sup>	<del>See Footnote</del> <a href="#">\$63.7351 (c)</a>
335-3-11-.06(107) Subpart DDDDD	Subpart DDDDD	\$63.7570 (b)
335-3-11-.06(108) Subpart EEEE S	Subpart EEEEE	\$63.7761 (c)
335-3-11-.06(109) Subpart FFFFF	Subpart FFFFF	\$63.7851 (c)
335-3-11-.06(110) Subpart GGGGG	Subpart GGGGG	\$63.7956 (c)
335-3-11-.06(111) Subpart HHHHH	Subpart HHHHH	\$63.8100 (b)
335-3-11-.06(112) Subpart IIIII	Subpart IIIII <sup>39</sup>	\$63.8264 (c) <del>(1) – (5)</del>
335-3-11-.06(113) Subpart JJJJJ	Subpart JJJJJ	\$63.8510 (c)
335-3-11-.06(114) Subpart KKKKK	Subpart KKKKK	\$63.8660 (c)
335-3-11-.06(115) Subpart LLLLL	Subpart LLLLL	\$63.8697 (b)
335-3-11-.06(116) Reserved		
335-3-11-.06(117) Subpart NNNNN	Subpart NNNNN	\$63.9070 (c)
335-3-11-.06(118) Reserved		

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<sup>36</sup> ~~The following are also not delegable: Pursuant to §63.7(e)(2)(ii) and (f), the authority to approve alternatives to the test methods in §§63.5719(b), 63.5719(c), 63.5725(d)(1), and 63.5758; pursuant to §63.8(f), the authority to approve major alternatives to the monitoring requirements in §63.5725; pursuant to §63.10(f), the~~

~~authority to approve major alternatives to the reporting and recordkeeping requirements listed in §§63.5764, 63.5767, and 63.5770.~~

~~<sup>37</sup> The following are not delegable: (1) Approval of alternatives to the non-opacity emission limitations in §63.7184 under §63.6(g). (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90. (3) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and defined in §63.90.~~

~~<sup>38</sup> The following are not delegable: (1) Approval of alternatives to work practice standards for fugitive pushing emissions in §63.7291(a) for a by-product coke oven battery with vertical flues, fugitive pushing emissions in §63.7292(a) for a by-product coke oven battery with horizontal flues, fugitive pushing emissions in §63.7293 for a non-recovery coke oven battery, soaking for a by-product coke oven battery in §63.7294(a), and quenching for a coke oven battery in §63.7295(b) under §63.6(g). (2) Approval of alternatives opacity emission limitations for a by-product coke oven battery under §63.6(h)(9). (3) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90, except for alternative procedures in §63.7334(a)(7). (4) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90. (5) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §63.90. (6) Approval of the work practice plan for by-product coke oven batteries with horizontal flues submitted under §63.7292(a)(1).~~

~~<sup>39</sup> The following are not delegable: (1) Approval of alternatives under §63.6(g) to the non-opacity emission limitations in §63.8190 and work practice standards in §63.8192. (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90. (3) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §63.90.~~

<b>ADEM Chapter 335-3-11</b>	<b>40 CFR Part 63</b>	<b>Exceptions</b>
335-3-11-.06(119) Subpart P P P P P	Subpart P P P P P	§63.9370(c)
335-3-11-.06(120) Subpart Q Q Q Q Q	Subpart Q Q Q Q Q <sup>40</sup>	<del>—</del> <a href="#">§63.9560(c)</a>
335-3-11-.06(121) Subpart R R R R R	Subpart R R R R R	§63.9651(c)
335-3-11-.06(122) Reserved		
335-3-11-.06(123) Subpart T T T T T	Subpart T T T T T <sup>41</sup>	See Footnote <a href="#">§63.9941(c)</a>
335-3-11-.06(124) Subpart U U U U U	Subpart U U U U U	§63.10041(b)
335-3-11-.06(125) Reserved		
335-3-11-.06(126) Reserved		
335-3-11-.06(127) Reserved		

335-3-11-.06(128)	Subpart YYYYY	Subpart YYYYY	§63.10691 (c) (1) - (6)
335-3-11-.06(129)	Subpart ZZZZZ	Subpart ZZZZZ	§63.10905 (c)
335-3-11-.06(130)	Reserved		
335-3-11-.06(131)	<del>Reserved</del> <u>Subpart BBBBBB</u>	<u>Subpart BBBBBB</u>	<del>—§63.11099 (c)</del>
335-3-11-.06(132)	Reserved		
335-3-11-.06(133)	Subpart DDDDD	Subpart DDDDD	
335-3-11-.06(134)	Subpart EEEEE	Subpart EEEEE <sup>42</sup>	See Footnote <u>§63.11152 (c)</u>
335-3-11-.06(135)	Subpart FFFFF	Subpart FFFFF <sup>43</sup>	See Footnote <u>§63.11159 (c)</u>
335-3-11-.06(136)	Subpart GGGGG	Subpart GGGGG <sup>44</sup>	See Footnote <u>§63.11168</u> <u>c) and (d)</u>
335-3-11-.06(137)	Reserved		
335-3-11-.06(138)	Reserved		
335-3-11-.06(139)	Reserved		
335-3-11-.06(140)	Reserved		
335-3-11-.06(141)	Subpart LLLLL	Subpart LLLLL	§63.11399 (b) (1) - (4)
335-3-11-.06(142)	Subpart MMMMM	Subpart MMMMM	§63.11406 (b) (1) - (4)
335-3-11-.06(143)	Reserved		

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~~40 The following are not delegable: (1) Approval of alternatives to the emission limitations in §63.9500(a) and (b) under §63.6(g). (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90. (3) Approval of major alternatives to monitoring under §63.8(f) and as defined in §63.90. (4) Approval of major alternatives to recordkeeping and reporting under §63.10(f) and as defined in §63.90.~~

~~41 The following are not delegable: (1) Approval of alternatives to the non-opacity emission limitations in §63.9890 and work practice standards in §63.9891 under §63.6(g). (2) Approval of major alternatives to test methods under §63.7(e)(2)(ii) and (f) and as defined in §63.90. (3) Approval of major alternatives to monitoring under~~

~~42 The following are not delegable: (1) Approval of an alternative non-opacity emissions standard under §63.6(g). (2) Approval of an alternative opacity emissions standard under §63.6(h) (9). (3) Approval of a major change to a test method under §63.7(e) (2) (ii) and (f). A "major change to test method" is defined in §63.90. (4) Approval of a major change to monitoring under §63.8(f). A "major change to monitoring" is defined in §63.90. (5) Approval of a major change to recordkeeping/ reporting under §63.10(f). A "major change to recordkeeping/reporting" is defined in §63.90.~~

~~43 The following are not delegable: (1) Approval of an alternative non-opacity emissions standard under §63.6(g). (2) Approval of a major change to test methods under §63.7(e) (2) (ii) and (f). A "major change to test method" is defined in §63.90. (3) Approval of a major change to monitoring under §63.8(f). A "major change to monitoring" is defined in §63.90. (4) Approval of a major change to recordkeeping/ reporting under §63.10(f). A "major change to recordkeeping/reporting" is defined in §63.90.~~

~~44 For primary zinc production facilities, the following are not delegable: (1) Approval of an alternative non-opacity emissions standard under §63.6(g). (2) Approval of an alternative opacity emissions standard under §63.6(h)(9). (3) Approval of a major change to test methods under §63.7(e)(2)(ii) and (f). A "major change to test method" is defined in §63.90. (4) Approval of a major change to monitoring under §63.8(f). A "major change to monitoring" is defined in §63.90. (5) Approval of a major change to recordkeeping/reporting under §63.10(f). A "major change to recordkeeping/reporting" is defined in §63.90. For primary beryllium manufacturing facilities, the following are not delegable: (1) Approval of an alternative non-opacity emissions standard under 40 CFR 61.12(d). (2) Approval of a major change to test methods under 40 CFR 61.13(h). A "major change to test method" is defined in §63.90. (3) Approval of a major change to monitoring under 40 CFR 61.14(g). A "major change to monitoring" is defined in §63.90. (4) Approval of a major change to recordkeeping/reporting under 40 CFR 61.10. A "major change to recordkeeping/reporting" is defined in §63.90.~~

ADEM Chapter 335-3-11		40 CFR Part 63	Exceptions
335-3-11-.06(144)	Subpart OOOOOO	Subpart OOOOOO	§63.11420 (b) (1) – (4)
335-3-11-.06(145)	Subpart PPPPPP	Subpart PPPPPP	§63.11427 (b) (1) – (5)
335-3-11-.06(146)	Subpart QQQQQQ	Subpart QQQQQQ <sup>45</sup>	<del>See Footnote</del> <a href="#">§63.11434 (b)</a>
335-3-11-.06(147)	Reserved	Reserved	
335-3-11-.06(148)	Reserved	Reserved	
335-3-11-.06(149)	Subpart TTTTTT	Subpart TTTTTT	§63.11473 (c) (1) – (4)
335-3-11-.06(150)	Reserved	Reserved	
335-3-11-.06(151)	Subpart VVVVVV	Subpart VVVVVV	§63.11503 (b) (1) – (4)
335-3-11-.06(152)	Reserved	Reserved	
335-3-11-.06(153)	Reserved	Reserved	
335-3-11-.06(154)	Subpart YYYYYY	Subpart YYYYYY	§63.11531 (c) (1) – (5)
335-3-11-.06(155)	Subpart ZZZZZZ	Subpart ZZZZZZ	§63.11557 (c) (1) – (5)
335-3-11-.06(156)	Subpart AAAAAA	Subpart AAAAAA	§63.11567 (b)
335-3-11-.06(157)	Reserved	Reserved	
335-3-11-.06(158)	Subpart CCCCCC	Subpart CCCCCC <sup>46</sup>	<del>See Footnote</del> <a href="#">§63.11606 (b)</a>

335-3-11-.06(159) Subpart DDDDDDD	Subpart DDDDDDD <sup>47</sup>	<del>See Footnote</del> <a href="#">§63.11626(c)</a>
335-3-11-.06(160) Reserved	Reserved	
335-3-11-.06(161) Reserved	Reserved	
335-3-11-.06(162) Reserved	Reserved	
335-3-11-.06(163) Subpart HHHHHHH	H Subpart HHHHHHH	§63.12000 (b)
335-3-11-.07(1) Appendix A	Appendix A	Sect. 2, Method 303
335-3-11-.07(2) Appendix B	Appendix B	
335-3-11-.07(3) Appendix C	Appendix C	
335-3-11-.07(4) Appendix D	Appendix D	
335-3-11-.07(5) Appendix E	Appendix E	

<b>ADEM Chapter 335-3-11A</b>	<b>40 CFR Part 65</b>	<b>Exceptions</b>
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335-3-11A-.02(1) Subpart A	Subpart A	§65.8
		§65.46
		§65.102
		§65.156 (b) (1) (ii)
		§65.158 (a) (2) (ii)
335-3-11A-.02(2) Reserved		Reserved
335-3-11A-.02(3) Subpart C		Subpart C
335-3-11A-.02(4) Subpart D		Subpart D
335-3-11A-.02(5) Subpart E		Subpart E
335-3-11A-.02(6) Subpart F		Subpart F
335-3-11A-.02(7) Subpart G		Subpart G

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<sup>45</sup> ~~The following are not delegable: (1) Approval of an alternative nonopacity emissions standard under §63.6(g). (2) Approval of a major change to test methods under §63.7(e) (2) (ii) and (f). A "major change to test method" is defined in §63.90 (3) Approval of a major change to monitoring under §63.8(f). A "major change to monitoring" is defined in §63.90. (4) Approval of a major change to recordkeeping/reporting under §63.10(f). A "major change to recordkeeping/reporting" is defined in §63.90.~~

<sup>46</sup> ~~The following are not delegable: (1) Approval of an alternative nonopacity emissions standard under §63.6(g). (2) Approval of a major change to test methods under §63.7(e) (2) (ii) and (f). A "major change to test method" is defined in §63.90 (3) Approval of a major change to monitoring under §63.8(f). A "major change to monitoring" is defined in §63.90. (4) Approval of a major change to recordkeeping/reporting under §63.10(f). A "major change to recordkeeping/reporting" is defined in §63.90.~~

<sup>47</sup> ~~The following are not delegable: (1) Approval of an alternative nonopacity emissions standard under §63.6(g). (2) Approval of an alternative opacity emissions standard under §63.6(h) (9). (3) Approval of a major change to test methods under §63.7(e) (2) (ii) and (f). A "major change to test method" is defined in §63.90. (4) Approval of a major change to monitoring under §63.8(f). A "major change to monitoring" is defined in~~

~~§63.90. (5) Approval of a major change to recordkeeping and reporting under §63.10(f).  
A "major change to recordkeeping/reporting" is defined in §63.90.~~

**Author:** Department of Environmental Management

**Statutory Authority:** Code of Ala. 1975, §§22-28-10, 22-28-11, 22-28-14, 22-28-18, 22-28-20, 22-28-22, 22-22A-5, 22-22A-6, 22-22A-8.

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