

Summary of Reasons Supporting the Adoption of the Proposed Amendments to the Alabama Department of Environmental Management's Administrative Code for Division 3 (Air Division)

Revisions to the Division 3 Code are being proposed to incorporate by reference changes to EPA's New Source Performance Standards (NSPS), and National Emissions Standards for Hazardous Air Pollutants (NESHAPs), and correct typographical errors, reference citations and make EPA requested changes in Chapter 335-3-19 (Major Source Operating Permits).

A detailed index of changes is attached with this summary.

Revisions to Chapter 335-3-10

ADEM proposes technical amendments to rules in Chapter 335-3-10.

EPA has set emission standards, notification and testing procedures, and monitoring requirements for a number of individual industrial sources or source categories. Standards of performance are not intended to achieve any specific air quality level. Instead, they are designed to reflect best-demonstrated technology (taking into account costs) for the source in question. New source performance standards apply only to stationary sources that are constructed, modified, or reconstructed after a relevant standard is established. In 1978, EPA published a list assigning priorities to 72 categories of sources for which new standards eventually would be developed. As soon as new standards are promulgated, facilities planning construction, reconstruction, or modification must comply.

ADEM incorporates by reference, the federal New Source Performance Standards (NSPS) into the Department's regulations concerning Air Pollution found in ADEM Admin. Code div. 335-3. This incorporation allows the EPA to delegate administrative enforcement of these regulations to ADEM.

**August 25, 2023, 88 FR 58442
40 CFR 60, Subparts A, AA, AAa and AAb
New Source Performance Standards Review for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels**

SUMMARY: The Environmental Protection Agency (EPA) finalized amendments to the new source performance standards (NSPS) for electric arc furnaces (EAF) and argon-oxygen decarburization (AOD) vessels in the steel industry pursuant to the review required by the Clean Air Act.

February 14, 2024, 89 FR 11198

40 CFR 60, Subparts AA, AAa and AAb

New Source Performance Standards Review for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels; Correction

SUMMARY: The Environmental Protection Agency (EPA) took interim final action on corrections and clarifications to the new source performance standards (NSPS) for electric arc furnaces and argon-oxygen decarburization vessels in the steel industry. The corrections and clarifications were being made to address unintended and inadvertent errors in the recently finalized standards.

Revisions to Chapter 335-3-11

ADEM proposes technical amendments to rules in chapter 335-3-11. These rules will incorporate revisions regulations in 40 CFR Part 63 (National Emission Standards for Hazardous Air Pollutants (NESHAPS) for Source Categories) and 40 CFR Part 61 (NESHAPS) by reference, into the State regulations.

The Environmental Protection Agency (EPA), in accordance with Section 112 of the Clean Air Act (CAA) as amended in 1990, is required to issue emission standards for all major sources of the 188 listed hazardous air pollutants. On July 16, 1992 [57 FR 31576], the EPA published an initial list of source categories for which air toxics emission standards are to be promulgated. By the year 2000, the EPA was required to develop rules for all of these categories that require maximum achievable reduction in emissions, considering cost and other factors. These rules are generally known as “maximum achievable control technology” (MACT) standards. On December 15, 1995 [60 FR 57346] under Section 112(l)(5) and 40 CFR 63.91, the EPA granted full approval to the State of Alabama for the State’s program for receiving delegation of Section 112 standards that are unchanged from Federal rules as promulgated.

This Chapter is periodically updated to incorporate standards for additional source categories as they are promulgated by the EPA.

March 6, 2024, 89 FR 16408

40 CFR 63, Subparts A and RRRRR

National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing

SUMMARY: The U.S. Environmental Protection Agency (EPA) finalized amendments to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Taconite Iron Ore Processing. Specifically, the EPA finalized maximum achievable control technology (MACT) standards for mercury (Hg) and establishing revised emission standards for hydrogen chloride (HCl) and hydrogen fluoride (HF). This final action ensures that emissions of all hazardous air pollutants (HAP) emitted from the Taconite Iron Ore Processing source category are regulated.

Revisions to Chapter 335-3-19

Rules 335-3-19-.01, 335-3-19-.02 and 3365-3-19-.03 are being proposed for revisions to correct typographical errors and reference citations. Also, At the request of EPA, the word “Director” was changed to “Administrator” in ADEM Admin. Code r. 335-3-19-.03(3)(b)3, 335-3-19-.03(3)(e), 335-3-19-.03(4)(a)1., and 335-3-19-.03(7)(b)1.(i).