

RULE 1000

National Emission Standards for Hazardous Air Pollutants (NESHAP)

(A) General

(1) Purpose.

- (a) This rule is enacted to adopt by reference all the applicable provisions regarding National Emissions Standards for Hazardous Air Pollutants as set forth in 40 Code of Federal Regulations, Part 61 (40 CFR 61).

(2) Applicability.

- (a) This rule shall be applicable to the owner or operator of any stationary source for which a standard is prescribed in any subpart of 40 CFR 61 and is adopted herein by reference.
- (b) For the purposes of this rule, the authority of the Administrator under the various portions of 40 CFR 61 shall be exercised by the APCO of the District when such authority has been properly delegated by USEPA with the exception that the APCO shall not be empowered to approve alternate or equivalent test methods, alternate standards or alternate work practices.

(B) Definitions

- (1) For the purposes of this rule the following definitions, in addition to any definition contained in any subpart of 40 CFR 61 shall apply as applicable. In case of disagreement these definitions shall control followed by the definitions contained in 40 CFR 61.

- (a) “Administrator” - The Administrator of the United States Environmental Protection Agency and his or her designee. The APCO shall be considered a designee except that the APCO is not empowered to approve alternative test methods or opacity limits.
- (b) “Air Pollution Control Officer” (APCO) - The person appointed to the position of Air Pollution Control Officer of the District pursuant to the provisions of California Health & Safety Code §40750 and his or her designee.
- (c) “District” - The Mojave Desert Air Quality Management District, the geographical area of which is described in District Rule 103.

- (d) “United States Environmental Protection Agency” (USEPA) - The agency or the Administrator of the United States Environmental Protection Agency.

(C) National Emission Standards for Hazardous Air Pollutants

- (1) Any owner or operator of any stationary source for which a standard is prescribed in any subpart of 40 CFR 61 and adopted herein by reference shall comply with the more stringent of the requirements found in the applicable subpart, the applicable law of the State of California or the applicable District Rules and Regulations.
- (2) The following provisions are hereby adopted by reference and are included as District Rules as if fully set forth herein:
 - (a) 40 CFR 61, Subpart A - General Provisions (Commencing with 40 CFR 61.01).
 - (b) 40 CFR 61, Subpart B - National Emission Standards for Radon Emissions From Underground Uranium Mines (Commencing with 40 CFR 61.20).
 - (c) 40 CFR 61, Subpart C - National Emission Standard for Beryllium (Commencing with 40 CFR 61.30).
 - (d) 40 CFR 61, Subpart D - National Emission Standard for Beryllium Rocket Motor Firing (Commencing with 40 CFR 61.40).
 - (e) 40 CFR 61, Subpart E - National Emission Standard for Mercury (Commencing with 40 CFR 61.50).
 - (f) 40 CFR 61, Subpart F - National Emission Standard for Vinyl Chloride (Commencing with 40 CFR 61.60).
 - (g) 40 CFR 61, Subpart G - Reserved.
 - (h) 40 CFR 61, Subpart H - National Emission Standards for Emissions of Radionuclides Other Than Radon From Department of Energy Facilities (Commencing with 40 CFR 61.90).
 - (i) 40 CFR 61, Subpart I - National Emission Standards for Radionuclide Emissions From Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Not Covered by Subpart H (Commencing with 40 CFR 61.100).

- (j) 40 CFR 61, Subpart J - National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene (Commencing with 40 CFR 61.110).
- (k) 40 CFR 61, Subpart K - National Emission Standards for Radionuclide Emissions From Elemental Phosphorus Plants (Commencing with 40 CFR 61.120).
- (l) 40 CFR 61, Subpart L - National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants (Commencing with 40 CFR 61.130).
- (m) 40 CFR 61, Subpart M - National Emission Standard for Asbestos (Commencing with 40 CFR 61.140).
- (n) 40 CFR 61, Subpart N - National Emission Standard for Inorganic Arsenic Emissions From Glass Manufacturing Plants (Commencing with 40 CFR 61.160).
- (o) 40 CFR 61, Subpart O - National Emission Standard for Inorganic Arsenic Emissions From Primary Copper Smelters (Commencing with 40 CFR 61.170).
- (p) 40 CFR 61, Subpart P - National Emission Standard for Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities (Commencing with 40 CFR 61.180).
- (q) 40 CFR 61, Subpart Q - National Emission Standards for Radon Emissions From Department of Energy Facilities (Commencing with 40 CFR 61.190).
- (r) 40 CFR 61, Subpart R - National Emission Standards for Radon Emissions From Phosphogypsum Stacks (Commencing with 40 CFR 61.200).
- (s) 40 CFR 61, Subpart S - Reserved.
- (t) 40 CFR 61, Subpart T - National Emission Standards for Radon Emissions From the Disposal of Uranium Mill Tailings (Commencing with 40 CFR 61.220).
- (u) 40 CFR 61, Subpart U - Reserved.
- (v) 40 CFR 61, Subpart V - National Emission Standard for Equipment Leaks (Fugitive Emission Sources) (Commencing with 40 CFR 61.240).

- (w) 40 CFR 61, Subpart W - National Emission Standards for Radon Emissions From Operating Mill Tailings (Commencing with 40 CFR 61.250).
- (x) 40 CFR 61, Subpart X - Reserved.
- (y) 40 CFR 61, Subpart Y - National Emission Standard for Benzene Emissions From Benzene Storage Vessels (Commencing with 40 CFR 61.270).
- (z) 40 CFR 61, Subpart Z - Reserved.
- (aa) 40 CFR 61, Subpart AA - Reserved.
- (bb) 40 CFR 61, Subpart BB - National Emission Standard for Benzene Emissions From Benzene Transfer Operations (Commencing with 40 CFR 61.300).
- (cc) 40 CFR 61, Subpart CC - Reserved.
- (dd) 40 CFR 61, Subpart DD - Reserved.
- (ee) 40 CFR 61, Subpart EE - Reserved.
- (ff) 40 CFR 61, Subpart FF - National Emission Standard for Benzene Waste Operations (Commencing with 40 CFR 61.340).

[SIP: Not SIP]

NOTE: *Copies of the CFR referenced in this Rule may be obtained on-line at:*
<http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=%2Findex.tpl> or
<http://www.gpoaccess.gov/cfr/retrieve.html>

Copies are available for review at many libraries and law libraries especially those with federal depository status. A tool to find the nearest federal depository library is available here:
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