

FILED WITH LRC
TIME: 2 pm
NOV 14 2016
Donna Little
REGULATIONS COMPILER

1 ENERGY AND ENVIRONMENT CABINET

2 Department for Environmental Protection

3 Division for Air Quality

4 (Amendment)

5 401 KAR 63:060. List of hazardous air pollutants, petitions process, lesser quantity designations,
6 and source category list.

7 RELATES TO: KRS 224.10-100, 224.20-110, 40 C.F.R. Part 63, Part 70, 42 U.S.C. 7401-
8 7671q

9 STATUTORY AUTHORITY: KRS 224.10-100, 224.20-110, 224.20-120

10 NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100(5)
11 authorizes[requires] the [~~Environmental and Public Protection~~]Cabinet to promulgate[prescribe]
12 administrative regulations for the prevention, abatement, and control of air pollution. This
13 administrative regulation provides the list of hazardous air pollutants pursuant to 42 U.S.C.
14 7412(b) as amended in 40 C.F.R. Part 63, Subpart C[~~the Federal Register, 61 FR 30823, June 18,~~
15 ~~1996~~] and the list of source categories and subcategories[~~, as published in the Federal Register, 57~~
16 ~~FR 31591, July 16, 1992~~].

17 Section 1. Definitions. As used in this administrative regulation, terms not defined in this
18 section shall have the meaning given to them in 40 C.F.R. 63.2[~~401 KAR 63:001~~].

19 (1) [~~"Act" means the Clean Air Act promulgated at 42 U.S.C. 7401-7671q, as amended by~~
20 ~~Pub.L. 101-549, November 15, 1990.~~

1 ~~(2) "Area source" means a stationary source of hazardous air pollutants that is not a major~~
2 ~~source.~~

3 ~~(3)~~ "Hazardous air pollutant" means a substance listed in Section 2 of this administrative
4 regulation.

5 (2) "MACT" means maximum achievable control technology;

6 ~~(3)~~~~(4)~~ "Major source" means any stationary source or group of stationary sources located
7 within a contiguous area and under common control that emits or has the potential to emit
8 considering controls, in the aggregate, ten (10) tons per year or more of a hazardous air pollutant or
9 twenty-five (25) tons per year or more of any combination of hazardous air pollutants, or a lesser
10 quantity which the cabinet may establish on the basis of the potency, persistence, potential for
11 bioaccumulation, or other characteristics or relevant factors pertaining to the pollutant.

12 (4) "NESHAP" means national emission standards for hazardous air pollutant.~~(5)~~
13 ~~"Stationary source" means a building, structure, facility, or installation which emits or may emit an~~
14 ~~air pollutant.]~~

15 Section 2. List of Hazardous Air Pollutants. The following chemicals are hazardous air
16 pollutants:

CAS number	Chemical name
75070	Acetaldehyde
60355	Acetamide
75058	Acetonitrile
98862	Acetophenone
53963	<u>2</u> -Acetylamino fluorene
107028	Acrolein

79061	Acrylamide
79107	Acrylic acid
107131	Acrylonitrile
107051	Allyl chloride
92671	4-Aminobiphenyl
62533	Aniline
90040	o-Anisidine
1332214	Asbestos
71432	Benzene (including benzene from gasoline)
92875	Benzidine
98077	Benzotrichloride
100447	Benzyl chloride
92524	Biphenyl
117817	Bis(2-ethylhexyl)phthalate (DEHP)
542881	Bis(chloromethyl)ether
75252	Bromoform
106990	1,3-Butadiene
156627	Calcium cyanamide
133062	Captan
63252	Carbaryl
75150	Carbon disulfide
56235	Carbon tetrachloride

463581	Carbonyl sulfide
120809	Catechol
133904	Chloramben
57749	Chlordane
7782505	Chlorine
79118	Chloroacetic acid
532274	2-Chloroacetophenone
108907	Chlorobenzene
510156	Chlorobenzilate
67663	Chloroform
107302	Chloromethyl methyl ether
126998	Chloroprene
1319773	Cresols/Cresylic acid (isomers and mixture)
95487	o-Cresol
108394	m-Cresol
106445	p-Cresol
98828	Cumene
94757	2,4-D, salts and esters
3547044	DDE
334883	Diazomethane
132649	Dibenzofurans
96128	1,2-Dibromo-3-chloropropane

84742	Dibutylphthalate
106467	1,4-Dichlorobenzene(p)
91941	3,3-Dichlorobenzidene
111444	Dichloroethyl ether (Bis(2-chloroethyl)ether)
542756	1,3-Dichloropropene
62737	Dichlorvos
111422	Diethanolamine
121697	N,N-Diethyl aniline (N,N-Dimethylaniline)
64675	Diethyl sulfate
119904	3,3-Dimethoxybenzidine
60117	Dimethyl aminoazobenzene
119937	3,3'-Dimethyl benzidine
79447	Dimethyl carbamoyl chloride
68122	Dimethyl formamide
57147	1,1-Dimethyl hydrazine
131113	Dimethyl phthalate
77781	Dimethyl sulfate
534521	4,6-Dinitro-o-cresol, and salts
51285	2,4-Dinitrophenol
121142	2,4-Dinitrotoluene
123911	1,4-Dioxane (1,4-Diethyleneoxide)
122667	1,2-Diphenylhydrazine

106898	Epichlorohydrin (1-Chloro-2,3-epoxypropane)
106887	1,2-Epoxybutane[epoxybutane]
140885	Ethyl acrylate
100414	Ethyl benzene
51796	Ethyl carbamate (Urethane)
75003	Ethyl chloride (Chloroethane)
106934	Ethylene dibromide (Dibromoethane)
107062	Ethylene dichloride (1,2-Dichloroethane)
107211	Ethylene glycol
151564	Ethylene imine (Aziridine)
75218	Ethylene oxide
96457	Ethylene thiourea
75343	Ethylidene dichloride (1,1-Dichloroethane)
50000	Formaldehyde
76448	Heptachlor
118741	Hexachlorobenzene
87683	Hexachlorobutadiene
77474	Hexachlorocyclopentadiene
67721	Hexachloroethane
822060	Hexamethylene-1,6-diisocyanate
680319	Hexamethylphosphoramide
110543	Hexane

302012	Hydrazine
7647010	Hydrochloric acid
7664393	Hydrogen fluoride (Hydrofluoric acid)
123319	Hydroquinone
78591	Isophorone
58899	Lindane (all isomers)
108316	Maleic anhydride
67561	Methanol
72435	Methoxychlor
74839	Methyl bromide (Bromomethane)
74873	Methyl chloride (Chloromethane)
71556	Methyl chloroform (1,1,1-Trichloroethane)
[78933	Methyl ethyl ketone (2-Butanone)]
60344	Methyl hydrazine
74884	Methyl iodide (Iodomethane)
108101	Methyl isobutyl ketone (Hexone)
624839	Methyl isocyanate
80626	Methyl methacrylate
1634044	Methyl tert butyl ether
101144	4,4-Methylene bis(2-chloroaniline)
75092	Methylene chloride (Dichloromethane)
101688	Methylene diphenyl diisocyanate (MDI)

101779	4,4'-Methylenedianiline
91203	Naphthalene
98953	Nitrobenzene
92933	4-Nitrobiphenyl
100027	4-Nitrophenol
79469	2-Nitropropane
684935	N-Nitroso-N-methylurea
62759	N-Nitrosodimethylamine
59892	N-Nitrosomorpholine
56382	Parathion
82688	Pentachloronitrobenzene (Quintobenzene)
87865	Pentachlorophenol
108952	Phenol
106503	p-Phenylenediamine
75445	Phosgene
7803512	Phosphine
7723140	Phosphorus
85449	Phthalic anhydride
1336363	Polychlorinated biphenyls (Arochlors)
1120714	1,3-Propane sultone
57578	beta-Propiolactone
123386	Propionaldehyde

114261	Propoxur (Baygon)
78875	Propylene dichloride (1,2-Dichloropropane)
75569	Propylene oxide
75558	1,2-Propylenimine (2-Methyl aziridine)
91225	Quinoline
106514	Quinone
100425	Styrene
96093	Styrene oxide
1746016	2,3,7,8-Tetrachlorodibenzo-p-dioxin
79345	1,1,2,2-Tetrachloroethane
127184	Tetrachloroethylene (Perchloroethylene)
7550450	Titanium tetrachloride
108883	Toluene
95807	2,4-Toluene diamine
584849	2,4-Toluene diisocyanate
95534	o-Toluidine
8001352	Toxaphene (chlorinated camphene)
120821	1,2,4-Trichlorobenzene
79005	1,1,2-Trichloroethane
79016	Trichloroethylene
95954	2,4,5-Trichlorophenol
88062	2,4,6-Trichlorophenol

121448	Triethylamine
1582098	Trifluralin
540841	2,2,4-Trimethylpentane
108054	Vinyl acetate
593602	Vinyl bromide
75014	Vinyl chloride
75354	Vinylidene chloride (1,1-Dichloroethylene)
1330207	Xylenes (isomers and mixture)
95476	o-Xylenes
108383	m-Xylenes
106423	p-Xylenes
0	Antimony Compounds
0	Arsenic Compounds (inorganic including arsine)
0	Beryllium Compounds
0	Cadmium Compounds
0	Chromium Compounds
0	Cobalt Compounds
0	Coke Oven Emissions
0	Cyanide Compounds ¹
0	Glycol ethers ²
0	Lead Compounds
0	Manganese Compounds

0	Mercury Compounds
0	Fine mineral fibers ¹
0	Nickel Compounds
0	Polycyclic Organic Matter ⁴
0	Radionuclides (including radon) ³
0	Selenium Compounds

1 Footnotes: For all listings above which contain the word "compounds" and for glycol
2 ethers, the following applies: Unless otherwise specified, these listings are defined as including
3 any unique chemical substance that contains the named chemical as part of that chemical's
4 infrastructure.

5 ¹ X'CN where X = H' or any other group where a formal dissociation may occur.

6 ² Glycol ethers include mono- and di-ethers of ethylene glycol, diethylene glycol, and
7 triethylene glycol R-(OCH₂CH₂)_n-OR'.

8 Where:

9 n = 1, 2, or 3;

10 R = alkyl C7 or less; or

11 R = phenyl or alkyl substituted phenyl;

12 R' = H or alkyl C7 or less; or

13 OR' consisting of carboxylic acid ester, sulfate, phosphate, nitrate, or sulfonate.

14 ³ Includes mineral fiber emissions from facilities manufacturing or processing glass, rock,
15 or slag fibers (or other mineral derived fibers) of average diameter one (1) micrometer or less.

16 ⁴ Includes organic compounds with more than one (1) benzene ring and which have a
17 boiling point greater than or equal to 100°C.

1 ⁵ A type of atom which spontaneously undergoes radioactive decay.

2 Section 3. List of Categories and Subcategories of Hazardous Air Pollutants. The following
3 are major and area source categories and subcategories:

4 (1) [Føø] major sources:[-]

5 (a) Aerospace industries;

6 (b) Asphalt processing and asphalt roofing manufacturing;

7 (c) Auto and light duty truck (surface coating);

8 (d) Boat manufacturing;

9 (e) Brick and structural clay products;

10 (f) Cellulose products manufacturing:

11 1. Cellulose ethers production:

12 a. Methyl cellulose;

13 b. Carboxymethylcellulose; or

14 c. Cellulose ethers; or

15 2. Miscellaneous viscose processes:

16 a. Cellulose food casing;

17 b. Rayon;

18 c. Cellulosic sponge; or

19 d. Cellophane;

20 (g) Chemical recovery combustion sources at kraft, soda, sulfite and stand-alone semi-
21 chemical pulp mills - MACT II;

22 (h) Chromium electroplating:

23 1. Chromic acid anodizing;

- 1 2. Decorative acid; or
- 2 3. Hard chromium electroplating;
- 3 (i) Clay ceramics ceramics manufacturing;
- 4 (j) Coke ovens: charging, top side and door leaks;
- 5 (k) Coke ovens: pushing, quenching and battery;
- 6 (l) Combustion turbines;
- 7 (m) Commercial sterilizers;
- 8 (n) Dry cleaning:
- 9 1. Commercial dry cleaning dry-to-dry;
- 10 2. Commercial dry cleaning transfer machines;
- 11 3. Industrial dry cleaning dry-to-dry; or
- 12 4. Industrial dry cleaning transfer machines;
- 13 (o) Engine test cells/stands;
- 14 (p) Fabric printing, coating, and dyeing;
- 15 (q) Ferroalloys production: silicomanganese and ferromanganese;
- 16 (r) Flexible polyurethane foam fabrication operations;
- 17 (s) Flexible polyurethane foam production;
- 18 (t) Friction materials manufacturing;
- 19 (u) Gasoline distribution (Stage 1);
- 20 (v) Generic MACT I:
- 21 1. Acetal resins production;
- 22 2. Acrylic fibers/modacrylic fibers production;
- 23 3. Hydrogen fluoride production; or

- 1 4. Polycarbonates production;
- 2 (w) Generic MACT II:
- 3 1. Carbon black production;
- 4 2. Spandex production;
- 5 3. Cyanide chemicals manufacturing; or
- 6 4. Ethylene processes;
- 7 (x) Hazardous waste combustors;
- 8 (y) Hydrochloric acid production;
- 9 (z) Industrial/commercial/institutional boilers and process heaters;
- 10 (aa) Industrial process cooling towers;
- 11 (bb) Integrated iron and steel manufacturing;
- 12 (cc) Iron and steel foundries;
- 13 (dd) Large appliance (surface coating);
- 14 (ee) Leather finishing operations;
- 15 (ff) Lime manufacturing;
- 16 (gg) Magnetic tapes (surface coating);
- 17 (hh) Manufacturing of nutritional yeast;
- 18 (ii) Marine vessel loading operations;
- 19 (jj) Metal can (surface coating);
- 20 (kk) Metal coil (surface coating);
- 21 (ll) Metal furniture (surface coating);
- 22 (mm) Mineral wool production;
- 23 (nn) Miscellaneous coatings manufacturing;

- 1 (oo) Miscellaneous metal parts and products (surface coating);
- 2 (pp) Miscellaneous organic chemical manufacturing:
- 3 1. Alkyd resins;
- 4 2. Ammonium sulfate production-caprolactum by-products;
- 5 3. Benzyltrimethylammonium chloride;
- 6 4. Carbonyl sulfide;
- 7 5. Chelating agents;
- 8 6. Chlorinated paraffins;
- 9 7. Ethylidene norbornene;
- 10 8. Explosives;
- 11 9. Hydrazine;
- 12 10. Maleic anhydride copolymers;
- 13 11. OBPA/1, 3-diisocyanate;
- 14 12. Photographic chemicals;
- 15 13. Phthalate plasticizers;
- 16 14. Polyester resins;
- 17 15. Polymerized vinylidene chloride;
- 18 16. Polymethyl methacrylate resins;
- 19 17. Polyvinyl acetate emulsions;
- 20 18. Polyvinyl alcohol;
- 21 19. Polyvinyl butyral;
- 22 20. Quaternary ammonium compounds;
- 23 21. Rubber chemicals; or

- 1 22. Symmetrical tetrachloropyridine;
- 2 (qq) Municipal solid waste landfills;
- 3 (rr) Off-Site waste and recovery operations;
- 4 (ss) Oil and natural gas production;
- 5 (tt) Organic liquids distribution (non-gasoline);
- 6 (uu) Paper and other web (surface coating);
- 7 (vv) Pesticide active ingredient production:
- 8 1. 4-chloro-2-methyl acid production;
- 9 2. 2,3 salts & esters production;
- 10 3. 4,6-dinitro-o-cresol production;
- 11 4. Butadiene furfural cotrimer;
- 12 5. Captafol production;
- 13 6. Captan production;
- 14 7. Chloroneb production;
- 15 8. Chlorothalonil production;
- 16 9. Dacthal (tm) production;
- 17 10. Sodium pentachlorophenate production; or
- 18 11. Tordon (tm) acid production;
- 19 (ww) Petroleum refineries - catalytic cracking units, catalytic reforming units, and sulfur
- 20 recovery units;
- 21 (xx) Petroleum refineries - other sources not distinctly listed;
- 22 (yy) Pharmaceuticals productions;
- 23 (zz) Phosphate fertilizers production and phosphoric acid manufacturing;

- 1 (aaa) Plastic parts and products (surface coating);
- 2 (bbb) Plywood and composite wood products;
- 3 (ccc) Polyether polyols production;
- 4 (ddd) Polymers and resins:
- 5 1. Butyl rubber;
- 6 2. Epichlorohydrin elastomers;
- 7 3. Ethylene-propylene rubber;
- 8 4. Hypalon (tm);
- 9 5. Neoprene;
- 10 6. Nitrile butadiene rubber;
- 11 7. Polybutadiene rubber;
- 12 8. Polysulfide rubber; or
- 13 9. Styrene-butadiene rubber and latex;
- 14 (eee) Polymers and resins II:
- 15 1. Epoxy resins; or
- 16 2. Non-nylon polyamides;
- 17 (fff) Polymers and resins III—Amino/phenolic resins;
- 18 (ggg) Polymers and resins IV:
- 19 1. Acrylonitrile-butadiene-styrene;
- 20 2. Methyl methacrylate-acrylonitrile-butadiene-styrene;
- 21 3. Methyl methacrylate-butadiene-styrene terpolymers;
- 22 4. Nitrile resins;
- 23 5. Polyethylene terephthalate;

- 1 6. Polystyrene; or
- 2 7. Styrene-acrylonitrile
- 3 (hhh) Polyvinyl chloride and copolymers;
- 4 (iii) Portland cement manufacturing;
- 5 (jjj) Primary aluminum;
- 6 (kkk) Primary copper smelting;
- 7 (lll) Primary lead smelting;
- 8 (mmm) Primary magnesium refining;
- 9 (nnn) Printing and publishing (surface coating);
- 10 (ooo) Publicly owned treatment works;
- 11 (ppp) Pulp and paper production (MACT I and III);
- 12 (qqq) Reciprocating internal combustion engines;
- 13 (rrr) Refractory products manufacturing;
- 14 (sss) Reinforced plastic composites production;
- 15 (ttt) Rubber tire manufacturing;
- 16 (uuu) Secondary aluminum production;
- 17 (vvv) Secondary lead smelting;
- 18 (www) Semiconductor manufacturing;
- 19 (xxx) Shipbuilding and ship repair (surface coating);
- 20 (yyy) Site remediation;
- 21 (zzz) Solvent extraction for vegetable oil production;
- 22 (aaaa) Steel pickling - HCl process facilities and hydrochloric acid regeneration plants;

1 (bbbb) Synthetic organic chemical manufacturing - hazardous organic NESHAP -
2 tetrahydrobenzaldehyde manufacture;
3 (cccc) Taconite iron ore processing;
4 (dddd) Wet-formed fiberglass mat production;
5 (eeee) Wood building products (surface coating);
6 (ffff) Wood furniture (surface coating); or
7 (gggg) Wool fiberglass manufacturing;
8 ~~[(a) Fuel combustion:~~
9 ~~1. Engine test facilities;~~
10 ~~2. Industrial boilers;~~
11 ~~3. Institutional/commercial boilers;~~
12 ~~4. Process heaters;~~
13 ~~5. Stationary internal combustion engines; and~~
14 ~~6. Stationary turbines.~~
15 ~~(b) Nonferrous metals processing.~~
16 ~~1. Primary aluminum production;~~
17 ~~2. Secondary aluminum production;~~
18 ~~3. Primary copper smelting;~~
19 ~~4. Primary lead smelting;~~
20 ~~5. Secondary lead smelting;~~
21 ~~6. Lead acid battery manufacturing; and~~
22 ~~7. Primary magnesium refining.~~
23 ~~(c) Ferrous metals processing.~~

- 1 ~~1. Coke by-product plants;~~
- 2 ~~2. Coke ovens: charging, top-side, and door leaks;~~
- 3 ~~3. Coke ovens: pushing, quenching, and battery stacks;~~
- 4 ~~4. Ferroalloys production;~~
- 5 ~~5. Integrated iron and steel manufacturing;~~
- 6 ~~6. Nonstainless steel manufacturing electric arc furnace (EAF) operation;~~
- 7 ~~7. Stainless steel manufacturing electric arc furnace (EAF) operation;~~
- 8 ~~8. Iron foundries;~~
- 9 ~~9. Steel foundries; and~~
- 10 ~~10. Steel pickling HCl process.~~
- 11 ~~(d) Mineral products processing.~~
- 12 ~~1. Alumina processing;~~
- 13 ~~2. Asphalt/coal, tar application metal pipes;~~
- 14 ~~3. Asphalt concrete manufacturing;~~
- 15 ~~4. Asphalt processing;~~
- 16 ~~5. Asphalt roofing manufacturing;~~
- 17 ~~6. Chromium refractories production;~~
- 18 ~~7. Clay products manufacturing;~~
- 19 ~~8. Lime manufacturing;~~
- 20 ~~9. Mineral wool production;~~
- 21 ~~10. Portland cement manufacturing;~~
- 22 ~~11. Taconite iron ore processing; and~~
- 23 ~~12. Wool fiberglass manufacturing.~~

- 1 ~~(e) Petroleum and natural gas production and refining.~~
- 2 ~~1. Oil and natural gas production;~~
- 3 ~~2. Petroleum refineries catalytic cracking (fluid and other) units, catalytic reforming units,~~
- 4 ~~and sulfur plant units; and~~
- 5 ~~3. Petroleum refineries other sources not distinctly listed.~~
- 6 ~~(f) Liquids distribution.~~
- 7 ~~1. Gasoline distribution (stage i); and~~
- 8 ~~2. Organic liquids distribution (nongasoline).~~
- 9 ~~(g) Surface coating processes.~~
- 10 ~~1. Aerospace industries;~~
- 11 ~~2. Auto and light duty truck (surface coating);~~
- 12 ~~3. Flat wood paneling (surface coating);~~
- 13 ~~4. Large appliance (surface coating);~~
- 14 ~~5. Magnetic tapes (surface coating);~~
- 15 ~~6. Manufacture of paints, coatings, and adhesives;~~
- 16 ~~7. Metal can (surface coating);~~
- 17 ~~8. Metal coil (surface coating);~~
- 18 ~~9. Metal furniture (surface coating);~~
- 19 ~~10. Miscellaneous metal parts and products (surface coating);~~
- 20 ~~11. Paper and other webs (surface coating);~~
- 21 ~~12. Plastic parts and products (surface coating);~~
- 22 ~~13. Printing, coating, and dyeing of fabrics;~~
- 23 ~~14. Printing/publishing (surface coating);~~

- 1 ~~15. Shipbuilding and ship repair (surface coating); and~~
- 2 ~~16. Wood furniture (surface coating).~~
- 3 ~~(h) Waste treatment and disposal:~~
- 4 ~~1. Hazardous waste incineration;~~
- 5 ~~2. Municipal landfills;~~
- 6 ~~3. Sewage sludge incineration;~~
- 7 ~~4. Site remediation;~~
- 8 ~~5. Solid waste treatment, storage and disposal facilities (tsdf); and~~
- 9 ~~6. Publicly owned treatment works (potw) emissions.~~
- 10 ~~(i) Agricultural chemicals production:~~
- 11 ~~1. 2,4 D salts and esters production;~~
- 12 ~~2. 4 Chloro 2 methylphenoxyacetic acid production;~~
- 13 ~~3. 4,6 Dinitro o cresol production;~~
- 14 ~~4. Captafol production;~~
- 15 ~~5. Captan production;~~
- 16 ~~6. Chloroneb production;~~
- 17 ~~7. Chlorothalonil production;~~
- 18 ~~8. Daethal (tm) production;~~
- 19 ~~9. Sodium pentachlorophenate production; and~~
- 20 ~~10. Tordon (tm) acid production.~~
- 21 ~~(j) Fibers production processes:~~
- 22 ~~1. Acrylic fibers/modacrylic fibers production;~~
- 23 ~~2. Rayon production; and~~

- 1 ~~3. Spandex production.~~
- 2 ~~(k) Food and agriculture processes.~~
- 3 ~~1. Baker's yeast manufacturing;~~
- 4 ~~2. Cellulose food casing manufacturing; and~~
- 5 ~~3. Vegetable oil production.~~
- 6 ~~(l) Pharmaceutical production processes: Pharmaceuticals production.~~
- 7 ~~(m) Polymers and resins production.~~
- 8 ~~1. Acetal resins production;~~
- 9 ~~2. Acrylonitrile butadiene styrene production;~~
- 10 ~~3. Alkyd resins production;~~
- 11 ~~4. Amino resins production;~~
- 12 ~~5. Boat manufacturing;~~
- 13 ~~6. Butadiene furfural copolymer (r-11);~~
- 14 ~~7. Butyl rubber production;~~
- 15 ~~8. Carboxymethylcellulose production;~~
- 16 ~~9. Cellophane production;~~
- 17 ~~10. Cellulose ethers production;~~
- 18 ~~11. Epichlorohydrin elastomers production;~~
- 19 ~~12. Epoxy resins production;~~
- 20 ~~13. Ethylene propylene elastomers production;~~
- 21 ~~14. Flexible polyurethane foam production;~~
- 22 ~~15. Hypalon (tm) production;~~
- 23 ~~16. Maleic anhydride copolymers production;~~

- 1 ~~17. Methylcellulose production;~~
- 2 ~~18. Methyl methacrylate acrylonitrile-butadiene-styrene production;~~
- 3 ~~19. Methyl methacrylate-butadiene-styrene terpolymers production;~~
- 4 ~~20. Neoprene production;~~
- 5 ~~21. Nitrile-butadiene-rubber production;~~
- 6 ~~22. Nonnylon polyamides production;~~
- 7 ~~23. Nylon-6 production;~~
- 8 ~~24. Phenolic resins production;~~
- 9 ~~25. Polybutadiene rubber production;~~
- 10 ~~26. Polycarbonates production;~~
- 11 ~~27. Polyester resins production;~~
- 12 ~~28. Polyethylene terephthalate production;~~
- 13 ~~29. Polymerized vinylidene chloride production;~~
- 14 ~~30. Polymethyl methacrylate resins production;~~
- 15 ~~31. Polystyrene production;~~
- 16 ~~32. Polysulfide rubber production;~~
- 17 ~~33. Polyvinyl acetate emulsions production;~~
- 18 ~~34. Polyvinyl alcohol production;~~
- 19 ~~35. Polyvinyl butyral production;~~
- 20 ~~36. Polyvinyl chloride and copolymers production;~~
- 21 ~~37. Reinforced plastic composites production;~~
- 22 ~~38. Styrene acrylonitrile production; and~~
- 23 ~~39. Styrene-butadiene rubber and latex production.~~

- 1 (n) Production of inorganic chemicals.
- 2 ~~1. Ammonium sulfate production captrolactam by products plants;~~
- 3 ~~2. Antimony oxides manufacturing;~~
- 4 ~~3. Chlorine production;~~
- 5 ~~4. Chromium chemicals manufacturing;~~
- 6 ~~5. Cyanuric chloride production;~~
- 7 ~~6. Fume silica production;~~
- 8 ~~7. Hydrochloric acid production;~~
- 9 ~~8. Hydrogen cyanide production;~~
- 10 ~~9. Hydrogen fluoride production;~~
- 11 ~~10. Phosphate fertilizers production;~~
- 12 ~~11. Phosphoric acid manufacturing;~~
- 13 ~~12. Quaternary ammonium compounds production;~~
- 14 ~~13. Sodium cyanide production; and~~
- 15 ~~14. Uranium hexafluoride production.~~
- 16 (e) Production of organic chemicals: Synthetic organic chemical manufacturing.
- 17 (p) Miscellaneous processes.
- 18 ~~1. Aerosol can filling facilities;~~
- 19 ~~2. Benzyltrimethylammonium chloride production;~~
- 20 ~~3. Butadiene dimers production;~~
- 21 ~~4. Carbonyl sulfide production;~~
- 22 ~~5. Chelating agents production;~~
- 23 ~~6. Chlorinated paraffins production;~~

- 1 ~~7. Chromic acid anodizing;~~
- 2 ~~8. Commercial dry cleaning (perchloroethylene) transfer machines;~~
- 3 ~~9. Commercial sterilization facilities;~~
- 4 ~~10. Decorative chromium electroplating;~~
- 5 ~~11. Dodecanedioic acid production;~~
- 6 ~~12. Dry cleaning (petroleum solvent);~~
- 7 ~~13. Ethylidene norbornene production;~~
- 8 ~~14. Explosives production;~~
- 9 ~~15. Halogenated solvent cleaners;~~
- 10 ~~16. Hard chromium electroplating;~~
- 11 ~~17. Hydrazine production;~~
- 12 ~~18. Industrial dry cleaning (perchloroethylene) transfer machines;~~
- 13 ~~19. Industrial dry cleaning (perchloroethylene) dry to dry machines;~~
- 14 ~~20. Industrial process cooling towers;~~
- 15 ~~21. Obpa/1,3 diisocyanate production;~~
- 16 ~~22. Paint stripper users;~~
- 17 ~~23. Photographic chemicals production;~~
- 18 ~~24. Phthalate plasticizers production;~~
- 19 ~~25. Plywood/particle board manufacturing;~~
- 20 ~~26. Polyether polyols production;~~
- 21 ~~27. Pulp and paper production;~~
- 22 ~~28. Rocket engine test firing;~~
- 23 ~~29. Rubber chemicals manufacturing;~~

- 1 ~~30. Semiconductor manufacturing;~~
- 2 ~~31. Symmetrical tetrachloropyridine production;~~
- 3 ~~32. Tire production; and~~
- 4 ~~33. Wood treatment.]~~
- 5 (2) [~~Fer~~] Area sources:[:]
- 6 (a) Acrylic fibers/modacrylic fibers production[~~Asbestos processing~~];
- 7 (b) Agricultural chemicals and pesticide manufacturing;
- 8 (c) Aluminum foundries;
- 9 (d) Asphalt processing and asphalt roofing manufacturing;
- 10 (e) Autobody refinishing paint shops;
- 11 (f) Carbon black production;
- 12 (g) Chemical manufacturing: Chromium compounds;
- 13 (h) Chemical preparations;
- 14 (i) Chromic acid anodizing;
- 15 (j) Clay products manufacturing (clay ceramics manufacturing);
- 16 ~~(k)[(e) Commercial dry cleaning (perchloroethylene) transfer machines;~~
- 17 ~~(d) Commercial dry cleaning (perchloroethylene) dry-to-dry machines;~~
- 18 ~~(e)] Commercial sterilization facilities;~~
- 19 (l) Copper foundries;
- 20 (m) Cyclic crude and intermediate production;
- 21 (n)[~~(f)~~] Decorative chromium electroplating;
- 22 (o) Dry cleaning facilities;
- 23 (p) Electrical and electronic equipment – finishing operations;

- 1 (q) Fabricated metal products;
- 2 (r) Fabricated plate work;
- 3 (s) Fabricated structural metal manufacturing;
- 4 (t) Ferroalloys production: Ferromanganese and Silicomanganese;
- 5 (u) Flexible polyurethane foam fabrication operations;
- 6 (v) Flexible polyurethane foam production;
- 7 (w) Gas distribution stage 1;
- 8 (x)[(g)] Halogenated solvent cleaners; [~~and~~]
- 9 (y)[(h)] Hard chromium electroplating;
- 10 (z) Hazardous waste incineration;
- 11 (aa) Heating equipment, except electric;
- 12 (bb) Hospital sterilizers;
- 13 (cc) Industrial boilers fired by coal, wood and oil;
- 14 (dd) Industrial inorganic chemical manufacturing;
- 15 (ee) Industrial machinery and equipment – finish operations;
- 16 (ff) Industrial organic chemical manufacturing;
- 17 (gg) Inorganic pigments manufacturing;
- 18 (hh) Institutional/commercial boilers fired by coal, wood and oil;
- 19 (ii) Iron and steel forging;
- 20 (jj) Iron foundries;
- 21 (kk) Lead acid battery manufacturing;
- 22 (ll) Medical waste incinerators;
- 23 (mm) Mercury cell chlor-alkali plants;

- 1 (nn) Miscellaneous organic NESHAP;
- 2 (oo) Municipal landfills;
- 3 (pp) Municipal waste combustors (MWC);
- 4 (qq) Nonferrous foundries;
- 5 (rr) Oil and natural gas production;
- 6 (ss) Paint strippers;
- 7 (tt) Paints and allied products manufacturing;
- 8 (uu) Pharmaceutical production;
- 9 (vv) Plastic materials and resins manufacturing;
- 10 (ww) Plastic parts and products (surface coating);
- 11 (xx) Plating and polishing;
- 12 (yy) Polyvinyl chloride and copolymers production;
- 13 (zz) Portland cement;
- 14 (aaa) Prepared feeds materials;
- 15 (bbb) Pressed and blown glass and glassware manufacturing;
- 16 (ccc) Primary copper (not subject to MACT);
- 17 (ddd) Primary metal products manufacturing;
- 18 (eee) Primary nonferrous metals (Zn, Cd and Be);
- 19 (fff) Public owned treatment works;
- 20 (ggg) Secondary copper smelting;
- 21 (hhh) Secondary lead smelting;
- 22 (iii) Secondary nonferrous metals;
- 23 (jjj) Sewage sludge incineration;

- 1 (kkk) Stainless and nonstainless steel manufacturing electric arc furnace;
- 2 (lll) Stationary internal combustion engines;
- 3 (mmm) Steel foundries;
- 4 (nnn) Synthetic rubber manufacturing;
- 5 (ooo) Valves and pipe fittings; or
- 6 (ppp) Wood preserving.

401 KAR 63:060 approved for filing.

11/8/2016
Date


Charles G. Snaveley, Secretary
Energy and Environment Cabinet

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation and the SIP Revision package for the amended administrative regulation will be held on December 22, 2016, at 10:00 a.m. (Eastern Time) in Conference Room 111 at 300 Sower Boulevard, Frankfort, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by December 15, 2016, five workdays prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing shall be cancelled, and notification of the cancellation shall be posted at <http://air.ky.gov/pages/publicnoticesandhearings.aspx>. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until December 31, 2016. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

This administrative regulation is contained in Kentucky's State Implementation Plan approved by US EPA. The SIP revision package for the amended regulation will be submitted to US EPA once the proposed amendments to this administrative regulation become effective.

The hearing facility is accessible to persons with disabilities. Requests for reasonable accommodations, including auxiliary aids and services necessary to participate in the hearing, may be made to the contact person at least five (5) workdays prior to the hearing.

CONTACT PERSON:

Cassandra Jobe, Supervisor
Division for Air Quality
300 Sower Blvd.
Frankfort, KY 40601
Phone: (502) 782-6670
Fax: (502) 564-4245
E-mail: Cassandra.Job@ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Administrative Regulation: 401 KAR 63:060

Contact Person: Cassandra Jobe

Phone: (502) 782-6670

E-mail: Cassandra.Jobes@ky.gov

- (1) Provide a brief summary of:
 - (a) What this administrative regulation does: This administrative regulation lists the compounds considered by the U.S. Environmental Protection Agency (EPA) to be hazardous air pollutants (HAPs) under Section 112 of the Clean Air Act. It also identifies the major and area source categories.
 - (b) The necessity of this administrative regulation: This administrative regulation is necessary because it provides a consolidated, up-to-date list of compounds considered hazardous air pollutants in accordance with Section 112 of the Clean Air Act.
 - (c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 224.10-100(5) authorizes the Energy and Environment Cabinet (Cabinet) to promulgate administrative regulations for the prevention, abatement, and control of air pollution. This administrative regulation establishes the list of hazardous air pollutants regulated under Section 112 of the Clean Air Act.
 - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation assists in the effective administration of the statute by consolidating the list of hazardous air pollutants.
- (2) If this is an amendment to an existing administrative regulation, provide a brief summary of:
 - (a) How the amendment will change this existing administrative regulation: The amendment changes the existing administrative regulation by updating the list of hazardous air pollutants and the list of major and area source categories to be consistent with U.S. EPA.
 - (b) The necessity of the amendment to this administrative regulation: The amendment to this administrative regulation is necessary to update the list of hazardous air pollutants to be consistent with 42 U.S.C. 7112(b) and 40 C.F.R. Part 63, Subpart C, and to update the list of major and area source categories. This amendment is necessary for the Cabinet to retain delegation of authority for the federal NESHAP program.
 - (c) How the amendment conforms to the content of the authorizing statutes: The amendment conforms to the authorizing statute by identifying a list of hazardous

air pollutants consistent with federal law.

- (d) How the amendment will assist in the effective administration of the statutes: This amendment will assist in the effective administration of the statute by updating the list of hazardous air pollutants and source categories to be consistent with U.S. EPA.
- (3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: There are no individuals, business, organizations, or state and local governments affected by this administrative regulation. This amendment updates the list of HAPs and source categories.
 - (4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:
 - (a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Entities will not have to take any action to directly comply with this administrative regulation. Regulated entities will be able to use this administrative regulation to determine if they emit hazardous air pollutants in quantities that trigger regulatory requirements under other administrative regulations promulgated by the cabinet.
 - (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There is no cost associated with this proposed amendment as it updates the lists of source categories and hazardous air pollutants. Entities will not have to take any action to directly comply with this administrative regulation.
 - (c) As a result of compliance, what benefits will accrue to the entities identified in question (3): As a result of this amendment, regulated entities will know exactly which emissions count as hazardous air pollutants, and will assist them in identifying other applicable administrative regulations.
 - (5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:
 - (a) Initially: The division will not incur any additional costs for the implementation of this administrative regulation.
 - (b) On a continuing basis: The division will not incur any additional costs for the implementation of this administrative regulation.
 - (6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The Division's current operating budget will be used for the implementation and enforcement of the amendment to this administrative regulation.

- (7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:
No increase in fees or funding is necessary to implement this administrative regulation.
- (8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish any fees, nor does it directly or indirectly increase any fees.
- (9) **TIERING:** Is tiering applied? (Explain why or why not) No, tiering is not applied. This administrative regulation contains the list of HAPs and source categories.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Administrative Regulation: 401 KAR 63:060

Contact Person: Cassandra Jobe

Phone: (502) 782-6670

E-mail: Cassandra.Job@ky.gov

- (1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?
The Division for Air Quality will continue to regulate sources of hazardous air pollutants based on the list of hazardous air pollutants contained in this administrative regulation.
- (2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.
KRS 224.10-100(5), 42 U.S.C. 7412(b), 40 C.F.R. Part 63, Subpart C
- (3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.
 - (a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?
The proposed administrative regulation will not generate revenue in the first year.
 - (b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?
The proposed administrative regulation will not generate revenue in subsequent years.
 - (c) How much will it cost to administer this program for the first year?
The Division for Air Quality's current operating budget will be used to administer the regulation of hazardous air pollutants for the first year.
 - (d) How much will it cost to administer this program for subsequent years?
The Division for Air Quality's operating budget will be used to administer the regulation of hazardous air pollutants for subsequent years.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

FEDERAL MANDATE ANALYSIS COMPARISON

Administrative Regulation: 401 KAR 63:060

Contact Person: Cassandra Jobe

Phone: (502) 782-6670

E-mail: Cassandra.Job@ky.gov

1. Federal statute or regulation constituting the federal mandate.

42 U.S.C. 7412(b) establishes the initial list of hazardous air pollutants. U.S. EPA promulgated the federal regulations in 40 C.F.R. Part 63, Subpart C pursuant to 42 U.S.C. 7412(b) to amend the list.

2. State compliance standards.

This administrative regulation establishes the list of hazardous air pollutants and source categories consistent with Section 112 of the Clean Air Act.

3. Minimum or uniform standards contained in the federal mandate.

42 U.S.C. 7412 lists compounds that U.S. EPA has recognized as hazardous air pollutants.

4. Will this administrative regulation impose stricter requirements, or additional or different responsibilities or requirements, than those required by the federal mandate?

No. This administrative regulation adopts the list in 42 U.S.C. 7412(b), as amended in 40 C.F.R. Part 63, Subpart C.

5. Justification for the imposition of the stricter standard, or additional or different responsibilities or requirements.

Stricter standards or additional or different responsibilities or requirements are not imposed.