

- 400-114 Requirements for Replacement or Substantial Alteration of Emission Control Technology at an Existing Stationary Source
- 400-151 Retrofit Requirements for Visibility Protection
- 400-161 Compliance Schedules
- 400-171 Public Involvement
- 400-190 Requirements for Nonattainment Areas
- 400-200 Creditable Stack Height and Dispersion Techniques
- 400-205 Adjustment for Atmospheric Conditions
- 400-210 Emission Requirements of Prior Jurisdiction
- 400-220 Requirements for Board Members
- 400-230 Regulatory Actions
- 400-240 Criminal Penalties
- 400-250 Appeals
- 400-260 Conflict of Interest

The following discussion of sections in SWAPCA Regulation 400, explains which sections EPA is approving, disapproving, or taking no action on. The following actions are being approved unless exceptions are noted:

Section 010—Policy and Purpose, explains SWAPCA's goals and policies. Section 020—Applicability, explains over what sources and area SWAPCA's regulations apply. EPA finds that Section 030—Definitions, are consistent with the requirements of 40 CFR Part 51, Subpart I, however the second sentences of definitions (14) Class I area and (43) Mandatory Class I area are not being acted on as they may create a future conflict if a SWAPCA source is found to affect a Class I area that is not listed. Section 030 Definition (78) SIP shall be approved as its changed to read “* * * and approved by EPA” rather than “* * * and submitted to EPA for approval”. Section 040—General Standards for Maximum Emissions, details the maximum emissions allowed within SWAPCA's jurisdiction for those emission units emitting criteria pollutants and that are not more specifically controlled by SWAPCA Sections 050 through 075. Section 040(1) (c) and (d) are being disapproved due to their allowance for the establishment of alternative opacity limits. EPA is also disapproving the exception provision of Section 040(6)(a) which provides an exception to the sulfur dioxide emission limitation. EPA is taking no action on Section 040(2) Fallout and Section 40(4) Odors as these provisions are not related to the criteria pollutants regulated under the SIP. Section 050—Emission Standards for Combustion and Incineration Units, contains more specific requirements

than Section 040, and is included for those emission units that incinerate or combust as part of their operation process, but the exception provision in paragraph (3) allows for the establishment of an alternative oxygen correction factor for combustion and incineration sources and is therefore being disapproved. Section 052—Stack Sampling of Major Combustion Sources, contains requirements for particular sources to monitor or conduct emissions testing in order to prove compliance for their applicable pollutants. Section 060—Emission Standards for General Process Units, explains the maximum particulate matter permitted for those process units not specifically covered in SWAPCA Sections 050 through 075 and references the procedures that may be used to determine source compliance. EPA is approving Section 070—Emission Standards for Certain Source Categories except for subsection (7)—Sulfuric Acid Plants, where no action is taken as it is not related to the criteria pollutants regulated under the SIP. No action is being taken on Section 075—Emission Standard for Sources Emitting Hazardous Air Pollutants because it has no relation to the criteria pollutants that are regulated under the SIP. Section 081—Startup and Shutdown, establishes a requirement that State and local air pollution control authorities consider any physical constraints on the ability of a source to comply with a standard whenever an authority promulgates a technology-based emission standard or makes a control technology determination. Where the authority determines that the source is not capable of achieving continuous compliance with a standard during startup or shutdown, the authority shall establish appropriate limitations to regulate the performance of the source during startup or shutdown conditions. Section 090—Voluntary Limits on Emissions, provides a mechanism for the owner or operator of a source to apply for, and obtain, enforceable conditions that limit the source's potential to emit. Section 100—Registration and Operating Permits, explains those sources that need to register with SWAPCA for operation. The portions that are not being acted on eliminate the requirement for operating program sources to pay a fee due to EPA's approval of SWAPCA's Operating Permit Program. Section 101—Sources Exempt From Registration Requirements, lists the emissions units that are exempt from registration with the Authority and the requirement to maintain sufficient documentation to prove such. Section 105—Records,

Monitoring and Reporting, explains the steps that notified sources must follow in order to comply with the applicable emission limitations and control measures required by SWAPCA. Section 107—Excess Emission, establishes requirements for reporting periods of excess emissions and the procedures and criteria for determining, in the context of an enforcement action, when such excess emissions are unavoidable and could therefore be excused and not subject to penalty. Section 110—New Source Review, includes the procedures for submittal of applications, making completeness determinations and final determinations, and appeals of orders of approval. Section 112—Requirements for New Sources in Nonattainment Areas, specifies the requirements for new and modified major and minor stationary sources proposing to locate in designated nonattainment areas. Section 113—Requirements for New Sources in Attainment or Nonclassifiable Areas, specifies the requirements for new and modified major and minor stationary sources located in attainment areas. Section 114—Requirements for Replacement or Substantial Alteration of Emission Control Technology at an Existing Stationary Source, explains the procedure that is to be followed when replacing or altering the emission control technology on an existing stationary source. EPA is taking no action on Section 115—Standards of Performance for New Sources, as this provision is not related to the criteria pollutants regulated under the SIP. EPA is disapproving the following: Section 120 Bubble Rules, Section 130 Acquisition and Use of Emission Reduction Credits, Section 131 Issuance of Emission Reduction Credits, and Section 136 Use of Emission Reduction Credits; as these regulations do not comply with the requirements of EPA's Final Emissions Trading Policy Statement (51 FR 43814) for source-specific alternative emission limits (bubbles) and creditable emission reductions for new source permitting. Section 141—Prevention of Significant Deterioration (PSD) is being disapproved as it does not meet the requirements of 40 CFR 51.166. Section 151—Retrofit Requirements for Visibility Protection, requires sources that may cause or contribute to impairment of visibility by emitting more than 250 tons/yr of any contaminant and affecting any mandatory Class I area to apply technology to reduce that impairment. Section 161—Compliance Schedules, allows SWAPCA to issue a schedule to sources violating an emission standard,