



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

Air Quality Board
Stephen C. Sands II, *Chair*
Kerry Kelly, *Vice-Chair*
Alan Matheson
Erin Mendenhall
Robert Paine III
Arnold W. Reitze Jr
Michael Smith
William C. Stringer
Karma M. Thomson
Bryce C. Bird,
Executive Secretary

DAQ-025-16a

UTAH AIR QUALITY BOARD MEETING

FINAL AGENDA

Wednesday, May 4, 2016 - 1:30 p.m.
195 North 1950 West, Room 1015
Salt Lake City, Utah 84116

- I. Call-to-Order
- II. Date of the Next Air Quality Board Meeting: June 1, 2016
- III. Approval of the Minutes for March 2, 2016, Working Lunch and Board Meeting.
- IV. Final Adoption: Amend R307-801. Utah Asbestos Rule. Presented by Ryan Stephens.
- V. Final Adoption: Amend R307-841-8. Renovator Certification and Dust Sampling Technician Certification. Presented by Ryan Stephens.
- VI. Propose for Public Comment: Amend R307-101-3. Version of Code of Federal Regulations Incorporated by Reference. Presented by Ryan Stephens.
- VII. Five-Year Review: R307-210. Stationary Sources. Presented by Ryan Stephens.
- VIII. Propose for Public Comment: R307-210. Stationary Sources. Presented by Ryan Stephens.
- IX. Propose for Public Comment: Amend R307-214. National Emission Standards for Hazardous Air Pollutants. Presented by Ryan Stephens.
- X. Informational Items.
 - A. SO₂ Milestone Report. Presented by Jay Baker.
 - B. Air Toxics. Presented by Robert Ford.
 - C. Compliance. Presented by Jay Morris and Harold Burge.
 - D. Monitoring. Presented by Bo Call.
 - E. Other Items to be Brought Before the Board.

In compliance with the American with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Ashley Nelson, Office of Human Resources at (801) 536-4413 (TDD 903-3978).

ITEM 3



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UTAH AIR QUALITY BOARD WORKING LUNCH

March 2, 2016 – 11:30 a.m.

Four Corners Conference Rooms – 4th Floor

195 North 1950 West

Salt Lake City, Utah 84116

DRAFT MINUTES

Board members present: Steve Sands, Alan Matheson, Erin Mendenhall, Robert Paine, Arnold Reitze, Michael Smith, William Stringer, and Karma Thomson

Excused: Kerry Kelly

A working lunch was held to conduct annual Open and Public Meetings Act training, provide a brief member orientation, and a SIP/rulemaking overview. No Board action items were discussed.

Craig Anderson, Chris Stephens, and Marina Thomas of the Environment Section of the Utah Attorney General's Office were introduced and gave an overview and answered questions of applicable law, the requirements of the ethics act, and conflicts of interest as they pertain to Board members.

Mark Berger, Air Quality Policy Section Manager at DAQ, discussed and answered question on the state implementation plan (SIP) development process. He explained that EPA promulgates a new standard for a criteria air pollutant and then promulgates an implementation rule for a SIP development process. EPA will then make a designation no later than two years following promulgation. Once an area is designated as nonattainment the state has three years to write and submit a SIP. In addition, any amendment to a SIP that has been submitted to EPA is a time consuming process, such as with the Subpart 4 PM2.5 SIP amendment which took one year. Mr. Berger also discussed with Board members Utah's SIP development schedule, included as a handout, and also a tentative 2016 schedule of rules planned to come before the Board for consideration.

Ryan Stephens, Environmental Planning Consultant at DAQ, went over the rulemaking process. He explained the Board has rulemaking authority under the Utah Air Conservation Act and its rulemaking authority is limited to certain types of air quality related rules, but is fairly expansive. Generally, the Board can adopt rules regarding the control, abatement, and prevention of air pollution from all sources and established air quality standards. Additional specific rulemaking powers can be found in statute. Mr. Stephens then gave a brief description of two ways rules are brought to the Board, rules proposed by staff and public petitions for rulemaking.



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UTAH AIR QUALITY BOARD MEETING

March 2, 2016 – 1:30 p.m.
195 North 1950 West, Room 1015
Salt Lake City, Utah 84116

DRAFT MINUTES

I. Call-to-Order

Steve Sands called the meeting to order at 1:30 p.m.

Board members present: Steve Sands, Kerry Kelly, Alan Matheson, Robert Paine, Arnold Reitze, Michael Smith, William Stringer, Karma Thomson, and Erin Mendenhall

Executive Secretary: Bryce Bird

II. Date of the Next Air Quality Board Meeting: May 4, 2016

The April 6, 2016, meeting was canceled.

III. Approval of the Minutes for February 3, 2016, Board Meeting.

A correction was made on page two under agenda item five to add “no” into the sentence that states, “EPA can longer...” The corrected wording is, “EPA can no longer...”

- Arnold Reitze moved to approve the minutes with the correction. William Stringer seconded. The Board approved in favor with Erin Mendenhall absent.

IV. Final Adoption: Amend R307-101-2. Definitions. Presented by Ryan Stephens.

Ryan Stephens, Environmental Planning Consultant at DAQ, stated that R307-101-2 was amended to reflect the date of the new PM₁₀ Maintenance Plan and to remove a reference to the Clean Air Act (CAA) as “amended in 1990.” The rule has been changed to reference the federal CAA as “found in 42.U.S.C. Chapter 85.” A 30 day public comment period was held, no comments were received, and no public hearing was requested. It was noted that the enactment or last substantive amendment date listed in the rule will be administratively changed by the Division of Administrative Rules to the date the rule amendment is adopted. Staff recommends that the Board adopt the amendments to R307-101-2, Definitions, as amended.

- Robert Paine moved for final adoption of R307-101-2, Definitions. Michael Smith seconded. The Board approved in favor with Erin Mendenhall absent.

V. Final Adoption: Amend R307-104. Conflict of Interest. Presented by Ryan Stephens.

Ryan Stephens, Environmental Planning Consultant at DAQ, stated that R307-104 satisfies Section 128(a)(2) of the CAA, which lays out provisions regarding conflicts of interests involving heads of executive agencies and certain state boards. DAQ staff worked with the Utah Attorney General's Office and the EPA to develop the language in this rule. There was a 30 day public comment period for this rule, no comments were received, and no hearing was requested. Staff recommends that the Board adopt new rule R307-104, Conflict of Interest.

- Arnold Reitze moved for final adoption of R307-104, Conflict of Interest. Kerry Kelly seconded. The Board approved in favor with Erin Mendenhall absent.

VI. Utah Physicians for a Healthy Environment, Western Resource Advocates, and HEAL Utah's Petition for a Rule Change. Presented by Petitioners and Ryan Stephens.

David McNeill, Planning Branch Manager at DAQ, stated that staff recommendation to deny the petitions is based on some of the constraints put upon the petition process by statute, which include issues of timing, format, and lack of evidence of need contained in the petitions. DAQ does recognize the tremendous effort the Petitioners put into developing these proposed rules and the importance of this process to help us all arrive at our common goal of clean air.

Erin Mendenhall enters the meeting.

Matt Pacenza, Executive Director of HEAL Utah, stated they challenge the assessment of DAQ that putting these rules out for comment would take months of research before DAQ could have the agency record and technical data needed to support these proposals. They feel that much of the work needed to put these proposed rules out for comment has already been done with the recent SIP work and they are unconvinced that months of additional labor would be required before comment can be gathered. They acknowledge that some additional work will be needed, in particular to the offset rule, but the work would not be wasted as was shown by the useful new information that was produced with just this process. In addition, DAQ has put out rules in the past that have not required such exhaustive analysis before they went out for public comment, for instance most recently with the water heater rule. The issues raised when the water heater rule was put out for public comment were pretty significant, which is an example of productive dialogue with stakeholders that could come as a result of putting these rules out for comment. Mr. Pacenza also stated as a stakeholder that has participated in both public processes, they are not convinced that evaluating these proposed rules within the context of SIP development is the correct process.

Joro Walker, with Western Resource Advocates, briefly commented on each of their proposed rules. If the standards that cover short terms are to be protected you need to limit emissions on a short term basis, which is the basis of their 24-hour rule. DAQ has said 24-hour averaging periods have been imposed on many of the SIP emission limits. This just shows that their proposed rule is reasonable and that it should be complied with. Their monitoring rule is an effort to ensure continuous compliance. This rule would take existing SIP limits and ensure that they are enforceable and frequent monitoring is necessary to show continuous compliance. DAQ stated that most of this work is being done and they have case-by-case justification where each of the monitoring regimes associated with the SIP sources is shown. The problem is that the public does not see that, and the public does have a role in these emission limits because they are part of a SIP.

Ms. Walker continued that their offset rule was essentially explored and rejected by DAQ as an alternative, and the public was not privy to the outcome of the analysis. In addition, DAQ has experience with a PM₁₀ offset rule and they would like to have DAQ address how the experience with the existing offset rule is relevant to their proposed offset rule. Finally, they do take economic development seriously but those concerns have to be based on data and they would like to see the data on that analysis. These petitions present a strong legal basis for their proposed rules. Their position is that they are required by the CAA. There is no dispute the next step to addressing air quality along the Wasatch Front is more restrictive, more expensive, and more complicated constraints and these rules are a good step in that direction.

Tim Wagner, Executive Director of Utah Physicians for Healthy Environment, stated that from a scientific and technical aspect these proposed rules are important, but another important component is the public's voice in all of this. The Petitioners to the Board today are just part of an effort to represent the public. They did a tremendous amount of outreach in the development of these proposals and have the support of a variety of different stakeholders who urge the Board to approve these rules for public comment.

Ryan Stephens, Environmental Planning Coordinator at DAQ, stated that rule petitions are allowed under the state rulemaking act. The rulemaking act gives an interested person the opportunity to request the making, amendment, or repeal of a rule. After the Board has received a petition, the Board has 80 days to act on a petition. The Board can either deny the request in writing or initiate rulemaking. In this case, the Board must act before April 4, 2016. The Petitioners have proposed three new rules that would amend or supplement existing rules applicable to the Salt Lake City, Provo, and Logan nonattainment areas. These proposed rules are: a 24-hour averaging period rule that would impose "short-term" emission limits and controls that are averaged over 24 hours or fewer on the stationary sources in the three nonattainment areas; a monitoring rule that would increase the frequency of the monitoring of emissions from individual sources in the three nonattainment areas; and an offset rule that would require a larger category of new and modified sources in the three nonattainment areas that seek to increase emissions of PM_{2.5} and PM_{2.5} precursors to obtain reductions in emissions from existing sources to offset these emission increases. DAQ has carefully reviewed the proposed rules and have provided a detailed analysis of each rule. Based on the reasons explained in the memorandum, staff recommends that the Board deny the petitions at this time, and that the Division work with the Petitioners to evaluate additional strategies in the context of SIP development.

After the presentations were completed, discussion on each of the proposed rules followed. The Board considered the language of the three petitions as submitted by the Petitioners and a memorandum from DAQ staff to the Board recommending denial of the petitions.

Some discussion on the 24-hour rule included that in regards to a general rule covering all sources, staff referred to the example in 1994 with the SIP at that time. In 1994 the general requirements were included in the SIP that could be updated in approval orders. EPA's current policy is that approval orders are not sufficient to establish SIP limits. This rulemaking process today, if approved, would add an interim step, but ultimately all of these proposed rules today would have to end up in a Part H requirement which is where emissions limits are established. Rulemaking on these proposed rules would probably delay the work planned this summer on the SIP because DAQ would be focusing efforts on implementing the rules first.

Discussion on the Monitoring rule inquired about how will there be 24-hour continuous monitoring when there is no technology and also what are the costs of doing this in relation to the environmental benefits. In response, the Petitioners stated that the monitoring rule would give the

Division Director a tremendous amount of discretion in determining that alternative mechanisms are adequate in order to demonstrate continuous compliance. The Division states they already do a case-by-case analysis. Petitioners responded that their proposed rule asks for that analysis to happen where the public can see it and at least allow an opportunity for the public to challenge one of those determinations. In addition, Petitioners were asked if there is any industry or sub-industry class identified that needs to have continuous emissions monitoring that doesn't already have that requirement built in the permitting system. Petitioners responded that they are not sure of a specific industry but they would like the opportunity to examine existing determinations to see if there's potential for additional monitoring and testing to gain public confidence. EPA research indicates that frequent monitoring does have the effect over time of reducing emissions. In discussion about what would be different if there was a separate rule that required a review versus the same analysis as is done as part of a SIP, it was stated that documentation is available for public review and if the public wanted to comment they could. Petitioners feel a separate rule would help public involvement with its reviews and comments by allowing a separate process outside of SIP development.

In discussion on the Offset rule, some points that were brought up were that the proposed Offset Rule views offsetting in the context of having market-based credits to offset an expansion above the threshold. There are currently zero offsets available in any air shed in the PM_{2.5} nonattainment SIP, even with the Petitioners suggested amendments to their proposed rule.

At the end of discussion, the Board chose to vote on each proposed rule separately. The voting resulted in denial of all three petitions. The Board will issue a written decision stating its reasons for denial which were based on the majority votes of the Board.

- Erin Mendenhall moved that the Board put the 24-hour Averaging Period Rule out for public comment. Robert Paine seconded. The Board denied the motion with four in favor (A. Reitze, E. Mendenhall, R. Paine, K. Kelly) and five against (M. Smith, S. Sands, K. Thomson, W. Stringer, and A. Matheson as tie-breaker).
- Erin Mendenhall moved that the Board put the Monitoring Rule out for public comment. Robert Paine seconded. The Board denied the motion with two in favor (E. Mendenhall and R. Paine) and six against (M. Smith, S. Sands, K. Thomson, W. Stringer, K. Kelly, and A. Reitze).
- Robert Paine moved that the Board deny the petition on the Offset Rule. Kerry Kelly seconded. The Board approved the motion unanimously.

VII. Informational Items.

A. Fugitive Dust Comment Cards. Presented by Mark Berger.

Mark Berger, Air Quality Policy Section Manager at DAQ, stated that for the last several months DAQ has received over 1,000 postcards asking the DAQ for a particulate monitor in Bluffdale and also to amend a portion of the fugitive dust rule, R307-309-5, which stems from concerns from emissions from gravel pit mining operations at point of the mountain. Mr. Berger explained that it is impractical for DAQ to place monitors at unique locations as requested. The monitor network is constrained by available resources, including staff time to run the instruments, and capital resources to pay for additional equipment. Utah's monitoring network currently meets federal requirements. Mr. Berger explained some concerns with the proposed language is that the rule does not outline how

to determine when wind speed requirements would be exceeded, the language added to contingency measures is too vague and unenforceable, and it is not clear if the rule is meant for active construction mining areas or for an entire site. In addition, currently R307-309 has been approved as part of the PM₁₀ State Implementation Plan as a reasonable available control technology (RACT) rule and current ambient monitors have not recorded any exceedances with the exception of exceptional events. Sources already have the option of ceasing or reducing dust operations and making this a requirement goes beyond RACT and therefore is not justifiable. Staff is currently in consultation with EPA regarding its submittal of the fugitive dust rule under the PM_{2.5} SIP. So as this rule is going to be reconsidered shortly, DAQ will make sure to include those interested parties who submitted comment cards in the pre-rule development process, which will include the consultation process with EPA.

B. Update on the National Air Toxics Monitoring Program Annual Report. Presented by Roman Kuprov.

Roman Kuprov, Environmental Scientist at DAQ, gave an update of EPA's 2012 annual toxics report summary as it relates to Utah. Currently, there are 64 monitoring stations across the nation that monitor hazardous air pollutants (HAPs). Utah's HAPs monitor was established in 2002 in Bountiful. This site is operated by the state but all of the analysis is done by the EPA. It was explained that two metrics, one in one million cancer risk and non-cancer risk, are associated with exposure to HAPs and also that in 2012 Utah had 21 HAPs that triggered one of the risk thresholds. Mr. Kuprov summarized the pollutants of interest with emphasis on the top five and their risk approximation and trends for Utah.

Currently, there are two toxics studies underway to better understand HAPs distribution and trends across the Wasatch Front and identify the emission sources. One is a Utah toxics study in which the Legislature awarded \$110,000 for research to determine the distribution, seasonal patterns, and the current levels of gaseous HAPs along the Wasatch Front. The study was for one year ending on January 1, 2016, during which toxics data was collected at three different locations. The data is expected to better clarify impacts from local large and small industries, transportation, and other urban activity on the detection frequencies and on the levels of HAPs. DAQ is processing and analyzing the data from this study and a report should be available in a few months. The second study is the result of a \$355,000 federal grant and is being done in collaboration with the University of Utah and Brigham Young University. They will be looking at the distribution of a wide array of real-time pollutants and HAPs on an hourly basis. The first phase of the study went from December 2015 to February 2016. The second phase will cover June to August 2016. The data from the wintertime air toxics composition will be compared with the summertime air toxics composition.

C. Air Toxics. Presented by Robert Ford.

D. Compliance. Presented by Jay Morris and Harold Burge.

E. Monitoring. Presented by Bo Call.

Bo Call, Air Monitoring Section Manager, updated the Board on monitoring graphs. There were high ozone levels in the Uinta Basin during February in which the standard was exceeded. There were some episodes in January when the PM_{2.5} standard was exceeded, and in February there was a period of time when an inversion hit the Wasatch

Front from about February 6 to February 16 and serious high values were recorded. Mr. Call also demonstrated with charts of Cache Valley and Hawthorne data beginning in 2004 through 2015 that we have increased the number of good days by a lot and by these charts it shows that the air has gotten a lot better over time, the plan works.

F. Other Items to be Brought Before the Board.

It was mentioned that in February, Kerry Kelly and Robert Paine gave a presentation at the University of Utah S.J. Quinney College of Law titled, "From Particles to People: Why Utah Struggles With Air Quality and How This Affect Human Health."

Meeting adjourned at 4:39 p.m.

DRAFT

ITEM 4



State of Utah

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DAQ-026-16

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Robert Ford, Air Toxics Lead-Based Paint, and Asbestos Section Manager

DATE: April 14, 2016

SUBJECT: FINAL ADOPTION: Amend R307-801. Utah Asbestos Rule.

On March 25, 2015, Governor Gary Herbert signed Utah House Bill 229 (H.B. 229), Air Quality Modifications, into law. H.B. 229 revised the statutory definition of Asbestos and modified the list of suspect asbestos-containing materials that need to be inspected for in residential structures. These modifications are found in Utah Code Annotated 19-2-102 and 19-2-104.

Amendments to R307-801 were originally proposed on October 7, 2015, and a 30-day comment period was held from November 1, 2015, through December 1, 2015. The Division of Air Quality (the Division) did not receive any comments during the comment period; however, members of the regulated community expressed concerns about the rule to Division staff after the comment period ended. Their concerns were focused on the standard in the rule for removing vermiculite, as contained in R307-801-13(10). In response to those concerns, the Division held a stakeholder's meeting on January 20, 2016.

During that meeting, the Division and the stakeholders came to an agreement to change the standard for removing vermiculite. As a result of the meeting, staff asked the Utah Air Quality Board (the Board) to revise the rule to give regulated entities the option to meet the standard "by following a work practice that has been established by the director or by an alternative work practice as approved by the director." The Division also recommended that the Board open a second 30-day public comment period on the proposed rule revision.

On February 3, 2016, the Board re-proposed the rule for public comment including changes discussed in the stakeholder meeting, and a second 30-day public comment period was held. Comments were received, but no hearing was requested. The Division's responses to the comments are attached. The changes in the rule that resulted from the stakeholder meeting can be found at R307-801-13(10).

The proposed rule amends R307-801, Utah Asbestos Rule, so that it reflects the changes enacted by H.B. 229 and includes the modifications recommended by the Division staff and the regulated community to help the Division administer the Utah Asbestos Program.

Staff Recommendation: Staff recommends that the Board adopt R307-801, including the changes that were made to R307-801-13(10).

Response to Comments

There were two commenters on the proposed amendments to R307-801. The first commenter was Steven Torman, who is a Building Official from the Ogden School District. The second commenter was Eldon Romney from Air Quality Consulting, LLC. Both commenters were concerned with DAQ's process of identifying issues with Title 19, Chapter 2 of the Utah Code as they relate to the state's asbestos program. DAQ met with the stakeholders to address their concerns, and committed to consult with them in the future regarding any proposed changes to the statute that would impact the regulated community. Because those comments do not address the rule, itself, they are not addressed below. The comments can be found in the Board packet. A summary of the comments and responses is provided below.

Summary of Comments and DAQ Responses

Comment: "Many of us in the regulated community have questioned the need to change the definition of asbestos to include "Libby amphibole" and then defining "Libby amphibole" to include six additional mineral types (R-307-801-3)."

DAQ Response: "Libby amphibole" was added to the Utah Asbestos Rule because it was required by H.B. 229. The legislation was enacted by the Utah State Legislature in an effort to further protect the public from loose fill vermiculite material. Salt Lake City, known as a Libby Montana sister site, had at least two locations that processed vermiculite. That material was used in homes and buildings as an insulation material throughout Utah. The purpose of regulating Libby amphibole is to protect homeowners, contractors, and the general public during renovation or demolition activities. R307-801-3 defines Libby amphibole by using six identifiable mineral types so that the Division can regulate it, as required by state law.

Comment: "In R307-801-8(2)(f), the change requires that course providers re-submit applications to provide asbestos courses every three years. That is overkill, and the reason proffered for this change was that it will ensure quality."

DAQ Response: The Division is not requesting that course materials be submitted every three years, but that the course materials are submitted in a time period not to exceed four years. This rule is similar to the requirements that are found in the Lead Based Paint Program. (R307-842-1(6)(a)). Re-accreditation requirements are put in place to ensure courses are up-to-date and of an acceptable quality.

Comments Received at the Division During Comment Period

1. Comment from Steven Torman

Gentlemen,

I have included comments from Mr. Eldon Romney below. As a School District Building Official It also concerns me that the DEQ has done this and has blindsided the Asbestos Advisory Council, by not discussing the issue and getting the information from those who are dealing with this on a daily basis. I do ask that you please consider the recommendations that Mr Romney has suggested.

Thank you for your time.

Steven L Torman
Ogden School District Building Official.

2. Comment from Eldon Romney

To the Air Quality Board:

First, I would like to address the process of making changes to the asbestos rule. DAQ approached Representative Edwards and requested changes to the rule without utilizing a long-standing resource that could have prevented a lot of the concern that exists now within certain members of the regulated community. That resource has been called the Asbestos Advisory Council,, theAsbestos Work Group and other names. It is comprised of volunteers with collective vast experience in all phases of asbestos; contractors, consultants, school officials, industry representatives and course providers. Had DAQ presented these changes to the group, they could have received free feedback and probably avoided the feeling in the regulated community that we were "blind-sided" by these proposed changes. This is especially poignant after having been told by ATLAS section employees for years the DAQ has a policy of not asking the Legislature directly for changes.

I request that DAQ adopt a policy in the future that all proposed changes to this rule be vetted by this group prior to going to the Legislature. The fact that DAQ has gone to the Legislature and made these changes without our input is an insult to the professional asbestos community; a community that wants and expects science-based solutions to science-based issues.

Many of us in the regulated community have questioned the need to change the definition ofasbestos to include "Libby amphibole" and then defining "Libby amphibole" to include six additional mineral types (R-307-801-3). We have asked why this was necessary and have been told, essentially, that the additional minerals are dangerous. We have asked what population is being protected by the new change and have been met with silence; there is apparently no scientific study showing any specific population that is at risk. Had we been given a chance to vet the issue earlier, we could have volunteered to provide inspection information and monitoring results from vermiculite projects that could have been considered prior to making changes. From what I can tell, this is regulation for regulation's sake.

Many of us feel that the fact that something is dangerous is not sufficient reason to regulate it. We should have some scientific data that supports the need for such a change. The fact that the Legislature has acted on DAQ's request does not mean our concern with how the rule was changed has ended.

In R-307-801-8.2(f) the change requires that course providers re-submit applications to provide asbestos courses every three years. That is overkill, and the reason proffered for this change was that it will ensure quality. The Division personnel audit the asbestos courses on a regular basis and receive course materials given to the students; further documentation does little to ensure quality. If the Division is concerned about providers that do not teach on a regular basis, then they should target providers that have not given a course in the last 3 or 4 years and not make a rule that necessitates all providers submitting redundant paperwork. As an instructor for asbestos courses for the University of Utah, Rocky Mountain Center for Occupational and Environmental Health, I do not see where re-submission at least every four years will really affect the course quality for good.

Many amendments to the initial proposed rule changes have taken place over the past 9 months or so. The process has been extremely time-consuming and cumbersome. Much of what we have had to do could have been much more effectively handled if the above-proposed group had been included in the process earlier on. We appreciate the fact that the ATLAS staff has listened to some of our concerns. There are other changes that DAQ apparently would like to make, and we feel it is imperative that we be included prior to DAQ approaching the Legislature. We also feel it is appropriate that DAQ and the regulated community conduct some research to provide scientific data to support any changes.

Thanks to the Air Quality Board for taking the time to consider these comments. I think all of us in the regulated community look forward to working with DAQ to make the asbestos rules sufficiently protective and workable.

Sincerely,

--

Eldon C. Romney, REHS, LEHS, CAC
Air Quality Consulting, LLC
1264 W. Pitchfork Road
Murray, UT 84123

1 **R307. Environmental Quality, Air Quality.**

2 **R307-801. Utah Asbestos Rule.**

3 **R307-801-1. Purpose and Authority.**

4 This rule establishes procedures and requirements for
5 asbestos abatement or renovation projects and training programs,
6 procedures and requirements for the certification of persons and
7 companies engaged in asbestos abatement or renovation projects,
8 and work practice standards for performing such projects. This
9 rule is promulgated under the authority of Utah Code Annotated 19-
10 2-104(1)(d), (3)(a)(iii), (3)(b)(iv)(A), (B), and (C), (3)(b)(v),
11 (6)(a), and (6)(b). Penalties are authorized by Utah Code
12 Annotated 19-2-115. Fees are authorized by Utah Code Annotated 19-
13 1-201(2)(i).

14

15 **R307-801-2. Applicability and General Provisions.**

16 (1) Applicability.

17 (a) The following persons are operators and are subject to
18 the requirements of R307-801:

19 (i) Persons who contract for hire to conduct asbestos
20 abatement, renovation, or demolition projects in regulated
21 facilities;

22 (ii) Persons who conduct asbestos abatement, renovation, or
23 demolition projects in areas where the general public has
24 unrestrained access;

25 (iii) Persons who conduct asbestos abatement, renovation, or
26 demolition projects in school buildings subject to AHERA or who
27 conduct asbestos inspections in facilities subject to TSCA Title
28 II; or

29 (iv) Persons who perform regulated work activities or
30 renovation projects in single or multifamily residential
31 structures where they do not live or intend to live immediately
32 after the regulated work activity or renovation project is
33 complete.

34 (b) The following persons are subject to certification
35 requirements:

36 (i) Persons required by TSCA Title II or R307-801 to be
37 accredited as inspectors, management planners, project designers,
38 renovators, asbestos abatement supervisors, or asbestos abatement
39 workers;

40 (ii) Persons who work on asbestos abatement projects as
41 asbestos abatement workers, asbestos abatement supervisors,
42 inspectors, project designers, or management planners;

43 (iii) Persons who perform regulated work activities or
44 renovation projects in single or multifamily residential
45 structures where they do not live or intend to live immediately

1 after the regulated work activity or project is complete; or

2 (iv) Companies that conduct asbestos abatement projects,
3 renovation projects, inspections, create project designs, or
4 prepare management plans in regulated facilities.

5 (c) Homeowners or condominium owners performing renovation
6 or demolition activities in or on their own residential facilities
7 where they live, that are otherwise not subject to the Asbestos
8 NESHAP, are not subject to the requirements of this rule, however,
9 a condominium complex of more than four units is subject to this
10 rule and may also be subject to the Asbestos NESHAP regulation.

11 (d) Contractors for hire performing renovation or demolition
12 activities are required to follow the inspection provisions of
13 R307-801-9 and R307-801-10 and the notification provisions of
14 R307-801-11 and R307-801-12.

15 (2) General Provisions.

16 (a) All persons who are required by R307-801 to obtain an
17 approval, certification, determination, or notification from the
18 director shall obtain it in writing.

19 (b) Persons wishing to deviate from the certification,
20 notification, work practices, or other requirements of R307-801
21 may do so only after requesting and obtaining the written approval
22 of the director.

23
24 **R307-801-3. Definitions.**

25 The following definitions apply to R307-801:

26 "Adequately Wet" means to sufficiently mix or penetrate with
27 liquid to prevent the release of particulates. If visible
28 emissions are observed coming from asbestos-containing material,
29 then that material is not adequately wet. However, the absence of
30 visible emissions is not sufficient evidence of being adequately
31 wet.

32 "Amended Water" means a mixture of water and a chemical
33 wetting agent that provides control of asbestos fiber release.

34 "AHERA" means the federal Asbestos Hazard Emergency Response
35 Act of 1986 and the Environmental Protection Agency implementing
36 regulations, 40 CFR Part 763, Subpart E - Asbestos-Containing
37 Materials in Schools.

38 "AHERA Facility" means any structure subject to the federal
39 AHERA requirements.

40 "Asbestos" means the asbestiform varieties of serpentine
41 (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite
42 (amosite), anthophyllite, actinolite-tremolite, and Libby
43 amphibole.

44 "Asbestos Abatement Project" means any activity involving the
45 removal, repair, demolition, salvage, disposal, cleanup, or other

1 disturbance of regulated asbestos-containing material greater than
2 the small scale short duration (SSSD) amount of asbestos-
3 containing material.

4 "Asbestos Abatement Supervisor" means a person who is
5 certified according to R307-801-6 and is responsible for ensuring
6 work is conducted in accordance with the regulations and best work
7 practices for asbestos abatement or renovation projects.

8 "Asbestos Abatement Worker" means a person who is certified
9 according to R307-801-6 and performs asbestos abatement or
10 renovation projects.

11 "Asbestos-Containing Material (ACM)" means any material
12 containing more than 1% asbestos by the method specified in 40 CFR
13 Part 763, Subpart E, Appendix E, Section 1, Polarized Light
14 Microscopy (PLM), or, if the asbestos content is greater than a
15 trace amount of asbestos, but less than 10% asbestos, the asbestos
16 concentration shall be determined by point counting using PLM or
17 any other method acceptable to the director.

18 "Asbestos-Containing Waste Material (ACWM)" means any waste
19 generated from regulated asbestos-containing material (RACM) that
20 contains any amount of asbestos and is generated by a source
21 subject to the provisions of R307-801. This term includes filters
22 from control devices, friable asbestos-containing waste material,
23 and bags or other similar packaging contaminated with asbestos. As
24 applied to demolition and renovation projects, this term also
25 includes regulated asbestos-containing material waste and
26 materials contaminated with asbestos including disposable
27 equipment and clothing.

28 "Asbestos Inspection" means any activity undertaken to
29 identify the presence and location, or to assess the condition, of
30 asbestos-containing material or suspected asbestos-containing
31 material, by visual or physical examination, or by collecting
32 samples of the material. This term includes re-inspections of the
33 type described in AHERA, 40 CFR 763.85(b), of known or assumed
34 asbestos-containing material which has been previously identified.
35 The term does not include the following:

36 (a) Periodic surveillance of the type described in AHERA, 40
37 CFR 763.92(b), solely for the purpose of recording or reporting a
38 change in the condition of known or assumed asbestos-containing
39 material;

40 (b) Inspections performed by employees or agents of federal,
41 state, or local government solely for the purpose of regulatory
42 oversight and/or determining compliance with applicable statutes
43 or regulations; or

44 (c) Visual inspections of the type described in AHERA, 40
45 CFR 763.90(i), solely for the purpose of determining completion of

1 response actions.

2 "Asbestos Inspection Report" means a written report as
3 specified in R307-801-10(6) describing an asbestos inspection
4 performed by a certified asbestos inspector.

5 "Asbestos NESHAP" means the National Emission Standards for
6 Hazardous Air Pollutants, 40 CFR Part 61, Subpart M, National
7 Emission Standard for Asbestos.

8 "Asbestos Removal" means the stripping of friable ACM from
9 regulated facility components or the removal of structural
10 components that contain or are covered with friable ACM from a
11 regulated facility.

12 "Category I Non-Friable Asbestos-Containing Material" means
13 asbestos-containing packings, gaskets, resilient floor coverings,
14 or asphalt roofing products containing more than 1% asbestos as
15 determined by using the method specified in 40 CFR Part 763,
16 Subpart E, Appendix E, Section 1, Polarized Light Microscopy
17 (PLM).

18 "Category II Non-Friable Asbestos-Containing Material" means
19 any material, excluding Category I non-friable ACM, containing
20 more than 1% asbestos as determined by using the methods specified
21 in 40 CFR Part 763, Subpart E, Appendix E, Section 1, Polarized
22 Light Microscopy (PLM) that, when dry, cannot be crumbled,
23 pulverized, or reduced to powder by hand pressure.

24 "Condominium" means a building or complex of buildings in
25 which units of property are owned by individuals and common parts
26 of the property, such as the grounds, common areas, and building
27 structure, are owned jointly by the condominium unit owners.

28 "Containerized" means sealed in a leak-tight and durable
29 container.

30 "Debris" means friable or regulated asbestos-containing
31 material that has been dislodged and has fallen from its original
32 substrate and position or which has fallen while remaining
33 attached to substrate sections or fragments.

34 "Demolition Project" means the wrecking, salvage, or removal
35 of any load-supporting structural member of a regulated facility
36 together with any related handling operations, or the intentional
37 burning of any regulated facility. This includes the moving of an
38 entire building, but excludes the moving of structures, vehicles,
39 or equipment with permanently attached axles, such as trailers,
40 motor homes, and mobile homes that are specifically designed to be
41 moved.

42 "Director" means the Director of the Utah Division of Air
43 Quality.

44 "Disturb" means to disrupt the matrix, crumble, pulverize, or
45 generate visible debris from ACM or RACM.

1 "Emergency Abatement or Renovation Project" means any
2 asbestos abatement or renovation project which was not planned and
3 results from a sudden, unexpected event that, if not immediately
4 attended to, presents a safety or public health hazard, is
5 necessary to protect equipment from damage, or is necessary to
6 avoid imposing an unreasonable financial burden as determined by
7 the director. This term includes operations necessitated by non-
8 routine failure of equipment, natural disasters, fire, or
9 flooding, but does not include situations caused by the lack of
10 planning.

11 "Encapsulant" means a permanent coating applied to the
12 surface of friable ACM for the purpose of preventing the release
13 of asbestos fibers. The encapsulant creates a membrane over the
14 surface (bridging encapsulant) or penetrates the material and
15 binds its components together (penetrating encapsulant).

16 "Friable Asbestos-Containing Material" means any asbestos-
17 containing material that, when dry, can be crumbled, pulverized,
18 or reduced to powder by hand pressure.

19 "Glove bag" means an impervious plastic bag-like enclosure,
20 not to exceed 60 x 60 inches, affixed around an asbestos-
21 containing material, with glove-like appendages through which
22 material and tools may be handled.

23 "General Building Remodeling Activities" means the alteration
24 in any way of one or more regulated structure components,
25 excluding asbestos abatement, renovation, and demolition projects.

26 "Government Official" means an engineer, building official,
27 or health officer employed by a governmental jurisdiction that has
28 a responsibility for public safety or health in the jurisdiction
29 where the structure is located.

30 "High-Efficiency Particulate Air (HEPA)" means a filtration
31 system capable of trapping and retaining at least 99.97% of all
32 mono-dispersed particles 0.3 micron in diameter.

33 "Inaccessible" means in a physically restricted or obstructed
34 area, or covered in such a way that detection or removal is
35 prevented or severely hampered.

36 "Inspector" means a person who is certified according to
37 R307-801-6, conducts asbestos inspections, or oversees the
38 preparation of asbestos inspection reports.

39 "Libby Amphibole" means loose-fill vermiculite type
40 insulation material originating in Libby, Montana, or elsewhere,
41 used in regulated facilities subject to this rule and has greater
42 than 1% asbestiform varieties of serpentine (chrysotile),
43 riebeckite (crocidolite), cummingtonite-grunerite (amosite),
44 anthophyllite, and actinolite-tremolite, as defined earlier in
45 this section, and winchite, richterite, tremolite, magnesio-

1 riebikite, magnesio-arfvedsonite, and edenite using United States
2 Environmental Protection Agency Method EPA/600/R93/116 or other
3 method as approved by the director.

4 "Management Plan" means a document that meets the
5 requirements of AHERA for management plans for asbestos in
6 schools.

7 "Management Planner" means a person who is certified
8 according to R307-801-6 and oversees the preparation of management
9 plans for school buildings subject to AHERA.

10 "Model Accreditation Plan (MAP)" means 40 CFR Part 763,
11 Subpart E, Appendix C, Asbestos Model Accreditation Plan.

12 "NESHAP Amount" means combined amounts in a project that
13 total:

14 (a) 260 linear feet (80 linear meters) of pipe covered with
15 RACM;

16 (b) 160 square feet (15 square meters) of RACM used to cover
17 or coat any duct, boiler, tank, reactor, turbine, equipment,
18 structural member, or regulated facility component; or

19 (c) 35 cubic feet (one cubic meter) of RACM removed from
20 regulated facility structural members or components where the
21 length and area could not be measured previously.

22 "NESHAP Facility" means any institutional, commercial,
23 public, industrial, or residential structure, installation, or
24 building, (including any structure, installation, or building
25 containing condominiums or individual dwelling units operated as a
26 residential co-operative, but excluding residential buildings
27 having four or fewer dwelling units); any ship; and any active or
28 inactive waste disposal site. For purposes of this definition, any
29 building, structure, or installation that contains a loft used as
30 a dwelling is not considered a residential structure,
31 installation, or building. Any structure, installation, or
32 building that was previously subject to the Asbestos NESHAP is not
33 excluded, regardless of its current use or function.

34 "NESHAP-Sized Project" means any project that involves at
35 least the NESHAP amount of ACM.

36 "Non-Friable Asbestos-Containing Material" means any material
37 containing more than 1% asbestos, as determined using the methods
38 specified in 40 CFR Part 763, Subpart E, Appendix E, Section 1,
39 Polarized Light Microscopy (PLM), that, when dry, cannot be
40 crumbled, pulverized, or reduced to powder by hand pressure.

41 "Open Top Catch Bag" means either an asbestos waste bag or
42 six mil polyethylene sheeting which is sealed at both ends and
43 used by certified asbestos abatement workers, in a manner not to
44 disturb the matrix of the asbestos-containing material, to collect
45 preformed RACM pipe insulation in either a crawl space or pipe

1 chase less than six feet high or less than three feet wide.

2 "Phased Project" means either an asbestos abatement,
3 renovation, or demolition project that contains multiple start and
4 stop dates corresponding to separate operations or areas where the
5 entire asbestos abatement, renovation, or demolition project
6 cannot or will not be performed continuously.

7 "Preformed RACM Pipe Insulation" means prefabricated
8 asbestos-containing thermal system insulation on pipes formed in
9 sections that can be removed without disturbing the matrix of the
10 asbestos-containing material.

11 "Project Designer" means a person who is certified according
12 to R307-801-6 and prepares a design for an asbestos abatement
13 project in school buildings subject to AHERA or prepares an
14 asbestos clean-up plan in a regulated facility where an asbestos
15 disturbance greater than the SSSD amount has occurred.

16 "Regulated Asbestos-Containing Material (RACM)" means friable
17 ACM, Category I non-friable ACM that has become friable, Category
18 I non-friable ACM that will be or has been subjected to sanding,
19 grinding, cutting, or abrading, or Category II non-friable ACM
20 that has a high probability of becoming or has become crumbled,
21 pulverized, or reduced to powder by the forces expected to act on
22 the material in the course of demolition or renovation project
23 operations.

24 "Regulated Facilities" means residential facilities, AHERA
25 facilities, or NESHAP facilities where:

26 (a) A sample has been identified and analyzed to contain, or
27 is assumed under R307-801-10(5) to contain, greater than 1%
28 asbestos; and

29 (b) The material from where the sample was collected will be
30 disturbed and rendered friable during the abatement, demolition,
31 or renovation activities.

32 "Regulated Facility Component" means any part of a regulated
33 facility including equipment.

34 "Renovation Project" means any activity involving the
35 removal, repair, salvage, disposal, cleanup, or other disturbance
36 of greater than the SSSD amount of RACM, but less than the NESHAP
37 amount of RACM, and the intent of the project is not asbestos
38 abatement or demolition. Renovation Projects can be performed in
39 NESHAP or residential facilities, but cannot be performed in AHERA
40 facilities.

41 "Renovator" means a person who is certified according to
42 R307-801-6 and is responsible for ensuring work that is conducted
43 on a renovation project is performed in accordance with the
44 regulatory requirements and best work practices for a greater than
45 the SSSD amount of RACM, but less than the NESHAP amount of RACM,

1 where the intent of the project is to perform a renovation project
2 and not to perform an asbestos abatement or demolition project.
3 Renovation projects can be performed in NESHAP or residential
4 facilities but cannot be performed in AHERA facilities.

5 "Residential Facility" means a building used primarily for
6 residential purposes, has four or fewer units, is otherwise not
7 subject to the Asbestos NESHAP, and is not a residential
8 outbuilding structure of less than 100 square feet.

9 "Small-Scale, Short-Duration (SSSD)" means a project that
10 removes or disturbs less than three square feet or three linear
11 feet of RACM in a regulated facility.

12 "Sprayed-on or Painted-on Ceiling Treatment" means a
13 surfacing material or treatment that has been applied to the
14 ceiling regardless of application method. The application of paint
15 that has no added materials is not considered a ceiling treatment.

16 "Strip" means to take off ACM from any part of a regulated
17 facility or a regulated facility component.

18 "Structural Member" means any load-supporting member of a
19 regulated facility, such as beams and load-supporting walls or any
20 non-load supporting member, such as ceilings and non-load
21 supporting walls.

22 "Suspect or Suspected Asbestos-Containing Material" means all
23 building materials that have the potential to contain asbestos,
24 except building materials made entirely of glass, fiberglass,
25 wood, metal, or rubber.

26 "Training Hour" means at least 50 minutes of actual learning,
27 including, but not limited to, time devoted to lecture, learning
28 activities, small group activities, demonstrations, evaluations,
29 and hands-on experience.

30 "TSCA" means the Toxic Substances Control Act.

31 "TSCA Accreditation" means successful completion of training
32 as an inspector, management planner, project designer, contractor-
33 supervisor, or worker, as specified in the TSCA Title II.

34 "TSCA Title II" means 15 U.S.C. 2601 et seq., Toxic
35 Substances Control Act, Subchapter II - Asbestos Hazard Emergency
36 Response.

37 "Unrestrained Access" means without fences, closed doors,
38 personnel, or any other method intended to restrict public entry.

39 "Waste Generator" means any owner or operator of an asbestos
40 abatement or renovation project covered by R307-801 whose act or
41 process produces ACWM.

42 "Working Day" means weekdays, Monday through Friday,
43 including holidays.

44
45 **R307-801-4. Adoption and Incorporation of 40 CFR 763 Subpart E.**

1 (1) The provisions of 40 CFR 763 Subpart E, including
2 appendices, effective as of the date referenced in R307-101-3, are
3 hereby adopted and incorporated by reference.

4 (2) Implementation of the provisions of 40 CFR Part 763,
5 Subpart E, except for the Model Accreditation Plan, shall be
6 limited to those provisions for which the EPA has waived its
7 requirements in accordance with 40 CFR 763.98, Waiver; delegation
8 to State, as published at 52 FR 41826, (October 30, 1987).

9
10 **R307-801-5. Company Certification.**

11 (1) All persons shall operate under:

12 (a) An asbestos company certification before contracting for
13 hire, at a regulated facility, to conduct asbestos inspections,
14 create management plans, create project designs, or conduct
15 asbestos abatement projects, or

16 (b) Either an asbestos renovation company certification or
17 asbestos company certification before contracting for hire to
18 conduct asbestos abatement or renovation projects at a regulated
19 facility.

20 (2) To obtain an asbestos company certification or an
21 asbestos
22 renovation company certification, all persons shall submit a
23 properly completed application for certification on a form
24 provided by the director and pay the appropriate fee.

25 (3) Unless revoked or suspended, an asbestos company
26 certification or an asbestos renovation company certification
27 shall remain in effect until the expiration date provided by the
28 director.

29
30 **R307-801-6. Individual Certification.**

31 (1) All persons shall have an individual certification to
32 conduct asbestos inspections, create management plans, create
33 project designs, conduct asbestos renovation projects, or conduct
34 asbestos abatement projects at a regulated facility.

35 (2) To obtain certification as an asbestos abatement worker,
36 asbestos abatement supervisor, inspector, project designer,
37 renovator, or management planner, each person shall:

38 (a) Provide personal identifying information;

39 (b) Pay the appropriate fee;

40 (c) Complete the appropriate form or forms provided by the
41 director;

42 (d) Provide certificates of initial and current refresher
43 training, if applicable, that demonstrates accreditation in the
44 appropriate discipline. Certificates from courses approved by the
45 director, courses approved in a state that has an accreditation

1 program that meets the TSCA Title II Appendix C Model
2 Accreditation Plan (MAP), or courses that are approved by EPA
3 under TSCA Title II are acceptable unless the director has
4 determined that the course does not meet the requirements of TSCA
5 accreditation training required by R307-801; and

6 (e) Complete a new initial training course as required by
7 the AHERA MAP, or for the renovator certification, R307-801, if
8 there is a period of more than one year from the previous initial
9 or refresher training certificate expiration date.

10 (3) Duration and Renewal of Certification.

11 (a) Unless revoked or suspended, a certification shall
12 remain in effect until the expiration date of the current
13 certificate of TSCA accreditation for the specific discipline.

14 (b) To renew certification, the individual shall:

15 (i) Submit a properly completed application for renewal on a
16 form provided by the director;

17 (ii) Submit a current certificate of TSCA accreditation, or
18 for the renovator certification, a training certificate from a
19 renovator course accredited by the director, for initial or
20 refresher training in the appropriate discipline; and

21 (iii) Pay the appropriate fee.

22
23 **R307-801-7. Denial and Cause for Suspension and Revocation of**
24 **Company and Individual Certifications.**

25 (1) An application for certification may be denied if the
26 individual, applicant company, or any principal officer of the
27 applicant company has a documented history of non-compliance with
28 the requirements, procedures, or standards established by R307-
29 801, R307-214-1, which incorporates the Asbestos NESHAP, AHERA, or
30 with the requirements of any other entity regulating asbestos
31 activities and training programs.

32 (2) The director may revoke or suspend any certification
33 based upon documented violations of any requirement of R307-801,
34 AHERA, or the Asbestos NESHAP, including but not limited to:

35 (a) Falsifying or knowingly omitting information in any
36 written submittal required by those regulations;

37 (b) Permitting the duplication or use of a certificate of
38 TSCA accreditation for the purpose of preparing a falsified
39 written submittal; or

40 (c) Repeated work practice violations.

41
42 **R307-801-8. Approval of Training Courses.**

43 (1) To obtain approval of a training course, the course
44 provider shall provide a written application to the director that
45 includes:

1 (a) The name, address, telephone number, and institutional
2 affiliation of the person sponsoring the course;

3 (b) The course curriculum;

4 (c) A letter that clearly indicates how the course meets the
5 Model Accreditation Plan (MAP) and R307-801 requirements for
6 length of training in hours, amount and type of hands-on training,
7 examinations (including length, format, example of examination or
8 questions, and passing scores), and topics covered in the course;

9 (d) A copy of all course materials, including student
10 manuals, instructor notebooks, handouts, etc.;

11 (e) The names and qualifications of all course instructors,
12 including all academic credentials and field experience in
13 asbestos abatement projects, inspections, project designs,
14 management planning, or renovation projects;

15 (f) An example of numbered certificates issued to students
16 who attend the course and pass the examination. The certificate
17 shall include a unique certificate number; the name of the
18 student; the name of the course completed; the dates of the course
19 and the examination; an expiration date one year from the date the
20 student completed the course and examination, or for the purposes
21 of the renovator course, a progressive lengthening of the
22 refresher training schedule of one year after the initial
23 training, three years after the first refresher training, and five
24 years after the second refresher training and all subsequent
25 refresher training courses; the name, address, and telephone
26 number of the training provider that issued the certificate; and a
27 statement that the person receiving the certificate has completed
28 the requisite training for TSCA or director accreditation;

29 (g) A written commitment from the training provider to teach
30 the submitted training course(s) in Utah on a regular basis; and

31 (h) Payment of the appropriate fee.

32 (2) To maintain approval of a training course, the course
33 provider shall:

34 (a) Provide training that meets the requirements of R307-801
35 and the MAP;

36 (b) Provide the director with the names, government-issued
37 picture identification card number, and certificate numbers of all
38 persons successfully completing the course within 30 working days
39 of successful completion;

40 (c) Keep the records specified for training providers in the
41 MAP for three years;

42 (d) Permit the director or authorized representative to
43 attend, evaluate, and monitor any training course without
44 receiving advance notice from the director and without charge to
45 the director; and

1 (e) Notify the director of any new course instructor ten
2 working days prior to the day the new instructor presents or
3 teaches any course for Renovator or TSCA Accreditation purposes.
4 The training notification form shall include:

5 (i) The name and qualifications of each course instructor,
6 including appropriate academic credentials and field experience in
7 asbestos abatement projects, inspections, management plans,
8 project designs, or renovations; and

9 (ii) A list of the course(s) or specific topics that will be
10 taught by the instructor.

11 (f) Submit the initial or refresher course materials
12 required by R307-801-8(1) to the director for course re-
13 accreditation in a time period not to exceed four years.

14 (3) All course providers that provide an AHERA or Renovator
15 training course or refresher course in the state of Utah shall:

16 (a) Notify the director of the location, date, and time of
17 the course at least ten working days before the first day of the
18 course;

19 (b) Update the training notification form as soon as
20 possible before, but no later than one day before the original
21 course date if the course is rescheduled or canceled before the
22 course is held; and

23 (c) Allow the director or authorized representative to
24 conduct an audit of any course provided to determine whether the
25 course provider meets the requirements of the MAP and of R307-801.

26 (4) Renovator Certification Course. The renovator
27 certification course shall be a minimum of eight training hours,
28 with a minimum of two hours devoted to hands-on training
29 activities, and shall include an examination of at least 25
30 questions that the student shall pass with a 70% or greater
31 proficiency rate. Instruction in the topics described in R307-801-
32 8(4)(c), (d), and (e) shall be included in the hands-on portion of
33 the course. The minimum curriculum requirements for the renovator
34 certification course shall adequately address the following
35 topics:

36 (a) The physical characteristics of asbestos and asbestos-
37 containing materials, including identification of asbestos,
38 aerodynamic characteristics, typical uses, physical appearance, a
39 review of hazard assessment considerations, and a summary of
40 renovation project control options;

41 (b) Potential health effects related to asbestos exposure,
42 including the nature of asbestos-related diseases, routes of
43 exposure, dose-response relationships and the lack of a safe
44 exposure level, synergism between cigarette smoking and asbestos
45 exposure, and latency period for diseases;

1 (c) Personal protective equipment, including selection of
2 respirator and personal protective clothing, and handling of non-
3 disposable clothing;

4 (d) State-of-the-art work practices, including proper work
5 practices for renovation projects, including descriptions of
6 proper construction and maintenance of barriers and
7 decontamination enclosure systems, positioning of warning signs,
8 lock-out of electrical and ventilation systems, proper working
9 techniques for minimizing fiber release, use of wet methods, use
10 of negative pressure exhaust ventilation equipment, use of HEPA
11 vacuums, and proper clean-up and disposal procedures and state-of-
12 the-art work practices for removal, encapsulation, enclosure, and
13 repair of ACM, emergency procedures for unplanned releases,
14 potential exposure situations, transport and disposal procedures,
15 and recommended and prohibited work practices. New renovation
16 project techniques and methodologies may be discussed;

17 (e) Personal hygiene, including entry and exit procedures
18 for the work area, methods of decontamination, avoidance of
19 eating, drinking, smoking, and chewing (gum or tobacco) in the
20 work area, and methods to limit exposures to family members;

21 (f) Medical monitoring, including OSHA requirements for
22 physical examinations, including a pulmonary function test, chest
23 x-rays, and a medical history for each employee;

24 (g) Relevant federal and state regulatory requirements,
25 procedures, and standards, including:

26 (i) OSHA standards for permissible exposure to airborne
27 concentrations of asbestos fibers and respiratory protection (29
28 CFR 1910.134);

29 (ii) OSHA Asbestos Construction Standard (29 CFR 1926.1101);
30 and

31 (iii) UAC R307-801 Utah Asbestos Rule.

32 (h) Recordkeeping and notification requirements for
33 renovation projects including records and project notification
34 forms required by state regulations and records recommended for
35 legal and insurance purposes;

36 (i) Supervisory techniques for renovation projects,
37 including supervisory practices to enforce and reinforce the
38 required work practices and discourage unsafe work practices; and

39 (j) Course review, including a review of key aspects of the
40 training course.

41 (5) Renovator Recertification Course. The renovator
42 recertification course shall be a minimum of four hours, shall
43 adequately address changes in the federal regulations, state
44 administrative rules, state-of-the-art developments, appropriate
45 work practices, employee personal protective equipment,

1 recordkeeping, and notification requirements for renovation
2 projects, and shall include a course review.

3
4 **R307-801-9. Asbestos Abatement, Renovation, and Demolition**
5 **Projects: Requirement to Inspect.**

6 (1) Applicability. Contractors are required to have an
7 asbestos inspection performed by a Utah certified asbestos
8 inspector working for a Utah certified asbestos company. The
9 asbestos inspection report shall be on-site and available when
10 regulated work activities are being performed. Owners of
11 residential structures including condominium owners of four units
12 or less, not otherwise subject to the Asbestos NESHAP, are not
13 required to perform asbestos inspections. Owners of a condominium
14 complex of more than four units are subject to R307-801, may also
15 be subject to the Asbestos NESHAP, but are required to perform
16 asbestos inspections.

17 (2) Except as described in R307-801-9(1) and 9(3), the owner
18 and operator shall ensure that the regulated facility to be
19 demolished, abated, or renovated is thoroughly inspected for
20 asbestos-containing material by an inspector certified under the
21 provisions of R307-801-6. An asbestos inspection report shall be
22 generated according to the provisions of R307-801-10 and completed
23 prior to the start of the asbestos abatement, renovation, or
24 demolition project if materials required to be identified in R307-
25 801-10(3) will be disturbed during that project. The operator
26 shall make the asbestos inspection report available on-site to all
27 persons who have access to the site for the duration of the
28 renovation, abatement, or demolition project, and to the director
29 or authorized representative upon request.

30 (3) If the regulated facility has been ordered to be
31 demolished because it is found by a government official to be
32 structurally unsound and in danger of imminent collapse or a
33 public health hazard, the operator may demolish the regulated
34 facility without having the regulated facility inspected for
35 asbestos. If no asbestos inspection is conducted, the operator
36 shall:

37 (a) Ensure that all resulting demolition project debris is
38 disposed of as asbestos-containing waste material (ACWM) according
39 to R307-801-14

40 ; or

41 (b) reduce the amount of ACWM by segregating the ACWM from
42 non-ACWM debris under the direction of an asbestos inspector
43 certified according to R307-801-6 working for a company certified
44 according to R307-801-5 and clean and encapsulate non-porous
45 debris as non-ACWM by asbestos abatement supervisors or asbestos

1 abatement workers who are certified according to R307-801-6 and
2 working for a company certified according to R307-801-5.

3 (4) If an asbestos inspection report older than three years
4 will be used for a regulated asbestos renovation, abatement, or
5 demolition activity, the asbestos inspection report shall be
6 reviewed and updated, as necessary, by an inspector who is
7 certified according to R307-801-6 and working for a company
8 certified according to R307-801-5. The report does not need to be
9 reviewed until a time that it will be used for regulatory purposes
10 such as an abatement, renovation, or demolition activity. If the
11 inspection report is still accurate, then the inspector shall
12 provide written documentation stating that the inspection report
13 is still accurate. If the inspection report is not accurate, then
14 the inspector shall provide written documentation, including new
15 sample results, if necessary, such that the inspection report
16 meets all requirements of R307-801.

17
18 **R307-801-10. Asbestos Abatement, Renovation, and Demolition**
19 **Projects: Asbestos Inspection Procedures.**

20 Asbestos inspectors shall use the following procedures when
21 conducting an asbestos inspection of facilities to be abated,
22 demolished, or renovated:

23 (1) Determine the scope of the abatement, demolition, or
24 renovation project by identifying which parts and how the facility
25 will be abated, demolished, or renovated (e.g. conventional
26 demolition methods, fire training, etc.).

27 (2) Inspect the affected facility or part of the facility
28 where the abatement, demolition, or renovation project will occur.

29 (3) Identify all accessible suspect asbestos-containing
30 material (ACM) in the affected facility or part of the facility
31 where

32 the abatement, demolition, or renovation project will occur.

33 Residential facilities built on or after January 1, 1981, are only
34 required to identify all accessible sprayed-on or painted-on
35 ceiling treatment that contained or may contain asbestos fiber,
36 asbestos cement siding or roofing materials, resilient flooring
37 products including vinyl asbestos tile, sheet vinyl products,
38 resilient flooring backing material, whether attached or
39 unattached, and mastic, thermal-system insulation or tape on a
40 duct or furnace, or vermiculite type insulation materials in the
41 affected facility or part of the facility where the abatement,
42 demolition, or renovation project will occur.

43 (4) Follow the sampling protocol in 40 CFR 763.86 (Asbestos-
44 Containing Materials in Schools) or a sampling method approved by
45 the director to demonstrate that suspect ACM required to be

1 identified by R307-801-10(3) does not contain asbestos.

2 (5) Asbestos samples are not required to be collected and
3 analyzed if the certified inspector assumes that all unsampled
4 suspect ACM required to be identified by R307-801-10(3) contains
5 asbestos and is ACM; and

6 (6) Complete an asbestos inspection report containing all of
7 the following information in a format approved by the director:

8 (a) A description of the affected area and a description of
9 the scope of activities as described in R307-801-10(1);

10 (b) A list of all suspect ACM required to be identified by
11 R307-801-10(3) in the affected area. Include a description of the
12 suspect ACM sufficient to be able to identify the material. For
13 each suspect material required to be identified by R307-801-10(3),
14 provide the following information:

15 (i) The amount of suspect ACM required to be identified by
16 R307-801-10(3) in linear feet, square feet, or cubic feet;

17 (ii) A clear description of the distribution of the suspect
18 ACM required to be identified by R307-801-10(3) in the affected
19 area;

20 (iii) A statement of whether the material was assumed to
21 contain asbestos, sampled and demonstrated to contain asbestos, or
22 sampled and demonstrated to not contain asbestos; and

23 (iv) A written determination or table of whether the
24 material is regulated asbestos-containing material (RACM),
25 Category I non-friable ACM, Category II non-friable ACM that may
26 or will become friable when subjected to the proposed abatement,
27 renovation, or demolition project activities, or other suspect ACM
28 that has either not been tested and assumed to contain asbestos,
29 or has been tested by an accredited asbestos laboratory and found
30 not to contain asbestos greater than 1%.

31 (c) A list of all asbestos bulk samples required to be
32 identified from suspect ACM by R307-801-10(3) in the affected
33 area, including the following information for each sample:

34 (i) Which suspect ACM required to be identified by R307-801-
35 10(3) the sample represents;

36 (ii) A clear description of each sample location;

37 (iii) The types of analyses performed on the sample;

38 (iv) The amounts of each type of asbestos in the sample as
39 indicated by the analytical results.

40 (d) A list of potential locations of suspect ACM required to
41 be identified by R307-801-10(3) that were not accessible to
42 inspect and that may be part of the affected area; and

43 (e) A list of all the asbestos inspector names, company
44 names, and certification numbers.

45 (7) Floor plans or architectural drawings and similar

1 representations may be used to identify the location of suspect
2 ACM or samples required to be identified by R307-801-10(3).

3 (8) Analysis of samples shall be performed by:

4 (a) Persons or laboratories accredited by a nationally
5 recognized testing program such as the National Voluntary
6 Laboratory Accreditation Program (NVLAP), or

7 (b) Persons or laboratories that have been rated overall
8 proficient by demonstrating passing scores for at least two of the
9 last three consecutive rounds out of the four annual rounds of the
10 Bulk Asbestos Proficiency Analytical Testing program administered
11 by the American Industrial Hygiene Association (AIHA) or an
12 equivalent nationally-recognized interlaboratory comparison
13 program.
14
15

16 **R307-801-11. Asbestos Abatement, Renovation, and Demolition**
17 **Projects: Notification and Asbestos Removal Requirements.**

18 (1) Demolition Projects.

19 (a) The operator shall submit a properly completed
20 demolition notification form at least ten working days before the
21 start of a demolition project along with payment of the
22 appropriate fee. The operator cannot start the demolition project
23 until all regulated asbestos-containing material (RACM) has been
24 properly removed.

25 (b) If any regulated facility is to be demolished by
26 intentional burning, the operator, in addition to the demolition
27 notification form specified in R307-801-11(1)(a), shall ensure
28 that all ACM, including Category I non-friable asbestos-containing
29 material (ACM), Category II non-friable ACM, and RACM is removed
30 from the regulated facility before burning.

31 (c) If the regulated facility has been ordered to be
32 demolished by a government official because it is found to be
33 structurally unsound and in danger of imminent collapse or a
34 public health hazard, the operator shall submit a demolition
35 project notification form, with a copy of the order signed by the
36 appropriate government official, as soon as possible before, but
37 no later than, the next working day after the demolition project
38 begins.

39 (2) Asbestos Abatement and Renovation Projects.

40 (a) If the amount of RACM that would be disturbed or
41 rendered inaccessible by the asbestos abatement or renovation
42 project is the SSSD amount, then no additional requirements are
43 necessary prior to general building remodeling activities.

44 (b) If the amount of RACM that would be disturbed or
45 rendered inaccessible by the asbestos abatement or renovation

1 project is greater than the SSSD amount, but less than the NESHAP
2 amount, then the operator shall:

3 (i) Submit an asbestos abatement project notification form
4 at least one working day before asbestos removal begins as
5 described in R307-801-12, unless the removal was properly included
6 in an annual asbestos notification form submitted pursuant to
7 R307-801-11(2)(e);

8 (ii) Remove RACM according to asbestos work practices of
9 R307-801-13, the certification requirements of R307-801-5 and 6,
10 and the disposal requirements of R307-801-14 before performing
11 general building remodeling activities.

12 (c) If the amount of RACM that would be disturbed or
13 rendered inaccessible by the asbestos abatement project is greater
14 than or equal to the NESHAP amount, then the operator shall:

15 (i) Submit an asbestos abatement project notification form
16 along with payment of the appropriate fee at least ten working
17 days before asbestos removal begins as described in R307-801-12;

18 (ii) Remove RACM according to the asbestos work practices of
19 R307-801-13, the certification requirements of R307-801-5 and 6,
20 and the disposal requirements of R307-801-14 before performing
21 general building remodeling activities.

22 (d) If the asbestos abatement or renovation project is an
23 emergency asbestos abatement or renovation project, then the
24 notification form shall be submitted as soon as possible before,
25 but no later than, the next working day after the emergency
26 asbestos abatement or renovation project begins.

27 (e) The operator shall submit an annual asbestos
28 notification form along with payment of the appropriate fee
29 according to the requirements of 40 CFR 61.145(a)(4)(iii) no later
30 than ten working days before the first day of January of the year
31 during which the work is to be performed in the following
32 circumstances:

33 (i) The asbestos abatement projects are unplanned operation
34 and maintenance activities;

35 (ii) The asbestos abatement projects are less than NESHAP-
36 sized; and

37 (iii) The total amount of asbestos to be disturbed in a
38 single NESHAP facility during these asbestos abatement projects is
39 expected to exceed the NESHAP amount in a calendar year.

40 (3) Owners and operators of general building remodeling
41 activities are not required to submit an asbestos abatement
42 project or renovation notification form to the director that do
43 not disturb suspect asbestos containing materials, do not disturb
44 building materials found to contain RACM by an inspector who is
45 certified according to R307-801-6, or do not disturb materials

1 that will become RACM as part of the general building remodeling
2 activities.

3 (4) For notification purposes, asbestos abatement,
4 renovation, or demolition projects shall be no longer than one
5 year in duration.

6 (5) Revise the notification form, as necessary, when any
7 information on the original notification or any subsequent
8 notification forms changes.

9

10 **R307-801-12. Asbestos Abatement, Renovation, and Demolition**
11 **Projects: Notification Procedures and Contents.**

12 (1) All notification forms required by R307-801-11 shall be
13 submitted in writing on the appropriate form provided by the
14 director and shall be postmarked or received by the director in
15 accordance with R307-801-11, or shall be submitted using the
16 Division of Air Quality electronic notification system and
17 received by the director in accordance with R307-801-11. The type
18 of notification and whether the notification is original or
19 revised shall be indicated.

20 (2) If the notification is an original demolition project
21 notification form, an original asbestos abatement project
22 notification form for a NESHAP-sized asbestos abatement project,
23 or an original asbestos annual notification form, the written
24 notice shall be sent with an original signature by U.S. Postal
25 Service, commercial delivery service, or hand delivery, or with an
26 electronic signature if submitted using the Division of Air
27 Quality electronic notification system. If the U.S. Postal Service
28 is used, the submission date is the postmark date. If other
29 service or hand delivery is used, the submission date is the date
30 that the document is received by the director. If the Division of
31 Air Quality electronic notification system is used, the submission
32 date is the date that the notification is received by the
33 director.

34 (3) An original asbestos notification form for a less than
35 NESHAP-sized asbestos abatement or renovation project or any
36 revised notification may be submitted by any of the methods in
37 R307-801-12(2), or by facsimile, by the date specified in R307-
38 801-11. The sender shall ensure that the fax is legible.

39 (4) All original notification forms shall contain the
40 following information:

41 (a) The name, address, and telephone number of the owner of
42 the regulated facility, the general contractor, the demolition
43 contractor, and the asbestos renovation or abatement contractor,
44 if applicable;

45 (b) Whether the operation is an asbestos abatement,

1 demolition, or a renovation project;

2 (c) A description of the regulated facility that includes
3 the total size of the structure or structures in square feet,
4 including the square footage of all floors in a multilevel or
5 multi-floor structure, the age, the future, present, and prior
6 uses of the facility, including any additional regulated
7 structures affected by the project;

8 (d) The names and certification numbers of the inspectors
9 and companies;

10 (e) The procedures, including analytical methods, used to
11 inspect for the presence of asbestos-containing material (ACM);

12 (f) The location and address, including building number or
13 name and floor or room number, street address, city, county,
14 state, and zip code of each regulated facility being demolished or
15 renovated;

16 (g) A description of procedures for handling the discovery
17 of unexpected ACM, Category I non-friable ACM, or Category II non-
18 friable ACM that has or will become friable or regulated;

19 (h) A description of planned asbestos abatement, demolition,
20 or renovation project work, including the asbestos abatement,
21 demolition, and renovation project techniques to be used and a
22 description of the affected regulated facility components or
23 structural members; and

24 (i) If the project has phases, then provide the date and
25 times of each phase and the location and address of all regulated
26 facilities to be abated, demolished, or renovated.

27 (5) In addition to the information in R307-801-12(4), an
28 original demolition project notification form shall contain the
29 following information:

30 (a) An estimate of the amount of Category I non-friable ACM
31 and non-regulated ACM that will remain in the building during the
32 demolition project;

33 (b) The start and stop dates of the demolition project;

34 (c) The days that the demolition project will be conducted;
35 and

36 (d) If the regulated facility will be demolished under an
37 order of a government official, the name, title, government
38 agency, and authority of the government official ordering the
39 demolition project, the date the order was issued, and the date
40 the demolition project was ordered to commence. A copy of the
41 order shall be attached to the demolition project notification
42 form.

43 (6) In addition to the information required in R307-801-
44 12(4) and (5), an original demolition project notification form
45 for phased demolition projects shall include:

1 (a) The start and stop dates for the entire phased project;
2 and

3 (b) The start and stop dates for each phase of the project.

4 (7) In addition to the information required in R307-801-
5 12(4), (5), and (6), an original asbestos abatement project
6 notification form shall include:

7 (a) An estimate of the amount of ACM to be stripped,
8 including which units of measure were used;

9 (b) The start and stop dates for asbestos abatement project
10 preparation;

11 (c) The times of day for every day that asbestos abatement
12 project will be conducted;

13 (d) A description of work practices and engineering controls
14 to be used to prevent emissions of asbestos at the demolition or
15 asbestos abatement project work site;

16 (e) The name and location of the waste disposal site where
17 the ACWM will be disposed, including the name and telephone number
18 of the waste disposal site contact;

19 (f) The name, address, contact person, and telephone number
20 of the waste transporters; and

21 (g) The name, contact person, and telephone number of the
22 waste generator.

23 (8) If an emergency asbestos abatement or renovation project
24 will be performed, then the notification form shall include the
25 date and hour the emergency occurred, a description of the event
26 and an explanation of how the event has caused unsafe conditions
27 or would cause equipment damage or unreasonable financial burden.

28 (9) In addition to the information in R307-801-12(4) and
29 (5), an original asbestos abatement project annual notification
30 form shall contain the following information:

31 (a) An estimate of the approximate amount of ACM to be
32 stripped, including which units of measure were used, if known;

33 (b) The start and stop dates of asbestos abatement project
34 work covered by the annual notification, if known;

35 (c) A description of work practices and engineering controls
36 to be used to prevent emissions of asbestos at the asbestos
37 abatement project work site;

38 (d) The name and location of the waste disposal site where
39 the asbestos-containing waste material (ACWM) will be disposed,
40 including the name and telephone number of the waste disposal site
41 contact;

42 (e) The name, address, contact person, and telephone number
43 of the waste transporters; and

44 (f) The name, contact person, and telephone number of the
45 waste generator.

1 (10) A revised notification form shall contain the following
2 information:

3 (a) The name, address, and telephone number of the owner of
4 the regulated facility, and any demolition, renovation, or
5 asbestos abatement project contractor or contractors working on
6 the project;

7 (b) Whether the operation is an asbestos abatement, a
8 demolition, or a renovation project;

9 (c) The date that the original notification form was
10 submitted;

11 (d) The applicable original start and stop dates for the
12 asbestos abatement, renovation, or demolition project;

13 (e) The revised start and stop dates and working hours, if
14 applicable, for asbestos abatement, renovation, or demolition
15 projects, for the entire project or for any phase of the project;

16 (f) The changes in the amount of asbestos to be removed
17 during the project if the asbestos removal amount increases or
18 decreases by more than 20%;

19 (g) If the previously reported area of the building or
20 buildings to be demolished was inaccurate and needs to be changed,
21 then the demolition notification form shall be revised to include
22 the building area change and any additional fee shall be paid to
23 the Utah Division of Air Quality; and

24 (h) Any changes to the original or subsequently revised
25 notification form or forms. Describe all changes made to the
26 revised notification form in the comments section of that form.

27 (11) If the asbestos removal amount is increased in the
28 revised notification form, then the appropriate fee shall be paid
29 to the Utah Division of Air Quality.

30 (12) If any project phase or an entire NESHAP-sized asbestos
31 abatement, renovation, or demolition project that requires a
32 notification form under R307-801-12(4) will commence on a date or
33 work times other than the date and work times submitted in the
34 original or the most recently revised notification form, the
35 director shall be notified of the new start date and work times by
36 the following deadlines:

37 (a) If the new start date and work times are later than the
38 original start date and work times, then notice by telephone, fax,
39 or electronic means shall be given as soon as possible before the
40 start date and a revised notification form shall be submitted in
41 accordance with R307-801-12(10) as soon as possible before, but no
42 later than, the original start date. If the written notification
43 form is received by the director no later than the day before the
44 original start date and work times, no notice by telephone is
45 required.

1 (b) If the new start date is earlier than the original start
2 date, submit a written notice in accordance with R307-801-12(10)
3 at least ten working days before beginning the project.

4 (c) In no event shall an asbestos abatement, renovation, or
5 demolition project covered by R307-801-12 begin on a date other
6 than the new start date submitted in the revised written notice.

7
8
9 **R307-801-13. Asbestos Abatement and Renovation Project: Work**
10 **Practices.**

11 (1) An asbestos abatement supervisor who has been certified
12 under R307-801-6 shall be on-site during asbestos abatement
13 project setup, asbestos removal, stripping, cleaning and
14 dismantling of the project, and other handling of uncontainerized
15 regulated asbestos-containing material (RACM).

16 (2) All persons handling any amount of uncontainerized RACM
17 during a regulated project shall be certified as an asbestos
18 abatement worker or an asbestos abatement supervisor certified
19 under R307-801-6.

20 (3) Persons performing an asbestos abatement or renovation
21 project at a regulated facility shall follow the work practices in
22 R307-801-13. Where the work practices in R307-801-13(3) and (4)
23 are required, wrap and cut, open top catch bags, glove bags, and
24 mini-enclosures may be used in combination with those work
25 practices.

26 (a) Adequately wet regulated asbestos-containing material
27 (RACM) with amended water before exposing or disturbing it, except
28 when temperatures are continuously below freezing (32 degrees F.),
29 and when all requirements in 40 CFR 61.145(c)(7) are met.

30 (b) Install barriers and post warning signs to prevent
31 access to the work area. Warning signs shall conform to the
32 specifications of 29 CFR 1926.1101(k)(7).

33 (c) Keep RACM adequately wet until it is containerized and
34 disposed of in accordance with R307-801-14.

35 (d) Ensure that RACM that is stripped or removed is promptly
36 containerized.

37 (e) Prevent visible particulate matter and uncontainerized
38 asbestos-containing debris and waste originating in the work area
39 from being released outside of the negative pressure enclosure or
40 designated work area.

41 (f) Filter all waste water to five microns before
42 discharging it to a sanitary sewer.

43 (g) Decontaminate the outside of all persons, equipment, and
44 waste bags so that no visible residue is observed before leaving
45 the work area.

1 (h) Apply encapsulant to RACM that is exposed but not
2 removed during stripping.

3 (i) Clean the work area, drop cloths, and other interior
4 surfaces of the enclosure using a high-efficiency particulate air
5 (HEPA) vacuum and wet cleaning techniques until there is no
6 visible residue before dismantling barriers.

7 (j) After cleaning and before dismantling enclosure
8 barriers, mist all surfaces inside of the enclosure with a
9 penetrating encapsulant designed for that purpose.

10 (k) Handle and dispose of friable asbestos-containing
11 material (ACM) and RACM according to the disposal provisions of
12 R307-801-14.

13 (4) All operators of NESHAP-sized asbestos abatement
14 projects shall install a negative pressure enclosure using the
15 following work practices.

16 (a) All openings to the work area shall be covered with at
17 least one layer of six mil or thicker polyethylene sheeting sealed
18 with duct tape or an equivalent barrier to air flow.

19 (b) If RACM debris is present in the proposed work area
20 prior to the start of a NESHAP-sized asbestos abatement project,
21 the site shall be prepared by removing the debris using the work
22 practice requirements of R307-801-13 and disposal requirements of
23 R307-801-14. If the total amount of loose visible RACM debris
24 throughout the entire work area is the SSSD amount, then site
25 preparation may begin after the notification form has been
26 submitted and before the end of the ten working day waiting
27 period.

28 (c) A decontamination unit constructed to the specifications
29 of R307-801-13(4)(h) shall be attached to the containment prior to
30 disturbing RACM or commencing a NESHAP-sized asbestos abatement
31 project, and all persons shall enter and leave the negative
32 pressure enclosure or work area only through the decontamination
33 unit except in a life threatening emergency situation.

34 (d) All persons subject to R307-801 shall shower before
35 entering the clean-room of the decontamination unit when exiting
36 the enclosure and shall follow all procedures required by 29 CFR
37 1926.1101(j)(1)(ii).

38 (e) No materials may be removed from the enclosure or
39 brought into the enclosure through any opening other than a waste
40 load-out or a decontamination unit.

41 (f) The negative pressure enclosure of the work area shall
42 be constructed with the following specifications:

43 (i) Apply at least two layers of six mil or thicker
44 polyethylene sheeting or its equivalent to the floor extending at
45 least one foot up every wall and seal in place with duct tape or

1 its equivalent;

2 (ii) Apply at least two layers of four mil or thicker
3 polyethylene sheeting or its equivalent to the walls without
4 locating seams in wall or floor corners;

5 (iii) Seal all seams with duct tape or its equivalent;

6 (iv) Maintain the integrity of all enclosure barriers; and

7 (v) Where a wall or floor will be removed as part of the
8 NESHAP-sized asbestos abatement project, polyethylene sheeting
9 need not be applied to that regulated facility component or
10 structural member.

11 (g) View ports shall be installed in the enclosure or
12 barriers where feasible, and view ports shall be:

13 (i) At least one foot square;

14 (ii) Made of clear material that is impermeable to the
15 passage of air, such as an acrylic sheet;

16 (iii) Positioned so as to maximize the view of the inside of
17 the enclosure from a position outside the enclosure; and

18 (iv) Accessible to a person outside of the enclosure.

19 (h) A decontamination unit shall be constructed according to
20 the following specifications:

21 (i) The unit shall be attached to the enclosure or work
22 area;

23 (ii) The decontamination unit shall consist of at least
24 three chambers and meet all regulatory requirements of 29 CFR
25 1926.1101(j)(1)(i);

26 (iii) The clean room, which is the chamber that opens to the
27 outside, shall be no less than three feet wide by three feet long
28 by six feet high, when feasible;

29 (iv) The shower room, which is the chamber between the clean
30 and dirty rooms, shall have hot and cold or warm running water and
31 be no less than three feet wide by three feet long by six feet
32 high, when feasible;

33 (v) The dirty room, which is the chamber that opens to the
34 negative pressure enclosure or the designated work area, shall be
35 no less than three feet wide by three feet long by six feet high,
36 when feasible;

37 (vi) The dirty room shall be provided with an accessible
38 waste bag at any time that asbestos abatement project is being
39 performed.

40 (i) A separate waste load-out following the specifications
41 below may be attached to the enclosure for removal of
42 decontaminated waste containers and decontaminated or wrapped
43 tools from the enclosure.

44 (i) The waste load-out shall consist of at least one chamber
45 constructed of six mil or thicker polyethylene walls and six mil

1 or thicker polyethylene flaps or the equivalent on the outside and
2 inside entrances;

3 (ii) The waste load-out chamber shall be at least three feet
4 long, three feet high, and three feet wide; and

5 (iii) The waste load-out supplies shall be sufficient to
6 decontaminate bags, and shall include a water supply with a
7 filtered drain, clean rags, disposable rags or wipes, and clean
8 bags.

9 (j) Negative air pressure and flow shall be established and
10 maintained within the enclosure by:

11 (i) Maintaining at least four air changes per hour in the
12 enclosure;

13 (ii) Routing the exhaust from HEPA filtered ventilation
14 units to the outside of the regulated facility whenever possible;

15 (iii) Maintaining a minimum of 0.02 column inches of water
16 pressure differential relative to outside pressure; and

17 (iv) Maintaining a monitoring device to measure the negative
18 pressure in the enclosure.

19 (5) In lieu of two layers of polyethylene on the walls and
20 the floors as required by R307-801-13(4)(f)(i) and (ii), the
21 following work practices and controls may be used only under the
22 circumstances described below:

23 (a) When a pipe insulation removal asbestos abatement
24 project is conducted the following may be used:

25 (i) Drop cloths extending a distance at least equivalent to
26 the height of the RACM around all RACM to be removed, or extended
27 to a wall and attached with duct tape or equivalent;

28 (ii) Either the glove bag or wrap and cut methods may be
29 used; and

30 (iii) RACM shall be adequately wet before wrapping.

31 (b) When the RACM is scattered ACM and is found in small
32 patches, such as isolated pipe fittings, the following procedures
33 may be used:

34 (i) Glove bags, mini-enclosures as described in R307-801-
35 13(7)(c), or wrap and cut methods with drop cloths large enough to
36 capture all RACM fragments that fall from the work area may be
37 used.

38 (ii) If all asbestos disturbance is limited to the inside of
39 negative pressure glove bags or a mini-enclosure, then non-glove
40 bag or non-mini-enclosure building openings need not be sealed and
41 negative pressure need not be maintained in the space outside of
42 the glove bags or mini-enclosure during the asbestos removal
43 operation.

44 (iii) A remote decontamination unit may be used as described
45 in R307-801-13(7)(d) only if an attached decontamination unit is

1 not feasible.

2 (c) When a preformed RACM pipe insulation asbestos abatement
3 project in a crawl space or pipe chase less than six feet high or
4 less than three feet wide is conducted, the following may be used:

5 (i) Drop cloths extending a distance at least six feet
6 around all preformed RACM pipe insulation to be removed or
7 extended to a wall and attached with duct tape or equivalent; or

8 (ii) The open top catch bag method.

9 (6) During outdoor asbestos abatement projects, the work
10 practices of R307-801-13 shall be followed with the following
11 modifications:

12 (a) Negative pressure need not be maintained if there is not
13 an enclosure;

14 (b) Six mil polyethylene drop cloth, or equivalent, large
15 enough to capture all RACM fragments that fall from the work area
16 shall be used; and

17 (c) A remote decontamination unit as described in R307-801-
18 13(7)(d) may be used.

19 (7) Special work practices.

20 (a) If the wrap and cut method is used:

21 (i) The regulated facility component shall be cut at least
22 six inches from any RACM on that component;

23 (ii) If asbestos will be removed from the regulated facility
24 component to accommodate cutting, the asbestos removal shall be
25 performed using a single glove bag for each cut, and no RACM shall
26 be disturbed outside of a glove bag;

27 (iii) The wrapping shall be leak-tight and shall consist of
28 two layers of six mil polyethylene sheeting, each individually
29 sealed with duct tape, and all RACM between the cuts shall be
30 sealed inside wrap; and

31 (iv) The wrapping shall remain intact and leak-tight
32 throughout the removal and disposal process.

33 (b) If the open top catch bag method is used:

34 (i) The material to be removed can only be performed RACM
35 pipe insulation, and it shall be located in a crawl space or a
36 pipe chase less than six feet high or less than three feet wide;

37 (ii) Asbestos waste bags that are leak-tight and strong
38 enough to hold contents securely shall be used;

39 (iii) The bag shall be placed underneath the stripping
40 operation to minimize ACM falling onto the drop cloth;

41 (iv) All material stripped from the regulated facility
42 component shall be placed in the bag;

43 (v) One asbestos abatement worker shall hold the bag and
44 another asbestos abatement worker shall strip the ACM into the
45 bag; and

1 (vi) A drop cloth extending a distance at least six feet
2 around all preformed RACM pipe insulation to be removed, or
3 extended to a wall and attached with duct tape or equivalent shall
4 be used.

5 (c) If glove bags are used, they shall be under negative
6 pressure, and the procedures required by 29 CFR
7 1926.1101(g)(5)(iii) shall be followed.

8 (d) A remote decontamination unit may be used under the
9 conditions set forth in R307-801-13(5)(b), (6), when there is an
10 area insufficient to construct a connected decontamination unit,
11 or when approved by the director. The remote decontamination unit
12 shall meet all construction standards in R307-801-13(4)(h) and
13 shall include:

14 (i) Outerwear shall be HEPA vacuumed or removed, and
15 additional clean protective outerwear shall be put on;

16 (ii) Either polyethylene sheeting shall be placed on the
17 path to the decontamination unit and the path shall be blocked or
18 taped off to prevent public access, or asbestos abatement workers
19 shall be conveyed to the remote decontamination unit in a vehicle
20 that has been lined with two layers of six mil or thicker
21 polyethylene sheeting or its equivalent; and

22 (iii) The polyethylene path or vehicle liner shall be
23 removed at the end of the project, and disposed of as ACWM.

24 (e) Mini-enclosures, when used under approved conditions,
25 shall conform to the requirements of 29 CFR 1926.1101(g)(5)(vi).

26 (8) For asbestos-containing mastic removal projects using
27 mechanical means, such as a power buffer, to loosen or remove
28 mastic from the floor, in lieu of two layers of polyethylene
29 sheeting on the walls, splash guards of six mil or thicker
30 polyethylene sheeting shall be placed from the floor level a
31 minimum of three feet up the walls.

32 (9) Persons who improperly disturb more than the SSSD amount
33 of asbestos-containing material and contaminate an area with
34 friable asbestos shall:

35 (a) Have the emergency clean-up portion of the project,
36 including any portions not contained within a regulated facility
37 or in common use areas that cannot be isolated, performed as soon
38 as possible by a company or companies certified according to R307-
39 801-5, and, asbestos abatement supervisor(s), and asbestos
40 abatement worker(s) certified according to R307-801-6.

41 (b) Have an asbestos clean-up plan designed by a Utah
42 certified asbestos project designer for the non-emergency portion
43 of the project and have the asbestos clean-up plan submitted to
44 the director for approval. An asbestos clean-up plan is not
45 required when the disturbance results from a natural disaster,

1 fire, or flooding.

2 (c) Submit the project notification form required by R307-
3 801-11 and 12 to the director for acceptance no later than the
4 next working day after the disturbance occurs or is discovered.
5 For fee calculation purposes, the size of the emergency clean-up
6 project is the area that has been contaminated or potentially
7 contaminated by the disturbance and not the amount of asbestos-
8 containing material disturbed.

9 (d) Notify the director of project completion by telephone,
10 fax, or electronic means by the day of completion and before
11 leaving the site.

12 (10) For asbestos abatement, renovation, or demolition
13 projects that remove or otherwise disturb loose-fill vermiculite
14 type insulation materials assumed to be regulated asbestos-
15 containing material or found to contain greater than 1% regulated
16 asbestiform fibers, then the material being removed is considered
17 regulated asbestos-containing material and shall meet all the
18 appropriate regulatory requirements of R307-801.

19 (a) Regulated vermiculite shall be removed to the maximum
20 extent possible, or by following a work practice that has been
21 established by the director, or by an alternative work practice as
22 approved by the director.

23

24 **R307-801-14. Disposal and Handling of Asbestos Waste.**

25 (1) Owners and operators of regulated facilities shall
26 containerize asbestos-containing waste material (ACWM) while
27 adequately wet.

28 (2) ACWM containers shall be leak-tight and strong enough to
29 hold contents securely and be labeled with an OSHA warning label
30 found in 29 CFR 1926.1101(k)(8).

31 (3) Containers shall be labeled with the waste generator's
32 and contractor's names, addresses, and telephone numbers before
33 they are removed from the asbestos renovation or abatement work
34 area.

35 (4) Containerized regulated asbestos-containing material
36 (RACM) shall be disposed of at a landfill which complies with 40
37 CFR 61.150.

38 (5) The waste shipment record shall include a list of items
39 and the amount of ACWM being shipped. The waste generator
40 originates and signs this document.

41 (6) Owners and operators of regulated facilities where an
42 asbestos abatement or renovation project has been performed shall
43 report in writing to the director if a copy of the waste shipment
44 record, signed by the owner or operator of the designated waste
45 disposal site, is not received by the waste generator within 45

1 working days from the date the waste was accepted by the initial
2 transporter. Include in the report the following information:

3 (a) A copy of the waste shipment record for which a
4 confirmation of delivery was not received; and

5 (b) A cover letter signed by the waste generator explaining
6 the efforts taken to locate the asbestos waste shipment and the
7 results of those efforts.

8

9 **R307-801-15. Records.**

10 (1) Certified asbestos abatement or renovation companies
11 shall maintain records of all asbestos abatement or renovation
12 projects that they perform at regulated facilities and shall make
13 these records available to the director or authorized
14 representative upon request. The records shall be retained for at
15 least five years. Maintained records shall include the following:

16 (a) Names and certification numbers of the asbestos
17 abatement workers, asbestos abatement supervisors, or renovators
18 who performed the asbestos abatement or renovation project;

19 (b) Location and description of the asbestos abatement or
20 renovation project and amount of friable asbestos-containing
21 material (ACM) removed;

22 (c) Start and stop dates of the asbestos abatement or
23 renovation project;

24 (d) Summary of the procedures used to comply with applicable
25 requirements including copies of all notification forms;

26 (e) Waste shipment records maintained in accordance with 40
27 CFR Part 61, Subpart M; and

28 (f) Asbestos inspection reports associated with the asbestos
29 abatement or renovation project.

30 (2) All persons subject to the inspection requirements of
31 R307-801-9 shall maintain copies of asbestos inspection reports
32 for at least one year after asbestos abatement, renovation, or
33 demolition projects have ceased, and shall make these reports
34 available to the director or authorized representative upon
35 request.

36

37 **R307-801-16. Certified Renovator Work Practices.**

38 (1) Certified renovators are responsible for ensuring
39 compliance with R307-801 at all renovation projects at regulated
40 facilities to which they are assigned.

41 (2) Certified renovators working at regulated facilities
42 shall:

43 (a) Perform all of the tasks described in R307-801-13(3) and
44 shall either perform or direct workers who perform all tasks
45 described in R307-801-13(3);

1 (b) Provide training to workers on the work practices
2 required by R307-801-13(3) that will be used when performing
3 renovation projects;

4 (c) Be physically present at the work site when all work
5 activities required by R307-801-13(3)(b) are posted, while the
6 work area containment required by R307-801-13(3)(b) is being
7 established, and while the work area cleaning required by R307-
8 801-13(3)(i) is performed;

9 (d) Be on-site and direct work being performed by other
10 individuals to ensure that the work practices required by R307-
11 801-13(3) are being followed, including maintaining the integrity
12 of the containment barriers and ensuring that dust or debris does
13 not spread beyond the work area;

14 (e) Have with them at the work site their current Utah
15 Renovator certification card; and

16 (f) Prepare the records required by R307-801-15.
17

18 **R307-801-17. Asbestos Information Distribution Requirements.**

19 (1) Utah Abatement/Renovation pamphlet. Utah asbestos
20 abatement and renovation companies shall provide owners and
21 occupants of single and multi-family residential structures with
22 the Utah Abatement/Renovation Pamphlet "Asbestos Hazards During
23 Abatement and Renovation Activities" when those structures will be
24 re-occupied after the regulated activities are completed.

25 (2) No more than 60 days before beginning an abatement or
26 renovation project in a regulated facility, the company performing
27 the abatement or renovation project shall:

28 (a) Provide the owner of the regulated facility with the
29 pamphlet, and comply with one of the following:

30 (i) Obtain, from the owner, a written acknowledgment that
31 the owner has received the pamphlet; or

32 (ii) Obtain a certificate of mailing at least seven working
33 days prior to the abatement or renovation project; and

34 (b) If the owner does not occupy the regulated facility,
35 provide an adult occupant of the regulated facility with the
36 pamphlet, and comply with one of the following:

37 (i) Obtain, from the adult occupant, a written
38 acknowledgment that the occupant has received the pamphlet, or
39 certify in writing that a pamphlet has been delivered to the
40 regulated facility and that the company performing the abatement
41 or renovation project has been unsuccessful in obtaining a written
42 acknowledgment from an adult occupant. Such certification shall
43 include the address of the unit undergoing abatement or renovation
44 activities, the date and method of delivery of the pamphlet, names
45 of the persons delivering the pamphlet, reason for lack of

1 acknowledgment (e.g., occupant refuses to sign, no adult occupant
2 available), the signature of a representative of the company
3 performing the abatement or renovation project, and the date of
4 signature; or

5 (ii) Obtain a certificate of mailing at least seven working
6 days prior to the abatement or renovation project.

7 (3) Abatement or renovation projects in common areas. No
8 more than 60 working days before beginning abatement or renovation
9 projects in common areas of a regulated facility, the company
10 performing the abatement or renovation project shall:

11 (a) Provide the owner with the pamphlet and comply with one
12 of the following:

13 (i) Obtain, from the owner, a written acknowledgment that
14 the owner has received the pamphlet; or

15 (ii) Obtain a certificate of mailing at least seven working
16 days prior to the abatement or renovation project;

17 (b) Comply with one of the following:

18 (i) Notify in writing, or ensure written notification of,
19 each regulated facility and make the pamphlet available upon
20 request prior to the start of abatement or renovation project.
21 Such notification shall be accomplished by distributing written
22 notice to each affected unit in the regulated facility. The notice
23 shall describe the general nature and locations of the planned
24 abatement or renovation project, the expected starting and ending
25 dates, how the occupant can obtain the pamphlet and a copy of the
26 required records at no cost to the occupants; or

27 (ii) Post informational signs describing the general nature
28 and locations of the abatement or renovation project and the
29 anticipated completion date while the abatement or renovation
30 project is ongoing. These signs shall be posted in areas where
31 they are likely to be seen by the occupants of all of the affected
32 units in the regulated facility. The signs shall be accompanied by
33 a posted copy of the pamphlet or information about how interested
34 occupants can review a copy of the pamphlet or obtain a copy from
35 the abatement or renovation company at no cost to occupants. The
36 signs shall also include information about how interested
37 occupants can review a copy of the required records from the
38 abatement or renovation company at no cost to the occupants;

39 (c) Prepare, sign, and date a statement describing the steps
40 performed to notify all occupants of the regulated facility of the
41 intended abatement or renovation project and to provide the
42 pamphlet; and

43 (d) If the scope, locations, or expected starting and ending
44 dates of the planned abatement or renovation project change after
45 the initial notification, and the company provided written initial

1 notification to each affected unit, the company performing the
2 abatement or renovation project shall provide further written
3 notification to the owners and occupants of the regulated facility
4 of the revised information for the ongoing or planned activities.
5 This subsequent notification shall be provided before the company
6 performing the abatement or renovation project initiates work
7 beyond that which was described in the original notice.

8 (4) Written acknowledgment. The written acknowledgments
9 required by paragraphs R307-801-17(2)(a)(i), (2)(b)(i), and
10 (3)(a)(i) shall:

11 (a) Include a statement recording the owner or occupant's
12 name and acknowledging receipt of the pamphlet prior to the start
13 of abatement or renovation project, or no later than the day after
14 the start of an emergency abatement or renovation project, the
15 address of the regulated facility undergoing an abatement or
16 renovation project, the signature of the owner or occupant as
17 applicable, and the date of signature;

18 (b) Be either a separate sheet or part of any written
19 contract or service agreement for the abatement or renovation
20 project; and

21 (c) Be written in the same language as the text of the
22 contract or agreement for the abatement or renovation project or,
23 in the case of a non-owner occupied regulated facility, in the
24 same language as the lease or rental agreement or the pamphlet.

25
26 **KEY: air pollution, asbestos, asbestos hazard emergency response,**
27 **schools**

28 **Date of Enactment or Last Substantive Amendment: 20160**

29 **Notice of Continuation: February 6, 2013**

30 **Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(d);**
31 **19-2-104(3)(r) through (t); 40 CFR Part 61, Subpart M; 40 CFR Part**
32 **763, Subpart E**

ITEM 5



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-022-16

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Robert Ford, Air Toxics Lead-Based Paint, and Asbestos Section Manager

DATE: April 13, 2016

SUBJECT: FINAL ADOPTION: Amend R307-841-8. Renovator Certification and Dust Sampling Technician Certification.

On April 16, 2015, the EPA finalized a rule that extended the certification of certain renovators under the Lead Renovation, Repair, and Painting (RRP) rule. The EPA extended certifications so that renovators could take advantage of the new requirements for refresher courses. This rule has been amended to reflect the changes that the EPA made regarding certification extensions. The amended rule is almost a direct quote from 40 CFR 745.90.

A 30 day comment period was held from March 1 to March 31, 2016. No comments were received and no public hearing was requested.

Staff Recommendation: Staff recommends that the Board adopt R307-841-8 as proposed.

1 **R307. Environmental Quality, Air Quality.**
2 **R307-841. Residential Property and Child-Occupied Facility**
3 **Renovation.**

4

5 **R307-841-8. Renovator Certification and Dust Sampling Technician**
6 **Certification.**

7 (1) Renovator certification and dust sampling technician
8 certification.

9 (a) To become a certified renovator or certified dust
10 sampling technician, an individual must successfully complete an
11 initial lead-based paint renovator or dust-sampling technician
12 course accredited by the director under R307-842-1, the EPA under
13 40 CFR 745.225, or a state or tribal program that has been
14 authorized by EPA pursuant to subpart Q of 40 CFR 745.

15 (b) Individuals who have successfully completed an
16 accredited abatement worker or supervisor course, or individuals
17 who have successfully completed a director, EPA, HUD, or EPA/HUD
18 model renovation training course before October 4, 2011, but no
19 later than the training course expiration date found on that
20 training certificate, may take an accredited refresher renovator
21 training course in lieu of the initial renovator training course
22 to become a certified renovator.

23 (c) Individuals who have successfully completed an
24 accredited lead-based paint inspector or risk assessor course
25 before October 4, 2011, but no later than the training course
26 expiration date found on that training certificate, may take an
27 accredited refresher dust sampling technician course in lieu of
28 the initial training to become a certified dust sampling
29 technician. Individuals who are currently certified as lead-based
30 paint inspectors or risk assessors may act as certified dust
31 sampling technicians without further training.

32 (d) To maintain renovator certification or dust sampling
33 technician certification, an individual must complete a renovator
34 or dust sampling technician refresher course accredited by the
35 director under R307-842-1, the EPA under 40 CFR 745.225, or by a
36 state or tribal program that is authorized under subpart Q of 40
37 CFR 745 within 5 years of the date the individual completed the
38 initial course described in paragraph (1)(a) of this section. If
39 the individual does not complete a refresher course within this
40 time, the individual must re-take the initial course to become
41 certified again. Individuals who complete a renovator course
42 accredited by the director under R307-842-1, the EPA or an EPA
43 authorized program on or before March 31, 2010, must complete a
44 renovator refresher course accredited by the director under R307-
45 842-1, the EPA or an EPA authorized program on or before March 31,
46 2016, to maintain renovator certification. Individuals who
47 completed a renovator course accredited by the director under

1 R307-842-1, the EPA or an EPA authorized program between April 1,
2 2010 and March 31, 2011, will have one year added to their
3 original 5-year certification.

4 (2) Renovator responsibilities. Certified renovators are
5 responsible for ensuring compliance with R307-841-5 at all
6 renovations to which they are assigned. A certified renovator:

7 (a) Must perform all of the tasks described in R307-841-5(2)
8 and must either perform or direct workers who perform all of the
9 tasks described in R307-841-5(1);

10 (b) Must provide training to workers on the work practices
11 required by R307-841-5(1) that they will be using in performing
12 their assigned tasks;

13 (c) Must be physically present at the work site when the
14 signs required by R307-841-5(1)(a) are posted, while the work area
15 containment required by R307-841-5(1)(b) is being established, and
16 while the work area cleaning required by R307-841-5(1)(e) is
17 performed;

18 (d) Must regularly direct work being performed by other
19 individuals to ensure that the work practices required by R307-
20 841-5(1) are being followed, including maintaining the integrity
21 of the containment barriers and ensuring that dust or debris does
22 not spread beyond the work area;

23 (e) Must be available, either on-site or by telephone, at
24 all times that renovations are being conducted;

25 (f) When requested by the party contracting for renovation
26 services, must use an acceptable test kit to determine whether
27 components to be affected by the renovation contain lead-based
28 paint;

29 (g) Must have with them at the work site their current Utah
30 Lead-Based Paint Renovator certification card; and

31 (h) Must prepare the records required by R307-841-
32 6(2)(a)(ii), (iii), and (f).

33 (3) Dust sampling technician responsibilities. When
34 performing optional dust clearance sampling under R307-841-5(3), a
35 certified dust sampling technician:

36 (a) Must collect dust samples in accordance with R307-842-
37 3(5)(h), must send the collected samples to a laboratory
38 recognized by EPA under TSCA Section 405(b), and must compare the
39 results to the clearance levels in accordance with R307-842-
40 3(5)(h); and

41 (b) Must have with them at the work site their current Utah
42 Lead-Based Paint Dust Sampling Technician certification card.

43
44 **KEY: paint, lead-based paint, lead-based paint renovation**

45 **Date of Enactment or Last Substantive Amendment: 2016**

46 **Notice of Continuation: February 5, 2015**

47 **Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(i)**

ITEM 6



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-023-16

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Ryan Stephens, Environmental Planning Consultant

DATE: April 14, 2016

SUBJECT: PROPOSE FOR PUBLIC COMMENT: Amend R307-101-3. Version of Code of Federal Regulations Incorporated by Reference.

R307-101-3, Version of Code of Federal Regulations Incorporated by Reference, must be updated periodically to reflect changes to the federal air quality rules as published in Title 40 of the Code of Federal Regulations (40 CFR). All published changes to 40 CFR that are relevant to the Utah Air Quality Rules from July 1, 2014, to July 1, 2015, are listed in the attached document. The rule has been amended to identify the most recent version of 40 CFR, July 1, 2015, as the version that is incorporated throughout the Utah Air Quality Rules.

Staff Recommendation: Staff recommends that the Board propose the amended R307-101-3 for public comment.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-101. General Requirements.**

3

4 **R307-101-3. Version of Code of Federal Regulations Incorporated by**
5 **Reference.**

6 Except as specifically identified in an individual rule, the
7 version of the Code of Federal Regulations (CFR) incorporated
8 throughout R307 is dated July 1, [~~2014~~2015].

9

10 **KEY: air pollution, definitions**

11 **Date of Enactment or Last Substantive Amendment: [~~December 15,~~**
12 **2015]2016**

13 **Notice of Continuation: May 8, 2014**

14 **Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a)**

Summary of CFR Changes for July 1, 2015, Version

Rule	CFR section Incorporated	Summary of Changes to CFR
R307-101-2	40 CFR 51.100(s)	No Change
	40 CFR Part 93, Subpart B	No Change
R307-170-7	40 CFR Part 75 CEM, Appendix A, Section 6.2	No Change
R307-221-2	Definitions 40 CFR Part 60.751	No Change
R307-221-3	40 CFR 60.752 through 60.759, including Appendix A	No Change
R307-221-4	Section 40 CFR Part 60.18	No Change
R307-222-2	40 CFR 60.31e	No Change
R307-222-2	40 CFR 60.51c	No Change
R307-222-3	40 CFR 60.52c(b), 40 CFR 60.53c, 40 CFR 60.55c, 40 CFR 60.58c(b) excluding (b)(2)(ii) and (b)(7), and 40 CFR 60.58c(c) through (f)	No Change
R307-222-4	Table 1 in 40 CFR Part 60, Subpart Ce, 40 CFR 60.57c, and 40 CFR 60.56c excluding 56c(b)(12) and 56c(c)(3)	No Change
R307-222-5(2)	Table 2 in 40 CFR Part 60, Subpart Ce (40CFR60.30e-39e)	No Change
R307-222-5(3)	40 CFR 60.36e(a)(1) and (a)(2)	No Change
R307-222-5(4)	Testing requirements of 40 CFR 60.37e(b)(1) through (b)(5)	No Change
R307-222-5(5)	40 CFR 60.37e(d)(1) through (d)(3)	No Change
R307-222-5(6)	40 CFR 60.38e(b)(1) and (b)(2)	No Change

Summary of CFR Changes for July 1, 2015, Version

Rule	CFR section Incorporated	Summary of Changes to CFR
R307-223-1(2)	40 CFR 60.1555(a) through (k)	No Change
R307-223-2(1)	40 CFR 60.1940,	No Change
R307-223-2(2)	Equations found in 40 CFR 60.1935	No Change
R307-223-3(1)	40 CFR 60.1540 and 60.1585 through 60.1905, and with the requirements and schedules set forth in Tables 2 through 8 that are found following 40 CFR 60.1940 for operator training and certification	No Change
R307-224-2	40 CFR Part 60, subpart HHHH, Sections 60.4101 through 60.4124; (b) Sections 60.4142 paragraph (c)(2) through paragraph (c)(4); (c) Sections 60.4150 through 60.4176.	No Change
R307-310-2	Definitions contained in 40 CFR 93.101	No Change
R307-328	40 CFR Parts 63.421, 63.425(e), 63.425(i),	No Change
R307-415	40 CFR Parts 70, 72.2, 720.3(ee),	No Change
R307-417-1	40 CFR Part 72	No Change
R307-417-2	40 CFR Part 75	No Change
R307-417-3	40 CFR Part 76	No Change
R307-801-4	40 CFR 763 Subpart E, and appendices	No Change

ITEM 7



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-021-16

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Ryan Stephens, Environmental Planning Consultant

DATE: April 13, 2016

SUBJECT: Five-Year Review: R307-210. Stationary Sources.

Utah Code Title 63G-3-305 requires each agency to review and justify each of its rules within five years of a rule's original effective date or within five years of the filing of the last five-year review. This review process is not a time to revise or amend the rules, but only to verify that the rule is still necessary and allowed under state and federal statutes. As part of this process, we are required to identify any comments received since the last five-year review of each rule. This process is not the time to revisit those comments or to respond to them.

DAQ has completed a five year review for R307-210. The results of this review are found in the attached five-year notice of review and statement of continuation form.

Staff Recommendation: Staff recommends that the Board continue R307-210 by approving the attached form to be filed with the Division of Administrative Rules.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-210. Stationary Sources.**

3 **R307-210-1. Standards of Performance for New Stationary Sources**
4 **NSPS).**

5 The provisions of 40 Code of Federal Regulations (CFR) Part 60,
6 effective on July 1, 2014, except for Subparts Cb, Cc, Cd, Ce, BBBB,
7 DDDD, and HHHH, are incorporated by reference into these rules with
8 the exception that references in 40 CFR to "Administrator" shall mean
9 "director" unless by federal law the authority referenced is specific
10 to the Administrator and cannot be delegated.

11

12 **KEY: air pollution, stationary sources, new source review**

13 **Date of Enactment or Last Substantive Amendment: June 4, 2015**

14 **Notice of Continuation: April [~~6, 2011~~11, 2016**

15 **Authorizing, and Implemented or Interpreted Law: 19-2-104**

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Rule Information

DAR file no:		Date filed:	
State Admin Rule Filing Key:	157385		
Utah Admin. Code ref. (R no.):	R307-210		

Agency Information

1. Agency: ENVIRONMENTAL QUALITY - Air Quality

Room no.: Fourth Floor

Building:

Street address 1: 195 N 1950 W

Street address 2:

City, state, zip: SALT LAKE CITY UT 84116-3085

Mailing address 1: PO BOX 144820

Mailing address 2:

City, state, zip: SALT LAKE CITY UT 84114-4820

Contact person(s):

Name:	Phone:	Fax:	E-mail:	Remove:
Ryan Stephens	801-536-4419	801-536-0085	rstephens@utah.gov	

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Title

2. Title of rule or section (catchline):
Stationary Sources.

Rule Provisions

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require the rule:
R307-210 was enacted under the authority of Subsection 19-2-104(1)(a). Utah Code 19-2-104 gives the Utah Air Quality Board the power to make rules "regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air pollutants that may be emitted by an air pollutant source."

Content Summary

4. A summary of written comments received during and since the last five-year review of the rule from interested persons supporting or opposing the rule:
No comments were received by interested persons supporting or opposing R307-210.

Justification Information

5. A reasoned justification for continuation of the rule, including reasons why the agency disagrees with comments in opposition to the rule, if any:
The Environmental Protection Agency (EPA) has delegated the authority to "develop and submit" procedures for "implementing and enforcing standards of performance for new sources" in Utah to the state. 42 U.S.C. 7411(c). R307-210 is a part of those procedures. The Division believes it is in Utah's best interest to remain in control of implementing and enforcing standards of performance for new sources. Therefore, R307-210 should continue to be a

state rule.

Indexing Information

6. Indexing information - keywords (maximum of four, one term per field, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):
air pollution, Code of Federal Regulations, stationary source, new source review

File Information

7. Attach an RTF document containing the text of this rule change (filename):
No document is associated with this filing.

To the Agency

Information requested on this form is required by Section 63G-3-305. Incomplete forms will be returned to the agency for completion, possibly delaying the effective date.

Agency Authorization

Agency head or designee, and title: Bryce Bird
Director

Date (mm/dd/yyyy): 04/11/2016

ITEM 8



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-020-16

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Ryan Stephens, Environmental Planning Consultant

DATE: April 13, 2016

SUBJECT: PROPOSE FOR PUBLIC COMMENT: R307-210. Stationary Sources.

R307-210, Stationary Sources, must be updated periodically to reflect changes to federal air quality regulations found in Title 40 of the Code of Federal Regulations (40 CFR) Part 60. All published changes to 40 CFR Part 60 from July 1, 2014, to July 1, 2015, are listed in the attached document. To reflect these changes, R307-210 needs to be amended to incorporate by reference the July 1, 2015, version of 40 CFR Part 60.

Staff Recommendation: Staff recommends that the Board propose the amendments to R307-210 for public comment.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-210. Stationary Sources.**

3 **R307-210-1. Standards of Performance for New Stationary Sources**
4 **(NSPS).**

5 The provisions of 40 Code of Federal Regulations (CFR) Part 60,
6 effective on July 1, [~~2014~~2015], except for Subparts Cb, Cc, Cd, Ce,
7 BBBB, DDDD, and HHHH, are incorporated by reference into these rules
8 with the exception that references in 40 CFR to "Administrator" shall
9 mean "director" unless by federal law the authority referenced is
10 specific to the Administrator and cannot be delegated.

11

12 **KEY: air pollution, stationary sources, new source review**

13 **Date of Enactment or Last Substantive Amendment: [~~June 4, 2015~~2016**

14 **Notice of Continuation: April 6, 2011**

15 **Authorizing, and Implemented or Interpreted Law: 19-2-104(3)(q);**
16 **19-2-108**

Final Standards of Performance for Stationary Sources (NSPS) for Adoption
From July 1, 2014, to July 1, 2015

FR Info (Title, Volume, Pages)	CFR Reference	Summary
02/02/15 FR. Vol. 80, No. 21 Pgs. 5475-79. [EPA-R06-OAR-2007-0488; FRL-9921-77-Region 6]	40 CFR 60.4(b)(GG) and 40 CFR Part 60.4(e)(1)	This final rule does not impact Utah. It is addressing New Mexico's submittal of regulations for receiving delegation of the Environmental Protection Agency authority for implementation and enforcement of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for all sources.
02/24/2012 FR Vol. 80, No. 36 Pages 9613 - 9622 [EPA-R06-OAR-2010-1054; FRL-9923-11-Region 6]	40 CFR 60.4(b)(T) and 40 CFR 60.4(e)(2)	This final rule does not impact Utah. It is addressing Louisiana's submittal of regulations for receiving delegation of the Environmental Protection Agency authority for implementation and enforcement of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for all sources.
11/19/2014 FR Vol. 79, No. 223 Pages 68777 - 68794 [EPA-HQ-OAR-2009-0234; EPA-HQ-OAR-2011-0044; FRL-9919-29-OAR]	40 CFR 60.42Da(e)(2)	This final action included final amendments to the startup and shutdown provisions of the final MATS and Utility NSPS issued by EPA on Fe. 16, 2012. This final rule amends 40 CFR 60.42Da(e)(2) to say that "owners or operators of facilities subject to subpart DDDDD of part 63 shall meet the work practice standards specified in Table 3 to subpart DDDDD of part 63 and use the relevant definition used in § 63.7575." EPA stated in the Federal Register that this amendment would not have a significant economic or air quality related impact.
10/09/2014 FR Vol. 79, No. 196 Pages 60993 - 60995 [EPA-R08-OAR-2014-0272; FRL-9917-49-Region 9]	40 CFR 60.4	This action informed the public of NSPS delegations made to Region 8 states and replaced the delegation table in 40 CFR 60.4(c) with a Web address directing the public to current EPA Region 8 NSPS delegations.

Final Standards of Performance for Stationary Sources (NSPS) for Adoption
From July 1, 2014, to July 1, 2015

FR Info (Title, Volume, Pages)	CFR Reference	Summary
<p>12/31/2014 FR Vol. 79, No. 250 Pages 79018 - 79041 [EPA-HQ-OAR-2010-0505; FRL-9921-03-OAR]</p>	<p>40 CFR 60.5365, 60.5375, 60.5390, 60.540, 60.5412, 60.5413, 60.5415, 60.5416, 60.5430.</p>	<p>This action finalizes amendments to new source performance standards (NSPS) for the oil and natural gas sector. On August 16, 2012, the Environmental Protection Agency (EPA) published final NSPS for the oil and natural gas sector. The Administrator received petitions for administrative reconsideration of certain aspects of the standards. Among issues raised in the petitions were time-critical issues related to certain storage vessel provisions and well completion provisions. On July 17, 2014 (79 FR 41752), the EPA published proposed amendments and clarifications as a result of reconsideration of certain issues related to well completions, storage vessels and other issues raised for reconsideration as well as technical corrections and amendments to further clarify the rule. This action finalizes these amendments and corrects technical errors that were inadvertently included in the final standards.</p>
<p>03/16/2015 FR Vol. 80, No. 50 Pages 13672 – 13753 [EPA-HQ-OAR-2009-0734; FRL-9920-50-OAR]</p>	<p>40 CFR 60.17</p> <p>Subpart AAA: Secs. 60.530, 60.531, 60.532, 60.533, 60.534-60.539(a)-(b).</p> <p>Subpart QQQ: Secs. 60.5472-60.5483.</p> <p>Appendix A-8 to Part 60-Test Methods 26-30B.</p> <p>And</p> <p>Appendix I to Part 60- Owner’s Manuals and Temporary Labels for Wood Heaters Subject to Subparts AAA and QQQQ of Part 60.</p>	<p>The Environmental Protection Agency (EPA) took final action to revise the Standards of Performance for New Residential Wood Heaters and to add a new subpart: Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces. This final rule achieved several objectives for new residential wood heaters, including applying updated emission limits that reflect the current best systems of emission reduction; eliminating exemptions over a broad suite of residential wood combustion devices; strengthening test methods as appropriate; and streamlining the certification process.</p>

ITEM 9



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-024-16

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Ryan Stephens, Environmental Planning Consultant

DATE: April 14, 2016

SUBJECT: PROPOSE FOR PUBLIC COMMENT: Amend R307-214. National Emission Standards for Hazardous Air Pollutants.

R307-214, National Emission Standards for Hazardous Air Pollutants (NESHAPs), must be updated periodically to reflect changes to the NESHAPs as published in Title 40 of the Code of Federal Regulations (40 CFR) Parts 61 and 63.

All published changes to 40 CFR Parts 61 and 63 from July 1, 2014, to July 1, 2015, are listed in the attached document. To reflect these changes, R307-214 needs to be amended to incorporate by reference the July 1, 2015, version of 40 CFR Parts 61 and 63.

Staff Recommendation: Staff recommends that the Board propose the amended R307-214 for public comment.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-214. National Emission Standards for Hazardous Air Pollutants.**

3 **R307-214-1. Pollutants Subject to Part 61.**

4 The provisions of Title 40 of the Code of Federal Regulations
5 (40 CFR) Part 61, National Emission Standards for Hazardous Air
6 Pollutants, effective as of July 1, [~~2014~~]2015, are incorporated into
7 these rules by reference. For pollutant emission standards delegated
8 to the State, references in 40 CFR Part 61 to "the Administrator"
9 shall refer to the director.

10
11 **R307-214-2. Sources Subject to Part 63.**

12 The provisions listed below of 40 CFR Part 63, National Emission
13 Standards for Hazardous Air Pollutants for Source Categories,
14 effective as of July 1, [~~2014~~]2015, are incorporated into these rules
15 by reference. References in 40 CFR Part 63 to "the Administrator"
16 shall refer to the director, unless by federal law the authority is
17 specific to the Administrator and cannot be delegated.

18 (1) 40 CFR Part 63, Subpart A, General Provisions.

19 (2) 40 CFR Part 63, Subpart B, Requirements for Control
20 Technology Determinations for Major Sources in Accordance with 42
21 U.S.C. 7412(g) and (j).

22 (3) 40 CFR Part 63, Subpart F, National Emission Standards for
23 Organic Hazardous Air Pollutants from the Synthetic Organic Chemical
24 Manufacturing Industry.

25 (4) 40 CFR Part 63, Subpart G, National Emission Standards for
26 Organic Hazardous Air Pollutants from the Synthetic Organic Chemical
27 Manufacturing Industry for Process Vents, Storage Vessels, Transfer
28 Operations, and Wastewater.

29 (5) 40 CFR Part 63, Subpart H, National Emission Standards for
30 Organic Hazardous Air Pollutants for Equipment Leaks.

31 (6) 40 CFR Part 63, Subpart I, National Emission Standards for
32 Organic Hazardous Air Pollutants for Certain Processes Subject to
33 the Negotiated Regulation for Equipment Leaks.

34 (7) 40 CFR Part 63, Subpart J, National Emission Standards for
35 Polyvinyl Chloride and Copolymers Production.

36 (8) 40 CFR Part 63, Subpart L, National Emission Standards for
37 Coke Oven Batteries.

38 (9) 40 CFR Part 63, Subpart M, National Perchloroethylene Air
39 Emission Standards for Dry Cleaning Facilities.

40 (10) 40 CFR Part 63, Subpart N, National Emission Standards
41 for Chromium Emissions From Hard and Decorative Chromium
42 Electroplating and Chromium Anodizing Tanks.

43 (11) 40 CFR Part 63, Subpart O, National Emission Standards
44 for Hazardous Air Pollutants for Ethylene Oxide Commercial
45 Sterilization and Fumigation Operations.

46 (12) 40 CFR Part 63, Subpart Q, National Emission Standards
47 for Hazardous Air Pollutants for Industrial Process Cooling Towers.

48 (13) 40 CFR Part 63, Subpart R, National Emission Standards
49 for Gasoline Distribution Facilities (Bulk Gasoline Terminals and
50 Pipeline Breakout Stations).

51 (14) 40 CFR Part 63, Subpart T, National Emission Standards
52 for Halogenated Solvent Cleaning.

53 (15) 40 CFR Part 63, Subpart U, National Emission Standards
54 for Hazardous Air Pollutant Emissions: Group I Polymers and Resins.
55 (16) 40 CFR Part 63, Subpart AA, National Emission Standards
56 for Hazardous Air Pollutants for Phosphoric Acid Manufacturing.
57 (17) 40 CFR Part 63, Subpart BB, National Emission Standards
58 for Hazardous Air Pollutants for Phosphate Fertilizer Production.
59 (18) 40 CFR Part 63, Subpart CC, National Emission Standards
60 for Hazardous Air Pollutants from Petroleum Refineries.
61 (19) 40 CFR Part 63, Subpart DD, National Emission Standards
62 for Hazardous Air Pollutants from Off-Site Waste and Recovery
63 Operations.
64 (20) 40 CFR Part 63, Subpart EE, National Emission Standards
65 for Magnetic Tape Manufacturing Operations.
66 (21) 40 CFR Part 63, Subpart GG, National Emission Standards
67 for Aerospace Manufacturing and Rework Facilities.
68 (22) 40 CFR Part 63, Subpart HH, National Emission Standards
69 for Hazardous Air Pollutants for Oil and Natural Gas Production.
70 (23) 40 CFR Part 63, Subpart JJ, National Emission Standards
71 for Wood Furniture Manufacturing Operations.
72 (24) 40 CFR Part 63, Subpart KK, National Emission Standards
73 for the Printing and Publishing Industry.
74 (25) 40 CFR Part 63, Subpart MM, National Emission Standards
75 for Hazardous Air Pollutants for Chemical Recovery Combustion Sources
76 at Kraft, Soda, Sulphite, and Stand-Alone Semichemical Pulp Mills.
77 (26) 40 CFR Part 63, Subpart OO, National Emission Standards
78 for Tanks - Level 1.
79 (27) 40 CFR Part 63, Subpart PP, National Emission Standards
80 for Containers.
81 (28) 40 CFR Part 63, Subpart QQ, National Emission Standards
82 for Surface Impoundments.
83 (29) 40 CFR Part 63, Subpart RR, National Emission Standards
84 for Individual Drain Systems.
85 (30) 40 CFR Part 63, Subpart SS, National Emission Standards
86 for Closed Vent Systems, Control Devices, Recovery Devices and Routing
87 to a Fuel Gas System or a Process (Generic MACT).
88 (31) 40 CFR Part 63, Subpart TT, National Emission Standards
89 for Equipment Leaks- Control Level 1 (Generic MACT).
90 (32) 40 CFR Part 63, Subpart UU, National Emission Standards
91 for Equipment Leaks-Control Level 2 Standards (Generic MACT).
92 (33) 40 CFR Part 63, Subpart VV, National Emission Standards
93 for Oil-Water Separators and Organic-Water Separators.
94 (34) 40 CFR Part 63, Subpart WW, National Emission Standards
95 for Storage Vessels (Tanks)-Control Level 2 (Generic MACT).
96 (35) 40 CFR Part 63, Subpart XX, National Emission Standards
97 for Ethylene Manufacturing Process Units: Heat Exchange Systems and
98 Waste Operations.
99 (36) 40 CFR Part 63, Subpart YY, National Emission Standards
100 for Hazardous Air Pollutants for Source Categories: Generic MACT.
101 (37) 40 CFR Part 63, Subpart CCC, National Emission Standards
102 for Hazardous Air Pollutants for Steel Pickling-HCl Process Facilities
103 and Hydrochloric Acid Regeneration Plants.
104 (38) 40 CFR Part 63, Subpart DDD, National Emission Standards

105 for Hazardous Air Pollutants for Mineral Wool Production.
106 (39) 40 CFR Part 63, Subpart EEE, National Emission Standards
107 for Hazardous Air Pollutants from Hazardous Waste Combustors.
108 (40) 40 CFR Part 63, Subpart GGG, National Emission Standards
109 for Hazardous Air Pollutants for Pharmaceuticals Production.
110 (41) 40 CFR Part 63, Subpart HHH, National Emission Standards
111 for Hazardous Air Pollutants for Natural Gas Transmission and Storage.
112 (42) 40 CFR Part 63, Subpart III, National Emission Standards
113 for Hazardous Air Pollutants for Flexible Polyurethane Foam
114 Production.
115 (43) 40 CFR Part 63, Subpart JJJ, National Emission Standards
116 for Hazardous Air Pollutants for Group IV Polymers and Resins.
117 (44) 40 CFR Part 63, Subpart LLL, National Emission Standards
118 for Hazardous Air Pollutants for Portland Cement Manufacturing
119 Industry.
120 (45) 40 CFR Part 63, Subpart MMM, National Emission Standards
121 for Hazardous Air Pollutants for Pesticide Active Ingredient
122 Production.
123 (46) 40 CFR Part 63, Subpart NNN, National Emission Standards
124 for Hazardous Air Pollutants for Wool Fiberglass Manufacturing.
125 (47) 40 CFR Part 63, Subpart OOO, National Emission Standards
126 for Hazardous Air Pollutants for Amino/Phenolic Resins Production
127 (Resin III).
128 (48) 40 CFR Part 63, Subpart PPP, National Emission Standards
129 for Hazardous Air Pollutants for Polyether Polyols Production.
130 (49) 40 CFR Part 63, Subpart QQQ, National Emission Standards
131 for Hazardous Air Pollutants for Primary Copper Smelters.
132 (50) 40 CFR Part 63, Subpart RRR, National Emission Standards
133 for Hazardous Air Pollutants for Secondary Aluminum Production.
134 (51) 40 CFR Part 63, Subpart TTT, National Emission Standards
135 for Hazardous Air Pollutants for Primary Lead Smelting.
136 (52) 40 CFR Part 63, Subpart UUU, National Emission Standards
137 for Hazardous Air Pollutants for Petroleum Refineries: Catalytic
138 Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units.
139 (53) 40 CFR Part 63, Subpart VVV, National Emission Standards
140 for Hazardous Air Pollutants: Publicly Owned Treatment Works.
141 (54) 40 CFR Part 63, Subpart AAAA, National Emission Standards
142 for Hazardous Air Pollutants for Municipal Solid Waste Landfills.
143 (55) 40 CFR Part 63, Subpart CCCC, National Emission Standards
144 for Manufacturing of Nutritional Yeast.
145 (56) 40 CFR Part 63, Subpart DDDD, National Emission Standards
146 for Hazardous Air Pollutants for Plywood and Composite Wood Products.
147 (57) 40 CFR Part 63, Subpart EEEE, National Emission Standards
148 for Hazardous Air Pollutants for Organic Liquids Distribution
149 (non-gasoline).
150 (58) 40 CFR Part 63, Subpart FFFF, National Emission Standards
151 for Hazardous Air Pollutants for Miscellaneous Organic Chemical
152 Manufacturing.
153 (59) 40 CFR Part 63, Subpart GGGG, National Emission Standards
154 for Vegetable Oil Production; Solvent Extraction.
155 (60) 40 CFR Part 63, Subpart HHHH, National Emission Standards
156 for Wet-Formed Fiberglass Mat Production.

157 (61) 40 CFR Part 63, Subpart IIII, National Emission Standards
158 for Hazardous Air Pollutants for Surface Coating of Automobiles and
159 Light-Duty Trucks.

160 (62) 40 CFR Part 63, Subpart JJJJ, National Emission Standards
161 for Hazardous Air Pollutants for Paper and Other Web Surface Coating
162 Operations.

163 (63) 40 CFR Part 63, Subpart KKKK, National Emission Standards
164 for Hazardous Air Pollutants for Surface Coating of Metal Cans.

165 (64) 40 CFR Part 63, Subpart MMMM, National Emission Standards
166 for Hazardous Air Pollutants for Surface Coating of Miscellaneous
167 Metal Parts and Products.

168 (65) 40 CFR Part 63, Subpart NNNN, National Emission Standards
169 for Large Appliances Surface Coating Operations.

170 (66) 40 CFR Part 63, Subpart OOOO, National Emission Standards
171 for Hazardous Air Pollutants for Fabric Printing, Coating and Dyeing
172 Surface Coating Operations.

173 (67) 40 CFR Part 63, Subpart PPPP, National Emissions Standards
174 for Hazardous Air Pollutants for Surface Coating of Plastic Parts
175 and Products.

176 (68) 40 CFR Part 63, Subpart QQQQ, National Emission Standards
177 for Hazardous Air Pollutants for Surface Coating of Wood Building
178 Products.

179 (69) 40 CFR Part 63, Subpart RRRR, National Emission Standards
180 for Hazardous Air Pollutants for Metal Furniture Surface Coating
181 Operations.

182 (70) 40 CFR Part 63, Subpart SSSS, National Emission Standards
183 for Metal Coil Surface Coating Operations.

184 (71) 40 CFR Part 63, Subpart TTTT, National Emission Standards
185 for Leather Tanning and Finishing Operations.

186 (72) 40 CFR Part 63, Subpart UUUU, National Emission Standards
187 for Cellulose Product Manufacturing.

188 (73) 40 CFR Part 63, Subpart VVVV, National Emission Standards
189 for Boat Manufacturing.

190 (74) 40 CFR Part 63, Subpart WWWW, National Emissions Standards
191 for Hazardous Air Pollutants for Reinforced Plastic Composites
192 Production.

193 (75) 40 CFR Part 63, Subpart XXXX, National Emission Standards
194 for Tire Manufacturing.

195 (76) 40 CFR Part 63, Subpart YYYYY, National Emission Standards
196 for Hazardous Air Pollutants for Stationary Combustion Turbines.

197 (77) 40 CFR Part 63, Subpart ZZZZ, National Emission Standards
198 for Hazardous Air Pollutants for Stationary Reciprocating Internal
199 Combustion Engines.

200 (78) 40 CFR Part 63, Subpart AAAAA, National Emission Standards
201 for Hazardous Air Pollutants for Lime Manufacturing Plants.

202 (79) 40 CFR Part 63, Subpart BBBB, National Emission Standards
203 for Hazardous Air Pollutants for Semiconductor Manufacturing.

204 (80) 40 CFR Part 63, Subpart CCCCC, National Emission Standards
205 for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and
206 Battery Stacks.

207 (81) 40 CFR Part 63, Subpart DDDDD, National Emission Standards
208 for Hazardous Air Pollutants for Industrial, Commercial, and

209 Institutional Boilers and Process Heaters.
210 (82) 40 CFR Part 63, Subpart EEEEE, National Emission Standards
211 for Hazardous Air Pollutants for Iron and Steel Foundries.
212 (83) 40 CFR Part 63, Subpart FFFFF, National Emission Standards
213 for Hazardous Air Pollutants for Integrated Iron and Steel
214 Manufacturing.
215 (84) 40 CFR Part 63, Subpart GGGGG, National Emission Standards
216 for Hazardous Air Pollutants for Site Remediation.
217 (85) 40 CFR Part 63, Subpart HHHHH, National Emission Standards
218 for Hazardous Air Pollutants for Miscellaneous Coating Manufacturing.
219 (86) 40 CFR Part 63, Subpart IIIII, National Emission Standards
220 for Hazardous Air Pollutants for Mercury Emissions from Mercury Cell
221 Chlor-Alkali Plants.
222 (87) 40 CFR Part 63, Subpart JJJJJ, National Emission Standards
223 for Hazardous Air Pollutants for Brick and Structural Clay Products
224 Manufacturing.
225 (88) 40 CFR Part 63, Subpart KKKKK, National Emission Standards
226 for Hazardous Air Pollutants for Clay Ceramics Manufacturing.
227 (89) 40 CFR Part 63, Subpart LLLLL, National Emission Standards
228 for Hazardous Air Pollutants for Asphalt Processing and Asphalt
229 Roofing Manufacturing.
230 (90) 40 CFR Part 63, Subpart MMMMM, National Emission Standards
231 for Hazardous Air Pollutants for Flexible Polyurethane Foam
232 Fabrication Operations.
233 (91) 40 CFR Part 63, Subpart NNNNN, National Emission Standards
234 for Hazardous Air Pollutants for Hydrochloric Acid Production.
235 (92) 40 CFR Part 63, Subpart PPPPP, National Emission Standards
236 for Hazardous Air Pollutants for Engine Test Cells/Standards.
237 (93) 40 CFR Part 63, Subpart QQQQQ, National Emission Standards
238 for Hazardous Air Pollutants for Friction Materials Manufacturing
239 Facilities.
240 (94) 40 CFR Part 63, Subpart RRRRR, National Emission Standards
241 for Hazardous Air Pollutants for Taconite Iron Ore Processing.
242 (95) 40 CFR Part 63, Subpart SSSSS, National Emission Standards
243 for Hazardous Air Pollutants for Refractory Products Manufacturing.
244 (96) 40 CFR Part 63, Subpart TTTTT, National Emission Standards
245 for Hazardous Air Pollutants for Primary Magnesium Refining.
246 (97) 40 CFR Part 63, Subpart UUUUU, National Emission Standards
247 for Hazardous Air Pollutants for Coal- and Oil-Fired Electric Utility
248 Steam Generating Units.
249 (98) 40 CFR Part 63, Subpart WWWW, National Emission Standards
250 for Hospital Ethylene Oxide Sterilizers.
251 (99) 40 CFR Part 63, Subpart YYYYY, National Emission Standards
252 for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace
253 Steelmaking Facilities.
254 (100) 40 CFR Part 63, Subpart ZZZZZ, National Emission Standards
255 for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources.
256 (101) 40 CFR Part 63 Subpart BBBB National Emission Standards
257 for Hazardous Air Pollutants for Source Category: Gasoline
258 Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities
259 (102) 40 CFR Part 63 Subpart CCCCC National Emission Standards
260 for Hazardous Air Pollutants for Source Category: Gasoline Dispensing

261 Facilities.
262 (103) 40 CFR Part 63, Subpart DDDDDD, National Emission
263 Standards for Hazardous Air Pollutants for Polyvinyl Chloride and
264 Copolymers Production Area Sources.
265 (104) 40 CFR Part 63, Subpart EEEEEEE, National Emission
266 Standards for Hazardous Air Pollutants for Primary Copper Smelting
267 Area Sources.
268 (105) 40 CFR Part 63, Subpart FFFFFFF, National Emission
269 Standards for Hazardous Air Pollutants for Secondary Copper Smelting
270 Area Sources.
271 (106) 40 CFR Part 63, Subpart GGGGGG, National Emission
272 Standards for Hazardous Air Pollutants for Primary Nonferrous Metals
273 Area Sources--Zinc, Cadmium, and Beryllium.
274 (107) 40 CFR Part 63, Subpart JJJJJJ, National Emission
275 Standards for Hazardous Air Pollutants for Industrial, Commercial,
276 and Institutional Boilers Area Sources.
277 (108) 40 CFR Part 63, Subpart LLLLLL, National Emission
278 Standards for Hazardous Air Pollutants for Acrylic and Modacrylic
279 Fibers Production Area Sources.
280 (109) 40 CFR Part 63, Subpart MMMMMM, National Emission
281 Standards for Hazardous Air Pollutants for Carbon Black Production
282 Area Sources.
283 (110) 40 CFR Part 63, Subpart NNNNNN, National Emission
284 Standards for Hazardous Air Pollutants for Chemical Manufacturing
285 Area Sources: Chromium Compounds.
286 (111) 40 CFR Part 63, Subpart OOOOOO, National Emission
287 Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam
288 Production and Fabrication Area Sources.
289 (112) 40 CFR Part 63, Subpart PPPPPP, National Emission
290 Standards for Hazardous Air Pollutants for Lead Acid Battery
291 Manufacturing Area Sources.
292 (113) 40 CFR Part 63, Subpart QQQQQQ, National Emission
293 Standards for Hazardous Air Pollutants for Wood Preserving Area
294 Sources.
295 (114) 40 CFR Part 63, Subpart RRRRRR, National Emission
296 Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing
297 Area Sources.
298 (115) 40 CFR Part 63, Subpart SSSSSS, National Emission
299 Standards for Hazardous Air Pollutants for Glass Manufacturing Area
300 Sources.
301 (116) 40 CFR Part 63, Subpart VVVVVV, National Emission
302 Standards for Hazardous Air Pollutants for Chemical Manufacturing
303 Area Sources.
304 (117) 40 CFR Part 63, Subpart TTTTTT, National Emission
305 Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals
306 Processing Area Sources.
307 (118) 40 CFR Part 63, Subpart WWWWWW, National Emission
308 Standards for Hazardous Air Pollutants: Area Source Standards for
309 Plating and Polishing Operations.
310 (119) 40 CFR Part 63, Subpart XXXXXX, National Emission
311 Standards for Hazardous Air Pollutants Area Source Standards for Nine
312 Metal Fabrication and Finishing Source Categories.

313 (120) 40 CFR Part 63, Subpart YYYYYY, National Emission
314 Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys
315 Production Facilities.

316 (121) 40 CFR Part 63, Subpart ZZZZZZ, National Emission
317 Standards for Hazardous Air Pollutants: Area Source Standards for
318 Aluminum, Copper, and Other Nonferrous Foundries.

319 (122) 40 CFR Part 63, Subpart AAAAAAA, National Emission
320 Standards for Hazardous Air Pollutants for Area Sources: Asphalt
321 Processing and Asphalt Roofing Manufacturing.

322 (123) 40 CFR Part 63, Subpart BBBBBBB, National Emission
323 Standards for Hazardous Air Pollutants for Area Sources: Chemical
324 Preparations Industry.

325 (124) 40 CFR Part 63, Subpart CCCCCC, National Emission
326 Standards for Hazardous Air Pollutants for Area Sources: Paints and
327 Allied Products Manufacturing.

328 (125) 40 CFR Part 63, Subpart DDDDDDD, National Emission
329 Standards for Hazardous Air Pollutants for Area Sources: Prepared
330 Feeds Manufacturing.

331 (126) 40 CFR Part 63, Subpart EEEEEEE, National Emission
332 Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and
333 Production Area Source Category.

334

335 **KEY: air pollution, hazardous air pollutant, MACT, NESHAP**

336 **Date of Enactment or Last Substantive Amendment: [~~June 4, 2015~~]2016**

337 **Notice of Continuation: November 8, 2012**

338 **Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a)**

Changes to 40 CFR 61 and 63 and From July 1, 2014, to July 1, 2015

FR Info (Title, Volume, Pages)	CFR Reference	Summary
02/24/2015 FR Vol. 80, No. 36 Pages 9622 - 9628 [EPA-R06-OAR-2008-0063; FRL-9923-22-Region 6]	40 CFR Part 61.04 (Subpart A) and 63.99 (Subpart E)	This final action does not directly impact Utah. It is regarding Oklahoma's submission of regulations for receiving delegation of Environmental Protection Agency authority for implementation and enforcement of National Emission Standards for Hazardous Air Pollutants.
02/27/2015 FR Vol. 80, No. 39 Pages 10596 - 10608 [EPA-R07-OAR-2015-0016; FRL-9923-69-Region-7]	40 CFR Part 60 and 63	This final action does not directly impact Utah. It is regarding Iowa, Kansas, Missouri, and Nebraska's submission of regulations for receiving delegation of Environmental Protection Agency authority for implementation and enforcement of National Emission Standards for Hazardous Air Pollutants.
02/02/2015 FR Vol. 80, No. 21 Pages 5475 - 5483 [EPA-R06-OAR-2007-0488; FRL-9921-77-Region 6]	40 CFR Part 61.04 (Subpart A) and 63.99 (Subpart E)	This final action does not directly impact Utah. It is regarding New Mexico's submission of regulations for receiving delegation of Environmental Protection Agency authority for implementation and enforcement of National Emission Standards for Hazardous Air Pollutants.
02/24/2016 FR Vol. 80, No. 36 Pages 9613 - 9622 [EPA-R06-OAR-2010-1054; FRL-9923-11-Region 6]	40 CFR Part 61.04 (Subpart A) and 63.99 (Subpart E)	This final action does not directly impact Utah. It is regarding Louisiana's submission of regulations for receiving delegation of Environmental Protection Agency authority for implementation and enforcement of National Emission Standards for Hazardous Air Pollutants.
06/03/2015 FR Vol. 80, No. 106 Pages 31470-31481 [EPA-HQ-OAR-2004-0505; FRL-9928-25-OAR]	40 CFR 63	This final action demonstrated that EPA completed its statutory obligation under the Clean Air Act (CAA) to promulgate emissions standards for source categories accounting for not less than 90 percent of the aggregated emissions of each of seven specific hazardous air pollutants (HAP) enumerated in the CAA.
06/24/2015 FR Vol. 80, No. 121 Page 36247 [FR Doc. 2015-15481]	40 CFR 63.10686 (Subpart YYYYY)	A CFR correction was made regarding part 63.10686. Paragraph (e) was added and reads as follows: "(e) You must monitor the capture system and PM control device required by this subpart, maintain records, and submit reports according to the compliance assurance monitoring requirements in 40 CFR part 64. The exemption in 40 CFR 64.2(b)(1)(i) for emissions limitations or standards proposed after November 15, 1990 under section 111 or 112 of the CAA does not apply. In lieu of the deadlines for submittal in 40 CFR 64.5, you must submit the monitoring information required by 40 CFR 64.4 to the applicable permitting

Changes to 40 CFR 61 and 63 and From July 1, 2014, to July 1, 2015

FR Info (Title, Volume, Pages)	CFR Reference	Summary
		authority for approval by no later than the compliance date for your affected source for this subpart and operate according to the approved plan by no later than 180 days after the date of approval by the permitting authority.”
06/30/2015 FR Vol. 80, No. 125 Pages 37366-37400 [EPA-HQ-OAR-2010-0895; FRL-9928-66-OAR]	40 CFR 63.14 (Subpart A), 63.1620-63.1629 (Subpart XXX), 63.1650-63.1660 (Subpart XXX)	These final amendments included revisions to particulate matter (PM) standards for electric arc furnaces, metal oxygen refining processes, and crushing and screening operations, and expanded and revised the requirements to control and process fugitive emissions from furnace operations, tapping, casting, and other processes. EPA also finalized opacity limits, as proposed in 2014. However, regarding opacity monitoring, in lieu of Method 9, EPA required monitoring with the digital camera opacity technique (DCOT). Furthermore, EPA finalized emissions standards for four previously unregulated hazardous air pollutants (HAP): Formaldehyde, hydrogen chloride (HCl), mercury (Hg) and polycyclic aromatic hydrocarbons (PAH). Other requirements related to testing, monitoring, notification, recordkeeping, and reporting were included.
02/04/2015 FR Vol. 80, No. 23 Pages 5938-5941 [EPA-HQ-OAR-2010-0895; FRL-9928-66-OAR]	40 CFR 63	The Environmental Protection Agency (EPA) took direct final action to amend the National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources. The direct final rule withdrew the total non-vinyl chloride organic hazardous air pollutant (TOHAP) process wastewater emission standards for new and existing polyvinyl chloride and copolymers (PVC) area sources.
03/18/2015 FR Vol. 80, No. 52 Pages 14248-14283 [EPA-HQ-OAR-2012-0360; FRL-9923-26-OAR]	40 CFR 63.680-63.698 (Subpart DD)	This action finalized the residual risk and technology review conducted for the Off-Site Waste and Recovery Operations sources category regulated under the emission standards for NESHAP.
03/24/2015 FR Vol. 80, No. 56 Pages 15510-15515 [EPA-HQ-OAR-2009-0234; FRL-9923-98-OAR]	40 CFR 63.10031 (Subpart UUUUU)	This rule amended the reporting requirements in the MATS rule by temporarily requiring owners or operators of affected sources to submit certain required emissions and compliance reports to the EPA through the Emissions Collection and Monitoring Plan System Client Tool, and the rule temporarily suspended the requirement for owners or operators of affected sources to submit certain reports.
04/21/2015 FR Vol. 80, No. 76 Pages 22116	40 CFR 63.343 (Subpart N)	A correction was made to the CFR. Section 63.343 (c)(5)(ii) was changed to read: “On and after the date on which the initial performance test is required to be completed under § 63.7, the

Changes to 40 CFR 61 and 63 and From July 1, 2014, to July 1, 2015

FR Info (Title, Volume, Pages)	CFR Reference	Summary
[FR Doc. 2015-09232]		owner or operator of an affected source shall monitor the surface tension of the electroplating or anodizing bath. Operation of the affected source at a surface tension greater than the value established during the performance test, or greater than 40 dynes/cm, as measured by a stalagmometer, or 33 dynes/cm, as measured by a tensiometer, if the owner or operator is using this value in accordance with paragraph (c)(5)(i) of this section, shall constitute noncompliance with the standards. The surface tension shall be monitored according to the following schedule:”
08/15/2014 FR Vol. 79, No. 158 Pages 48073-48090 [EPA-HQ-OAR-2012-0510; FRL-9914-30-OAR]	40 CFR 63.1290-63.1309 (Subpart III), 63.6-63.10 (Subpart A).	This action finalized the residual risk and technology review conducted for the Flexible Polyurethane Foam Production source category regulated under NESHAP. This action also finalized amendments to correct and clarify regulatory provisions related to emissions during periods of startup, shutdown and malfunction.
10/08/2014 FR Vol. 79, No. 195 Pages 60898-60935 [EPA-HQ-OAR-2012-0133; FRL-9916-90-OAR]	40 CFR 63.1100-63.1417 (Subpart YY-000)	This action finalized the residual risk and technology review conducted for the Acrylic and Modacrylic Fibers Production, Amino/Phenolic Resins Production and Polycarbonate Production source categories regulated under NESHAP.
11/19/2014 FR Vol. 79, No. 223 Pages 68777 - 68794 [EPA-HQ-OAR-2009-0234; EPA-HQ-OAR-2011-0044; FRL-9919-29-OAR]	40 CFR 63.10000 (Subpart UUUUU), 63.10005 (Subpart UUUUU), 63.10007 (Subpart UUUUU), 63.10010, 63.10011 (Subpart UUUUU), 63.10020 (Subpart UUUUU), 63.10021-22, 63.10030-32, and 63.10042 (Subpart UUUUU)	The EPA is took final action on the standards applicable during startup periods and shutdown periods in MATS and on startup and shutdown provisions related to the PM standard in the Utility NSPS.
11/19/2014 FR Vol. 79, No. 223 Pages 68795 - 68794 [EPA-HQ-OAR-2009-0234; FRL-9919-29-OAR]	40 CFR 63.10031 (Subpart UUUUU)	This final rule amended the reporting requirements in the MATS rule by temporarily requiring affected sources to submit all required compliance data through the Emissions Collection and Monitoring Plan System Client Tool.

ITEM 10

SO₂ Milestone Report



2014 Regional SO₂ Emissions and Milestone Report

March 7, 2016

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2014 Regional SO₂ Emissions and Milestone Report

Executive Summary

Under Section 309 of the Federal Regional Haze Rule, nine western states, and tribes within those states, have the option of submitting plans to reduce regional haze emissions that impair visibility at 16 Class I areas on the Colorado Plateau. Five states – Arizona, New Mexico, Oregon, Utah, and Wyoming – and Albuquerque-Bernalillo County initially exercised this option by submitting plans to the Environmental Protection Agency (EPA) by December 31, 2003. Oregon elected to cease participation in the program in 2006 and Arizona elected to cease participation in 2010. The tribes were not subject to the deadline and still can opt into the program at any time. Under the Section 309 plans, the three participating states and Albuquerque-Bernalillo County have tracked the emissions of the applicable stationary sources as part of the pre-trigger portion of the SO₂ Milestone and Backstop Trading Program. The Western Regional Air Partnership (WRAP) is assisting these states and city with the implementation and management of the regional emission reduction program. As used in this document, “Section 309 states” means the states of New Mexico, Utah, and Wyoming and Albuquerque-Bernalillo County. (For CAA purposes, this report treats Albuquerque-Bernalillo County as a state, because it has authority under federal and state law to administer the CAA separately from the rest of New Mexico.)

As part of this program, the Section 309 states must submit an annual Regional Sulfur Dioxide (SO₂) Emissions and Milestone Report that compares emissions to milestones. A milestone is a maximum level of annual emissions for a given year. The states submitted the first report in 2004 for the calendar year 2003.

The regional milestone for 2014 is 170,868 tons. The states averaged the 2012, 2013, and 2014 adjusted emissions as required by Section 309 of the CAA. We compared this average to the 2014 milestone to determine whether the states met the milestone. The adjustments to reported emissions were required to allow the basis of current emission estimates to be comparable to the emissions monitoring or calculation method used in the most recent base year inventory.

As presented in Table ES-1, the Section 309 states reported 91,381 tons of SO₂ emissions for the calendar year 2014. The total emissions increased to 92,553 tons of SO₂ after making adjustments to account for changes in monitoring and calculation methods. The adjustments result in an additional 1,172 tons of SO₂ emissions. The adjusted emissions values for 2012 and 2013 were 96,430 and 100,193 tons, respectively. The average of 2012, 2013, and 2014 adjusted emissions was 96,392 tons.

Based on the adjusted milestone and emissions data, the average of 2012, 2013, and 2014 emissions is about 44% below the 2014 three-state regional milestone.

Based on this average annual emissions estimate, the Section 309 states determined that emissions in 2014 were below the regional SO₂ milestone for 2014. The states’ Section 309 plans

contain provisions to adjust the milestones to account for enforcement actions (to reduce the milestones where an enforcement action identified that emissions in the baseline period were greater than allowable emissions). Based on emissions data received from the states and plan requirements regarding adjustments to the milestones, no enforcement action adjustment is required.

The plans also require that the annual report identify, first, changes in the total number of sources from year to year and, second, significant changes in a source's emissions from year to year. The significant emission changes from 2013 to 2014 are included in Section 6 of this report. A list of facilities added to, or removed from, the list of subject sources in the original base year inventories is included in Appendix B.

**Table ES-1
Overview of 2014 Regional Milestones and Emissions for Section 309 Participating States***

<u>2014 Sulfur Dioxide Milestones</u>	
Regional 2014 Milestone**	170,868 tons
Adjusted 2014 Milestone.....	170,868 tons
<u>2014 Sulfur Dioxide Emissions</u>	
Reported 2014 Emissions	91,381 tons
Adjustments***	
Emission Monitoring and Calculation Methods	1,172 tons
Adjusted 2014 Emissions (rounded number).....	92,553 tons
<u>Average Sulfur Dioxide Emissions (2012, 2013, &2014)</u>	
Adjusted 2014 Emissions	92,553 tons
Adjusted 2013 Emissions	100,193 tons
Adjusted 2012 Emissions	96,430 tons
Average of, 2012, 2013, & 2014 Adjusted Emissions	96,392 tons
<u>Comparison of Emissions to Milestone</u>	
Average of 2012, 2013, & 2014 Adjusted Emissions.....	96,392 tons
Adjusted Three-State 2014 Milestone	170,868 tons
Difference (Negative Value = Emissions < Milestone)	-74,476 tons
2012 – 2014 Emissions Average as Percent of 2014 Milestone	56%

* Section 309 participating states means the states of New Mexico, Utah, Wyoming, and Albuquerque-Bernalillo County.

** See the Regional Milestones section of each state's 309 plan.

*** See the Annual Emissions Report section of each state's 309 plan.

2014 Regional SO₂ Emissions and Milestone Report

1.0 Introduction

1.1 Background

Under Section 309 of the Federal Regional Haze Rule (40 CFR Part 51), nine western states, and the tribes within those states, have the option of submitting State Implementation Plans (SIPs) to reduce regional haze emissions that impair visibility at 16 Class I areas on the Colorado Plateau. Five states — Arizona, New Mexico, Oregon, Utah, and Wyoming — and Albuquerque-Bernalillo County exercised this option by submitting SIPs to the EPA by December 1, 2003. In October 2006, when EPA modified Section 309, Oregon elected to cease participation in the SO₂ Milestone and Backstop Trading Program by not resubmitting a Section 309 SIP. In 2010, Arizona elected to cease participation in the program. The tribes were not subject to this deadline and still can opt into the program at any time.

Under the Section 309 SIPs, these three states and one city have been tracking emissions under the pre-trigger requirements of the SO₂ Milestone and Backstop Trading Program since 2003. The Western Regional Air Partnership (WRAP) is assisting these states with the implementation and management of this regional emission reduction program.

Under the milestone phase of the program, Section 309 states have established annual SO₂ emissions targets (from 2003 to 2018). These voluntary emissions reduction targets represent reasonable progress in reducing emissions that contribute to regional haze. If the participating sources fail to meet the milestones through this voluntary program, then the states will trigger the backstop trading program and implement a regulatory emissions cap for the states, allocate emissions allowances (or credits) to the affected sources based on the emissions cap, and require the sources to hold sufficient allowances to cover their emissions each year.

This report is the twelfth annual report for the milestone phase of this program. The report provides background on regional haze and the Section 309 program, the milestones established under the program, and the emissions reported for 2014. Based on the first eleven years, the voluntary milestone phase of the program is meeting its reasonable progress targets, and emissions are well below the target levels.

What is Regional Haze?

Regional haze is air pollution that is transported long distances and reduces visibility in national parks and wilderness areas across the country. Over the years, this haze has reduced the visual range from 145 kilometers (90 miles) to 24 – 50 kilometers (15 – 31 miles) in the East, and from 225 kilometers (140 miles) to 56 – 145 kilometers (35 – 90 miles) in the West. The pollutants that create this haze are sulfates, nitrates, organic carbon, elemental carbon, and soil dust. Human-caused haze sources include industry, motor vehicles, agricultural and forestry burning, and windblown dust from roads and farming practices.

What U.S. EPA Requirements Apply?

In 1999, the EPA issued regulations to address regional haze in 156 national parks and wilderness areas across the country. EPA published these regulations in the Federal Register on

July 1, 1999 (64 FR 35714). The goal of the Regional Haze Rule (RHR) is to eliminate human-caused visibility impairment in national parks and wilderness areas across the country. It contains strategies to improve visibility over the next 60 years, and requires states to adopt implementation plans.

The EPA's RHR provides two paths to address regional haze. One is 40 CFR 51.308 (Section 308), and requires most states to develop long-term strategies out to the year 2064. States must show that these strategies make "reasonable progress" in improving visibility in Class I areas inside the state and in neighboring jurisdictions. The other is 40 CFR 51.309 (Section 309), and is an option for nine states — Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Utah, and Wyoming — and the 211 tribes located within these states to adopt regional haze strategies for the period from 2003 to 2018. These strategies are based on recommendations from the Grand Canyon Visibility Transport Commission (GCVTC) for protecting the 16 Class I areas on the Colorado Plateau. Adopting these strategies constitutes reasonable progress until 2018. These nine western states and tribes can also use the same strategies to protect the other Class I areas within their own jurisdictions.

The EPA revised the RHR on July 6, 2005 (70 FR 39104), and again on October 13, 2006 (71 FR 60612) in response to two legal challenges. The October 13, 2006 revisions modified Section 309 to provide a methodology consistent with the Court's decision for evaluating the equivalence of alternatives to Best Available Retrofit Technology (BART), such as the alternative Section 309 strategy based on the GCVTC recommendations.

How Have the WRAP States Responded to EPA Requirements?

Of the nine states, and tribes within those states, that have the option under Section 309 of participating in a regional strategy to reduce SO₂ emissions, five states originally submitted Section 309 SIPs to EPA. These states were Arizona, New Mexico, Oregon, Utah, and Wyoming. In addition, Albuquerque-Bernalillo County also submitted a Section 309 SIP. Due to legal challenges, EPA did not approve the initial SIP submittals. EPA did, however, fully approve the regional milestone and backstop trading program in 2012.

Oregon and Arizona have opted out of submitting a revised Section 309 SIP under the modified RHR, which leaves three participating states and Albuquerque-Bernalillo County. To date, no tribes have opted to participate under Section 309, and the other four states of the original nine opted to submit SIPs under Section 308 of the RHR.

The following summarizes SO₂ related elements of the Section 309 process for the participating Section 309 states:

1. Section 309(d)(4)(i) requires SO₂ milestones in the SIP and includes provisions for making adjustments to these milestones, if necessary. The milestones must provide for steady and continuing emission reductions through 2018 and greater reasonable progress than BART.
2. Section 309(d)(4)(iii) requires monitoring and reporting of stationary source SO₂ emissions in order to ensure the SO₂ milestones are met. The SIP must commit to reporting to the WRAP as well as to EPA.

3. Section 309(d)(4)(iv) requires that a SIP contain criteria and procedures for activating the trading program within five years if an annual milestone is exceeded. A Section 309 SIP must also provide for assessments of the state's progress in 2013 and 2018.

This report responds to Item 2, above, and provides the annual report that compares the 2014 emissions against the milestones for the states and city that have submitted Section 309 SIPs to EPA.

What Elements Must the Regional SO₂ Emissions and Milestone Report Contain?

To facilitate compliance with the Section 309 SIPs, the WRAP has committed to compiling a regional report on emissions for each year. In accordance with the SIPs, the WRAP will compile the individual state emission reports into a summary report that includes:

1. Reported regional SO₂ emissions (tons/year).
2. Adjustments to account for:
 - Changes in emissions monitoring or calculation methods; or
 - Enforcement actions or settlement agreements as a result of enforcement actions.
3. As applicable, average adjusted emissions for the last three years (which are compared to the regional milestone). Per requirements in the Section 309 SIPs, 2012, 2013, and 2014 emissions are averaged.

How Is Compliance with the SO₂ Milestone Determined?

While the WRAP assists with the preparation of this report, each Section 309 state reviews the information in the report and proposes a draft determination that the regional SO₂ milestone is either met or exceeded for that year. Each state submits the draft determination for public review and comment during the first part of 2016, culminating in a final report sent to EPA by March 31, 2016.

1.2 Report Organization

This report presents the regional SO₂ emissions and milestone information required by the 309 SIPs for the Section 309 states. The report is divided into the following sections, including two appendices:

- Reported SO₂ Emissions in 2014;
- Emissions Adjustments Related to Monitoring Methodology;
- Three-Year Average Emissions;
- Enforcement Milestone Adjustments;
- Quality Assurance (Including Source Change Information);
- Milestone Determination;
- Appendix A -- Facility Emissions and Emissions Adjustments; and
- Appendix B -- Changes to SO₂ Emissions and Milestone Source Inventory.

2.0 Reported SO₂ Emissions in 2014

The Section 309 SIPs require all stationary sources with reported emissions of 100 tons or more per year in the year 2000, or any subsequent year, to report annual SO₂ emissions. Albuquerque-Bernalillo County reported that they have no emissions sources over 100 tons per

year. Table 1 summarizes the annual reported emissions from applicable sources in each state. The 2014 reported SO₂ emissions for each applicable source are in Appendix A, Table A-1.

Table 1. Reported 2014 SO₂ Emissions by State

State	Reported 2014 SO ₂ Emissions (tons/year)
New Mexico	12,420
Utah	25,054
Wyoming	53,906
TOTAL	91,381

3.0 Emissions Adjustments Related to Monitoring Methodology

The annual emissions reports for each state include proposed emissions adjustments to ensure consistent comparison of emissions to the milestone. Each state adjusted the reported emissions levels so that they are comparable to the levels that would result if the state used the same emissions monitoring or calculation method used in the base year inventory (2006). The net impact throughout the region, because of these adjustments, is an increase of 1,172 tons from the reported 2014 emissions. Table 2 summarizes the emissions adjustments made for three facilities.

Table 2. Adjustments for Changes in Monitoring Methodology

State	Source	Reported 2014 SO ₂ Emissions (tons)	Adjusted 2014 SO ₂ Emissions (tons)	Monitoring Methodology Adjustment (tons)	Description
UT	Chevron Products Co. – Salt Lake Refinery	24	731	707	Increase in Adjusted 2014 SO ₂ Emissions is due to a correction in the calculation of Adjusted 2014 SO ₂ Emissions. The formula used to calculate SO ₂ was corrected and updated.
UT	Big West Oil-Flying J Refinery	57	212	155	Now using CEM data.
UT	Holcim – Devil’s Slide Plant	128	438	310	Facility changed emissions calculation methodology from stack tests to CEM.

4.0 Three-Year Average Emissions (2012, 2013, and 2014)

The SIPs require multi-year averaging of emissions from 2004 to 2017 for the milestone comparison. From 2005 to 2017, states compare a three-year average (which includes the reporting year and the two previous years) with the milestone. The average of the three years' emissions from 2012 to 2014 is 96,796 tons. Table 3 shows the adjusted emissions for each year and three-year average emissions. The following report sections describe the adjusted milestone determination.

Table 3. Average SO₂ Emissions (2012, 2013, & 2014)

Year	Adjusted SO ₂ Emissions (tons/year)
2012	96,430
2013	100,193
2014	92,553
Three-Year Average (2012, 2013, 2014)	96,392

5.0 Enforcement Milestone Adjustments

The SIPs require that each state report on proposed milestone adjustments due to enforcement actions, which affect baseline year emissions. The purpose of this adjustment is to remove emissions that occurred above the allowable level in the baseline year from the baseline and the annual milestones. The enforcement milestone adjustments require an EPA-approved SIP revision before taking effect. There were no proposed enforcement action related milestone adjustments reported for 2014.

6.0 Quality Assurance

The states provided 2014 emissions data based on their state emissions inventories. States used additional quality assurance (QA) procedures for this report to supplement the normal QA procedures the states follow for their emissions inventories. First, each state submitted a source change report, and second, the states compared their inventory data for utility sources against 40 CFR Part 75 Acid Rain Program monitoring data.

6.1 Source Change Report

The SIPs require that this annual SO₂ emissions and milestone report include a description of source changes or exceptions report to identify the following:

- Any new sources that were not contained in the previous calendar year's emissions report, and an explanation of why the sources are now included in the program.
- Identification of any sources that were included in the previous year's report and are no longer included in the program, and an explanation of why this change has occurred.
- An explanation for emissions variations at any applicable source that exceeds $\pm 20\%$ from the previous year.

Table 4 provides explanations for the emissions variations from applicable sources from 2013 – 2014 that are greater than 20%. Plants with variations greater than 20%, but reported emissions of less than 20 tons in both 2013 and 2014, are not included in Table 4. Information on these plants is provided in Appendix A.

Appendix B provides a list of all sources added or removed from the program inventory in previous reporting years. The states did not add any sources since the 2012 report.

Table 4. Sources with an Emissions Change of > ±20% from the Previous Year

State	County FIPS	State Facility Identifier	Plant Name	Reported 2013 SO ₂ Emissions (tons)	Reported 2014 SO ₂ Emissions (tons)	Description Change > ±20% 2013 to 2014
NM	15	350150024	Agave Energy Co./Agave Dagger Draw Gas Plant	14	256	Facility is allowed to operate under 3 scenarios. #1 sweet gas, #2 and #3 - sour gas. From 2013 to 2014 the facility shifted from operating mostly #1 and/or #2 scenarios to #3 scenario. This MAY account for the higher SO ₂ emissions.
NM	15	350150011	DCP Midstream/Artesia Gas Plant	284	400	Experienced several more plant upsets in 2014 than in 2013, i.e. power outages and equipment failure. The emissions were mostly excess.
NM	25	350250035	DCP Midstream/Linam Ranch Gas Plant [Old name: GPM GAS/LINAM RANCH GAS PLANT]	648	192	In 2014 the acid gas injection system operated with greater reliability.
NM	25	350250060	VERSADO GAS PROCESSORS, LP/Eunice Gas Plant [Old name: WARREN PETROLEUM/EUNICE GAS PLANT]	184	105	The 43% SO ₂ reduction from calendar year 2013 to 2014 contributes mainly from the decrease in excess emissions from the main flare (F-01).
NM	25	350250004	Frontier Field Services/Maljamar Gas Plant	2,244	177	Reduction in the frequency of acid gas flaring events.
NM	31	350310008	Western Refining Southwest Inc.-Gallup Refinery (Old names: Western Refinery/Ciniza Refinery (Gallup) and GIANT REFINING/CINIZA)	34	43	Our SO ₂ emissions from the heaters and boilers are calculated using H ₂ S concentration in our fuel gas. RY2013 H ₂ S ppm in fuel gas was 9 ppm. For RY2014, our H ₂ S ppm in the fuel gas was 13 ppm, which is well within our permit limits; however, the increase in H ₂ S ppm caused an increase in SO ₂ emissions from our heaters and boilers.

State	County FIPS	State Facility Identifier	Plant Name	Reported 2013 SO ₂ Emissions (tons)	Reported 2014 SO ₂ Emissions (tons)	Description Change > ±20% 2013 to 2014
NM	15	350150008	OXY USA WTP Limited Partnership - Indian Basin Gas Plant [Old Name - Marathon Oil/Indian Basin Gas Plant]	44	74	The increase in emissions was a result of emissions occurring during plan turnarounds.
NM	25	350250008	Regency Field Services/Jal #3 [Old Name Southern Union Gas] /Jal #3	1,002	798	Replaced Turbine 3 with three new compressors, which increased the plant's efficiency.
NM	25	350250063	Versado Gas Processors, LLC/Saunders Plant [Old name(s): TARGA MIDSTREAM SERVICES, LP, WARREN PETROLEUM/SAUNDERS PLANT]	369	468	Plant was shut down for 117 days in 2013 vs 22 days in 2014. The additional plant downtime may account for the lower SO2 emissions in 2013.
NM	31	350310032	Tri-State Gen & Transmission/Escalante Station	951	732	Consumed less coal in 2014.
NM	45	350450247	CCI San Juan, LLC /San Juan River Gas Plant	58	91	Shut down for a plant turnaround accounted for the bulk of emissions in 2014. As the company is under new ownership in 2014, they were unable to provide further details in comparing with 2013.
NM	25	350250113	ConocoPhillips-Midland Office / East Vacuum Liquid Recovery and CO2 Plant	156	99	The reduction in SO2 from 156 to 99 tpy was primarily due to less flaring from 181,981 total MCF flared in 2013 down to 116,717 total MCF flared in 2014. The replacement of gas driven compressors with electric compressors continued to contribute to reduced flaring due to higher efficiency and runtime of the electric compressors. Also the H2S concentration was less (1.02% in 2013 and 0.75% in 2014). The H2S varies but stays around 1% or slightly less.
UT	11	10122	Big West Oil Company - Flying J Refinery	45	57	Increase due to Breakdown Emissions.

State	County FIPS	State Facility Identifier	Plant Name	Reported 2013 SO ₂ Emissions (tons)	Reported 2014 SO ₂ Emissions (tons)	Description Change > ±20% 2013 to 2014
UT	27	10313	Graymont Western US Inc. -- Cricket Mountain Plant	52	33	Decrease in SO ₂ emissions due to decrease in throughput of Lime.
UT	29	10007	Holcim-Devil's Slide Plant	172	128	Decrease in SO ₂ emissions according to CEM readings.
UT	7	10081	PacifiCorp -- Carbon Power Plant	7,702	9,241	Increase in SO _x emissions due to increase in coal consumption and higher weight % of sulfur in coal.
UT	15	10237	PacifiCorp -- Hunter Power Plant	5,055	3,939	Decrease in SO _x emissions due to decrease in coal consumption and lower weight % of sulfur in coal.
UT	37	10034	CCI Paradox Midstream LLC (was Patara Midstream LLC, and was EnCana Oil & Gas (USA) Incorporated and Tom Brown Incorporated) - Lisbon Natural Gas Processing Plant	5	500	Increased due to upset on acid gas injection well that was diverted to the flare.
WY	11	2	American Colloid Mineral Co -- East Colony	96	155	Increased run times, higher overall tonnage of coal, and increase in sulfur content in coal for BH-08, DC-1, DC-2, and RD-1.
WY	11	3	American Colloid Mineral Co -- West Colony	0	155	Increased run times, higher overall tonnage of coal, and increase in sulfur content in coal for BH-08, DC-1, DC-2, and RD-1.
WY	5	2	Black Hills Corporation - Neil Simpson I	879	50	Decrease is due to a unit shutdown and decommissioning.
WY	5	63	Black Hills Corporation - Neil Simpson II	511	357	Startup fuel was converted from oil to natural gas. This decrease is a return to 2012 levels.

State	County FIPS	State Facility Identifier	Plant Name	Reported 2013 SO ₂ Emissions (tons)	Reported 2014 SO ₂ Emissions (tons)	Description Change > ±20% 2013 to 2014
WY	5	146	Black Hills Corporation - Wygen 1	566	348	Return to 2012 levels. 2013 increase due to an abnormal amount of 40CFR75 SO2 monitor downtime, which resulted in additional data. Additionally, there was a 2.8% increase in coal consumption and a 7.7% increase in the sulfur content of the coal consumed.
WY	13	28	Burlington Resources -- Lost Cabin Gas Plant	1,998	3,186	Series of outages that occurred in 2014 on the train 3 process train.
WY	41	9	Chevron USA -- Carter Creek Gas Plant	596	344	2014 SO2 emissions were 42% lower than 2013 due to the fact that 2013 was a turnaround year resulting in higher than normal SO2 emissions: however 2014 was higher in SO2 emissions than 2012 due to multiple plant upsets.
WY	37	14	Chevron USA -- Table Rock Gas Plant (Formerly Anadarko E&P Co LP)	22	5	Plant shut down in April of 2014.
WY	13	8	Devon Gas Services, L.P. -- Beaver Creek Gas Plant	49	18	Less Flaring in 2014.
WY	29	12	Encore Operating LP -- Elk Basin Gas Plant	824	1,262	Three major flaring events in 2014 due to a fire in Reactor 1 and replacement of piping and spools.
WY	23	1	Exxon Mobil Corporation -- Labarge Black Canyon Facility	139	21	Higher SO2 emissions from flaring in 2013 due to plant TAR/shutdown in Sept/Oct of 2013.
WY	23	13	Exxon Mobil Corporation -- Shute Creek	885	362	Higher SO2 emissions from flaring in 2013 due to plant TAR/shutdown in Sept/Oct of 2013.
WY	21	1	Frontier Oil & Refining Company -- Cheyenne Refinery	267	388	Upset events at the coker unit and the sulfur incinerator were much more frequent in 2014.

State	County FIPS	State Facility Identifier	Plant Name	Reported 2013 SO ₂ Emissions (tons)	Reported 2014 SO ₂ Emissions (tons)	Description Change > ±20% 2013 to 2014
WY	29	0010	Marathon Oil Co -- Oregon Basin Wellfield	40	101	Field Flare SO ₂ emissions increased by 251% due to a maintenance turnaround.
WY	37	8	Merit Energy Company - Brady Gas Plant (formerly Anadarko E&P Co LP)	316	0	The facility was shut down for most of 2014, resulting in fewer operating hours.
WY	7	1	Sinclair Oil Company -- Sinclair Refinery	154	71	Less gas was flared in 2014.
WY	37	5	Solvay Chemicals -- Soda Ash Plant (Green River Facility)	42	29	Average 0.001 lb./MMBTU SO ₂ in 2014 in comparison to an average of 0.018 lb./MMBTU SO ₂ in 2013.
WY	45	1	Wyoming Refining -- Newcastle Refinery	263	69	Emissions from most heaters were lower due to firing rates and fuel H ₂ S content. Boiler #3 is out of service. SO ₂ emissions are controlled by SO ₂ reducing catalyst agent and by a wet gas scrubber.

6.2 *Part 75 Data*

Federal Acid Rain Program emissions monitoring data (required by 40 CFR Part 75) were used to check reported power plant emissions.

Sources in the region subject to Part 75 emitted 71% of the region's reported emissions in 2014. We compared Acid Rain Program power plant emission data from EPA's Data and Maps website to plant totals reported by each state. The SIPs require the use of Part 75 methods for Part 75 sources. The reported emissions matched EPA's emission data^a.

7.0 *Milestone Determination*

The Section 309 regional 2014 milestone is 170,868 tons SO₂, which represents the average regional emissions milestone for the years 2012, 2013, and 2014. The average of 2012, 2013, and 2014 adjusted emissions was determined to be 96,392 tons SO₂; therefore, the participating states have met the 170,868 tons SO₂ milestone.

8.0 *Public Comments*

New Mexico, Utah, Wyoming and Albuquerque-Bernalillo County each published a draft of this report for public review and comment. No comments were received.

^a The reported emissions for Pacificorp's Naughton Plant in WY contain an extra 26 tons of SO₂ emissions due to wastewater ponds that are not included in the acid rain data. The reported emissions for the San Juan Generating Station in NM contain an extra 20 tons of SO₂ emissions due to emission points that are not included in the acid rain data.

Appendix A

Table A-1
2014 Reported and Adjusted Emissions for Sources Subject to
Section 309 -- Regional Haze Rule

State	County FIPS	State Facility Identifier	ORIS	Plant Name	Plant SIC	Plant NAICS	Reported 2014 SO ₂ Emissions (tons)	Adjusted 2014 SO ₂ Emissions (tons)	2014 General New Monitoring Calculation Method Adjustment (tons)
NM	15	350150024		Agave Energy Co./Agave Dagger Draw Gas Plant	1311	211111	256	256	
NM	15	350150002		Frontier Field Services /Empire Abo Plant [Old name: Arco Permian/Empire Abo Plant; BP America Production]	1321	211112	472	472	
NM	15	350150011		DCP Midstream/Artesia Gas Plant	1321	211112	400	400	
NM	25	350250044		DCP Midstream/Eunice Gas Plant [Old name: GPM GAS EUNICE GAS PLANT]	1321	211112	1,547	1,547	
NM	25	350250035		DCP Midstream/Linam Ranch Gas Plant [Old name: GPM GAS/LINAM RANCH GAS PLANT]	1321	211112	192	192	
NM	15	350150138		Duke -- Magnum/Pan Energy -- Burton Flats	1321	211112	0	0	
NM	15	350150285		Duke Energy/Dagger Draw Gas Plant	1321	211112	0	0	

State	County FIPS	State Facility Identifier	ORIS	Plant Name	Plant SIC	Plant NAICS	Reported 2014 SO ₂ Emissions (tons)	Adjusted 2014 SO ₂ Emissions (tons)	2014 General New Monitoring Calculation Method Adjustment (tons)
NM	25	350250060		VERSADO GAS PROCESSORS, LP/Eunice Gas Plant [Old name: WARREN PETROLEUM/EUNICE GAS PLANT]	1321	211112	105	105	
NM	25	350250004		Frontier Field Services/Maljamar Gas Plant	1321	211112	177	177	
NM	31	350310008		Western Refining Southwest Inc-Gallup Refinery (Old names: Western Refinery/Ciniza Refinery (Gallup) and GIANT REFINING/CINIZA)	2911	32411	43	43	
NM	25	350250007		Davis Gas Processing/Denton Plant	1311	211111	1,009	1,009	
NM	15	350150008		OXY USA WTP Limited Partnership - Indian Basin Gas Plant [Old Name - Marathon Oil/Indian Basin Gas Plant]	1321	211112	74	74	
NM	15	350150010		Navajo Refining Co/Artesia Refinery	2911	32411	31	31	
NM	45	350450902	2451	Public Service Co of New Mexico/San Juan Generating Station	4911	221112	4,989	4,989	
NM	7	350070001		Raton Pub. Service/Raton Power Plant	4911	221112	0	0	
NM	25	350250008		Regency Field Services/Jal #3 [Old Name Southern Union Gas] /Jal #3	1321	211112	798	798	

State	County FIPS	State Facility Identifier	ORIS	Plant Name	Plant SIC	Plant NAICS	Reported 2014 SO ₂ Emissions (tons)	Adjusted 2014 SO ₂ Emissions (tons)	2014 General New Monitoring Calculation Method Adjustment (tons)
NM	25	350250051		Versado Gas Processors, LP/Eunice South Gas Plant	1321	211112	0	0	
NM	25	350250061		Versado Gas Processors, LLC / Monument Plant [Old name(s): TARGA MIDSTREAM SERVICES LP, WARREN PETROLEUM/MONUMENT PLANT]	1321	211112	716	716	
NM	25	350250063		Versado Gas Processors, LLC/Saunders Plant [Old name(s): TARGA MIDSTREAM SERVICES, LP, WARREN PETROLEUM/SAUNDERS PLANT]	1321	211112	468	468	
NM	31	350310032	87	Tri-State Gen & Transmission/Escalante Station	4911	221112	732	732	
NM	45	350450247		CCI San Juan, LLC /San Juan River Gas Plant	1321	211112	91	91	
NM	45	350450023		Western Refining Southwest Inc./Bloomfield Products Terminal [Old name: GIANT INDUSTRIES/BLOOMFIELD REF]	2911	32411	0	0	
NM	25	350250075		ConocoPhillips-Midland Office / MCA Tank Battery No. 2	1311	211111	223	223	
NM	25	350250113		ConocoPhillips-Midland Office / East Vacuum Liquid Recovery and CO2 Plant	1311	211111	99	99	
UT	49	10790		Brigham Young University -- Main Campus	8221	611310	118	118	

State	County FIPS	State Facility Identifier	ORIS	Plant Name	Plant SIC	Plant NAICS	Reported 2014 SO ₂ Emissions (tons)	Adjusted 2014 SO ₂ Emissions (tons)	2014 General New Monitoring Calculation Method Adjustment (tons)
UT	11	10119		Chevron Products Co. -- Salt Lake Refinery	2911	324110	24	731	707
UT	11	10122		Big West Oil Company - Flying J Refinery	2911	324110	57	212	155
UT	27	10313		Graymont Western US Inc. -- Cricket Mountain Plant	1422	212312	33	33	
UT	29	10007		Holcim-Devil's Slide Plant	3241	327310	128	438	310
UT	11	10123		Holly Refining and Marketing Co. -- Phillips Refinery	2911	324110	102	102	
UT	27	10327	6481	Intermountain Power Service Corporation -- Intermountain Generation Station	4911	221112	4,369	4,369	
UT	35	10572		Kennecott Utah Copper Corp. -- Power Plant/Lab/Tailings Impoundment	1021	212234	1,500	1,500	
UT	35	10346		Kennecott Utah Copper Corp. -- Smelter & Refinery	3331	331411	704	704	
UT	27	10311		Materion Natural resources - Delta Mill (was Brush Resources)	1099	212299	4	4	
UT	7	10081	3644	PacifiCorp -- Carbon Power Plant	4911	221112	9,241	9,241	

State	County FIPS	State Facility Identifier	ORIS	Plant Name	Plant SIC	Plant NAICS	Reported 2014 SO ₂ Emissions (tons)	Adjusted 2014 SO ₂ Emissions (tons)	2014 General New Monitoring Calculation Method Adjustment (tons)
UT	15	10237	6165	PacifiCorp -- Hunter Power Plant	4911	221112	3,939	3,939	
UT	15	10238	8069	PacifiCorp -- Huntington Power Plant	4911	221112	2,478	2,478	
UT	37	10034		CCI Paradox Midstream LLC (was Patara Midstream LLC, and was EnCana Oil & Gas (USA) Incorporated and Tom Brown Incorporated) - Lisbon Natural Gas Processing Plant	2911	211111	500	500	
UT	7	10096		Sunnyside Cogeneration Associates -- Sunnyside Cogeneration Facility	4911	221112	1,054	1,054	
UT	35	10335		Tesoro West Coast -- Salt Lake City Refinery	2911	324110	708	708	
UT	43	10676		Utelite Corporation -- Shale processing	3295	212399	95	95	
WY	11	2		American Colloid Mineral Co -- East Colony	1459	212325	155	155	
WY	11	3		American Colloid Mineral Co -- West Colony	1459	212325	155	155	
WY	5	45		Basin Electric -- Dry Fork Station	4911	22112	884	884	
WY	31	1	6204	Basin Electric -- Laramie River Station	4911	221112	7,950	7,950	

State	County FIPS	State Facility Identifier	ORIS	Plant Name	Plant SIC	Plant NAICS	Reported 2014 SO ₂ Emissions (tons)	Adjusted 2014 SO ₂ Emissions (tons)	2014 General New Monitoring Calculation Method Adjustment (tons)
WY	3	12		Big Horn Gas Proc -- Big Horn/Byron Gas Plant	1311	22121	0	0	
WY	5	2	4150	Black Hills Corporation - Neil Simpson I	4911	22112	50	50	
WY	5	63	7504	Black Hills Corporation - Neil Simpson II	4911	22112	357	357	
WY	45	5	4151	Black Hills Corporation - Osage Plant	4911	22112	0	0	
WY	5	146	55479	Black Hills Corporation - Wygen 1	4911	22112	348	348	
WY	5	225		Cheyenne Light Fuel and Power Company -- Wygen II	4911	22112	193	193	
WY	5	281		Black Hills Corporation - Wygen III	4911	22112	254	254	
WY	13	0009		Burlington Resources -- Bighorn Wells	1300	21111	2	2	
WY	13	28		Burlington Resources -- Lost Cabin Gas Plant	1311	211111	3,186	3,186	
WY	41	9		Chevron USA -- Carter Creek Gas Plant	1311	211111	344	344	
WY	37	0177		Chevron USA -- Table Rock Field	1300	21111	0	0	

State	County FIPS	State Facility Identifier	ORIS	Plant Name	Plant SIC	Plant NAICS	Reported 2014 SO ₂ Emissions (tons)	Adjusted 2014 SO ₂ Emissions (tons)	2014 General New Monitoring Calculation Method Adjustment (tons)
WY	37	14		Chevron USA -- Table Rock Gas Plant (Formerly Anadarko E&P Co LP)	1321	211111	5	5	
WY	41	0008		Chevron USA -- Whitney Canyon/Carter Creek Wellfield	1300	21111	2	2	
WY	13	0007		Devon Energy Production Co., L.P. -- Beaver Creek Gas Field	1300	21111	0	0	
WY	13	8		Devon Gas Services, L.P. -- Beaver Creek Gas Plant	1311	211111	18	18	
WY	29	12		Encore Operating LP -- Elk Basin Gas Plant	1311	211111	1,262	1,262	
WY	23	1		Exxon Mobil Corporation -- Labarge Black Canyon Facility	1300	21111	21	21	
WY	23	13		Exxon Mobil Corporation -- Shute Creek	1311	211111	362	362	
WY	37	48		FMC Corp -- Green River Sodium Products (Westvaco facility)	2812	327999	2,911	2,911	
WY	37	49		FMC Wyoming Corporation -- Granger Soda Ash Plant	1474	212391	350	350	
WY	21	1		Frontier Oil & Refining Company -- Cheyenne Refinery	2911	32411	388	388	
WY	43	3		Hiland Partners, LLC -- Hiland Gas Plant	1321	48621	0	0	

State	County FIPS	State Facility Identifier	ORIS	Plant Name	Plant SIC	Plant NAICS	Reported 2014 SO ₂ Emissions (tons)	Adjusted 2014 SO ₂ Emissions (tons)	2014 General New Monitoring Calculation Method Adjustment (tons)
WY	29	7		Marathon Oil Co -- Oregon Basin Gas Plant	1321	211112	189	189	
WY	29	0010		Marathon Oil Co -- Oregon Basin Wellfield	1300	21111	101	101	
WY	37	8		Merit Energy Company - Brady Gas Plant (formerly Anadarko E&P Co LP)	1321	211112	0	0	
WY	41	12		Merit Energy Company -- Whitney Facility	1311	211111	1	1	
WY	41	0002		Merit Energy Company -- Whitney Canyon Wellfield	1300	21111	0	0	
WY	1	2		Mountain Cement Company -- Laramie Plant	3241	23571	239	239	
WY	37	3		P4 Production, L.L.C. -- Rock Springs Coal Calcining Plant	3312	331111	754	754	
WY	9	1	4158	Pacifcorp - Dave Johnston Plant	4911	221112	7,692	7,692	
WY	37	1002	8066	Pacificorp -- Jim Bridger Plant	4911	221112	10,725	10,725	
WY	23	4	4162	Pacificorp -- Naughton Plant	4911	221112	6,235	6,235	
WY	5	46	6101	Pacificorp -- Wyodak Plant	4911	221112	2,374	2,374	

State	County FIPS	State Facility Identifier	ORIS	Plant Name	Plant SIC	Plant NAICS	Reported 2014 SO ₂ Emissions (tons)	Adjusted 2014 SO ₂ Emissions (tons)	2014 General New Monitoring Calculation Method Adjustment (tons)
WY	37	22		Simplot Phosphates LLC -- Rock Springs Plant	2874	325312	1,154	1,154	
WY	7	1		Sinclair Oil Company -- Sinclair Refinery	2911	32411	71	71	
WY	25	5		Sinclair Wyoming Refining Company -- Casper Refinery	2911	32411	226	226	
WY	37	5		Solvay Chemicals -- Soda Ash Plant (Green River Facility)	1474	325181	29	29	
WY	37	2		TATA Chemicals (Soda Ash Partners)-- Green River Plant (formerly General Chemical)	1474	327999	4,511	4,511	
WY	15	1		The Western Sugar Cooperative -- Torrington Plant	2063	311313	170	170	
WY	1	5		University of Wyoming - Heat Plant	8221	61131	147	147	
WY	56043	397		Worland Gas Plant (WMS)	1321	211112	26	26	
WY	45	1		Wyoming Refining -- Newcastle Refinery	2911	32411	69	69	

Appendix B

Table B-1
Sources Added to the SO₂ Emissions and Milestone Report Inventory

State	County FIP Code	State Facility ID	Facility Name	Report Year of Change
UT	043	10676	Utelite Corporation -- Shale processing	2003
WY	011	0002	American Colloid Mineral Company -- East Colony	2003
WY	011	0003	American Colloid Mineral Company -- West Colony	2003
WY	037	0014	Chevron USA (previously owned by Anadarko E&P Company LP) -- Table Rock Gas Plant	2003
WY	005	0146	Black Hills Corporation -- Wygen 1	2003
WY	041	0002	BP America Production Company -- Whitney Canyon Well Field	2003
WY	013	0009	Burlington Resources -- Bighorn Wells	2003
WY	037	0177	Chevron USA -- Table Rock Field	2003
WY	041	0008	Chevron USA -- Whitney Canyon/Carter Creek Wellfield	2003
WY	013	0008	Devon Energy Corp. -- Beaver Creek Gas Plant	2003
WY	035	0001	Exxon Mobil Corporation -- Labarge Black Canyon Facility (also identified as Black Canyon Dehy Facility)	2003
WY	013	0007	Devon Energy Corp. -- Beaver Creek Gas Field	2004
WY	005	0225	Cheyenne Light, Fuel and Power (a subsidiary of Black Hills Corporation) -- Wygen II	2008
WY	005	0281	Black Hills Corporation -- Wygen III	2010
WY	005	0045	Basin Electric -- Dry Fork Station	2011
NM	025	350250075	ConocoPhillips-Midland Office / MCA Tank Battery No. 2	2013
NM	025	350250113	ConocoPhillips-Midland Office / East Vacuum Liquid Recovery and CO2 Plant	2013

Table B-2
Sources Removed from the SO₂ Emissions and Milestone Report Inventory

State	County FIP Code	State Facility ID	Facility Name	1998 Baseline Emissions (tons/year)	Reason for Change	Report Year of Change
WY	043	0001	Western Sugar Company -- Worland	154	Emissions did not meet 100 TPY program criteria.	2003
WY	017	0006	KCS Mountain Resources -- Golden Eagle	942	Emissions did not meet 100 TPY program criteria.	2003
WY	003	0017	KCS Mountain Resources -- Ainsworth	845	Closed since 2000.	2003
WY	017	0002	Marathon Oil -- Mill Iron	260	Emissions did not meet 100 TPY program criteria.	2003
UT	049	10796	Geneva Steel -- Steel Manufacturing Facility	881	Plant is shut down and disassembled.	2004
WY	023	0001	Astaris Production -- Coking Plant	1,454	Plant is permanently shut down and dismantled.	2004
ABQ* NM	001	00008	GCC Rio Grande Cement	1,103	Not subject to program after baseline revisions.**	2008
ABQ NM	001	00145	Southside Water Reclamation Plant	120	Not subject to program after baseline revisions.**	2008
NM	023	3502300 03	Phelps Dodge Hidalgo Smelter	16,000	Facility is permanently closed.	2008
NM	017	3501700 01	Phelps Dodge Hurley Smelter/Concentrator	22,000	Facility is permanently closed.	2008
WY	003	00012	Big Horn Gas Processing – Bighorn/Byron Gas Plant	605	Facility is permanently closed and dismantled.	2011

* ABQ NM means Albuquerque-Bernalillo County.

** 1998 baseline emissions were based on the facilities' potential to emit (PTE), and not actual emissions. Actual annual emissions have always been below 100 tons. Once the year 2006 baseline became effective, these facilities were removed from the inventory.

Air Toxics Compliance Monitoring



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQA-145-16

MEMORANDUM

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: March 29, 2016

SUBJECT: Air Toxics, Lead-Based Paint, and Asbestos (ATLAS) Section Compliance Activities – February 2016

Asbestos Demolition/Renovation NESHAP Inspections	24
Asbestos AHERA Inspections	17
Asbestos State Rules Only Inspections	1
Asbestos Notifications Accepted	149
Asbestos Telephone Calls Answered	315
Asbestos Individuals Certifications Approved/Disapproved	101/0
Asbestos Company Certifications/Re-Certifications	3/11
Asbestos Alternate Work Practices Approved/Disapproved	11/0
Lead-Based Paint (LBP) Inspections	3
LBP Notifications Approved	0
LBP Telephone Calls Answered	9
LBP Letters Prepared and Mailed	0
LBP Courses Reviewed/Approved	0/0
LBP Course Audits	0
LBP Individual Certifications Approved/Disapproved	24/0
LBP Firm Certifications	12

DAQA-145-16

Page 2

Notices of Violation Issued	0
Compliance Advisories Issued	7
Warning Letters Issued	7
Settlement Agreements Finalized	1
Penalties Agreed to:	
#1 Lead Safety of Utah	\$250.00



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQA-196-16

MEMORANDUM

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: April 19, 2016

SUBJECT: Air Toxics, Lead-Based Paint, and Asbestos (ATLAS) Section Compliance Activities – March 2016

Asbestos Demolition/Renovation NESHAP Inspections	43
Asbestos AHERA Inspections	25
Asbestos State Rules Only Inspections	3
Asbestos Notifications Accepted	220
Asbestos Telephone Calls Answered	422
Asbestos Individuals Certifications Approved/Disapproved	79/0
Asbestos Company Certifications/Re-Certifications	0/11
Asbestos Alternate Work Practices Approved/Disapproved	8/0
Lead-Based Paint (LBP) Inspections	2
LBP Notifications Approved	1
LBP Telephone Calls Answered	23
LBP Letters Prepared and Mailed	0
LBP Courses Reviewed/Approved	0/0
LBP Course Audits	0
LBP Individual Certifications Approved/Disapproved	47/0
LBP Firm Certifications	6

Notices of Violation Issued	0
Compliance Advisories Issued	1
Warning Letters Issued	1
Settlement Agreements Finalized	0
Penalties Agreed to:	



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQC-319-16

MEMORANDUM

TO: Air Quality Board
FROM: Bryce C. Bird, Executive Secretary
DATE: March 16, 2016
SUBJECT: Compliance Activities – February 2016

Annual Inspections Conducted:

Major.....	10
Synthetic Minor	2
Minor	32
On-Site Stack Test Audits Conducted:	6
Stack Test Report Reviews:	48
On-Site CEM Audits Conducted:	2
Emission Reports Reviewed:	8
Temporary Relocation Requests Reviewed & Approved:	13
Fugitive Dust Control Plans Reviewed & Accepted:.....	122
Soil Remediation Report Reviews:	1
¹ Miscellaneous Inspections Conducted:.....	13
Complaints Received:	53
Wood Burning Complaints Received	43
Breakdown Reports Received:.....	1

Compliance Actions Resulting From a Breakdown.....	0
Warning Letters Issued:	1
Notices of Violation Issued:.....	0
Compliance Advisories Issued:.....	4
Settlement Agreements Reached:	3
Environmental Energy Innovations	\$5,600.00
Ashgrove Cement	\$8,000.00
Contract Environmental Services	\$5,600.00

¹Miscellaneous inspections include, e.g., surveillance, level I inspections, VOC inspections, complaints, on-site training, dust patrol, smoke patrol, open burning, etc.



State of Utah

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Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQC-547-16

MEMORANDUM

TO: Air Quality Board
FROM: Bryce C. Bird, Executive Secretary
DATE: April 12, 2016
SUBJECT: Compliance Activities – March 2016

Annual Inspections Conducted:

Major..... 7
Synthetic Minor 2
Minor 37

On-Site Stack Test Audits Conducted: 7

Stack Test Report Reviews: 44

On-Site CEM Audits Conducted: 22

Emission Reports Reviewed: 1

Temporary Relocation Requests Reviewed & Approved: 11

Fugitive Dust Control Plans Reviewed & Accepted:..... 141

Soil Remediation Report Reviews: 2

¹Miscellaneous Inspections Conducted:..... 16

Complaints Received: 4

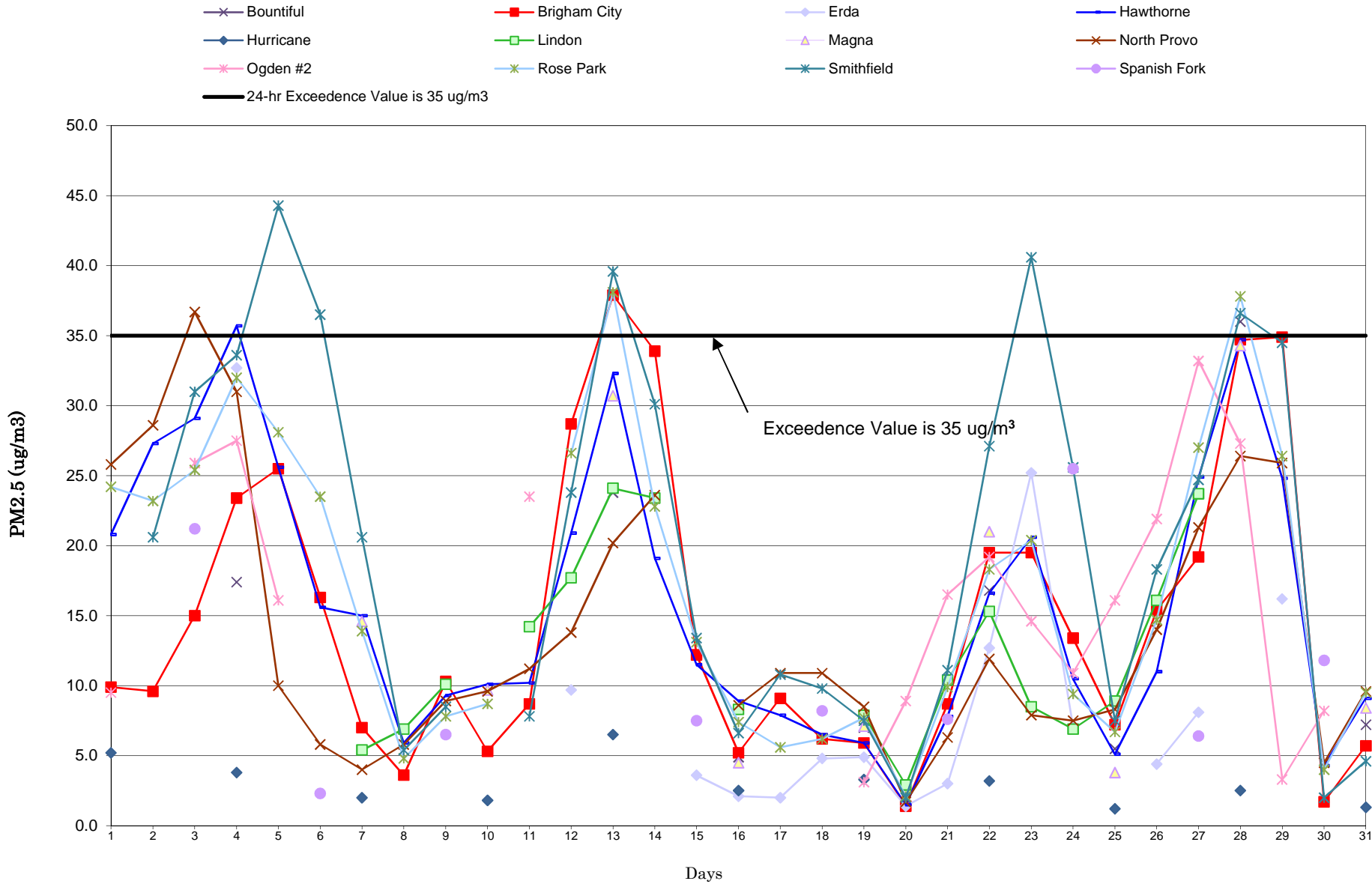
Wood Burning Complaints Received 13

Breakdown Reports Received: 0

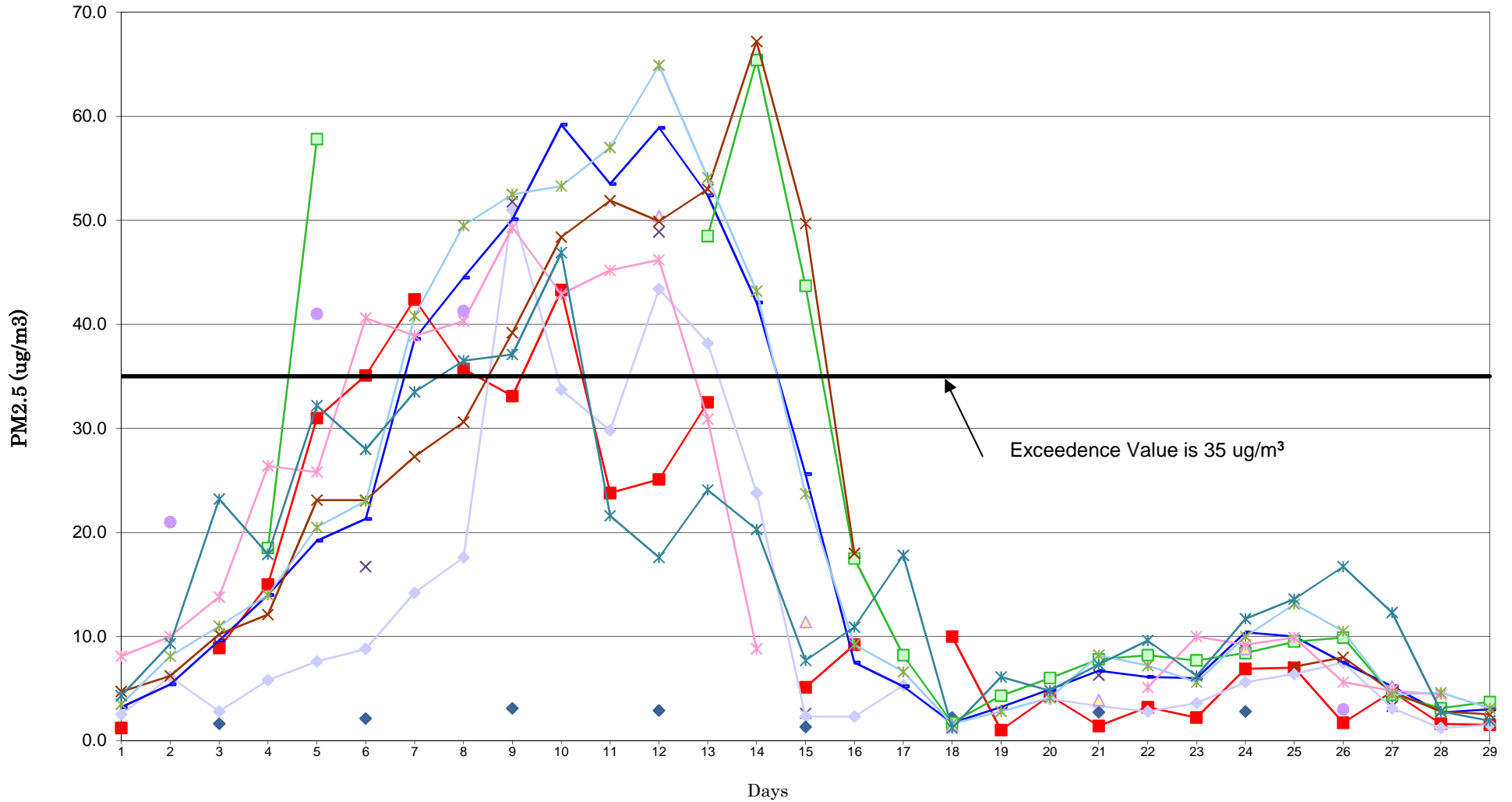
Compliance Actions Resulting From a Breakdown.....	0
Warning Letters Issued:	1
Notices of Violation Issued:.....	0
Compliance Advisories Issued:.....	9
Settlement Agreements Reached:	3
Intrepid Potash - Wendover	\$2,480.00
Petersen's, Inc.	\$359.00
Specialty Lens.....	\$471.00

¹Miscellaneous inspections include, e.g., surveillance, level I inspections, VOC inspections, complaints, on-site training, dust patrol, smoke patrol, open burning, etc.

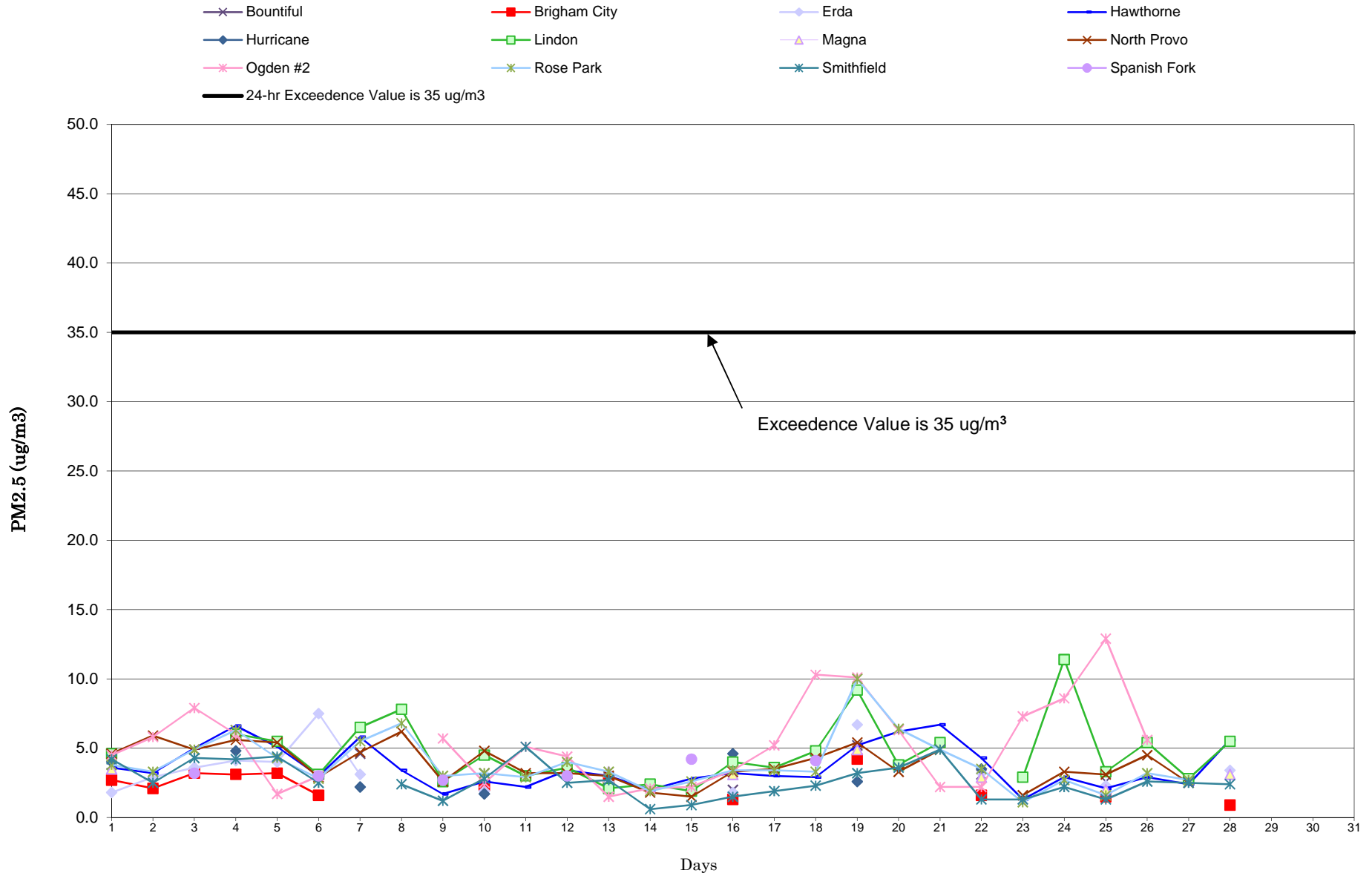
Utah 24-Hr PM2.5 Data January 2016



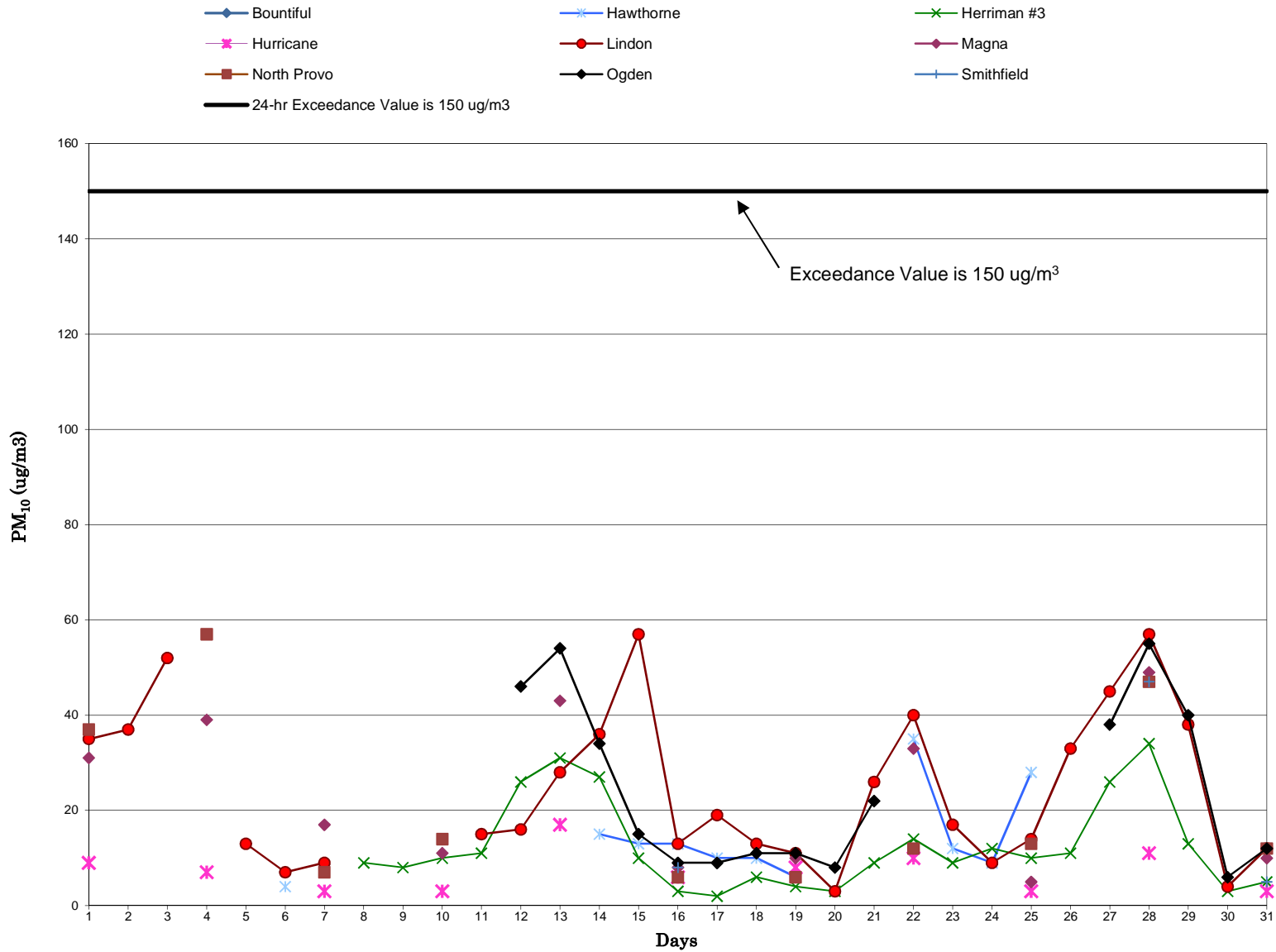
Utah 24-Hr PM2.5 Data February 2016



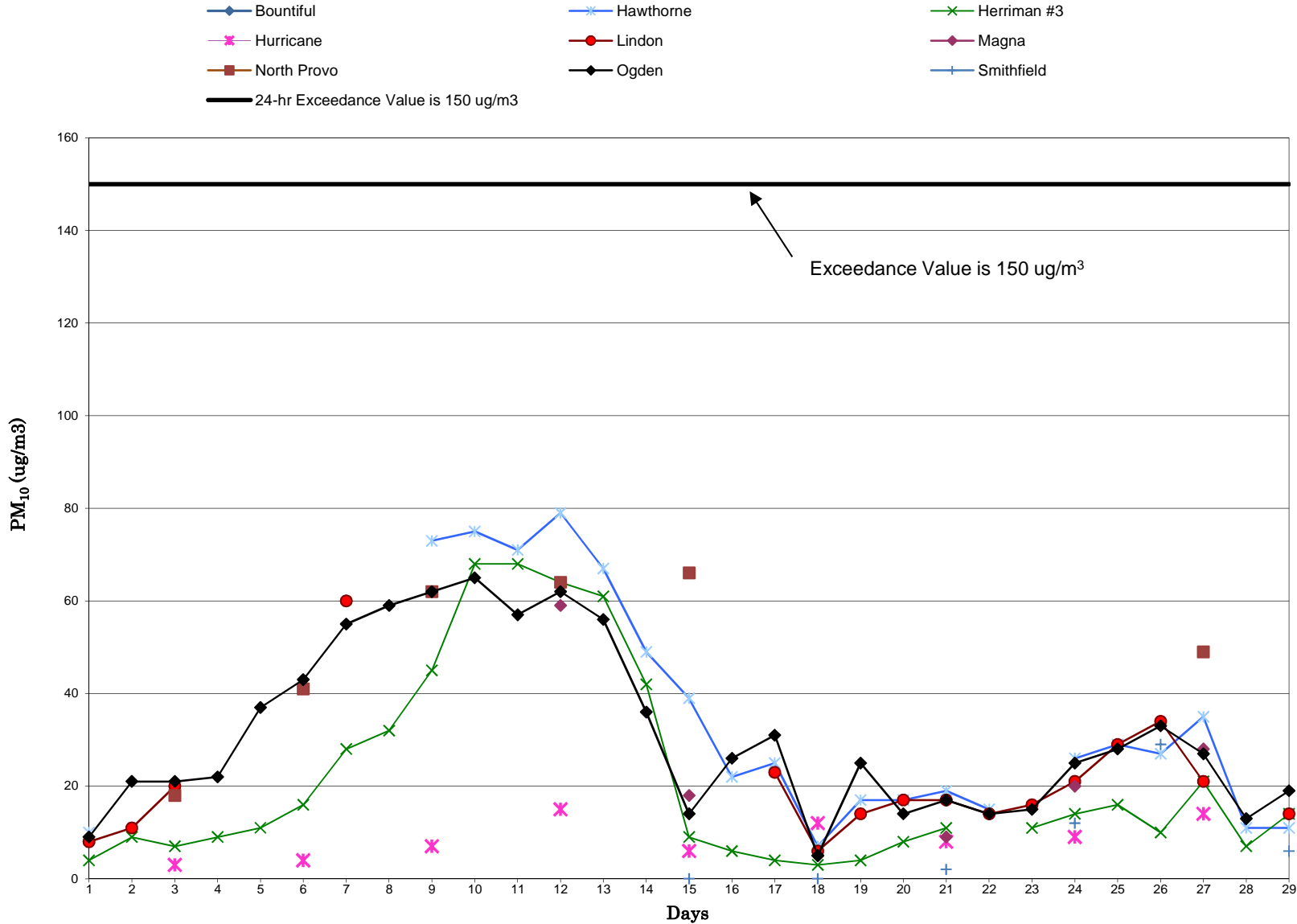
Utah 24-Hr PM2.5 Data March 2016



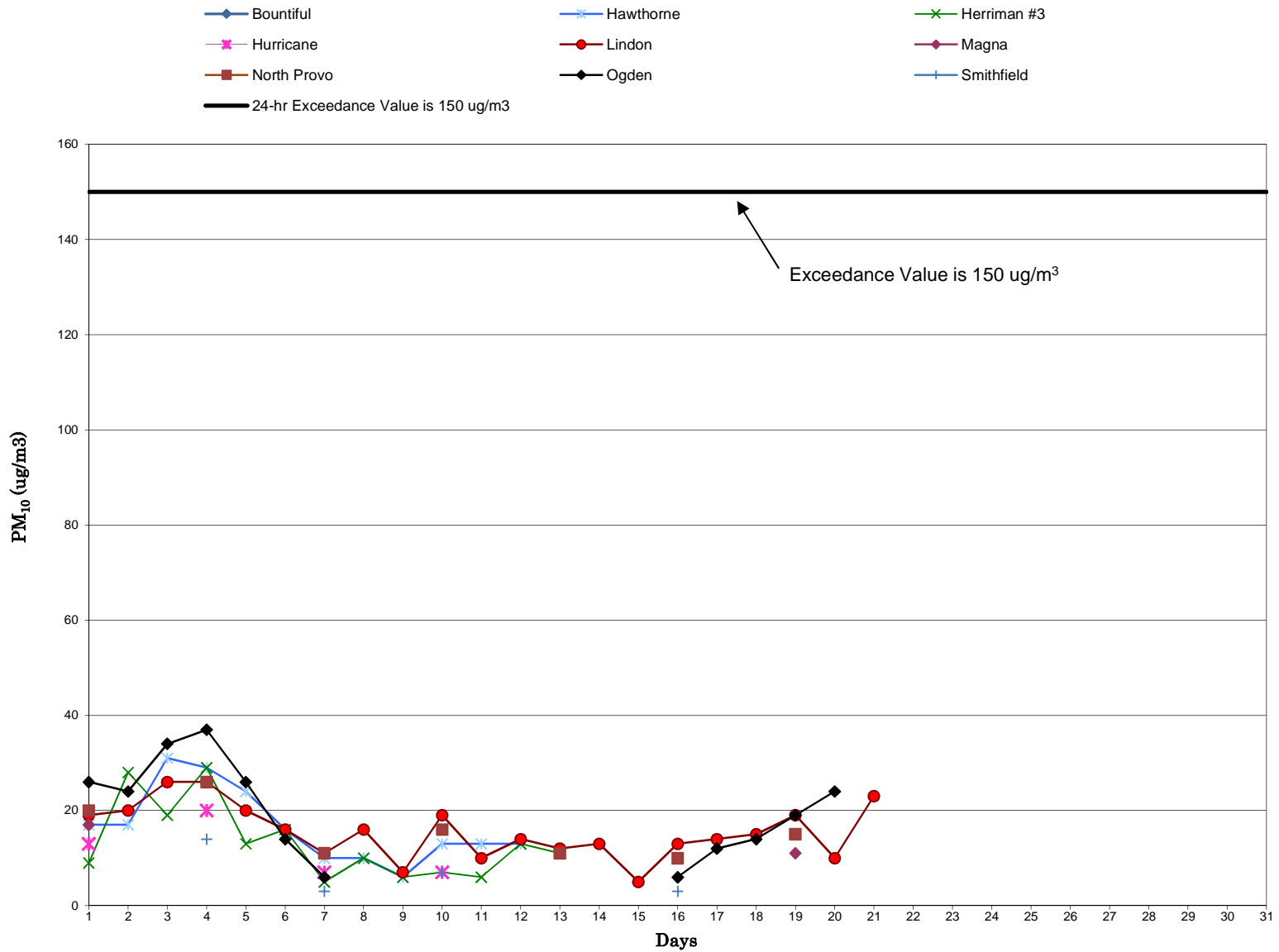
Utah 24-hr PM₁₀ Data January 2016



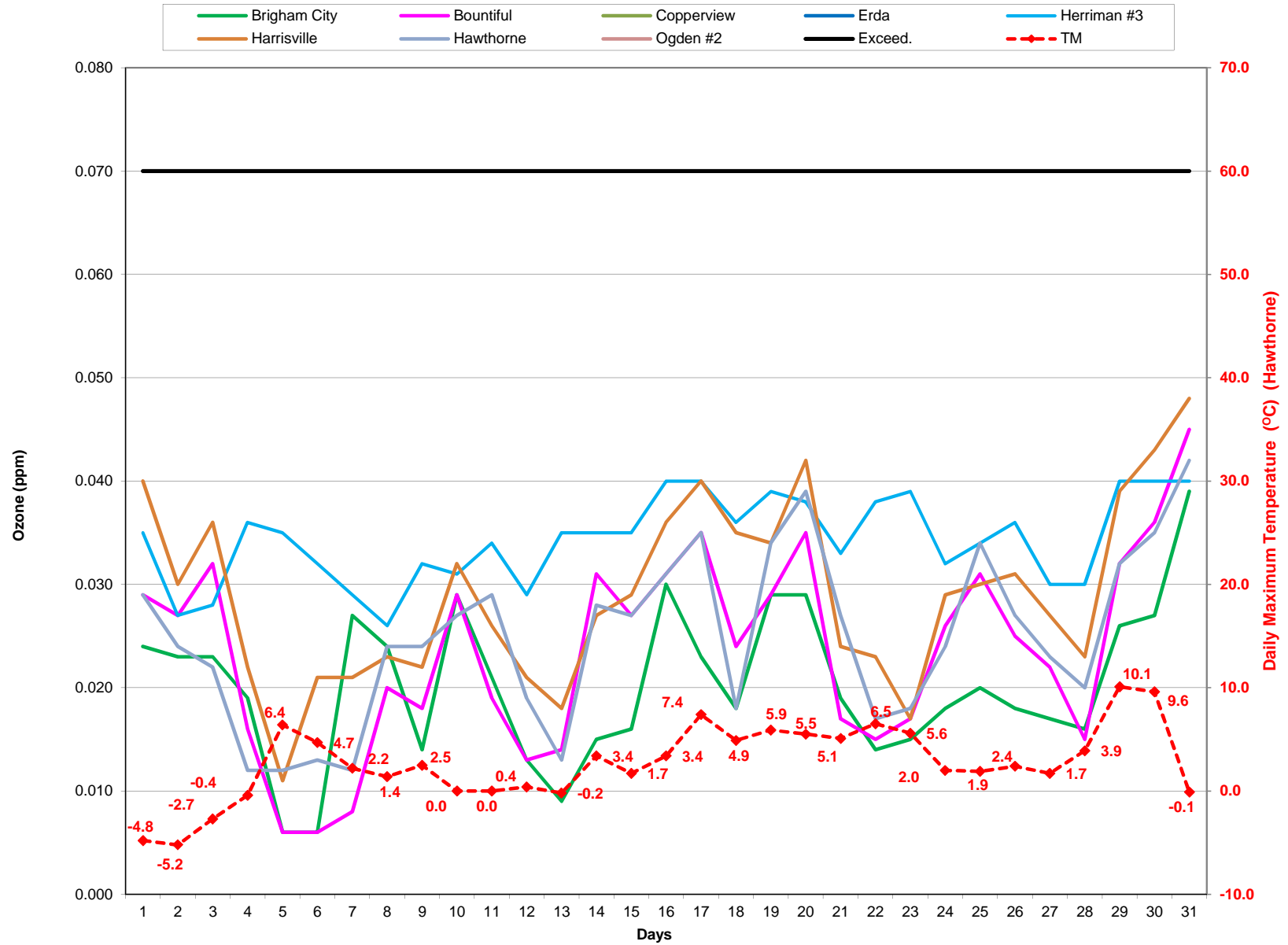
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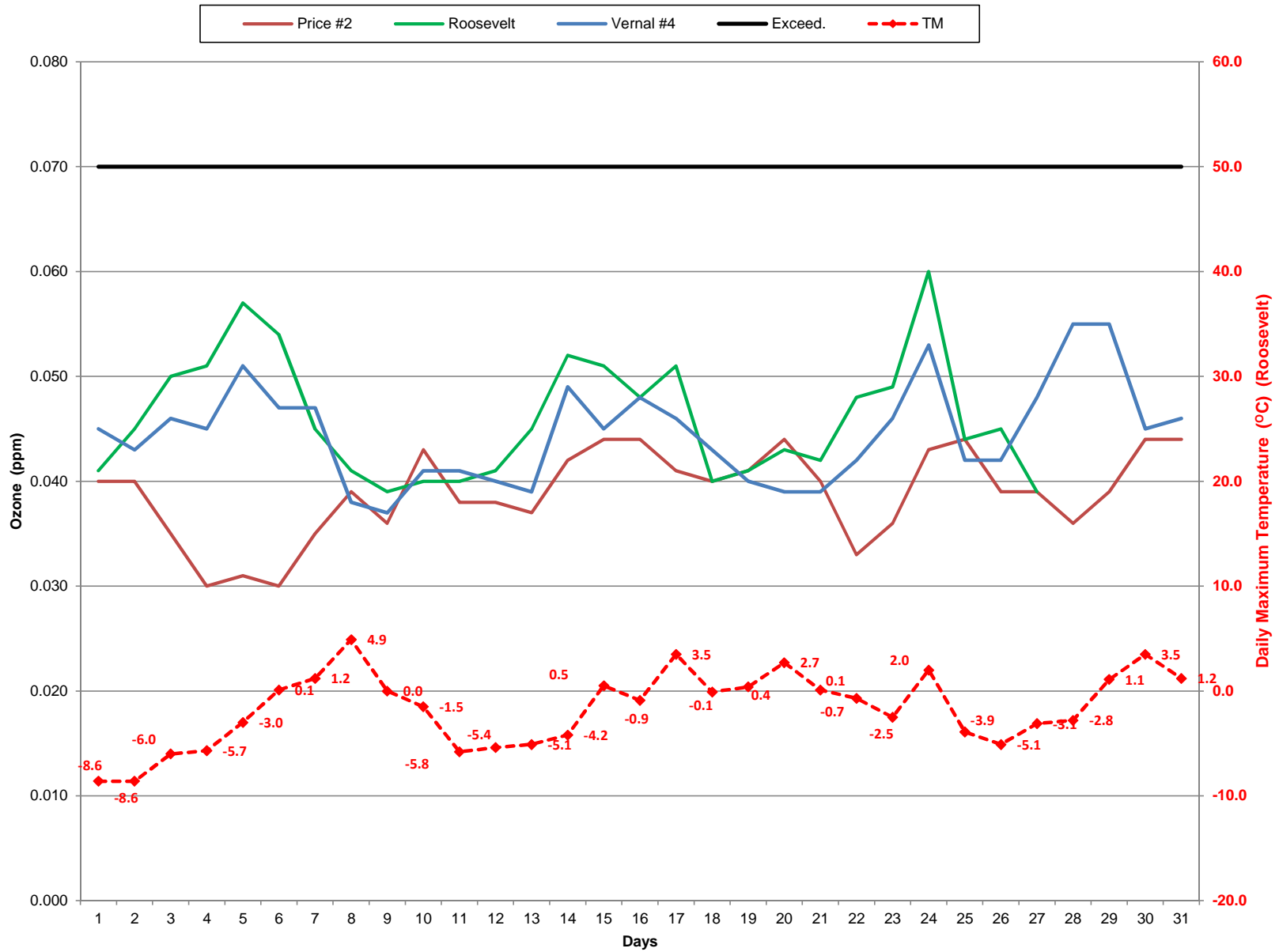
Utah 24-hr PM₁₀ Data March 2016



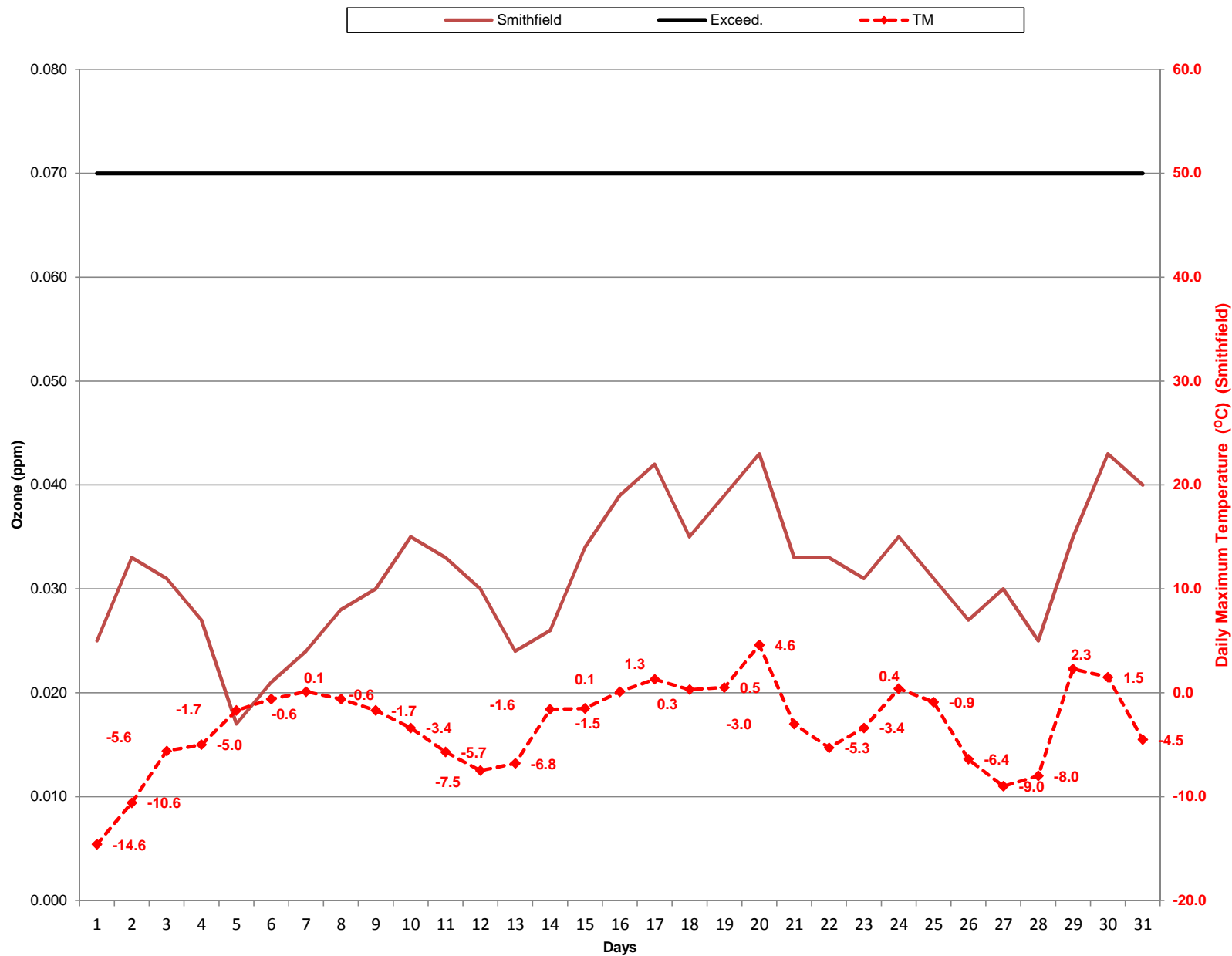
Highest 8-hr Ozone Concentration & Daily Maximum Temperature January 2016



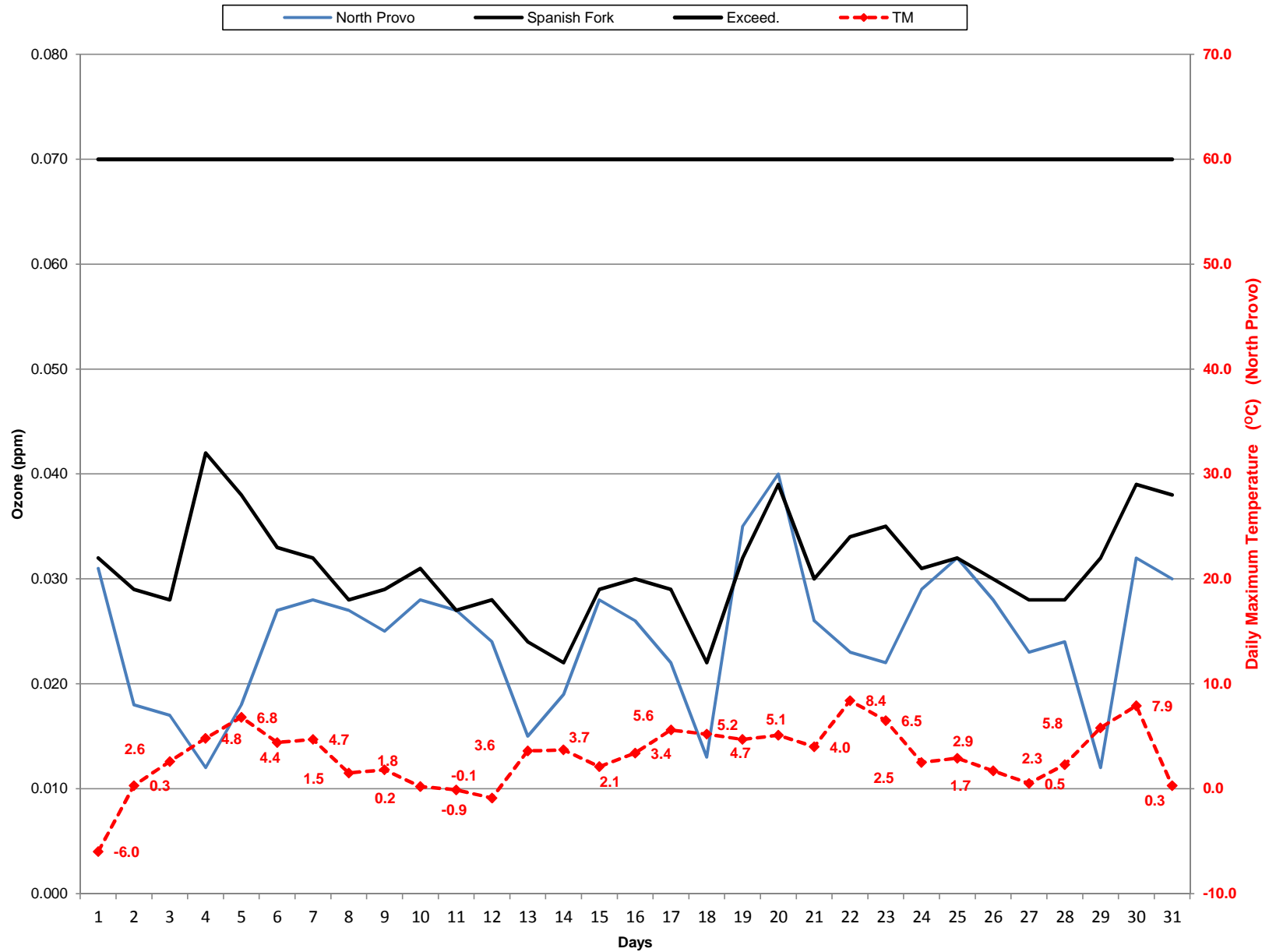
Highest 8-hr Ozone Concentration & Daily Maximum Temperature January 2016



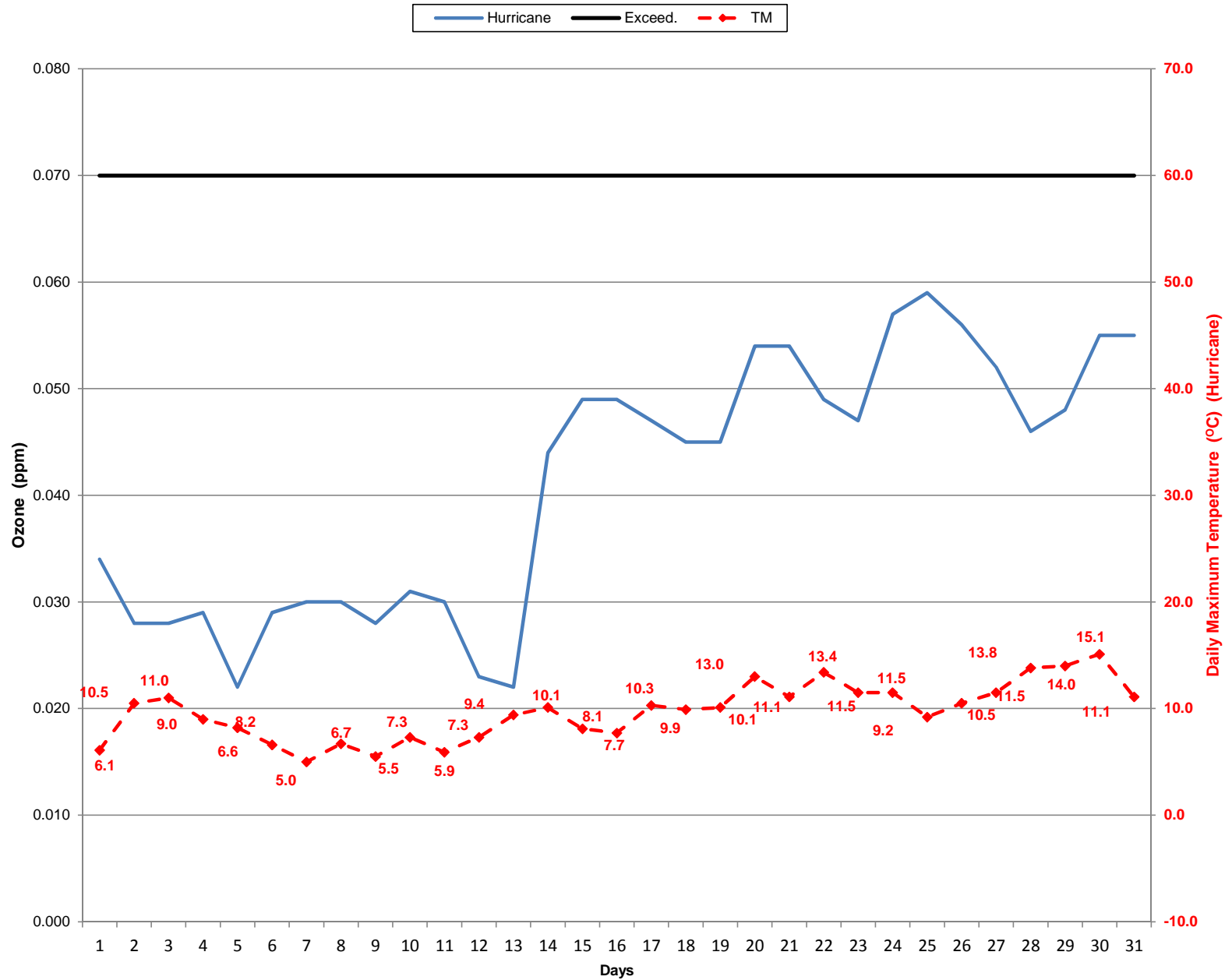
Highest 8-hr Ozone Concentration & Daily Maximum Temperature January 2016



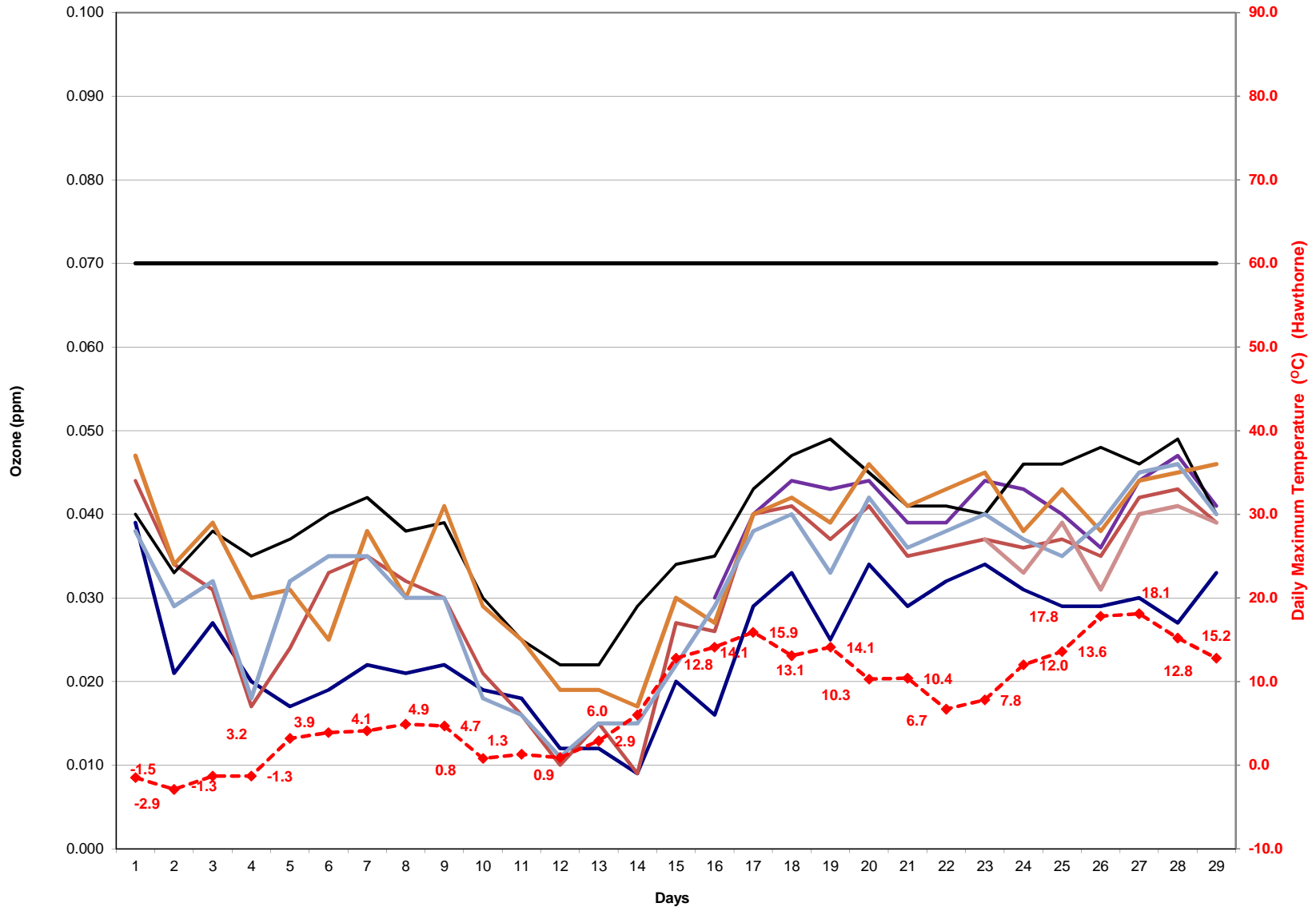
Highest 8-hr Ozone Concentration & Daily Maximum Temperature January 2016



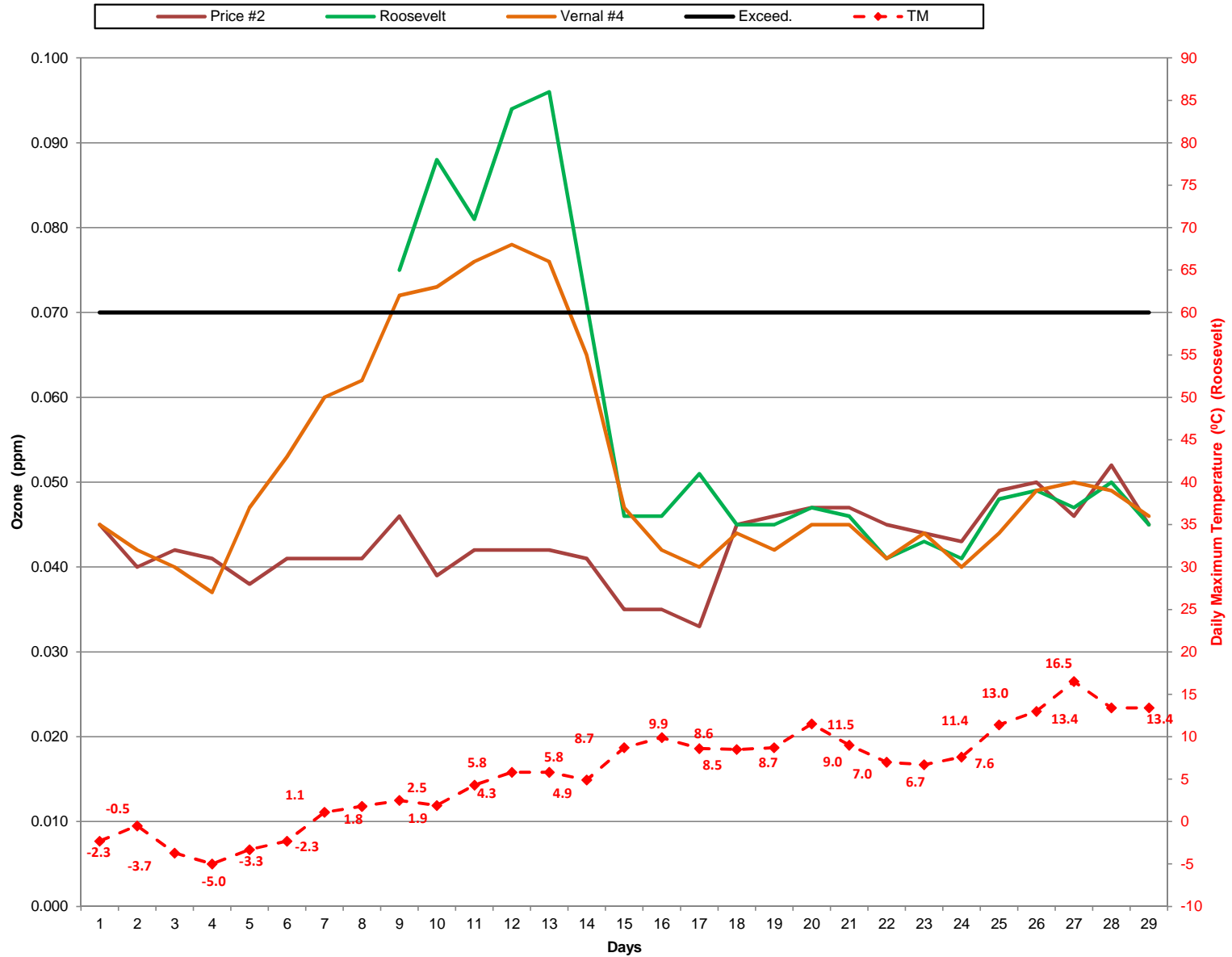
Highest 8-hr Ozone Concentration & Daily Maximum Temperature January 2016



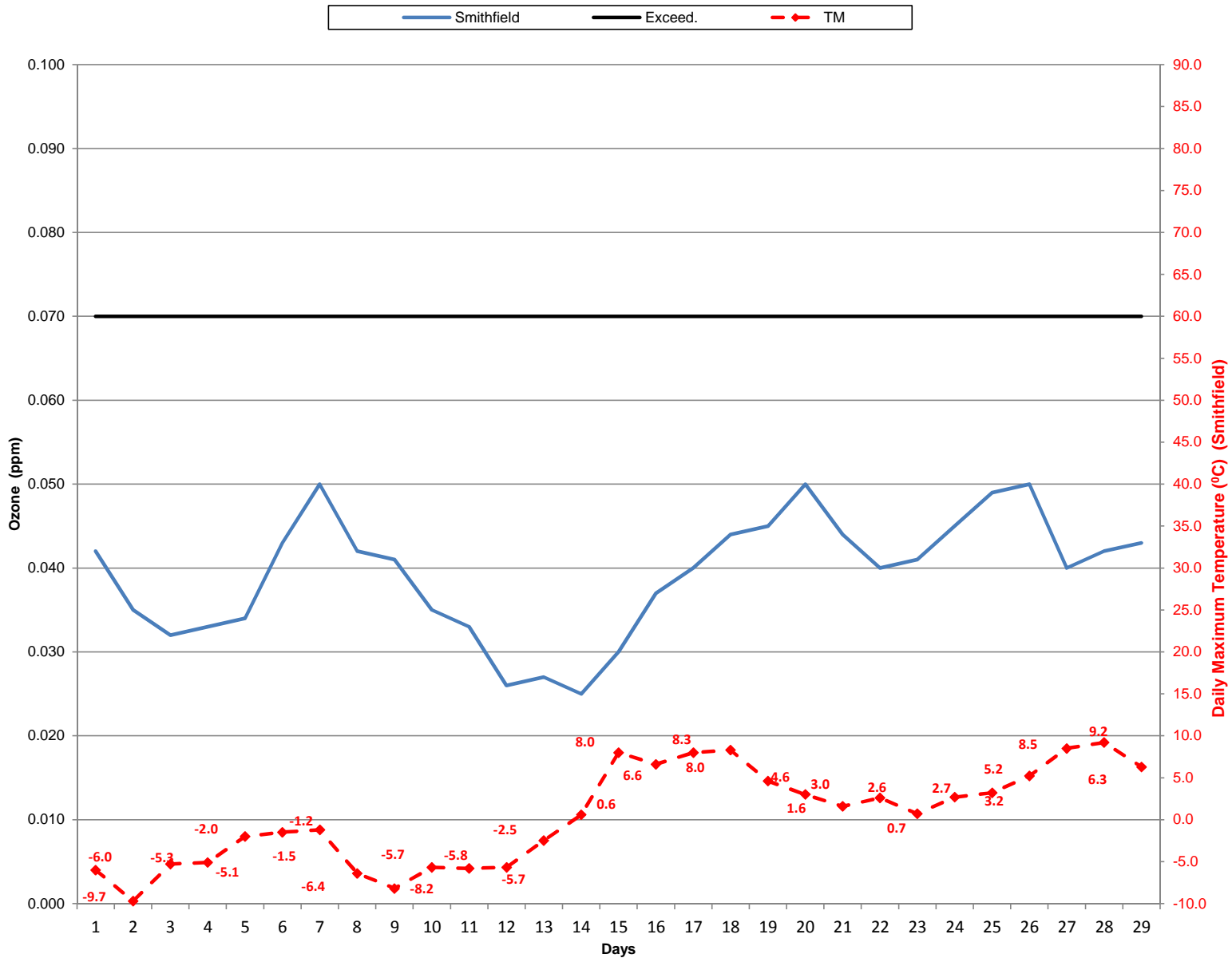
Highest 8-hr Ozone Concentration & Daily Maximum Temperature February 2016



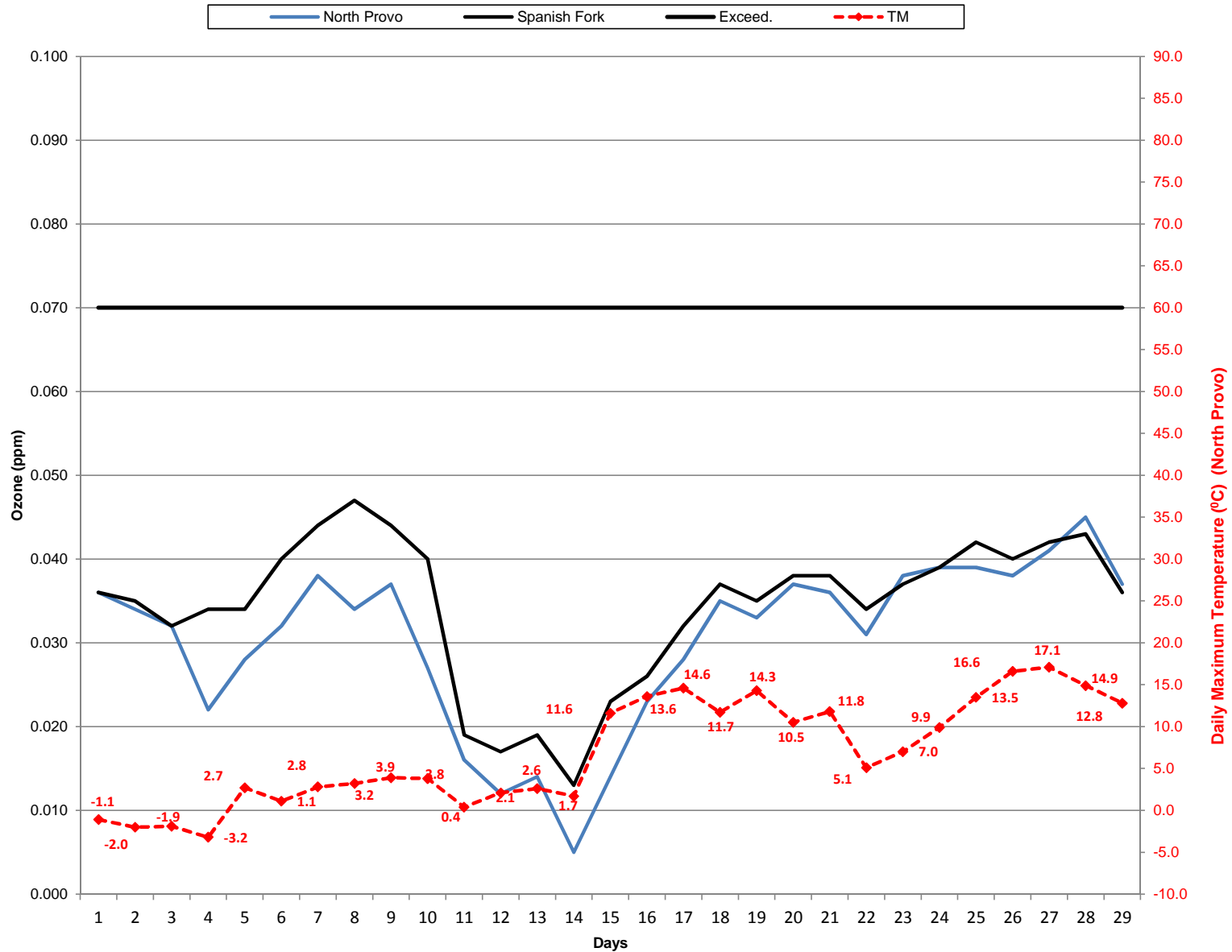
Highest 8-hr Ozone Concentration & Daily Maximum Temperature February 2016



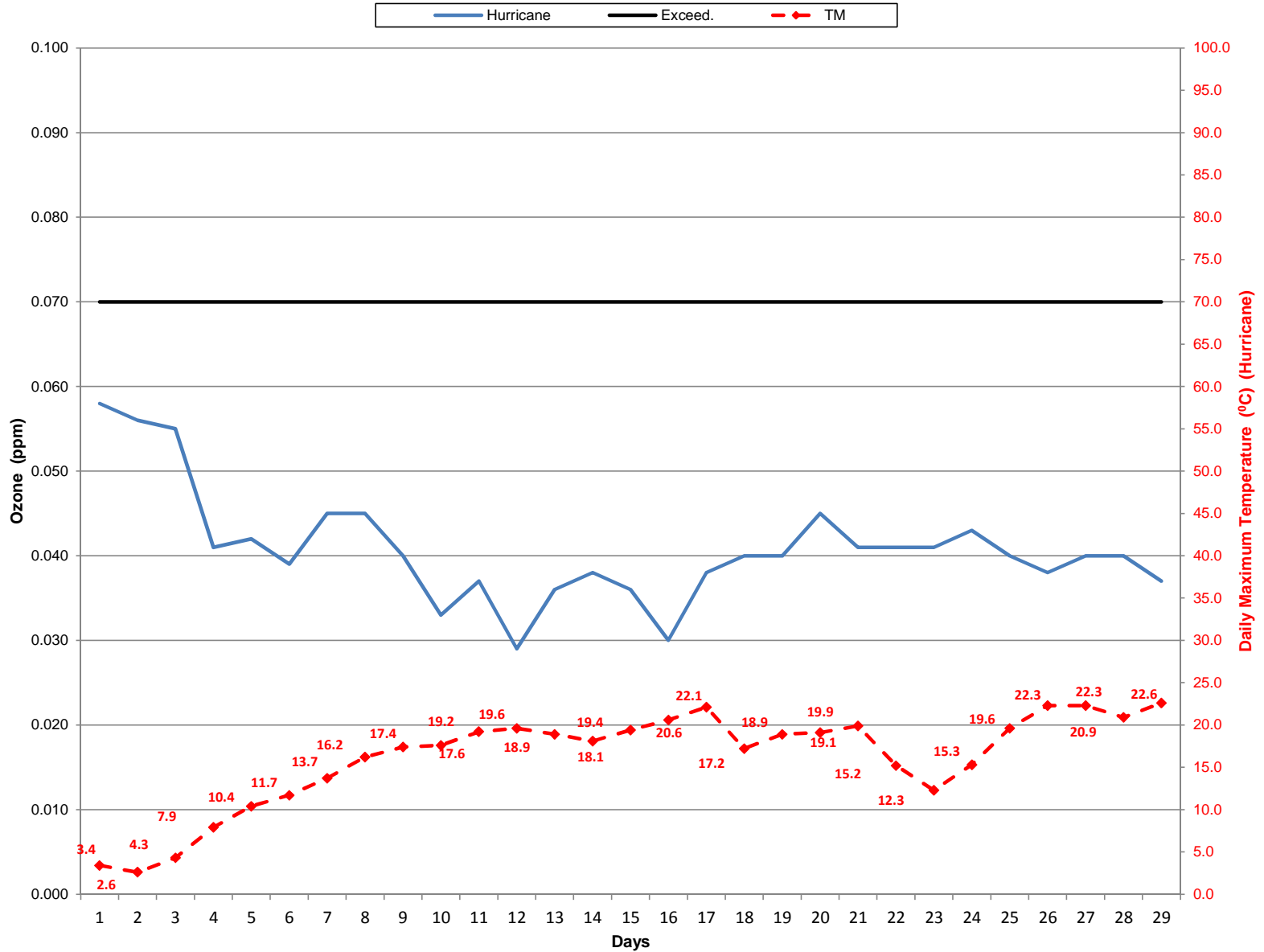
Highest 8-hr Ozone Concentration & Daily Maximum Temperature February 2016



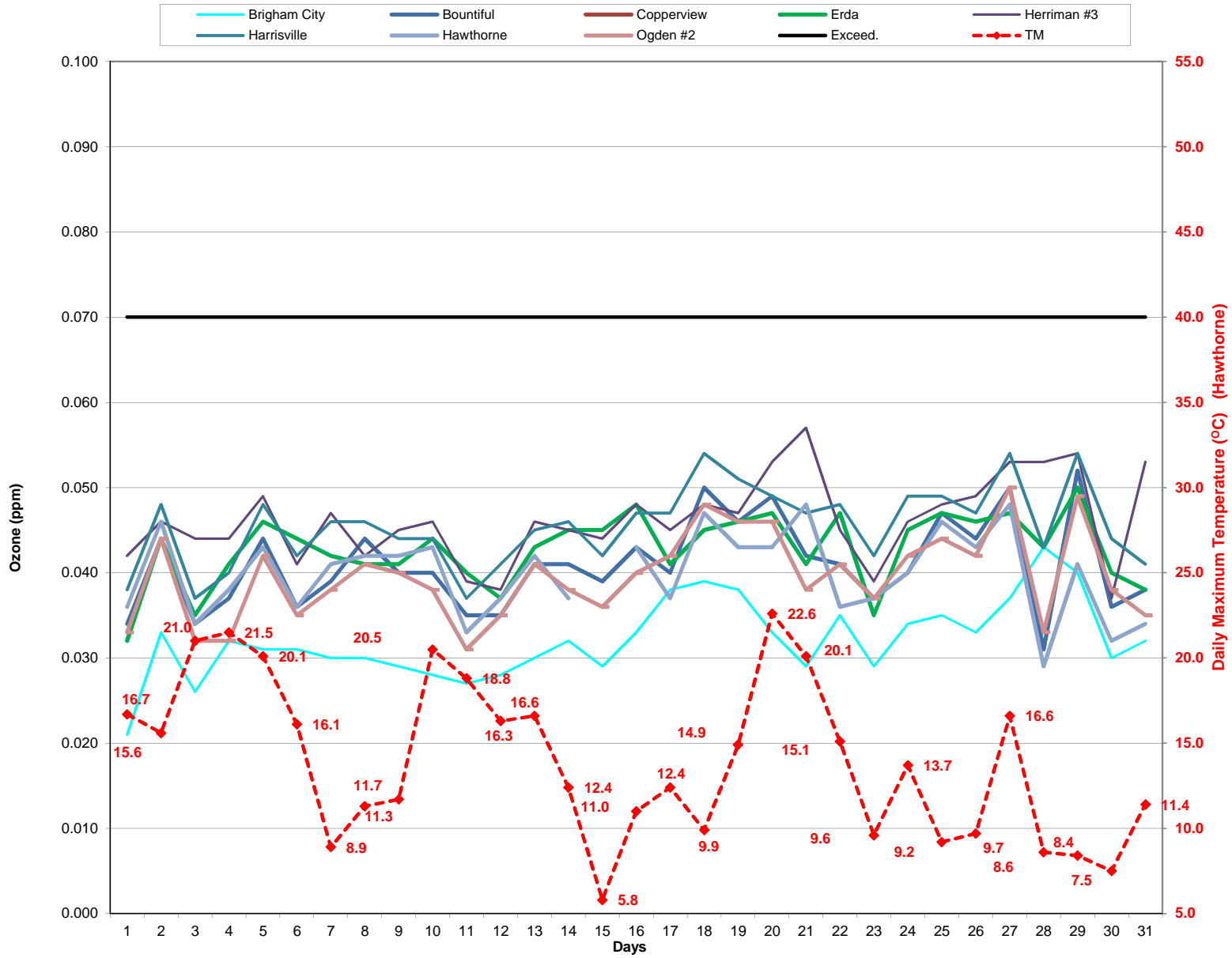
Highest 8-hr Ozone Concentration & Daily Maximum Temperature February 2016



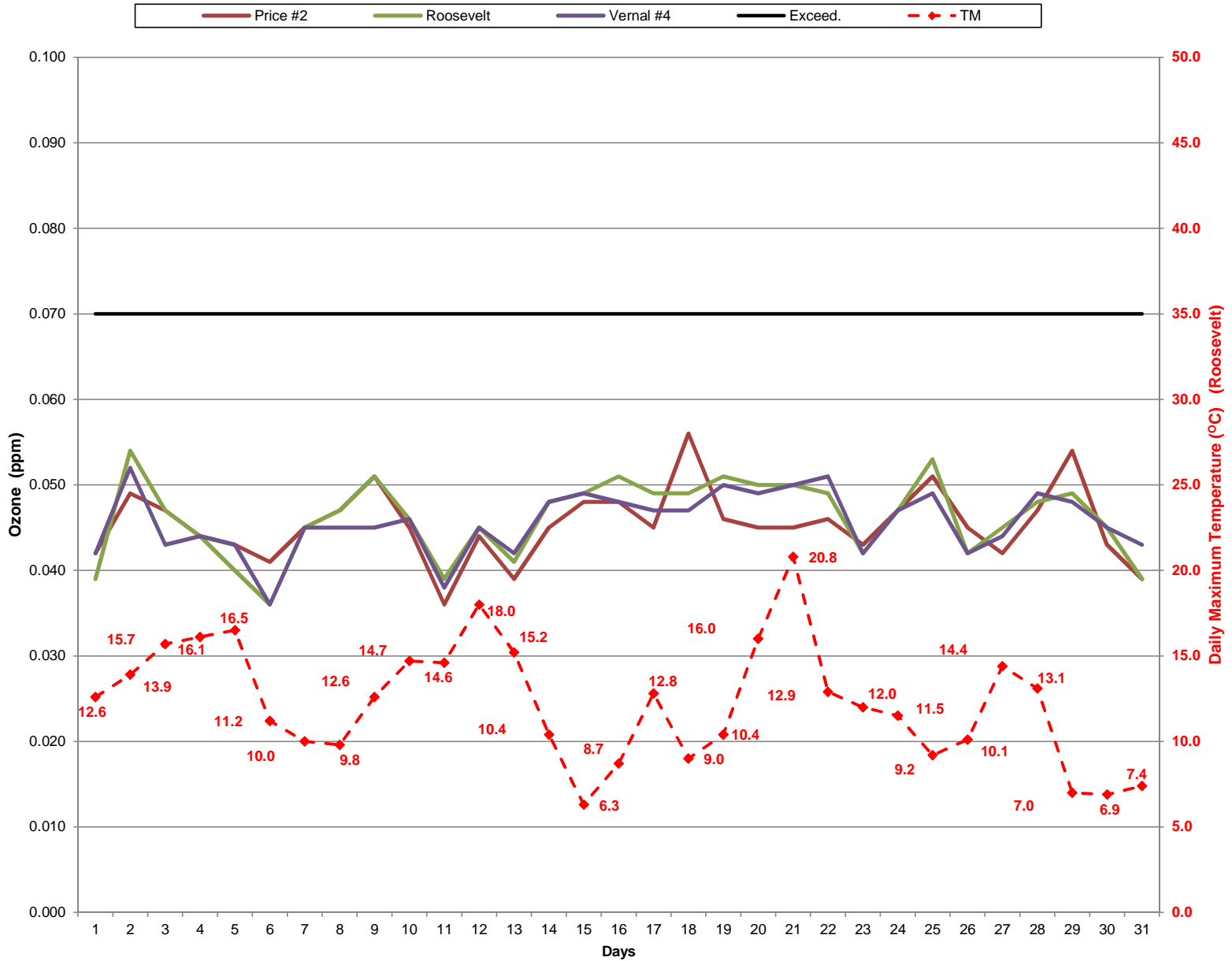
Highest 8-hr Ozone Concentration & Daily Maximum Temperature February 2016



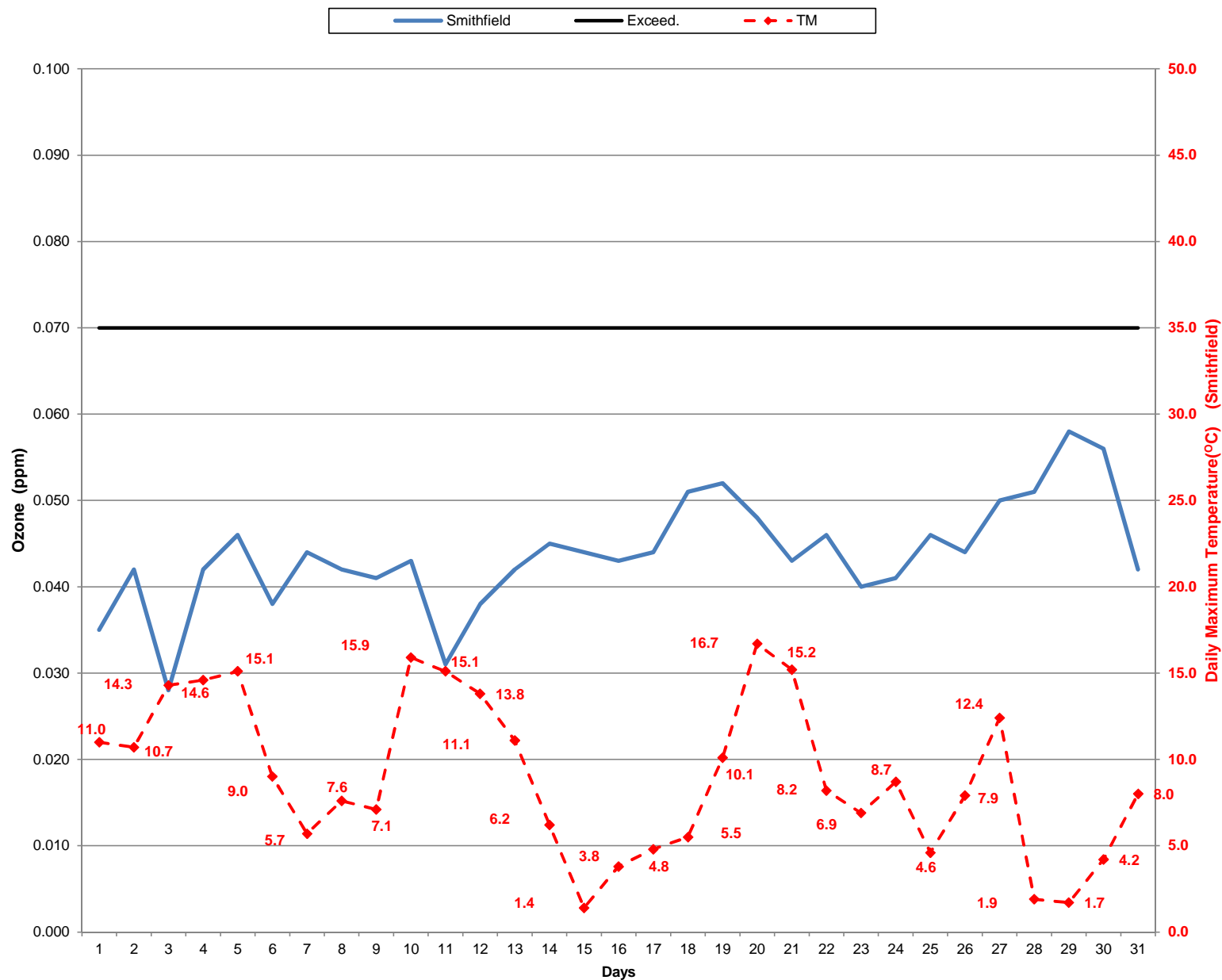
Highest 8-hr Ozone Concentration & Daily Maximum Temperature March 2016



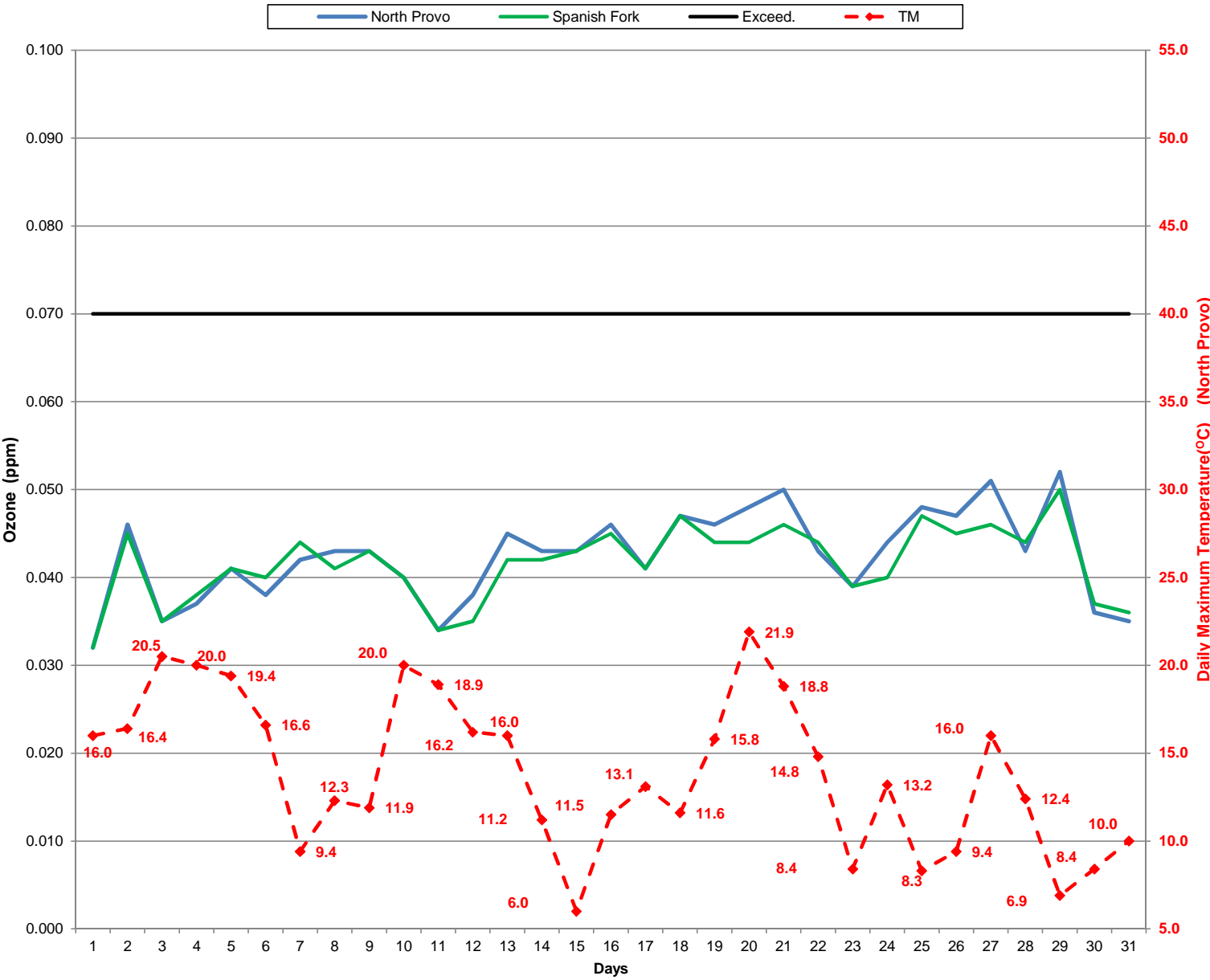
Highest 8-hr Ozone Concentration & Daily Maximum Temperature March 2016



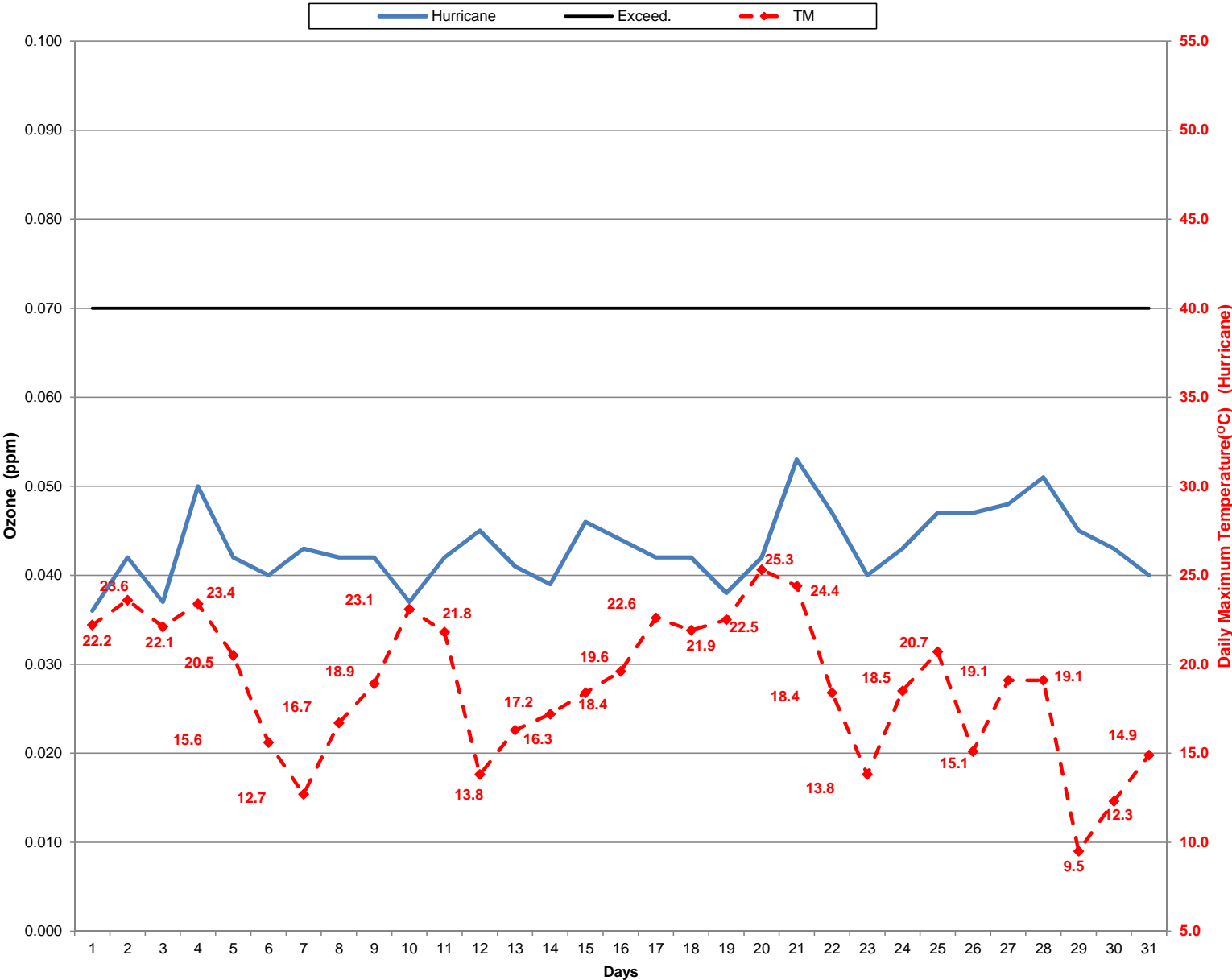
Highest 8-hr Ozone Concentration & Daily Maximum Temperature March 2016



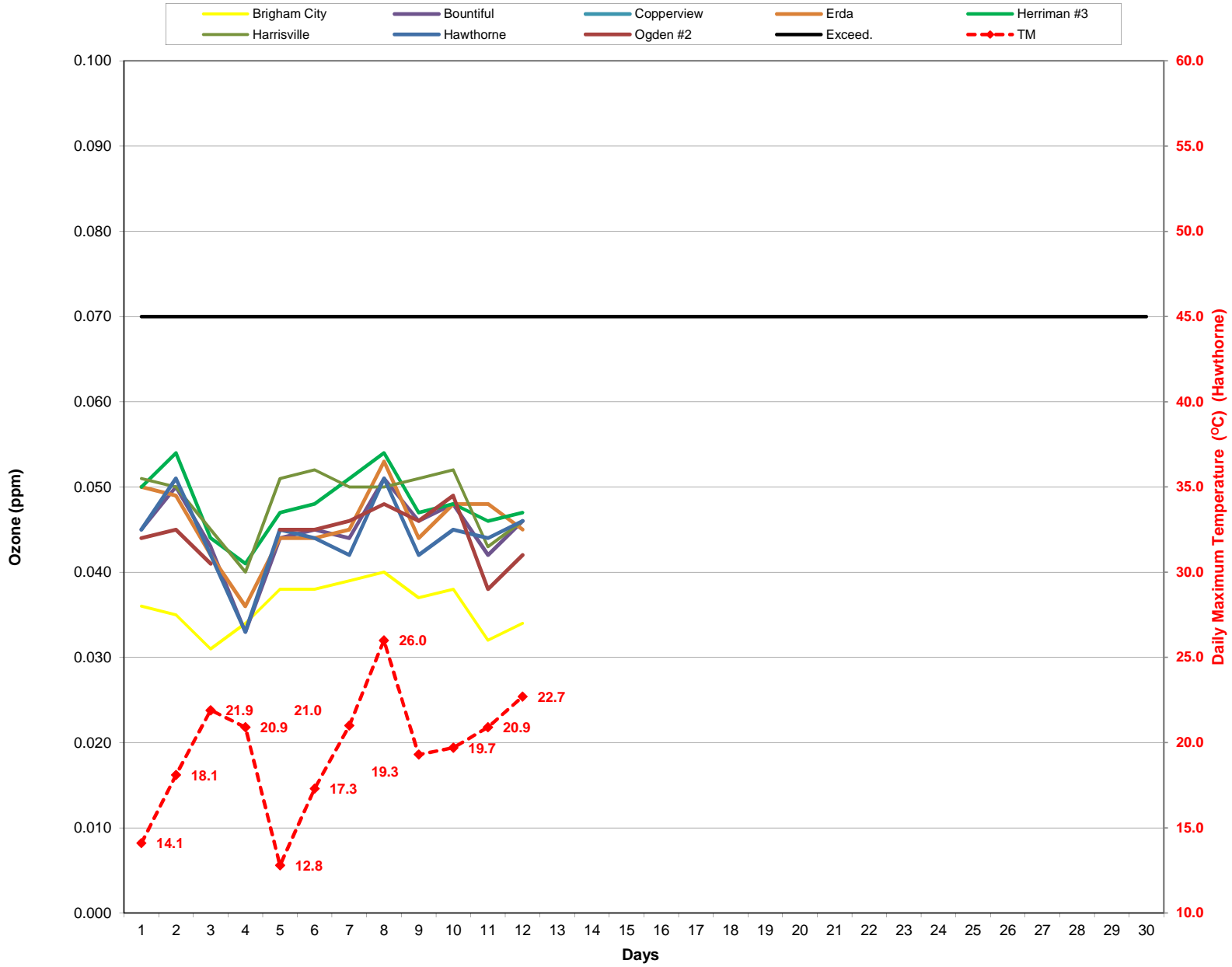
Highest 8-hr Ozone Concentration & Daily Maximum Temperature March 2016



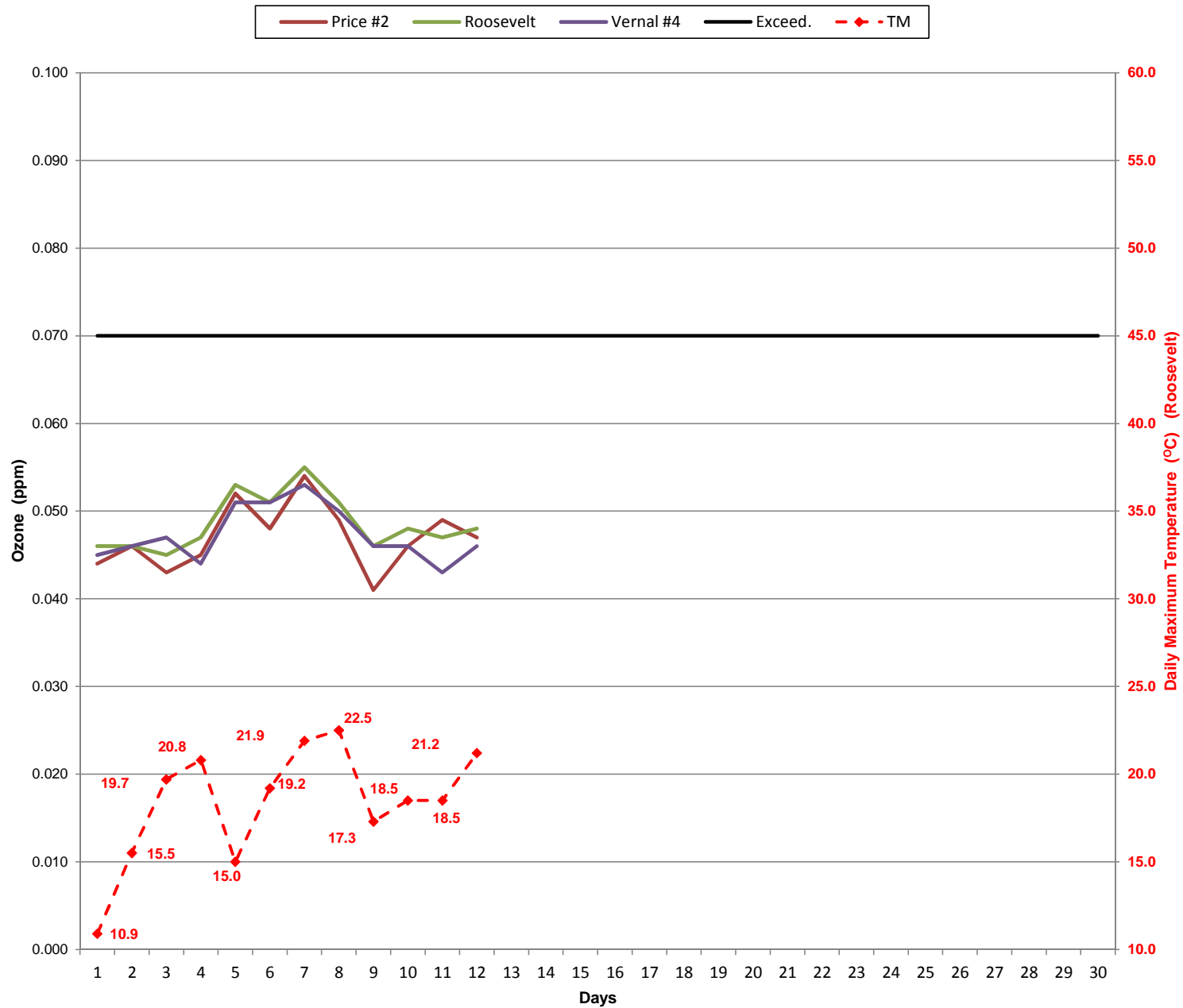
Highest 8-hr Ozone Concentration & Daily Maximum Temperature March 2016



Highest 8-hr Ozone Concentration & Daily Maximum Temperature April 2016

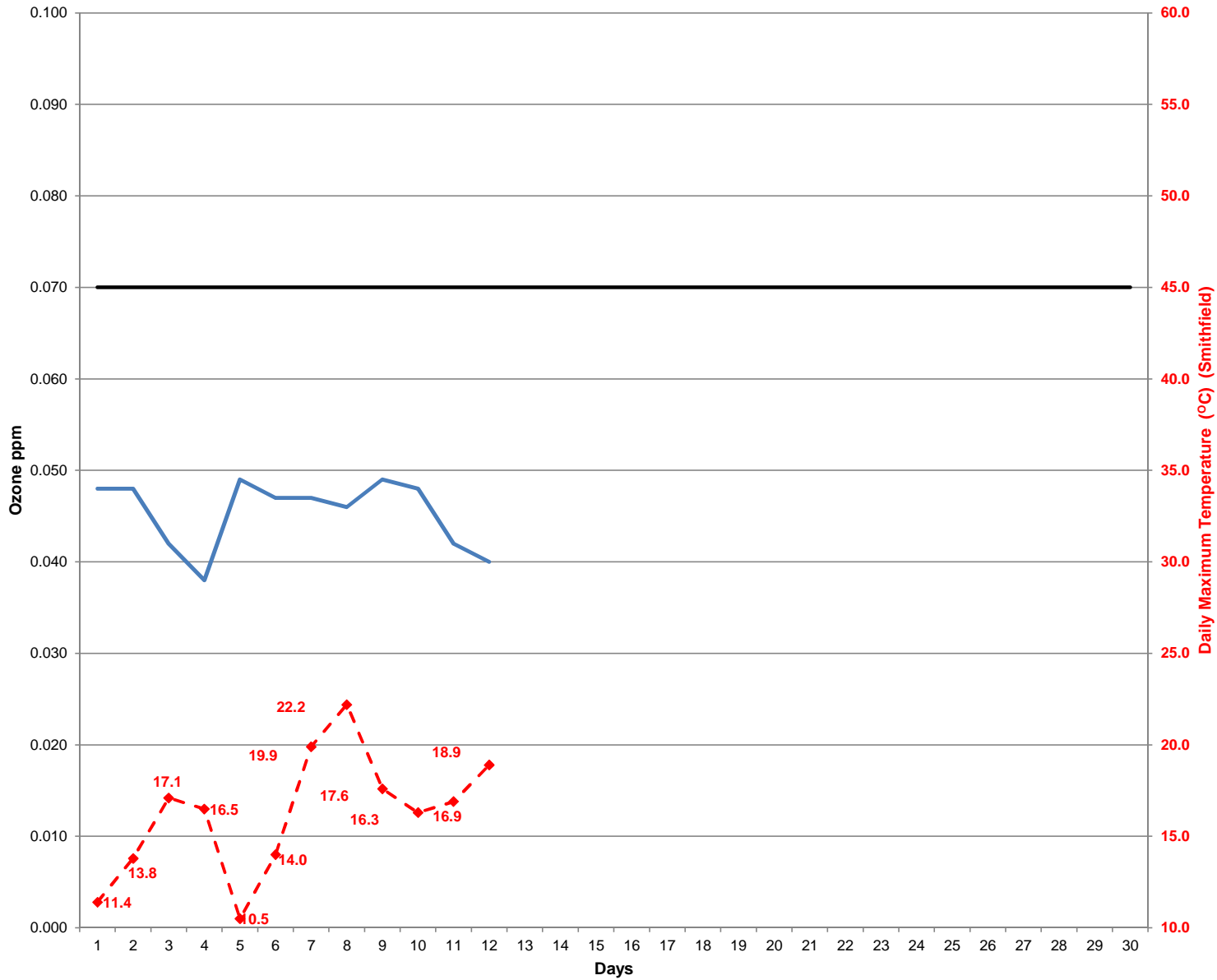


Highest 8-hr Ozone Concentration & Daily Maximum Temperature April 2016

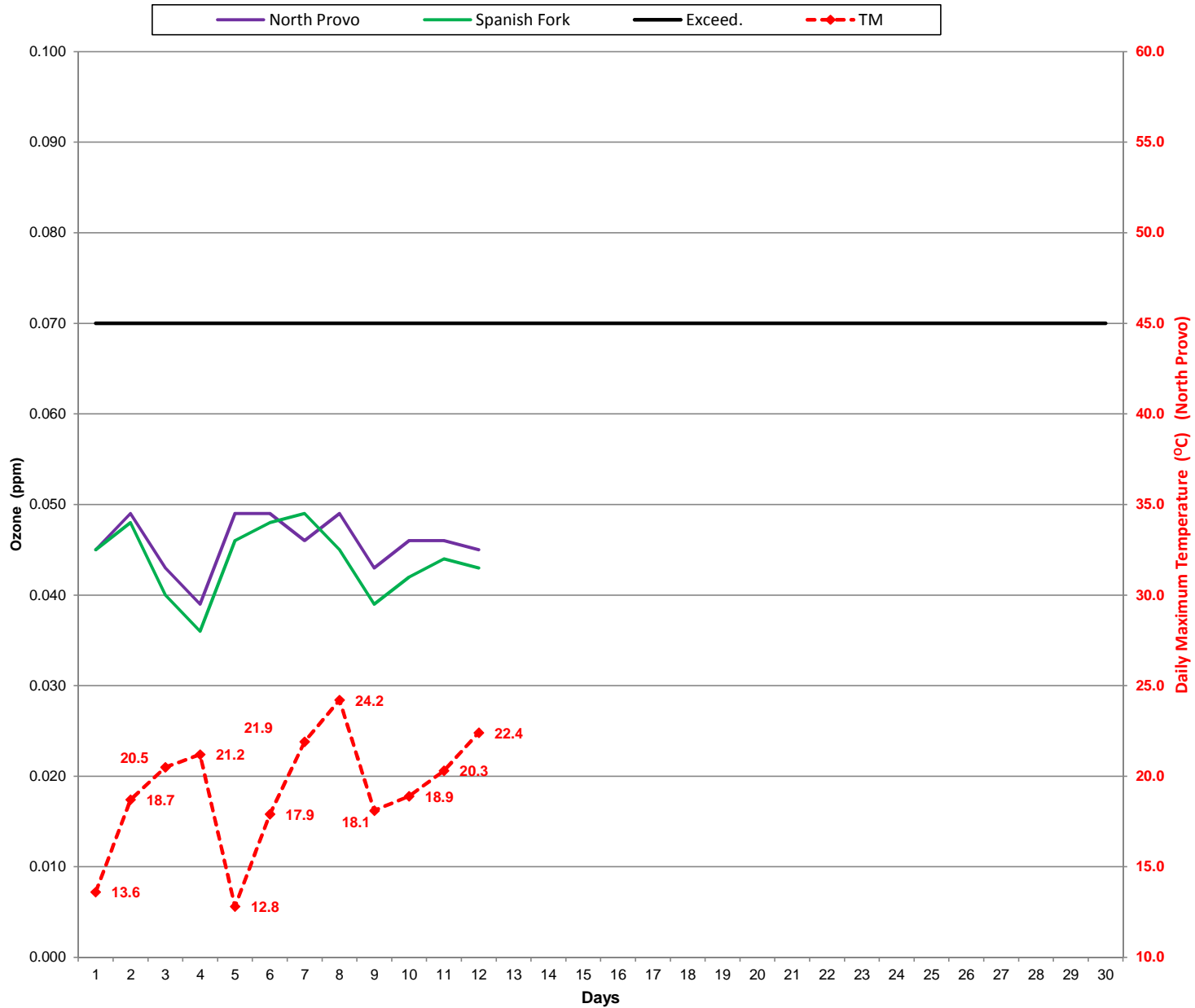


Highest 8-hr Ozone Concentration & Daily Maximum Temperature April 2016

— Smithfield — Exceed. -♦- TM



Highest 8-hr Ozone Concentration & Daily Maximum Temperature April 2016



Highest 8-hr Ozone Concentration & Daily Maximum Temperature April 2016

— Hurricane — Exceed. -♦- TM

