



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

24 June 1998

Michael H. Scheible  
Deputy Executive Officer  
California Air Resources Board  
2020 L Street  
P.O. Box 2815  
Sacramento, CA 95812-2815

Dear Mr. Scheible:

In response to your request of February 24, 1997, I am pleased to inform you that we are delegating authority to implement and enforce certain categories of New Source Performance Standards (NSPS) to the **Lake County Air Quality Management District (LCAQMD)**. We have reviewed your request for delegation and have found the LCAQMD's programs and procedures to be acceptable. This delegation includes authority for the following source categories:

<u>NSPS</u>	<u>40 CFR</u> <u>Part 60</u> <u>Subpart</u>
Industrial-Commercial-Institutional Steam Generating Units	Db
Small Industrial-Commercial-Institutional Steam Generating Units	Dc
Municipal Waste Combustors for Which Construction is Commenced after December 20, 1989 and on or before September 20, 1994	Ea
Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction or Modification Commenced After July 23, 1984	Kb
New Residential Wood Heaters	AAA

Rubber Tire Manufacturing Industry	BBB
VOC Emissions from the Polymer Manufacturing Industry	DDD
VOC Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	III
VOC Emissions from SOCMI Distillation Operations	NNN
VOC Emissions from Petroleum Refinery Wastewater Systems	QQQ
VOC Emissions from Synthetic Organic Chemical Manufacturing Industry Reactor Processes	RRR
Magnetic Tape Coating Facilities	SSS
Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	TTT
Calciners and Dryers In Mineral Industries	UUU
Polymeric Coating of Supporting Substrates Facilities	VVV
Municipal Solid Waste Landfills	WWW

In addition, we are re delegating the following NSPS categories since the LCAQMD revised programs and procedures are acceptable:

<u>NSPS</u>	<u>40 CFR</u> <u>Part 60</u> <u>Subpart</u>
General Provisions	A
Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971	D
Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978	Da
Incinerators	E
Portland Cement Plants	F
Nitric Acid Plants	G
Sulfuric Acid Plants	H
Hot Mix Asphalt Facilities	I
Petroleum Refineries	J
Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	K

Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	Ka
Secondary Lead Smelters	L
Secondary Brass and Bronze Production Plants	M
Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973	N
Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983	Na
Sewage Treatment Plants	O
Primary Copper Smelters	P
Primary Zinc Smelters	Q
Primary Lead Smelters	R
Primary Aluminum Reduction Plants	S
Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants	T
Phosphate Fertilizer Industry: Superphosphoric Acid Plants	U
Phosphate Fertilizer Industry: Diammonium Phosphate Plants	V
Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	X
Coal Preparation Plants	Y
Ferroalloy Production Facilities	Z
Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and on or Before August 17, 1983	AA
Steel Plants: Electric Arc Furnaces and Argon- Oxygen Decarburization Vessels Constructed After August 7, 1983	AAa
Kraft Pulp Mills	BB
Glass Manufacturing Plants	CC
Grain Elevators	DD
Surface Coating of Metal Furniture	EE
Stationary Gas Turbines	GG
Lime Manufacturing Plants	HH
Lead-Acid Battery Manufacturing Plants	KK
Metallic Mineral Processing Plants	LL
Automobile and Light-Duty Truck Surface Coating Operations	MM

Phosphate Rock Plants	NN
Ammonium Sulfate Manufacture	PP
Graphic Arts Industry: Publication Rotogravure Printing	QQ
Pressure Sensitive Tape and Label Surface Coating Operations	RR
Industrial Surface Coating: Large Appliances	SS
Metal Coil Surface Coating	TT
Asphalt Processing and Asphalt Roofing Manufacture	UU
Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry	VV
Beverage Can Surface Coating Industry	WW
Flexible Vinyl And Urethane Coating and Printing	FFF
Equipment Leaks of VOC In Petroleum Refineries	GGG
Synthetic Fiber Production Facilities	HHH
Petroleum Dry Cleaners	JJJ
Equipment Leaks of VOC From Onshore Natural Gas Processing Plants	KKK
Onshore Natural Gas Processing; SO2 Emissions	LLL
Nonmetallic Mineral Processing Plants	OOO
Wool Fiberglass Insulation Manufacturing Plants	PPP

This delegation does not include the following:

(1) NSPS Subpart Cc, which address Emission Guidelines and Compliance Times and thus is not delegated under CAA Sec. 111(c). To the extent that there are sources within the District that would be subject to this Subpart, the District should be developing regulations for submission to EPA as a Plan under 40 C.F.R. Part 60, Subpart B.

(2) Appendices to 40 C.F.R. Part 60, which also are not performance standards delegated under CAA Sec. 111(c). However, all applicable test methods and other requirements in the Appendices must be followed for the delegated subparts.

(3) NSPS Subpart XX, which addresses Bulk Gasoline Terminals, is not delegated until EPA and the California Air Resources Board resolve some issues regarding the testing of tanks.

LCAQMD also requested delegation for National Emission Standards for Hazardous Air Pollutants (NESHAPS) promulgated under section 112(d) of the Clean Air Act. On July 13, 1995, EPA published an interim final action approving LCAQMD's Clean Air Act Title V operating permits program (see 60 FR 36065). This action in part, stated:

...EPA is...promulgating approval under section 112(l)(5) and 40 CFR 63.91 of the ...[district's] program for receiving delegation of section 112 standards that are unchanged from Federal standards as promulgated. This program for delegations only applies to sources covered

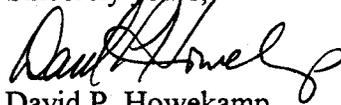
by the part 70 program.

As such, LCAQMD has been delegated the MACT standards promulgated under section 112(d) of the Clean Air Act for sources covered by the part 70 program. The district has been delegated responsibility for implementing these standards unchanged. This does not preclude LCAQMD from substituting alternatives for the section 112(d) standards. This does mean, however, that until a local substitute rule is approved by EPA, Title V sources in the district are required to comply with the Federal standard and LCAQMD is expected to implement the Federal standard for Title V sources until a substitute is approved. EPA is currently evaluating whether this delegation can be extended to non-Title V sources.

EPA has no authority to approve provisions of State or local law, such as the variance provisions that are inconsistent with the CAA. Thus, EPA does not recognize the ability of a State or local agency who has received delegation under 40 CFR Part 60, to grant relief from the duty to comply with these standards, except where such relief is granted in accordance with procedures allowed under the CAA.

Acceptance of this delegation constitutes your agreement to follow all applicable provisions of 40 CFR Part 60, including but not limited to use of EPA's test methods and continuous emission monitoring procedures. As of the effective date of this delegation, LCAQMD will have primary authority to enforce the above standards. EPA will retain independent enforcement authority, and will exercise such authority in a manner consistent with EPA's "Timely and Appropriate Enforcement Response to Significant Air Pollution Violators" Guidance, and any revisions thereto, and our enforcement agreement. All notifications and reports required of sources by the above standards should be sent to you, with a copy to our office. The delegation is effective upon the date of this letter unless the U.S. EPA receives written notice from you or the District of any objections within 10 days of receipt of this letter. A notice of this delegated authority will be published in the Federal Register in the near future.

Sincerely yours,



David P. Howekamp  
Director  
Air Division

cc: Robert L. Reynolds, APCO  
LCAQMD

Robert D. Fletcher, Chief  
Emissions Assessment Branch, CARB

Harry Metzger, Manager  
Rule Evaluation Section, CARB