



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

October 31, 2005

David Crow, Air Pollution Control Officer
San Joaquin Valley Unified Air Pollution Control District
1990 East Gettysburg Avenue
Fresno, CA 93726-0244

Dear Mr. Crow:

In response to your request submitted through the California Air Resources Board, dated September 28, 2004, the U.S. Environmental Protection Agency, Region IX, (EPA) hereby grants to the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD or District) formal delegation of several National Emission Standards for Hazardous Air Pollutants (NESHAP), as they apply to area sources. As requested, the standards being delegated through this letter are limited to the NESHAP located in the Code of Federal Regulations, Title 40, Part 63, that are applicable to area sources and adopted by reference in SJVUAPCD Rule 4002, as amended on May 20, 2004. Today's delegation does not include any standards that are not incorporated in the May 20, 2004, version of Rule 4002.

If Rule 4002 is amended in the future, the District will need to submit a new request for delegation of any area source NESHAP that are newly incorporated into Rule 4002. Alternatively, the District may choose to take advantage of a streamlined procedure for delegation of area source NESHAP that has been developed for California districts as a result of discussions between EPA and CAPCOA. Several California districts have already used this streamlined procedure that allows for automatic delegation of area source NESHAP after promulgation by EPA. This procedure eliminates the need for the District to submit continual delegation requests. If SJVUAPCD chooses to participate in this streamlined procedure, then the District would receive delegation of each future area source NESHAP 90 days after promulgation of that standard, without any additional action from the District or EPA. If the District does not wish to receive delegation of a particular standard, then the District may simply notify EPA in writing of the desire to decline delegation of that standard. A sample letter requesting participation in this streamlined procedure is enclosed for your consideration.

We appreciate SJVUAPCD's efforts to implement the federal air toxics program and hope to continue working with you to reduce emissions of air toxics in California. If you have any questions about this delegation, please call me at (415) 947-8715 or have your staff contact Mae Wang at (415) 947-4124.

Sincerely,

A handwritten signature in black ink, appearing to read "Deborah Jordan", written in a cursive style.

Deborah Jordan
Director, Air Division

Enclosure

cc: Jorge Fernandez, CARB

SAMPLE

Michael J. Guzzetta, Manager
Rule Evaluation Section
Program Evaluation Branch
Stationary Source Division
California Air Resources Board
P.O. Box 2815
Sacramento, CA 95812

Dear Mr. Guzzetta:

It is our understanding that the [name of air pollution control/air quality management district] has already received delegation for unchanged maximum achievable control technology (MACT) standards promulgated under section 112 of the federal Clean Air Act for sources covered by the 40 CFR Part 70 program. We would like to complete the delegation to our District for implementing and enforcing these standards by requesting delegation of the unchanged MACT standards as they apply to sources that are not subject to Part 70 permit requirements. Please submit a request to EPA for this delegation on behalf of [name of air pollution control/air quality management district].

We believe that the District has adequate legal authorities, resources, and abilities to implement and enforce these standards. We also believe that those criteria have been sufficiently demonstrated through CARB's July 6, 1995, dry cleaning delegation and equivalency request for approval of its demonstration that California has adequate authorities and resources to implement and enforce Clean Air Act section 112 programs and rules. We understand that if our request for delegation is granted, then the District will receive delegation of each future MACT standard 90 days after promulgation of that standard, without any additional action from the District or EPA. CARB will notify the District of new MACT standards soon after they are promulgated. If we do not wish to receive delegation for a particular standard, then we will notify the EPA Region 9 office in writing to decline delegation of the specific standard. The District will receive delegation of any existing area source MACT standards upon the approval of our request, with the exception of the perchloroethylene dry cleaning standard and the chromium electroplating standard for which statewide or district rules have already been approved and delegated.

If you have any questions regarding this matter, please contact [contact name] at [phone number].

Sincerely,

cc: Mae Wang, EPA Region 9