It has been determined that this meeting will be held electronically without an anchor location. Interested persons can participate telephonically by dialing 1-872-240-3311 using access code: 161-004-717, or via the Internet at meeting link: https://global.gotomeeting.com/join/161004717

I. Call-to-Order

II. Date of the Next Air Quality Board Meeting: March 3, 2021

III. Approval of the Minutes for the December 2, 2020, Board Meeting.


VI. HollyFrontier Woods Cross Refining LLC. Administrative Settlement Agreement. Presented by Harold Burge.

VII. Informational Items.
   A. Regional Haze Update. Presented by Jay Baker.
   C. Legislative/Transition Update. Presented by Bryce Bird.
   D. Air Toxics. Presented by Leonard Wright.
   E. Compliance. Presented by Harold Burge and Rik Ombach.
   F. Monitoring. Presented by Bo Call.
   G. Other Items to be Brought Before the Board.
   H. Board Meeting Follow-up Items.

In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Larene Wyss, Office of Human Resources at (801) 536-4281, TDD (801) 536-4284 or by email at lwyss@utah.gov.
Subject: Utah Air Quality Board Meeting Determination

I, Randal S. Martin, Chair of the Utah Air Quality Board, have determined that the February 3, 2021, meeting of the Utah Air Quality Board will be held electronically without an anchor location.

This determination is based on the following facts:

1. Utah is currently dealing with Covid-19, which has been characterized by the World Health Organization as a pandemic and for which the Governor has declared a state of emergency. See Executive Order 2020-51. Covid-19 is extremely contagious and can be deadly to those who contract it, especially those of advanced age and underlying health conditions.

2. The Agency offices are in Salt Lake County, which is currently in the State’s high level of transmission category. This limits the size of public gatherings to fewer than 10 people and requires the wearing of masks and social distancing. People are encouraged to stay in their homes.

3. A vast majority of Agency staff and the members of the Board are teleworking to avoid unnecessary contact with others.

4. The Board room is insufficient to allow social distancing and reasonably safe accommodation of the Board and the public.

5. The Board uses an electronic platform which allows interested parties to view the meeting, hear discussions, and provide written comment.

Dated this 21st day of Jan., 2021.

Randal S. Martin, Chair
Utah Air Quality Board
ITEM 3
I. Call-to-Order

Randal Martin called the meeting to order at 1:30 p.m. and read the determination statement to hold an electronic meeting without an anchor location for the record.

Board members present: Randal Martin, John Rasband, Scott Baird, Michelle Bujdoso, Kevin Cromar, Erin Mendenhall, and Arnold Reitze

Excused: Cassady Kristensen and William Stringer

Executive Secretary: Bryce Bird

II. Date of the Next Air Quality Board Meeting: February 3, 2021

There are no agenda action items to bring to the Board in January 2021. The next Board meeting is February 3, 2021.

III. Approval of the Minutes for November 4, 2020, Board Meeting.

- John Rasband motioned to approve the minutes as submitted. Erin Mendenhall seconded. The Board approved unanimously.


Jon Black, Major New Source Review Permitting Section Manager at DAQ, stated that on September 2, 2020, the DAQ proposed for public comment an amendment to Section IX, Part H of...
the State Implementation Plan (SIP). This amendment was necessary for the Environmental Protection Agency (EPA) approval of required SIP elements in order to redesignate the Salt Lake City, UT nonattainment area, to attainment status.

As part of EPA’s review of the technical support documentation (TSD) and emission limits in Section IX, Part H of the PM\textsubscript{2.5} SIP, EPA stated that it could not approve Part H due to the startup, shutdown, malfunction (SSM) limits for Kennecott’s power plant. EPA found that the SSM provisions were not sufficiently supported in the TSD. In addition, at the time of EPA’s review of the TSD and Part H of the PM\textsubscript{2.5} SIP, EPA had not finalized its SSM policy. On October 9, 2020, EPA issued a guidance memorandum to address the SSM provisions in SIPs. However, this policy will be part of a lawsuit that will be heard in the D.C. Circuit. The court was waiting for EPA to finalize its SSM policy before ruling on the lawsuit. Given the uncertainty with EPA’s nationwide SSM policy and the lack of supporting documentation in the TSD, EPA stated that the SSM provisions for the power plant in Part H were not approvable.

Since Kennecott’s power plant has been shut down and the units subject to these provisions are no longer in operation, DAQ proposed to remove these provisions from Part H to ensure that these limits do not delay EPA approval of the PM\textsubscript{2.5} Serious Area SIP and redesignation to attainment.

R307-110-17 is the rule that incorporates Part H into the air quality rules. This rule was amended to update the incorporation date to reflect the changes made in Part H.

A public comment period was held between October 1, 2020, and November 3, 2020. No public hearing was requested. DAQ received a comment letter from Kennecott on November 2, 2020, in support of the amendment. Staff recommends that the Board propose Utah SIP, Emission Limits and Operating Practices, Section IX, Part H; and R307-110-17 for final adoption.


V. Informational Items.

A. Air Toxics. Presented by Leonard Wright.

B. Compliance. Presented by Harold Burge and Rik Ombach.

In response to what are the type of complaints received, staff responded that they are seasonal and mostly submitted online. Dust complaints are received in the summer and burning complaints in the winter.

C. Monitoring. Presented by Bo Call.

Bo Call, Air Monitoring Section Manager at DAQ, gave an update on the monitoring charts and gave an update on a particulate matter and ozone as we get to the end of the year. The particulate standard is based on the 98\textsuperscript{th} percentile value which is based on the number of samples taken. We are on track for a good year if conditions continue as they are with no inversions over the next couple of weeks. The 98\textsuperscript{th} percentile values so far along the Wasatch Front at Hawthorne and Rose Park are currently at 23.3 and 23.8. Bountiful has a slightly higher value at 32, our near-road site has a value at 29.9, and the Cache Valley 98\textsuperscript{th} percentile is currently at 27.6. Also to
note, is that we had a pretty bad fire season and there are a lot of elevated numbers related to fire, but in every case, according to the charts, those numbers are not at the 8th high do not exceed the 98th percentile value.

For ozone, multiple sites had 10 or more values that exceeded the ozone standard. Rose Park exceeded the standard 13 times with a maximum value of 87. Current numbers at Rose Park and Bountiful are 80, and the three year average numbers for 2018 through 2020 at Rose Park is 77 and Bountiful at 77.6. DAQ was able to capture 97% of monitoring data this past year.

Bryce Bird added that as part of capturing data with the pandemic, this past summer was atypical for ozone meteorologically. We did not see the typical summer storms and we had some of the highest temperatures as well. Looking back in past years we may have had as many as 34 exceedances during the summer whereas this past year we had 13 exceedances. Utah Department of Transportation (UDOT) did issue a report through June of the traffic numbers and, as requested by the Board, staff will review UDOT’s numbers and give a report to the Board at a future meeting.

D. Other Items to be Brought Before the Board.

Mr. Bird is preparing a list of air quality related bills that will be presented at the upcoming Legislative session, which he will send to the Board. It will also include the Department’s link to a web page of other environmental related bills and summaries. Finally, the DEQ staff and leadership have met with Governor-elect Cox’s transition team as they prepare for cabinet announcements in January 2021.

E. Board Meeting Follow-up Items.

- Staff is continuing the work on a rule regarding hazardous air pollutants as originally discussed at the September 2020 meeting. Changes will probably come back to the Board in the form of a revised rule.
- Board members, Mr. Martin, Ms. Bujdoso, Mr. Cromar, Ms. Kristensen, and Mr. Stringer were informed that their terms on the Board are up for renewal. Those wishing to continue service on the Board were asked to reapply on the Utah Boards and Commissions web page.
ITEM 4
MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Liam Thrailkill, Rules Coordinator

DATE: January 20, 2021


R307-101-3, Version of Code of Federal Regulations Incorporated by Reference, must be updated periodically to reflect changes to the federal air quality regulations 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, 2019, to July 1, 2020, are listed in the attached document named Summary of Changes for R307-101-3. The rule has been amended to identify the most recent version of 40 CFR, July 1, 2020, as the version that is incorporated throughout the Utah Air Quality Rules.

R307-210, Standards of Performance for New Stationary Sources (NSPS), must be updated periodically to reflect changes to federal air quality regulations found in 40 CFR Part 60. All published changes to 40 CFR Part 60 from July 1, 2019, to July 1, 2020, are listed in the attached document named Summary of Changes for R307-210.

R307-214, National Emission Standards for Hazardous Air Pollutants (NESHAPs), must be updated periodically to reflect changes to the NESHAPs as published in 40 CFR Parts 61 and 63. All published changes to 40 CFR Parts 61 and 63 from July 1, 2019, to July 1, 2020, are listed in the attached document named Summary of Changes for R307-214.
To streamline the process, DAQ staff have amended both R307-210 and R307-214 for future rulemaking. With the amended changes, R307-210 and R307-214 will no longer need to be amended individually to update their CFR incorporation, but will now fall under R307-101-3.

Recommendation: Staff recommends that the Board propose the amended R307-101-3, R307-210, and R307-214 for public comment.


Except as specifically identified in an individual rule, the version of the Code of Federal Regulations (CFR) incorporated throughout R307 is dated July 1, 2020[19].

KEY: air pollution, definitions

Date of Enactment or Last Substantive Amendment: September 3, 2020
Notice of Continuation: November 13, 2018
Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a)
## Summary of Code of Federal Regulations Changes from July 1, 2019, to July 1, 2020

<table>
<thead>
<tr>
<th>Rule</th>
<th>CFR Section Incorporated</th>
<th>Summary of Changes to CFR</th>
</tr>
</thead>
<tbody>
<tr>
<td>R307-101-2</td>
<td>40 CFR 51.100(s)</td>
<td>No Change</td>
</tr>
<tr>
<td></td>
<td>40 CFR 93, Subpart B</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-170-7</td>
<td>40 CFR 75, Appendix A, Section 6.2</td>
<td>In this action, EPA is amending the part 75 data substitution requirements to establish a limited, temporary exception that applies only under qualifying conditions related to the current COVID–19 national emergency. Specifically, in place of the existing requirements to report substitute data following any failure to complete a required test, the amendments instead allow actual monitored data to be reported after certain missed test deadlines, as long as the failure to complete the test is caused by travel, plant access, or other safety restrictions implemented to address the COVID–19 emergency and the monitored data would be considered valid if not for the delayed test. As a condition of applying the amended procedures, sources must document the reasons for delaying any required test and notify EPA when a test is delayed and when the delayed test is later completed. The notifications must include certifications that the source meets the criteria for using the amended procedures. EPA will post summaries of these notifications on a publicly accessible website. The amended requirements apply until the required test can be completed, but no longer than the duration of the COVID–19 national emergency plus a grace period of 60 days to complete delayed tests, and no later than the date of expiration of the amendments. This action does not suspend the existing part 75 requirements to continuously monitor and report emissions for every operating hour in a control period and does not alter any emissions limitations under any program.</td>
</tr>
<tr>
<td>R307-221-2</td>
<td>Definitions 40 CFR 60.751</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-221-3</td>
<td>40 CFR 60.752 through 60.759, including Appendix A</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-221-4</td>
<td>Section 40 CFR Part 60.18</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-222-2</td>
<td>40 CFR 60.31e</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-222-2</td>
<td>40 CFR 60.51c</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-222-3</td>
<td>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)</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-222-4</td>
<td>Table 1A and Table 1B in 40 CFR Part 60, Subpart Ce; 40 CFR 60.57c; and 40 CFR 60.56c, excluding 56c(b)(12) and 56c(c)(3)</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-222-5(2)</td>
<td>Table 2 in 40 CFR Part 60, Subpart Ce (40CFR60.30e-39e)</td>
<td>No Change</td>
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<tr>
<td>R307-222-5(3)</td>
<td>40 CFR 60.36e(a)(1) and (a)(2)</td>
<td>No Change</td>
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<tr>
<td>R307-222-5(4)</td>
<td>Testing requirements of 40 CFR 60.37(e)(b)(1) through (b)(5)</td>
<td>No Change</td>
</tr>
<tr>
<td>---</td>
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</tr>
<tr>
<td>R307-222-5(5)</td>
<td>40 CFR 60.37(e)(d)(1) through (d)(3)</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-222-5(6)</td>
<td>40 CFR 60.38e(b)(1) and (b)(2)</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-223-1(2)</td>
<td>40 CFR 60.1555(a) through (k) 40 CFR 60.1940</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-223-2(1)</td>
<td>40 CFR 60.1940 Equations found in 40 CFR 60.1935</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-223-2(2)</td>
<td>Equations found in 40 CFR 60.1935 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</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-223-3(1)</td>
<td>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 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.</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-224-2</td>
<td>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. Definitions contained in 40 CFR 93.101</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-310-2</td>
<td>40 CFR Part 93.101</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-328</td>
<td>40 CFR Parts 63.421, 63.425(e), 63.425(i), and Reference Methods of 40 CFR Part 60.</td>
<td>No Change</td>
</tr>
</tbody>
</table>
**Summary of Code of Federal Regulations Changes from July 1, 2019, to July 1, 2020**

<table>
<thead>
<tr>
<th>Code</th>
<th>CFR Parts</th>
<th>Change Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>R307-415</td>
<td>72.2, 72, 61.145, 720.3(ee), 70.8(d), 70.7(g), 72.421</td>
<td>70.8(d) Public petitions to the Administrator. The program shall provide that, if the Administrator does not object in writing under paragraph (c) of this section, any person may petition the Administrator within 60 days after the expiration of the Administrator’s 45-day review period to make such objection. The petitioner shall provide a copy of such petition to the permitting authority and the applicant. Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in § 70.7(h) of this part, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. If the Administrator objects to the permit as a result of a petition filed under this paragraph, the permitting authority shall not issue the permit until EPA’s objection has been resolved, except that a petition for review does not stay the effectiveness of a permit or its requirements if the permit was issued after the end of the 45-day review period and prior to an EPA objection. If the permitting authority has issued a permit prior to receipt of an EPA objection under this paragraph, the Administrator will modify, terminate, or revoke such permit, and shall do so consistent with the procedures in § 70.7(g)(4) or (g)(5)(i) and (ii) of this part except in unusual circumstances, and the permitting authority may thereafter issue only a revised permit that satisfies EPA’s objection. In any case, the source will not be in violation of the requirement to have submitted a timely and complete application.</td>
</tr>
<tr>
<td>R307-417-1</td>
<td>40 CFR Part 72</td>
<td>No Change</td>
</tr>
<tr>
<td>R307-417-2</td>
<td>40 CFR Part 75</td>
<td>■ 2. Add § 75.68 to read as follows: § 75.68 Temporary modifications to otherwise applicable quality-assurance requirements during the COVID–19 national emergency. (a) Notwithstanding any other provision of this part, during and following the emergency period defined in paragraph (a)(1) of this section, the provisions of this section shall apply for purposes of reporting the data that are required to be reported under this part and completing the tests that are required to be completed under this part.</td>
</tr>
<tr>
<td>R307-417-3</td>
<td>40 CFR Part 76</td>
<td>No Change</td>
</tr>
</tbody>
</table>
| R307-801-4 | 763 Subpart E, and appendices | ■ 19. Appendix C to subpart E is amended by revising the address for Region I under II.C.3 to read as follows: Appendix C to Subpart E of Part 763—Asbestos Model Accreditation Plan  
* * * * * II. * * * C. * * * 3. * * * EPA, Region 1, Asbestos Coordinator, 5 Post Office Square—Suite 100 (05–4), Boston, MA 02109–3912, (617) 918–1563. * * * * *  
■ 20. Appendix D to subpart E is amended by revising the address for Region I address to read as follows: Appendix D to Subpart E of Part 763—Transport and Disposal of Asbestos Waste * * * * * Region I Asbestos NESHAPs Contact, Enforcement and Compliance Assurance Division, USEPA, Region I, 5 Post Office Square—Suite 100 (05–4), Boston, MA 02109–3912, (617) 918–1739 |
NOTICE OF PROPOSED RULE

TYPE OF RULE: New ___; Amendment X; Repeal ___; Repeal and Reenact ___

Title No. - Rule No. - Section No.
Utah Admin. Code Ref (R no.): R307-101-3
Changed to Admin. Code Ref. (R no.): R

Agency Information
1. Department: Department of Environmental Quality
Agency: Division of Air Quality
Room no.:
Building: Multi Agency State Office Building
Street address: 195 N 1950 W
City, state: Salt Lake City, UT 84116
Mailing address: PO BOX 144820
City, state, zip: Salt Lake City, UT 84116-4820
Contact person(s):
Name: Liam Thrailkill
Phone: 801-536-4419
Email: lthrailkill@utah.gov

Please address questions regarding information on this notice to the agency.

General Information
3. Purpose of the new rule or reason for the change (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
This rule is updated to reflect changes to the federal air quality regulations as published in Title 40 of the Code of Federal Regulations.
4. Summary of the new rule or change:
This filing amends the rule to incorporate all changes within the updated version of Title 40 of the Code of Federal Regulations form July 1, 2019, to July 1, 2020.

A public hearing is set for Thursday, April 1, 2021. Further details may be found below. The hearing will be cancelled should no request for one be made by Wednesday, March 31, 2020, at 10:00AM MST. The final status of the public hearing will be posted on Friday, May 1, 2021, after 10:00AM MST. The status of the public hearing may be checked at the following website location under the corresponding rule.


Fiscal Information
5. Aggregate anticipated cost or savings to:
A) State budget:
This rule incorporates already existing federal regulations. No additional costs or benefits affect the state budget after incorporation.
B) Local governments:
This rule incorporates already existing federal regulations. No additional costs or benefits affect local governments after incorporation.
C) Small businesses ("small business" means a business employing 1-49 persons):

This rule incorporates already existing federal regulations. No additional costs or benefits affect small businesses after incorporation.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

This rule incorporates already existing federal regulations. No additional costs or benefits affect non-small businesses after incorporation.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):

This rule incorporates already existing federal regulations. No additional costs or benefits affect persons other than small-businesses, non-small businesses, state, or local government-entities after incorporation.

F) Compliance costs for affected persons:

There are no new compliance costs as a result of incorporation.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

<table>
<thead>
<tr>
<th>Regulatory Impact Table</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fiscal Cost</td>
</tr>
<tr>
<td>FY2021</td>
</tr>
<tr>
<td>$0</td>
</tr>
<tr>
<td>FY2022</td>
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</tr>
<tr>
<td>State Government</td>
</tr>
<tr>
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</tr>
<tr>
<td>Local Governments</td>
</tr>
<tr>
<td>$0</td>
</tr>
<tr>
<td>Small Businesses</td>
</tr>
<tr>
<td>$0</td>
</tr>
<tr>
<td>Non-Small Businesses</td>
</tr>
<tr>
<td>$0</td>
</tr>
<tr>
<td>Other Persons</td>
</tr>
<tr>
<td>$0</td>
</tr>
<tr>
<td>Total Fiscal Cost</td>
</tr>
<tr>
<td>$0</td>
</tr>
<tr>
<td>Fiscal Benefits</td>
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<tr>
<td>State Government</td>
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<tr>
<td>Local Governments</td>
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<tr>
<td>Small Businesses</td>
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<tr>
<td>Non-Small Businesses</td>
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<tr>
<td>Other Persons</td>
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<td>Total Fiscal Benefits</td>
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<td>$0</td>
</tr>
<tr>
<td>Net Fiscal Benefits</td>
</tr>
<tr>
<td>$0</td>
</tr>
</tbody>
</table>

H) Department head approval of regulatory impact analysis:

Kim Shelley, Interim Executive Director for the Department of Environmental Quality, has reviewed and accepts this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

Due to the nature of incorporating already existing federal regulations into state rules, no additional fiscal impacts on businesses will result from this amendment.

B) Name and title of department head commenting on the fiscal impacts:

Kim Shelley, Interim Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Subsection 19-2-104(1)(a)
8. A) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; if none, leave blank):

<table>
<thead>
<tr>
<th>First Incorporation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Official Title of Materials Incorporated</strong></td>
</tr>
<tr>
<td><em>(from title page)</em></td>
</tr>
<tr>
<td><strong>Publisher</strong></td>
</tr>
<tr>
<td><strong>Date Issued</strong></td>
</tr>
<tr>
<td><strong>Issue, or version</strong></td>
</tr>
</tbody>
</table>

B) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; if none, leave blank):

<table>
<thead>
<tr>
<th>Second Incorporation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Official Title of Materials Incorporated</strong></td>
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<tr>
<td><strong>Issue, or version</strong></td>
</tr>
</tbody>
</table>

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until (mm/dd/yyyy): 04/01/2021

B) A public hearing (optional) will be held:

<table>
<thead>
<tr>
<th>On (mm/dd/yyyy):</th>
<th>At (hh:mm AM/PM):</th>
<th>At (place):</th>
</tr>
</thead>
<tbody>
<tr>
<td>04/01/2021</td>
<td>10:00 AM</td>
<td>meet.google.com/bba-xhvd-uwe</td>
</tr>
<tr>
<td></td>
<td></td>
<td>or 1-617-675-4444</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PIN 103 132 725 7941</td>
</tr>
</tbody>
</table>

10. This rule change MAY become effective on (mm/dd/yyyy): 06/03/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

| Agency head or designee, and title: | Bryce C. Bird, Division Director | Date (mm/dd/yyyy): | 01/19/2021 |

Except as specifically identified in an individual rule, the version of the Code of Federal Regulations (CFR) incorporated throughout R307 is dated July 1, 2020.

KEY: air pollution, definitions
Date of Enactment or Last Substantive Amendment: June 4, 2020
Notice of Continuation: November 13, 2018
Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a)
R307. Environmental Quality, Air Quality
The provisions of 40 Code of Federal Regulations (CFR) Part 60, [ effective on July 1, 2019,] except for Subparts Cb, Cc, Cd, Ce, BBBB, DDDD, and HHHH, are incorporated by reference into these rules with the exception that references in 40 CFR to "Administrator" shall mean "director" unless by federal law the authority referenced is specific to the Administrator and cannot be delegated.

KEY: air pollution, stationary sources, new source review
Date of Enactment or Last Substantive Amendment: June 4, 2020
Notice of Continuation: May 12, 2016
Authorizing, and Implemented or Interpreted Law: 19-2-104(3)(q); 19-2-108
#### Summary of Code of Federal Regulations Changes from July 1, 2019, to July 1, 2020

<table>
<thead>
<tr>
<th><strong>CFR Reference</strong></th>
<th><strong>Summary of Changes to CFR</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>40 CFR 60.17</td>
<td>No Change</td>
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<tr>
<td>40 CFR 60.48Da (f)</td>
<td>No Changes</td>
</tr>
<tr>
<td>40 CFR 60.61-60.64</td>
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</tr>
<tr>
<td>40 CFR 60.100a-60.107a</td>
<td>No Change</td>
</tr>
<tr>
<td>40 CFR 60.200; 60.201; 60.203; 60.205; 60.210; 62.211; 60.213 60.215; 60.223-60.225; 60.230; 60.233; 60.235; 60.243; 60.245. 60.332; 60.543; 60.562-1; 60.614; 60.643; 60.664.</td>
<td>No Change</td>
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<td>40 CFR 60.2000-60.2265 (Subpart CCCC)</td>
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<td>40 CFR 60.4300-60.4420 (Subpart KKKK)</td>
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<td>40 CFR 60.5360-60.5499 (Subpart OOOO)</td>
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<td>40 CFR 60.5360a-60.5499a (Subpart OOOOa)</td>
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<td>40 CFR 60.5508-60.5580 (Subpart TTTT)</td>
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<tr>
<td>40 CFR 60.5700-60.5880 (Subpart UUUU)</td>
<td>3. Remove subpart UUUU. 4. Add subpart UUUUa to read as follows: Subpart UUUUa—Emission Guidelines for Greenhouse Gas Emissions From Existing Electric Utility Generating Units Introduction Sec. 60.5700a What is the purpose of this subpart? 60.5705a Which pollutants are regulated by this subpart? 60.5710a Am I affected by this subpart? 60.5715a What is the review and approval process for my plan? 60.5720a What if I do not submit a plan or my plan is not approvable? 60.5725a In lieu of a State plan submittal, are there other acceptable option(s) for a State to meet its CAA section 111(d) obligations? 60.5730a Is there an approval process for a negative declaration letter? State Plan Requirements 60.5735a What must I include in my federally enforceable State plan? 60.5740a What must I include in my plan submittal? 60.5745a What are the timing requirements for submitting my plan? 60.5750a What schedules, performance periods, and compliance periods must I include in my plan? 60.5755a What standards of performance must I include in my plan?</td>
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</table>
Summary of Code of Federal Regulations Changes from July 1, 2019, to July 1, 2020

<table>
<thead>
<tr>
<th>CFR Reference</th>
<th>Summary of Changes to CFR</th>
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<tbody>
<tr>
<td>60.5760a</td>
<td>What is the procedure for revising my plan?</td>
</tr>
<tr>
<td>60.5765a</td>
<td>What must I do to meet my plan obligations? Applicability of Plans to Designated Facilities</td>
</tr>
<tr>
<td>60.5770a</td>
<td>Does this subpart directly affect EGU owners or operators in my State?</td>
</tr>
<tr>
<td>60.5775a</td>
<td>What designated facilities must I address in my State plan?</td>
</tr>
<tr>
<td>60.5780a</td>
<td>What EGUs are excluded from being designated facilities?</td>
</tr>
<tr>
<td>60.5785a</td>
<td>What applicable monitoring, recordkeeping, and reporting requirements do I need to include in my plan for designated facilities? Recordkeeping and Reporting Requirements</td>
</tr>
<tr>
<td>60.5790a</td>
<td>What are my recordkeeping requirements?</td>
</tr>
<tr>
<td>60.5795a</td>
<td>What are my reporting and notification requirements?</td>
</tr>
<tr>
<td>60.5800a</td>
<td>How do I submit information required by these Emission Guidelines to the EPA? Definitions</td>
</tr>
<tr>
<td>60.5805a</td>
<td>What definitions apply to this subpart?</td>
</tr>
<tr>
<td>40 CFR 60. Appendix B</td>
<td>No change</td>
</tr>
</tbody>
</table>
NOTICE OF PROPOSED RULE

TYPE OF RULE: New ___; Amendment X; Repeal ___; Repeal and Reenact ___

Title No. - Rule No. - Section No.

Utah Admin. Code Ref (R no.): R307-210
Changed to Admin. Code Ref. (R no.): R

Agency Information

1. Department: Department of Environmental Quality
Agency: Division of Air Quality
Room no.: 
Building: Multi Agency State Office Building
Street address: 195 N 1950 W
City, state: Salt Lake City, UT 84116
Mailing address: PO BOX 144820
City, state, zip: Salt Lake City, UT 84116-4820
Contact person(s):
Name: Liam Thrailkill
Phone: 801-536-4419
Email: lthrailkill@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
Standards of Performance for New Stationary Sources.

3. Purpose of the new rule or reason for the change (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
This rule is amended to reflect changes to the federal air quality regulations as published in Title 40 of the Code of Federal Regulations.

4. Summary of the new rule or change:
This filing amends the rule to incorporate all changes within the updated version of Title 40 of the Code of Federal Regulations from July 1, 2019, to July 1, 2020. The rule amendment removes the specific date reference for CFR incorporations in R307-210 so the reference date now moves to the date found in R307-101-3.

A public hearing is set for Thursday, April 1, 2021. Further details may be found below. The hearing will be cancelled should no request for one be made by Wednesday, March 31, 2021, at 10:00AM MST. The final status of the public hearing will be posted on Wednesday, March 31, 2021, after 10:00AM MST. The status of the public hearing may be checked at the following website location under the corresponding rule.


Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:
This rule incorporates already existing federal regulations. No additional costs or benefits affect the state budget after incorporation.

B) Local governments:
This rule incorporates already existing federal regulations. No additional costs or benefits affect local governments after incorporation.
C) Small businesses (**small business** means a business employing 1-49 persons):

This rule incorporates already existing federal regulations. No additional costs or benefits exist for small businesses after incorporation.

D) Non-small businesses (**non-small business** means a business employing 50 or more persons):

This rule incorporates already existing federal regulations. No additional costs or benefits exist for non-small businesses after incorporation.

E) Persons other than small businesses, non-small businesses, state, or local government entities (**person** means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

This rule incorporates already existing federal regulations. No additional costs or benefits exist for persons other than small business, non-small businesses, state, or local government entities after incorporation.

F) Compliance costs for affected persons:

There are no new compliance costs as a result of incorporation.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

<table>
<thead>
<tr>
<th>Regulatory Impact Table</th>
<th>FY2021</th>
<th>FY2022</th>
<th>FY2023</th>
</tr>
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<tbody>
<tr>
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</tr>
<tr>
<td>State Government</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Local Governments</td>
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<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Small Businesses</td>
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<td>$0</td>
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<tr>
<td>Non-Small Businesses</td>
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<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Other Persons</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Total Fiscal Cost</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Fiscal Benefits</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Government</td>
<td>$0</td>
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<td>$0</td>
</tr>
<tr>
<td>Total Fiscal Benefits</td>
<td>$0</td>
<td>$0</td>
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</tr>
<tr>
<td>Net Fiscal Benefits</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
</tbody>
</table>

H) Department head approval of regulatory impact analysis:

Kimberly D. Shelley, Executive Director for the Department of Environmental Quality, has reviewed and accepts this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

Due to the nature of the incorporated materials already existing as federal regulations, the incorporation into state rules will result in no additional fiscal impacts on businesses.

B) Name and title of department head commenting on the fiscal impacts:

Kimberly D. Shelley, Interim Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

19-2-104(1)(a)
Incorporations by Reference Information

(If this rule incorporates more than two items by reference, please include additional tables.)

8. A) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; if none, leave blank):

<table>
<thead>
<tr>
<th>Official Title of Materials Incorporated (from title page)</th>
<th>Publisher</th>
<th>Date Issued</th>
<th>Issue, or version</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Incorporation</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; if none, leave blank):

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</thead>
<tbody>
<tr>
<td>Second Incorporation</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until (mm/dd/yyyy): 04/01/2021

B) A public hearing (optional) will be held:

<table>
<thead>
<tr>
<th>On (mm/dd/yyyy):</th>
<th>At (hh:mm AM/PM):</th>
<th>At (place):</th>
</tr>
</thead>
<tbody>
<tr>
<td>04/01/2021</td>
<td>10:00 AM</td>
<td>meet.google.com/bba-xhvd-uwe or 1-617-675-4444 PIN 103 132 725 7941</td>
</tr>
</tbody>
</table>

10. This rule change MAY become effective on (mm/dd/yyyy): 06/03/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

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<table>
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<th>Agency head or designee, and title:</th>
<th>Date (mm/dd/yyyy):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bryce C. Bird, Division Director</td>
<td>01/19/2021</td>
</tr>
</tbody>
</table>

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

KEY: air pollution, stationary sources, new source review
Date of Enactment or Last Substantive Amendment: June 4, 2020
Notice of Continuation: May 12, 2016
Authorizing, and Implemented or Interpreted Law: 19-2-104(3)(q); 19-2-108


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

The provisions of Title 40 of the Code of Federal Regulations (40 CFR) Part 61, National Emission Standards for Hazardous Air Pollutants, [effective as of July 1, 2019,] are incorporated into these rules by reference. For pollutant emission standards delegated to the State, references in 40 CFR Part 61 to "the Administrator" shall refer to the director.

R307-214-2. Sources Subject to Part 63.

The provisions listed below of 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories,[ effective as of July 1, 2019,] are incorporated into these rules by reference. References in 40 CFR Part 63 to "the Administrator" shall refer to the director, unless by federal law the authority is specific to the Administrator and cannot be delegated.

(2) 40 CFR Part 63, Subpart B, Requirements for Control Technology Determinations for Major Sources in Accordance with 42 U.S.C. 7412(g) and (j).
(9) 40 CFR Part 63, Subpart M, National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities.
(22) 40 CFR Part 63, Subpart HH, National Emission Standards for Hazardous Air Pollutants for Oil and Natural Gas Production.
(31) 40 CFR Part 63, Subpart TT, National Emission Standards for Equipment Leaks- Control Level 1 (Generic MACT).

(34) 40 CFR Part 63, Subpart WW, National Emission Standards for Storage Vessels (Tanks) — Control Level 2 (Generic MACT).


(47) 40 CFR Part 63, Subpart OOO, National Emission Standards for Hazardous Air Pollutants for Amino/Phenolic Resins Production (Resin III).


(49) 40 CFR Part 63, Subpart QQQ, National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelters.


(52) 40 CFR Part 63, Subpart UUU, National Emission Standards
for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units.


(55) 40 CFR Part 63, Subpart CCCC, National Emission Standards for Manufacturing of Nutritional Yeast.


(59) 40 CFR Part 63, Subpart GGGG, National Emission Standards for Vegetable Oil Production; Solvent Extraction.

(60) 40 CFR Part 63, Subpart HHHH, National Emission Standards for Wet-Formed Fiberglass Mat Production.


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

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


(70) 40 CFR Part 63, Subpart SSSS, National Emission Standards for Metal Coil Surface Coating Operations.
(72) 40 CFR Part 63, Subpart UUUU, National Emission Standards for Cellulose Product Manufacturing.
(73) 40 CFR Part 63, Subpart VVVV, National Emission Standards for Boat Manufacturing.
(84) 40 CFR Part 63, Subpart GGGGG, National Emission Standards for Hazardous Air Pollutants for Site Remediation.
(91) 40 CFR Part 63, Subpart NNN, National Emission Standards for Hazardous Air Pollutants for Hydrochloric Acid Production.
(96) 40 CFR Part 63, Subpart TTTT, National Emission Standards for Hazardous Air Pollutants for Primary Magnesium Refining.
(97) 40 CFR Part 63, Subpart UUUU, National Emission Standards for Hazardous Air Pollutants for Coal- and Oil-Fired Electric Utility Steam Generating Units.
(98) 40 CFR Part 63, Subpart WWWW, National Emission Standards for Hospital Ethylene Oxide Sterilizers.
(100) 40 CFR Part 63, Subpart ZZZZ, National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources.
(103) 40 CFR Part 63, Subpart DDDD, National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources.
(104) 40 CFR Part 63, Subpart EEEE, National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources.
(105) 40 CFR Part 63, Subpart FFFF, National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources.
(106) 40 CFR Part 63, Subpart GGGGG, National Emission
Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources--Zinc, Cadmium, and Beryllium.


(108) 40 CFR Part 63, Subpart LLLLLLL, National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources.


(110) 40 CFR Part 63, Subpart NNNNNNN, National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds.


(112) 40 CFR Part 63, Subpart PPPPPP, National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources.

(113) 40 CFR Part 63, Subpart QQQQQQ, National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources.


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

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


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


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

Date of Enactment or Last Substantive Amendment: May 23, 2018

Notice of Continuation: September 8, 2017

Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a)
Summary of Code of Federal Regulations Changes from July 1, 2019, to July 1, 2020

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<tbody>
<tr>
<td>40 CFR 61</td>
<td>40 CFR 61</td>
</tr>
</tbody>
</table>

On October 2, 2019, the Environmental Protection Agency (EPA) Region 1 Administrator signed a Memorandum of Agreement (MOA) between EPA Region 1 and the Connecticut Department of Energy and Environmental Protection (CT DEEP) for delegation of New Source Performance Standards (NSPS) and National Emissions Standards for Hazardous Air Pollutants (NESHAPs). The MOA was signed by the Commissioner of CT DEEP on September 10, 2019. To inform the public of the EPA and CT DEEP’s October 2, 2019 MOA regarding delegation of NSPS and NESHAPs, the EPA is making a copy of the MOA.

**January 31, 2020 FR Vol 85 No. 21**

9. In § 61.04, amend paragraph (a) by revising the Region I address, and by revising paragraphs (b)(8), (b)(21), (b)(23), (b)(31), (b)(41) and (b)(47), to read as follows:

§ 61.04 Address. (a) **Region I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont) Director, Enforcement and Compliance Assurance Division, U.S. EPA Region I, 5 Post Office Square—Suite 100 (04–2), Boston, MA 02109–3912, Attn: Air Compliance Clerk.**

(b) **(8) State of Connecticut: Compliance Analysis and Coordination Unit, Bureau of Air Management, Department of Energy and Environmental Protection, 79 Elm Street, 5th Floor, Hartford, CT 06106–5127.**

(21) State of Maine: Maine Department of Environmental Protection, Bureau of Air Quality, 17 State House Station, Augusta, ME 04333–0017.

(23) Commonwealth of Massachusetts, Massachusetts Department of Environmental Protection, Division of Air and Climate Programs, One Winter Street, Boston, MA 02108.

(31) State of New Hampshire, New Hampshire Department of Environmental Services, Air Resources Division, 29 Hazen Drive, P.O. Box 95, Concord, NH 03302–0095.

(41) State of Rhode Island, Rhode Island Department of Environmental Management, Office of Air Resources, 235 Promenade Street, Providence, RI 02908.

(47) State of Vermont, Agency of Natural Resources, Department of Environmental Conservation, Air Quality and Climate Division, Davis 2, One National Life Drive, Montpelier, VT 05620-3802.

**July 17, 2019. FR Vol 84 No. 137**

28. Section 60.4 is amended in paragraph (a) by revising “Region VI” to read as follows:

§ 60.4 Address. (a) **Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, Texas); Director; Enforcement and Compliance Assurance Division; U.S. Environmental Protection Agency, 1201 Elm Street, Suite 500, Mail Code 6ECD, Dallas, Texas 75270–2102.**

**August 23, 2019. FR Vol 84 No. 164**
Summary of Code of Federal Regulations Changes from July 1, 2019, to July 1, 2020

<table>
<thead>
<tr>
<th>CFR Reference</th>
<th>Summary of Changes to Code of Federal Regulations</th>
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<tr>
<td>40 CFR 63.600-63.611 (Subpart AA)</td>
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<tr>
<td>63.620-63.632 (Subpart BB)</td>
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</tr>
<tr>
<td>40 CFR 63.640-63.679 (Subpart CC)</td>
<td>Subpart CC—National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries</td>
</tr>
</tbody>
</table>

- 2. Section 63.640 is amended by revising paragraph (p)(2) to read as follows: § 63.640 Applicability and designation of affected source. * * * * * (p) * * * (2) Equipment leaks that are also subject to the provisions of 40 CFR part 60, subpart GGGa, are required to comply only with the provisions specified in 40 CFR part 60, subpart GGGa, except that pressure relief devices in organic HAP service must only comply with the requirements in § 63.648(j). * * * * *

- 3. Section 63.641 is amended by revising the definition of “Reference control technology for storage vessels” to read as follows: § 63.641 Definitions. * * * * * Reference control technology for storage vessels means either: (1) For Group 1 storage vessels complying with § 63.660: (i) An internal floating roof, including an external floating roof converted to an internal floating roof, meeting the specifications of §§ 63.1063(a)(1)(i), (a)(2), and (b) and 63.660(b)(2); (ii) An external floating roof meeting the specifications of §§ 63.1063(a)(1)(ii), (a)(2), and (b) and 63.660(b)(2); or (iii) [Reserved] (iv) A closed-vent system to a control device that reduces organic HAP emissions by 95 percent, or to an outlet concentration of 20 parts per million by volume (ppmv). (v) For purposes of emissions averaging, these four technologies are considered equivalent. (2) For all other storage vessels: (i) An internal floating roof meeting the specifications of § 63.119(b) of subpart G except for § 63.119(b)(5) and (6); (ii) An external floating roof meeting the specifications of § 63.119(c) of subpart G except for § 63.119(c)(2); (iii) An external floating roof converted to an internal floating roof meeting the specifications of § 63.119(d) of subpart G except for § 63.119(d)(2); or (iv) A closed-vent system to a control device that reduces organic HAP emissions by 95 percent, or to an outlet concentration of 20 parts per million by volume. (v) For purposes of emissions averaging, these four technologies are considered equivalent. * * * * *

- 4. Section 63.643 is amended by revising paragraph (c)(1)(v) to read as follows: § 63.643 Miscellaneous process vent provisions. * * * * * (c) * * * (1) * * * (v) If, after applying best practices to isolate and purge equipment served by a maintenance vent, none of the applicable criterion in paragraphs (c)(1)(i) through (iv) of this section can be met prior to installing or removing a blind flange or similar equipment blind, the pressure in the equipment served by the maintenance vent is reduced to 2 psig or less. Active purging of the equipment may be used provided the equipment pressure at the location where purge gas is introduced remains at 2 psig or less. * * * * *
### Summary of Changes to Code of Federal Regulations

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<tbody>
<tr>
<td>■ 5. Section 63.648 is amended by revising paragraphs (j) introductory text and (j)(2)(i) through (iii) to read as follows: § 63.648 Equipment leak standards. ***(j) Except as specified in paragraph (j)(4) of this section, the owner or operator must comply with the requirements specified in paragraphs (j)(1) and (2) of this section for pressure relief devices, such as relief valves or rupture disks, in organic HAP gas or vapor service instead of the pressure relief device requirements of § 50.482–4 of this chapter, § 60.482–4a of this chapter, or § 63.165, as applicable. Except as specified in paragraphs (j)(4) and (5) of this section, the owner or operator must also comply with the requirements specified in paragraph (j)(3) of this section for all pressure relief devices in organic HAP service. ***(2) ***(i) If the pressure relief device does not consist of or include a rupture disk, conduct instrument monitoring, as specified in § 60.485(c) of this chapter, § 60.485a(c) of this chapter, or § 63.180(c), as applicable, no later than 5 calendar days after the pressure relief device returns to organic HAP gas or vapor service following a pressure release to verify that the pressure relief device is operating with an instrument reading of less than 500 ppm. (ii) If the pressure relief device includes a rupture disk, either comply with the requirements in paragraph (j)(2)(i) of this section (not replacing the rupture disk) or install a replacement disk as soon as practicable after a pressure release, but no later than 5 calendar days after the pressure release. The owner or operator must conduct instrument monitoring, as specified in § 60.485(c) of this chapter, § 60.485a(c) of this chapter, or § 63.180(c), as applicable, no later than 5 calendar days after the pressure relief device returns to organic HAP gas or vapor service following a pressure release to verify that the pressure relief device is operating with an instrument reading of less than 500 ppm. (iii) If the pressure relief device consists only of a rupture disk, install a replacement disk as soon as practicable after a pressure release, but no later than 5 calendar days after the pressure release. The owner or operator may not initiate startup of the equipment served by the rupture disk until the rupture disc is replaced. The owner or operator must conduct instrument monitoring, as specified in § 60.485(c) of this chapter, § 60.485a(c) of this chapter, or § 63.180(c), as applicable, no later than 5 calendar days after the pressure release. The owner or operator may not initiate startup of the equipment served by the rupture disk until the rupture disc is replaced. The owner or operator must conduct instrument monitoring, as specified in § 60.485(c) of this chapter, § 60.485a(c) of this chapter, or § 63.180(c), as applicable, no later than 5 calendar days after the pressure relief device returns to organic HAP gas or vapor service following a pressure release to verify that the pressure relief device is operating with an instrument reading of less than 500 ppm. ***(h) ***(i) If the pressure relief device does not consist of or include a rupture disk, conduct instrument monitoring, as specified in § 60.485(c) of this chapter, § 60.485a(c) of this chapter, or § 63.180(c), as applicable, no later than 5 calendar days after the pressure relief device returns to organic HAP gas or vapor service following a pressure release to verify that the pressure relief device is operating with an instrument reading of less than 500 ppm. ***(ii) If the pressure relief device includes a rupture disk, either comply with the requirements in paragraph (j)(2)(i) of this section (not replacing the rupture disk) or install a replacement disk as soon as practicable after a pressure release, but no later than 5 calendar days after the pressure release. The owner or operator must conduct instrument monitoring, as specified in § 60.485(c) of this chapter, § 60.485a(c) of this chapter, or § 63.180(c), as applicable, no later than 5 calendar days after the pressure release. The owner or operator may not initiate startup of the equipment served by the rupture disk until the rupture disc is replaced. The owner or operator must conduct instrument monitoring, as specified in § 60.485(c) of this chapter, § 60.485a(c) of this chapter, or § 63.180(c), as applicable, no later than 5 calendar days after the pressure relief device returns to organic HAP gas or vapor service following a pressure release to verify that the pressure relief device is operating with an instrument reading of less than 500 ppm. ***(iii) If the pressure relief device consists only of a rupture disk, install a replacement disk as soon as practicable after a pressure release, but no later than 5 calendar days after the pressure release. The owner or operator may not initiate startup of the equipment served by the rupture disk until the rupture disc is replaced. The owner or operator must conduct instrument monitoring, as specified in § 60.485(c) of this chapter, § 60.485a(c) of this chapter, or § 63.180(c), as applicable, no later than 5 calendar days after the pressure release. The owner or operator may not initiate startup of the equipment served by the rupture disk until the rupture disc is replaced. The owner or operator must conduct instrument monitoring, as specified in § 60.485(c) of this chapter, § 60.485a(c) of this chapter, or § 63.180(c), as applicable, no later than 5 calendar days after the pressure relief device returns to organic HAP gas or vapor service following a pressure release to verify that the pressure relief device is operating with an instrument reading of less than 500 ppm. **</td>
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■ 6. Section 63.655 is amended by revising paragraphs (f)(1)(iii), (f)(2), adding a paragraph (h)(10) subject heading, and revising paragraph (i)(11) introductory text to read as follows: § 63.655 Reporting and recordkeeping requirements. ***(f) ***(1) ***(i) For miscellaneous process vents controlled by control devices required to be tested under §§ 63.645 and 63.116(c), performance test results including the information in paragraphs (f)(1)(iii)(A) and (B) of this section. Results of a performance test conducted prior to the compliance date of this subpart can be used provided that the test was conducted using the methods specified in § 63.645 and that the test conditions are representative of current operating conditions. If the performance test is submitted electronically through the EPA’s Compliance and Emissions Data Reporting Interface (CEDRI) in accordance with § 63.655(h)(9), the process unit(s) tested, the pollutant(s) tested, and the date that such
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|               | performance test was conducted may be submitted in the Notification of Compliance Status in lieu of the performance test results. The performance test results must be submitted to CEDRI by the date the Notification of Compliance Status is submitted. (A) The percentage of reduction of organic HAP’s or TOC, or the outlet concentration of organic HAP’s or TOC (parts per million by volume on a dry basis corrected to 3 percent oxygen), determined as specified in § 63.116(c) of subpart G of this part; and (B) The value of the monitored parameters specified in table 10 of this subpart, or a site-specific parameter approved by the permitting authority, averaged over the full period of the performance test.  

|               | (2) If initial performance tests are required by §§ 63.643 through 63.653, the Notification of Compliance Status report shall include one complete test report for each test method used for a particular source. On and after February 1, 2016, for data collected using test methods supported by the EPA’s Electronic Reporting Tool (ERT) as listed on the EPA’s ERT website (https://www.epa.gov/electronicreporting-air-emissions/electronicreporting-tool-ert) at the time of the test, you must submit the results in accordance with § 63.655(b)(9) by the date that you submit the Notification of Compliance Status, and you must include the process unit(s) tested, the pollutant(s) tested, and the date that such performance test was conducted in the Notification of Compliance Status. All other performance test results must be reported in the Notification of Compliance Status. (i) For additional tests performed using the same method, the results specified in paragraph (f)(1) of this section shall be submitted, but a complete test report is not required. (ii) A complete test report shall include a sampling site description, description of sampling and analysis procedures and any modifications to standard procedures, quality assurance procedures, record of operating conditions during the test, record of preparation of standards, record of calibrations, raw data sheets for field sampling, raw data sheets for field and laboratory analyses, documentation of calculations, and any other information required by the test method. (iii) Performance tests are required only if specified by §§ 63.643 through 63.653 of this subpart. Initial performance tests are required for some kinds of emission points and controls. Periodic testing of the same emission point is not required.  

|               | (h) Extensions to electronic reporting deadlines.  

|               | (i) For each pressure relief device subject to the pressure release management work practice standards in § 63.648(j)(3), the owner or operator shall keep the records specified in paragraphs (i)(11)(i) through (iii) of this section. For each pilot-operated pressure relief device subject to the requirements at § 63.648(j)(4)(ii), the owner or operator shall keep the records specified in paragraph (i)(11)(iv) of this section.  

|               | (j) **(10)** Use a cap, blind flange, plug, or a second valve for an open-ended valve or line following the requirements specified in § 60.482–6(a)(2), (b), and (c).  

|               | **(2)** Use a cap, blind flange, plug, or a second valve for an open-ended valve or line following the requirements specified in § 60.482–6(a)(2), (b), and (c).  

|               | (k) Vtip must be less than 400 feet per second and also less than the maximum allowed flare tip velocity (Vmax) as calculated according to the following equation. The owner or operator shall monitor Vtip using the procedures specified in paragraphs (i) and (k) of this section and monitor gas composition and determine NHVvg using

|               | Vtip = \( \frac{\text{composition} \times \text{NHVv}}{\text{composition} + \text{Vmax} - \text{Vmax}} \)
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<td>63.7400--63.7575 (Subpart DDDDD)</td>
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<td>40 CFR 63.741–63.749 (Subpart GG)</td>
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<td>63.8380–63.8515 (Subpart JJJJJ)</td>
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<tr>
<td>63.8530–63.8665 (Subpart KKKKK)</td>
<td>Subpart KKKKK—National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing</td>
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2. Section 63.8595 is amended by: a. Revising paragraph (c); b. Redesignating paragraph (h) as paragraph (i); c. Adding a new paragraph (h); and d. Revising newly redesignated paragraphs (i) introductory text and (i)(1) introductory text. The revisions and addition read as follows: § 63.8595 How do I conduct performance tests and establish operating limits? * * * * * (c) Each performance test must be conducted according to the requirements in § 63.7 and under the specific conditions in Table 4 to this subpart. Stacks to be tested at sanitaryware manufacturing facilities shall be limited to products of combustion (POC) stacks and not include cooling stacks. * * * * * (h) As an alternative to meeting the requirements of § 63.8555 for PM or mercury, if you have more than one existing source in any subcategories located at your facility, you may demonstrate compliance by emissions averaging, if your averaged emissions are no higher than the applicable emission limit, according to the procedures in this section. You may not include new or reconstructed sources in an emissions average. (2) For a group of two or more existing sources in the same subcategory that each vent to a separate stack, you may average PM or mercury emissions among existing units to demonstrate compliance with the limits in Table 1 to this subpart as specified in paragraph (h)(2)(i) through (iv) of this section, if you satisfy the requirements in paragraphs (h)(3) and (4) of this section. (i) You may average across existing sources in the same kiln type and size category (e.g., roller or tunnel kilns, large or small kilns) and the same subcategory (e.g., sanitaryware manual or spray machine or robot glaze application) where applicable; (ii) You may not include a unit in the emissions average if the unit shares a common stack with units in other subcategories; (iii) You may not include spray dryers or press dryers in the emissions average; and (iv) You may not average between different types of pollutants.

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<td>The averaged emissions rate from the existing sources participating in the emissions averaging option must not exceed the limits in Table 1 to this subpart at all times the affected units are subject to numeric emission limits following the compliance date specified in § 63.8545. (4)(i) You must demonstrate initial compliance using the maximum process rate and the results of the initial performance tests. (ii) You must use Equation 9 of this section to demonstrate that the PM or mercury emissions from all existing units participating in the emissions averaging option for that pollutant do not exceed the emission limits in Table 1 to this subpart. Where: ERi = Average weighted emissions for PM or mercury, in units of kilograms (pounds) per megagram (ton) of fired product for existing floor tile roller kilns and wall tile roller kilns, greenware fired for existing first-fired sanitaryware tunnel kilns, and first-fire glaze sprayed (dry weight basis) for existing tile glaze lines with glaze spraying and average weighted emissions for PM, in units of kilograms (pounds) per megagram (ton). Ei = Emission rate (as determined during the initial compliance demonstration) of PM or mercury from unit i, in units of kilograms (pounds) per megagram (ton). Determine the emission rate for PM or mercury by performance testing according to Table 4 to this subpart using the applicable equation in paragraph (f) of this section. Pmax i = Maximum process rate for unit i, in units of megagrams per hour (tons per hour). n = Number of units participating in the emissions averaging option. (5) You must develop and submit upon request to the applicable Administrator for review and approval, an implementation plan for emissions averaging according to the following procedures and requirements in paragraphs (h)(5)(i) through (iv) of this section. (i) If requested, you must submit the implementation plan no later than 180 days before the date that the facility intends to demonstrate compliance using the emissions averaging option. (ii) You must include the information contained in paragraphs (h)(5)(ii)(A) through (D) of this section in your implementation plan for all emission sources included in an emissions average: (A) The identification of all existing sources in the averaging group, including for each either the applicable HAP emissions level or the control technology installed and the date on which you are requesting emissions averaging to commence; (B) The specific control technology or pollution prevention measure to be used for each source in the averaging group and the date of its installation or application. If the pollution prevention measure reduces or eliminates emissions from multiple sources, the owner or operator must identify each source; (C) The test plan for the measurement of emissions in accordance with the requirements in this section; and (D) The operating parameters to be monitored for each control system or device consistent with § 63.8555 and Table 2 to this subpart, and a description of how the operating limits will be determined. (iii) If submitted upon request, the Administrator shall review and approve or disapprove the plan according to the following criteria: (A) Whether the content of the plan includes all of the information specified in paragraph (b)(5)(ii) of this section; and (B) Whether the plan presents sufficient information to determine that compliance will be achieved and maintained. (iv) The applicable Administrator shall not approve an emissions averaging implementation plan containing any of the following provisions: (A) Any averaging between emissions of differing pollutants or between differing sources; or (B) The inclusion of any emission source other than an existing unit in the same subcategories. (i) For each affected source that is subject to the emission limits specified in Table 1 to this subpart and is equipped with an APCD that is not addressed in Table 2 to this subpart or that is using process changes as a</td>
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E:\FR\FM\01NOR1.SGM 01NOR1 ER01NO19.003 Federal Register / Vol. 84, No. 212 / Friday, November 1, 2019 / Rules and Regulations 58607 of first-fire glaze sprayed (dry weight basis) for existing sanitaryware manual, spray machine, or robot glaze applications.
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<td>means of meeting the emission limits in Table 1 to this subpart, you must meet the requirements in § 63.8(f) and paragraphs (i)(1) and (2) of this section. (1) Submit a request for approval of alternative monitoring procedures to the Administrator no later than the notification of intent to conduct a performance test. The request must contain the information specified in paragraphs (i)(1)(i) through (iv) of this section. * * * * *</td>
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<td>3.</td>
<td>Section 63.8620 is amended by: a. Redesignating paragraphs (e) introductory text and (e)(1) through (3) as paragraphs (e)(1) introductory text and (e)(1)(i) through (iii), respectively; b. Revising newly redesignated paragraph (e)(1) introductory text; and c. Adding new paragraph (e)(2) and paragraphs (f) and (g). The revision and additions read as follows: § 63.8620 How do I demonstrate continuous compliance with the emission limitations and work practice standards? * * * * * (e)(1) Visible emissions testing. You must demonstrate continuous compliance with the operating limits in Table 2 to this subpart for visible emissions (VE) from tunnel or roller kilns that are uncontrolled or equipped with DIFF, DLS/FF, or other dry control device by monitoring VE at each kiln stack according to the requirements in paragraphs (e)(1)(i) through (iii) of this section. * * * * * (2) Alternative to VE testing. You must demonstrate continuous compliance with the operating limits in Table 2 to this subpart for kiln temperature profile for tunnel or roller kilns that are uncontrolled or equipped with DIFF, DLS/FF, or other dry control device by maintaining the kiln operating temperature within the range of acceptable temperatures (i.e., temperature profile) established for each kiln and product. For any incidence where the kiln is operating outside of its acceptable temperature range (i.e., exceeds its temperature profile) for the product being fired, you must record the incident as a deviation, and perform the necessary corrective action in accordance with your OM&amp;M plan to return the kiln to the acceptable operating temperature for the product being fired. To confirm the kiln has returned to the acceptable temperature range, you will monitor VE at the kiln stack according to the requirements in paragraphs (e)(2)(i) through (iii) of this section. (i) Perform VE observations at the stack of each kiln operating outside of its temperature profile according to the procedures of Method 22 of 40 CFR part 60, appendix A–7. The duration of each Method 22 test must be at least 15 minutes. (ii) If VE are observed during any test conducted using Method 22 of 40 CFR part 60, appendix A–7, you must continue to perform corrective action until VE are no longer observed. (iii) If VE are observed during any test conducted using Method 22 of 40 CFR part 60, appendix A–7, you must report these deviations by following the requirements in § 63.8635. (f) Following the compliance date, you must demonstrate compliance with the emissions averaging provision under this subpart on a continuous basis by meeting the requirements of paragraphs (f)(1) through (3) of this section. (1) After the initial compliance demonstration described in § 63.8595(h)(4), you must demonstrate compliance on a monthly basis determined at the end of every month (12 times per year) according to paragraph (f)(1)(ii) of this section. The first monthly period begins on the compliance date specified in § 63.8545. (ii) For each calendar month, you must use Equation 10 of this section to calculate the average weighted emission rate for that month. Where: ERi = Average weighted emissions for PM or mercury, in units of kilograms (pounds) per megagram (ton) of fired product for existing floor tile roller kilns and wall tile roller kilns, greenware fired for existing first-fired sanitaryware tunnel kilns, and first-fire glaze sprayed (dry weight basis) for existing tile glaze lines with glaze spraying and average</td>
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<td>weighted emissions for PM, in units of kilograms (pounds) per megagram (ton) of first-fire glaze sprayed (dry weight basis) for existing sanitaryware manual, spray machine, or robot glaze applications, for that calendar month. ( E_i = ) Emission rate (as determined during the most recent compliance demonstration) of PM or mercury from unit ( i ), in units of kilograms (pounds) per megagram (ton). Determine the emission rate for PM or mercury by performance testing according to Table 4 to this subpart using the applicable equation in § 63.8595(f). ( P_{\text{month } i} ) = The process rate for that calendar month for unit ( i ), in units of megagrams (tons). ( n ) = Number of units participating in the emissions averaging option. (2) Until 12 monthly weighted average emission rates have been accumulated, calculate and report only the average weighted emission rate determined under paragraph (f)(1)(ii) of this section for each calendar month. After 12 monthly weighted average emission rates have been accumulated, for each subsequent calendar month, use Equation 11 of this section to calculate the 12-month rolling average of the monthly weighted average emission rates for the current calendar month and the previous 11 calendar months. Where: ( E_{\text{avg}} ) = 12-month rolling average emission rate for PM or mercury, in units of kilograms (pounds) per megagram (ton) of fired product for existing floor tile roller kilns and wall tile roller kilns, greenware fired for existing first-fired sanitaryware tunnel kilns, and first-fire glaze sprayed (dry weight basis) for existing tile glaze lines with glaze spraying and average weighted emissions for PM, in units of kilograms (pounds) per megagram (ton) of first-fire glaze sprayed (dry weight basis) for existing sanitaryware manual, spray machine, or robot glaze applications. ( E_{\text{Ri}} ) = Monthly weighted average, for calendar month “( i ),” in units of kilograms (pounds) per megagram (ton), as calculated by paragraph (f)(1)(ii) of this section. (3) For each existing unit participating in the emissions averaging option, you must comply with the continuous compliance requirements in Table 7 to this subpart. (g) Any instance where you fail to comply with the continuous monitoring requirements in paragraphs (f)(1) through (3) of this section is a deviation.</td>
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* 4. Section 63.8630 is amended by revising paragraph (c) introductory text and adding paragraph (c)(4) to read as follows: § 63.8630 What notifications must I submit and when? (c) If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 6 to this subpart, your Notification of Compliance Status as specified in Table 9 to this subpart must include the information in paragraphs (c)(1) through (4) of this section. (4) Identification of whether you plan to demonstrate compliance by emissions averaging. If you plan to demonstrate compliance by emissions averaging, report the emissions level that was being achieved or the control technology employed on December 28, 2015. *

* 5. Section 63.8635 is amended by: a. Revising paragraphs (c) introductory text and (c)(4)(iii)(C); b. Adding paragraph (c)(9); and c. Revising paragraph (g)(1). The revisions and addition read as follows: § 63.8635 What reports must I submit and when? (c) The compliance report must contain the information in paragraphs (c)(1) through (9) of this section. (4) Based on the information recorded under paragraphs (c)(4)(iii)(A) and (B) of this section, compute the annual percent of affected source operating uptime during which the control device was offline for routine maintenance using Equation 12 of this section. Where: \( R_M \) = Annual percentage of affected source uptime during which control device was offline for routine control device maintenance. \( D_{Tp} \) = Control device downtime claimed under the routine control device maintenance alternative standard for the previous semiannual
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| compliance period. DTc = Control device downtime claimed under the routine control device maintenance alternative standard for the current semiannual compliance period. SUP = Affected source uptime for the previous semiannual compliance period. SUc = Affected source uptime for the current semiannual compliance period. ** *(9) If you plan to demonstrate compliance by emissions averaging, certify the emissions level achieved or the control technology employed is no less stringent than the level or control technology contained in the notification of compliance status in § 63.8630(c)(4), including all necessary documentation Ver Date Sep 2014 16:01 Oct 31, 2019 Jkt 250001 PO 00000 Frm 00010 Fmt 4700 Sfmt 4700 E:\FR\FM\01NOR1.SGM 01NOR1 58609 to support this certification, such as inputs to Equations 9 through 11 of this subpart. ** *(g) ** *(1) For data collected using test methods supported by the EPA’s Electronic Reporting Tool (ERT) as listed on the EPA’s ERT website (https://www.epa.gov/electronicreporting-air-emissions/ electronicreporting-tool-ert) at the time of the test, you must submit the results of the performance test to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI). (CEDRI can be accessed through the EPA’s Central Data Exchange (CDX) (https://cdx.epa.gov/). ) Performance test data must be submitted in a file format generated through the use of the EPA’s ERT or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the EPA’s ERT website. If you claim that some of the performance test information being submitted is confidential business information (CBI), you must submit a complete file generated through the use of the EPA’s ERT or an alternate electronic file consistent with the XML schema listed on the EPA’s ERT website, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage media to the EPA. The electronic media must be clearly marked as CBI and mailed to U.S. EPA/OAPQS/CORE CBI Office, Attention: Group Leader, Measurement Policy Group, MD C404–02, 4930 Old Page Rd., Durham, NC 27703. The same ERT or alternate file with the CBI omitted must be submitted to the EPA via the EPA’s CDX as described earlier in this paragraph (g)(1). ** *(6) Section 63.8640 is amended by revising paragraph (c) introductory text and adding paragraph (c)(11) to read as follows: § 63.8640 What records must I keep? ** *(c) You must also maintain the records listed in paragraphs (c)(1) through (11) of this section. ** *(11) If you elect to average emissions consistent with § 63.8595(h), you must additionally keep a copy of the emissions averaging implementation plan required in § 63.8595(h)(5), all calculations required under § 63.8595(h), including monthly records of process rate, as applicable, and monitoring records consistent with § 63.8620(f). ** *(7) Section 63.8665 is amended by adding definitions for “Cooling stack,” “Emissions averaging sources,” and “Products of combustion (POC) stack” in alphabetical order to read as follows: § 63.8665 What definitions apply to this subpart? ** *(Cooling stack means a stack (release point) installed on the cooling zone of a tunnel kiln to release air used to cool down the fired product from its maximum temperature to room temperature. A cooling stack does not release any air from the firing zone of the tunnel kiln. ** *(Emissions averaging sources means, for purposes of the emissions averaging provisions of § 63.8595(h), the collection of all existing ceramic tile roller kilns, sanitaryware tunnel kilns, ceramic tile glaze lines using glaze spraying, and sanitaryware glaze spray booths,
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<td>within a kiln type and size category and within a subcategory. Products of combustion (POC) stack means a stack (release point) installed on the front end of the firing zone of a tunnel kiln to release air used to heat the greenware from room temperature to its maximum temperature. TABLES CAN BE FOUND AT November 1, 2019 FR Vol 84 No. 212, Pages 58609-59623.</td>
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<td>40 CFR 63.1340--63.1359 (Subpart LLL)</td>
<td>No Changes</td>
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<td>40 CFR 63.1500--63.1520 (Subpart RRR)</td>
<td>No Change</td>
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<td>40 CFR 63.1560--63.1579 (Subpart UUU)</td>
<td>■ 9. Revise Table 4 to Subpart UUU of Part 63 to read as follows: Table 4 to Subpart UUU of Part 63—Requirements for Performance Tests for Metal HAP Emissions From Catalytic Cracking Units As stated in §§ 63.1564(b)(2) and 63.1571(a)(5), you shall meet each requirement in the following table that applies to you.</td>
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<td>63.9980--63.10042 (Subpart UUUUU)</td>
<td>■ 2. Section 63.9982 is amended by revising paragraph (d) to read as follows: § 63.9982 What is the affected source of this subpart? (d) An EGU is existing if it is not new or reconstructed. An existing electric steam generating unit that meets the applicability requirements after April 16, 2012, due to a change in process (e.g., fuel or utilization) is considered to be an existing source under this subpart.</td>
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<td>■ 3. Section 63.9984 is amended by revising paragraphs (b) and (f) and adding paragraph (g) to read as follows: § 63.9984 When do I have to comply with this subpart? (b) If you have an existing EGU, you must comply with this subpart no later than April 16, 2015, except as provided in paragraph (g) of this section. (f) You must demonstrate that compliance has been achieved, by conducting the required performance tests and other activities, no later than 180 days after the applicable date in paragraph (a), (b), (c), (d), (e), or (g) of this section. (g) If you own or operate an EGU that is in the Unit designed for eastern bituminous coal refuse (EBCR) subcategory as defined in § 63.10042, you must comply with the applicable hydrogen chloride (HCl) or sulfur dioxide (SO2) requirements of this subpart no later than April 15, 2020.</td>
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<td>■ 4. Section 63.9990 is amended by revising paragraph (a) to read as follows:</td>
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<tr>
<td>§ 63.9990</td>
<td>What are the subcategories of EGUs? (a) Coal-fired EGUs are subcategorized as defined in paragraphs (a)(1) through (3) of this section and as defined in § 63.10042. (1) EGUs designed for coal with a heating value greater than or equal to 8,300 Btu/lb, (2) EGUs designed for low rank virgin coal, and (3) EGUs designed for EBCR. * * * * *</td>
</tr>
</tbody>
</table>

5. Section 63.10042 is amended by adding definitions for “Eastern bituminous coal refuse (EBCR),” “Net summer capacity,” and “Unit designed for eastern bituminous coal refuse (EBCR) subcategory” in alphabetical order to read as follows:

§ 63.10042 What definitions apply to this subpart? * * * * * Eastern bituminous coal refuse (EBCR) means coal refuse generated from the mining of bituminous coal in Pennsylvania and West Virginia. * * * * * Net summer capacity means the maximum output, commonly expressed in megawatts (MW), that generating equipment can supply to system load, as demonstrated by a multi-hour test, at the time of summer peak demand (period of June 1 through September 30.) This output reflects a reduction in capacity due to electricity use for station service or auxiliaries. * * * * * Unit designed for eastern bituminous coal refuse (EBCR) subcategory means any existing (i.e., construction was commenced on or before May 3, 2011) coal-fired EGU with a net summer capacity of no greater than 150 MW that is designed to burn and that is burning 75 percent or more (by heat input) eastern bituminous coal refuse on a 12-month rolling average basis. * * * * * |

6. Table 2 to Subpart UUUUU of Part 63 is revised to read as follows: Table 2 to Subpart UUUUU of Part 63— Emission Limits for Existing EGUs As stated in § 63.9991, you must comply with the following applicable emission limits. (Table beginning page 20850)
NOTICE OF PROPOSED RULE

TYPE OF RULE: New ___; Amendment ___; Repeal ___; Repeal and Reenact ___

Title No. - Rule No. - Section No.

Utah Admin. Code Ref (R no.): R307-214
Changed to Admin. Code Ref. (R no.): R

Agency Information

1. Department: Department of Environmental Quality
Agency: Division of Air Quality
Room no.:
Building: Multi Agency State Office Building
Street address: 195 N 1950 W
City, state: Salt Lake City, UT 84116
Mailing address: PO BOX 144820
City, state, zip: Salt Lake City, UT 84116-4820
Contact person(s):
Name: Liam Thrailkill
Phone: 801-536-4419
Email: lthrailkill@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
National Emission Standards for Hazardous Air Pollutants

3. Purpose of the new rule or reason for the change (If this is a new rule, what is the purpose of the rule? If this is an amendment, repeal, or repeal and reenact, what is the reason for the filing?):
This rule is updated to reflect changes to the federal air quality regulations as published in Title 40 of the Code of Federal Regulations.

4. Summary of the new rule or change:
This filing amends the rule to incorporate all changes within the updated version of Title 40 of the Code of Federal Regulations from July 1, 2019 to July 1, 2020. The rule amendment removes the specific date reference for CFR incorporations in R307-214 so the reference date now moves to the date found in R307-101-3.

A public hearing is set for Thursday, April 1, 2021. Further details may be found below. The hearing will be cancelled should no request for one be made by Wednesday, March 31, 2021, at 10:00AM MST. The final status of the public hearing will be posted on Wednesday, March 31, 2021, after 10:00AM MST. The status of the public hearing may be checked at the following website location under the corresponding rule.


Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:
This rule incorporates already existing federal regulations. No additional costs or benefits affect the state budget after incorporation.

B) Local governments:
This rule incorporates already existing federal regulations. No additional costs or benefits affect local governments after incorporation.
C) Small businesses ("small business" means a business employing 1-49 persons):
This rule incorporates already existing federal regulations. No additional costs or benefits exist for small businesses after incorporation.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
This rule incorporates already existing federal regulations. No additional costs or benefits exist for small businesses after incorporation.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
This rule incorporates already existing federal regulations. No additional costs or benefits exist for persons other than small businesses, non-small businesses, state, or local government entities after incorporation.

F) Compliance costs for affected persons:
There are no new compliance costs as a result of incorporation.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

<table>
<thead>
<tr>
<th>Regulatory Impact Table</th>
<th>FY2021</th>
<th>FY2022</th>
<th>FY2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fiscal Cost</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>State Government</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Local Governments</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Small Businesses</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Non-Small Businesses</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Other Persons</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td><strong>Total Fiscal Cost</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Fiscal Benefits</td>
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</tr>
<tr>
<td>State Government</td>
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<td>Local Governments</td>
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<td>Small Businesses</td>
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<td>Non-Small Businesses</td>
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<tr>
<td>Other Persons</td>
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</tr>
<tr>
<td><strong>Total Fiscal Benefits</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td><strong>Net Fiscal Benefits</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
</tbody>
</table>

H) Department head approval of regulatory impact analysis:
Kim Shelley, Interim Executive Director for the Department of Environmental Quality, has reviewed and accepts this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:
Due to the nature of incorporating already existing federal regulations into Utah state rules, there will be no additional fiscal impacts on businesses as a result of this amendment.

B) Name and title of department head commenting on the fiscal impacts:
Kimberly D. Shelley, Interim Executive Director

Citation Information
7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):
19-2-104(1)(a)
Incorporations by Reference Information
(If this rule incorporates more than two items by reference, please include additional tables.)

8. A) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; if none, leave blank):

<table>
<thead>
<tr>
<th>First Incorporation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Official Title of Materials Incorporated (from title page)</td>
</tr>
<tr>
<td>Publisher</td>
</tr>
<tr>
<td>Date Issued</td>
</tr>
<tr>
<td>Issue, or version</td>
</tr>
</tbody>
</table>

B) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; if none, leave blank):

<table>
<thead>
<tr>
<th>Second Incorporation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Official Title of Materials Incorporated (from title page)</td>
</tr>
<tr>
<td>Publisher</td>
</tr>
<tr>
<td>Date Issued</td>
</tr>
<tr>
<td>Issue, or version</td>
</tr>
</tbody>
</table>

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until (mm/dd/yyyy): 04/01/2021

B) A public hearing (optional) will be held:

<table>
<thead>
<tr>
<th>On (mm/dd/yyyy):</th>
<th>At (hh:mm AM/PM):</th>
<th>At (place):</th>
</tr>
</thead>
<tbody>
<tr>
<td>04/01/2020</td>
<td>10:00 AM</td>
<td>meet.google.com/bba-xhvd-uwe</td>
</tr>
<tr>
<td></td>
<td></td>
<td>or</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1-617-675-4444</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PIN 103 132 725 7941</td>
</tr>
</tbody>
</table>

10. This rule change MAY become effective on (mm/dd/yyyy): 06/03/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

| Agency head or designee, and title: | Bryce C. Bird, Division Director | Date (mm/dd/yyyy): | 01/19/2021 |
The provisions listed below of 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories, effective as of July 1, 2019, are incorporated into these rules by reference. References in 40 CFR Part 63 to “the Administrator” shall refer to the director, unless by federal law the authority is specific to the Administrator and cannot be delegated.

2. 40 CFR Part 63, Subpart B, Requirements for Control Technology Determinations for Major Sources in Accordance with 42 U.S.C. 7412(g) and (j).
22. 40 CFR Part 63, Subpart HH, National Emission Standards for Hazardous Air Pollutants for Oil and Natural Gas Production.
34. 40 CFR Part 63, Subpart WW, National Emission Standards for Storage Vessels (Tanks)-Control Level 2 (Generic MACT).


40 CFR Part 63, Subpart QQQ, National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelters.


40 CFR Part 63, Subpart GGGG, National Emission Standards for Vegetable Oil Production; Solvent Extraction.

40 CFR Part 63, Subpart HHHH, National Emission Standards for Wet-Formed Fiberglass Mat Production.


(84) 40 CFR Part 63, Subpart GGGGGG, National Emission Standards for Hazardous Air Pollutants for Site Remediation.
(91) 40 CFR Part 63, Subpart NNNNNN, National Emission Standards for Hazardous Air Pollutants for Hydrochloric Acid Production.
(96) 40 CFR Part 63, Subpart TTTTTT, National Emission Standards for Hazardous Air Pollutants for Primary Magnesium Refining.
(97) 40 CFR Part 63, Subpart UUUUUU, National Emission Standards for Hazardous Air Pollutants for Coal- and Oil-Fired Electric Utility Steam Generating Units.
(98) 40 CFR Part 63, Subpart WWWWWW, National Emission Standards for Hospital Ethylene Oxide Sterilizers.
(100) 40 CFR Part 63, Subpart ZZZZZZ, National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources.
(103) 40 CFR Part 63, Subpart DDDDDD, National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources.
(104) 40 CFR Part 63, Subpart EEEEEE, National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources.
(105) 40 CFR Part 63, Subpart FFFFFF, National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources.
(106) 40 CFR Part 63, Subpart GGGGGG, National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources—Zinc, Cadmium, and Beryllium.
(108) 40 CFR Part 63, Subpart LLLLLL, National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources.
(109) 40 CFR Part 63, Subpart MMMMMM, National Emission Standards for Hazardous Air Pollutants for Carbon Black
Production Area Sources.

(110) 40 CFR Part 63, Subpart NNNNNN, National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds.


(112) 40 CFR Part 63, Subpart PPPPPP, National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources.

(113) 40 CFR Part 63, Subpart QQQQQQ, National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources.


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

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


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


KEY: air pollution, hazardous air pollutant, MACT, NESHAP
Date of Enactment or Last Substantive Amendment: June 4, 2020
Notice of Continuation: September 8, 2017
Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a)
ITEM 5
MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Liam Thrailkill, Rules Coordinator

DATE: January 20, 2021

SUBJECT: Five-Year Review: R307-104. Conflict of Interest

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 statute. As part of this process, we are required to identify any comments received during and 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 R307-104, Conflict of Interest. The result of this review is found in the attached Five-Year Notice of Review and Statement of Continuation forms.

Recommendation: Staff recommends that the Board continue R307-104 by approving the attached form to be filed with the Office of Administrative Rules of Administrative Rules.
# FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

<table>
<thead>
<tr>
<th>Title No. - Rule No.</th>
<th>Utah Admin. Code Ref (R no.)</th>
<th>Filing No. (Office Use Only)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>R307-104</td>
<td></td>
</tr>
</tbody>
</table>

## Agency Information

1. **Department:** Environmental Quality  
2. **Agency:** Air Quality  
3. **Room no.:** Fourth Floor  
4. **Building:** Multi Agency State Office Building  
5. **Street address:** 195 N 1950 W  
6. **City, state, zip:** Salt Lake City, UT 84116  
7. **Mailing address:** PO Box 144820  
8. **City, state, zip:** Salt Lake City, UT 84116-4820  
9. **Contact person(s):**  
   - **Name:** Liam Thrailkill  
   - **Phone:** 801-536-4419  
   - **Email:** lthrailkill@utah.gov

Please address questions regarding information on this notice to the agency.

## General Information

2. **Rule catchline:** Conflict of Interest  

3. **A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:**  
   19-2-104 allows for the Air Quality Board to make rules. The rule was created to meet the requirements set forth in 42 U.S.C. 7428(a)(2), which requires this rule.

4. **A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:**  
   There have been no written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule.

5. **A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:**  
   The rule must be continued to meet the conflict of interest requirement of 42 U.S.C. 7428(a)(2) to keep the state in compliance.

## Agency Authorization Information

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.

<table>
<thead>
<tr>
<th>Agency head or designee, and title:</th>
<th>Bryce C. Bird, Division Director</th>
<th>Date (mm/dd/yyyy):</th>
<th>01/19/2021</th>
</tr>
</thead>
</table>

Reminder: Text changes cannot be made with this type of rule filing. To change any text, please file an amendment or nonsubstantive change.
R307-104. Conflict of Interest.
R307-104-1. Authority.
This rule establishes procedures that are necessary for promulgating federally approvable air quality standards as permitted by subsection 19-2-104(1)(b).

R307-104 satisfies the conflict of interest requirement of 42 U.S.C. 7428 (a)(2).

(1) This rule applies to any member of the board or body which approves permits or enforcement orders, the head of the Utah Division of Air Quality with similar powers, and the head of the Utah Department of Environmental Quality with similar powers.
(2) Every individual listed in R307-104-3(1) who is an officer, director, agent, employee, or the owner of a substantial interest in any business entity which is subject to the regulation of the agency by which the individual listed in R307-104-3(1) is employed, shall disclose any position held and the precise nature and value of the interest upon first becoming a public officer or public employee listed in R307-104-3(1), and again whenever his or her position in the business entity changes significantly or if the value of his or her interest in the entity is significantly increased.
(3) The disclosure required under R307-104-3(2) shall be made in a sworn statement filed with:
   (a) the state attorney general in the case of the head of the Utah Division of Air Quality and the head of the Utah Department of Environmental Quality; and
   (b) the state attorney general and the head of the agency with which the member of the board or body is affiliated in the case of a member of the board of body.
(4) This rule does not apply to instances where the total value of the interest does not exceed $2,000, and life insurance policies and annuities shall not be considered in determining the value of any such interest.
(5) Disclosures made under R307-104-3 are public information and shall be available for examination by the public.

KEY: conflict of interest, Clean Air Act
Date of Enactment or Last Substantive Amendment: March 3, 2016
Authorizing, and Implemented or Interpreted Law: 19-1-201; 19-2-104
ITEM 6
MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Harold Burge, Major Source Compliance Section Manager

DATE: January 21, 2021

SUBJECT: HollyFrontier Woods Cross Refining LLC – Administrative Settlement Agreement

HollyFrontier Woods Cross Refining LLC (Holly) operates an oil refinery located at 1070 West 500 South, West Bountiful, Davis County, Utah. On October 17, 2017, the Utah Division of Air Quality (DAQ) issued a Compliance Advisory to Holly for violation of Condition II.B.7.a.2 of Approval Order (AO) DAQE-AN101230041-13 dated November 18, 2013, for exceeding the NSPS boiler and heater particulate (PM10) limit of 0.00051 pounds per million British Thermal Unit (lb/MMBTU) beginning September 14, 2016, and for failing to test Unit 8H2, Unit 19H1, and Boiler #8 by October 31, 2016.

To resolve these violations, Holly installed new, larger sample ports on the stacks, performed testing to develop a new emission limit, submitted a notice of intent, and received a new AO which included a new emission limit of 0.0070 lb/MMBTU.

DAQ and Holly have negotiated a total penalty of $189,000. Twenty percent (20%) of the penalty ($37,800) shall be paid to the General Fund. Eighty percent (80%) of the penalty ($151,200) shall be paid to the Environmental Mitigation and Response Fund (“the Fund”) as authorized by Section 19-1-603(3) of the Utah Code. Money deposited into the Fund goes towards environmental mitigation action, environmental response actions, site closures, and cleanups under Section 19-1-604(2) of the Utah Code. The funds paid by Holly to the Fund shall be earmarked for air quality programs per Section 19-1-603(4) of the Utah Code.
In accordance with Section 19-2-104(3)(b)(i) of the Utah Code, the attached Administrative Settlement Agreement is presented to the Board for review as the penalty exceeds $25,000. DAQ will withhold any further action on this matter until the Board approves the attached Administrative Settlement Agreement.

Recommendation: Staff recommends that the Board approve the attached Administrative Settlement Agreement.
October 17, 2017

Sent Via Certified Mail No. 70161970000102030353

Eric Benson
Holly Frontier Woods Cross Refining LLC
1070 West 500 South
West Bountiful, UT 84087-1442

Dear Mr. Benson:

Re: Compliance Advisory – Holly Frontier Woods Cross Refining LLC – Approval Order (AO)
DAQE-AN101230041-13 dated November 18, 2013 – Davis County

On March 21, 2017, the Utah Division of Air Quality (DAQ) received a stack test report for the Holly Frontier Woods Cross Refining LLC NSPS applicable process heaters and boilers. Additional test results were submitted on May 11, 2017. Based on the information contained in the stack test reports, the DAQ determined that Holly Frontier Woods Cross Refining LLC was in violation of Condition B.7.a.2 of Approval Order (AO) DAQE-AN101230041-13 dated November 18, 2013 for operating above the PM10 limit of 0.00051 pounds per million British Thermal Unit (lb/MMBTU) for 40 Code of Federal Regulations (CFR) 60 Standards of Performance for New Sources (NSPS) applicable process heaters and boilers beginning September 14, 2016, and for failing to test heater Units 8H2 and 19H1, and Boiler #8 by October 31, 2016.

Holly Frontier Woods Cross Refining LLC is required to comply with the AO. A written response to this letter is required within ten (10) business days of receipt of this letter.

Additional details about the above observations and the AO are attached to this letter. Please contact Rob Leishman at 801-536-4438 or rleishman@utah.gov if you have any questions about this letter.

Sincerely,

Harold Burge, Manager
Major Source Compliance Section

HAB:RL:bp

cc: Davis County Health Department
Parr Brown Gee & Loveless

195 North 1950 West • Salt Lake City, UT
Mailing Address: P.O. Box 144820 • Salt Lake City, UT 84114-4820
Telephone (801) 536-4000 • Fax (801) 536-4099 • T.D.D. (801) 903-3978
www.daq.utah.gov
Printed on 100% recycled paper
Potential Violations

On March 21, 2017, the Utah Division of Air Quality (DAQ) received a stack test report for the Holly Frontier Woods Cross Refining LLC NSPS applicable process heaters and boilers. Additional test results were submitted May 11, 2017. Heater 8H2 was replaced in 2015, by 8H2 which is NSPS applicable process heater.

PM$_{10}$ emissions from the NSPS applicable process heaters and boilers averaged 0.00112 lb/MMBTU during testing performed September 14, 2016 through January 25, 2017.

Heater Units 8H2 and 19H1, and Boiler #8 were not tested on or before October 31, 2016.

Condition B.7.a.2 of AO DAQE-AN101230041-13 dated November 18, 2013 states in part:

“The emissions of PM$_{10}$ from the following NSPS boilers and heaters shall not exceed 0.00051 lb/MMBTU. Holly Refinery shall conduct stack testing to verify the PM$_{10}$ emissions on the following NSPS heaters and boilers: 10H2, 19H1, 20H1, 20H2, 20H3, 23H1, 24H1, 25H1, 27H1, 30H1, 30H2, 33H1, Boilers #8, #9, #10, and #11.”

“Compliance shall be determined by a stack test to be performed every year. Holly Refinery shall conduct annual test no later than October 31st of each year. Upon demonstration through at least three (3) annual tests that the PM$_{10}$ limits are not being exceeded, Holly Refinery may request approval to conduct less frequently than annually.”

The purpose of a Compliance Advisory (CA) is to document observations made by the DAQ. You are responsible for complying with the Utah Air Conservation Rules. There are possible administrative and civil penalties for failing to do so. Section 19-2-115 of the Utah Code Annotated provides that violators of the Utah Air Conservation Act and/or any order issued there under may be subject to a civil penalty of up to $10,000 per day for each violation.

The written response to this CA will be considered in resolving the deficiencies documented in this letter. It may include information demonstrating compliance with the regulations or a schedule to bring your company back into compliance with the applicable regulations. The DAQ will review your response and this CA may be revised as a result of that review. Failure to respond in writing within ten (10) business days of receipt of this CA will be considered in any subsequent enforcement action and the assessment of penalties.

Possible DAQ actions to resolve a CA include: No Further Action Letter, Warning Letter, Early Administrative Settlement with reduced civil penalty, Settlement Agreement with civil penalty, or Notice of Violation and Order to Comply.

This CA does not limit or preclude the DAQ from pursuing enforcement options concerning this inspection. Also, this CA does not constitute a bar to enforcement action for conditions that the DAQ did not observe or evaluate, or any other conditions found during future inspections.

A meeting may be requested to discuss this CA. Please contact Rob Leishman at 801-536-4438 or rleishman@utah.gov if you would like to request a meeting or if you have any questions about this letter.
December 9, 2020

Sent Via Certified Mail No. 70171070000091095836

Scott White
Vice President & Refinery Manager
Holly Frontier Woods Cross Refining LLC
1070 West 500 South
West Bountiful, Utah 84087

Dear Mr. White:

Re: Administrative Settlement Agreement – HollyFrontier Woods Cross Refining LLC (Holly) – Davis County

On October 17, 2017, the Utah Division of Air Quality (DAQ) issued a Compliance Advisory (DAQC-1299-17) to Holly as a result of stack test reports received by the DAQ on March 21, 2017, and May 11, 2017. Based on the information contained in those stack test reports and subsequent information received from Holly, the DAQ has determined that Holly was in violation of Condition II.B.7.a.2 of Approval Order (AO) DAQE-AN101230041-13 dated November 18, 2013, for exceedance of the 0.00051 pounds per million British thermal unit (lb/MMBtu) particulate matter (PM$_{10}$) emission limit for the NSPS-applicable process heaters and boilers during testing performed September 14, 2016 – January 2, 2017, and for failure to complete stack testing no later than October 31, 2016. During those stack tests, PM$_{10}$ emissions averaged 0.00112 lb/MMBtu.

Section 19-2-115 of the Utah Code Annotated provides that violations of the Utah Air Conservation Act and/or any order issued thereunder may be subject to a civil penalty of up to $10,000 per day for each violation. Based upon our civil penalty policy, we calculated a preliminary civil penalty for the above-listed violations of $189,000.

The monetary amount of the DAQ settlement offer specified below is derived from a pre-established schedule of penalties, which takes into account, among other factors, the magnitude and severity of the violation, cooperation of the source, and the prior history of violations. Economic benefit of non-compliance may also be added to the pre-established penalty under Rule R307-130-3(4) of the Utah Administrative Code.

All parties we deal with, whether private, commercial, or governmental are treated similarly in the settlement process. Administrative Settlement Agreements are based on the evaluation of the same factors and criteria in all cases. The DAQ acknowledges that the violations have been addressed by Holly. To return to compliance, Holly performed extensive stack testing of the NSPS-applicable process
heater and boilers, submitted a Notice of Intent on January 31, 2019, and on October 8, 2020, received a new AO with a new limit of 0.0070 lb/MMBtu.

If you are interested in settling this violation, we are authorized to offer settlement in accordance with the DAQ Penalty Policy as follows:

1. Holly agrees to pay a civil penalty in the sum of $189,000. Payment of the civil penalty precludes further civil enforcement for the above described violation against the named source. At Holly’s request, 20% of the civil penalty amount ($37,800) shall be paid to the General Fund. 80% of the civil penalty amount ($151,200) shall be paid to the Environmental Mitigation and Response Fund (“the Fund”) as authorized by Section 19-1-603(3) of the Utah Code. Money deposited into the Fund goes towards environmental mitigation action, environmental response actions, site closures, and cleanups under Section 19-1-604(2) of the Utah Code. The funds paid by Holly to the Fund shall be earmarked for air quality programs per Section 19-1-603(4) of the Utah Code.

2. The DAQ retains its authority to take any enforcement actions based on all violations not specifically described above.

3. In the event any further violations of the Utah Air Conservation Act, the Utah Air Quality Rules, Utah Admin. Code Rules R307-101 through R307-842, the source’s AO, or the Director’s Orders occur, the DAQ may consider the violation described above in assessing a penalty for the subsequent violations, in accordance with the provisions of Utah Administrative Code R307-130.

4. Entering into this Administrative Settlement Agreement shall not constitute an admission of violation of the Utah Air Conservation Act, the Utah Air Quality Rules, or the source’s AO nor shall it be inferred to be such an admission in any administrative or judicial proceeding. The described violation will constitute part of the company compliance history for any purpose for which such history is relevant to the DAQ.

At the DAQ’s option, you may request a portion of the calculated civil penalty gravity component to be used to complete a Supplemental Environmental Project (SEP) to benefit present and future air quality within Utah. For more information about the SEP process, please contact the DAQ representative listed below.

This Administrative Settlement Agreement constitutes an offer of settlement and is not a demand for payment.

If the above terms are acceptable to you, please sign and return this Administrative Settlement Agreement to the DAQ at the letterhead address within twenty (20) business days of receipt of this agreement. Utah Code 19-2-104(3)(b)(i), requires the Utah Air Quality Board (UARQ) to review and approve/disapprove any settlement negotiated by the Director that results in a civil penalty of $25,000 or more in accordance with Subsection 19-2-107(2)(b)(viii) of the Utah Code. The DAQ will present this to the UARQ at a future meeting for review and will recommend approval of the negotiated settlement. If the negotiated settlement is approved by the UARQ, Holly shall remit the payment to DAQ within twenty (20) business days of the approval.

You may write or call to request a settlement conference with the DAQ representative listed below. A conference must be scheduled within twenty (20) business days of your receipt of this Administrative Settlement Agreement. If we do not receive a signed copy of this Administrative Settlement Agreement...
or other correspondence from you within twenty (20) business days of your receipt, we will assume that you are not interested in resolving this matter as outlined above.

This Administrative Settlement Agreement is intended to resolve the non-compliance issues listed above and requires the immediate attention of your company. Failure to resolve this matter as outlined above may result in this offer being revoked and/or having this matter referred to a formal enforcement process, including filing a judicial case to collect penalties (up to $10,000 per day for each violation) and compel compliance in the state district court.

If you have any additional questions regarding this matter, please contact Harold Burge at (801)536-4129 or by email at hburge@utah.gov.

Sincerely,

[Signature]

Bryce C. Bird
Director

BCB:HB:bp

cc: Davis County Health Department
    Timothy T. Jones, Senior Assistant General Counsel, The HollyFrontier Companies

Acceptance of Administrative Settlement Agreement

I have read the above Administrative Settlement Agreement and I agree to the terms and conditions thereof.

Holly Frontier Woods Cross Refining LLC:

Name: Scott White
Title: VP Refinery Manager

[Signature] 12/16/20 801-299-6605
Date  Telephone Number
Utah Division of Air Quality General Administrative Penalty Worksheet

<table>
<thead>
<tr>
<th>Source:</th>
<th>Holly Refining</th>
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<tbody>
<tr>
<td>Site ID #:</td>
<td>10123</td>
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<tr>
<td>HPV:</td>
<td>Yes</td>
</tr>
<tr>
<td>Class:</td>
<td>Major</td>
</tr>
<tr>
<td>Violation Date(s):</td>
<td>11/1/2016 - 1/31/2019</td>
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<tr>
<td>Days to Resolution:</td>
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<table>
<thead>
<tr>
<th>Citation</th>
<th>Description of the Violation</th>
<th>Months</th>
<th>Category</th>
<th>Range</th>
<th>Monthly Penalty</th>
<th>Accumulated Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Condition II.B.7.a.2 of DAEQ-AN101230041-13</td>
<td>Failure to test all NSPS Boilers &amp; Heaters on or before 10/31/2016, and the exceedance of the NSPS Boilers &amp; Heaters PM10 emission limit of 0.00051 lb/MMBTU.</td>
<td>27</td>
<td>B</td>
<td>$2,000 to 7,000</td>
<td>$7,000</td>
<td>$189,000</td>
</tr>
<tr>
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</tr>
</tbody>
</table>

This policy provides guidance to the director in negotiating with air pollution sources penalties for consent agreements to resolve non-compliance situations. It is designed to be used to determine a reasonable and appropriate penalty for the violations based on the nature and extent of the violations, consideration of the economic benefit to the sources of non-compliance, and adjustments for specific circumstances.

R307-130.2. Categories.
Violations are grouped in four general categories based on the potential for harm and the nature and extent of the violations. Penalty ranges for each category are listed:

1. **Category A. $7,000 - $10,000 per day.**
   Violations with high potential for impact on public health and the environment including:
   a. Violation of emission standards and limitations of NESHAP.
   b. Emissions contributing to nonattainment area or PSD increment exceedences.
   c. Emissions resulting in documented public health effects and/or environmental damage.

2. **Category B. $2,000 - $7,000 per day.**
   Violations of the Utah Air Conservation Act, applicable State and Federal regulations, and orders to include:
   a. Significant levels of emissions resulting from violations of emission limitations or other regulations which are not within Category A.
   b. Substantial non-compliance with monitoring requirements.
   c. Significant violations of approval orders, compliance orders, and consent agreements not within Category A.
   d. Significant and/or knowing violations of "notice of intent" and other notification requirements, including those of NESHAP.
   e. Violations of reporting requirements of NESHAP.

3. **Category C. Up to $2,000 per day.**
   Minor violations of the Utah Air Conservation Act, applicable State and Federal Regulations and orders having no significant public health or environmental impact to include:
   a. Reporting violations.
   b. Minor violations of monitoring requirements, orders and agreements.
   c. Minor violations of emission limitations or other regulatory requirements.

4. **Category D. Up to $299.99.**
   Violations of specific provisions of R307 which are considered minor to include:
   a. Violation of automobile emission standards and requirements.
   b. Violation of wood-burning regulations by private individuals.
   c. Open burning violations by private individuals.

The amount of the penalty within each category may be adjusted and/or suspended in part based upon the following factors:

1. Good faith efforts to comply or lack of good faith. Good faith takes into account the openness in dealing with the violations, promptness in correction of problems, and the degree of cooperation with the State to include accessibility to information and the amount of State effort necessary to bring the source into compliance.
2. Degree of willfulness and/or negligence. In assessing willfulness and/or negligence, factors to be considered include how much control the violator had over and the foreseeability of the events constituting the violation, whether the violator made or could have made reasonable efforts to prevent the violation, and whether the violator knew of the legal requirements which were violated.
3. History of compliance or non-compliance. History of non-compliance includes consideration of previous violations and the resource costs to the State of past and current enforcement actions.
4. Economic benefit of non-compliance. The amount of economic benefit to the source of non-compliance would be added to any penalty amount determined under this policy.
5. Inability to pay. An adjustment downward may be made or a delayed payment schedule may be used based on a demonstrated inability of the source to pay.

R307-130-4. Options.
Consideration may be given to suspension of monetary penalties in trade-off for expenditures resulting in additional controls and/or emissions reductions beyond those required to meet existing requirements. Consideration may be given to an increased amount of suspended penalty as a deterrent to future violations where appropriate.
ITEM 7
Regional Haze Update
REGIONAL HAZE
An Update
Most Impaired Species at UT Class I areas

Sulfates & Nitrates
  • NOx and SO2

[Diagram showing light extinction from 2000 to 2018 for Bryce Canyon NP, with categories for sea salt, fine soil, coarse mass, elemental carbon, organic mass, ammonium nitrate, and ammonium sulfate.]
Sources Reviewed

- Leamington Cement Plant
- Intermountain Generation Station
- Us Magnesium
- Kennecott Power Plant, Lab, and Tailings Impoundment
- Kennecott Mine & Copper Center Concentrator

Map showing various sources including national parks and facilities.
Considerations for a Long Term Strategy to Make Reasonable Progress

1. Costs of compliance
2. Time necessary for compliance
3. Energy and non-air quality environmental impacts of compliance
4. Remaining useful life of any potentially affected sources

Additional considerations
5. Emission reductions due to ongoing air pollution control programs
6. Measures to mitigate the impacts of construction activities
7. Source retirement and replacement schedules
8. Basic smoke management practices for prescribed fire
9. The anticipated net effect on visibility due to projected changes in emissions
Rate of Progress = 0.85 dv/10 yr planning period
Adjustments are allowed to account for international and wildland prescribed fire contributions.
Timeline

May 2021: Formal Consultation with Federal Land Managers
July 2021: Draft SIP to Board for Public Comment
September 2021: Board Approval
October 2021: Submit SIP
Wasatch Front Ozone 179b Demonstration Update
WASATCH FRONT OZONE

179B Demonstration Update
Design Values 2018-2020*

*2020 data is not quality assured
Current Planning Timeline

- **2020-2021**
  - Inventory
  - Modeling
  - Control Strategy Development

- **February 2022**
  - Bumped up to Moderate

- **September 2022**
  - Draft SIP for Public Comment

- **February 2023**
  - SIP Due
  - RACM/RACT Implemented

- **August 2024**
  - Attainment Deadline
Section 179B of the Clean Air Act allows states with ozone nonattainment areas to demonstrate that the area would comply with the air quality standard “but for emissions emanating from outside of the United States.”
A successful demonstration would show a greater influence from international emissions on exceedance days than on non-exceedance days.

Demonstrations should show a “proportionally large” effect from international emissions compared to local emissions.

Demonstrations for non-border states would require additional technical rigor and resources.

“This graph is made up for illustrative purposes only. None of the data are real.”
International Transport Options

Prior to 2021 Attainment Deadline

• Marginal requirements still apply
• Avoid bump-up to Moderate

Part of a Moderate SIP Attainment Demonstration

• SIP elements still required
• Not required to model attainment
• If approved, avoid bump-up to Serious
Initial Work

**Synoptic analysis**

– What meteorological conditions are present during ozone exceedances

**Back trajectory modeling**

– Where do air packets come from that are in our airshed during exceedances and non-exceedances
Synoptic analysis shows potentially low correlation of exceedance days with upper level transport of international emissions.
No significant difference in transport patterns between exceedance and non-exceedance days.
HYSPLIT Backward Dispersion Modeling

Analysis does not show a potential for international contribution that is high relative to local sources of air emissions.
Ozone Season Source Apportionment Modeling – Bountiful Monitor
Ozone SIP Coordinators

- Jay Baker (Wasatch Front)
  801-536-4015
  jbaker@utah.gov

- Sheila Vance (Uinta Basin)
  801-518-3132
  svance@utah.gov

Legislative Update
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Short Title</th>
<th>Sponsor</th>
<th>Comments: Insight or context on the bill or agency position on the bill</th>
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<tbody>
<tr>
<td>HB0019</td>
<td>County Classification Amendments</td>
<td>Rep. Snider</td>
<td>Modifies population requirements for the classification of certain counties</td>
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<tr>
<td>HB0045S02</td>
<td>Radon Task Force</td>
<td>Rep. Stratton</td>
<td>May also be tracked under EDO - Region 8 EPA combined air and radiation in the same program so it may fit in AQ.</td>
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<td>HB0091</td>
<td>Tax Credit for Alternative Fuel Heavy Duty Vehicles</td>
<td>Rep. Stoddard</td>
<td>Extends the availability of an income tax credit related to certain alternative fuel heavy duty vehicles</td>
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<td>HB0123</td>
<td>Feasibility Study for Air Quality Laboratory</td>
<td>Rep. Handy</td>
<td>Implementing the Gardner Policy Institute Roadmap for Climate and Air Quality,</td>
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<tr>
<td>HB0145</td>
<td>Clean and Renewable Energy Requirements</td>
<td>Rep. Ward</td>
<td>This bill: requires that a certain percentage of a large-scale electric utility's annual retail sales come from qualifying clean electricity if use of qualifying clean electricity is cost effective</td>
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<tr>
<td>HB0223</td>
<td>Alternative Fuel Incentive Amendments</td>
<td>Rep. Ballard</td>
<td>Modifies incentives for the production of a variety of alternative fuels</td>
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<td>HB0263</td>
<td>Utah Clean Energy Fund</td>
<td>Rep. Briscoe</td>
<td>This bill enacts the Utah Clean Energy Fund Act, including: stating purposes of the fund. $1,000,000 as a beginning balance appropriation.</td>
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<tr>
<td>SB0015</td>
<td>Workforce Solutions for Air Quality Amend.</td>
<td>Sen. McCay</td>
<td>Encourages state leadership in improving air quality through the new workplace.</td>
</tr>
<tr>
<td>SB0020S02</td>
<td>Air Quality Policy Advisory Board Sunset</td>
<td>Sen. Iwamoto</td>
<td>Committee bill extending the sunset date for the statute, substitute adds two members appointed by the Governor.</td>
</tr>
<tr>
<td>SB0022</td>
<td>Compliance Advisory Panel Repeal Date</td>
<td>Sen. Sandall</td>
<td>Committee bill extending the sunset date for the statute for a short time to allow for EPA's approval of the removal of the provisions as part of Utah's delegated air quality program.</td>
</tr>
<tr>
<td>SB0093</td>
<td>Emissions Test Amendments</td>
<td>Sen. Mayne</td>
<td>Requires emissions inspections to also inspect vehicle lights</td>
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<tr>
<td>SB0133</td>
<td>Severance Tax Revenue Amendments</td>
<td>Sen. Hinkins</td>
<td>This bill: creates the Division of Air Quality Oil, Gas, and Mining Restricted Account....establishes deposits of certain portions of severance tax revenues to the restricted accounts; makes appropriations made from the accounts nonlapsing; and makes technical changes.</td>
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<tr>
<td>SB0146</td>
<td>Emissions Testing Amendments</td>
<td>Sen. Bramble</td>
<td>Removes the end date of a pilot program requiring emissions inspections of certain diesel-powered motor vehicles, making the requirement permanent (Utah County Diesel Emissions Testing).</td>
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<tr>
<td>Appropriation</td>
<td>Clean Air (CARROT) Fund</td>
<td>Rep. Harrison</td>
<td>Clean Air Retrofit, Replacement, and Off-road Technology (CARROT), $500,000 appropriation request</td>
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<td>Appropriation</td>
<td>Clean Fuel Vehicle Technology Fund</td>
<td>Rep. Harrison</td>
<td>Clean Fuel Vehicle Technology Fund, $500,000 appropriation request</td>
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<td>Appropriation</td>
<td>Enhanced Air Monitoring</td>
<td>Rep. Stenquist</td>
<td>Google Cloud Platform for Air Monitoring Database (From Lobbyist not DAQ) $519,000 one time and $10k ongoing</td>
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<tr>
<td>Appropriation</td>
<td>Electric Vehicle Infrastructure in Rural Utah (UDOT)</td>
<td>Gov Budget</td>
<td>Listed as AQ in Governor's Budget $6,000,000 to UDOT</td>
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<td>Appropriation</td>
<td>Double Tracking Frontrunner (UTA Appropriation)</td>
<td>Gov Budget</td>
<td>Listed as AQ in Governor's Budget $350,000,000 to UTA</td>
</tr>
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Air Toxics
MEMORANDUM

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: January 4, 2021

SUBJECT: Air Toxics, Lead-Based Paint, and Asbestos (ATLAS) Section Compliance Activities – December 2020

Asbestos Demolition/Renovation NESHAP Inspections 46
Asbestos AHERA Inspections 48
Asbestos State Rules Only Inspections 5
Asbestos Notification Forms Accepted 173
Asbestos Telephone Calls 261
Asbestos Individuals Certifications Approved 62
Asbestos Company Certifications/Re-Certifications 4/12
Asbestos Alternate Work Practices Approved/Disapproved 4/0
Lead-Based Paint (LBP) Inspections 4
LBP Notification Forms Approved 0
LBP Telephone Calls 38
LBP Letters Prepared and Mailed 0
LBP Courses Reviewed/Approved 0
LBP Course Audits 0
LBP Individual Certifications Approved 13
<table>
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<tr>
<th>Category</th>
<th>Count</th>
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<tbody>
<tr>
<td>LBP Firm Certifications</td>
<td>12</td>
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<tr>
<td>Notices of Violation Sent</td>
<td>1</td>
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<tr>
<td>Compliance Advisories Sent</td>
<td>3</td>
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<tr>
<td>Warning Letters Sent</td>
<td>0</td>
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<tr>
<td>Settlement Agreements Finalized</td>
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</table>

Penalties Agreed to:

- **Carrera Capital Management Group, Inc.** $1,257.50
Compliance
MEMORANDUM

TO: Jay Morris, Compliance Branch Manager

FROM: Harold Burge, Major Source Compliance Manager

DATE: January 7, 2021

SUBJECT: Compliance Activities – December 2020

Annual Inspections Conducted:

Major ........................................................................................................................................ 3
Synthetic Minor ........................................................................................................... 1
Minor ........................................................................................................................................ 45

On-Site Stack Test Audits Conducted: ................................................................................. 0
Stack Test Report Reviews: ...................................................................................................... 48
On-Site CEM Audits Conducted: ............................................................................................ 0
Emission Reports Reviewed: ...................................................................................................... 5
Temporary Relocation Requests Reviewed & Approved: .................................................... 7
Fugitive Dust Control Plans Reviewed & Accepted: ............................................................. 94
Burn Permits Issued: ................................................................................................................ 16
Soil Remediation Report Reviews: .......................................................................................... 0
Miscellaneous Inspections Conducted: .................................................................................. 7
Complaints Received: ............................................................................................................. 15

Breakdown Reports Received: .................................................................................................. 2

Compliance Actions Resulting from a Breakdown: ................................................................. 0

Warning Letters Issued: ........................................................................................................... 1

Notices of Violation Issued: ...................................................................................................... 0

Unresolved Notices of Violation:

US Magnesium ............................................................................................. 08/27/2015
US Magnesium ............................................................................................. 03/02/2018
EP Energy .................................................................................................... 01/01/2020
Crescent Point .............................................................................................. 01/01/2020
Finley Resources .......................................................................................... 01/01/2020
Citation Oil and Gas (2) ............................................................................... 01/08/2020
Reaction Cargo ............................................................................................. 01/09/2020
Ovintiv Production ....................................................................................... 07/15/2020
SkyWest ....................................................................................................... 10/30/2020

Compliance Advisories Issued: ................................................................................................. 5

No Further Action Letters Issued: ............................................................................................. 3

Settlement Agreements Reached: ............................................................................................. 3

Quinex Energy ........................................................................................................... $5,005.60
EP Energy ........................................................................................................... $18,596.00
Kilgore Companies Inc. ....................................................................................... $22,040.00

1Miscellaneous inspections include, e.g., surveillance, level I inspections, VOC inspections, complaints, on-site training, dust patrol, smoke patrol, open burning, etc.
Air Monitoring
### Utah 24-Hr PM$_{2.5}$ Data October 2020

**Exceedence Value is 35 µg/m$^3$**

<table>
<thead>
<tr>
<th>Location</th>
<th>BV</th>
<th>ED</th>
<th>HV</th>
<th>HW</th>
<th>LN</th>
<th>RP</th>
<th>SM</th>
<th>SF</th>
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<tbody>
<tr>
<td>Arith Mean</td>
<td>9.7</td>
<td>11.1</td>
<td>9.4</td>
<td>9.3</td>
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<td>9.4</td>
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<tr>
<td>Max 24-hr Avg</td>
<td>32</td>
<td>30</td>
<td>31</td>
<td>28</td>
<td>26</td>
<td>28</td>
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<td>98th percentile</td>
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<td>18</td>
<td>28</td>
<td>31</td>
<td>27</td>
<td>27</td>
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**Days >35 µg/m$^3$**

<table>
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<tr>
<th>Location</th>
<th>BV</th>
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**Power glitch issues**
Utah 24-Hr PM$_{2.5}$ Data November 2020

<table>
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<tr>
<th>Arith Mean</th>
<th>Max 24-hr Avg</th>
<th>98th percentile</th>
<th>Days of Data</th>
<th>Days &gt;35 µg/m$^3$</th>
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<td>ED</td>
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<td>HV</td>
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<td>HW</td>
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<td>SM</td>
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<td>SF</td>
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<tr>
<td>AMC</td>
<td>8.3</td>
<td>13</td>
<td>29</td>
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Exceedence Value is 35 µg/m$^3$
Utah Division of Air Quality

Utah 24-Hr PM₂.₅ Data  December 2020

Exceedence Value is 35 µg/m³

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<td>13</td>
<td>11</td>
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<td>14</td>
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<tr>
<td>Max 24-hr Avg</td>
<td>27</td>
<td>21</td>
<td>25</td>
<td>29</td>
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<td>98th percentile</td>
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<td>21</td>
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PM₂.₅ (µg/m³)

Days

- Bountiful
- Erda
- Hawthorne
- Lindon
- Smithfield
- Spanish Fork
- AMC

Utah Division of Air Quality
<table>
<thead>
<tr>
<th>Days &gt;35 µg/m³</th>
<th>BV</th>
<th>ED</th>
<th>HV</th>
<th>HW</th>
<th>LN</th>
<th>RP</th>
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### Summary Statistics

- **Arith Mean**
  - Bountiful: 13
  - Erda: 12
  - Hawthorne: 11
  - Harrisville: 10
  - Lindon: 10
  - Rose Park: 10
  - Smithfield: 10
  - Spanish Fork: 10
  - AMC: 10

- **Max 24-hr Avg**
  - Bountiful: 18
  - Erda: 17
  - Hawthorne: 16
  - Harrisville: 15
  - Lindon: 14
  - Rose Park: 14
  - Smithfield: 14
  - Spanish Fork: 14
  - AMC: 14

- **98th percentile**
  - Bountiful: 18
  - Erda: 17
  - Hawthorne: 16
  - Harrisville: 15
  - Lindon: 14
  - Rose Park: 14
  - Smithfield: 14
  - Spanish Fork: 14
  - AMC: 14

- **Days of Data**
  - Bountiful: 45
  - Erda: 53
  - Hawthorne: 45
  - Harrisville: 43
  - Lindon: 45
  - Rose Park: 43
  - Smithfield: 45
  - Spanish Fork: 43
  - AMC: 45

- **Days >35 µg/m³**
  - Bountiful: 0
  - Erda: 0
  - Hawthorne: 0
  - Harrisville: 0
  - Lindon: 0
  - Rose Park: 0
  - Smithfield: 0
  - Spanish Fork: 0
  - AMC: 0

---

Utah Division of Air Quality
Utah 24-hr PM$_{10}$ Data October 2020

<table>
<thead>
<tr>
<th></th>
<th>HV</th>
<th>HW</th>
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<th>LN</th>
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<tr>
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<td>57</td>
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Exceedance Value is 150 µg/m$^3$
Utah Division of Air Quality

Utah 24-hr PM$_{10}$ Data November 2020

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<th>HW</th>
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Exceedance Value is 150 µg/m$^3$
Utah Division of Air Quality

Utah 24-hr PM$_{10}$ Data  December 2020

Exceedance Value is 150 µg/m$^3$

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<tr>
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<th>HW</th>
<th>H3</th>
<th>LN</th>
<th>SM</th>
<th>AMC</th>
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<td>Max 24-hr Avg</td>
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<td>59</td>
<td>76</td>
<td>61</td>
<td>36</td>
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PM$_{10}$ (µg/m$^3$)

Days

- Bountiful
- Harrisville
- Herriman #3
- Lindon
- AMC
- Hawthorne
- Smithfield

24-hr Exceedance Value is 150 µg/m$^3$
### Utah 24-hr PM$_{10}$ Data January 2021

#### exceedance value of 150 µg/m$^3$

<table>
<thead>
<tr>
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<th>HW</th>
<th>H3</th>
<th>LN</th>
<th>SM</th>
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- **Exceedance Value is 150 µg/m$^3$**
Highest 8-hr Ozone Concentration & Daily Maximum Temperature December 2020

<table>
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<tr>
<th></th>
<th>BV</th>
<th>CV</th>
<th>ED</th>
<th>H3</th>
<th>HV</th>
<th>HW</th>
<th>LP</th>
<th>NR</th>
<th>RP</th>
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<td>.020</td>
<td>.025</td>
<td>.030</td>
<td>.021</td>
<td>.020</td>
<td>.025</td>
<td>.021</td>
<td>.020</td>
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</tr>
<tr>
<td>8-hr. Ozone 4th Max</td>
<td>.031</td>
<td>.027</td>
<td>.028</td>
<td>.036</td>
<td>.029</td>
<td>.028</td>
<td>.033</td>
<td>.028</td>
<td>.031</td>
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<td>31</td>
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<td>31</td>
<td>31</td>
<td>31</td>
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</tr>
<tr>
<td>Days &gt; 0.070</td>
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<td>0</td>
<td>0</td>
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<td>0</td>
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</tbody>
</table>

Days

Ozone (ppm)

Daily Maximum Temperature (°C) (Hawthorne)
Highest 8-hr Ozone Concentration & Daily Maximum Temperature  December 2020

<table>
<thead>
<tr>
<th></th>
<th>Price #2</th>
<th>RS</th>
<th>V4</th>
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<tbody>
<tr>
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<td>8-hr. Ozone 4th Max</td>
<td>.040</td>
<td>.042</td>
<td>.036</td>
</tr>
<tr>
<td>Days of Data</td>
<td>31</td>
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<tr>
<td>Days &gt; 0.070</td>
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</table>
Highest 8-hr Ozone Concentration & Daily Maximum Temperature  December 2020

<table>
<thead>
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<td>8-hr. Ozone 4th Max</td>
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<td>Days of Data</td>
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<tr>
<td>Days &gt; 0.070</td>
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</tbody>
</table>

Days

Ozone (ppm)

Daily Maximum Temperature (°C) (Smithfield)
Highest 8-hr Ozone Concentration & Daily Maximum Temperature December 2020

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<tr>
<th></th>
<th>EN</th>
<th>ES</th>
<th>HC</th>
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<td>8-hr. Ozone 4th Max</td>
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<td>.040</td>
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<td>31</td>
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<tr>
<td>Days &gt; 0.070</td>
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</table>

Daily Maximum Temperature (°C) (Hurricane)

Ozone (ppm)

Days

- Enoch
- Escalante
- Hurricane
- Exceed.
- TM
Highest 8-hr Ozone Concentration & Daily Maximum Temperature January 2021

<table>
<thead>
<tr>
<th></th>
<th>BV</th>
<th>CV</th>
<th>ED</th>
<th>H3</th>
<th>HV</th>
<th>HW</th>
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<td>0</td>
<td>0</td>
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Bountiful  COPPERVIEW  Erda  Herriman #3  Harrisville  Hawthorne
Near Road  Rose Park  AMC  LP  Exceed.  TM
### Highest 8-hr Ozone Concentration & Daily Maximum Temperature January 2021

<table>
<thead>
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<th>RS</th>
<th>V4</th>
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<td>.044</td>
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<td>.059</td>
<td>.049</td>
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<td>Days &gt; 0.070</td>
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**Graph: Daily Maximum Temperature (°C) (Roosevelt)**

- **Price #2**
- **Roosevelt**
- **Vernal #4**

**Exceed.**

**TM**

**Days**

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<th>0</th>
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<th>0.02</th>
<th>0.03</th>
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<th>0.08</th>
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<td>11</td>
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<table>
<thead>
<tr>
<th>Daily Maximum Temperature (°C) (Roosevelt)</th>
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<tbody>
<tr>
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</table>

**Arithmetic Mean**

- Price #2: .038
- RS: .052
- Vernal #4: .044

**8-hour Ozone 4th Max**

- Price #2: .043
- RS: .059
- Vernal #4: .049

**Days of Data**

- Price #2: 16
- RS: 16
- Vernal #4: 16

**Days > 0.070**

- Price #2: 0
- RS: 0
- Vernal #4: 0
Highest 8-hr Ozone Concentration & Daily Maximum Temperature January 2021

<table>
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<tr>
<td>Days &gt; 0.070</td>
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</tbody>
</table>

Ozone (ppm)

Days

Daily Maximum Temperature (°C) (Smithfield)
Highest 8-hr Ozone Concentration & Daily Maximum Temperature January 2021

<table>
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<tr>
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<th>SF</th>
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</tr>
<tr>
<td>Days &gt; 0.070</td>
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</table>

Daily Maximum Temperature (°C) (Lindon)
### Highest 8-hr Ozone Concentration & Daily Maximum Temperature January 2021

<table>
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<th>ES</th>
<th>HC</th>
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<tr>
<td>Days &gt; 0.070</td>
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<td>0</td>
</tr>
</tbody>
</table>

#### Graph:

- **Y-axis:** Ozone (ppm)
- **X-axis:** Days
- **Lines:**
  - **Red:** Enoch
  - **Blue:** Escalante
  - **Green:** Hurricane
  - **Dashed Line:** Exceed.
  - **Arrows:** TM

### Notes:

- The graph shows the highest 8-hour ozone concentration and daily maximum temperature for January 2021 for three locations: Enoch, Escalante, and Hurricane.
- The data includes the arithmetic mean, the 8-hour ozone 4th max, the number of days of data, and the number of days with ozone concentrations exceeding 0.070 ppm.
- The graph highlights the days when the ozone concentration exceeds the threshold and provides daily maximum temperatures.