



State of Utah

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Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-016-15

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Mark Berger, Air Quality Policy Section Manager

DATE: April 21, 2015

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

R307-101-3 incorporates by reference the version of the Code of Federal Regulations (CFR) used in many of the rules adopted by the Air Quality Board. This allows rules that reference R307-101-3 to update the incorporation date with only one rule amendment. The most current version of the CFR for environmental regulations has been updated from July 1, 2013, to July 1, 2014; therefore, it is necessary to amend R307-101-3 in incorporate the July 1, 2014, version of the CFR.

The rules that reference the version of the CFR incorporated by reference in R307-101-3 are listed in the attached table. Of those rules, only R307-101-2, which incorporates by reference the definition of volatile organic compound (VOC) found in 40 CFR 51.100(s), is affected by the update. A summary of the VOC definition changes to the 2014 version of 40 CFR 51.100(s) is included in the attached table.

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

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

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

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

4 **Reference.**

5 Except as specifically identified in an individual rule, the
6 version of the Code of Federal Regulations (CFR) incorporated
7 throughout R307 is dated July 1, [~~2013~~2014].

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9 **KEY: air pollution, definitions**

10 **Date of Enactment or Last Substantive Amendment: [~~August 7, 2014~~2015]**

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

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

Summary of Code of Federal Regulations (CFR) Changes for July 1, 2014, Version

Rule	CFR section Incorporated	Summary of Changes to CFR
R307-101-2	40 CFR 51.100(s)	<p>August 28, 2013 -- Vol. 78, No. 167, Pg. 53029-53033 [EPA-HQ-OAR-2012-0393; FRL-9844-3] The Environmental Protection Agency (EPA) took final action to revise the regulatory definition of volatile organic compounds (VOCs) for purposes of preparing state implementation plans (SIPs) to attain the national ambient air quality standards (NAAQS) for ozone under title I of the Clean Air Act (CAA). This final action added trans 1-chloro-3,3,3-trifluoroprop-1-ene (also known as Solstice TM1233zd(E)) to the list of compounds excluded from the regulatory definition of VOCs on the basis that this compound makes a negligible contribution to tropospheric ozone formation.</p> <p>March 27, 2014 -- Vol. 79, No. 59, Pg. 17037-17043 [EPA-HQ-OAR-2013-0775; FRL-9906-73-OAR] The EPA took direct final action to revise the regulatory definition of VOCs under the Clean Air Act (CAA). This direct final action added 2-amino-2-methyl-1-propanol (also known as AMP; CAS number 124-68-5) to the list of compounds excluded from the regulatory definition of VOCs on the basis that this compound makes a negligible contribution to tropospheric ozone formation.</p>
R307-115	40 CFR Part 93, Subpart B	No Change
R307-170-7	40 CFR Part 75 CEM, Appendix A, Section 6.2	No Change
R307-221-2	Definitions 40 CFR Part 60.751	No Change
R307-221-3	40 CFR 60.752 through 60.759, including Appendix A	No Change
R307-221-4	Section 40 CFR Part 60.18	No Change
R307-222-2	40 CFR 60.31e	No Change
R307-222-2	40 CFR 60.51c	No Change

Summary of Code of Federal Regulations (CFR) Changes for July 1, 2014, Version

Rule	CFR section Incorporated	Summary of Changes to CFR
R307-222-3	40 CFR 60.52c(b), 40 CFR 60.53c, 40 CFR 60.55c, 40 CFR 60.58c(b) excluding (b)(2)(ii) and (b)(7), and 40 CFR 60.58c(c) through (f)	No Change
R307-222-4	Table 1 in 40 CFR Part 60, Subpart Ce, 40 CFR 60.57c, and 40 CFR 60.56c excluding 56c(b)(12) and 56c(c)(3)	No Change
R307-222-5(2)	Table 2 in 40 CFR Part 60, Subpart Ce (40CFR60.30e-39e)	No Change
R307-222-5(3)	40 CFR 60.36e(a)(1) and (a)(2)	No Change
R307-222-5(4)	Testing requirements of 40 CFR 60.37e(b)(1) through (b)(5)	No Change
R307-222-5(5)	40 CFR 60.37e(d)(1) through (d)(3)	No Change
R307-222-5(6)	40 CFR 60.38e(b)(1) and (b)(2)	No Change
R307-223-1(2)	40 CFR 60.1555(a) through (k)	No Change
R307-223-2(1)	40 CFR 60.1940,	No Change
R307-223-2(2)	Equations found in 40 CFR 60.1935	No Change

Summary of Code of Federal Regulations (CFR) Changes for July 1, 2014, Version

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