

## **Summary of Reasons Supporting the Adoption of the Proposed Amendments to the City of Huntsville Air Pollution Control Rules & Regulations**

The Air Pollution Control Rules and Regulations for the City of Huntsville must be updated periodically to maintain consistency between the Local Air Pollution Control Program and Federal and State Law. Local requirements must be at least as stringent as corresponding provisions of Federal and State regulations. All of the proposed changes to Huntsville's Regulations have already been incorporated into State law with the exception of the elimination of the definition of "regulated air pollutant" in Section 3.7.2.

Proposed revisions to the Air Pollution Control Rules and Regulations would make minor changes to Chapter 1. Specifically, they would revise the definition of volatile organic compounds (VOC) in Part 1.1. Proposed amendments to Chapter 3 would clarify the definition of "replacement unit" to specify the appropriate applicability test for use in PSD (Prevention of Significant Deterioration) determinations, and would eliminate the definition of "regulated air pollutant" in Section 3.7.2, thereby aligning the definition for purposes of Major Source Operating Permit applicability with the definition for purposes of payment of annual emission fees. This latter change has not been adopted by ADEM.

An amendment to Paragraph 5.1.2(e) would increase the fee for an Open Burning Permit from \$100.00 to \$250.00. Changes to Part 5.5 – Incineration of Commercial and Industrial Solid Waste, involve adoption of an alternative kiln-specific production-based mercury emissions limitation and associated alternative monitoring, record-keeping and reporting requirements. Other changes include the use of continuous emissions monitoring systems in lieu of certain performance testing and monitoring requirements, wording changes to accommodate the use of digital instrumentation, and the addition of certain defenses for delays in submitting reports electronically.

Proposed revisions to Chapter 13 and Chapter 14 would incorporate amendments to existing New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) promulgated by EPA since Huntsville's regulations were last updated.

The most significant proposed revision to Chapter 18 – Control of Municipal Solid Waste Landfill (MSWLF) Gas Emissions would provide the option of compliance with the MSWLF NESHAP as an alternative to compliance with the Emission Guideline regulations in Chapter 18.

**Chapter 1 – General Provisions** – Amend the regulatory definition of VOC (Volatile Organic Compounds) to add cis- 1,1,1,4,4,4-hexafluorobut-2-ene (HFO-1336mzz-Z) to the list of compounds that are negligibly photochemically reactive and therefore make negligible contributions to tropospheric ozone formation.

**Chapter 3 – Permits** – Amend the definition of "Replacement Unit" in Section 3.5.2 to clarify the appropriate test to use in making applicability determinations. Also proposed is to

eliminate the definition of “Regulated Air Pollutant” in Section 3.7.2, and change the citation in Section 3.7.4, thus have the definition of “Regulated Air Pollutant” in Section 3.1.1 apply throughout Chapter 3. The effect of this change will be to align the requirement for payment of annual emissions fees by Major Sources with the applicability requirements to obtain a Major Source Operating Permit. (Note: No corresponding change has been made to the ADEM regulations).

**Chapter 5 – Control of Open Burning and Incineration** – Amend Paragraph 5.1.2(e) to increase the fee for an Open Burning Permit from \$100.00 to \$250.00. Amend the requirements applicable to Commercial and Industrial Solid Waste Incineration found in Part 5.5 of the COHRAR in accordance with the revised Emission Guideline promulgated by EPA and adopted by ADEM. The most significant changes involve addition of an alternative kiln-specific production-based mercury emission limitation and associated monitoring, record-keeping and reporting requirements. Other changes involve allowing use of continuous emission monitoring systems (CEMS) in lieu of certain performance testing and monitoring requirements, changes in wording to accommodate digital monitoring systems, and addition of claims of EPA system outage or force majeure as defenses for delay in meeting electronic reporting deadlines. There are currently no incineration units in Huntsville that are subject to these regulations.

**Chapter 13 – Standards of Performance for New Stationary Sources** – Federal NSPS (New Source Performance Standards) are incorporated into Huntsville’s regulations by reference. The proposed amendments would update the citations in Section 13.1.1 to incorporate the most recent codified Federal Rules.

**Chapter 14 – Emission Standards for Hazardous Air Pollutants** - Federal NESHAP (National Emission Standards for Hazardous Air Pollutants) are incorporated into Huntsville’s regulations by reference. The proposed amendments would update the citations in Section 14.1.1 to incorporate the most recent codified Federal Rules.

**Chapter 18 – Control of Municipal Solid Waste Landfill (MSWLF) Gas Emissions** – Amend Chapter 18 to incorporate the changes to the Emission Guideline for MSWLF Gas Emissions promulgated by EPA and adopted by ADEM. The most significant change involves addition of the option of complying with the MSWLF NESHAP adopted by reference in Chapter 14 in lieu of complying with the requirements of this Chapter of COHRAR.

## Index of changes to the Air Pollution Control Rules & Regulations

Page	Rule	Proposed Changes
1	<b>Chapter 1- General Provisions</b>  Part 1.3	Revision to the definition of Volatile Organic Compounds (VOC) for consistency with Federal and State Regulations.
5  6	<b>Chapter 3 – Permits</b>  Part 3.5 (Sections 3.5.2)  Part 3.7 (Sections 3.7.2 and 3.7.4)	Amend the definition of “Replacement Unit” to clarify the appropriate applicability test.  Eliminate the definition of “Regulated Air Pollutant” from Section 3.7.2. This change will align the definition of “Regulated Air Pollutant” for purposes of Major Source Operating Permit applicability with that used for purposes of determining Major Source annual emission fees. (Note: ADEM has not adopted this change in their regulations).

	<b>Chapter 5 – Open Burning and Incineration (Part 5.1 – Open Burning and Part 5.5 – Incineration of Commercial and Industrial Solid Waste)</b>	
10	Section 5.1.2	Increase the Open Burning Permit fee from \$100.00 to \$250.00.
10	Section 5.5.1	Modify a number of definitions to eliminate “unit” from the phrase “CISWI unit.”
26	Section 5.5.2	Add ACI (Air Curtain Incinerators) to incinerators subject to this Part and eliminate redundant limited applicability for certain ACI addressed in Section 5.5.13.
39	Section 5.5.6	Modify language to include digital instrumentation signals and modify operating requirements for CISWI that use continuous emissions monitoring systems (CEMS).
50	Section 5.5.8	Allow use of CEMS data in lieu of performance testing. Allow development of a kiln-specific production-based mercury emission limitation.
52	Section 5.5.9	Allow use of an integrated sorbent trap monitoring system as a means of continuous mercury emission limit compliance monitoring. Add continuous compliance requirements for kilns with kiln-specific production-based mercury emission limitations.
77	Section 5.5.10	Eliminate some monitoring requirements for CISWI using CEMS. Add monitoring requirements applicable to kilns with kiln-specific production-based mercury emission limitations.
93	Section 5.5.11	Add record-keeping and reporting requirements applicable to kilns with kiln-specific production-based mercury emission limitations. Specify a longer averaging time for certain reportable deviations from emission limitations. Provide for claims of EPA system outage or force majeure for delays in electronic reporting.

129	<b>Chapter 13 – Standards of Performance for New Stationary Sources (NSPS)</b>  Part 13.1	Update Rule citation in 13.1.1 and incorporate by reference amendments to NSPS.
130	<b>Chapter 14 – Emissions Standards For Hazardous Air Pollutants (NESHAPS)</b>  Part 14.1	Update Rule citation in 14.1.1 and incorporate by reference amendments to NESHAP.
131	<b>Chapter 18 – Control of Municipal Solid Waste Landfill (MSWLF) Gas Emissions</b>  Section 18.3.1	Correct a citation in the definition of “controlled landfill.
131	Sections 18.3.2, 18.3.4 and 18.3.5	Allow compliance with the MSWLF NESHAP as an alternative to compliance with this Chapter.
149	Section 18.3.6	Allow submittal of copies of certain reports previously provided to EPA to satisfy specific reporting requirements under this Section, and to substitute reporting provisions of the MSWLF NESHAP for those facilities electing to comply with the NESHAP in lieu of compliance with this Chapter.
169	Section 18.3.7	Substitute record-keeping provisions of the MSWLF NESHAP for those facilities electing to comply with the NESHAP in lieu of compliance with this Chapter.
179	Paragraph 18.3.8(a)	Citation correction.
182	Section 18.5.3	Replace the phrase “this Division” with the phrase “the Department.”