

PART 3. NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

4-101. Introduction to Incorporation of National Emission Standards for Hazardous Air Pollutants.

This Part incorporates as part of the Reservation Air Program certain National Emission Standards for Hazardous Air Pollutants (NESHAP) established by the United States Environmental Protection Agency pursuant to section 112 of the Clean Air Act (42 U.S.C. § 7412) which regulate hazardous air pollutant emissions of new and existing sources. The purpose of the incorporation is to enable the Southern Ute Indian Tribe and the Southern Ute Indian Tribe/State of Colorado Environmental Commission to exercise authority with respect to the incorporated standards. Included among the federal regulations incorporated herein are certain National Emission Standards for Hazardous Air Pollutants found in 40 C.F.R. Part 61, as revised and published as of October 15, 2012, and certain National Emission Standards for Hazardous Air Pollutants for Source Categories found in 40 C.F.R. Part 63, as revised and published as of October 15, 2012. Copies of the incorporated regulations can be obtained from the Southern Ute Indian Tribe, Air Quality Program, P.O. Box 737 MS#84, Ignacio, Colorado 81137.

4-102. Incorporation of NESHAP by Reference.

The following United States Environmental Protection Agency regulations on National Emission Standards for Hazardous Air Pollutants, revised and published as of October 15, 2012, not including any later amendments, are adopted by the Commission and incorporated by reference into this Reservation Air Code for tribal-permitted sources only. All new and existing sources of air pollution shall comply with the standards, criteria, and requirements set forth in the incorporated regulations. For the purpose of this Part, the word “Administrator” as used in the incorporated regulations means both the Administrator of the Environmental Protection Agency or his authorized representative and the Tribe.

40 C.F.R. Part 61, Subpart A	General Provisions
40 C.F.R. Part 61, Subpart M	National Emission Standard for Asbestos
40 C.F.R. Part 61, Subpart V	National Emission Standard for Equipment Leaks (Fugitive Emission Sources)

(1) Incorporation of Appendices. The following appendices as revised and published as of October 15, 2012, not including any later amendments, are adopted by the Commission and incorporated by reference into this Reservation Air Code. Copies of the incorporated appendices can be obtained from the Southern Ute Indian Tribe, Air Quality Program, P.O. Box 737 MS#84, Ignacio, Colorado 81137.

40 C.F.R. Part 61, Appendix A - Compliance Status Information

40 C.F.R. Part 61, Appendix B - Test Methods

40 C.F.R. Part 61, Appendix C - Quality Assurance Procedures

4-103. Incorporation of NESHAP for Source Categories by Reference.

The following United States Environmental Protection Agency regulations on National Emission Standards for Hazardous Air Pollutants for Source Categories, revised and published as of October 15, 2012, not including any later amendments, are adopted and incorporated by reference into this Reservation Air Code for tribal-permitted sources only. All new and existing sources of air pollution shall comply with the standards, criteria, and requirements set forth in the incorporated regulations. For the purpose of this Part, the word “Administrator” as used in the incorporated regulations means both the Administrator of the Environmental Protection Agency or his authorized representative and the Tribe.

40 C.F.R. Part 63, Subpart A General Provisions

40 C.F.R. Part 63, Subpart B Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j)

40 C.F.R. Part 63, Subpart C List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List

40 C.F.R. Part 63, Subpart N National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks

40 C.F.R. Part 63, Subpart Q National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers

40 C.F.R. Part 63, Subpart HH National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities

40 C.F.R. Part 63, Subpart OO National Emission Standards for Tanks - Level 1

40 C.F.R. Part 63, Subpart HHH	National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities
40 C.F.R. Part 63, Subpart AAAA	National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills
40 C.F.R. Part 63, Subpart YYYY	National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines
40 C.F.R. Part 63, Subpart ZZZZ	National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines
40 C.F.R. Part 63, Subpart GGGGG	National Emission Standards for Hazardous Air Pollutants: Site Remediation

(1) Incorporation of Appendices. The following appendices as revised and published as of October 15, 2012, not including any later amendments, are adopted by the Commission and incorporated by reference into this Reservation Air Code. Copies of the incorporated appendices can be obtained from the Southern Ute Indian Tribe, Air Quality Program, P.O. Box 737 MS#84, Ignacio, Colorado 81137.

40 C.F.R. Part 63, Appendix A -	Test Methods
40 C.F.R. Part 63, Appendix C -	Determination of the Fraction Biodegraded (F_{bio}) in a Biological Treatment Unit
40 C.F.R. Part 63, Appendix D -	Alternative Validation Procedure for EPA Waste and Wastewater Methods