




Interoffice Memorandum

June 25, 2019

TO: Mayor Jerry L. Demings  
-AND-  
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director   
Planning, Environmental and Development  
Services Department

CONTACT PERSON: David D. Jones, P.E., CEP, Manager  
Environmental Protection Division  
(407) 836-1405

SUBJECT: July 16, 2019 - Public Hearing  
Revision to Chapter 15, Article III. Air Quality Control

The Environmental Protection Division is presenting a proposed revision to the Air Quality Control Ordinance (Chapter 15, Article III). A copy is attached.

In 1985, Orange County was designated by the Florida Department of Environmental Protection (FDEP) as a "locally approved air program." The current Specific Operating Agreement (SOA) between FDEP and the County was approved by the Board in August 2018. The SOA authorizes the County to act on behalf of FDEP in the matter relating to air pollution control and enumerates the County's duties and responsibilities as a local air program. The SOA requires Orange County to keep the Air Quality Ordinance and the Air Quality Management (AQM) Program consistent with FDEP's rules, programs and standards. Adherence to the SOA also makes Orange County eligible to receive funding to support the program in the form of a portion of the tag fee for every vehicle registered in the County as well as state and federal grants for local air programs that are awarded on an annual basis.

The AQM staff has reviewed changes in FDEP and U.S. Environmental Protection Agency (EPA) air pollution control rules that have occurred since the last time the Air Quality Ordinance was updated. Based on this review, it was determined that only relatively minor changes to FDEP and EPA air rules have been promulgated, including clarifications, minor administrative changes and updating of references to reflect more current standards and methods. Summaries of changes in FDEP and EPA rules prepared by AQM staff are attached. The changes to federal and state air rules are not expected to have a substantial impact on the development of real property within Orange County. The proposed changes to the air ordinance reflect an updating of the dates of the FDEP and EPA rules adopted by reference to the versions as they exist on January 31, 2019 as well as minor changes to clarify language related to open burning.

On May 29, 2019, EPD presented the draft ordinance revisions to the Environmental Protection Commission (EPC), which unanimously voted to recommend approval of the proposed changes to the ordinance. In addition, EPD presented the draft ordinance revision at a stakeholders meeting on the evening of May 29, 2019; no adverse comments

were received concerning the proposed revisions. The County Attorney's Office has reviewed the revised ordinance as to form.

**ACTION REQUESTED:** Determine that the Proposed Ordinance will not have a substantial impact on the development of real property within Orange County; and Adopt Ordinance pertaining to Air Quality and Air Pollution Control; Amending Section 15-90, Adoption of State and Federal Rules by Reference; Amending Section 15-96, Prohibitions; Amending Section 15-104, Recreational Open Burning; and Providing an Effective Date. All Districts

WPG/RHP/DJ: mg  
Attachments

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**ORDINANCE NO. 2019-\_\_\_\_\_**

**AN ORDINANCE IN ORANGE COUNTY, FLORIDA,  
PERTAINING TO AIR QUALITY AND AIR POLLUTION  
CONTROL; AMENDING SECTION 15-90, ADOPTION OF  
STATE AND FEDERAL RULES BY REFERENCE;  
AMENDING SECTION 15-96, PROHIBITIONS;  
AMENDING SECTION 15-104, RECREATIONAL OPEN  
BURNING; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Environmental Protection Commission (“EPC”) was created by the Orange County Air and Water Pollution Control Act, Chapter 67-1830 (the “Special Act”), and exists under the Orange County Charter; and

WHEREAS, the EPC is authorized, subject to the County’s approval, to establish an air pollution control program in Orange County, pursuant to chapter 67-1830, Laws of Florida (1967); and

WHEREAS, in 1971, the EPC, pursuant to its authority conferred by Special Act, adopted pollution control rules approved by the Board of County Commissioners and which were subsequently incorporated into Division 2 of Chapter 15, Article III of the Orange County Code; and

WHEREAS, on April 3, 1989, the Florida Department of Environmental Regulation, now Department of Environmental Protection (hereinafter “DEP”), and the County entered into a general operating agreement relating to air pollution control; and

WHEREAS, DEP administers several U. S. Environmental Protection Agency (“EPA”) approved or EPA-delegated air pollution control programs; and

WHEREAS, in 2018, DEP and the County entered into a Specific Operating Agreement (“SOA”) authorizing the County to act on behalf of DEP in matters relating to air pollution control; and

WHEREAS, the SOA sets forth the terms and conditions under which the County will implement air program management, permitting, compliance, and enforcement responsibilities, ambient air monitoring, and data management; and

WHEREAS, the SOA contemplates from time to time, the County will consider measures to keep its air quality and air pollution control programs and standards consistent with DEP’s programs and standards.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF

36 ORANGE COUNTY:

*Section 1. Amendments; In General.* Chapter 15 of the Orange County Code is  
38 hereby amended as set forth in Section 2 through Section 4 of this ordinance, with additions  
being shown as underlined and deletions being shown by strike-throughs, and asterisks (\*\*\*)  
40 indicating portions of code which have not changed.

*Section 2. Amendment of Section 15-90.* Section 15-90 (“Adoption of state and  
42 federal rules by reference.”) is amended to read as follows:

**Sec. 15-90. Adoption of state and federal rules by reference.**

44 (a) The board of county commissioners hereby adopts by  
specific reference thereto the rules of the DEP relating to air  
46 quality standards and criteria, design, construction, permitting,  
performance, operation, maintenance, monitoring, and reporting  
48 requirements for air pollution sources, as they exist as of January  
31, ~~2018~~ 2019. These rules are:

- 50 (1) Chapter 62-4, F.A.C.
- (2) Chapter 62-204, F.A.C.
- 52 (3) Chapter 62-210, F.A.C.
- (4) Chapter 62-212, F.A.C.
- 54 (5) Chapter 62-213, F.A.C.
- (6) Chapter 62-243, F.A.C.
- 56 (7) Chapter 62-252, F.A.C.
- (8) Rule 62-257.400, F.A.C.
- 58 (9) Rule 62-257.900, F.A.C.
- (10) Chapter 62-296, F.A.C.
- 60 (11) Chapter 62-297, F.A.C.

62 (b) The board of county commissioners hereby adopts by  
specific reference the regulations of the EPA as set forth in 40 CFR

64 Part 61, Subpart M, for asbestos (“NESHAP”) as they exist as of  
January 31, ~~2018~~ 2019.

**Section 3. Amendment of Section 15-96.** Subsection (b) of Section 15-96

66 (“Prohibitions”) is amended to read as follows:

**Sec. 15-96. Prohibitions.**

68 (a) *General prohibitions.* No person shall ignite, cause to  
be ignited, or allow to be ignited, any material that will result in  
70 any prohibited open burning as regulated by this article; nor shall  
any person allow, conduct or maintain any prohibited open  
72 burning.

(b) *Prohibition of the open burning of certain materials.*

74 (1) Open burning to reduce yard waste and tree  
cutting debris generated on residential properties is prohibited,  
76 except as allowed under section 15-97.

78 (2) Open burning of biological waste, hazardous  
waste, asbestos-containing materials or devices, mercury-  
containing materials or devices, pharmaceuticals, tires and rubber  
80 material, residual oil, used oil, asphalt, roofing material, treated  
wood, tar, plastics, waste pesticide containers, garbage, trash or  
82 household paper products is prohibited.

84 (3) Open burning of waste matter generated by  
demolition of a structure is prohibited.

86 (4) Open burning of ~~vegetative~~ land clearing  
debris, tree cutting debris, and untreated wood is prohibited, except  
88 as provided in sections 15-97, 15-98, 15-99, 15-101, 15-102, 15-  
103 and 15-104.

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90 **Section 4. Amendment of Section 15-104.** Section 15-104 (“Recreational open

burning.”) is amended to read as follows:

92 **Sec. 15-104. Recreational open burning.**

94 Open burning of ~~vegetative~~ tree-cutting debris and  
untreated wood in a campfire, ceremonial bonfire, outdoor

96 fireplace, or other contained outdoor heating or cooking device, or  
on cold days for warming of outdoor workers, is allowed provided:

98 (a) The fire does not violate subsection 15-89.1(a)(1) and  
(2); and

100 (b) The total fuel area does not exceed three (3) feet in  
diameter and two (2) feet in height, unless the fire is contained in  
an outdoor fireplace, a barbecue grill or a barbecue pit; and

102 (c) The fire is located at least twenty-five (25) feet from  
any building or combustible structure; and

104 (d) Conditions that could cause the fire to spread to within  
twenty-five (25) feet of a structure shall be eliminated prior to  
106 ignition; and

108 (e) The fire shall be constantly attended by a competent  
person until such fire is extinguished. This person shall have a  
garden hose connected to the water supply or other fire-  
110 extinguishing equipment readily available for use; and

112 (f) The environmental protection officer and the local  
firefighting authority having jurisdiction shall have the authority to  
prohibit any or all open fires when atmospheric conditions or local  
114 circumstances make such fires hazardous; and

116 (g) For other than one-family and two-family dwellings, no  
hibachi, gas-fired grill, charcoal grill, or other similar devices used  
for cooking, heating, or any other purpose, shall be used or kindled  
118 on any balcony or under any overhanging portion or within ten  
(10) feet of any structure. Listed electric ranges, grills, or similar  
120 electrical apparatus shall be permitted; and

122 (h) Notwithstanding the requirements set forth in this  
section, ceremonial bonfires exceeding these provisions may be  
required to be permitted and approved by the local firefighting  
124 authority having jurisdiction and may require fees and additional  
services.

126 **Section 5. Effective Date.** This ordinance shall take effect pursuant to general law.

128 ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

130 ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

132 By: \_\_\_\_\_  
134 Jerry L. Demings  
Orange County Mayor

136 ATTEST: Phil Diamond, CPA, Orange County Comptroller,  
As Clerk of the Board of County Commissioners

138 By: \_\_\_\_\_  
140 Deputy Clerk

142 \\ocnas\legaldept\gholmes\ordinances\air quality control (ch. 15 - art. III)\2019 - ordinance update\2019-05-30 air ordinance - article III - 2019  
revisions.doc

**Florida Administrative Code (F.A.C.) changes relevant to Air Pollution Control, February 1, 2018 through January 31, 2019**

F.A.C. Effective Date	Category	Chapter	Rule	Affected Rules	Purpose
9/25/2018	Air Pollution Control - General Provisions Federal Regulations Adopted by Reference	62-204	<del>204 300</del>	Multiple	Amendments to Federal Regulations Adopted by Reference
7/3/2018	Stationary Sources - General Requirements Definitions	62-210	<del>210 200</del>	Multiple	Deletes the following definitions that are no longer needed: CAIR, CAIR NOx Allowance, CAIR NOx Annual Trading Program, CAIR NOx Ozone Season Allowance, CAIR NOx Season Trading Program, CAIR NOx Ozone Season Unit, CAIR NOx Unit, CAIR Part or CAIR Permit, CAIR Program, CAIR SO <sub>2</sub> Allowance, CAIR SO <sub>2</sub> Trading Program, CAIR SO <sub>2</sub> Unit, CAIR Source, CAIR Unit, the CAIR portion of Commence Operation, Condensable PM <sub>10</sub> , Condensable PM <sub>2.5</sub> , the CAIR portion of Designated Representative, Innovative Control Technology, Major Facility, Maximum Uncontrolled Emissions, Minor Facility, Natural Conditions, Portland Cement Plant, Stack in Existence, Visibility Impairment or Impairment to Visibility, Visible Emissions. Revisions were made to the definitions of Existing Emissions Unit, PM <sub>10</sub> , PM <sub>2.5</sub> , and Startup. Many definitions were re-numbered as a result of these changes.
7/3/2018	Stationary Sources - General Requirements Permits Required	62-210	<del>210 300</del>	210 300(3)(a)24, 26, 27, 30, 33, 35, and 36, and (3)(c)2.	For categorical permitting exemptions amends exemptions for printing operations, bulk gasoline plants, surface coating operations, and non-halogenated solvent storage and cleaning operations if they are subject to VOC RACT rules, adds storm-generated vegetative debris provisions to the exemption for portable air curtain incinerators, removes reference to CAIR program in exemption for small external combustion heating units, increases gasoline usage threshold for exemption for stationary reciprocating internal combustion engines (RICE). For conditional permitting exemptions amends annual test period from federal fiscal year to calendar year for asphalt concrete plants.
7/3/2018	Stationary Sources - General Requirements - Air General Permits	62-210	<del>210 31</del>	210 310(1)(a)1, (4)(a), (b), (c), and (f), (4)(g), (5)(b) and (e).	Allows the use of multiple general permits at a single facility if all the general permits allow the use of one another at the same facility. Amends general permit criteria for Bulk Gasoline Plants, RICE, Surface Coating, and Printing Operations to require compliance with the applicable VOC RACT rules, adds a new general permit for asphalt concrete plants, amends the criteria for the general permits for concrete batching plants and nonmetallic mineral processing plants (crushing operations) to allow the collocation of asphalt concrete plants.
7/3/2018	Stationary Sources - General Requirements Stack Height Policy	62-210	<del>210 550</del>	210 550(1), (2), and (3)	Replaces the Stack Height Policy by adopting the federal Stack Height requirements in 40 CFR 51.100(hh) and (ii).
7/3/2018	Stationary Sources - General Requirements Forms and Instructions	62-210	<del>210 900</del>	210 900(1)(b) and (c), (e)	Removes the Clean Air Interstate Rule (CAIR) Form and Instructions, Removes the CAIR portion of the Acid Rain and CAIR Retired Unit Exemption Form and Instructions, Amends the Facility Relocation Notification Form.
4/4/2018	Stationary Sources - General Requirements Excess Emissions	62-210	<del>210 700</del>	210 700(6)	Postpones sunset date of subsections 210 700(1) & (2) from 5/22/2018 to 5/22/2020.



Code of Federal Regulations  
(CFR) Timeline

\*Note: Box shaded yellow indicates not yet adopted.

See Rule 62-204.800, F.A.C., for any exceptions to adoptions/incorporations by reference.

\*Note: Box shaded gray indicates adoption in Rule 62-204.800, F.A.C., not needed.

CFR Promulgation Date	CFR Effective Date	Date CFR Adopted by Reference by Florida in Rule 62-204.800, F.A.C.*	Category	CFR Part	Subpart (or Appendix)	Affected Rules	Purpose
<u>6/4/2018</u>	8/3/2018	9/25/2018	DESIGNATIONS OF AREAS FOR AIR QUALITY PLANNING PURPOSES - Section 107 Attainment Status Designations	81	C	81.310	Establishes initial air quality designations for certain areas in the United States, including areas of Indian country, for the 2015 primary and secondary national ambient air quality standards (NAAQS) for ozone. On November 16, 2017, the EPA designated about 85 percent of the country as attainment/unclassifiable and three counties as unclassifiable. In this action, the EPA is designating all remaining areas, except for eight counties in the San Antonio, Texas metropolitan area. Areas are being designated as either nonattainment, attainment/unclassifiable, or unclassifiable. Revises the table titled "Florida—2015 8-Hour Ozone NAAQS (Primary and Secondary)" to add Jacksonville, FL/Duval County with a designation of "Unclassifiable"; and to add Baker, Clay, Nassau, Putnam, and St. Johns Counties with a designation of "Attainment/Unclassifiable".
<u>4/18/2018</u>	4/18/2018	9/25/2018	APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS - Florida	52	K	52.520	EPA updates the materials that are incorporated by reference (IBR) into the Florida state implementation plan (SIP). The regulations affected by this update have been previously submitted by Florida and approved by EPA. This update affects the materials that are available for public inspection at the National Archives and Records Administration (NARA) and the EPA Region 4 Office.
<u>4/5/2018</u>	4/9/2018	9/25/2018	DESIGNATIONS OF AREAS FOR AIR QUALITY PLANNING PURPOSES - Section 107 Attainment Status Designations	81	C	81.310	EPA withdraws the designation of Unclassifiable for the Citrus County, Florida, area that the EPA originally promulgated on 12/21/2017, and establishes a designation of Attainment/Unclassifiable for that area as part of promulgating initial air quality designations for certain areas in the U.S. for the 2010 SO2 primary NAAQS. Action supplements EPA's December 2017 action, which together comprise the third of four expected rounds of actions to designate areas of the U.S. for the 2010 SO2 NAAQS. This third round of designations is based on application of the EPA's nationwide analytical approach and technical analysis, including evaluation of monitoring data and air quality modeling, to determine the appropriate designation based on the weight of evidence for each area.
<u>4/2/2018</u>	5/2/2018	9/25/2018	APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS - Florida	52	K	52.520	EPA final action to approve a portion of Florida's State Implementation Plan (SIP) revision submitted by FDEP on February 1, 2017, for the purpose of revising Florida's requirements and procedures for emissions monitoring at stationary sources. Specifically, Florida's February 1, 2017, SIP submittal includes amendments to three Florida Administrative Code (F.A.C.) rule sections [297.310, 297.440, and 297.450], as well as the removal of one F.A.C. rule section [297.401] from the Florida SIP, in order to eliminate redundant language and make updates to the requirements for emissions monitoring at stationary sources. Additionally, this action includes a correction to remove an additional F.A.C. rule [297.400] that was previously approved (6/16/1999) by EPA for removal from the SIP but was never removed. (Note: 62-297.310 revisions approved earlier on 10/6/2017.)
<u>3/21/2018</u>	3/21/2018	9/25/2018	REQUIREMENTS FOR PREPARATION, ADOPTION, AND SUBMITTAL OF IMPLEMENTATION PLANS - Recommended Test Methods for State Implementation Plans	51	Appendix M	METHOD 201A -DETERMINATION OF PM10 AND PM2.5 EMISSIONS FROM STATIONARY SOURCES (Constant Sampling Rate Procedure) - 12.5 Equations (Equation 10)	<i>CFR Correction:</i> In Title 40 of the Code of Federal Regulations, Parts 50 to 51, revised as of July 1, 2017, on page 478, in Part 51, Appendix M, following <i>Reynolds Number</i> , Equation 10 is reinstated.
<u>3/20/2018</u>	3/20/2018	9/25/2018	NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES - Test Methods	63	Appendix A	Method 301	Editorial and technical revisions to the EPA's Method 301 "Field Validation of Pollutant Measurement Methods from Various Waste Media" to correct and update the method. In addition, the EPA is clarifying the regulatory applicability of Method 301 as well as its suitability for use with other regulations.

CFR Promulgation Date	CFR Effective Date	Date CFR Adopted by Reference by Florida in Rule 62-204.800, F.A.C.*	Category	CFR Part	Subpart (or Appendix)	Affected Rules	Purpose
<a href="#">3/12/2018</a>	3/12/2018	9/25/2018	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES - Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After September 18, 2015	60	OOO0a	60.5397a	Finalizes amendments of two narrow provisions of the requirements for the collection of fugitive emission components at well sites and compressor stations: Removes the requirement for completion of delayed repair during unscheduled or emergency vent blowdowns, and provides separate monitoring requirements for well sites located on the Alaskan North Slope.
<a href="#">1/29/2018</a>	1/29/2018	9/25/2018	NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES - Off-Site Waste and Recovery Operations	63	DD	63.691	Finalizes amendments to the NESHAP. Removes the additional monitoring requirements for pressure relief devices on containers that resulted from the 2015 amendments.
<a href="#">1/9/2018</a>	4/9/2018	9/25/2018	DESIGNATIONS OF AREAS FOR AIR QUALITY PLANNING PURPOSES - Section 107 Attainment Status Designations	81	C	81.310	Establishes the initial air quality designations for certain areas in the U.S. for the 2010 sulfur dioxide (SO2) primary National Ambient Air Quality Standard (NAAQS). EPA designates the areas as either Nonattainment, Attainment/Unclassifiable, or Unclassifiable. Parts of Hillsborough, Polk, and Nassau Counties have been designated as Nonattainment. The designations are based on application of EPA's nationwide analytical approach and technical analysis, including evaluation of monitoring data and air quality modeling, to determine the appropriate designation based on the weight of evidence for each area. The Clean Air Act directs areas designated Nonattainment by this rule to undertake certain planning and pollution control activities to attain the SO2 NAAQS as expeditiously as practicable. This is the third of four expected sets of actions to designate areas of the U.S. for the 2010 SO2 NAAQS.
<a href="#">12/26/2017</a>	12/26/2017	9/25/2018	NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES - Wool Fiberglass Manufacturing	63	NNN	63.1381; 63.1382; 63.1383; 63.1384; 63.1385; 63.1386; Table 2	Completes the final residual risk and technology reviews (RTR). Readopts the existing emission limits for formaldehyde, establishing emission limits for methanol, and a work practice standard for phenol emissions from bonded rotary spin (RS) lines at wool fiberglass manufacturing facilities. In addition, revises the emission standards promulgated on 7/29/2015, for flame attenuation (FA) lines at wool fiberglass manufacturing facilities by creating three subcategories of FA lines and establishing emission limits for formaldehyde and methanol emissions, and either emission limits or work practice standards for phenol emissions for each subcategory of FA lines.
<a href="#">11/16/2017</a>	1/16/2018	9/25/2018	DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES - Section 107 Attainment Status Designations	81	C	81.310	Rule establishes initial air quality designations for most areas in the United States, including most areas of Indian country, for the 2015 primary and secondary national ambient air quality standards (NAAQS) for ozone. All Florida counties designated "Attainment/Unclassifiable."
<a href="#">10/26/2017</a>	10/26/2017	9/25/2018	NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES - Publicly Owned Treatment Works	63	VVV	63.1580; 63.1581; 63.1582; 63.1583; 63.1584; 63.1585; 63.1586; 63.1587; 63.1588; 63.1589; 63.1590; 63.1591; 63.1592; 63.1593; 63.1594; 63.1595; Table 1; Table 2	Finalizes the residual risk and technology review (RTR). Finalizes action addressing revised names and definitions of the subcategories; revisions to the applicability criteria, revised regulatory provisions pertaining to emissions during periods of startup, shutdown, and malfunction (SSM), initial notification requirements for existing Group 1 and Group 2 POTW; revisions to the requirements for new Group 1 POTW; requirements for electronic reporting; and other miscellaneous edits and technical corrections.
<a href="#">10/16/2017</a>	11/15/2017	9/25/2018	APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS - Florida	52	K	52.520	EPA takes final action to approve Florida's February 3, 2017, SIP submission addressing interstate transport prongs 1 and 2 to ensure that air emissions in the State do not significantly contribute to nonattainment or interfere with maintenance of the 2010 1-hour NO2 NAAQS in any other state.
<a href="#">10/16/2017</a>	10/16/2017	9/25/2018	NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES - General Provisions	63	A	63.14	Section 63.14, Incorporations by reference, is amended by redesignating paragraphs (m)(5) through (m)(23) as (m)(6) through (m)(24), respectively; and adding a new paragraph (m)(5.)

CFR Promulgation Date	CFR Effective Date	Date CFR Adopted by Reference by Florida in Rule 62-204.800, F.A.C.*	Category	CFR Part	Subpart (or Appendix)	Affected Rules	Purpose
<a href="#">10/16/2017</a>	10/16/2017	9/25/2018	NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES - Manufacturing of Nutritional Yeast	63	CCCC	63.2150; 63.2161; 63.2163; 63.2166; 63.2170; 63.2181; 63.2182; Table 3; Table 4; Table 6; Table 8	Finalizes the residual risk and technology review (RTR). In addition, EPA finalizes other amendments, including: revisions to the form of the volatile organic compounds (VOC) standards for fermenters; removal of the option to monitor brew ethanol; inclusion of ongoing relative accuracy test audit (RATA); and revisions to other monitoring, reporting, and recordkeeping requirements.
<a href="#">10/11/2017</a>	10/11/2017	9/25/2018	NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES - General Provisions	63	A	63.14	Section 63.14, Incorporations by reference, is amended by revising paragraph (m)(3).
<a href="#">8/22/2017</a>	8/22/2017	9/25/2018	NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES - Portland Cement Manufacturing Industry	63	LLL	63.1349; 63.1350	EPA published a direct final rule in the Federal Register on 6/23/2017 titled NESHAP From the Portland Cement Manufacturing Industry: Alternative Monitoring Method. This final rule removes the provisions that were added in the 6/23/2017 direct final rule and restores the provisions that were deleted in that rule.
<a href="#">8/7/2017</a>	8/7/2017	9/25/2018	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES - Performance Specifications	60	Appendix B	Performance Specification 2	Correction: in "Performance Specification 2 - Specifications and Test Procedures for SO <sub>2</sub> and NO <sub>x</sub> Continuous Emission Monitoring Systems in Stationary Sources," remove sections 6.1.1.1, 6.1.1.2, 6.1.1.3, and 6.1.1.4.
<a href="#">6/5/2017</a>	6/2/2017 (Some sections stayed from June 2, 2017 until August 31, 2017.)	9/25/2018	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES - Standards of Performance for Crude Oil and Natural Gas Facilities for which Construction, Modification, or Reconstruction Commenced after September 18, 2015	60	OOOOa	60.5393a(b) through (c); 60.5397a; 60.5410a(e)(2) through (5) and (j); 60.5411a(d); 60.5415a(b) and (h); 60.5416a; 60.5420a(b)(7), (8), and (12), and (c)(15) through (17)	EPA is granting reconsideration of additional requirements in the "Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources" rule, specifically the well site pneumatic pumps standards and the requirements for certification by professional engineer. In addition, the EPA is staying for three months these rule requirements pending reconsideration.
<a href="#">5/31/2017</a>	10/28/2016 (stayed from 5/31/2017 until 8/29/2017)	9/25/2018	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES - Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014	60	XXX	60.760; 60.761; 60.762; 60.763; 60.764; 60.765; 60.766; 60.767; 60.768; 60.769	EPA stays, until August 29, 2017, the final new subpart (XXX) that updates the Standards of Performance for Municipal Solid Waste Landfills.
<a href="#">11/22/2016</a>	12/22/2016	9/25/2018	NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES - Test Methods	63	Appendix A	Method 303	Revises Method 303, Determination of Visible Emissions From By-Product Coke Oven Batteries, to add language that clarifies the criteria used by the EPA to determine the competency of Method 303 training providers, but does not change the requirements for conducting the test method
<a href="#">11/7/2016</a>	12/7/2016	9/25/2018	APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS - General Provisions	52	A	52.21	Amends the EPA's federal Prevention of Significant Deterioration (PSD) regulations to remove a date restriction from the Permit Rescission provision. Other than removing the date restriction, this final rule does not alter the criteria under which a new source review (NSR) permit may be rescinded. This final rule also clarifies that a rescission of a permit is not automatic and corrects an outdated cross-reference to another part of the PSD regulations.
<a href="#">10/26/2016</a>	12/27/2016	9/25/2018	APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS - General Provisions	52	A	52.36; 52.38; 52.39	EPA published the original Cross-State Air Pollution Rule (original CSAPR) on August 8, 2011, to address interstate transport of ozone pollution under the 1997 ozone NAAQS and interstate transport of fine particulate matter (PM <sub>2.5</sub> ) pollution under the 1997 and 2006 PM <sub>2.5</sub> NAAQS. EPA finalizes this Cross-State Air Pollution Rule Update (CSAPR Update) to address interstate transport of ozone pollution with respect to the 2008 ozone NAAQS. EPA has determined that Florida does not contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to the 2008 ozone NAAQS. The EPA is removing Florida from the CSAPR ozone season NO <sub>x</sub> trading program.

CFR Promulgation Date	CFR Effective Date	Date CFR Adopted by Reference by Florida in Rule 62-204.800, F.A.C.*	Category	CFR Part	Subpart (or Appendix)	Affected Rules	Purpose
<a href="#">10/26/2016</a>	12/27/2016	9/25/2018	APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS - Florida	52	K	52.54	EPA has determined that Florida does not contribute significantly to nonattainment in, or interfere with maintenance by, any other state with respect to the 2008 ozone NAAQS. The EPA is removing Florida from the CSAPR ozone season NOX trading program.
<a href="#">10/18/2016</a>	11/17/2016	9/25/2018	APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS - General Provisions	52	A	52.21	Revision that If the Administrator rescinds a permit under this paragraph, the Administrator shall post a notice of the rescission determination on a public Web site identified by the Administrator within 60 days of the rescission.
<a href="#">6/30/2016</a>	6/30/2016	9/25/2018	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES - Rubber Tire Manufacturing Industry	60	BBB	60.543	Typographical correction.
<a href="#">6/30/2016</a>	6/30/2016	9/25/2018	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES - Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry	60	DDD	60.562-1	Typographical corrections.
<a href="#">6/30/2016</a>	6/30/2016	9/25/2018	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES - Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	60	III	60.614, 60.614-Table 2	Typographical corrections.
<a href="#">6/30/2016</a>	6/30/2016	9/25/2018	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES - Stationary Combustion Turbines	60	KKKK	Table 1	Typographical corrections.
<a href="#">6/30/2016</a>	6/30/2016	9/25/2018	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES - SO2 Emissions From Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011	60	LLL	60.643	Typographical corrections.
<a href="#">6/30/2016</a>	6/30/2016	9/25/2018	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	60	NNN	60.664-Table 2	Typographical corrections.
<a href="#">6/30/2016</a>	6/30/2016	9/25/2018	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES - General Provisions	60	OOOO	60.5410; 60.5415	Typographical corrections.
<a href="#">5/19/2016</a>	Effective on 8/17/2016 without further notice, unless EPA receives adverse comment by 1/5/2016	9/25/2018	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES - Performance Specifications	60	Appendix B	Performance Specification 18 Sections 3.1 through 3.25; 11.5.6.5; 11.8.6.2; 12.1; 12.2; 12.2.1; 12.4.4; and PS18 Appendix A Section 11.2.3.	Direct final action to make several minor technical amendments to the performance specifications and test procedures for hydrogen chloride (HCl) continuous emission monitoring systems (CEMS) Performance Specification 18 was published in the Federal Register on 7/7/2015. These amendments make several minor corrections and clarify several aspects of these regulations.

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<u>2/25/2016</u>	Effective on 4/25/2016 without further notice, unless EPA receives adverse comment by 3/28/2016	9/25/2018	NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES	63	Appendix A	Method 303	Direct final action to better define the requirements associated with conducting Method 303 training courses. Method 303 is an air pollution test method used to determine the presence of visible emissions (VE) from coke ovens. Action adds language that further clarifies the criteria used by the EPA to determine the competency of Method 303 training providers, but does not change the requirements for conducting the test method. These changes will help entities interested in conducting the required training courses by clearly defining the requirements necessary to do so
<u>8/12/2015</u>	8/12/2015	9/25/2018	STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES - Crude Oil and Natural Gas Production, Transmission, and Distribution	60	OOOO	60.5365; 60.5430;	Finalizes amendments to NSPS for the Oil and Natural Gas Sector. On March 23, 2015, EPA re-proposed its definition of "low pressure gas well" for notice and comment to correct a procedural defect with its prior rulemaking that included this definition. The EPA also proposed to amend the NSPS to remove provisions concerning storage vessels connected or installed in parallel and to revise the definition of "storage vessel." This action finalizes the definition of "low pressure gas well" and the amendments to the storage vessel provisions
<u>12/31/2014</u>	12/31/2014	9/25/2018	Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution	60	OOOO	60.5365; 60.5375; 60.5385; 60.5390; 60.5395; 60.5401; 60.5410; 60.5411; 60.5412; 60.5413; 60.5415; 60.5416; 60.5420; 60.5430;	Finalizes amendments to NSPS for the oil and natural gas sector. On 8/16/12, EPA published final NSPS for the oil and natural gas sector. The Administrator received petitions for administrative reconsideration of certain aspects of the standards. Among issues raised in the petitions were time-critical issues related to certain storage vessel provisions and well completion provisions. On 7/17/14 (79 FR 41752), the EPA published proposed amendments and clarifications as a result of reconsideration of certain issues related to well completions, storage vessels and other issues raised for reconsideration as well as technical corrections and amendments to further clarify the rule. Finalizes these amendments and corrects technical errors that were inadvertently included in the final standards.
<u>5/6/2014</u>	5/6/2014	9/25/2018	Standards of Performance for Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011	60	Ga	60.75a	Correction to Equation 1.
<u>9/23/2013</u>	9/23/2013	9/25/2018	Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution	60	OOOO	60.5365; 60.5380; 60.5390; 60.5395; 60.5410; 60.5411; 60.5412; 60.5413; 60.5413; 60.5416; 60.5417; 60.5420; 60.5430; Table 1; Table 2	Finalizes amendments to NSPS for the oil and natural gas sector. EPA received petitions for reconsideration of certain aspects of the August 12, 2012, final standards. These amendments are a result of reconsideration of certain issues raised by petitioners related to implementation of storage vessel provisions. The final amendments provide clarity of notification and compliance dates, ensure control of all storage vessel affected facilities and update key definitions. Also corrects technical errors that were inadvertently included in the final standards
<u>5/13/2013</u>	6/12/2013	9/25/2018	Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators	60	Ec	60.56c	Finalizes amendments to the NSPS for hospital/medical/infectious waste incinerators (HMIWI).
<u>9/19/2012</u>	9/19/2012	9/25/2018	Test Methods Pollutant Measurement Methods From Various Waste Media	63	Appendix A	Method 306B	Revises test method.
<u>9/12/2012</u>	11/13/2012	9/25/2018	Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007	60	Ja	60.100a; 60.101a; 60.102a; 60.103a; 60.104a; 60.105a; 60.107a; 60.108a; 60.109a; Table 1	Finalizes amendments and technical corrections. Lifts the stay of all the provisions granted on September 26, 2008 and extended until further notice on December 22, 2008.
<u>2/16/2012</u>	4/16/2012	9/25/2018	Fossil-Fuel-Fired Steam Generators	60	D	60.40; 60.41; 60.42; 60.45	Amendments, technical clarifications, and corrections.
<u>2/16/2012</u>	4/16/2012	9/25/2018	Industrial-Commercial-Institutional Steam Generating Units	60	Db	60.40b; 60.41b; 60.43b; 60.44b; 60.46b; 60.48b; 60.49b	Amendments, technical clarifications, and corrections.

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2/16/2012	4/16/2012	9/25/2018	Small Industrial-Commercial-Institutional Steam Generating Units	60	Dc	60.40c; 60.41c; 60.42c; 60.43c; 60.45c; 60.47c	Amendments, technical clarifications, and corrections.
9/13/2010	10/30/2010	9/25/2018	Test Methods Pollutant Measurement Methods From Various Waste Media	63	Appendix A	Method 306; 306A; Method 308	
8/20/2010	10/19/2010	9/25/2018	Test Methods Pollutant Measurement Methods From Various Waste Media	63	Appendix A	Method 323	Appendix A to Part 63 is amended by adding Method 323 - Measurement of Formaldehyde Emissions From Natural Gas-fired Stationary Sources - Acetyl Acetone Derivatization Method.
6/24/2008	11/13/2012	9/25/2018	Standards of Performance for Petroleum Refineries	60	J	60.100; 60.101; 60.106	On June 24, 2008, the EPA promulgated amendments to the Standards of Performance for Petroleum Refineries and new standards of performance for petroleum refinery process units constructed, reconstructed or modified after May 14, 2007. The EPA subsequently received three petitions for reconsideration of these final rules. On September 26, 2008, the EPA granted reconsideration and issued a stay for the issues raised in the petitions regarding process heaters and flares. On December 22, 2008, the EPA addressed those specific issues by proposing amendments to certain provisions for process heaters and flares and extending the stay of these provisions until further notice. The EPA also proposed technical corrections to the rules for issues that were raised in the petitions for reconsideration. In this action, the EPA is finalizing those amendments and technical corrections and is lifting the stay of all the provisions granted on September 26, 2008 and extended until further notice on December 22, 2008.