

R.61-62, Air Pollution Control Regulations and Standards - Proposed Amendment

State Register Document No. TBD

Exempt from General Assembly review

Summary |

Summary available in State Register publication

The United States Environmental Protection Agency (EPA) promulgates amendments to the Code of Federal Regulations (CFR) throughout each calendar year. Recent federal amendments include revisions to New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories at 40 CFR Parts 60 and 63.

(1) The Department proposes amending Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards, to incorporate by reference federal amendments promulgated from January 1, 2018, through December 31, 2018.

(2) The Department proposes amending Regulation 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories, to incorporate by reference federal amendments promulgated from January 1, 2018, through December 31, 2018.

The Department also proposes amending Regulation 61-62.60, Subpart Cf, Emission Guidelines and

Compliance Times for Municipal Solid Waste Landfills, and Subpart DDDD, Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units, to clarify the applicability and scope of EPA emission guidelines provisions incorporated by the Department, and to ensure compliance with federal law.

The Department may also propose other changes to Regulation 61-62, Air Pollution Control Regulations and Standards, as deemed necessary to maintain compliance with federal law. These changes may include corrections or other changes for internal consistency, clarification, reference, punctuation, codification, formatting, spelling, and overall improvement of the text of Regulation 61-62 as necessary.

In accordance with 1976 Code Section 1-23-120(H), legislative review is not required because the Department proposes promulgating the amendments to maintain compliance with federal law.

History and Status |

NOD published: February 22, 2019
NOD comment period will close: March 25, 2019

Contact Information |

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R.61-62, Air Pollution Control Regulations and Standards - Final Amendment

State Register Document No. 4870

Exempt from General Assembly review

Link to published Notice of Final Regulation | www.scstatehouse.gov/regs/4870.docx

Summary |

Full summary available via link above

Amended the following standards to adopt federal amendments promulgated from January 1, 2017, through December 31, 2017:

R.61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards

R.61-62.61, National Emission Standards for Hazardous Air Pollutants

R.61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories South Carolina State Implementation Plan (SIP)

Amended R.61-62.68, Chemical Accident Prevention Provisions, for internal consistency, clarification, chemical nomenclature, codification, and spelling to improve overall text and maintain compliance with federal law.

Amended R.61-62.70, Title V Operating Permit Program, to maintain state compliance with federal regulations.

Amended R.61-62.96, Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO₂) Budget Trading Program, to repeal the Clean Air Interstate Rule (CAIR) and reinstate applicable portions of the EPA's "Finding of Significant Contribution and Rulemaking for Certain States in the Ozone Transport Assessment Group Region for Purposes of Reducing Regional Transport of Ozone" (NO_x SIP Call), to maintain state compliance with federal regulations.

Amended R.61-62, Air Pollution Control Regulations and Standards, for corrections or other changes for internal consistency, clarification, reference, punctuation, codification, formatting, spelling, and overall improvement to the text.

History and Status |

NOD published:	September 28, 2018
NOD comment period closed:	October 29, 2018
Board approval to publish NPR:	November 9, 2018
NPR published:	November 23, 2018
NPR comment period closed:	December 27, 2018
Public Hearing:	January 3, 2019
NFR published/Legal effect:	January 25, 2019

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R.61-62, Air Pollution Control Regulations and Standards - Proposed Amendment

State Register Document No. 4873

General Assembly review required

Link to Notice of Final Regulation for legislative review | www.scstatehouse.gov/regs/4873.docx

Summary |

Full summary available via link above

Proposed amendment of R.61-62.1, Definitions and General Requirements, Section II, Permit Requirements, to expand and improve consistency in language regarding general and registration permits.

Proposed amendment of the introductory paragraph to R.61-62.5, Standard No. 2, Ambient Air Quality Standards, to remove the sentence describing the test method for Gaseous Fluorides to improve the accuracy and clarity of the regulation's text.

Proposed amendment of R.61-62.5, Standard No. 5.2, Control of Oxides of Nitrogen (NO_x), to update applicability and exemptions, as well as to propose corrections for internal consistency, punctuation, codification, and spelling.

Proposed amendment of R.61-62.5, Standard No. 7, Prevention of Significant Deterioration, to update applicability and exemptions, as well as to propose corrections for consistency with federal regulations, internal consistency, punctuation, codification, and spelling.

Proposed amendment of R.61-62.5, Standard No. 7.1, Nonattainment New Source Review (NSR), to improve the overall clarity and structure of the regulation, as well as to propose corrections for consistency with federal regulations, internal consistency, punctuation, codification, and spelling.

Proposed amendment of R.61-62.1, Definitions and General Requirements; R.61-62.5, Standard No. 7, Prevention of Significant Deterioration; R.61-62.5, Standard No. 7.1, Nonattainment New Source Review (NSR); and R.61-62.70 Title V Operating Permit Program, to update public participation procedures.

Other proposed changes to R.61-62, Air Pollution Control Regulations and Standards, including definitional updates, clarification of certain permitting provisions, and other changes and additions deemed necessary, as well as corrections for internal consistency, clarification, reference, punctuation, codification, formatting, and spelling to improve the overall text of R.61-62 as necessary.

History and Status |

NOD published:	November 23, 2018
NOD comment period closed:	December 27, 2018
Board approval to publish NPR:	January 3, 2019
NPR published:	January 25, 2019
NPR comment period closed:	February 25, 2019
Public Hearing:	March 7, 2019
Legislative review of NFR began:	March 14, 2019

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