

Examples of How DEQ Interprets the Word “Addressed” in Subsection 210.20
Revised June 12, 2018

For example, 40 CFR 63 Subpart 6J - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources regulates HAP emissions from coal, biomass, and oil-fired boilers. However, the subpart specifically exempts gas-fired (i.e. natural gas-fired) boilers because EPA determined that HAP emissions from these sources were too inconsequential to be regulated by the Subpart. DEQ interprets this to mean EPA did “address” natural gas boiler HAP emissions by choosing to exempt them. Thus, HAP emissions that are also TAP emissions from coal, biomass, oil-fired boilers, and natural gas-fired boilers are not required to demonstrate compliance with IDAPA 58.01.01.210 per section 210.20.

For example, 40 CFR 63 Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines regulates HAP emissions from IC engines by regulating CO emissions as a surrogate for HAP emissions. Therefore, HAP emissions from IC engines are not directly regulated by the Subpart. DEQ interprets this to mean EPA “addressed” HAP emissions by regulating CO emissions as a surrogate. Therefore HAP emissions that are also TAP emissions from IC engines are not required to demonstrate compliance with IDAPA 58.01.01.210 per section 210.20.

For example, HAP/TAP emissions from lumber drying kilns were evaluated in promulgating 40 CFR 63 Subpart DDDD - National Emission Standard for Hazardous Air Pollutants: Plywood and Composite Wood Products (PCWP). This Subpart regulates major sources of HAP emissions and includes lumber drying kilns at PCWP manufacturing facilities and "at any other kind of facility" as affected sources, even though this subpart does not include any substantive requirements to control or limit emissions from the kilns. In developing Subpart DDDD EPA stated “...we know of no other lumber kilns that are controlled for HAP, and we know of no cost effective HAP controls for lumber kilns...” (see Fed. Reg. /Vol 68, No. 6/Thursday, Jan 9, 2003/Proposed Rules page 1285). DEQ interprets this to mean EPA “addressed” HAPS that are also TAPS for both major and minor sources of HAP emissions; and therefore, lumber kilns are not required to demonstrate compliance with IDAPA 58.01.01.210, per section 210.20.

For example, when EPA regulated Phosphoric Acid Manufacturing for new sources, only the wet-process phosphoric acid line, superphosphoric acid process line, phosphate rock dryer, and the phosphate rock calciner have specific emissions limits in the rule. However, other emissions sources at facility were also looked at but they were determined by EPA to be insignificant and were not regulated in the rule. Therefore, when EPA looks at a source category to regulate, all emissions sources associated with the source category are “addressed” whether EPA establishes specific emissions limits for the emissions sources or not.

In sum, the term “addressed” is interpreted to mean EPA (1) specifically regulated, (2) specifically regulated by a surrogate, (3) reviewed, or (4) evaluated, the HAP emissions that are also TAPs.

Please note that in all cases it is presumed that EPA evaluated the 187 HAPs when developing the emission standards for new, modified or existing stationary sources regulated by 40 CFR Part 63 Subparts. Therefore, in all cases IDAPA Toxic Air Pollutants that are not one of the 187 Hazardous Air Pollutants will still need to be evaluated for compliance with IDAPA 58.01.01 Section 210.