Mojave Desert Air Quality Management District
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Eldon Heaston, Executive Director

February 25, 2014

Andrew Steckel
Chief, Rules Office
United States Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105

Re: 8-hour Ozone Reasonably Available Control Technology RACT State Implementation Plan (SIP) Analysis – Supplemental Analysis

Dear Mr. Steckel:

The Mojave Desert Air Quality Management District (District) greatly appreciates the assistance provided by your staff in suggesting improvements to the District's RACT SIP analysis. After extensive discussions with USEPA staff, the District has prepared the attached supplemental RACT SIP analysis. This supplemental analysis addresses the comments provided in your September 14, 2006 comment letter, analyzes the specific rules and Control Technique Guidelines (CTGs) delineated in Tables 1 and 2 of your comment letter, and addresses applicable CTGs that have been finalized since your comment letter was prepared, as directed by your staff. This supplemental analysis also represents the final District RACT action list, replacing the RACT action list presented in the 2006 RACT SIP Analysis document. As specified in the 2006 RACT SIP Analysis document, the District has already completed several significant RACT actions (most notably marine coatings, graphic arts, glass furnaces, polyester resin and gas turbine rule makings). As specified in Section 182 of the Federal Clean Air Act, the District will continue promulgating RACT action rulemakings, and will update the RACT SIP Analysis in response to the current federal ozone standard revision.

If you have any questions regarding this letter, please contact me at (760) 245-1661, extension 6726.

Sincerely,

Alan J. De Salvio
Supervising Air Quality Engineer

AJD/tw RACT SIP Supplement

2014 Supplement to the 2006 MDAQMD RACT SIP Analysis

Rule	Reason for Analysis	Determination	Action
Rule 442 - Solvent Cleaning	EPA Request/Table 2	Amended 2/27/06; SIP approved 72 FR 52791, 9/17/07. TSD for this action notes that this rule is not required to implement RACT requirements. The 8/4/06 draft CTG affects this category, but as the CTG update was subsequent to the the RACT SIP adoption, the analysis will be evaluated in the 2008 ozone RACT SIP.	None, except verify SIP status.
Rule 461 - Gasoline Transfer and Dispensing	EPA Request/Table 1	Rule does not meet current RACT for applicability to mobil fuelers, CARB Certified equipement/Executive Order requirements, self-compliance program provisions, performance testing, or ORVR exemption.	Update rule to meet RACT
Rule 462 - Organic Liquid Loading	EPA Request/Table 1	MD rule does not have requirement for CMS, or vapor system reduction of emissions to 0.08 lb or less per thousand gallons, or backpressure requirements.	Update rule to meet RACT based on cost effectiveness analysis
Rule 463 - Storage of Organic Liquids	EPA Request/Table 2	SBCAPCD was the predecessor agency of the MDAPCD and MDAQMD. The SIP in effect for SB County is the effective SIP for the MDAQMD. We believe the SIP version of Rule 463 in effect in the Riverside County portion of MDAQMD to be 3/11/94 version of SCAQMD Rule 463. SIP would be updated for entire District upon amendment of Rule 463.	Update rule to meet RACT
Rule 464 - Oil Water Separators	EPA Request/Table 1	Rule 464 does not meet current RACT as determined by a more recent RACT rule comparison with SJVUAPCD Rule 4625 as amended 12/15/11. Rule should be amended to specify seal/cover gaps, Overall Control Efficiency, inspections, and record keeping.	Update rule to meet RACT
Rule 1103 - Cutback and Emulsified Asphalt	EPA Request/Table 1	Rule 1103 meets current RACT as determined by a more recent RACT rule comparison with Northern Sierra AQMD Rule 227 as adopted 11/27/06. Also, the SCAQMD Technology Assessment for Rule 1108 - Cutback Asphalt (June 2008) evaluated the feasibility of further limiting the use of cutback asphalt to the fall and winter months where ozone formation is at its least, or replacing it with surrogate water-based emulsion technology. Based on this assessment, SCAQMD determined that no changes were necessary to their rule. The MDAQMD accepts this determination as having a similar reasonable applicability in the MDAQMD to rule 1103.	None
Rule 1104 - Organic Solvent Degreasing	EPA Request/Table 1	Rule 1104 does not meet all CTG recommended control options.	Update rule to meet RACT
Rule 1106 - Marine Coating Operations	MDAQMD RACT Commitment	Amended 10/23/06; SIP approved 73 FR 40754, 7/16/08	None
Rule 1117 - Graphic Arts	EPA Request/Table 1/MDAQMD RACT Commitment	Amended 9/28/09; SIP approved 77 FR 12495, 3/1/12	None
Rule 1159 - SGT	EPA Request/Table 1	Amended 9/28/09; SIP approved 77 FR 65133, 10/25/12	None
Rule 1160 - ICE	EPA Request/Table 1	Rule currently in process of being amended. Will address RACT.	Update rule to meet RACT
Rule 1161 - Portland Cement Kilns	EPA Request/Table 1	Rule does not meet current NOx emissions limits in other states. Rule also must be evaluated for PM pursuant to MDAQMD List and Implementation Schedule for District Measures to Reduce PM Pursuant to H&S Code 39614(d).	Update rule to meet RACT
Rule 1162 - Polyester Resin Operations	MDAQMD RACT Commitment	Amended 8/27/07; SIP approved 73 FR 70883, 11/24/08	None
Rule 1165 - Glass Melting Furnaces	MDAQMD RACT Commitment	Amended 8/12/08; SIP Approved 77 FR 39181, 7/2/12	None
Commercial and Residential Space Heaters	MDAQMD RACT Commitment	Not a CTG category. Analysis not required as MDAQMD does not have commercial or residential space heaters that exceed the major source threshold.	None
POTW	MDAQMD RACT Commitment	Not a CTG category. Analysis not required as MDAQMD does not have a POTW that exceeds the major source threshold.	None

Rule 442 (Adopted 2/27/06)				
Applicability	**VOC Content Limit**	**Work Practices**	**Alternative Composite Vapor Pressure Limit**	**Suggested Exclusions**
Rule 442 Use of VOC containing materials, Emission Unit, and non-VOC organic solvents not subject to limits of rules in Reg IV or XI.	**No VOC content requirement.** VOC containing materials, EUs, eqp or processes not to exceed 1,190 pounds per month. Non-VOC organic solvent not to exceed 600 pounds per day as calculated on a 30-day average. Control equipment with OCE of at least 85%	1. Covered - (C)(a) - Closed **2. No requirement in rule.** 3. Disposal of used solvent and towels - (C)(a) - Waste solvent and VOC containing materials disposal req. 4. (C)(a)Prevent evaporation of VOCs in storage, use and waste.	**No requirement.**	1. Manufacture, transport or storage of organic solvents, or the transport or storage of materials containing organic solvents. 2. The emissions of VOCs from VOC containing materials or eqp subject to other Reg IV rules or exempt from air pollution control req of such rules. 3. Pesticides 4. Use of 1,1,1 trichloroethane, methylene chloride and trichlortrifluoroehtane. 5. Aerosol products.
EPA CTG: Industrial Cleaning Solvents (EPA 453/R-06-001, September 2006) Industries that have to use organic solvent for cleaning unit operations such as mixing vessels (tanks), spray booths, and parts cleaners, where a facility emits at least 6.8 kg/day (15 lb/day) before consideration of controls in an ozone nonattainment area. Recommend specific category exclusion similar to BAAQMD and SCAQMD.	50 grams VOC per liter (0.42 lb/gal) of nine cleaning UOS identified below unless controlled by emission control system with OCE of at least 85% (Spray gun, spray booth, large manufactured components, parts, equipment, line and floor cleaning unit operation systems)	1. Covering Open Containers 2. Minimizing air circulation around cleaning operations 3. Properly disposing of used solvent and shop towels 4. Implementing equipment practices that minimize emissions	8 mmHg at 20 degrees Celsius as 1) a replacement for 50 g/l VOC content entirely; or 2) an alternative limit that may be used in lieu of the 50 g/l VOC content limit for specific operations.	1. Categories listed for regulation under CAA Section 183(e) 2. Categories with specific exemptions under Bay Area 8-4-116 3. Categories with specific exemptions under Bay Area 8-4-117 4. Categories with special limits in SCAQMD 1171 (c) and exemptions in 1171 (h)
Evaluation for RACT				
Rule 442 does not meet all CTG recommended control options. Specifically, limits for VOC content for 9 UOS, and possibly expanding work practices.				
Conclusion/Recommendation				
Rule must be amended to meet Federal RACT requirements				

MD Rule 461			
	MD Rule 461 - Gasoline Transfer and Dispensing	AVAQMD Rule 461 - Gasoline Transfer and Dispensing	MDAQMD Rule 461 RACT Deficiencies
RACT Version	05/25/1994 (60 FR 21702, 05/03/1995)	10/21/08, 76 FR 5277, 1/31/2011	
Applicability	Gasoline storage and dispensing facility and any retail gasoline station operating equipment (G=retail, N=non-retail)	Transfer of gasoline from any tank truck, trailer or railroad car into any stationary storage tank or mobil fueler, and from any stationary storage tank or mobil fueler into any mobil fueler or motor vehicle fuel tank.	Will evaluate Rule 461 to determine if mobil fueler requirements are a RACT provision
Suggested Control Options			*Any time an underground stationary tank is installed or replaced at any gasoline transfer and dispensing facility, a CARB Certified spill box shall be installed. *No installation of any Phase I VRS of coaxial design unless certified by CARB after 1/1/94. *No installation of any Phase I VRS of the dual=point design unless system incorporates CARB Certified poppeted dry breaks of spring-loaded vapor check valves on the vapor return coupler. *Updated vapor recovery defects list to reference code sections rather than actual defects. *Bellows-equipped nozzles must have CARB certified insertion interlock mechanism. Balance system nozzle must have vapor check valve *Nozzle must be equipped with coaxial hose after 1/1/98 *Inside diameter between riser and dispenser cabinet not less than 0.75" *Dispenser rate >5 gal/min must be CARB certified *CARB certified breakaway device, and drive-off documentation *Fuel tank not intended to be used for motor vehicle fueling shall be posted. *Tank vent pipe requiremetns *No storage that allows spills that permits vopors to contaminate air, ground, sewer. *New/altered tanks shall have piping configuation inspected prior to backfill, Phase I and Phase II VRS inspected prior to operation.
Additional Req			Self- Compliance Program
Testing			Performance testing of specified by applicable CARB ExOrders.
Recordkeeping	Inspection log Monthly throughput, with yearly summary for exempted tanks Daily log of throughput Maintain 2 years	Inspection log Testing log Monthly throughput Certification for installer/contractor 2 years (5 years Title V)	
Exemptions	*Containers less than 550 gals if used for implements of husbandry if has submerged fill tube. *Hand pump for emergency services during loss of commercial power *Stationary storage containers installed prior to 1988 meeting certain conditions	*If 75% of monthly thruput if used for implements of husbandry if has submerged fill tube. *Tanks for fueling ag wind machines *Mobil fuelers >120 gals into tanks >5 gals until 12 months following general commercial availability of VRS certified by CARB *ORVR	ORVR
Rule 461 meets CTG recommended control options and was deemed RACT 60 FR 21702, 5/3/95.			
Rule 461 does not meet current RACT as determined by a more recent RACT rule comparison with AVAQMD Rule 461.			
Conclusion/Recommendation			
Rule will be reviewed and amended to meet RACT.			

Rule 462			
	MD Rule 462 - Organic Liquid Loading	SCAQMD Rule 462 - Organic Liquid Loading	MDAQMD Rule 462 RACT Deficiencies
RACT Version	05/25/1994 (60 FR 21702, 05/03/1995)	05/14/1999, 64 FR 39037, 7/21/1999	
Applicability	Transport of organic liquids, including fuels such as gasoline, between facilities and the transfer of such organic liquids into tanks, including motor vehicle fuel tanks, tank trucks, trailers or railroad tank cars. Facilities include, but are not limited to: bulk facilities, retail and non-retail service stations or any other facility where organic liquids are stored or transferred.	Facilities that load organic liquids with a vapor pressure of 1.5 psia or greater under actual loading conditions into any tank truck, trailer or railroad car as defined as Class A, B or C facilities.	
	Class A - Loading 5,000,000 gal/year and/or 20,000 gal/day of any liquid with TVP of 1.5 psia or more into any tank truck, trailer or railroad car. Class B - Loading less than 5,000,000 gal/year of any liquid with TVP of 1.5 psia or more into any tank truck, trailer or railroad car.	Class A - Any facility loading 20,000 gal/day or more of organic liquid into any tank truck, Trailer or railroad car. Class B - Before 1/9/76 loads between 4,000 and 20,000 gal/day Before1/9/76 loads not more than 4,000 gal/day but more than 500,000 gal/yr. After 1/9/76 loads not more than 20,000 gal/day Class C - Before 1/9/76 loads not more than 20,000 gal/day	
Suggested Control Options	Class A - Must have a vapor recovery sysem. Displaced vapor and air vented to vapor recovery system. All connections and vapor lines are to be maintained in a Vapor Tight condition to prevent fugitive leaks. Prevent fugitive leaks from loading device when not in use or to accomplish complete drainage before the loading device is disconnected to prevent excess organic liquid drainage. Class B - As for Class A with a PV valve	Class A - CARB certified vapor recovery sysem and/or disposal system (or District approved when such system does not need to be CARB certified). Equipped with CMS. Displaced organic vapor and air vented to vapor recovery/disposal system. Vapor recovery system shall reduce emissions of VOCs to 0.08 lb or less per thousand gallons of organic liquid transferred. Bottom loading onlyOperated and maintained so there are no overfills, vapor leaks, liquid leaks or liquid leaks from disconnect operations. Backpressure from vapor recovery or disposal system shall not exceed 18 inches of water column pressure. Class B - Same as above only vapor recovery designed to recover 90% of displaced vapors. Class C - Submerged fill loading or bottom fill loading. No overfills, liquid leaks or liquid leak from disconnect.	MD rule ddoes not have requirement for CMS, or vapor system reduction of emissions to 0.08 lb or less per thousand gallons, or backpressure.
Additional Req	* Comply with safety, fire, weights and measures, etc as lited in H&S 41950-41974. *All facility components maintained and operated to prevent fugitive vapor leaks, fugitive liquid leaks, and excess drainage during transfer. *Loading or unloading vehicle shall have valid cert of vapor integrity by CARB. *Vapor leaks from dome covers determined in accordance with EPA Method 21. *Operate transport eqp with no fugitive liquid leaks. *No uncontrolled switch loading unless uncontrolled vapors do not exceed 10,000 ppmv and emissions are controlled by a vapor recovery system.	*No uncontrolled switch loading *Leak inspection requirements *Loading or unloading vehicle shall have valid cert of vapor integrity by CARB. *Vapor leaks from dome covers determined in accordance with CARB Vapor Recovery Test Procedure. *Transport vessel shall be operated so there are no vapor or liquid leaks.	
Responsibilities	Facility owner: shall be able to comply Transfer vehicle owner: Addl reponsibilities pertaining to truck May be found jointly/separately in violation.	Facility owner: shall be able to comply Transfer vehicle owner: Addl reponsibilities pertaining to truck	
Recordkeeping	2 years in daily log	2 years in daily log	

Rule 462			
	MD Rule 462 - Organic Liquid Loading	SCAQMD Rule 462 - Organic Liquid Loading	MDAQMD Rule 462 RACT Deficiencies
Exemptions		Violations of requirements detected or recorded by facility ownermust be repaired/replaced within specified periods as specified in leak inspection requirements. Certain provisions do not apply if displaced vapors sent to refinery flare or other combustion device that receives gaseous streams from other refinery sources.	
Rule 462 meets CTG recommended control options and was deemed RACT 60 FR 21702, 5/3/1995.			
Rule 462 does not meet current RACT as determined by a more recent RACT rule comparison with SCAQMD Rule 462.			
Conclusion/Recommendation			
Rule will be reviewed and amended to meet RACT.			

MDAQMD Rule 463			
	MD Rule 463	SJ Rule 4623	MDAQMD Rule 463 RACT Deficiencies
RACT Version	11/02/1992 (60 FR 21702, 05/03/1995)	05/19/2005 (70 FR 53937, 09/13/2005)	
Applicability	Tanks >150,000 liters (External floating roof, fixed-roof) Tanks ≤150,000 liters with TVP ≥1.5 psia with PV valve or vapor loss control device	General: 1,100-19,800 Gallons: 0.5-<1.5 psia (PV valve, internal/external floating roof, vapor recovery system) 1.5-<11 psia (PV valve, internal/external floating roof, vapor recovery system) ≥11 psia (Pressure vessel or vapor recovery system) >19,800-39,600 Gallons: 0.5-<1.5 psia (PV valve, internal/external floating roof, vapor recovery system) 1.5-<11 psia (internal/external floating roof, vapor recovery system) ≥11 psia (Pressure vessel or vapor recovery system) >39,600 Gallons: 0.5-<1.5 psia (internal/external floating roof, vapor recovery system) 1.5-<11 psia (internal/external floating roof, vapor recovery system) ≥11 psia (Pressure vessel or vapor recovery system) Small Producer:	MDAQMD Rule 463 does not have same stringency for tanks ≤150,000 liters storing organic liquids ≥11 psia. MD requires PV or vapor loss control device, SJ does not allow for PV valve. No Small Producer provisions in MDAQMD rule
Suggested Control Options	Welded Tank with Primary Metallic Shoe 1. Gap between tank shell and primary seal > 1 1/2" not to exceed cumulative lenth of 10% 2. 30% cumulative length gap between tank shell and primary seal >1/2" 3. 60% cumulative length gap between tank shell and primary seal >1/8", with no continuous gap >1/8" exceeding 10%. Riveted Tank with Primary Metallic Shoe type seal Riveted Tank with Primary Metallic Shoe type seal Vapor loss with an effectiveness as (F)(1) (see above for welded tank req) as approved by APCO. Primary Resiliant Toroid Seal Prior to 2/20/80 1. Gaps between shell and primary seal shall not exceed 1/8" for 95% circumference, 1/2" 5%. No gap over 1/2". 2. Gaps between shell and secondary seal shall not exceed 1/8" for 95% circumference, 1/2" 5%. No gap over 1/2". After 2/20/80 Equivalent as determined by APCO to welded tank primary seal as above. Floating Roof Deck See (C)(1)(a) Vapor Recovery System Collect and process vapors at an efficiency of at least 95%	Welded Tank with Primary Metallic Shoe type seal 1. No gap between tank shell and primary seal >1 1/2" 2. 10% cumulative length gap between tank shell and primary seal >1/2" 3. 30% cumulative length gap between tank shell and primary seal >1/8" , with no continuous gap >1/8" exceeding 10% Riveted Tank with Primary Metallic Shoe type seal 1. No gap between tank shell and primary seal >2 1/2" 2. 10% cumulative length gap between tank shell and primary seal >1 1/2" 3. 30% cumulative length gap between tank shell and primary seal >1/8" , with no continuous gap >1/8" exceeding 10% 4. No gap between the tank shell and the secondary seal >1/2", cumulaative length of all gaps between shell and secondary seal >1/8" shall not exceed 5%. Primary Resiliant Toroid Seal 1. Seal mounted on the roof perimeter and in contact with liquid at all times roof is floating. 2. No gap between shell and primary seal to exceed 1/2". 3. Cumulative length >1/8" shall not exceed 5%, no continuous gap>1/8" shall exceed 10% tank circumference 4. No gap between tank shell and secondary seal shall exceed 1/2", and cumulative length of all gaps >1/8" shall not exceed 5% tank circumference. Floating Roof Deck See 5.5 Vapor Recovery System -Reduce inlet VOC emisisons by 95%	MDAQMD Rule 463 has lower stringency for gaps for Welded Tanks with Primary Metallic Shoe type seal. MDAQMD Rule 463 has lower stringency for gaps for Riveted Tanks with Primary Metallic Shoe type seal. MDAQMD Rule 463 has lower stringency for gaps for Tanks with Resiliant Toroid seals. MDAQMD Rule 463 has lower stringency for tanks with Floating Roof Decks.
Monitoring	Voluntary tank preventative inspection and maintenance, and tank interior cleaning program - None	Voluntary tank preventative inspection and maintenance, and tank interior cleaning program	MDAQMD Rule 463 has no voluntary tank preventative inspection and maintenance, and tank interior cleaning program. MDAQMD Rule 463 has less stringent inspection and testing requirements.
Recordkeeping	Records - 2 years		MDAQMD Rule 463 has less stringent record retention.
Evaluation for RACT			
Rule 463 meets CTG recommended control options and was deemed RACT 60 FR 21702, 5/3/95.			
Rule 463 does not meet current RACT as determined by a more recent RACT rule comparison with SJVUAPCD Rule 4623.			
Conclusion/Recommendation			
Rule must be amended to meet Federal RACT requirements based on updated RACT determinations of reviewed District Rules.			

	CTG Control of Refinery Vacuum Producing Systems, Wastewater Separators and Process Unit Turnarounds	MD Rule 464	SJ Rule 4625	MDAQMD RACT Deficiencies
RACT Version		60 FR 49772, 9/27/95	77 FR 64427, 10/22/12	
Applicability	Wastewater separators	Any structure or system which collects process effluent water contaminated with oil or other petroleum products and recovers 201 gallons a day or more of any petroleum products with a Reid vapor pressure of 25 mm HG or greater.	Wastewater separators including air flotation units, only to the separation of crude oil and water after custody transfer.	
Suggested Control Options	1. Solid cover with all openings sealed totally enclosing the compartment liquid contents. 2. A floating pontoon or double deck type cover, equipped with closure seals to enclose any space between the cover's edge and compartment wall. 3. Any gauging or samping device in the compartment cover designed to prevent VOC escape. Provided with cover or lid in closed position at all times device is in use.	1. Fixed cover with all openings sealed and totally enclosing the liquid contents of the compartment, except for breathing vents that are structurally necessary. 2. A floating cover, equipped with seals to enclose any space between the covers edge and compartment wall. 3. Route all vapors to a control device with an overall control efficiency of 90% by weight of VOCs. 4. A fixed cover for all forebays, such that no liquid surface is exposed to the atmosphere. Covers must meet the following: -Cover material impermeable to VOCs and free from holes or openings -Any gauging or sampling devices on the compartment cover shall be covered, and kept covered with no gaps between the cover and the compartment, except when device is being used. -Hatches on covers shall be kept closed and free of gaps, except when open for inspection, maintenance or repair. -The perimeter of a cover, except for a floating cover, shall form a seal free of gaps with the foundation to which it is installed. 5. Leak is 10,000 ppm or greater.	1. solid cover with all openings sealed and totally enclosing the liquid contents of the compartment, except for breathing vents that are structurally necessary. 2. A floating pontoon or double deck type cover, equipped with closure seals that have no holes or tears, installed and maintained so that gaps between the wall and seal shall not exceed 1/8" for an accumulative length of 97% perimeter of the tank, and shall not exceed 1/2" for the remaining 3%. No gap shall exceed 1/2". 3. Route all vapors to a control device with an overall control efficiency of 95% by weight of VOCs. 4. A fixed cover for all forebays, such that no liquid surface is exposed to the atmosphere. 5. Skimmed oil or tar removed from wastewater separating devices shall either be charged to process units with feed or transferred to a container with a control system with at least 90%control efficiency by weight.	2. Gap measurement specifications 3. Increase OCE from 90% to 95% 5. Add skimmed oil/tar provision
Inspection			Visual inspections once every 12 months for manholes, roof hatches, openings, floating roof, appurtenent parts, fittings, primary/secondary seal.	Add inspection provisions as applicable.

	CTG Control of Refinery Vacuum Producing Systems, Wastewater Separators and Process Unit Turnarounds	MD Rule 464	SJ Rule 4625	MDAQMD RACT Deficiencies
Exemptions		Segregated storm water runoff drain systems or non-contact cooling water systems, where applicable.		
Records		2 years	5 years	Increase record retention from 2 to 5 years.
Evaluation for RACT				
Rule 464 does not meet current RACT as determined by a more recent RACT rule comparison with SJVUAPCD. Rule should be amended to specify gaps, OCE, visible inspections, and increased record keeping.				
Conclusion/Recommendation				
Update rule to meet current RACT.				

MD Rule 1103			
	MDAQMD Rule 1103	Northern Sierra AQMD Rule 227	Great Lakes States
RACT Version	12/24/94 - 61 FR 4215, 2/5/96	11/27/06 - 74 FR 56120, 10/30/09	
Applicability	Manufacturing, mixing, storage, use and application of cutback and emulsified asphalt.	May not discharge VOC caused by the use or manufacture of cutback and emulsified asphalts for paving, road construction or road maintenance.	Summertime restrictions on cutback asphalt.
Requirements	*No manufacture for sale nor use for paving, road construction or road maintenance any:* -**Rapid cure** cutback asphalt -**Medium cure** cutback asphalt -**Slow cure** cutback asphalt containing more than 0.5% by volume of VOC which evaporate at 500F -**Emulsified** asphalt containing more than 3% by volume of VOC which evaporate at 500F	*No manufacture for sale nor use for paving, road construction or road maintenance any:* -**Rapid cure** cutback asphalt -**Medium cure** cutback asphalt -**Slow cure** cutback asphalt containing VOC which evaporate at 500F or lower -**Emulsified** asphalt containing more than 3% by volume of VOC which evaporate at 500F	
Exemptions	1. Requirements do not apply to cutback/emulsified asphalt in the manufacturing of paving materials where such materials shall be immediately shipped and used outside of the District. 2. Medium and slow cure asphalt which contains more than 0.5% by volume VOC -as penetrating prime coat for aggregate bases prior to paving -manufacture of asphalt for long-period storage or stockpiling of patching mixes used in pavement maintenance but not for general paving -when National Weather Service official forcast of the high 24 hour temp following application is below 50F	1. The use of medium cure cutback asphalt when National Weather Service official forcast of the high 24 hour temp following application is below 50F 2. Requirements do not apply to cutback/emulsified asphalt in the manufacturing of paving materials where such materials shall be immediately shipped and used outside of the Western Nevada County FONA and where such area is designated attainment for state/federal ozone std.	Seasonal restrictions on use of cutback asphalt (April-October)
Records	2 years	2 years	
Evaluation for RACT			
Rule 1103 meets current RACT as determined by a more recent RACT rule comparison with Northern Sierra AQMD. Also, the SCAQMD Technology Assessment for Rule 1108 - Cutback Asphalt (June 2008) evaluated the feasibility of further limiting the use of cutback asphalt to the fall and winter months where ozone formation is at its least, or replacing it with surrogate water-based emulsion technology. Based on this assessment, SCAQMD determined that no changes were necessary. The MDAQMD accepts this determination as having a similar reasonable applicability in the MDAQMD.			
Conclusion/Recommendation			
No action necessary.			

Rule 1104(Adopted 9/28/1994)				
Applicability	**VOC Content Limit**	**Work Practices**	**Alternative Composite Vapor Pressure Limit**	**Suggested Exclusions**
Rule 1104 Wipe cleaning, cold solvent cleaning and/or vapor cleaning (degreasing) operations for metal/non-metal parts/products or electric circuit boards, which utilize organic solvents.	**No VOC content requirement.** Exemption for solvents containing less than 2% VOC (E)(1).	1. Covered - (C)(2)(a)(v) - degreasers shall be covered to prevent fugitive leaks of vapors, except when processing work or to perform maintenance. **2. No requirement in rule.** 3. Disposal of used sovent and towels - (C)(2)(a)(iv) - Waste solvent disposal req, **no specific req for used shop towels.** 4. Minimize emissions from equipment practices - (C)(1) requirements specify covers, freeboard, markings, limit carryout, entrance/exit openings, hood, temperature, drying tunnels, condenser, etc.	**No requirement.**	**Rule 442 excludes VOC emissions from VOC containing materials or equipment not subject to VOC limits of any rule found in Reg XI, and section (F) has Rule 442 Applicability.**
EPA CTG: Industrial Cleaning Solvents (EPA 453/R-06-001, September 2006) Industries that have to use organic solvent for cleaning unit operations such as mixing vessels (tanks), spray booths, and parts cleaners, where a facility emits at least 6.8 kg/day (15 lb/day) before consideration of controls in an ozone nonattainment area. Recommend specific category exclusion similar to BAAQMD and SCAQMD.	50 grams VOC per liter (0.42 lb/gal) unless controlled by emission control system with OCE of at least 85%	1. Covering Open Containers 2. Minimizing air circulation around cleaning operations 3. Properly disposing of used solvent and shop towels 4. Implementing equipment practices that minimize emissions	8 mmHg at 20 degrees Celsius as 1) a replacement for 50 g/l VOC content entirely; or 2) an alternative limit that may be used in lieu of the 50 g/l VOC content limit for specific operations.	1. Categories listed for regulation under CAA Section 183(e) 2. Categories with specific exemptions under Bay Area 8-4-116 3. Categories with specific exemptions under Bay Area 8-4-117 4. Categories with special limits in SCAQMD 1171 (c) and exemptions in 1171 (h)
Evaluation for RACT				
Rule 1104 does not meet all CTG recommended control options, including work practices and alternative composite vapor pressure limit .				
Conclusion/Recommendation				
Rule must be amended to meet Federal RACT requirements				

MD Rule 1161			
	Assessment of Nox Emissions Reduction Strategies for Cement Kilns - Ellis County	Texas Comission on Environmental Quality Section 117.260	MD Rule 1161
RACT Version	7/14/2006	6/24/1905	03/25/2002 (68 FR 9015, 02/27/2003)
Applicability	Cement Kilns	Portland Cement Kilns	All existing Portland Cement Kilns operated within the FONA.
Requirements	Table D-1 (Summary of US NOx Control Regulations for Cement Kilns - EPA 2004): Emissions limits for several states are presented at 2.8 or higher lb/ton clinker.	(30 day average) 1. Long wet kiln Bexar, Comal, Hays, McLennan Counties: 6 lbs/ton clinker Ellis County: 4.0 lbs/ton 2. Long dry kiln: 5.1 lbs/ton 3. Preheater Kiln: 3.8 lbs/ton 4. Preheater/precalciner kiln: 2.8 lbs/ton	1. NOx reduction technology: Combustion controls Low NOx burners Staged combustion NOx reducing fuels or substances (includes tire-derived fuels) 2. NOx RACT limits (excluding start-up/shut-down) Preheater-Precalciner: 6.4 lb/ton clinker avg over 30 days Long Dry Kilns: 6.4 lb/ton clinker avg over 30 days Short Dry Kilns: 7.2 lb/ton clinker avg over 30 days 3. NOx RACT limits (start-up/shut-down) **Preheater-precalciner** kilns man. by Allis Chalmers before 1982: 17,616 lbs NOx/day **Preheater-precalciner** kilns man. by Humboldt-Wedag completed in 1984: 28,160 lb NOx/day For **Long Dry kilns** man. by F.L. Smidth completed in 1965: 30,664 lb NOx/day **All other**: Max heat input of 4,500 MMBtu/day/kiln 4. Additional Requirements: Start-up/shut-down not longer than 36 hours. Minimixe impacts of emissions during start-up/shut-down. Best efforts Document start-up/shut-down actions in operating logs.
Evaluation for RACT			
Rule 1161 does not meet current RACT as determined by a more recent RACT rule comparison with other states.			
Conclusion/Recommendation			
Rule must be amended to meet Federal RACT requirements based on updated RACT determinations of reviewed state rules.			