



## ADMINISTRATIVE RULES OF MONTANA

### 17.8.340 STANDARD OF PERFORMANCE FOR NEW STATIONARY SOURCES AND EMISSION GUIDELINES FOR EXISTING SOURCES

- (1) For the purpose of this rule, the following definitions apply:
  - (a) "Administrator", as used in 40 CFR Part 60, means the department, except in the case of those duties which cannot be delegated to the state by the U.S. Environmental Protection Agency, in which case "administrator" means the administrator of the U.S. Environmental Protection Agency.
  - (b) "Stationary source" means any building, structure, facility, or installation which emits or may emit any air pollutant subject to regulation under the FCAA.
- (2) The terms and associated definitions specified in 40 CFR 60.2, shall apply to this rule, except as specified in (1) (a) .
- (3) The owner and operator of any stationary source or modification, as defined and applied in 40 CFR Part 60, shall comply with the standards and provisions of 40 CFR Part 60.
- (4) The following apply to designated municipal solid waste landfill facilities under 40 CFR Part 60, Subpart Cc:
  - (a) Designated facilities under Subpart Cc shall comply with the requirements in 40 CFR 60.33c, 60.34c, and 60.35c that are applicable to designated facilities and that must be included in a state plan for state plan approval.
  - (b) Designated facilities under Subpart Cc, that meet the conditions in 40 CFR 60.33c(a) (1) , regarding operation or design capacity, shall submit an initial design capacity report and an initial emission rate report, in accordance with 40 CFR 60.757, within 90 days of EPA's publication in the Federal Register of approval of this rule. If the design capacity report reflects that the facility meets the condition in 40 CFR 60.33c(a) (2) and the emission rate report reflects that the facility meets the condition in 40 CFR 60.33c(a) (3) , the facility shall:
    - (i) submit a final control plan to the department for review and final approval within 12 months after the date of EPA's publication of approval of this rule in the Federal Register, or within 12 months after the date the condition in 40 CFR 60.33c(a) (3) is met (i.e., the date of the first annual nonmethane organic compound (NMOC) report which demonstrates that NMOCs equal or exceed 50 Mg/yr) , whichever occurs later;
    - (ii) award contracts for any necessary control systems/process changes within 15 months after the date of EPA's publication of approval of this rule in the Federal Register, or within 15 months after the date the condition in 40 CFR 60.33c(a) (3) is met, whichever occurs later;

- (iii) initiate on-site construction or installation of any necessary air pollution control devices, and initiate any necessary process changes, within 21 months after the date of EPA's publication of approval of this rule in the Federal Register, or within 21 months after the date the condition in 40 CFR 60.33c(a) (3) is met, whichever occurs later;
  - (iv) complete on-site construction or installation of any necessary air pollution control devices, and complete any necessary process changes, within 27 months after the date of EPA's publication of approval of this rule in the Federal Register, or within 27 months after the date the condition in 40 CFR 60.33c(a) (3) is met, whichever occurs later; and
  - (v) achieve final compliance within 30 months after the date of EPA's publication of approval of this rule in the Federal Register, or within 30 months after the date the condition in 40 CFR 60.33c(a) (3) is met, whichever occurs later.
- (c) Designated facilities under Subpart Cc shall comply with the final site-specific collection and control system design plan approved by the department and, in accordance with 40 CFR 60.8, shall demonstrate compliance with the emission standards specified in Subpart Cc, not later than 180 days following initial startup of the collection and control system.
- (5) Designated hospital/medical/infectious waste incinerator facilities under 40 CFR Part 60, Subpart Ce, shall comply with the requirements in 40 CFR 60.33e, 60.34e, 60.35e, 60.36e, 60.37e and 60.38e that are applicable to designated facilities and that must be included in a state plan for state plan approval. Designated facilities under 40 CFR Part 60, Subpart Ce, that are not excluded under 40 CFR 60.32e, shall:
  - (a) submit a final control plan to the department for review and final approval within 15 months after the date of EPA's publication of approval of the state plan in the Federal Register;
  - (b) award contracts for any necessary control systems/process changes within 21 months after the date of EPA's publication of approval of the state plan in the Federal Register;
  - (c) initiate on-site construction or installation of any necessary air pollution control devices, and initiate any necessary process changes, within 24 months after the date of EPA's publication of approval of the state plan in the Federal Register;
  - (d) complete on-site construction or installation of any necessary air pollution control devices, and complete any necessary process changes, within 30 months after the date of EPA's publication of approval of the state plan in the Federal Register; and
  - (e) achieve final compliance with all requirements of the state plan within 36 months after the date of EPA's publication of approval of the state plan in the Federal Register, or by September 15, 2002, whichever is earlier.

**Authorizing statute(s):** 75-2-111, 75-2-203, MCA

**Implementing statute(s):** 75-2-203, MCA

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**History:** NEW, Eff. 9/5/75; AMD, Eff. 9/5/76; AMD, 1978 MAR p. 1621, Eff. 12/15/78; AMD, 1982 MAR p. 1744, Eff. 10/1/82; AMD, 1985 MAR p. 1326, Eff. 9/13/85; AMD, 1987 MAR p. 744, Eff. 7/20/87; AMD, 1988 MAR p.

500, Eff. 3/11/88; AMD, 1991 MAR p. 1143, Eff. 7/12/91; AMD, 1992 MAR p. 2741, Eff. 12/25/92; AMD, 1993 MAR p. 2530, Eff. 10/29/93; TRANS, from DHES, 1996 MAR p. 2285; AMD, 1997 MAR p. 1191, Eff. 7/8/97; AMD, 1998 MAR p. 3106, Eff. 11/20/98; AMD, 2001 MAR p. 2022, Eff. 10/12/01; AMD, 2004 MAR p. 724, Eff. 4/9/04; AMD, 2006 MAR p. 1956, Eff. 8/11/06.