



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
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Seattle, WA 98101-3140

SEP 28 2017

OFFICE OF  
AIR AND WASTE

Mr. Mark Buford  
Executive Director  
Northwest Clean Air Agency  
1600 South Second Street  
Mount Vernon, Washington 98273

RECEIVED

OCT - 2 2017

Northwest Clean  
Air Agency

Re: Approval of Northwest Clean Air Agency's Request for Updated Delegation of Authority for New Source Performance Standards

Dear Mr. Buford:

This letter is in response to your December 6, 2016, letter requesting to update and continue delegation of the New Source Performance Standards (NSPS). After review of your request, the U.S. Environmental Protection Agency (EPA) hereby grants this updated delegation request, as described below, to the Northwest Clean Air Agency (NWCAA) for the identified NSPS in effect on June 8, 2016.

Delegation Request

You requested to update delegation of the 40 C.F.R. Part 60 standards that were previously delegated to NWCAA since your last delegation request as follows:

40 C.F.R. Part 60: A, D, Da, Db, Dc, E, Ea, Eb, Ec, F, G, Ga, H, I, J, Ja, K, Ka, Kb, L, M, N, Na, O, P, Q, R, T, U, V, W, X, Y, Z, AA, AAa, CC, DD, EE, GG, HH, KK, LL, MM, NN, PP, QQ, RR, SS, TT, UU, VV, VVa, WW, XX, BBB, DDD, FFF, GGG, GGGa, HHH, III, JJJ, KKK, LLL, NNN, OOO, PPP, QQQ, RRR, SSS, TTT, UUU, VVV, WWW, AAAA, CCCC, EEEE, IIII, JJJJ, KKKK, LLLL, OOOO.

Gail \_\_\_\_\_ Michele \_\_\_\_\_ Scanned \_\_\_\_\_  
Christos \_\_\_\_\_ Crystal \_\_\_\_\_ Dan \_\_\_\_\_  
Jason \_\_\_\_\_ Lyn \_\_\_\_\_ Robyn \_\_\_\_\_

Mark B \_\_\_\_\_ Agata ✓ \_\_\_\_\_ Toby \_\_\_\_\_  
Other: \_\_\_\_\_  
Rtn to: \_\_\_\_\_

NWCAA has demonstrated that the above-referenced updated standards were adopted unchanged into NWCAA's Regulation Section 104.2 on August 11, 2016.

### Delegation of Authority

The EPA has determined that NWCAA's regulations continue to provide adequate and effective procedures for implementing and enforcing the NSPS. Accordingly, the EPA hereby approves your request for an updated delegation of authority to implement and enforce the NSPS identified in Enclosure A, subject to the following terms and conditions:

1. The EPA is delegating the identified federal standards as in effect on June 8, 2016. New NSPS or NSPS that are revised substantively after that date are not delegated to your agency; these remain the responsibility of the EPA.
  - a. Acceptance of this delegation does not commit your agency to request or accept delegation of future NSPS standards and requirements.
  - b. The EPA encourages your agency to update your NSPS delegation on an annual basis. This could coincide with the updating of the adoption by reference of the Federal NSPS standards, which is important for maintaining the EPA's approval of your Title V operating permit program.
2. The EPA is not delegating authorities under 40 C.F.R. Part 60 that specifically indicate they cannot be delegated, require rulemaking to implement, affect the stringency of the standard, or where national oversight is the only way to ensure national consistency.
3. This delegation is subject to all federal laws and regulations as well as the EPA's policies, guidance, and determinations issued pursuant to 40 C.F.R. Part 60.
4. Implementation and enforcement of the delegated NSPS are subject to the current Compliance Assurance Agreement for Air Quality, signed by both NWCAA and the EPA; except that NWCAA shall provide air stationary source enforcement and compliance data to the EPA via the new Integrated Compliance Information System for Air (ICIS-Air) via the Exchange Network. ICIS-Air has replaced the Air Information and Retrieval System (AIRS) Facility Subsystem (AFS) referred to in the Compliance Assurance Agreement for Air Quality.
5. Enforcement of these delegated NSPS standards in your jurisdiction will be the primary responsibility of your agency. Nevertheless, the EPA may exercise its concurrent enforcement authority pursuant to Section 113 of the Clean Air Act with respect to sources which are subject to the NSPS.
6. Your agency and the EPA should communicate sufficiently to ensure that each is fully informed and current regarding interpretation of regulations, including any unique questions about applicability, and the compliance status of subject sources in your jurisdiction.
  - a. Any records or reports provided to or otherwise obtained by your agency should be made available to the EPA upon request.

- b. In accordance with 40 C.F.R. § 60.9, the availability to the public of information provided to or otherwise obtained by the EPA in connection with this delegation shall be governed by 40 C.F.R. Part 2.
7. Your agency will be the recipient of all notifications and reports and be the point of contact for questions and compliance issues regarding these delegated NSPS standards. The EPA may request notifications and reports from owners and operators and/or your agency, if needed.
8. Your agency will work with owners and operators of affected facilities subject to a NSPS Subpart to ensure all required information is submitted to your agency. We request your assistance to ensure that this information, including excess emission reports and summaries, is submitted to the EPA upon request.
9. Your agency will ensure that all relevant source notification and report information is entered into the ICIS-Air database system to meet your recordkeeping/reporting requirements. The ICIS-Air reporting elements for “source information” that your agency is expected to provide include, but are not limited to:
  - a. Identification of source;
  - b. Pollutants regulated;
  - c. Applicability of subparts;
  - d. Permit number for specific source or sub-unit;
  - e. Dates of most recent NSPS compliance evaluations (inspections); and
  - f. Compliance status.
10. Your agency will require affected facilities to utilize the methods specified in 40 C.F.R. Part 60 in performing source tests pursuant to the regulations. See 40 C.F.R. § 60.8.
11. Changes and alternatives:
  - a. Except as provided in paragraph 11.b. below, your agency is not delegated authority to approve “major changes to test methods,” “major changes to monitoring,” “major changes to recordkeeping/reporting,” equivalent methods, alternative methods, emerging technologies, equivalent means of emission limitations, petitions for exemptions, time extensions and actions under 40 C.F.R. Part 60 comparable to the “Category II” authorities identified in 40 C.F.R. § 63.91(g)(2)(ii). Such approvals remain the responsibility of the EPA.
  - b. Approvals of “minor changes to test methods,” “intermediate changes to test methods,” “minor changes to monitoring,” “intermediate changes to monitoring,” “minor changes to recordkeeping/reporting,” and actions under 40 C.F.R. Part 60 comparable to the “Category I” authorities identified in 40 C.F.R. § 63.91(g)(1)(i) are delegated to your agency.
  - c. Your agency must maintain a record of all approved alternatives to monitoring, testing, and recordkeeping/reporting requirements and provide this list of alternatives to the EPA semi-annually, or more frequently if requested by the EPA. The EPA may audit any approved alternatives and disapprove any that it determines are

inappropriate, after discussion with your agency. If changes are disapproved, your agency must notify the owner/operator that it must revert to the original applicable monitoring, testing, recordkeeping, and/or reporting requirements. Also, in cases where the owner/operator does not maintain the conditions which prompted the approval of the alternatives to the monitoring, testing, recordkeeping, and/or reporting requirements, your agency must require the owner/operator to revert to the original monitoring, testing, recordkeeping, and reporting requirements, or more stringent requirements, if justified.

- d. For purposes of this paragraph, the terms in quotations have the meaning assigned to them in 40 C.F.R. § 63.90.
12. Your agency's authority to implement and enforce the NSPS under this delegation does not extend to sources or activities located in Indian Country, as defined in 18 U.S.C. 1151.<sup>1</sup> Consistent with previous federal program approvals or delegations, the EPA will continue to implement and enforce the NSPS in Indian Country.
13. Your agency's authority to implement and enforce NSPS under this delegation does not extend to sources or activities under the jurisdiction of the Washington Energy Facility Site Evaluation Council (EFSEC). The EFSEC has not requested an updated delegation. Therefore, the EPA retains the authority to implement and enforce the NSPS over these specific sources.
14. The EPA Administrator delegated to the EPA Region 10 the authority to delegate the NSPS to any state or local agency. A state or local agency that receives delegation from the EPA Region 10, does not have the federally recognized authority to further delegate the NSPS.
15. If the EPA determines that your agency's procedures for implementing or enforcing the NSPS are inadequate or are not being effectively carried out, this delegation may be revoked in whole or in part by written notice of the revocation. Any such revocation will be effective as of the date specified in the notice.

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<sup>1</sup> Under this definition, the EPA treats as reservations, trust lands validly set aside for the use of a Tribe even if the trust lands have not been formally designated as a reservation.

Unless we receive negative comments from you within 10 days, this delegation is final and will be effective 10 days from the date of this letter. Otherwise, no further correspondence to the EPA is needed from NWCAA to make this delegation effective. We will periodically publish a notice in the Federal Register informing the public of NWCAA's updated delegations.

If you have any questions regarding this approval, please contact Katie Owens of my staff at (206) 553-1023 or by email at [owens.katharine@epa.gov](mailto:owens.katharine@epa.gov).

Sincerely,

A handwritten signature in black ink that reads "Tim Hamlin". The signature is written in a cursive style with a long horizontal stroke at the end.

Tim Hamlin  
Director

Enclosure

cc: Mr. Stuart Clark (w/encl)  
Manager, Air Quality Programs  
Washington Department of Ecology

## Enclosure A

### Standards of Performance for New Stationary Sources Subparts Delegated to Northwest Clean Air Agency (NWCAA)\*

40 C.F.R. Part 60 Subparts†		
Subpart	Description of Subpart	Delegated to NWCAA
A	General Provisions	<input checked="" type="checkbox"/>
B	Adoption and Submittal of State Plans for Designated Facilities	<input type="checkbox"/>
C	Emission Guidelines and Compliance Times	<input type="checkbox"/>
Ca	[Reserved]	
Cb	Emission Guidelines and Compliance Times for Large Municipal Waste Combustors that are Constructed On or Before September 20, 1994	<input type="checkbox"/>
Cc	Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills	<input type="checkbox"/>
Cd	Emission Guidelines and Compliance Times for Sulfuric Acid Production Units	<input type="checkbox"/>
Ce	Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators	<input type="checkbox"/>
Cf	Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills	<input type="checkbox"/>
D	Fossil-Fuel-Fired Steam Generators	<input checked="" type="checkbox"/>
Da	Electric Utility Steam Generating Units	<input checked="" type="checkbox"/>
Db	Industrial-Commercial-Institutional Steam Generating Units	<input checked="" type="checkbox"/>
Dc	Small Industrial-Commercial-Institutional Steam Generating Units	<input checked="" type="checkbox"/>
E	Incinerators	<input checked="" type="checkbox"/>
Ea	Municipal Waste Combustors for which Construction is Commenced After December 20, 1989 and On or Before September 20, 1994	<input checked="" type="checkbox"/>
Eb	Large Municipal Waste Combustors for which Construction is Commenced After September 20, 1994 or for which Modification or Reconstruction is Commenced After June 19, 1996	<input checked="" type="checkbox"/>
Ec	New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators	<input checked="" type="checkbox"/>
F	Portland Cement Plants	<input checked="" type="checkbox"/>
G	Nitric Acid Plants	<input checked="" type="checkbox"/>
Ga	Nitric Acid Plants For Which Construction, Reconstruction, or Modification Commenced After October 14, 2011	<input checked="" type="checkbox"/>
H	Sulfuric Acid Plants	<input checked="" type="checkbox"/>
I	Hot Mix Asphalt Facilities	<input checked="" type="checkbox"/>
J	Petroleum Refineries	<input checked="" type="checkbox"/>
Ja	Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After May 14, 2007	<input checked="" type="checkbox"/>

\* NSPS Subparts listed are delegated to Northwest Clean Air Agency as in effect on June 8, 2016.

† Any authority within Subpart of 40 C.F.R. Part 60 which is not delegable is not delegated.

K	Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978	<input checked="" type="checkbox"/>
Ka	Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984	<input checked="" type="checkbox"/>
Kb	Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984	<input checked="" type="checkbox"/>
L	Secondary Lead Smelters	<input checked="" type="checkbox"/>
M	Secondary Brass and Bronze Production Plants	<input checked="" type="checkbox"/>
N	Primary Emissions from Basic Oxygen Process Furnaces for which Construction is Commenced After June 11, 1973	<input checked="" type="checkbox"/>
Na	Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for which Construction is Commenced After January 20, 1983	<input checked="" type="checkbox"/>
O	Sewage Treatment Plants	<input checked="" type="checkbox"/>
P	Primary Copper Smelters	<input checked="" type="checkbox"/>
Q	Primary Zinc Smelters	<input checked="" type="checkbox"/>
R	Primary Lead Smelters	<input checked="" type="checkbox"/>
S	Primary Aluminum Reduction Plants	<input type="checkbox"/>
T	Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants	<input checked="" type="checkbox"/>
U	Phosphate Fertilizer Industry: Superphosphoric Acid Plants	<input checked="" type="checkbox"/>
V	Phosphate Fertilizer Industry: Diammonium Phosphate Plants	<input checked="" type="checkbox"/>
W	Phosphate Fertilizer Industry: Triple Superphosphate Plants	<input checked="" type="checkbox"/>
X	Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities	<input checked="" type="checkbox"/>
Y	Coal Preparation and Processing Plants	<input checked="" type="checkbox"/>
Z	Ferroalloy Production Facilities	<input checked="" type="checkbox"/>
AA	Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983	<input checked="" type="checkbox"/>
AAa	Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983	<input checked="" type="checkbox"/>
BB	Kraft Pulp Mills	<input type="checkbox"/>
BBa	Kraft Pulp Mill Affected Sources for which Construction, Reconstruction, or Modification Commenced After May 23, 2013	<input type="checkbox"/>
CC	Glass Manufacturing Plants	<input checked="" type="checkbox"/>
DD	Grain Elevators	<input checked="" type="checkbox"/>
EE	Surface Coating of Metal Furniture	<input checked="" type="checkbox"/>
FF	[Reserved]	
GG	Stationary Gas Turbines	<input checked="" type="checkbox"/>
HH	Lime Manufacturing Plants	<input checked="" type="checkbox"/>
KK	Lead-Acid Battery Manufacturing Plants	<input checked="" type="checkbox"/>
LL	Metallic Mineral Processing Plants	<input checked="" type="checkbox"/>
MM	Automobile and Light Duty Truck Surface Coating Operations	<input checked="" type="checkbox"/>
NN	Phosphate Rock Plants	<input checked="" type="checkbox"/>
PP	Ammonium Sulfate Manufacture	<input checked="" type="checkbox"/>

QQ	Graphic Arts Industry: Publication Rotogravure Printing	<input checked="" type="checkbox"/>
RR	Pressure Sensitive Tape and Label Surface Coating Operations	<input checked="" type="checkbox"/>
SS	Industrial Surface Coating: Large Appliances	<input checked="" type="checkbox"/>
TT	Metal Coil Surface Coating	<input checked="" type="checkbox"/>
UU	Asphalt Processing and Asphalt Roofing Manufacture	<input checked="" type="checkbox"/>
VV	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and On or Before November 7, 2006	<input checked="" type="checkbox"/>
VVa	Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After November 7, 2006	<input checked="" type="checkbox"/>
WW	Beverage Can Surface Coating Industry	<input checked="" type="checkbox"/>
XX	Bulk Gasoline Terminals	<input checked="" type="checkbox"/>
AAA	New Residential Wood Heaters	<input type="checkbox"/>
BBB	Rubber Tire Manufacturing Industry	<input checked="" type="checkbox"/>
CCC	[Reserved]	
DDD	Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry	<input checked="" type="checkbox"/>
EEE	[Reserved]	
FFF	Flexible Vinyl and Urethane Coating and Printing	<input checked="" type="checkbox"/>
GGG	Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and On or Before November 7, 2006	<input checked="" type="checkbox"/>
GGGa	Equipment Leaks of VOC in Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced After November 7, 2006	<input checked="" type="checkbox"/>
HHH	Synthetic Fiber Production Facilities	<input checked="" type="checkbox"/>
III	Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes	<input checked="" type="checkbox"/>
JJJ	Petroleum Dry Cleaners	<input checked="" type="checkbox"/>
KKK	Equipment Leaks of VOC From Onshore Natural Gas Processing Plants for which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and On or Before August 23, 2011	<input checked="" type="checkbox"/>
LLL	SO <sub>2</sub> Emissions from Onshore Natural Gas Processing for which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and On or Before August 23, 2011	<input checked="" type="checkbox"/>
MMM	[Reserved]	
NNN	Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations	<input checked="" type="checkbox"/>
OOO	Nonmetallic Mineral Processing Plants	<input checked="" type="checkbox"/>
PPP	Wool Fiberglass Insulation Manufacturing Plants	<input checked="" type="checkbox"/>
QQQ	VOC Emissions from Petroleum Refinery Wastewater Systems	<input checked="" type="checkbox"/>
RRR	Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes	<input checked="" type="checkbox"/>
SSS	Magnetic Tape Coating Facilities	<input checked="" type="checkbox"/>
TTT	Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines	<input checked="" type="checkbox"/>



UUU	Calciners and Dryers in Mineral Industries	<input checked="" type="checkbox"/>
VVV	Polymeric Coating of Supporting Substrates Facilities	<input checked="" type="checkbox"/>
WWW	Municipal Solid Waste Landfills	<input checked="" type="checkbox"/>
XXX	Municipal Solid Waste Landfills that Commenced Construction, Reconstruction, or Modification After July 17, 2014	<input type="checkbox"/>
YYY	[Reserved]	
ZZZ	[Reserved]	
AAAA	Small Municipal Waste Combustion Units for which Construction is Commenced After August 30, 1999 or for which Modification or Reconstruction is Commenced After June 6, 2001	<input checked="" type="checkbox"/>
BBBB	Emissions Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed On or Before August 30, 1999	<input type="checkbox"/>
CCCC	Commercial and Industrial Solid Waste Incineration Units	<input checked="" type="checkbox"/>
DDDD	Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units	<input type="checkbox"/>
EEEE	Other Solid Waste Incineration Units for which Construction is Commenced After December 9, 2004, or for which Modification or Reconstruction is Commenced On or After June 16, 2006	<input checked="" type="checkbox"/>
FFFF	Emission Guidelines and Compliance Times for Other Solid Waste Incineration Units that Commenced Construction On or Before December 9, 2004	<input type="checkbox"/>
GGGG	[Reserved]	
HHHH	[Reserved]	
IIII	Stationary Compression Ignition Internal Combustion Engines	<input checked="" type="checkbox"/>
JJJJ	Stationary Spark Ignition Internal Combustion Engines	<input checked="" type="checkbox"/>
KKKK	Stationary Combustion Turbines	<input checked="" type="checkbox"/>
LLLL	New Sewage Sludge Incineration Units	<input checked="" type="checkbox"/>
MMMM	Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units	<input type="checkbox"/>
NNNN	[Reserved]	
OOOO	Crude Oil and Natural Gas Production, Transmission and Distribution	<input checked="" type="checkbox"/>
OOOOa	Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015	<input type="checkbox"/>
PPPP	[Reserved]	
QQQQ	New Residential Hydronic Heaters and Forced-Air Furnaces	<input type="checkbox"/>
TTTT	Greenhouse Gas Emissions for Electric Generating Units	<input type="checkbox"/>
UUUU	Emission Guidelines for Greenhouse Gas Emissions and Compliance Times for Electric Utility Generating Units	<input type="checkbox"/>