# **06‑096 DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Chapter 144: National Emission Standards for Hazardous Air PollutantS (NESHAP)**

**SUMMARY**: This Chapter formally adopts the NESHAPS that are delegated to the State by the federal government. Section 2 applies to any new or existing sources from each of the source categories listed. Section 3 applies to any new or existing sources from each of the source categories listed.

**1. Scope and Applicability.** The standards set forth in this Chapter apply statewide. All standards will be implemented through the air emission licensing process.

**2. National Emission Standards for Hazardous Air Pollutants.** For purposes of this Chapter, the following portions of 40 CFR Part 61, as amended up to July 1, 2022, are incorporated by reference herein.

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NOTE: Copies of the materials incorporated by reference are available from the Department by calling 207-287-2811.

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(1) Subpart A - General Provisions.

(2) Subpart B - National Emission Standards for Radon Emissions From Underground Uranium Mines.

(3) Subpart E - National Emission Standard for Mercury.

(4) Subpart F - National Emission Standard for Vinyl Chloride.

(5) Subpart H - National Emission Standards for Emissions of Radionuclides Other Than Radon From Department of Energy Facilities.

(6) Subpart I - National Emission Standards for Radionuclide Emissions From Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Not Covered by Subpart H.

(7) Subpart J - National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene.

(8) Subpart K - National Emission Standards for Radionuclide Emissions From Elemental Phosphorus Plants.

(9) Subpart L - National Emission Standard for Benzene Emissions From Coke By-Product Recovery Plants.

(10) Subpart M - National Emission Standard for Asbestos.

(11) Subpart N - National Emission Standard for Inorganic Arsenic Emissions From Glass Manufacturing Plants.

(12) Subpart O - National Emission Standard for Inorganic Arsenic Emissions From Primary Copper Smelters.

(13) Subpart P - National Emission Standard for Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities.

(14) Subpart Q - National Emission Standards for Radon Emissions From Department of Energy Facilities.

(15) Subpart R - National Emission Standards for Radon Emissions From Phosphogypsum Stacks.

(16) Subpart T - National Emission Standards for Radon Emissions From the Disposal of Uranium Mill Tailings.

(17) Subpart V - National Emission Standard for Equipment Leaks (Fugitive Emission Sources).

(18) Subpart W - National Emission Standards for Radon Emissions From Operating Mill Tailings.

(19) Subpart Y - National Emission Standard for Benzene Emissions From Benzene Storage Vessels.

(20) Subpart BB - National Emission Standard for Benzene Emissions From Benzene Transfer Operations.

(21) Subpart FF - National Emission Standard for Benzene Waste Operations.

**3. National Emission Standards for Hazardous Air Pollutants Source Categories.** For purposes of this Chapter, the following portions of 40 CFR Part 63, as amended up to July 1, 2022 or as otherwise noted, are incorporated by reference herein.

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NOTE: Copies of the materials incorporated by reference are available from the Department by calling 207-287-2811.

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(1) Subpart A - General Provisions.

(2) Subpart C - List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List.

(3) Subpart D - Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants.

(4) Subpart E - Approval of State Programs and Delegation of Federal Authorities.

(5) Subpart F - National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry.

(6) Subpart G - National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.

(7) Subpart H - National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.

(8) Subpart I - National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.

(9) Subpart N - National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.

(10) Subpart O - Ethylene Oxide Emissions Standards for Sterilization Facilities.

(11) Subpart Q - National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers.

(12) Subpart R - National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations).

(13) Subpart S - National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry.

(14) Subpart T - National Emission Standards for Halogenated Solvent Cleaning.

(15) Subpart U - National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins.

(16) Subpart W - National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production.

(17) Subpart X - National Emission Standards for Hazardous Air Pollutants From Secondary Lead Smelting.

(18) Subpart Y - National Emission Standards for Marine Tank Vessel Loading Operations.

(19) Subpart DD - National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations.

(20) Subpart GG - National Emission Standards for Aerospace Manufacturing and Rework Facilities.

(21) Subpart HH - National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities.

(22) Subpart II - National Emission Standards for Shipbuilding and Ship Repair (Surface Coating).

(23) Subpart JJ - National Emission Standards for Wood Furniture Manufacturing Operations.

(24) Subpart KK - National Emission Standards for the Printing and Publishing Industry.

(25) Subpart MM - National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite and Stand-Alone Semichemical Pulp Mills.

(26) Subpart OO - National Emission Standards for Tanks - Level 1.

(27) Subpart PP - National Emission Standards for Containers.

(28) Subpart QQ - National Emission Standards for Surface Impoundments.

(29) Subpart RR - National Emission Standards for Individual Drain Systems.

(30) Subpart SS - National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.

(31) Subpart TT - National Emission Standards for Equipment Leaks - Control Level 1.

(32) Subpart UU - National Emission Standards for Equipment Leaks - Control Level 2 Standards.

(33) Subpart VV - National Emission Standards for Oil-Water Separators and Organic-Water Separators.

(34) Subpart WW - National Emission Standards for Storage Vessels (Tanks) - Control Level 2.

(35) Subpart YY - National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards.

(36) Subpart CCC - National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants.

(37) Subpart HHH - National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities.

(38) Subpart III - National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production.

(39) Subpart JJJ - National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins.

(40) Subpart LLL - National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry.

(41) Subpart OOO - National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins.

(42) Subpart RRR - National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production.

(43) Subpart VVV - National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works.

(44) Subpart AAAA - National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills.

(45) Subpart DDDD - National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products.

(46) Subpart EEEE - National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline).

(47) Subpart FFFF - National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing.

(48) Subpart HHHH - National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production.

(49) Subpart IIII - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks.

(50) Subpart JJJJ - National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating.

(51) Subpart KKKK - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans.

(52) Subpart MMMM - National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products.

(53) Subpart NNNN - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances.

(54) Subpart OOOO - National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles.

(55) Subpart PPPP - National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products.

(56) Subpart QQQQ - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products.

(57) Subpart RRRR - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture.

(58) Subpart SSSS - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil.

(59) Subpart TTTT - National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations.

(60) Subpart VVVV - National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing.

(61) Subpart WWWW - National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production.

(62) Subpart XXXX - National Emissions Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing.

(63) Subpart YYYY - National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines.

(64) Subpart AAAAA - National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants.

(65) Subpart BBBBB - National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing.

(66) Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Major Soources: Industrial, Commercial, and Institutional Boilers and Process Heaters.

(67) Subpart GGGGG - National Emission Standards for Hazardous Air Pollutants: Site Remediation.

(68) Subpart HHHHH - National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing.

(69) Subpart JJJJJ - National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing.

(70) Subpart KKKKK - National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing.

(71) Subpart LLLLL - National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing.

(72) Subpart MMMMM - National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations.

(73) Subpart PPPPP - National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Stands.

(74) Subpart UUUUU - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units.

(75) Subpart WWWWW - National Emission Standards for Hospital Ethylene Oxide Sterilizers.

(76) Subpart ZZZZZ - National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources.

(77) Subpart BBBBBB - National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.

(78) Subpart CCCCCC - National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities.

(79) Subpart DDDDDD - National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production Area Sources.

(80) Subpart EEEEEE - National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources.

(81) Subpart FFFFFF - National Emission Standards for Hazardous Air Pollutants for Secondary Copper Smelting Area Sources.

(82) Subpart GGGGGG - National Emission Standards for Hazardous Air Pollutants for Primary Nonferrous Metals Area Sources - Zinc, Cadmium, and Beryllium.

(83) Subpart LLLLLL - National Emission Standards for Hazardous Air Pollutants for Acrylic and Modacrylic Fibers Production Area Sources.

(84) Subpart MMMMMM - National Emission Standards for Hazardous Air Pollutants for Carbon Black Production Area Sources.

(85) Subpart NNNNNN - National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources: Chromium Compounds.

(86) Subpart OOOOOO - National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources.

(87) Subpart PPPPPP - National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources.

(88) Subpart QQQQQQ - National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources.

(89) Subpart RRRRRR - National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing Area Sources.

(90) Subpart SSSSSS - National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources.

(91) Subpart TTTTTT - National Emission Standards for Hazardous Air Pollutants for Secondary Nonferrous Metals Processing Area Sources.

(92) Subpart VVVVVV - National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources.

(93) Subpart WWWWWW - National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations.

(94) Subpart YYYYYY - National Emission Standards for Hazardous Air Pollutants for Area Sources: Ferroalloys Production Facilities.

(95) Subpart ZZZZZZ - National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Aluminum, Copper and Other Nonferrous Foundries.

(96) Subpart AAAAAAA - National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing.

(97) Subpart BBBBBBB - National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry.

(98) Subpart CCCCCCC - National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing.

(99) Subpart DDDDDDD - National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing.

(100) Subpart EEEEEEE - National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and Production Area Source Category.

(101) Subpart HHHHHHH - National Emission Standards for Hazardous Air Pollutant Emissions for Polyvinyl Chloride and Copolymers Production.

(102) Appendix A to Part 63 - Test Methods.

(103) Appendix C to Part 63 - Determination of the Fraction Biodegraded (Fbio) in a Biological Treatment Unit.

(104) Appendix D to Part 63 - Alternative Validation Procedure for EPA Waste and Wastewater Methods.

STATUTORY AUTHORITY: 38 M.R.S. §§ 585-A, 585-B, 590

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