

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 335
Department or Agency: Alabama Department of Environmental Management Air Division - Air Pollution Control Program
Rule No.: 335-3-11-.06
Rule Title: National Emission Standards For Hazardous Air Pollutants For Source Categories
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? Yes

To what degree?: Industry cost of compliance as described in APA 6.

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? Yes

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Jeffery W. Kitchens
Jeffery W. Kitchens

Date

Wednesday, April 17, 2024

REC'D & FILED
APR 17, 2024
LEGISLATIVE SVC AGENCY

APA-2

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT AIR DIVISION - AIR
POLLUTION CONTROL PROGRAM

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management

RULE NO. & TITLE: 335-3-11-.06 National Emission Standards For
Hazardous Air Pollutants For Source Categories

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Revisions to the Division 3 Code are being proposed to amend Rule 335-3-11-.06 in Chapter 335-3-11 in order to incorporate by reference EPA changes to the National Emission Standards for Hazardous Air Pollutants (NESHAPs). This incorporation allows the EPA to delegate administrative enforcement of these regulations to ADEM. Chapter 335-3-11 is not considered as a part of the federally enforceable State Implementation Plan (SIP). As such, any revisions to this Chapter/Rule are not proposed to be incorporated into Alabama's SIP.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held 10:00 a.m., June 10, 2024, in ADEM Hearing Room, 1400 Coliseum Blvd., Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Wednesday, June 12, 2024

CONTACT PERSON AT AGENCY:

Larry Brown (334) 271-7878

Jeffery W. Kitchens

Jeffery W. Kitchens

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

335-3-11-.06

**National Emission Standards For Hazardous Air
Pollutants For Source Categories.**

- (1) Subpart A - General Provisions.
- (2) Subpart B - Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j).
[NOTE: The requirements for implementation of §112(g) are found in Rule 335-3-14-.06]
- (3) Subpart D - Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants.
- (4) Reserved.
- (5) Subpart F - National Emission Standards for Hazardous Air Pollutants From Synthetic Organic Chemical Manufacturing Industry.
- (6) Subpart G - National Emission Standards for Organic Hazardous Air Pollutants From Synthetic Organic Chemical Manufacturing Industry 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) Reserved.
- (10) Reserved.
- (11) Subpart L - National Emission Standards for Coke Oven Batteries.
- (12) Subpart M - National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities.
- (13) Subpart N - National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.
- (14) Subpart O - Ethylene Oxide Emissions Standards for Sterilization Facilities.
- (15) Reserved.
- (16) Subpart Q - National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers.
- (17) Subpart R - National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations).
- (18) Subpart S - National Emission Standards for Hazardous Air Pollutants for Pulp and Paper Production.
- (19) Subpart T - National Emission Standards for Halogenated Solvent Cleaning.
- (20) Subpart U - National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins.
- (21) Reserved.

- (22) Subpart W - National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production.
- (23) Subpart X - National Emission Standards from Secondary Lead Smelting.
- (24) Subpart Y - National Emission Standards for Marine Tank Vessel Loading Operations [with the exceptions of those subsections referencing the Valdez Marine Terminal (VMT) in Alaska].
- (25) Reserved.
- (26) Subpart AA - National Emission Standards for Hazardous Air Pollutants from Phosphoric Acid Manufacturing Plants.
- (27) Subpart BB - National Emission Standards for Hazardous Air Pollutants from Phosphate Fertilizers Production Plants.
- (28) Subpart CC - National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries.
- (29) Subpart DD - National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations.
- (30) Subpart EE - National Emission Standards for Magnetic Tape Manufacturing Operations.
- (31) Reserved.
- (32) Subpart GG - National Emission Standards for Aerospace Manufacturing and Rework Facilities.
- (33) Subpart HH - National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities.
- (34) Subpart II - National Emission Standards for Shipbuilding and Ship Repair (Surface Coating) Operations.
- (35) Subpart JJ - National Emission Standards for Wood Furniture Manufacturing Operations.
- (36) Subpart KK - National Emission Standards for the Printing and Publishing Industry.
- (37) Reserved.
- (38) Subpart MM - National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills.
- (39) Reserved.
- (40) Subpart OO - National Emission Standards for Tanks - Level 1.
- (41) Subpart PP - National Emission Standards for Containers.
- (42) Subpart QQ - National Emission Standards for Surface Impoundments.
- (43) Subpart RR - National Emission Standards for Individual Drain Systems.
- (44) Subpart SS - National Emission Standards Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process.
- (45) Subpart TT - National Emission Standards for Equipment Leaks - Control Level 1.

- (46) Subpart UU - National Emission Standards for Equipment Leaks - Control Level 2 Standards.
- (47) Subpart VV National Emission Standards for Oil-Water Separators and Organic-Water Separators.
- (48) Subpart WW - National Emission Standards for Storage Vessels (Tanks) - Control Level 2.
- (49) Subpart XX - National Emission Standards for Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations.
- (50) Subpart YY - National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards.
- (51) Reserved.
- (52) Reserved.
- (53) Reserved.
- (54) Subpart CCC - National Emission Standards for Hazardous Air Pollutants for Steel Pickling - HCl Process Facilities and Hydrochloric Acid Regeneration Plants.
- (55) Subpart DDD - National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production.
- (56) Subpart EEE - National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors.
- (57) Reserved.
- (58) Subpart GGG - National Emission Standards for Hazardous Air Pollutants for Source Categories: Pharmaceuticals Production.
- (59) Subpart HHH - National Emission Standards for Hazardous Air Pollutants from Natural Gas Transmission and Storage Facilities.
- (60) Subpart III - National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production.
- (61) Subpart JJJ - National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins.
- (62) Reserved.
- (63) Subpart LLL - National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry.
- (64) Subpart MMM - National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production.
- (65) Subpart NNN - National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing.
- (66) Subpart OOO - National Emission Standards for Hazardous Air Pollutants for Amino/Phenolic Resins Production.
- (67) Subpart PPP - National Emission Standards for Hazardous Air Pollutants for Polyether Polyols Production.
- (68) Reserved.
- (69) Subpart RRR - National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production.
- (70) Reserved.
- (71) Reserved.

- (72) Subpart UUU - National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units.
- (73) Subpart VVV - National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works.
- (74) Reserved.
- (75) Subpart XXX - National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese.
- (76) Reserved.
- (77) Reserved.
- (78) Subpart AAAA - National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills.
- (79) Reserved.
- (80) Subpart CCCC - National Emission Standards for Hazardous Air Pollutants: Nutritional Yeast.
- (81) Subpart DDDD - National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products.
- (82) Subpart EEEE - National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline).
- (83) Subpart FFFF - National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing.
- (84) Subpart GGGG - National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production.
- (85) Subpart HHHH - National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production.
- (86) Subpart IIII - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Automobiles and Light-Duty Trucks.
- (87) Subpart JJJJ - National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating.
- (88) Subpart KKKK - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans.
- (89) Reserved.
- (90) Subpart MMMM - National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products.
- (91) Subpart NNNN - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances.
- (92) Subpart OOOO - National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles.
- (93) Subpart PPPP - National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products.
- (94) Subpart QQQQ - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products.
- (95) Subpart RRRR - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture.

- (96) Subpart SSSS - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil.
- (97) Reserved.
- (98) Reserved.
- (99) Subpart VVVV - National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing.
- (100) Subpart WWWW - National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production.
- (101) Subpart XXXX - National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing.
- (102) Subpart YYYY - National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines.
- (103) Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (major source provisions only).
- (104) Subpart AAAAA - National Emission Standards for Hazardous Air Pollutants for Lime Manufacturing Plants.
- (105) Subpart BBBB - National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing.
- (106) Subpart CCCC - National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks.
- (107) Subpart DDDD - National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters.
- (108) Subpart EEEE - National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries.
- (109) Subpart FFFF - National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities.
- (110) Subpart GGGG - National Emission Standards for Hazardous Air Pollutants: Site Remediation.
- (111) Subpart HHHH - National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coating Manufacturing.
- (112) Subpart IIII - National Emission Standards for Hazardous Air Pollutants: Mercury Emissions From Mercury Cell Chlor-Alkali Plants.
- (113) Subpart JJJJ - National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing.
- (114) Subpart KKKK - National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing.
- (115) Subpart LLLL - National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing.
- (116) Reserved.
- (117) Subpart NNNN - National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production.
- (118) Reserved.

(119) Subpart P P P P P - National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Standards.

(120) Subpart Q Q Q Q Q - National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities

(121) Subpart R R R R R - National Emission Standards for Hazardous Air Pollutants: Taconite Iron Ore Processing.

(122) Reserved.

(123) Subpart T T T T T - National Emission Standards for Hazardous Air Pollutants for Primary Magnesium Refining

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

(125) Reserved.

(126) Reserved.

(127) Reserved.

(128) Subpart Y Y Y Y Y - National Emission Standards for Hazardous Air Pollutants for Electric arc Furnace Steelmaking Facilities Area Sources.

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

(130) Reserved.

(131) Reserved.

(132) Reserved.

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

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

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

(136) Subpart G G G G G - National Emission Standards for Hazardous Air Pollution for Primary Nonferrous Metals Area Sources - Zinc, Cadmium, and Beryllium.

(137) Reserved.

(138) Reserved.

(139) Reserved.

(140) Reserved.

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

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

(143) Reserved.

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

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

- (146) Subpart QQQQQQ - National Emission Standards for Hazardous Air Pollutants for Wood Preserving Area Sources.
- (147) Reserved.
- (148) Reserved.
- (149) Subpart TTTTTT- National Emission Standards for Hazardous Air Pollutants for Secondary nonferrous Metals Processing Area Sources.
- (150) Reserved.
- (151) Subpart VVVVVV - National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources.
- (152) Reserved.
- (153) Reserved.
- (154) Subpart YYYYYY- National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production Facilities Area Sources.
- (155) Subpart ZZZZZZ - National Emission Standards for Hazardous Air Pollutants for Aluminum, Copper, and Other Nonferrous Foundries Area Sources.
- (156) Subpart AAAAAA - National Emission Standards for Hazardous Air Pollutants for Asphalt Processing and Asphalt Roofing Manufacturing Area Sources.
- (157) Reserved.
- (158) Subpart CCCCCC - National Emission Standards for Hazardous Air Pollutants for Paints and Allied Products Manufacturing Area Sources.
- (159) Subpart DDDDDD - National Emission Standards for Hazardous Air Pollutants for Prepared Feeds Manufacturing Area Sources.
- (160) Reserved.
- (161) Reserved.
- (162) Reserved.
- (163) Subpart HHHHHH - National Emission Standards for Hazardous Air Pollutant Emissions for Polyvinyl Chloride and Copolymers Production.

Author: Richard E. Grusnick

Statutory Authority: Code of Ala. 1975, §§22-28-14, 22-22A-5, 22-22A-6, 22-22A-8, 41-22-9.

History: New Rule: Filed October 19, 1995; effective November 23, 1995. **Amended:** Filed October 17, 1996; effective November 21, 1996. **Amended:** Filed August 21, 1997; effective September 25, 1997. **Amended:** Filed June 10, 1999; effective July 15, 1999. **Amended:** Filed December 9, 1999; effective January 13, 2000. **Amended:** Filed August 3, 2000; effective September 7, 2000. **Amended:** Filed February 7, 2002; effective March 14, 2002. **Amended:** Filed August 29, 2002; effective October 3, 2002. **Amended:** Filed February 27, 2003; effective April 3, 2003. **Amended:** Filed August 28, 2003; effective October 2, 2003. **Amended:** Filed February 15, 2005; effective March 22,

2005. **Amended:** Filed November 7, 2005; effective December 12, 2005. **Amended:** Filed June 6, 2006; effective July 11, 2006. **Amended:** Filed February 27, 2007; effective April 3, 2007. **Amended:** Filed December 18, 2008; effective January 22, 2008. **Amended:** Filed July 1, 2008; effective August 5, 2008. **Amended:** Filed December 15, 2008; effective January 19, 2009. **Amended:** Filed February 23, 2010; effective March 30, 2010. **Amended:** Filed April 18, 2011; effective May 23, 2011. **Amended:** Filed April 24, 2012; effective May 29, 2012. **Amended:** Filed December 18, 2012; effective January 22, 2013. **Amended:** Filed April 13, 2013; effective May 28, 2013. **Amended:** Filed August 20, 2013; effective September 24, 2013. **Amended:** Filed October 20, 2015; effective November 24, 2015. **Amended:** Filed April 25, 2017; effective June 9, 2017. **Amended (no changes were made to the text or title):** Filed August 21, 2018; effective October 5, 2018. **Amended:** Published February 28, 2020; effective April 13, 2020. **Amended:** Published October 29, 2021; effective December 13, 2021. **Amended:** Published December 29, 2023; effective February 12, 2024. **Amended:** Published ; effective .

**ECONOMIC IMPACT STATEMENT
FOR APA RULE
(Section 41-22-23(f))**

Control No: 335

Department or Agency: Alabama Department of Environmental Management Air
Division - Air Pollution Control Program

Rule No: 335-3-11-.06

Rule Title: National Emission Standards For Hazardous Air
Pollutants For Source Categories

Intended Action: Amend

 This rule has no economic impact.

 Yes This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:

The adoption of these revisions to Chapter 335-3-11 by the State of Alabama will allow the regulations to be implemented and enforced by the Alabama Department of Environment Management. As discussed above, adoption of these regulations will allow the Department to retain State primacy of the federal program.

2. COSTS/BENEFITS OF RULE AND WHY RULES IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:

There will be no additional cost incurred by the residents of, or companies operating in, the State of Alabama if the revisions to the federal regulations are incorporated and adopted by the State. The costs are equivalent to the cost of compliance with the same regulations implemented by the federal government. Sources of air pollution will be subject to the same requirements for the installation of controls to prevent the emission of air pollution regardless of which agency (state or federal) implements these regulations.

3. EFFECT OF THIS RULE ON COMPETITION:

Adoption of these federally required regulations is not expected to have any effect on competition. As stated above, if the regulations are not adopted by the State of Alabama, they will be implemented on the federal level, and Alabama companies will be required to comply

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with the federal regulations and answer directly to the federal Environmental Protection Agency (EPA).

4. EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

Adoption of these federally required regulations is not expected to have any effect on the cost-of-living and doing business in the geographical area of implementation (State of Alabama). As stated above, if the regulations are not adopted by the State of Alabama, they will be implemented on the federal level. Therefore, Alabama companies still would be required to comply with the federal regulations and answer directly to the federal EPA.

5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

Adoption of these federally required regulations is not expected to have any effect on the employment in the geographical area in which the regulation would be implemented (State of Alabama).

6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:

Revenue from the Federal Grant and fines and fees collected by the Department will fund the adoption of this regulation. For sources subject to Title V of the Clean Air Act, as amended, fees are collected based on the amount of air pollution emitted annually.

7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON EFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:

The adoption of the proposed regulation is not expected to have any short-term or long-term economic impact. As stated above, if the regulations are not adopted by the State of Alabama, they will be implemented on the federal level. Alabama companies would still be required to comply with the federal regulations and answer directly to the federal EPA.

8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:

No additional burdens are expected as a result of the adoption of these regulations. If the regulations are not adopted by the State of Alabama, they will be implemented on the federal level. Alabama companies would still be required to comply with the federal regulations and answer directly to the federal EPA.

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9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:

The effect of the regulation on the environment and public health is addressed in the accompanying Federal Registers.

10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:

The benefits of the proposed regulations have been discussed in the above paragraphs, as well as, the Federal Registers. Alabama is required to adopt these regulations by the EPA in order to continue to have primacy in implementing an air pollution control program. In the event that the regulations are not adopted at the State level, the requirements will still exist at the federal level. However, it is generally acknowledged that regulations are implemented and enforced in a more effective and efficient manner at the State level than at the federal level.

Signature of certifying officer

Jeffery W. Kitchens

Jeffery W. Kitchens

Date

Wednesday, April 17, 2024