

## Changes to the Code of Federal Regulations (CFR) (July 1, 2015 - June 30, 2016)

### Sections Incorporated by Reference into the Administrative Rules of Montana

#	Year/Vol	Part/Subpart/Section*	Change	FR Page	Summary	ARM Reference	Topic
1	2016/81	50.14	Revised, removed	65452	In this rule, the Environmental Protection Agency (EPA) revised how exceptional events shall be flagged, when data shall be submitted, the schedule for submitting a demonstration of an exceptional event. The Rule also removed four 'reserved' sections.	17.8.202	Treatment of Monitoring Data Influenced by Exceptional Events
2	2015/80	50.19	Added	65452	The primary and secondary ozone national ambient air quality standards (NAAQS) were added. The standards are met if the 3-year average of the annual fourth-highest daily maximum 8-hour ozone concentration is less than 70 ppb for both the primary and secondary standard.	17.8.202	2015 Ozone NAAQS
3	2015/80	50 Appendix D	Revised	65453	This appendix now includes both the original ethylene chemiluminescence methodology as well as the new NO-chemiluminescence methodology, such that use of either measurement technique would be acceptable for implementation in commercial federal reference method analyzers.	17.8.202	Reference Measurement Principle and Calibration Procedure for Ozone in the Atmosphere
4	2015/80	50 Appendix U	Added	65458	This new appendix explains the data handing conventions and computations necessary for determining whether the primary and secondary NAAQS for ozone are met at an ambient ozone air quality monitoring site. Data reporting, data handling, and computation procedures to be used in making comparisons between reported ozone concentrations and the levels of the ozone NAAQS are specified.	17.8.202	Interpretation of the Primary and Secondary NAAQS for Ozone
5	2016/81	51.165(a)(1)(ii) and 51.166(b)(6) (Subpart I)	Revised	35632	For sources in the oil and natural gas sector, this action affects the determination of what constitutes a "stationary source" for purposes of the prevention of significant deterioration and nonattainment new source review preconstruction permitting programs and the scope of a "major source" in the title V operating permit program. The revised definitions are based on the proximity of emitting activities and consideration of whether the activities share equipment.	17.8.767	Review of New Sources and Modifications
6	2015/80	51.166(i)(11) (Subpart I)	Added	65460	This regulation was amended by adding that the new October 2015 ozone NAAQS do not apply when reviewing permit applications determined to be complete prior to October 1, 2015, but the ozone standard at the time the permit application was deemed complete.	17.8.767	Review of New Sources and Modifications
7	2015/80	53.9(i)	Removed	65460	Removed an obsolete provision for manufacturers to submit Product Manufacturing Checklists for fine and coarse particulate matter monitors.	17.8.103, 17.8.202	Ambient Air Monitoring Reference and Equivalent Methods
8	2015/80	53.14(c)	Revised	65460	Two changes were made which include an increase in the time allowed for the EPA to process requests for approval of modifications to previously designated federal reference methods (FRMs) and federal equivalent methods (FEMs) in the withdrawal of a requirement for annual submission of Product Manufacturing Checklists associated with FRMs and FEMs for PM <sub>2.5</sub> and PM <sub>10</sub> .	17.8.103, 17.8.202	Modification of an Ambient Air Monitoring Reference and Equivalent Methods

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9	2015/80	53.23(e)(1)(vi)	Revised	65460	The definition of <i>precision</i> has been changed to denote as the standard deviation expressed as a percentage of the upper range limits to agree with the calculation specified in §53.23(e)(10)(vi).	17.8.103, 17.8.202	Procedures for Testing Performance Characteristics of Automated Methods for SO <sub>2</sub> , CO, O <sub>3</sub> and NO <sub>2</sub>
10	2015/80	53.20-53.23, Table B-1 (Subpart B)	Revised	65460	Changes to Table B-1 are to conform to FEM performance testing. Ozone performance standard range parameters were changed to be more consistent with ozone analyzer performance capabilities and ozone lower range performance parameters were added. Also, the precision limits for NO <sub>2</sub> were changed from units of ppm to percentage to agree with the calculation specified in §53.23(e)(10)(vi).	17.8.103, 17.8.202	Procedures for Testing Performance Characteristics of Automated Methods for SO <sub>2</sub> , CO, O <sub>3</sub> and NO <sub>2</sub>
11	2015/80	53.32(g)(1)(iii)	Revised	65466	The description of the measurements for the first set of simultaneous tests with the candidate and reference methods shall follow Table C-2 without exception.	17.8.103, 17.8.202	Procedures for Determining Comparability between Candidate Methods and Reference Methods
12	2015/80	53.50-53.59 Figure E-2 (Subpart E)	Removed	65466	The Product Manufacturing Checklist of Figure E-2 was removed because the requirement for manufacturers of PM <sub>2.5</sub> and PM <sub>10</sub> monitors to submit this checklist was removed at the same time, so it became obsolete.	17.8.103, 17.8.202	Product Manufacturing Checklist
13	2016/81	Part 58	Revised, added, amended	17276	These revisions include adding and harmonizing definitions; clarifying annual monitoring network plan public notice requirements; revising network design requirements; system modifications and operating schedules; clarifying data certification, data submittal and archiving procedures; reorganizing and clarifying quality assurance requirements; and revising certain network design criteria for non-source oriented lead monitoring. These revisions also address other issues in the Ambient Air Quality Surveillance Requirements, to help reduce the compliance burden of monitoring agencies operating ambient monitoring networks.	17.8.202	Ambient Air Quality Surveillance
14	2015/80	Part 58	Revised, added, amended	65466	Several changes have been made to these rules following the change to lower the ozone NAAAQS. The EPA has made corresponding revisions in data handling conventions for ozone and changes to the air quality index. The EPA has changed the federal ozone monitoring season, the FRM the FEM analyzer performance requirements, and the Photochemical Assessment Monitoring Stations network.	17.8.202	Ambient Air Quality Surveillance
15	2016/81	60 Subparts A, GG, BBB, DDD, III, LLL, NNN, KKKK, OOOO	Amended, corrected	42542	Several corrections were made to reinstate the symbols "<", "≤", "≥" and ">" in various subparts.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Standards of Performance for New Stationary Sources - General Provisions
16	2015/80	60 Subpart A	Redesignated, new, added, and revised	64648	This amendment is related to permitting and reporting issues regarding the new carbon dioxide NSPS emission standard for fossil fuel-fired electric utility generating units, electric utility steam generating units, and stationary combustion turbines.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Standards of Performance for New Stationary Sources - General Provisions

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17	2016/81	60 Subpart A	Revised, added	35895	Changes result from amendments to the oil and natural gas new source performance standard (NSPS) that set standards for greenhouse gases, VOC, and implementation improvements.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Standards of Performance for New Stationary Sources - General Provisions
18	2016/81	60 Subpart Da	Revised	20180	This technical correction revises procedures for calculating compliance with the NSPS daily average particulate matter emission limit using particulate matter continuous emission monitoring systems.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Standard of Performance for Electric Utility Steam Generating Units
19	2015/80	60 Subpart F	Revise, added, removed	44776	These changes correct technical errors in the NSPS, clarify several existing definitions, removed the substitution which allowed for inclusion of the average emission rate from the previous hour for which data were available when the source did not have valid 15-minute continuous emission monitoring systems (CEMS) data, and make corrections to the monitoring or operations.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Portland Cement Plants
20	2015/80	60 Subpart J	Revised	75229	Following the residual risk and technology review for the associated national emission standards for hazardous air pollutants (NESHAP), this action finalizes technical corrections and clarifications to improve consistency and clarity and address issues related to a 2008 industry petition for reconsideration.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Petroleum Refineries
21	2015/80	60 Subpart Ja	Revised, amended, removed	75230	Following the residual risk and technology review for the associated NESHAP, this action finalizes technical corrections and clarifications to improve consistency and clarity and address issues related to a 2008 industry petition for reconsideration.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Petroleum Refineries
22	2015/80	60 Subparts T, U, V, W and X	Revised, added	50432	Resulting from the 8-year review of the current NSPS, revisions were made to clarify applicability and certain definitions, and revisions to the monitoring and recordkeeping requirements for absorbers.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Phosphate Fertilizer Industry
23	2016/81	60 Subparts CCCC and DDDD	Revised	40970	This action finalizes the proposed actions on four topics: definition of continuous emission monitoring system data during "startup and shutdown periods"; particulate matter limit for the waste-burning kiln subcategory; fuel variability factor for coal-burning energy recovery units; and the definition of "kiln."	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Commercial and Industrial Solid Waste Incineration Units
24	2016/81	60 Subpart OOOO	Amended, corrected, revised, added, removed	35896	Amendments improve implementation of current NSPS standards of Subpart OOOO. These amendments do not address GHG emissions standards but address monitoring, testing, initial compliance requirements, recordkeeping requirements, clarification of due dates, and such.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Crude Oil and Natural Gas Production, Transmission and Distribution
25	2015/80	60 Subpart OOOO	Revised, amended	48268	This action amends the definition of "low pressure gas well" and removes provisions concerning storage vessels connected or installed in parallel, and revised the definition of "storage vessel."	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	Crude Oil and Natural Gas Production, Transmission and Distribution
26	2015/80	60 Appendix B Performance Specification 18	Amended	38633	Performance specification 18 is a performance specification and test procedures for hydrogen chloride (HCl) continuous emission monitoring systems that was added to Appendix B.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002, 17.8.1502	Performance Specification 18 for Gaseous HCl CEMS

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27	2015/80	60 Appendix B Performance Specification 18, <i>7.0 Reagents and Standards</i>	Corrected	42397	The correction to performance specification 18 allows for the use of a reference gas to be $\pm 5$ percent, which is how all reference gases are certified.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002, 17.8.1502	Performance Specification 18 for Gaseous HCl CEMS
28	2016/81	60 Appendix B Performance Specification 18	Amended	31518	Several minor technical amendments were made which clarify several aspects of these regulations.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002, 17.8.1502	Performance Specification 18 for Gaseous HCl CEMS
29	2015/80	60 Appendix F, Procedure 6	Amended	38649	The quality assurance (QA) procedures for HCl CEMS establishes criteria and test procedures for evaluating the acceptability of the HCl CEMS. The QA procedures specify the minimum QA requirements necessary for the control and assessment of the quality of CEMS data submitted to the EPA. Performance Standard 18 and Procedure 6 are an alternative to the use of Performance Standard 15.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	QA Procedures
30	2016/81	60 Appendix F, Procedure 6	Amended	31520	Several minor technical amendments were made for both the performance specification and test procedures for HCl CEMS and QA procedures for HCl CEMS. These amendments correct minor definition inconsistencies and unintended differences between the proposal and the final rule to eliminate such inconsistencies and to remove unintended changes that occurred between the notice of the proposed rulemaking and the final rulemaking.	17.8.302, 17.8.767, 17.8.802, 17.8.902, 17.8.1002	QA Procedures
31	2015/80	63.14	Revised, redesignated, added, amended	50436, 56738, 62414, 65520, 75236, 75817	Some general provisions of the incorporation by reference section were amended to allow for new references, reference tests and documents, and to correct several errors.	17.8.103, 17.8.302, 17.8.1502	NESHAP General Provisions
32	2015/80	63.560 (Subpart Y)	Revised	75237	Based on developments in practices, processes and control technologies that warrant revisions to the MACT standards, Subpart Y deletes the exclusion for marine vessel loading operations at petroleum refineries.	17.8.103, 17.8.302, 17.8.1502	Marine Tank Vessel Loading Operations
33	2015/80	63 Subpart AA	Revised	50436	Final residual risk and technology review related to the phosphate acid manufacturing source category regulated under NESHAP has amended numeric emission limits for previously unregulated mercury (Hg) and total fluoride emissions from calciners; work practice standards for hydrogen fluoride (HF) emissions from previously unregulated gypsum dewatering stacks and cooling ponds; clarifications to the applicability and monitoring requirements to accommodate process equipment and technology changes; removal of the exemptions for startup, shutdown and malfunction (SSM); and adoption of work practice standards for periods of startup and shutdown; and revised recordkeeping and reporting requirements for periods of SSM.	17.8.103, 17.8.302, 17.8.1502	Phosphoric Acid Manufacturing Plants

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34	2015/80	63 Subpart BB	Revised	50450	Final residual risk and technology review related to the phosphate fertilizer source category regulated under NESHAP. The SSM exemption is eliminated. Work practice standards for periods of startup and shutdown have been added along with definitions of 'startup' and 'shutdown.' Additional revisions clarify applicability.	17.8.103, 17.8.302, 17.8.1502	Phosphate Fertilizer Production Plants
35	2015/80	63 Subpart CC	Added, revised, amended, redesignated, removed	75237	Final residual risk and technology review related to the petroleum refinery source category regulated under NESHAP. The rulemaking eliminates an exclusion from the definition of 'miscellaneous process vent' and establishes standards for these maintenance vents. New compliance dates apply for the MACT standard to sources constructed on or before June 30, 2014.	17.8.103, 17.8.302, 17.8.1502	Petroleum Refineries
36	2015/80	63 Subpart GG	Revised, removed, added, amended	76179	Final residual risk and technology review related to the aerospace manufacturing and rework facilities source category regulated under NESHAP. Among the changes, limitations are added to reduce organic and inorganic HAPs from specialty coating application operations, remove exemptions for SSM, and address recordkeeping and reporting requirements during SSM.	17.8.103, 17.8.302, 17.8.1502	Aerospace Manufacturing and Rework Facilities
37	2015/80	63 Subpart LL	Revised, amended, added, removed	62414	Final residual risk and technology review related to the primary aluminum reduction plants source category regulated under NESHAPs. These amendments reflect technology based standards and work practice standards, new and revised emission standards for some HAPs from certain potlines, eliminating the exemption for SSM and requires electronic reporting among other changes.	17.8.103, 17.8.302, 17.8.1502	Primary Aluminum Reduction Plants
38	2015/80	63 Subpart NN	Added	45325	Final residual risk and technology review related to the wool fiberglass manufacturing at area sources category regulated under NESHAP. The amendments establish pollutant-specific HAP emission limits, first-time generally available control technologies (GACT) standards for gas-fired glass-melting furnaces, making changes to SSM, and added requirements regarding performance test reporting among other changes.	17.8.103, 17.8.302, 17.8.1502	Wool Fiberglass Manufacturing at Area Sources
39	2015/80	63 Subpart DDD	Revised, amended, added, removed	45329	Final residual risk and technology review related to the mineral wool production source category regulated under NESHAP. The amendments establish pollutant-specific HAP emission limits, making changes to SSM, and added requirements regarding performance test reporting among other changes.	17.8.103, 17.8.302, 17.8.1502	Mineral Wool Production
40	2015/80	63 Subpart LLL	Amended, revised, removed, added	44778	Minor technical errors were corrected in NESHAP. The amendments included corrections and clarifications of the 2013 rule and remove the affirmative defense regulatory text.	17.8.103, 17.8.302, 17.8.1502	Portland Cement Manufacturing Industry

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41	2015/80	63 Subpart NNN	Revised, amended, added, removed	45334	Final residual risk and technology review related to the mineral wool production and wool fiberglass manufacturing source category regulated under NESHAP. The amendments establish pollutant-specific HAP emission limits, making changes to SSM, and added requirements regarding performance test reporting among other changes.	17.8.103, 17.8.302, 17.8.1502	Wool Fiberglass Manufacturing (major)
42	2015/80	63 Subpart RRR	Revised, removed, amended, added	56738	Final residual risk and technology review related to the secondary aluminum production source category regulated under NESHAP. The amendments include changes to the performance testing reporting, allow owners to change furnace classifications, changes to compliance testing for group 1 furnaces, and alternative compliance options for sweat furnaces among other changes.	17.8.103, 17.8.302, 17.8.1502	Secondary Aluminum Production
43	2016/81	63 Subpart RRR	Amended	38087	The amendments help improve compliance and implementation of the rule. The amendments correct errors, clarify requirements, provide additional options for round top furnaces to account for unmeasured emissions during compliance testing, and clarifies changes in furnace operating mode. Several web site addresses are updated.	17.8.103, 17.8.302, 17.8.1502	Secondary Aluminum Production
44	2015/80	63 Subpart UUU	Revised, added, amended, removed,	75273	Final residual risk and technology review related to the petroleum refineries catalytic cracking units, catalytic reforming units, and sulfur recovery units under NESHAP. The rulemaking eliminates an exclusion from the definition of 'miscellaneous process vent' and establishes standards for these maintenance vents. New compliance dates apply for the MACT standard to sources constructed on or before June 30, 2014.	17.8.103, 17.8.302, 17.8.1502	Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units
45	2015/80	63 Subpart DDDDD	Revised, added, removed, redesignated, amended	72806	Following reconsideration of the January 2013 amendments, EPA is making minor changes to the proposed definitions of startup and shutdown and work practices during these periods. There are some technical corrections and rule clarifications to improve the implementation of the final Boiler MACT.	17.8.103, 17.8.302, 17.8.1502	Industrial, Commercial, and Institutional Boilers and Process Heaters
46	2015/80	63 Subpart JJJJ	Revised	65520	This NESHAP was added to meet MACT control of mercury, non-mercury metal HAPs, and dioxins/furans; health-based standards for acid gas HAP; and work practice standards where applicable. This new NESHAP protects air quality and promotes public health by reducing HAP emissions. The previous brick and structural clay products manufacturing NESHAP was vacated and replaced with this rule.	17.8.103, 17.8.302, 17.8.1502	Brick and Structural Clay Products Manufacturing
47	2015/80	63 Subpart KKKKK	Revised	65543	This NESHAP was added to meet MACT control of mercury, non-mercury metal HAPs, and dioxins/furans; health-based standards for acid gas HAP; and work practice standards where applicable. This new NESHAP protects air quality and promotes public health by reducing HAP emissions. The previous clay ceramics manufacturing NESHAP was vacated and replaced with this rule.	17.8.103, 17.8.302, 17.8.1502	Clay Ceramics Manufacturing

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48	2016/81	63 Subpart UUUUU	Added, revised, removed, amended	20180	This action makes technical corrections to correct and clarify certain text of the rule. These corrections are categorized as: (1) resolutions of conflicts between preamble and regulatory text, (2) corrections that were inadvertently not made that EPA stated it would make in response to comments, and (3) clarification of language in regulatory text.	17.8.103, 17.8.302, 17.8.1502	Coal- and Oil-Fired Electric Utility Steam Generating Units
49	2016/81	75.16	Removed, corrected	10508	As a correction, 75.16(b)(1)(ii)(A) and (B) were removed.	17.8.767, 17.8.1202, 17.8.1502	CEMS - Monitoring Provisions
50	2016/81	75 Appendix A	Amended, corrected	10508	The first heading "2.1.3. CO <sub>2</sub> and O <sub>2</sub> Monitoring" and the text following it are removed to correct the entry because there is a duplicate heading with correct text beginning one paragraph later.	17.8.767, 17.8.1202, 17.8.1502	CEMS - Monitoring Provisions - Specifications and Test Procedures
51	2016/81	81 Subpart C 81.327	Amended	28720	The Billings sulfur dioxide (SO <sub>2</sub> ) nonattainment request for redesignation as 'attainment' has been approved and finalized. This section now shows that Yellowstone County has been amended to "attainment.	17.8.302, 17.8.902, 17.8.1002, 17.8.1102	Section 107 Attainment Status Designation