

CHAPTER 63

GENERAL STANDARDS OF PERFORMANCE

FOR REFERENCE ONLY - DO NOT CITE

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v. January 2012

401 KAR 63:001. Definitions for 401 Chapter 63.

CURRENT STATUS: Federally Enforceable Regulation
Approved to Kentucky SIP

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 24, 1992	OCT 20, 1992	59 FR 32343, JUN 23, 1994 FR Effective: AUG 22, 1994 Conditional Approval
APR 06, 1995	JAN 27, 1995 Submitted for Parallel Processing Final Submittal - May 04, 1995	60 FR 31087, JUN 13, 1995 FR Effective: JUL 28, 1994 Full Approval
JUN 06, 1996	JUN 19, 1996	62 FR 2915, JAN 21, 1997 FR Effective: MAR 24, 1997
JUN 09, 1999	Does not appear to have been submitted	
NOV 08, 2006	DEC 14, 2006	72 FR 52282, SEP 13, 2007 FR Effective: NOV 13, 2007

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v. January 2012

401 KAR 63:002. 40 C.F.R. Part 63 national emission standards for hazardous air pollutants

CURRENT STATUS: Federally Enforceable Regulation
MACT-NESHAP 40 C.F.R. Part 63

Replaced: 401 KAR 63:070, 401 KAR 63:100, 401 KAR 63:101, 401 KAR 63:104, 401 KAR 63:110, 401 KAR 63:160, 401 KAR 63:190, 401 KAR 63:300, 401 KAR 63:320, 401 KAR 63:340, 401 KAR 63:360, 401 KAR 63:400, 401 KAR 63:420, 401 KAR 63:460, 401 KAR 63:520, 401 KAR 63:541, 401 KAR 63:560, 401 KAR 63:640, 401 KAR 63:680, 401 KAR 63:701, 401 KAR 63:741, 401 KAR 63:780, 401 KAR 63:800, 401 KAR 63:820, 401 KAR 63:900, 401 KAR 63:920, 401 KAR 63:940, and 401 KAR 63:960.

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUL 14, 1999	No Action Required - Delegation of Authority automatic under Title V	
MAR 18, 2002	No Action Required - Delegation of Authority automatic under Title V	
SEP 10, 2003	No Action Required - Delegation of Authority automatic under Title V	
JAN 04, 2005	No Action Required - Delegation of Authority automatic under Title V	
NOV 14, 2007	No Action Required - Delegation of Authority automatic under Title V	

401 KAR 63:005. Open burning.

CURRENT STATUS: Federally Enforceable Regulation
Approved to Kentucky SIP

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 06, 1979	JUN 29, 1979	45 FR 84999, DEC 24, 1980 FR Effective: EC 24, 1980 Conditional Approval
		45 FR 84999, JUL 12, 1982 FR Effective: SEP 10, 1982 Full Approval
MAR 01, 1984	MAY 01, 1984	No Action Required
JAN 12, 1998	FEB 03, 1998	63 FR 67586, DEC 08, 1998 FR Effective: FEB 08, 1999 (VOC 15% Reduction Plan)
JUL 13, 2005	SEP 06, 2005	72 FR 58759, OCT 17, 2007 FR Effective: NOV 16, 2007

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v. January 2012

401 KAR 63:010. Fugitive emissions.

CURRENT STATUS: Federally Enforceable Regulation
Approved to Kentucky SIP

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 29, 1979	JUN 29, 1979	47 FR 30059, JUL 12, 1982 FR Effective: SEP 10, 1982 (Non-Part D SIP)

401 KAR 63:015. Flares.

CURRENT STATUS: Federally Enforceable Regulation
Approved to Kentucky SIP
RACT Regulation

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 06, 1979	JUN 29, 1979	47 FR 30059, JUL 12, 1982 FR Effective: SEP 10, 1982

401 KAR 63:020. Potentially hazardous matter or toxic substances.

CURRENT STATUS: Erroneously approved to Kentucky SIP on Dec. 24, 1980
 EPA removed from SIP on Feb. 16, 2010, but mistakenly references
 47 FR 30059 for SIP approval

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 06, 1979	JUN 29, 1979	45 FR 84999, DEC 24, 1980 FR Effective: DEC 24, 1980
FEB 16, 2010	MAY 25, 2007	75 FR 2440, JAN 15, 2010 FR Effective: FEB 16 2010

401 KAR 63:021. Existing sources emitting toxic air pollutants.

CURRENT STATUS: Not Federally Enforceable

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
NOV 11, 1986		
JAN 19, 1999		

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v. January 2012

401 KAR 63:022. New or modified sources emitting toxic air pollutants.

CURRENT STATUS: Repealed by 401 KAR 63:024 (January 19, 1999)
Not Federally Enforceable

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
NOV 11, 1986		

401 KAR 63:025. Asphalt paving operations.

CURRENT STATUS: Federally Enforceable Regulation
Approved to Kentucky SIP
RACT/VOC
Based on Group I CTG (EPA-450/2-72037)

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 06, 1979	JUN 29, 1979	47 FR 84999, JUL 12, 1982 FR Effective: SEP 10, 1982
JUN 24, 1992	OCT 20, 1992	59 FR 32343, JUN 23, 1994 FR Effective: AUG 22, 1994

401 KAR 63:031. Leaks from gasoline tank trucks.

CURRENT STATUS: Federally Enforceable Regulation
 Approved to Kentucky SIP
 RACT/VOC
 Based on Group I CTG (EPA-450/XXX)

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
AUG 24, 1982	SEP 20, 1982	48 FR 13168, MAR 30, 1983 FR Effective: APR 29, 1982
FEB 08, 1993	FEB 17, 1993	59 FR 32343, JUN 23, 1994 FR Effective: AUG 22, 1994

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 contained herein.
 v. January 2012
 11

401 KAR 63:042. Requirements for asbestos abatement entities.

CURRENT STATUS: Not Federally Enforceable
 Recodified to 401 KAR 58:040 (June 10, 1997)

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
NOV 06, 1987		

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 v. January 2012
 12

401 KAR 63:045. School asbestos abatement accreditations.

CURRENT STATUS: Recodified to 401 KAR 58:005 (February 24, 1992)
 Federally Enforceable Regulation
 AHERA (40 CFR 763, Subpart F)
 No Federal Waiver for Kentucky at Time of Recodification

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
OCT 05, 1988 Emergency Regulation 63:045E		
JAN 25, 1989		

401 KAR 63:050. Local education agencies.

CURRENT STATUS: Recodified to 401 KAR 58:010 (February 24, 1992)
Federally Enforceable Regulation
AHERA (40 CFR 763, Subpart E)
No Federal Waiver for Kentucky at Time of Recodification

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
OCT 05, 1988 Emergency Regulation 64:050E		
JAN 25, 1989		

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v. January 2012
14

401 KAR 63:060. List of hazardous air pollutants, petitions process, lesser quantity designations, and source category list

CURRENT STATUS: Authority Delegated to Kentucky
Under the Title V Program
Federally Enforceable Regulation
Recodified from 401 KAR 57:061 (July 02, 1997)

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
NOV 29, 1993 - was 57:061 at this time -	JAN 18, 1994	60 FR 57186, NOV 14, 1995 FR Effective: DEC 14, 1995
JUN 10, 1998	No Action Required - Delegation of Authority automatic under Title V	

401 KAR 63:070. Compliance extensions for early reductions of hazardous air pollutants.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
 Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
 Federally Enforceable Regulation
 MACT NESHAP - 40 CFR 63, Subpart D
 Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
FEB 22, 1995	JAN 18, 1995 Submitted for parallel processing APR 14, 1995	60 FR 57186, NOV 14, 1995 FR Effective: DEC 14, 1995

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v. January 2012

401 KAR 63:100. General provisions.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart A
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
DEC 12, 1994	JAN 25, 1995	60 FR 57186, NOV 14, 1995 FR Effective: DEC 14, 1995
JUN 10, 1998		

401 KAR 63:101. National emission standards for organic hazardous air pollutants from the synthetic organic chemical manufacturing industry

CURRENT STATUS: Repealed by 401 KAR 57:019 &
 Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
 Federally Enforceable Regulation
 MACT NESHAP - 40 CFR 63, Subpart L
 Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
AUG 13, 1997	AUG 20, 1997	

401 KAR 63:104. National emission standards for oil-water separators and organic-water separators

CURRENT STATUS: Repealed by 401 KAR 57:019 &
Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart L
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 10, 1998		

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401 KAR 63:105. Requirements for control technology determinations for major sources in accordance with Clean Air Act Section 112(g) & (j)

CURRENT STATUS: Repealed by 401 KAR 63:106
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart B
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
APR 14, 1999	No Action Required - Delegation of Authority automatic under Title V	
AUG 13, 2003	No Action Required - Delegation of Authority automatic under Title V	
JAN 04, 2005 REPEALED		

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v. January 2012

401 KAR 63:110. National emission standards for organic hazardous air pollutants from the synthetic organic chemical manufacturing industry for process vents, storage vessels, transfer operations and wastewater.

CURRENT STATUS: Repealed by 401 KAR 57:019 & Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart B
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
AUG 13, 1997	AUG 20, 1997	

401 KAR 63:160. National emission standards for organic hazardous air pollutants for equipment leaks.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
 Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
 Federally Enforceable Regulation
 MACT NESHAP - 40 CFR 63, Subpart B
 Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
AUG 13, 1997	AUG 20, 1997	

401 KAR 63:190.

National emission standards for organic hazardous air pollutants for certain processes subject to the negotiated regulation for equipment leaks.

CURRENT STATUS:

Repealed by 401 KAR 57:019 &
Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart B
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
AUG 13, 1997	AUG 20, 1997	

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v. January 2012

401 KAR 63:300. National emission standards for coke ovens.

CURRENT STATUS: Repealed by 401 KAR 57:019 & Incorporated by Reference in 401 KAR 63:002 (July 14, 1999) Federally Enforceable Regulation MACT NESHAP - 40 CFR 63, Subpart L Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
DEC 12, 1994	JAN 25, 1995	60 FR 57186, NOV 14, 1995 FR Effective: DEC 14, 1995

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v. January 2012

401 KAR 63:320. National perchloroethylene air emission standards for dry cleaning facilities.

CURRENT STATUS: Repealed by 401 KAR 57:019 & Incorporated by Reference in 401 KAR 63:002 (July 14, 1999) Federally Enforceable Regulation MACT NESHAP - 40 CFR 63, Subpart M Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
DEC 12, 1994	JAN 25, 1995	60 FR 57186, NOV 14, 1995 FR Effective: DEC 14, 1995

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v. January 2012

401 KAR 63:340. National emission standards for chromium emissions fro hard and decorative chromium electroplating and chromium anodizing tanks.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart M
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
AUG 13, 1997	AUG 20, 1997	

401 KAR 63:360. Ethylene oxide emissions standards for sterilization facilities.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
 Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
 Federally Enforceable Regulation
 MACT NESHAP - 40 CFR 63, Subpart M
 Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
AUG 13, 1997	AUG 20, 1997	

401 KAR 63:400. National emission standards for hazardous air pollutants for industrial process cooling towers.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart M
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
AUG 13, 1997	AUG 20, 1997	

401 KAR 63:420. National emission standards for gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations).

CURRENT STATUS: Repealed by 401 KAR 57:019 &
 Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
 Federally Enforceable Regulation
 MACT NESHAP - 40 CFR 63, Subpart M
 Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
AUG 13, 1997	AUG 20, 1997	

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v. January 2012

401 KAR 63:460. National emission standards for halogenated solvent cleaning.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
 Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
 Federally Enforceable Regulation
 MACT NESHAP - 40 CFR 63, Subpart M
 Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
AUG 13, 1997	AUG 20, 1997	

401 KAR 63:520. National emission standards for organic hazardous air pollutants for certain processes subject to the negotiated regulation for equipment leaks.

CURRENT STATUS: Repealed by 401 KAR 57:019 & Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart M
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
AUG 13, 1997	AUG 20, 1997	

401 KAR 63:520. National emission standards for organic hazardous air pollutants from lead smelting.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
 Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
 Federally Enforceable Regulation
 MACT NESHAP - 40 CFR 63, Subpart M
 Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 10, 1998		

401 KAR 63:560. National emission standards for marine tank vessel loading operations.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
 Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
 Federally Enforceable Regulation
 MACT NESHAP - 40 CFR 63, Subpart M
 Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
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401 KAR 63:640. National emission standards for hazardous air pollutants from petroleum refineries.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart M
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 10, 1998		

401 KAR 63:680. National emission standards for hazardous air pollutants from off-site waste and recovery operations.

CURRENT STATUS: Repealed by 401 KAR 57:019 & Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart M
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 10, 1998		

401 KAR 63:701. National emission standards for magnetic tape manufacturing operations.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart M
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
AUG 13, 1997	AUG 20, 1997	

401 KAR 63:741. National emission standards for aerospace manufacturing and rework facilities.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
 Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
 Federally Enforceable Regulation
 MACT NESHAP - 40 CFR 63, Subpart M
 Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 10, 1998		

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v. January 2012

401 KAR 63:640. National emission standards for shipbuilding and ship repair (surface coating).

CURRENT STATUS: Repealed by 401 KAR 57:019 &
Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart M
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 10, 1998		

401 KAR 63:800. National emission standards for wood furniture manufacturing operations.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
 Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
 Federally Enforceable Regulation
 MACT NESHAP - 40 CFR 63, Subpart M
 Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 10, 1998		

401 KAR 63:820. National emission standards for the printing and publishing industry.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
 Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
 Federally Enforceable Regulation
 MACT NESHAP - 40 CFR 63, Subpart M
 Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 10, 1998		

401 KAR 63:900. National emission standards for tanks - Level 1.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart M
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 10, 1998		

401 KAR 63:920. National emission standards for containers.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
 Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
 Federally Enforceable Regulation
 MACT NESHAP - 40 CFR 63, Subpart M
 Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 10, 1998		

401 KAR 63:940. National emission standards for hazardous air pollutants from off-site waste and recovery operations.

CURRENT STATUS: Repealed by 401 KAR 57:019 & Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart M
Authority Delegated to Kentucky

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 10, 1998		

401 KAR 63:960. National emission standards for individual drain systems.

CURRENT STATUS: Repealed by 401 KAR 57:019 &
Incorporated by Reference in 401 KAR 63:002 (July 14, 1999)
Federally Enforceable Regulation
MACT NESHAP - 40 CFR 63, Subpart M
Authority Delegated to Kentucky

HISTORY

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JUN 10, 1998		

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