

**SYNOPSIS OF
PROPOSED AMENDMENTS TO THE RULES OF THE
DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION DIVISION
AIR QUALITY CONTROL, CHAPTER 391-3-1**

Rule 391-3-1-.02(2)(ggg), “Existing Municipal Solid Waste Landfills,” is being amended.

Purpose: This rule is being revised to amend rule language to further clarify its application, add the latest amendment date of the incorporated Federal rule, and add missing language.

Main Features: Subparagraph (2)(ggg)1. is being revised to clarify the application of provisions in the first three subparagraphs of the rule. Subparagraph (2)(ggg)3.(i) is being revised to add missing language. Subparagraph (2)(ggg)6. is being revised to clarify the application of provisions in subparagraphs 6. through 8. of the rule. Subparagraph 2(ggg)8. is being revised to add the latest amendments of the incorporated Federal rule 40 CFR Part 60, Subpart Cf-Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills.

Rule 391-3-1-.02(2)(ppp), “Commercial and Industrial Solid Waste Incineration Units,” is being amended.

Purpose: This rule is being revised to reflect the latest amendment date of the incorporated Federal rule.

Main Features: Subparagraph (2)(ppp)2. is being revised to reflect the latest amendments of the incorporated Federal rule 40 CFR Part 60, Subpart DDDD-Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units.

STATEMENT OF RATIONALE
Rules for Air Quality Control

Rule 391-3-1-.02(2)(ggg) – Existing Municipal Solid Waste Landfills.

The basis of this rule is to set emission guidelines for municipal solid waste landfills. The purpose of this revision is to clarify that the first three subparagraphs of the rule apply to each existing municipal solid waste landfill that commenced construction, reconstruction or modification before May 30, 1991, and has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition. The purpose is also to clarify that subparagraphs 6. through 8. of the rule apply to each existing municipal solid waste landfill that commenced construction, reconstruction or modification on or before July 17, 2014, and has either accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition. The rule is also being revised to reflect the latest amendments made on March 26, 2020, to the Federal rule 40 CFR Part 60, Subpart Cf, that was incorporated by reference and add missing language.

Rule 391-3-1-.02(2)(ppp) – Commercial and Industrial Solid Waste Incineration Units.

The basis of this rule is to set emission guidelines for commercial and industrial solid waste incineration units. The purpose of this revision is to reflect the latest amendments made on March 20, 2023, to the Federal rule 40 CFR Part 60, Subpart DDDD, that was incorporated by reference.

The proposed rule revisions are required to comply with federal requirements or are administrative in nature. They are in no way any more restrictive than the federal requirements. They do not incur any additional costs to the regulated industry, local government, or public other than those required to meet the federal rule.