**JEPB Rule 2 Rulemaking 2021 – Adoptions of federal and state rules**

**Rule 62-204.800, F.A.C. - Adoption by Reference of EPA Regulations**

Rule amendments effective 10/8/2021

Adopted by **JEPB Rule 2.201**

**DEP Summary - Adoption by Reference of EPA Federal Regulations**

On October 8, 2021, DEP filed the Rulemaking Certification Package with the Department of State. The rule revisions to Rule 62-204.800, F.A.C., were effective on October 8, 2021. On September 9, 2021, DEP published a Notice of Intent to Adopt in in the FAR for Rule 62-204.800, F.A.C. The proposed rule amendments update the Department’s adoption by reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at Title 40, Code of Federal Regulations (C.F.R.), to incorporate requirements of the Department's federally approved and delegated air pollution programs. These rule amendments include language to address the Municipal Solid Waste Landfill Emission Guidelines Federal Plan, adoption of New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) amendments and streamlines adoptions by reference where appropriate. [DEP OGC No. 21-0811]

**Rules 62-210.310 and 62-210.700, F.A.C., Stationary Sources – General Requirements**

Rule amendments effective 3/27/2022

Adopted by **JEPB Rule 2.301**

**DEP Summary - Stationary Sources-General Requirements**

On March 7, 2022, DEP filed the Rulemaking Certification Package with the Department of State. The rule revisions to Rules 62-210.310 and 62-210.700, F.A.C., will be effective on March 27, 2022. On February 3, 2022, DEP published a Notice of Proposed Rule (NOPR) for Rules 62-210.310 and 62210.700, F.A.C. The purpose of this NOPR is to revise Rule 62-210.700, F.A.C., to extend the sunset date of the excess emissions rule to November 22, 2023. Corrective revisions in Rule 62-210.310, F.A.C., are also proposed. The Notice of Rule Development was published on November 4, 2021.

**Rules 62-296.513, F.A.C., Stationary Sources – Emission Standards**

Rule amendments effective 6/16//2022

Adopted by **JEPB Rule 2.1101**

**DEP Summary - Surface Coating of Miscellaneous Metal Parts and Products (Fast-Track Rulemaking)**

On May 25, 2022, DEP published a Notice of Intent to Adopt (NOITA) for Rule 62-296.513, F.A.C. (“Surface Coating of Miscellaneous Metal Parts and Products”). The purpose of the NOITA is provide alternatives to the Surface Coating of Miscellaneous Metal Parts and Products (MMPP) requirements for aerospace parts and products coating operations by cross-referencing the requirements of the federal National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 63, Subpart GG, adopted by reference in Rule 62-204.800, F.A.C.

**Rules 62-296.402, 62-296.404, 62-296.405, and 62-296.570, F.A.C., Stationary Sources – Emission Standards**

Rule amendments effective 6/23/2022

Adopted by **JEPB Rule 2.1101**

**DEP Summary - Stationary Sources-Emission Standards**

DEP received public comments on Rule 62-296.405, F.A.C. (“Fossil Fuel Steam Generators with More Than 250 Million Btu Per Hour Heat Input”), on April 11, 2022. Based on the public comments, DEP published a Notice of Change on May 5, 2022. The clarifications are related to the calculations of the 30day averaging times for Particulate Matter (PM), Sulfur Dioxide (SO2), and Nitrogen Oxides (NOx). The published NOPR stated that an arithmetic average would be used. Considering the public comments, the Notice of Change authorizes use of a 30-day averaging time to be calculated using a heat-input weighted average. The Notice of Change also provides clarifying language on how to calculate the 30-day average.

On March 22, 2022, DEP published a Notice of Proposed Rule (NOPR) for F.A.C. Rules 62-296.402

(“Sulfuric Acid Plants”), 62-296.404 (“Tall Oil Plants and Kraft [Sulfate] Pulp Mills”), 62-296.405

(“Fossil Fuel Steam Generators with More Than 250 Million Btu Per Hour Heat Input”), and 62-296.570

(“Reasonably Available Control Technology (RACT) -Requirements for Major VOC-and NOx-Emitting Facilities”). The purpose of this NOPR is to revise Rules 62-296.402, 62-296.404, 62-296.405, and 62-296.570, F.A.C., to delete provisions that are outdated or superseded by federal regulations, clarify federal rule applicability and what an existing and new source in each rule that uses these terms. Other minor corrective or clarifying amendments are also proposed. The Notice of Rule Development was published on November 4, 2021.

*Adoptions for DEP rulemaking from 7/1/2021 to 8/1/2022*