



NESHAP: Initial Notification

If NESHAP applies to a source, the first step is to provide **Initial Notification** in accordance with EPA rules. Initial Notification is the responsibility of the owner/operator of the source.

According to EPA rules, Initial Notification must be completed within 120 days of a regulation affecting an emission source. The final rule 40 CFR Part 63 – NESHAP for RICE has an effective date of May 3, 2010. This means that the Initial Notification must be completed by **August 31, 2010**, 120 calendar days after May 3, 2010.

There is no specific form required for the notification, as long as required information is included (see below). The EPA has provided an example form that may be used, which can be obtained by contacting Ziegler Power Systems or can be found on the EPA web site. It is recommended that notification be sent via registered mail return receipt with the delivery receipt retained with your notification records.

The state of **Minnesota** (as of June 2010) does not plan to accept delegated authority for this EPA notification; therefore, Initial Notification for Minnesota sources should be sent to the EPA Region V office, with a copy to the MPCA.

The state of **Iowa** plans to accept delegated authority for this EPA notification, and has developed its own Initial Notification form (available by contacting Ziegler Power Systems or on the Iowa-DNR web site). Initial Notification for an Iowa source should be sent to the Iowa DNR and the EPA Region VII office.

MINNESOTA

EPA Region V
Attn: Director, Air and Radiation Division
77 West Jackson Blvd.
Chicago, IL 60604-3507

Air Quality Compliance Tracking Coordinator
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194

IOWA

EPA Region VII
Attn: Director, Air and Waste Management Division
901 N. 5th Street
Kansas City, KS 66101

Iowa DNR
Attn: Diane Brockshus, NESHAP Compliance
7900 Hickman Rd., Suite 1,
Windsor Heights, IA 50324

Notification Requirements: 40 CFR Part 63.9 (b) (2): The owner or operator of an affected source that has an initial startup before the effective date of a relevant standard under this part shall notify the Administrator in writing that the source is subject to the relevant standard. The notification, which shall be submitted not later than 120 calendar days after the effective date of the relevant standard (or within 120 calendar days after the source becomes subject to the relevant standard), shall provide the following information:

- (i) The name and address of the owner or operator;
- (ii) The address (i.e., physical location) of the affected source;
- (iii) An identification of the relevant standard, or other requirement, that is the basis of the notification and the source's compliance date;
- (iv) A brief description of the nature, size, design, and method of operation of the source and an identification of the types of emission points within the affected source subject to the relevant standard and types of hazardous air pollutants emitted; and
- (v) A statement of whether the affected source is a major source or an area source.

FOR MORE INFORMATION: Please be advised that this document is for informational purposes only and should not be construed as legal advice. End-users should refer to EPA regulations at 40 CFR Part 63 subpart ZZZZ for more detailed information. For applicability to your situation, please consult your legal advisor. For more information about technologies to help you meet today's stringent air quality regulations, please contact Ziegler Power Systems.