

2.2 Regulatory History

The EPA issued the Phase I air regulations on June 21, 1990 [[55 FEDERAL REGISTER \(FR\) 25454](#)]. Phase 1 air rules regulated air emissions from certain process vents and equipment leaks as described in 40 CFR Parts 264 and part 265, Subparts AA and BB. On December 8, 1997, revisions were made to the Subpart AA Rules [[62 FR 64635-64671](#)] to amend 40 CFR 264.1030 and 265.1030 to exempt from requirements of Subpart CC any process vents at a facility where the facility owner or operator certifies that all of the process vents are equipped with and operating air emission controls in accordance with the process vent requirements of an applicable Clean Air Act (CAA) regulation codified in 40 CFR Part 60, Part 61 or Part 63.

The Phase II air regulations were published on December 6, 1994 [[59 FR 62896-62953](#)] to control organic air emissions from certain tanks, surface impoundments and containers. These regulations are codified in 40 CFR parts 264 and part 265, Subpart CC. The EPA published four documents to delay the effective date of the Subpart CC rule. The first ([60 FR 26828, May 19, 1995](#)) revised the effective date of the standards to be December 6, 1995. The second ([60 FR 56952, November 13, 1995](#)) revised the effective date of the standards to be June 6, 1996. The third ([61 FR 28508, June 5, 1996](#)) further postponed the effective date for the rule requirements until October 6, 1996, and the fourth ([61 FR 59931, November 26, 1996](#)) established the ultimate effective date of December 6, 1996. The EPA published Federal Register notices [61 FR 4903 \(February 9, 1996\)](#) and [62 FR 64636 \(December 8, 1997\)](#) to clarify amendments in the

RCRA SUBPARTS AA, BB AND CC REGULATIONS BODY OF KNOWLEDGE

regulatory text of the final standards and to clarify certain language in the preamble.

The December 6, 1994 Final Rule set a final compliance date of December 8, 1997, by which all required air emission control equipment must be operating. This final compliance deadline has remained unchanged since the December 6, 1994, Final Rule was published. The basis for the decision not to revise the compliance deadline is that EPA believes that many air pollution control devices can be installed and in operation within a relatively short time period (several months).