

actual emissions of VOCs and NO_x. Further, states with ozone nonattainment areas are required to submit a revision to their SIPs by November 15, 1992, establishing this Emission Statement Program.

Facilities are required to submit their first emission statement to a state within three years of promulgation of the Act and annually thereafter. If either VOC or NO_x is emitted at or above the minimum reporting level that is established in a state Emission Statement Program, the other pollutant (NO_x or VOC) from the same facility should be included in the emission statement, even if the pollutant is emitted at levels below the minimum reporting level.

Section 182(a)(3)(B)(ii) of the Act allows states to waive, with EPA approval, the requirement for an emission statement for classes or categories of sources with less than 25 tons per year of actual plant-wide NO_x and VOC emissions in nonattainment areas if the class or category is included in the base year and periodic inventories and emissions are calculated using emission factors established by EPA (such as those found in EPA publication AP-42) or other methods acceptable to EPA.

Consolidated Emission Reporting Rule (Annual Reporting for All Criteria Pollutants)

In order to consolidate reporting requirements by the states to EPA, on June 10, 2002 (see FR 39602), EPA published the final Consolidated Emissions Reporting rule (CERR). The purpose of the CERR is to simplify the states' annual reporting of criteria pollutants for which the National Ambient Air Quality Standards (NAAQS) have been established and their precursors (VOC, NO_x, SO₂, PM₁₀, PM_{2.5}, CO, NH₃, Pb) to EPA, offer options for data collection and exchange, and unify reporting dates for various categories of criteria pollutant emission inventories. The CERR requires states to report to EPA emissions of NO_x, CO, VOC, Pb, SO₂, PM₁₀, annually for industrial point sources (based on specific emission thresholds) based on calendar year (CY) 2001 and due June 1, 2003 and continuing every year thereafter (*i.e.*, CY 2002 emission inventory due June 1, 2004, CY 2003 emission inventory due June 1, 2005, * * * etc.). One important element of the CERR is a requirement that states collect PM_{2.5} and ammonia (NH₃) emissions data from industrial facilities. Reporting of PM_{2.5} and NH₃ from point sources becomes effective

June 2004, for emissions that occurred during calendar year 2002.

New Jersey's Emission Statement rule, which requires facilities to report information for the criteria pollutants and the associated precursors mentioned above, will now enable the State to satisfy the federal CERR requirements for major sources.

Hazardous Air Pollutants (Periodic Reporting of Hazardous Air Pollutants)

In addition to the emission inventory provisions related to NAAQS pollutants, EPA has requested that the states report HAP emissions from anthropogenic sources for the National Toxics Inventory. The National Toxics Inventory (NTI) is an emission inventory developed every three years (1993, 1996, 1999, etc.) by EPA. The NTI is a complete national inventory of stationary and mobile sources that emit hazardous air pollutants (HAPs).

The NTI contains emission estimates for large stationary sources (point), small stationary sources (non-point), and mobile sources. Point sources in the NTI include major and area source categories as defined in section 112 of the Clean Air Act. Non-point source categories in the NTI include area sources that are not included in the point sources and other stationary source categories. Individual emission estimates are developed for point sources, while aggregate emission estimates at the county level are developed and recorded for non-point stationary and mobile sources. The NTI also identifies facilities and non-point source categories that are associated with MACT categories.

Need for NTI Inventory

Title V of the Act requires the Administrator to perform an oversight role with respect to state issued permits, including permits issued to major sources of HAP emissions. In order to determine whether that program is being appropriately and lawfully administered by the states with respect to major HAP sources, a HAP emission inventory is necessary. States are developing programs to regulate HAPs and State Title V programs must include permits for all HAP sources emitting major quantities of HAPs (10 tons of one HAP or 25 tons of multiple HAPs per year). Thus, the EPA believes including HAPs in the point source inventory is appropriate and necessary.

Section 112(n)(1)(A) of the Act requires EPA to report to Congress on the hazards to public health reasonably anticipated to occur as a result of emissions from electric utility steam generating units. Section 112(n)(1)(B)

requires EPA to provide a report to Congress that considers the rate and mass of HAP emissions and the health and environmental effects of these emissions. Section 112(c)(6) requires a list of categories and subcategories of HAP sources subject to standards that account for not less than 90 percent of the aggregate emission of each pollutant. Although these new requirements do not include specific provisions requiring the compilation of HAP emissions inventories, they do introduce the need for such inventories in order to carry out the mandated statutes.

Section 112(k)(3) of the Act mandates that EPA develop a strategy to control emissions of HAPs from area sources in urban areas, and that the strategy achieves a reduction in the incidence of cancer attributable to exposure to HAPs emitted by stationary sources of not less than 75 percent, considering control of emissions from all stationary sources, as well as a substantial reduction in public health risks posed by HAPs from area sources. These mandated risk reductions are to be achieved by taking into account all emission control measures implemented by the Administrator or by the states under this or any other laws. A reliable HAP emission inventory covering all stationary sources of HAPs, including point and area sources, will be important in developing the mandated strategy and demonstrating that the strategy achieves the mandated risk reductions. It would be virtually impossible for EPA to identify and estimate HAP-specific emission reductions from all the federal and State rules that might result in HAP emission reductions. Therefore, EPA believes development of the strategy and assessment of progress in achieving the strategic goals requires the development and periodic update of a HAP emission inventory.

As presented in the July 19, 1999 **Federal Register** action on the National Air Toxics Program: The Integrated Urban Strategy (64 FR 38706), a designed approach has been developed that depends upon a reliable and periodically updated HAP emission inventory as a critical element in the assessments that support the development and evaluation of our urban strategy.

New Jersey's Emission Statement rule, which requires facilities to report information for the hazardous air pollutants, will now help the State to satisfy the HAPs reporting requirements for major sources.