



MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT

14306 Park Avenue Victorville, CA 92392-2310
760.245.1661 -- 800.635.4617 -- FAX 760.245.2022

AUTHORITY TO CONSTRUCT

B011316

If construction is not completed by the expiration date of this permit, it may be renewed for one additional year upon payment of applicable fees. Any additional extension will require the written approval of the Air Pollution Control Officer. This Authority to Construct may serve as a temporary Permit to Operate provided the APCO is given prior notice of intent to operate and the Permit to Operate is not specifically denied.

EXPIRES LAST DAY OF: FEBRUARY 2027

OWNER OF OPERATOR (Co.#2349)

MP Mine Operations LLC
67750 Bailey Road
Mountain Pass, CA 92366

EQUIPMENT LOCATION (Fac.#364)

Mountain Pass Mine
67750 Bailey Road
Mountain Pass, CA 92366

Description:

SXH (HEAVIES SEPARATION) CIRCUIT consisting of:

EQUIPMENT

Capacity	Equipment Description
0	D45-PMV101 Primary Mixer Vessel 624 gallon
0	D45-SMV101 Secondary Mixer Vessel 624 gallon
0	D45-STLR101 Settler 1,459 gallon
0	D45-PMV102 Primary Mixer Vessel 624 gallon
0	D45-SMV102 Secondary Mixer Vessel 624 gallon
0	D45-STLR102 Settler 1,459 gallon
0	D45-PMV103 Primary Mixer Vessel 624 gallon
0	D45-SMV103 Secondary Mixer Vessel 624 gallon
0	D45-STLR103 Settler 1,459 gallon
0	D45-PMV104 Primary Mixer Vessel 624 gallon
0	D45-SMV104 Secondary Mixer Vessel 624 gallon
0	D45-STLR104 Settler 1,459 gallon
0	D45-PMV105 Primary Mixer Vessel 624 gallon
0	D45-SMV105 Secondary Mixer Vessel 624 gallon

Fee Schedule: 1 (c)

Rating: 663.25 bhp

SIC: 1099

SCC: 30504099

Location/UTM(Km):
634E/3926N

This permit does not authorize the emission of air contaminants in excess of those allowed by law, including Division 26 of the Health and Safety Code of the State of California and the Rules and Regulations of the District. This permit cannot be construed as permission to violate existing laws, ordinances, statutes or regulations of this or other governmental agencies. This permit must be renewed by the expiration date above. If billing for renewal fee required by Rule 301(c) is not received by expiration date above, please contact the District.

MP Mine Operations LLC
1700 S. Pavilion Center Drive, 8th Floor
Las Vegas, NV 89135

By: **COPY**
Eldon Heaston
Air Pollution Control Officer

Capacity	Equipment Description
0	D45-STLR105 Settler 1,459 gallon
0	D45-PMV106 Primary Mixer Vessel 624 gallon
0	D45-SMV106 Secondary Mixer Vessel 624 gallon
0	D45-STLR106 Settler 1,459 gallon
0	D45-PMV107 Primary Mixer Vessel 624 gallon
0	D45-SMV107 Secondary Mixer Vessel 624 gallon
0	D45-STLR107 Settler 1,459 gallon
0	D45-PMV108 Primary Mixer Vessel 624 gallon
0	D45-SMV108 Secondary Mixer Vessel 624 gallon
0	D45-STLR108 Settler 1,459 gallon
0	D45-PMV109 Primary Mixer Vessel 624 gallon
0	D45-SMV109 Secondary Mixer Vessel 624 gallon
0	D45-STLR109 Settler 1,459 gallon
0	D45-PMV110 Primary Mixer Vessel 624 gallon
0	D45-SMV110Secondary Mixer Vessel 624 gallon
0	D45-STLR110 Settler 1,459 gallon
0	D45-PMV111 Primary Mixer Vessel 624 gallon
0	D45-SMV111 Secondary Mixer Vessel 624 gallon
0	D45-STLR111 Settler 1,459 gallon
0	D45-PMV112 Primary Mixer Vessel 624 gallon
0	D45-SMV112 Secondary Mixer Vessel 624 gallon
0	D45-STLR112 Settler 1,459 gallon
0	D45-PMV201 Primary Mixer Vessel 376 gallon
0	D45-SMV201 Secondary Mixer Vessel 376 gallon
0	D45-STLR201 Settler 1,077 gallon
0	D45-PMV202 Primary Mixer Vessel 376 gallon
0	D45-SMV202 Secondary Mixer Vessel 376 gallon
0	D45-STLR202 Settler 1,077gallon
0	D45-PMV203 Primary Mixer Vessel 376 gallon
0	D45-SMV203 Secondary Mixer Vessel 376 gallon
0	D45-STLR203 Settler 1,077 gallon
0	D45-PMV204 Primary Mixer Vessel 376 gallon
0	D45-SMV204 Secondary Mixer Vessel 376 gallon
0	D45-STLR204 Settler 1,077 gallon
0	D45-PMV205 Primary Mixer Vessel 376 gallon
0	D45-SMV205 Secondary Mixer Vessel 376 gallon
0	D45-STLR205 Settler 1,077 gallon
0	D45-PMV206 Primary Mixer Vessel 376 gallon
0	D45-SMV206 Secondary Mixer Vessel 376 gallon
0	D45-STLR206 Settler 1,077gallon
0	D45-PMV207 Primary Mixer Vessel 376 gallon
0	D45-SMV207 Secondary Mixer Vessel 376 gallon
0	D45-STLR207 Settler 1,077 gallon
0	D45-PMV208 Primary Mixer Vessel 376 gallon
0	D45-SMV208 Secondary Mixer Vessel 376 gallon
0	D45-STLR208 Settler 1,077 gallon
0	D45-PMV209 Primary Mixer Vessel 376 gallon
0	D45-SMV209 Secondary Mixer Vessel 376 gallon
0	D45-STLR209 Settler 1,077 gallon
0	D45-PMV210 Primary Mixer Vessel 376 gallon

Capacity	Equipment Description
0	D45-SMV210 Secondary Mixer Vessel 376 gallon
0	D45-STLR210 Settler 1,077 gallon
0	D45-PMV211 Primary Mixer Vessel 376 gallon
0	D45-SMV211 Secondary Mixer Vessel 376 gallon
0	D45-STLR211 Settler 1,077 gallon
0	D45-PMV212 Primary Mixer Vessel 376 gallon
0	D45-SMV212 Secondary Mixer Vessel 376 gallon
0	D45-STLR212 Settler 1,077 gallon
0	D45-PMV301 Primary Mixer Vessel 376 gallon
0	D45-SMV301 Secondary Mixer Vessel 376 gallon
0	D45-STLR301 Settler 1,077gallon
0	D45-PMV302 Primary Mixer Vessel 376 gallon
0	D45-SMV302 Secondary Mixer Vessel 376 gallon
0	D45-STLR302 Settler 1,077gallon
0	D45-PMV303 Primary Mixer Vessel 376 gallon
0	D45-SMV303 Secondary Mixer Vessel 376 gallon
0	D45-STLR303 Settler 1,077 gallon
0	D45-PMV304 Primary Mixer Vessel 376 gallon
0	D45-SMV304 Secondary Mixer Vessel 376 gallon
0	D45-STLR304 Settler 1,077 gallon
0	D45-PMV305 Primary Mixer Vessel 376 gallon
0	D45-SMV305 Secondary Mixer Vessel 376 gallon
0	D45-STLR305 Settler 1,077 gallon
0	D45-TK101 SXH Feed Adjustment Tank #1 12,700 gallon
0	D45-TK102 SXH Feed Adjustment Tank #2 12,700 gallon
0	D45-TK103 SXH Feed Storage Tank 33,000 gallon
0	D45-TK106 SXH Pregnant Liquor Tank 10,000 gallon
0	D45-TK108 SXH Organic Holding Tank 15,000 gallon
0	D45-TK111 SXH Saponification Tank 11,500 gallon
0	D45-TK117 SXH Organic Makeup Tank 500 gallon
0	D45-TK121 SXH Pregnant Liquor Disengagement Tank 1,077 gallon
25	531-D45-P101 pH Adjust Tank Recirculation Pump
20	531-D45-P102 pH Adjust Tank Recirculation Pump
0	D45-MX101 SXH Feed Adj Static Mixer #1
0	D45-MX102 SXH Feed Adj Static Mixer #2
7.5	D45-P103 SXH Storage Feed Pump
0	D45-P104 SXH Storage Feed Pump back up only
5	D45-PMAG101 SXH Extraction Cell 101 Primary Mixer Agitator
3	D45-SMAG101 SXH Extraction Cell 101 Secondary Mixer Agitator
5	D45-PMAG102 SXH Extraction Cell 102 Primary Mixer Agitator
3	D45-SMAG102 SXH Extraction Cell 102 Secondary Mixer Agitator
5	D45-PMAG103 SXH Extraction Cell 103 Primary Mixer Agitator
3	D45-SMAG103 SXH Extraction Cell 103 Secondary Mixer Agitator
5	D45-PMAG104 SXH Extraction Cell 104 Primary Mixer Agitator
3	D45-SMAG104 SXH Extraction Cell 104 Secondary Mixer Agitator
5	D45-PMAG105 SXH Extraction Cell 105 Primary Mixer Agitator
3	D45-SMAG105 SXH Extraction Cell 105 Secondary Mixer Agitator
5	D45-PMAG106 SXH Extraction Cell 106 Primary Mixer Agitator
3	D45-SMAG106 SXH Extraction Cell 106 Secondary Mixer Agitator
5	D45-PMAG107 SXH Extraction Cell 107 Primary Mixer Agitator

Capacity	Equipment Description
3	D45-SMAG107 SXH Extraction Cell 107 Secondary Mixer Agitator
5	D45-PMAG108 SXH Extraction Cell 108 Primary Mixer Agitator
3	D45-SMAG108SXH Extraction Cell 108 Secondary Mixer Agitator
5	D45-PMAG109 SXH Extraction Cell 109 Primary Mixer Agitator
3	D45-SMAG109 SXH Extraction Cell 109 Secondary Mixer Agitator
5	D45-PMAG110 SXH Extraction Cell 110 Primary Mixer Agitator
3	D45-SMAG110 SXH Extraction Cell 110 Secondary Mixer Agitator
5	D45-PMAG111 SXH Extraction Cell 111 Primary Mixer Agitator
3	D45-SMAG111 SXH Extraction Cell 111 Secondary Mixer Agitator
5	D45-PMAG112 SXH Extraction Cell 112 Primary Mixer Agitator
3	D45-SMAG112 SXH Extraction Cell 112 Secondary Mixer Agitator
0	D45-HX110 SXH Aqueous Scrub Cooler
3	D45-PMAG201 SXH Extraction Cell 201 Primary Mixer Agitator
2	D45-SMAG201 SXH Extraction Cell 201 Secondary Mixer Agitator
3	D45-PMAG202 SXH Extraction Cell 202 Primary Mixer Agitator
2	D45-SMAG202 SXH Extraction Cell 202 Secondary Mixer Agitator
3	D45-PMAG203 SXH Extraction Cell 203 Primary Mixer Agitator
2	D45-SMAG203 SXH Extraction Cell 203 Secondary Mixer Agitator
3	D45-PMAG204 SXH Extraction Cell 204 Primary Mixer Agitator
2	D45-SMAG204 SXH Extraction Cell 204 Secondary Mixer Agitator
3	D45-PMAG205 SXH Extraction Cell 205 Primary Mixer Agitator
2	D45-SMAG205 SXH Extraction Cell 205 Secondary Mixer Agitator
3	D45-PMAG206 SXH Extraction Cell 206 Primary Mixer Agitator
2	D45-SMAG206 SXH Extraction Cell 206 Secondary Mixer Agitator
3	D45-PMAG207 SXH Extraction Cell 207 Primary Mixer Agitator
2	D45-SMAG207 SXH Extraction Cell 207 Secondary Mixer Agitator
3	D45-PMAG208 SXH Extraction Cell 208 Primary Mixer Agitator
2	D45-SMAG208 SXH Extraction Cell 208 Secondary Mixer Agitator
3	D45-PMAG209 SXH Extraction Cell 209 Primary Mixer Agitator
2	D45-SMAG209 SXH Extraction Cell 209 Secondary Mixer Agitator
3	D45-PMAG210 SXH Extraction Cell 210 Primary Mixer Agitator
2	D45-SMAG210 SXH Extraction Cell 210 Secondary Mixer Agitator
3	D45-PMAG211 SXH Extraction Cell 211 Primary Mixer Agitator
2	D45-SMAG211 SXH Extraction Cell 211 Secondary Mixer Agitator
3	D45-PMAG212 SXH Extraction Cell 212 Primary Mixer Agitator
2	D45-SMAG212 SXH Extraction Cell 212 Secondary Mixer Agitator
0	D45-HX108 SXH Aqueous Strip Cooler
0	D45-MX108 SXH Aqueous Strip Static Mixer
3	D45-PMAG301 SXH Extraction Cell 301 Primary Mixer Agitator
2	D45-SMAG301 SXH Extraction Cell 301 Secondary Mixer Agitator
3	D45-PMAG302 SXH Extraction Cell 302 Primary Mixer Agitator
2	D45-SMAG302 SXH Extraction Cell 302 Secondary Mixer Agitator
3	D45-PMAG303 SXH Extraction Cell 303 Primary Mixer Agitator
2	D45-SMAG303 SXH Extraction Cell 303 Secondary Mixer Agitator
3	D45-PMAG304 SXH Extraction Cell 304 Primary Mixer Agitator
2	D45-SMAG304 SXH Extraction Cell 304 Secondary Mixer Agitator
3	D45-PMAG305 SXH Extraction Cell 305 Primary Mixer Agitator
2	D45-SMAG305 SXH Extraction Cell 305 Secondary Mixer Agitator
25	D45-P111 SXH Saponification Tank Pump
0	D45-P113 SXH Saponification Tank Pump back up only

Capacity	Equipment Description
5	D45-P108 SXH Holding Tank Aqueous Pump
5	D45-P109 SXH Holding Tank Organic Pump
0	D45-P110 SXH Holding Tank Organic Pump back up only
2	D45-P117 SXH Organic Makeup Tank Pump
0	D45-TK130 SXH-SXI Condensate Collection Tank 300 gallon
0.25	D45-P130 SXH-SXI Condensate Return Pump
0	D45-P131 SXH-SXI Condensate Return Pump back up only
0	D45-TK701 SXH-SXI Centrifuge Feed Tank 4,500 Gallon
0	D45-TK701-AG01 SXH-SXI Centrifuge Feed Tank Agitator
7.5	D45-P701 Centrifuge Feed Pump
0	D45-TK702 Centrate Collection Tank 750 Gallon
5	D45-P702 Aqueous Centrate Pump
0	D45-TK110 SXH-SXI Organic Storage Tank 32,000 Gallon
0	D45-CEN01 Centrifuge
25	531-D45-P101A pH Adjust Tank Transfer Pump
20	531-D45-P102A pH Adjust Tank Transfer Pump
0	531-D45-CLR101 Cooler
1	531-D45-AG205 SX Feed Prep Thickener Mix Box Agitator
0	531-D45-AREC201 Air Receiver
0	531-D45-AS201 Air Water Separator
20	531-D45-FE201 Filter Cake Screw Conveyor
8.5	531-D45-FI201 Filter Press, 7.5 hp hydraulic + 1.0 hp hydraulic cooling
2	531-D45-ME201 SX Feed Prep Clarifier-Thickener Mechanism, 2-1 hp motors
1	531-D45-P202 SX Feed Prep Clarifier-Thickener Underflow Pump
1	531-D45-P203 SX Feed Prep Clarifier-Thickener Underflow Pump (Spare)
7.5	531-D45-P204 SX Feed Prep Clarifier-Thickener Area Sump Pump
5	531-D45-P206 Filter Feed Pump
5	531-D45-P207 Filter Feed Pump (Spare)
1	531-D45-P208 Filtrate Pump
1	531-D45-P209 Filtrate Pump (Spare)
45	531-D45-P210 Filter Wash Water Pump, 25 hp primary + 20 hp booster
45	531-D45-P211 Filter Wash Water Pump (Spare), 25 hp primary + 20 hp booster
7.5	531-D45-P212 SX Feed Prep Clarifier-Thickener Overflow Pump
7.5	531-D45-P213 SX Feed Prep Clarifier-Thickener Overflow Pump (Spare)
60	531-D45-P230 SX Feed Prep Cake Wash Pump
60	531-D45-P231 SX Feed Prep Cake Wash Pump (Spare)
0	531-D45-TH201 SX Feed Prep Clarifier-Thickener Tank
0	531-D45-TK201 SX Feed Prep Clarifier-Thickener Mix Box
0	531-D45-TK202 SX Feed Prep Clarifier-Thickener Overflow Tank
0	531-D45-TK203 Filter Feed Tank
0	531-D45-TK204 Filtrate Tank
0	531-D45-TK205 Filter Wash Water Tank
0	D45-TK134A Loaded Organic Tank 3850 gallon
0	D45-TK134B Loaded Organic Tank 3570 gallon
0	D45-TK129 SXH Pregnant Holding Tank 600 gallon
0	D45-TK131 SXH Pregnant pH Adjustment Tank 1 600 gallon
0	D45-TK132 SXH Pregnant pH Adjustment Tank 2 600 gallon
0	D45-TK122 SXH Pregnant pH Adjustment Overflow Tank 600 gallon
3	D45-P136 Strip Cell Feed Pump 3 hp
3	D45-P137 Strip Cell Feed Pump 3 hp

Capacity	Equipment Description
5	D45-P134 Loaded Organic Pump 5 hp
5	D45-P135 Loaded Organic Pump 5 hp
0.5	D45-P129 SXH Pregnant Holding Tank Pump 0.5 hp
0.5	D45-P130 SXH Pregnant Holding Tank Pump 0.5 hp
1	D45-P122 SXH Pregnant pH Adjustment Overflow Tank Pump 1 hp
1	D45-P124 SXH Pregnant pH Adjustment Overflow Tank Pump 1 hp
1	D45-P140 Aqueous Return Pump 1 hp
0	D45-F101 SXH Pregnant Polishing Filter
0	D45-F102 SXH Pregnant Polishing Filter
0	D45-MX131 Static Mixer
0	D45-MX140 Static Mixer
1	D45-AG131 SXH Pregnant pH Adjustment Tank 1 Agitator 1 hp
1	D45-AG132 SXH Pregnant pH Adjustment Tank 2 Agitator 1 hp
3	D45-PMAG401 SXH Multiplex Strip Cell 401 Primary Mixer Agitator 3 hp
3	D45-PMAG402 SXH Multiplex Strip Cell 402 Primary Mixer Agitator 3 hp
3	D45-PMAG403 SXH Multiplex Strip Cell 403 Primary Mixer Agitator 3 hp
3	D45-PMAG404 SXH Multiplex Strip Cell 404 Primary Mixer Agitator 3 hp
3	D45-PMAG405 SXH Multiplex Strip Cell 405 Primary Mixer Agitator 3 hp
3	D45-PMAG406 SXH Multiplex Strip Cell 406 Primary Mixer Agitator 3 hp
3	D45-PMAG407 SXH Multiplex Strip Cell 407 Primary Mixer Agitator 3 hp
0	D45-PMV401 SXH Multiplex Strip Cell 401 Primary Mixing Vessel 625 gallon
0	D45-PMV402 SXH Multiplex Strip Cell 402 Primary Mixing Vessel 625 gallon
0	D45-PMV403 SXH Multiplex Strip Cell 403 Primary Mixing Vessel 625 gallon
0	D45-PMV404 SXH Multiplex Strip Cell 404 Primary Mixing Vessel 625 gallon
0	D45-PMV405 SXH Multiplex Strip Cell 405 Primary Mixing Vessel 625 gallon
0	D45-PMV406 SXH Multiplex Strip Cell 406 Primary Mixing Vessel 625 gallon
0	D45-PMV407 SXH Multiplex Strip Cell 407 Primary Mixing Vessel 625 gallon
2	D45-SMAG401 SXH Multiplex Strip Cell 401 Secondary Mixer Agitator 2 hp
2	D45-SMAG402 SXH Multiplex Strip Cell 402 Secondary Mixer Agitator 2 hp
2	D45-SMAG403 SXH Multiplex Strip Cell 403 Secondary Mixer Agitator 2 hp
2	D45-SMAG404 SXH Multiplex Strip Cell 404 Secondary Mixer Agitator 2 hp
2	D45-SMAG405 SXH Multiplex Strip Cell 405 Secondary Mixer Agitator 2 hp
2	D45-SMAG406 SXH Multiplex Strip Cell 406 Secondary Mixer Agitator 2 hp
2	D45-SMAG407 SXH Multiplex Strip Cell 407 Secondary Mixer Agitator 2 hp
0	D45-SMV401 SXH Multiplex Strip Cell 401 Secondary Mixing Vessel 625 gallon
0	D45-SMV402 SXH Multiplex Strip Cell 402 Secondary Mixing Vessel 625 gallon
0	D45-SMV403 SXH Multiplex Strip Cell 403 Secondary Mixing Vessel 625 gallon
0	D45-SMV404 SXH Multiplex Strip Cell 404 Secondary Mixing Vessel 625 gallon
0	D45-SMV405 SXH Multiplex Strip Cell 405 Secondary Mixing Vessel 625 gallon
0	D45-SMV406 SXH Multiplex Strip Cell 406 Secondary Mixing Vessel 625 gallon
0	D45-SMV407 SXH Multiplex Strip Cell 407 Secondary Mixing Vessel 625 gallon
0	D45-STLR401 SXH Multiplex Strip Cell 401 Settler Tank 2000 gallon
0	D45-STLR402 SXH Multiplex Strip Cell 402 Settler Tank 2000 gallon
0	D45-STLR403 SXH Multiplex Strip Cell 403 Settler Tank 2000 gallon
0	D45-STLR404 SXH Multiplex Strip Cell 404 Settler Tank 2000 gallon
0	D45-STLR405 SXH Multiplex Strip Cell 405 Settler Tank 2000 gallon
0	D45-STLR406 SXH Multiplex Strip Cell 406 Settler Tank 2000 gallon
0	D45-STLR407 SXH Multiplex Strip Cell 407 Settler Tank 2000 gallon
0	D45-MX132 Static Mixer
0	D45-HX103 Heat Exchanger

CONDITIONS:

1. Operation of this equipment shall be conducted in compliance with all data and specifications submitted with the application under which this permit is issued unless otherwise noted below.

[District Rules 204 and 1303]

2. This equipment shall be operated and maintained in strict accord with the recommendations of its manufacturer or supplier and/or sound engineering principles.

[District Rule 204]

3. The following equipment shall not be operated unless it is vented to a properly functioning SX-12 adsorber under valid District permits C011327 or C011328:

- (a) Mixing tanks
- (b) Settling tanks
- (c) Saponification tank
- (d) Organic holding tank
- (e) Organic makeup tank
- (f) Pregnant Liquor Tank

[District Rule 1303]

4. The following equipment shall not be operated unless it is vented to a properly functioning HCl adsorber under valid District permits C011325 or C011326:

- (a) Mixing tanks
- (b) Settling tanks
- (c) Feed adjustment tanks
- (d) Feed storage tank

[District Rule 1320]

5. Mountain Pass Mine Voluntary Emissions Limit/Synthetic Minor Hazardous Air Pollutant Limits - emission shall be less than the following limits:

- (a) VOC: 25.0 tons/year [District Rule 1303(B)]
- (b) CO: 100.0 tons/year [District Rule 1303(B)]
- (c) SOX: 25.0 tons/year [District Rule 1303(B)]
- (d) PM10: 46.0 tons/year [District Rule 1305(A)(2)(b)(ii)(b)(i)]
- (e) NOx: 42.0 tons/year [District Rule 1305(A)(2)(b)(ii)(b)(ii)]
- (f) Hazardous Air Pollutants (HAPs) 10.0 tons per year for any single HAP/ 25.0 tons per year for any combination of HAPs [District Rule 1201]

Monitoring, Periodic Monitoring & Recordkeeping Conditions. This facility shall demonstrate compliance with the specific facilitywide emission limits through the submission of an approved CEIP and CEIR. The CEIP and CEIR shall be based on actual emissions as determined by source test of the equipment or on district approved methods and emissions factors only. Generic or default emission factors shall not be used without approval from the District. Emissions will be calculated separately for each emissions source on a monthly basis and used to calculate a 12 month rolling annual total. All emissions sources including all permit units will be summed on a monthly basis and used to calculate the 12 month rolling annual total. The permit unit and facilitywide monthly emissions, 12 month rolling annual emissions total, and most recent approved CEIR shall be kept on site and provided to District personnel upon request.

6. A facility wide Comprehensive Emission Inventory (CEI) for all emitted criteria and toxic air pollutants must be submitted to the District, in a format approved by the District, upon District request.

[District Rule 107(b); H&S Code 39607 & 44341-44342; and 40 CFR 51, Subpart A]