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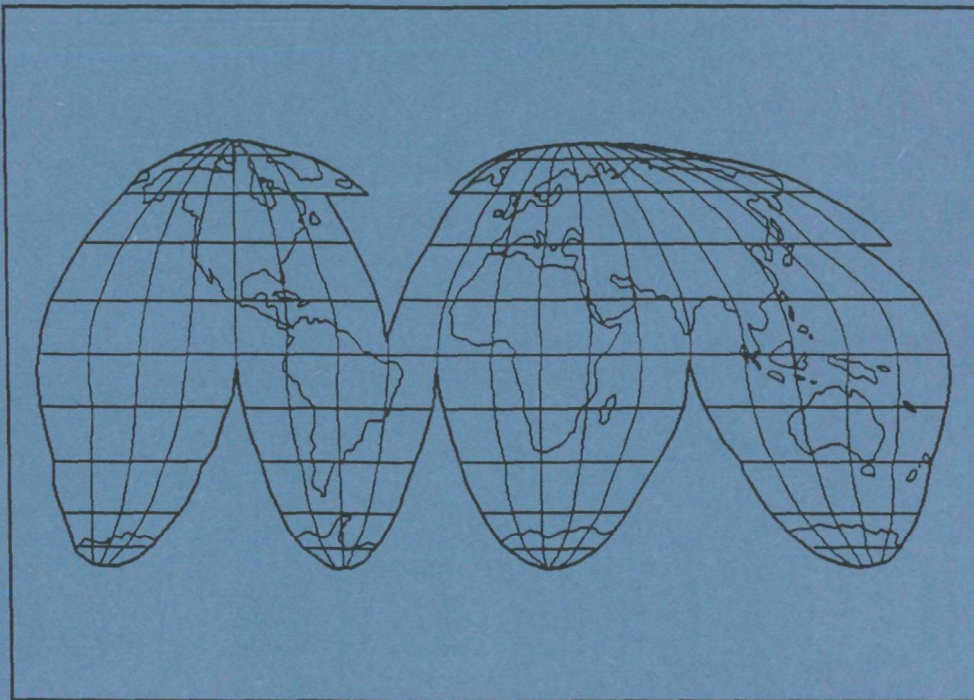
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Air

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# Glossary of Terms from Federal Air Programs



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# GLOSSARY OF TERMS FOR FEDERAL AIR PROGRAMS

## INTRODUCTION

In response to the Clean Air Act Amendments of 1990, the U.S. Environmental Protection Agency (EPA) is developing many new regulations and guidance materials that will affect thousands of stationary sources of air pollutants nationwide as well as Federal, State, and local air pollution control agencies. While in many instances these new regulations and guidance materials are being developed to implement programs created under different portions of the Clean Air Act, these programs are often interrelated in terms of their underpinning policies, the regulations that implement them, and the real-world infrastructure for implementation and enforcement at the government, source, and citizen levels. For this reason, the EPA is striving to ensure that program integration concerns are addressed appropriately in the development of products issued by the EPA to implement the Clean Air Act. The EPA recognizes the potential for confusion on the part of the public and the regulated and enforcement communities regarding how various programs interrelate. Accordingly, the EPA has decided to produce public education materials that can be distributed to a wide audience.

This glossary is one in a series of public education materials. Contained in this glossary are terms found in the various Federal air programs under the Clean Air Act. The programs addressed in this glossary include:

**State Implementation Plans:** The glossary includes terms from State rules governing attainment and maintenance of national ambient air quality standards and visibility. The glossary also includes general preambles, and guidance documents developed since 1990 for implementing the Clean Air Act.

**New Source Performance Standards (NSPS):** The definitions presented in the 40 CFR part 60 General Provisions that apply to all rules were included in the glossary.



Definitions from individual rules are not included here; definitions in individual rules override those definitions in the General Provisions.

**National Emission Standards for Hazardous Air Pollutants (NESHAP):** The definitions for the glossary were taken from the General Provisions of 40 CFR parts 61 and 63, not from individual rules. Definitions from Section 112(g) (modifications), Section 112(j) (case-by-case MACT), and Section 112(r) (accidental release) were also included.

**Title V Operating Permits:** Definitions from both 40 CFR Part 70 and Part 71 (state and Federal programs) were included in the glossary.

**New Source Review (NSR):** Terms from both nonattainment and prevention of significant deterioration programs were included.

Definitions from Title IV (Acid Deposition Control), Title VI (Stratospheric ozone and global climate protection), and Title VII (Enforcement) were also included in this glossary.

The intent of this glossary is to present those terms that may have caused confusion in the past or that have multiple definitions among the different air programs and to clarify these differences. This glossary will provide a quick reference to terms that are the most important and most often used in air programs. It also highlights variations in definitions for a given term and attempts to clarify the differences in terminology among programs.

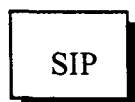
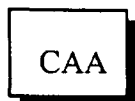
It should be noted that this glossary is an evolving document. For example, the glossary includes definitions from two proposed rules—section 112(g) modifications and enhanced monitoring. As proposed programs become promulgated, the glossary will be revised to reflect any changes. Therefore, it is recommended that this glossary be viewed as a work in progress.

In many cases, associated policy memoranda or additional guidance documents were developed in conjunction with a specific air program. Where appropriate, terms from these documents were also included. A listing of all documents reviewed can be found in the Key of Icons found at the beginning of the document.

A matrix summarizing all terms found in Clean Air Act programs and the specific documents in which the terms are defined was developed to assist in the compilation of this document and is found in Appendix A. Once this matrix was completed, the terms contained in it were evaluated. The intent of this glossary was to include terms that might be confusing or have overlapping definitions. For this reason, many of the approximately 300 terms in the matrix did not need to be included in the glossary. For instance, commonly understood terms like "Administrator" or "United States" were excluded. In other cases, a term may only have been introduced and defined in one air program and have meaning only in the context of other terms that are unique to a program. These terms are not included in the glossary because the purpose was not to explain all the unique technical terms of a program. Personnel at EPA familiar with each of the air programs identified those terms that would be most helpful for the glossary. This glossary presents a subset of approximately 100 terms from the matrix.

Each term is presented in the glossary with the definition from each air program in which it appears. In some cases, the definition for a given term is materially different among air programs. Some annotations have been made in an attempt to clarify the difference and explain why a definition may vary from program to program. These annotations currently only exist for a few terms in the document. It is EPA's intent to add more annotations, as necessary, in later versions of this document. For clarity, the program in which each definition appears is identified by an icon in the margin of the text. A key explaining the meaning of each icon is presented the Key of Icons. Shading of terms used in the document is intended to provide a cross-referencing scheme for the reader. Shading of a term indicates that it is defined in the glossary.

# Key of Icons



The Clean Air Act as Amended in 1990.

[Document 1] Guidance on the Relationship between the 15 Percent Rate-of-Progress Plans and Other Provisions of the Clean Air Act, EPA-452/R-93-007, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, May 1993. [The purpose of this document is to provide guidance for determining the creditability of emission reductions towards meeting the 15 percent VOC emission reduction requirements of Section 182(b) of the Act.]

[Document 2] Guidance on the Adjusted Base Year Emissions Inventory and the 1996 Target for the 15 Percent Rate-of-Progress Plans, EPA-452/R-92-005, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, October 1992. [This document assists States in determining the 1996 target level of emissions under the rate-of-progress plan requirement for moderate and above ozone nonattainment areas.]

[Document 3] Guidance on the Post-1996 Rate-of-Progress Plan and the Attainment Demonstration, EPA-452/R-93-015, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, January 1994. [This document focuses on the calculation of post-1996 target levels, the required submittals and submittal schedules for each element of the post-1996 rate-of-progress plan and attainment demonstration, and the development of control strategies to achieve the required emission reductions. This document also provides States with information on acceptable data sources and procedures for projecting emissions.]

[Document 4] Guidance for Growth Factors, Projections, and Control Strategies for the 15 Percent Rate-of-Progress Plans, U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Ozone/Carbon Monoxide Branch, Research Triangle Park, NC. [This guidance document focuses on the procedures for developing 1996 projected emissions inventories and control measures that moderate and above ozone nonattainment areas must include in their rate-of-progress plans.]

State Implementation Plans: 40 CFR part 51, subpart F "Procedure Requirements," § 51.100, 7-1-93 edition. [This section describes the procedures for developing and revising a State plan. It includes the timing for submittals to the Administrator, the State's responsibility for addressing the Administrator's finding of plan inadequacy, the requirements for Agency action on a submittal, and the Agency's responsibilities in cases where the State has failed to submit an approvable plan.]

State Implementation Plans [Maintenance Plans]: 40 CFR part 52, subpart A, "General Provisions," § 52.22, 7-1-93 edition. [This section sets forth requirements of plans for maintaining compliance with the NAAQS long-term. It includes emission inventory and control technology requirements.]

State Implementation Plans [General Provisions]: 40 CFR part 52, subpart A, "General Provisions," § 52.01, 7-1-93 edition. [This part sets forth the Administrator's approval or disapproval of State plans and Administrator's promulgation of such plans or portions thereof. Approval of a plan or any portion thereof is based upon a determination by the Administrator that such plan or portion meets the requirements of section 110 of the Act and the provisions of part 51 of this chapter.]

General Preamble--SIP Supplement, 57 FR 18070, appendices C1 and E, April 28, 1992. [The EPA published a General Preamble for Implementation of Title I of the Clean Air Act Amendments of 1990 on April 16, 1992. This document describes EPA's general views on how EPA should interpret various provisions of Title I of the Clean Air Act Amendments of 1990, primarily those concerning SIP revisions required for nonattainment areas. The appendices contain important support materials that are referenced throughout the General Preamble. (These appendices were originally inadvertently omitted from the General Preamble and were then issued as a separate supplement.)]

General Preamble--PM-10 Supplement: 59 FR 41998, Addendum, August 16, 1994. [This addendum to the General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990 principally describes EPA's preliminary views on how the agency should interpret various provisions of Title I with regard to PM-10 serious nonattainment area State implementation plans. This document also addresses policy and guidance on attainment date waivers.]

General Preamble--NO<sub>x</sub> Supplement: 57 FR 55620, November 25, 1992. [The purpose of this NO<sub>x</sub> supplement to the General Preamble is to provide guidance on implementation of several new NO<sub>x</sub> provisions not covered in the General Preamble: reasonably available control technology, new source review, interaction of Titles I and IV, ozone transport regions, section 185B report, and section 182(f).]

112g

Section 112(g) Modifications: 59 FR 15504, § 63.40-64.69 (definitions found in § 63.41), PROPOSED April 1, 1994 [Promulgation expected mid-1995]. (The actual text for this regulation can be found on the OAQPS Bulletin Board System.) [This part requires owners/operators of newly constructed, reconstructed, or modified major HAP sources to install MACT. MACT must be determined on case-by-case basis if not already established. Modified sources can offset emissions to avoid need to install MACT.]

112j

Section 112(j) Equivalent Emission Limitations by Permit (Hammer Rule): 59 FR 26429, § 63.50-63.59, final May 20, 1994. [This part requires that each major source in a category listed under 112(c) conduct a case-by-case MACT determination (and apply for permit) within 18 months of a missed promulgation date established under paragraph 112(e).]

112r

Section 112(r) Accidental Release: 58 FR 54190, § 68.3, October 20, 1993. Proposed Rule. [The Clean Air Act Amendments of 1990 added a new subsection (r), which includes requirements related to chemical accident prevention. The goal of CAA section 112(r) is to prevent accidental releases of regulated substances and other extremely hazardous substances to the air and to minimize the consequences of releases by focusing preventive measures on those chemicals that pose the greatest risk.]

The final list of regulated substances was published in 59 FR 4478, § 68.3, January 31, 1994. [This part is composed of three categories: a list of 77 toxic substances, a list of 63 flammable substances, and explosive substances with a mass explosion hazard as set forth by the DOT.]

NESHAP

NESHAP General Provisions: 40 CFR part 61, subpart A, "General Provisions," § 61.02, 7-1-92 edition. [The national emission standards for hazardous air pollutants as listed in 40 CFR part 61 are those promulgated before November 15, 1990 (i.e., the date of enactment of the Clean Air Act Amendments of 1990). They remain in effect unless they are amended and added to part 63.]

NESHAP General Provisions: 40 CFR part 63, March 16, 1994. [This part contains national emission standards for hazardous air pollutants established pursuant to section 112 of the Act as amended in 1990. These standards regulate specific categories of stationary sources that emit (or have the potential to emit) one or more hazardous air pollutants listed in this part pursuant to section 112(b) of the Act.]

NSPS

NSPS: 40 CFR part 60, subpart A, "General Provisions," § 60.2, 7-1-92 edition. [This part contains the Federal new source performance standards that apply to new, modified, or reconstructed sources of criteria pollutants and certain designated pollutants.]

PSD

State Implementation Plans [State]: 40 CFR part 51, subpart I, "Review of New Sources and Modifications," § 51.166, 7-1-93 edition. [This section addresses the requirements for State implementation plans addressing prevention of significant deterioration of air quality. It states that plan revisions must not result in increased air quality deterioration over any baseline concentration. This section establishes required plan revisions. This section also sets forth the minimum requirements for approval of State plans.]

State Implementation Plans [Federal]: 40 CFR part 52, subpart A, "General Provisions," § 52.21, 7-1-93 edition. [The provisions of this section are applicable to any State implementation plan which has been disapproved with respect to prevention of significant deterioration of air quality in any portion of any State where the existing air quality is better than the national ambient air quality standards.]

NSR

State Implementation Plans: 40 CFR part 51, subpart I, "Review of New Sources and Modifications," § 51.165, 7-1-93 edition. [This section requires that all plans set forth legally enforceable procedures that enable the State or local agency to determine whether the construction or modification of a facility, building, structure, or installation (or a combination of these) will result in a violation of applicable portions of the control strategy or in interference with attainment or maintenance of a national standard.]

State Implementation Plans: 40 CFR part 51, appendix S, "Emission Offset Interpretative Ruling," 7-1-93 edition. [This appendix sets forth EPA's Interpretive Ruling on the preconstruction review requirements for stationary sources of air pollution. It specifically addresses how offsets apply to NSR to avoid modifications under NSR in nonattainment areas.]

State Implementation Plans: 40 CFR part 52, subpart A, "General Provisions," § 52.24, 7-1-93 edition. [This section sets forth the statutory restrictions for new sources in regard to emissions that exceed any national ambient air quality standard.]

VIS

State Implementation Plans: 40 CFR part 51, subpart P, "Protection of Visibility," § 51.301, 7-1-93 edition. [The primary purposes of this subpart are to require States to develop programs to ensure reasonable progress toward meeting the national goal of preventing any future, and remedying any existing, impairment of visibility in mandatory Class I Federal areas resulting from man-made air pollution, and to establish necessary additional procedures to use in conducting the visibility impact analysis required for new sources under § 51.24.]

State Implementation Plans: 40 CFR part 52, subpart A, "General Provisions," §§ 52.26 and 52.28, 7-1-93 edition. [This section contains visibility monitoring strategy information for State implementation plans which have been disapproved with respect to such monitoring.]

## EMP

Enhanced Monitoring: 58 FR 54648, § 64.2, proposed October 22, 1993. [Pursuant to the Clean Air Act, the EPA is proposing a new Enhanced Monitoring Program, including both new regulations and certain amendments to several existing air pollution program regulations. The proposed rule would require that enhanced monitoring at significant emission units of air pollution. The proposed rule would require that enhanced monitoring data be used to determine the compliance status of affected emission units with certain applicable emission limitations or standards.]

## ACID

Title IV Acid Deposition Control: 58 FR 3650, § 72.2, January 11, 1993. [The Acid Rain program under Title IV of the Clean Air Act, has as its primary goal the reduction of annual sulfur dioxide emissions by 10 million tons below 1980 levels. The program uses both traditional and innovative market-based approaches to reduce emissions. To achieve reductions, the law requires a two-phase tightening of the restrictions placed on fossil fuel-fired power plants. A sulfur dioxide emissions allowance trading program is an integral part of the Acid Rain Program's goal of reducing emissions and minimizing compliance costs. The Act also calls for a 2-million-ton reduction in NOx emissions by the year 2000 through the installation of cleaner technologies and the development of new emission standards. The Acid Rain Program is also designed to promote pollution prevention and energy efficient strategies and technologies.]

## V

Title V Operating Permits (Part 70) 57 FR 32295, § 70.2, July 21, 1992. [The regulations in this part provide for the establishment of comprehensive State air quality permitting systems consistent with the requirements of title V of the Clean Air Act. These regulations define the minimum elements required by the Act for State operating permit programs and the corresponding standards and procedures by which the Administrator will approve, oversee, and withdraw approval of State operating permit programs.]

## OZONE

Title VI Stratospheric Ozone: 40 CFR part 82, subpart A, "Production and Consumption Controls," § 82.3, 7-1-93 edition. [The purpose of these regulations is to implement the Montreal Protocol on Substances that Deplete the Ozone Layer and sections 603, 604, 605, 607, and 616 of the Clean Air Act as amended in 1990. The Protocol and section 604 impose limits on the production and consumption (defined as production plus imports minus exports) of certain ozone depleting chemicals, according to specified schedules. The protocol also requires each nation that becomes a party to the agreement to impose certain restrictions on trade in ozone-depleting substances with non-parties.]

The following paragraphs in Section 112 of the Clean Air Act are cited in some of the definitions in this glossary. For clarity, a brief explanation of these citations is provided.

Section 112(d): Emission standards. [Establishes requirements for setting maximum achievable control technology (MACT) emission standards; requirements for minimum control level ("MACT floors"); allows generally available control technology (GACT) for area sources.]

Section 112(e): Schedule for standards and review, 58 FR 63941 (not codified), December 3, 1993. [Requires that EPA establish promulgation schedule for all source categories listed initially in 112 (c); categories grouped into promulgation dates of 1992, 1994, 1997, and 2000.]

Section 112(f) Residual risk standards: No rules proposed. [Requires that EPA review all standards, generally 8 years after promulgation, to ensure that standards achieve "ample margin of safety" to protect public health. If not, EPA must develop risk-based standards.]

Section 112(h): Work practice standards and other requirements. [Allows EPA to set MACT standards based on work practices or other requirements if it is not feasible to "prescribe or enforce" an emission standard.]

Section 112(i)(5): Early Reduction. [Includes the Early Reductions program provisions. Encourages facilities to reduce HAP emissions before the emission reductions would be reduced by the NESHAP. A qualifying facility receives an additional 6 years to comply with the applicable NESHAP.]



## Actual Emissions

PSD

NSR

[Part 52.21]

[Part 52.24]

(i) *Actual*

*emissions* means

the actual rate of emissions of a pollutant from an **emissions unit**, as determined in accordance with paragraphs (ii) through (iv) below:

(ii) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. The Administrator shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(iii) The Administrator may presume that source-specific **allowable emissions** for the unit are equivalent to the actual emissions of the unit.

(iv) For any emissions unit (other than an **electric utility steam generating unit** specified in paragraph (v) of this section) which has not begun normal operations on the particular date, actual emissions shall equal the **potential to emit** of the unit on that date.

(v) For an electric utility steam generating unit (other than a new unit or the replacement of an existing unit) actual emissions of the unit following the physical or operational change shall equal the **representative actual annual emissions** of the unit, provided the source owner or operator maintains and submits to the Administrator on an annual basis for a period of 5 years from the date the unit resumes regular operation, information demonstrating that the physical or operational change did not result in an emissions increase. A longer period, not to exceed 10 years, may be required by the Administrator if he determines such a period to be more representative of normal source post-change operations.

PSD

[Part 51.166] (i) *Actual emissions* means the actual rate of emissions of a pollutant from an **emissions unit**, as determined in accordance

with paragraphs (ii) through (iv) of this section.

(ii) In general, actual emission as a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source

operation. The reviewing authority may allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(iii) The reviewing authority may presume that source-specific **allowable emissions** for the unit are equivalent to the actual emissions of the unit.

(iv) For any emissions unit (other than an **electric utility steam generating unit** specified in paragraph (v) of this section) which has not begun normal operations on the particular date, actual emissions shall equal the **potential to emit** of the unit on that date.

(v) For an electric utility steam generating unit (other than a new unit or the replacement of an existing unit) actual emissions of the unit following the physical or operational change shall equal the **representative actual annual emissions** of the unit following the physical or operational change, provided the source owner or operator maintains and submits to the reviewing authority, on an annual basis for a period of 5 years from the date the unit resumes regular operation, information demonstrating that the physical or operational change did not result in an emissions increase. A longer period, not to exceed 10 years, may be required by the reviewing authority if it determines such a period to be more representative of normal source post-change operations.

NSR

[Part 51.165] (xii)(A) *Actual emissions* means the actual rate of emissions of a pollutant from an **emissions unit** as determined in accordance with paragraphs (B) through (D) of this section.

(B) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. The reviewing authority shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit's actual operation hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(C) The reviewing authority may presume that the source-specific **allowable emissions** for the unit are equivalent to the actual emissions of the unit.

(D) For any emissions unit (other than an **electric utility steam generating unit** specified in

paragraph (a)(1)(xii)(E) of this section) which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.

(E) For an electric utility steam generating unit (other than a new unit or the replacement of an existing unit) actual emissions of the unit following the physical or operational change shall equal the representative actual annual emissions of the unit, provided the source owner or operator maintains and submits to the reviewing authority, on an annual basis for a period of 5 years from the date the unit resumes regular operation, information demonstrating that the physical or operational change did not result in an emissions increase. A longer period, not to exceed 10 years, may be required by the reviewing authority if it determines such a period to be more representative of normal source post-change operations.

## NSR

[Part 51, Appendix S] (i) *Actual emissions* means the actual rate of emissions of a pollutant from an emissions unit as determined in accordance with (ii) through (iv) of Section II.A of this appendix.

(ii) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. The reviewing authority shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored or combusted during the selected time period.

(iii) The reviewing authority may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the unit.

(iv) For any emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.

## Affected Facility

### NSPS

[Part 60.2] *Affected facility* means, with reference to a stationary source, any apparatus to which a standard is applicable.

## Affected Source

### NESHAP

[Part 63.2] *Affected source*, for the purposes of this part, means the stationary source, the group of stationary sources, or the portion of a stationary source that is regulated by a relevant standard or other requirement established pursuant to section 112 of the Act. Each relevant standard will define the "affected source" for the purposes of that standard. The term "affected source," as used in this part, is separate and distinct from any other use of that term in EPA regulations such as those implementing title IV of the Act. Sources regulated under part 60 or part 61 of this chapter are not affected sources for the purposes of part 63.

### V

[Part 70.2] *Affected source* shall have the meaning given to it in the regulations promulgated under title IV [Acid Deposition Control] of the Act.

### ACID

[Part 72.2] *Affected source* means a source that includes one or more affected units.

## Affected Unit

### V

[Part 70.2] *Affected unit* shall have the meaning given to it in the regulations promulgated under title IV of the Act.

### ACID

[Part 72.2] *Affected unit* means a unit that is subject to any Acid Rain emissions reduction requirement or Acid Rain emission limitation.

## Air Quality Control Region

### CAA

[Section 107] An *air quality control region*, as designated by the Administrator in consultation with the appropriate State and local authorities, is any interstate area or major intrastate area designated for the purpose of demonstrating attainment and maintenance of ambient air quality standards.

## Allowable Emissions

[Part 52.21] *Allowable emissions* means the emissions rate of a stationary source calculated

## PSD

using the maximum rated capacity of the source (unless the source is subject to **federally enforceable** limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

- (i) The applicable standards as set forth in 40 CFR parts 60 and 61;
- (ii) The applicable State Implementation Plan emissions limitation, including those with a future compliance date; or
- (iii) The emissions rate specified as a federally enforceable permit condition, including those with a future compliance date.

## PSD

[Part 51.166] **Allowable emissions** means the emissions rate of a **stationary source** calculated using the maximum rated capacity of the source (unless the source is subject to **federally enforceable** limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

- (i) The applicable **standards** as set forth in 40 CFR parts 60 and 61;
- (ii) The applicable State Implementation Plan **emissions limitation**, including those with a future **compliance date**; or
- (iii) the emissions rate specified as a federally enforceable **permit** condition.

## SIP

[Document 1] **Allowable emissions** means the emissions from a source based on either the maximum rated capacity of the source (unless the source is subject to a **federally enforceable permit** which restricts the operating rate, or hours of operation, or both) and the applicable **emissions standards**, or federally enforceable emissions limit.

## NSR

[Parts 51.165 and 52.24] **Allowable emissions** means the emissions rate of a **stationary source** calculated using the maximum rated capacity of the source (unless the source is subject to **federally enforceable** limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

- (i) The applicable **standards** set forth in 40 CFR parts 60 and 61;
- (ii) Any applicable State Implementation Plan **emissions limitation**, including those with a future **compliance date**; or

(iii) the emissions rate specified as a federally enforceable **permit** condition, including those with a future compliance date.

## NSR

[Part 51, Appendix S] **Allowable emissions** means the emissions rate calculated using the maximum rated capacity of the source (unless the source is subject to **federally enforceable** limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

- (i) Applicable **standards** as set forth in 40 CFR parts 60 and 61;
- (ii) Any applicable State Implementation Plan **emissions limitation**, including those with a future **compliance date**; or
- (iii) the emissions rate specified as a federally enforceable **permit** condition, including those with a future compliance date.

## Alternative Control Technique (ACT) Documents

### SIP

[NO<sub>x</sub> Supplement] **Alternative control technique documents (ACTs)** provide information on the full range of emission control technologies for categories of **stationary sources** that emit or have the potential to emit NO<sub>x</sub> or VOC.

Similar to the CTGs issued for VOC source categories, the ACTs will contain extensive background information on control technologies, costs, availability, etc., that can be used by States in making **RACT** determinations. However, unlike the CTGs, the ACTs will not establish a presumptive **RACT**.

## Alternative Emission Limitation

### NESHAP

[Part 63.2] **Alternative emission limitation** means conditions established pursuant to sections 112(i)(5) or 112(i)(6) of the Act by the Administrator or by a State with an **approved permit program**.

## Alternative Emission Standard

### NESHAP

[Part 63.2] **Alternative emission standard** means an alternative means of **emission limitation** that,

after notice and opportunity for public comment, has been demonstrated by an owner or operator to the Administrator's satisfaction to achieve a reduction in emissions of any air pollutant at least equivalent to the reduction in emissions of such pollutant achieved under a relevant design, equipment, work practice, or operational emission standard, or combination thereof, established under this part pursuant to section 112(h) of the Act.

## Alternative Method

### NESHAP

[Part 61.02] *Alternative method* means any method of sampling and analyzing for an air pollutant which is not a reference method

but which has been demonstrated to the Administrator's satisfaction to produce results adequate for the Administrator's determination of compliance.

### NSPS

[Part 60.2] *Alternative method* means any method of sampling and analyzing for an air pollutant which is not a reference or

equivalent method but which has been demonstrated to the Administrator's satisfaction to, in specific cases, produce results adequate for the Administrator's determination of compliance.

## Alternative Test Method

### NESHAP

[Part 63.2] *Alternative test method* means any method of sampling and analyzing for an air pollutant that is not a test method

in this chapter and that has been demonstrated to the Administrator's satisfaction, using Method 301 in Appendix A of this part, to produce results adequate for the Administrator's determination that it may be used in place of a test method specified in this part.

## Applicable Emission Limitation or Standard

### EMP

[Part 64.2] *Applicable emission limitation or standard* means an emission limitation or standard subject to the requirements of this

part, including:

(1) An emission limitation or standard applicable to a regulated hazardous air pollutant under part 61 of this chapter; or

(2) An emission limitation or standard applicable to a regulated air pollutant, other than a hazardous air pollutant under section 112 of the Act, for which the source is classified as a major source.

## Applicable Requirement

### V

[Part 70.2] *Applicable requirement* means all of the following as they apply to emissions units in a part 70 source (including requirements that have been promulgated or approved by EPA through rulemaking at the time of issuance but have future-effective compliance dates):

(1) Any standard or other requirement provided for in the applicable implementation plan approved or promulgated by EPA through rulemaking under title I of the Act that implements the relevant requirements of the Act, including any revisions to that plan promulgated in part 52 of this chapter;

(2) Any term or condition of any preconstruction permits issued pursuant to regulations approved or promulgated through rulemaking under title I, including parts C or D, of the Act;

(3) Any standard or other requirement under section 111 of the Act, including section 111(d);

(4) Any standard or other requirement under section 112 of the Act, including any requirement concerning accident prevention under section 112(r)(7) of the Act;

(5) Any standard or other requirement of the acid rain program under title IV of the Act or the regulations promulgated thereunder;

(6) Any requirements established pursuant to section 504(b) or section 114(a)(3) of the Act;

(7) Any standard or other requirement governing solid waste incineration, under section 129 of the Act;

(8) Any standard or other requirement for consumer and commercial products, under section 183(e) of the Act;

(9) Any standard or other requirement for tank vessels under section 183(f) of the Act;

(10) Any standard or other requirement of the program to control air pollution from outer continental shelf sources, under section 328 of the Act;

(11) Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under title VI of the Act, unless the Administrator has determined that such

requirements need not be contained in a title V permit; and

(12) Any national ambient air quality standard or increment or visibility requirement under part C of title I of the Act, but only as it would apply to temporary sources permitted pursuant to section 504(e) of the Act.

## Approved Permit Program

### NESHAP

[Part 63.2] *Approved permit program* means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to title V of the Act (42 U.S.C. 7661)

## Area Source

### NESHAP

[Part 63.2] *Area source* means any stationary source of hazardous air pollutants that is not a major source as defined in this part.

### SIP

[Document 1] *Area Source* means any stationary and nonroad sources that are too small and/or too numerous to be included in the stationary point source emissions inventories. For the purposes of section 112 of the Act, any stationary source of HAP's that is not a major source.

### SIP

[Documents 2 and 4] *Area Source* mean any stationary or non-road source that is too small and/or too numerous to be included in the stationary point-source emissions inventories.

### SIP

[Part 51.100] *Area source* means any small residential, governmental, institutional, commercial, or industrial fuel combustion operations; onsite solid waste disposal facility; motor vehicles, aircraft vessels, or other transportation facilities or other miscellaneous sources identified through inventory techniques similar to those described in the "AEROS Manual series, Vol. II AEROS User's Manual," EPA-450/2-76-029 December 1976.

## Attainment Area

[Section 107] An *attainment area* is any area that is not designated a nonattainment or

### CAA

unclassifiable area and that meets the national primary or secondary ambient air quality standard for a given pollutant.

## Begin Actual Construction

### NSR

[Parts 51.165 and 51, Appendix S] *Begin actual construction* means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. With respect to a change in method of operating this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

### NSR

### PSD

[Part 52.24]  
[Parts 52.21 and 51.166]

### *Begin actual*

*construction* means, in general, initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. With respect to a change in method of operations, this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

## Best Available Control Measures (BACM)

### SIP

[PM-10 Supplement] The *best available control measure (BACM)* is the maximum degree of emissions reduction of PM-10 and PM-10 precursors from a source (except as provided in subsection C.3) which is determined on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, to be achievable for such source through application of production processes and available methods, systems, and techniques for control of each such pollutant.

## Best Available Control Technology (BACT)

PSD

[Part 51.166] **Best available control technology** means an **emissions limitation** (including a visible **emissions standard**) based

on the maximum degree of reduction for each pollutant subject to regulation under the Act which would be emitted from any proposed **major stationary source** or **major modification** which the reviewing authority, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or **modification** through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combination techniques for control of such pollutant. In no event shall application of best

available control technology result in emissions of any pollutant which would exceed the emissions allowed by any applicable **standard** under 40 CFR parts 60 and 61. If the reviewing authority determines that the technological or economic limitations on the application of measurement methodology to a particular **emissions unit** would make the imposition of an emissions standard infeasible, a design equipment, work practice, operational standard or combination thereof, may be prescribed instead to satisfy the requirement for the application of best available control technology. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.

PSD

[Part 52.21] **Best available control technology** means an **emissions limitation** (including a visible **emission standard**) based on the

maximum degree of reduction for each pollutant subject to regulation under Act which would be emitted from any proposed **major stationary source** or **major modification** which the Administrator, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or **modification** through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of best available control technology result in emissions of

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## Annotation for BACT

- The decision to select what constitutes "best" is based on demonstrated control technologies and techniques that are in use and on the energy, environmental, and economic impacts of alternative control. Therefore, a BACT decision could differ from State to State, or even within a State, depending on site-specific impacts and the relevance of the energy, environmental, and economic factors in the decision.
- BACT differs from LAER (which applies in nonattainment areas) in that LAER need not consider energy, environmental, and economic impacts of applying that level of control.
- The consideration of environmental impacts can include the impact on ambient air, other pollutants emitted (e.g., criteria and HAP), and solid waste and water impacts. EPA stresses the need for good control regardless of the impact to the ambient air. For example, increasing a stack height may improve the localized impact to ambient air, but there is still an overall adverse impact due to those emissions.

any pollutant which would exceed the emissions allowed by any applicable **standard** under 40 CFR parts 60 and 61. If the Administrator determines that the technological or economic limitations on the application of measurement methodology to a particular **emissions unit** would make the imposition of an emissions standard infeasible, a design equipment, work practice, operational standard, or combination thereof, may be prescribed instead to satisfy the requirement for the application of best available control technology. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice or operation, and shall provide for compliance by means which achieve equivalent results.

## Building, Structure, or Facility (or Installation)

VIS

[Part 51.301] **Building, structure, or facility** means all of the pollutant-emitting activities which belong to the same industrial

grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control). Pollutant-emitting activities must be considered as part of the same industrial grouping if they belong to the same *Major Group* (i.e., which have the same two-digit code) as described in the *Standard Industrial Classification Manual, 1972* as amended by the 1977 Supplement (U.S. Government Printing Office stock numbers 4101-0066 and 003-005-00176-0 respectively).

PSD

NSR

[Parts 52.21 and 51.166] [Parts 51.165, 52.24, and 51 Appendix S,

and 52.24] **Building, structure, facility, or installation** means all of the pollutant-emitting activities which belong to the same industrial grouping, are located on one or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control) except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same "Major Group" (i.e., which have the same first two digit code) as described in the *Standard Industrial Classification Manual, 1972*, as amended by the 1977 Supplement (U. S. Government Printing Office stock numbers 4101-0066 and 003-005-00176-0, respectively).

## Capital Expenditure

NSPS

[Part 60.2] **Capital expenditure** means an expenditure for a physical or operational change to an **existing facility** which exceeds

the product of the applicable "annual asset guideline repair allowance percentage" specified in the latest edition of Internal Revenue Service (IRS) Publication 534 and the existing facility's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to an existing facility must not be reduced by any "excluded additions" as defined in IRS Publication 534, as would be done for tax purposes.

NESHAP

[Part 61.02] **Capital expenditure** means an expenditure for a physical or operational change to a **stationary source** which exceeds the

product of the applicable "annual asset guideline repair allowance percentage" specified in the latest edition of Internal Revenue Service (IRS) Publication 534 and the stationary source's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to a stationary source must not be reduced by any "excluded additions" as defined for stationary sources constructed after December 31, 1981, in IRS Publication 534, as would be done for tax purposes. In addition, "annual asset guideline repair allowance" may be used even though it is excluded for tax purposes in IRS Publication 534.

## Class I Area

CAA

[Section 162] All international parks, national wilderness areas which exceed 5,000 acres in size, national memorial parks which

exceed 5,000 acres in size, and national parks which exceed 6,000 acres in size, and which were in existence on the date of enactment of the Clean Air Act Amendments of 1977 shall be Class I Areas and may not be redesignated. All areas which were redesignated as Class I under regulations promulgated before such date of enactment shall be Class I areas which may be redesignated as provided in this part. The extent of the areas designated as Class I under this section shall conform to any changes in the boundaries of such areas which have occurred subsequent to the date of the enactment of the Clean Air Act Amendments of 1977 or which may occur subsequent to the date of



the enactment of the Clean Air Act Amendments of 1990. All areas in such States designated pursuant to Section 107(d) as attainment or unclassifiable which are not established as Class I under subsection (a) shall be Class II areas unless redesignated under Section 164. This definition is relevant in making PSD determinations.

## Commence(d)

NESHAP

[Part 63.2] *Commenced* means, with respect to **construction or reconstruction of a stationary source**, that an owner or operator

has undertaken a continuous program of construction or reconstruction or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or reconstruction.

NESHAP

NSPS

[Part 61.02]  
[Part 60.2]  
*Commenced* means, with

respect to the definition of "**new source**" in section 111(a)(2) of the Act, that an owner or operator has undertaken a continuous program of **construction or modification** or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

SIP

[Part 52.01] The term *commenced* means that an owner or operator has undertaken a continuous program of **construction or**

**modification**.

NSR

PSD

[Parts 51.165,  
52.24, and 51,  
Appendix S]  
[Parts 52.21 and

51.166] *Commence* as applied to **construction of a major stationary source or major modification** means that the owner or operator has all necessary preconstruction approvals or **permits** and either has:

(i) Begun, or caused to begin, a continuous program of actual on-site construction of the source, to be completed within a reasonable time; or

(ii) Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

## Commence Construction

SIP

[Part 52.22] The phrase *to commence construction* means to engage in a continuous program of on-site **construction** including site clearance, grading, dredging, or land filling specifically designed for an indirect source in preparation for the fabrication, erection, or installation of the building components of the indirect source. For the purpose of this paragraph, interruptions resulting from acts of God, strikes, litigation, or other matters beyond the control of the owner shall be disregarded in determining whether a construction or **modification** program is continuous.

ACID

[Part 72.2] *Commence construction* means that an owner or operator has either undertaken a continuous program of **construction** or has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction.

## Commence Modification

SIP

[Part 52.22] The phrase *to commence modification* means to engage in a continuous program of on-site **modification**, including site clearance, grading, dredging, or land filling in preparation for a specific modification of the indirect source.

## Compliance Date

NESHAP

[Part 63.2] *Compliance date* means the date by which an **affected source** is required to be in compliance with a **relevant standard, limitation, prohibition, or any federally enforceable requirement** established by the Administrator (or a State with an **approved permit program**) pursuant to section 112 of the Act.

## Compliance Plan

NESHAP

[Part 63.2] *Compliance plan* means a plan that contains all of the following:

- (1) A description of the compliance status of the **affected source** with respect to all **applicable requirements** established under this part;
- (2) A description as follows:

(i) For applicable requirements for which the source is in compliance, a statement that the source will continue to comply with such requirements;

(ii) For applicable requirements that the source is required to comply with by a future date, a statement that the source will meet such requirements on a timely basis;

(iii) For applicable requirements for which the source is not in compliance, a narrative description of how the source will achieve compliance with such requirements on a timely basis;

(3) A **compliance schedule**, as defined in this section; and

(4) A schedule for submission of certified progress reports no less frequently than every 6 months for **affected sources** required to have a schedule of compliance to remedy a violation.

## ACID

[Part 72.2] **Compliance plan**, for purposes of the Acid Rain Program, means the document submitted for an **affected source** in accordance with subpart C of this part, specifying the method(s) (including one or more Acid Rain compliance options under subpart D or regulations implementing section 407 of the Act) by which each **affected unit** at the source will meet the applicable Acid Rain **emissions limitation** and Acid Rain emissions reduction requirements.

## Compliance Schedule

## NESHAP

[Part 63.2] **Compliance schedule** means: (1) in the case of an **affected source** that is in compliance with all **applicable requirements** established under this part, a statement that the source will continue to comply with such requirements; or

(2) In the case of an **affected source** that is required to comply with applicable requirements by a future date, a statement that the source will meet such requirements on a timely basis and, if required by an applicable requirement, a detailed schedule of the dates by which each step toward compliance will be reached; or

(3) In the case of an **affected source** not in compliance with all applicable requirements established under this part, a schedule of remedial measures, including an enforceable sequence of actions or operations with milestones and a schedule for the submission of certified progress reports, where applicable, leading to compliance with a **relevant standard, limitation, prohibition, or any federally enforceable requirement** established

pursuant to section 112 of the Act for which the affected source is not in compliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.

## NESHAP

[Part 61.02] **Compliance schedule** means the date or dates by which a source or category of sources is required to comply with the **standards** of this part and with any steps toward such compliance which are set forth in a waiver of compliance under § 61.11.

## SIP

[Part 51.100] **Compliance schedule** means the date or dates by which a source or category of sources is required to comply with specific **emission limitations** contained in an implementation plan and with any increments of progress toward such compliance.

## Construction

## NESHAP

## NSPS

[Part 61.02] [Part 60.2] **Construction** means fabrication, erection, or installation of an **affected facility**.

## NESHAP

[Part 63.2] **Construction** means the on-site fabrication, erection, or installation of an **affected source**.

## SIP

[Part 52.01] The term **construction** means fabrication, erection, or installation.

## ACID

[Part 72.2] **Construction** means fabrication, erection, or installation of a unit or any portion of a unit.

## PSD

## NSR

[Parts 52.21 and 51.166] [Parts 52.24, 51.165, and Part 51, Appendix S] **Construction** means any physical change or change in the method of operation (including fabrication, erection, installation, demolition, or **modification of an emissions unit**) which would result in a change in **actual emissions**.

## Continuous Compliance

### EMP

[Part 64.2] *Continuous compliance* means, with respect to an applicable emission limitation or standard, that:

(1) An owner or operator has obtained quality-assured data from an enhanced monitoring protocol for all periods in a reporting period during which the enhanced monitoring protocol is required to operate;

(2) Such data demonstrate that an owner or operator has complied with the applicable emission limitation or standard during all monitored periods during the reporting period; and

(3) Any other data collected for the purpose of determining compliance during the period demonstrate that an owner or operator has complied with an applicable emission limitation or standard during the periods in which such data were collected.

## Continuous Emission Monitoring System (CEMS)

### NESHAP

[Part 63.2] *Continuous emission monitoring system (CEMS)* means the total equipment that may be required to meet the data

acquisition and availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of emissions.

### ACID

[Part 72.2] *Continuous emission monitoring system or CEMS* means the equipment required by part 75 of this chapter used to

sample, analyze, measure, and provide, by readings taken at least once every 15 minutes, a permanent record of emissions, expressed in pounds per hour (lb/hr) for sulfur dioxide and in pounds per million British thermal units (lb/mmBtu) for nitrogen oxides. The following systems are component parts included in a continuous emission monitoring system:

- (1) Sulfur dioxide pollutant concentration monitor;
- (2) Flow monitor;
- (3) Nitrogen oxides pollutant concentration monitors;
- (4) Diluent gas monitor (oxygen or carbon dioxide);
- (5) A continuous moisture monitor when such monitoring is required by part 75 of this chapter; and

(6) A data acquisition and handling system.

## Continuous Monitoring System (CMS)

### NESHAP

[Part 63.2] *Continuous monitoring system (CMS)* is a comprehensive term that may include, but is not limited to, continuous emission monitoring systems, continuous opacity monitoring systems, continuous parameter monitoring systems, or other manual or automatic monitoring that is used for demonstrating compliance with an applicable regulation on a continuous basis as defined by the regulation.

### NSPS

[Part 60.2] *Continuous monitoring system* means the total equipment, required under the emission monitoring sections in applicable subparts, used to sample and condition (if applicable), to analyze, and to provide a permanent record of emissions or process parameters.

## Continuous Opacity Monitoring System (COMS)

### NESHAP

[Part 63.2] *Continuous opacity monitoring system (COMS)* means a continuous monitoring system that measures the opacity of emissions.

### ACID

[Part 72.2] *Continuous opacity monitoring system or COMS* means the equipment required by part 75 of this chapter to sample, measure, analyze, and provide, with readings taken at least once every 6 minutes, a permanent record of opacity or transmittance. The following systems are component parts included in a continuous opacity monitoring system:

- (1) Opacity monitor; and
- (2) A data acquisition and handling system.

## Continuous Parameter Monitoring System

### NESHAP

[Part 63.2] *Continuous parameter monitoring system* means the total equipment that may be required to meet the data acquisition and

availability requirements of this part, used to sample, condition (if applicable), analyze, and provide a record of process or control system parameters.

## Control Strategy

SIP

[Part 51.100] *Control strategy* means a combination of measures designated to achieve the aggregate reduction of emissions necessary

for attainment and maintenance of national standards including, but not limited to, measures such as:

- (1) Emission limitations.
- (2) Federal or State emission charges or taxes or other economic incentives or disincentives.
- (3) Closing or relocation of residential, commercial, or industrial facilities.
- (4) Changes in schedule or methods of operation of commercial or industrial facilities or transportation systems, including, but not limited to, short-term changes made in accordance with standby plans.
- (5) Periodic inspection and testing of motor vehicle emission control systems, at such times as the Administrator determines that such program are feasible and practicable.
- (6) Emission control measures applicable to in-use motor vehicles including, but not limited to, measures as mandatory maintenance, installation of emission control devices, and conversion to gaseous fuels.
- (7) Any transportation control measure including those transportation measures listed in section 108(f) of the Clean Air Act as amended.
- (8) Any variation of, or alternative to, any measure delineated herein.
- (9) Control or prohibition of a fuel or fuel additive used in motor vehicles, if such control or prohibition is necessary to achieve a national primary or secondary air quality standard and is approved by the Administrator under section 211(c)(4)(C) of the Act.

## Control Technique Guideline (CTG)

SIP

[SIP Supplement] A *CTG* is a technical document that sets forth a presumptive level of *RACT* controls for a source category.

## Control Technology

112g

[Part 63.41] *Control technology* means measures, processes, methods, systems, or techniques to limit the emission of *hazardous air pollutants* including, but not limited to, measures that:

- (1) reduce the volume of, or eliminate emissions of, such pollutants through process changes, substitution of materials or other modifications,
- (2) enclose systems or processes to eliminate emissions,
- (3) collect, capture or treat such pollutants when released from a process, stack, storage or *fugitive emissions* point,
- (4) are design, equipment, work practice, or operational standards (including requirements for operator training or certification) as provided in 42 USC 7412(h), or
- (5) are a combination of the above.

112j

[Part 63.51] *Control technology* means measures, processes, methods, systems, or techniques to limit the emission of *hazardous air pollutants* including, but not limited to, measures which:

- (1) Reduce the quantity, or eliminate emissions, of such pollutants through process changes, substitution of materials or other modifications;
- (2) Enclose systems or processes to eliminate emissions;
- (3) Collect, capture, or treat such pollutants when released from a process, stack, storage or *fugitive emissions* point;
- (4) Are design, equipment, work practice, or operational standards including requirements for operator training or certification) as provided in 42 USC 7412(h); or
- (5) Are a combination of paragraphs (1) through (4) of this definition.

## De minimis

112g

[Part 63.41] *De minimis* means (1) a rate of emissions less than or equal to any of the emission rates listed in § 63.44 of this subpart, or

- (2) a rate of emissions:
  - (i) that is less than or equal to 10 tons per year, and
  - (ii) for which a State or local reviewing agency has approved a case-by-case demonstration

that ambient impacts are *de minimis*. Any State program providing for such a demonstration must be approved in accordance with procedures established in subpart E of this part. In developing a program for case-by-case demonstrations, States must meet the following criteria:

(A) For "nonthreshold pollutants" for which there is evidence of carcinogenicity, as identified in §63.48 of this subpart, the case-by-case determination shall use cancer risk criteria, and associated air quality benchmarks, for which the risk from the increased emissions is not greater than 1-in-1 million; where no unit risk value is available from the Integrated Risk Information System, the *de minimis* emission rate shall be less than or equal to the value listed in §63.44 of this subpart.

(B) For noncancer health effects, the case-by-case determination shall be based upon air quality benchmarks that do not exceed EPA reference concentrations (RfC's), where such RfC's are available from the Integrated Risk Information System; where no such RfC is available, the emission rate shall be less than or equal to the value listed in §63.44 of this subpart.

(C) Any dispersion analysis used to support the case-by-case *de minimis* value shall use EPA Guideline dispersion models, and shall use the actual release parameters (stack height, stack diameter, velocity, temperature, and building effects variables) that are proposed for the source under review.

(3) For radionuclides, an amount less than or equal to that amount would cause any member of the public to receive in any year an effective dose equivalent of 0.3 millirem as determined through the use of the COMPLY or COMPLY-1 computer code or alternative requirements of 40 CFR part 61, Appendix E.

## Effective Date

NESHAP

[Part 61.02] *Effective date* is the date of promulgation in the FEDERAL REGISTER of an applicable standard or other regulation under this part.

NESHAP

[Part 63.2] *Effective date* means:  
(1) With regard to an emission standard established under this part, the date of promulgation in the Federal Register of such standard; or  
(2) With regard to an alternative emission limitation or equivalent emission limitation determined by the Administrator (or a State with an approved permit program), the date that the alternative emission limitation or equivalent

emission limitation becomes effective according to the provisions of this part. The effective date of a permit program established under title V of the Act (42 U.S.C. 7661) is determined according to the regulations in this chapter establishing such programs.

## Electric Utility Steam Generating Unit

112g

[Part 63.41] *Electric utility steam generating unit* means any fossil fuel fired combustion unit of more than 25 megawatts that serves a generator that produces electricity for sale. A unit that cogenerates steam and electricity and supplies more than one-third of its potential electric output capacity and more than 25 megawatts electric output to any utility power distribution system for sale shall be considered an electric utility steam generating unit.

PSD

NSR

[Parts 52.21 and 51.166] [Parts 51.165 and 52.24]  
*Electric utility*

*steam generating unit* means any steam electric generating unit that is constructed for the purpose of supplying more than one-third of its potential electric output capacity and more than 25 MW electrical output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

## Emissions Allowable Under the Permit

V

[Part 70.2] *Emissions allowable under the permit* means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

## Emissions Averaging

### NESHAP

[Part 63.2] *Emissions averaging* is a way to comply with the emission limitations specified in a relevant standard, whereby an affected source, if allowed under a subpart of this part, may create emission credits by reducing emissions from specific points to a level below that required by the relevant standard, and those credits are used to offset emissions from points that are not controlled to the level required by the relevant standard.

## Emission Limitation or Standard

### NESHAP

[Part 63.2] *Emission standard* means a national standard, limitation, prohibition, or other regulation promulgated in a subpart of this part pursuant to sections 112(d), 112(h), or 112(f) of the Act.

### SIP

[Part 51.100] *Emission limitation and emission standard* means a requirement established by a State, local government, or the Administrator which limits the quantity, rate, or concentration of emissions of air pollutants on a continuous basis, including any requirements which limit the level of opacity, prescribe equipment, set fuel specifications, or prescribe operation or maintenance procedures for a source to assure continuous emission reduction.

### EMP

[Part 64.2] *Emission limitation or standard* means any federally-enforceable emission limitation, emission standard, standard of performance or means of emission limitation as defined under the Act. An emission limitation or standard may be expressed in terms of the pollutant, expressed either as a specific quantity, rate or concentration of emissions (e.g., lbs. of SO<sub>2</sub>/hr, lbs. of SO<sub>2</sub>/mmBtu, or kilograms of VOC/liter of applied coating solids) or as the relationship of uncontrolled to controlled emissions (e.g., percentage capture and destruction efficiency of VOC or percentage reduction of SO<sub>2</sub>). An emission limitation or standard may also be expressed either as a work practice (e.g., leak detection and repair programs for VOC or mercury emissions), process or control device parameter (e.g., incinerator temperature for VOC destruction efficiency), or other form of design, equipment,

operational or operation and maintenance requirement.

## Emission Point

### 112j

[Part 63.51] *Emission point* means any part or activity of a major source that emits or has the potential to emit, under current operational design, any hazardous air pollutant.

### 112g

[Part 63.41] *Emission point* means any part or activity of a major source that emits or could emit any hazardous air pollutant.

## Emission(s) Unit

### 112g

[Part 63.41] *Emission unit* means the collection of emission points within a source requiring a MACT determination. An emission unit can be defined (by the permitting authority) as any of the following:

(1) An emitting point that can be individually controlled, e.g., a boiler, a spray booth, etc.

(2) The smallest grouping of emission points, that, when collected together, can be commonly controlled by a single control device or work practice.

(3) A grouping of emission points, that, when collected together, can be commonly controlled by a single control device or work practice.

(4) A grouping of emission points that are functionally related. Equipment is functionally related if the operation or action for which the equipment was specifically designed could not occur without being connected with or relying on the operation of another piece of equipment.

(5) A grouping of emission points that, when collected together, comprise a building, structure, facility, or installation.

### 112j

[Part 63.51] *Emission unit* means any building, structure, facility, or installation. This could include an emission point or collection of emission points, within a major source, which the permitting authority determines is the appropriate entity for making a MACT determination under section 112(j), i.e., any of the following:

(1) An emission point that can be individually controlled.

(2) The smallest grouping of emission points, that, when collected together, can be commonly controlled by a single control device or work practice.

(3) Any grouping of emission points, that, when collected together, can be commonly controlled by a single control device or work practice.

(4) A grouping of emission points that are functionally related. Equipment is functionally related if the operation or action for which the equipment was specifically designed could not occur without being connected with or without relying on the operation of another piece of equipment.

(5) The entire geographical entity comprising a major source in a source category subject to be a MACT determination under section 112(j).

PSD

NSR

[Parts 52.21 and 51.166]  
[Part 52.24, and Part 51,

Appendix S] **Emission unit** means any part of a stationary source which emits or would have the potential to emit any pollutant subject to regulation under the Act.

NSR

[Part 51.165] **Emission unit** means any part of a stationary source which emits or would have the potential to emit any pollutant subject to regulation under the the [sic] Act.

V

[Part 70.2] **Emissions Unit** means any part or activity of a stationary source that emits or has the potential to emit any regulated air pollutant or any pollutant listed under section 112(b) of the Act. This term is not meant to alter or affect the definition of the term "unit" for purposes of title IV of the Act.

EMP

[Part 64.2] **Emissions unit** means any part or activity of a source that emits or has the potential to emit any regulated air pollutant for which an emission limitation or standard has been established. This term is not meant to alter or affect the definition of the term "unit" for purposes of title IV of the Act or of the term "emissions unit" for purposes of title V of the Act.

## Enhanced Monitoring

EMP

[Part 64.2] **Enhanced monitoring** means the methodology used by an owner or operator to detect deviations with sufficient

representativeness, accuracy, precision, reliability, frequency and timeliness in order to determine if compliance is continuous during a reporting period. Such monitoring shall be conducted through an enhanced monitoring protocol established in accordance with § 64.4.

## Enhanced Monitoring Protocol

EMP

[Part 64.2] **Enhanced monitoring protocol** means the methodology, and all installation, equipment, performance, operation and quality

assurance requirements applicable to such methodology, developed by the owner or operator and approved by the permitting authority for the purpose of conducting enhanced monitoring.

## Equivalent Emission Limitation

NESHAP

[Part 63.2] **Equivalent emission limitation** means the maximum achievable control technology emission limitation (MACT

emission limitation) for hazardous air pollutants that the Administrator (or a State with an approved permit program) determines on a case-by-case basis, pursuant to section 112(g) or section 112(j) of the Act, to be equivalent to the emission standard that would apply to an affected source if such standard had been promulgated by the Administrator under this part pursuant to section 112(d) or section 112(h) of the Act.

112j

[Part 63.51] **Equivalent emission limitation** means an emission limitation, established under section

112(j) of the Act, which is at least as stringent as the MACT standard that EPA would have promulgated under section 112(d) or section 112(h) of the Act.



## Equivalent Method

NSPS

[Part 60.2] *Equivalent method* means any method of sampling and analyzing for an air pollutant which has been demonstrated to the

Administrator's satisfaction to have a consistent and quantitatively known relationship to the reference method, under specified conditions.

## Established Monitoring

EMP

[Part 64.2] *Established monitoring* means a monitoring methodology that has been documented to be a feasible means

of assessing compliance with emission limitations or standards for a specific type of emissions unit. In considering whether established monitoring is applicable to a particular emissions unit, limitations in the applicable requirement in which the monitoring is established that relate to the date of construction or modification of an emissions unit shall not be taken into account. Monitoring methodologies developed pursuant to the following requirements shall be considered established monitoring methodologies:

- (1) Monitoring requirements established under part 60 or 61 of this chapter.
- (2) Monitoring requirements established in appendix P of part 51 of this chapter.
- (3) Monitoring requirements in implementation plans approved or promulgated by the Administrator pursuant to title I of the Act that reflect a Control Technique Guideline published by the Administrator under section 108 of the Act.
- (4) Monitoring requirements established in any preconstruction permit issued pursuant to regulations approved or promulgated through rulemaking under title I, including part C or D, of the Act.
- (5) Monitoring requirements established in part 75 of this chapter.

## Excess Emissions

SIP

[Part 51.100] *Excess emissions* means emissions of an air pollutant in excess of an emission standard.

ACID

[Part 72.2] *Excess emissions* means: (1) Any tonnage of sulfur dioxide emitted by an affected unit during a calendar year that exceeds

the Acid Rain emissions limitation for sulfur dioxide for the unit; and

(2) Any tonnage of nitrogen oxide emitted by an affected unit during a calendar year that exceeds the annual tonnage equivalent of the Acid Rain emissions limitation for nitrogen oxides applicable to the affected unit taking into account the unit's heat input for the year.

## Excess Emissions and Continuous Monitoring System Performance Report

NESHAP

[Part 63.2] *Excess emissions and continuous monitoring system performance report* is a report that must be submitted periodically by

an affected source in order to provide data on its compliance with relevant emission limits, operating parameters, and the performance of its continuous parameter monitoring systems.

## Excess Emissions and Monitoring Systems Performance Report

NSPS

[Part 60.2] *Excess Emissions and Monitoring Systems Performance Report* is a report that must be submitted periodically by a source

in order to provide data on its compliance with stated emission limits and operating parameters, and on the performance of its monitoring systems.

## Existing Facility

NSPS

[Part 60.2] *Existing facility* means, with reference to a stationary source, any apparatus of the type for which a standard is

promulgated in this part, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type.

## Existing Major Source

112j

[Part 63.51] *Existing major source* means a major source, construction or reconstruction of which is commenced before EPA

proposed a standard applicable to the major source, under section 112(d) or (h), or if no proposal was

published, then on or before the section 112(j) deadline.

## Existing Source

NESHAP

[Part 61.02] *Existing source* means any stationary source which is not a new source.

## Existing Stationary Facility

VIS

[Part 51.301] *Existing stationary facility* means any of the following stationary sources of air pollutants, including any reconstructed source,

which was not in operation prior to August 7, 1962, and was in existence on August 7, 1977, and has the potential to emit 250 tons per year or more of any air pollutant. In determining potential to emit, fugitive emissions, to the extent quantifiable, must be counted.

- (1) Fossil-fuel fired steam electric plants of more than 250 million British thermal units per hour heat input,
- (2) Coal cleaning plants (thermal dryers),
- (3) Kraft pulp mills,
- (4) Portland cement plants,
- (5) Primary zinc smelters,
- (6) Iron and steel mill plants,
- (7) Primary aluminum ore reduction plants,
- (8) Primary copper smelters,
- (9) Municipal incinerators capable of charging more than 250 tons of refuse per day,
- (10) Hydrofluoric, sulfuric, and nitric acid plants,
- (11) Petroleum refineries,
- (12) Lime plants,
- (13) Phosphate rock processing plants,
- (14) Coke oven batteries,
- (15) Sulfur recovery plants,
- (16) Carbon black plants (furnace process),
- (17) Primary lead smelters,
- (18) Fuel conversion plants,
- (19) Sintering plants,
- (20) Secondary metal production facilities,
- (21) Chemical process plants,
- (22) Fossil-fuel boilers of more than 20 million British thermal units per hour heat input,
- (23) Petroleum storage and transfer facilities with a capacity exceeding 300,000 barrels,
- (24) Taconite ore processing facilities,
- (25) Glass fiber processing plants, and
- (26) Charcoal production facilities.

## Facility

OZONE

[Part 82.3] *Facility* means any process equipment (e.g., reactor, distillation column) used to convert raw materials or feedstock

chemicals into controlled substances or consume controlled substances in the production of other chemicals.

ACID

[Part 72.2] *Facility* means any institutional, commercial, or industrial structure, installation, plant, source, or building.

## Federal Land Manager

PSD

[Parts 52.21 and 51.166] *Federal Land Manager* means, with respect to any lands in the United States, the Secretary of the Department

with authority over such lands.

VIS

[Parts 51.301] *Federal Land Manager* means the Secretary of the department with authority over the Federal Class I area or, with

respect to Roosevelt-Campobello International Park, the Chairman of the Roosevelt-Campobello International Park Commission.

## Federally Enforceable

PSD

NSR

[Parts 51.166 and 52.21]  
[Parts 51.165, 52.24, 51,

Appendix S,] *Federally enforceable* means all limitations and conditions which are enforceable by the Administrator, including those requirements developed pursuant to 40 CFR parts 60 and 61, requirements within any applicable State implementation plan, any permit requirements established pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR part 51, subpart I, including operating permits issued under an EPA-approved program that is incorporated into the State implementation plan and expressly requires adherence to any permit issued under such program.

NESHAP

[Part 63.2] *Federally enforceable* means all limitations and conditions that are enforceable by the Administrator and citizens under the Act or that are enforceable under other

statutes administered by the Administrator. Examples of federally enforceable limitations and conditions include, but are not limited to:

(1) Emission standards, alternative emission standards, alternative emission limitations, and equivalent emission limitations established pursuant to section 112 of the Act as amended in 1990;

(2) New source performance standards established pursuant to section 111 of the Act, and emission standards established pursuant to section 112 of the Act before it was amended in 1990;

(3) All terms and conditions in a title V permit, including any provisions that limit a source's potential to emit, unless expressly designated as not federally enforceable;

(4) Limitations and conditions that are part of an approved State Implementation Plan (SIP) or a Federal Implementation Plan (FIP);

(5) Limitations and conditions that are part of a Federal construction permit issued under 40 CFR 52.21 or any construction permit issued under regulations approved by the EPA in accordance with 40 CFR part 51;

(6) Limitations and conditions that are part of an operating permit issued pursuant to a program approved by the EPA into a SIP as meeting the EPA's minimum criteria for Federal enforceability, including adequate notice and opportunity for EPA and public comment prior to issuance of the final permit and practicable enforceability;

(7) Limitations and conditions in a State rule or program that has been approved by the EPA under subpart E of this part for the purposes of implementing and enforcing section 112; and

(8) Individual consent agreements that the EPA has legal authority to create.

VIS

[Part 51.301] **Federally enforceable** means all limitations and conditions which are enforceable by the Administrator

under the Clean Air Act including those requirements developed pursuant to parts 60 and 61 of this title, requirements within any applicable State Implementation Plan, and any permit requirements established pursuant to § 52.21 of this chapter or under regulations approved pursuant to part 51, 52, or 60 of this title.

## Fixed Capital Cost

NESHAP

[Part 63.2] **Fixed capital cost** means the capital needed to provide all the depreciable components of an existing source.

VIS

[Part 51.301] **Fixed capital cost** means the capital needed to provide all of the depreciable components.

## Fugitive Dust

SIP

[SIP Supplement] **Fugitive dust** is particulate matter suspended in the air either by mechanical disturbance of the surface material or by wind action blowing across the surface.

## Fugitive Emissions

NESHAP

[Part 63.2] **Fugitive emissions** means those emissions from a stationary source that could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening. Under section 112 of the Act, all fugitive emissions are to be considered in determining whether a stationary source is a major source.

PSD

NSR

V

VIS

EMP

[Parts 52.21 and 51.166]  
[Parts 51.165, 52.24, and

Part 51, Appendix S] [Part 70.2] [Part 51.301] [Part 64.2] **Fugitive emissions** means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

## General Permit

V

[Part 70.2] **General permit** means a part 70 permit that meets the requirements of § 70.6(d).

## Hazardous Air Pollutant (HAP)

NESHAP

[Part 63.2] **Hazardous air pollutant** means any air pollutant listed in or pursuant to section 112(b) of the Act.

## Innovative Control Technology

### PSD

[Parts 51.166 and 52.21]

**Innovative control technology**

means any system of air pollution control that has not been adequately demonstrated in practice, but would have a substantial likelihood of achieving greater continuous emissions reduction than any control system in current practice or of achieving at least comparable reductions at lower cost in terms of energy, economics, or nonair quality environmental impacts.

## Intermittent Compliance

### EMP

[Part 64.2] **Intermittent**

**compliance** means, with respect to an applicable emission limitation or standard, that an owner or operator

has either:

(1) Deviated from the applicable emission limitation or standard for a period in which no federally-approved or promulgated exemption from such deviation applies; or

(2) Failed to obtain quality-assured enhanced monitoring protocol data during a period in which obtaining such data was required to be obtained under an approved enhanced monitoring protocol.

## Lesser Quantity

### NESHAP

[Part 63.2.] **Lesser quantity** means a quantity of a hazardous air pollutant that is or may be emitted by a stationary source that the

Administrator establishes in order to define a major source under an applicable subpart of this part.

## Lowest Achievable Emission Rate (LAER)

### NSR

[Parts 51.165 and 51, Appendix S]

**Lowest achievable emission rate** means, for any source, the more stringent rate of emissions based on

the following:

(A) The most stringent emissions limitation which is contained in the implementation plan of any State for such class or category of stationary source, unless the owner or operator of the

proposed stationary source demonstrates that such limitations are not achievable; or

(B) The most stringent emissions limitation which is achieved in practice by such class or category of stationary sources. This limitation, when applied to a modification, means the lowest achievable emissions rate for the new or modified emissions units within the stationary source. In no event shall the application of the term permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under an applicable new source standard of performance.

### SIP

[PM-10 Supplement] **Lowest achievable emission rate (LAER)**

is defined as the more stringent emission rate based on either the

most stringent State emission limit or the most stringent emission limit achieved in practice by such class or category of source.

## MACT (Maximum Achievable Control Technology)

### OZONE

[Part 82.3] **MACT** means, with respect to the destruction of a coincidental unavoidable byproduct of a manufacturing process

(CUBP), the maximum available control technology having a destruction efficiency of no less than 99.99 percent.

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This definition of MACT is separate from any requirements of MACT under Section 112 of the Act.

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## MACT-Affected Emission Unit

### 112g

[Part 63.41] **MACT-affected emission unit** means an emission unit requiring a MACT

determination for a constructed, reconstructed, or modified major source, consistent with the following:

(1) for constructed or reconstructed major sources, the MACT-affected emission unit shall

include one or more **emission points** within the constructed or reconstructed major source;

(2) for modified major sources, the MACT-affected emission unit shall consist of:

(i) one or more emission points affected by the **modification**, as identified in accordance with the procedures in § 63.43(b) of this subpart, and

(ii) at an owner or operator's discretion, a combination of emission point(s) affected by the modification, as identified in accordance with the procedures in § 63.43(b) of this subpart, and other emission point(s) located at the same major source, when the owner or operator demonstrates that such a combination of points would achieve a greater degree of emission reductions compared to point-by-point compliance, provided that:

(A) the combination of emission points does not create an emission unit that is so unique that it precludes the identification of similar emission units, and

(B) the **control technology** that would be applied to such a combined emission unit would achieve emission reductions from all emission points included, or involves recycling or reuse, or constitutes a **source reduction project**.

(3) For emission points within categories on the list of source categories, the MACT-affected emission unit shall contain emission points, equipment or apparatus that are within the same source category. The owner or operator and reviewing authority shall use reasonable judgement when uncertainty exists regarding the source category to which a particular process or equipment type belongs.

## MACT Emission Limitation for Existing Sources

112j

[Part 63.51] *Maximum achievable control technology (MACT) emission limitation for existing sources* means the **emission**

**limitation** reflecting the maximum degree of reduction in emissions of **hazardous air pollutants** (including a prohibition on such emissions, where achievable) that the Administrator, taking into consideration the cost of achieving such emission reductions, and any non-air quality health and environmental impacts and energy requirements, determines is achievable by sources in the category or subcategory to which such **emission standard** applies. This limitation shall not be less stringent than the **MACT floor**.

112g

[Part 63.41] *Maximum achievable control technology emission (MACT) limitation for existing sources* means the **emission**

**limitation** reflecting the maximum degree of reduction in emissions that the permitting authority, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable by sources in the category of **stationary sources**, that shall not be less stringent than the **MACT floor**.

## MACT Emission Limitation for New Sources

112j

[Part 63.51] *Maximum achievable control technologies (MACT) emission limitation for new sources* means the **emission**

**limitation** which is not less stringent than the emission limitation achieved in practice by the best controlled similar source, and which reflects the maximum degree of reduction in emissions of **hazardous air pollutants** (including a prohibition on such emissions, where achievable) that the Administrator, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable by sources in the category or subcategory to which such **emission standard** applies.

112g

[Part 63.41] *Maximum achievable control technologies (MACT) emission limitation for new sources* means the **emission**

**limitation** which is not less stringent than the emission limitation achieved in practice by the best controlled similar source, and which reflects the maximum degree of reduction in emissions that the permitting authority, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable by sources in the **affected source** category.

## MACT Floor

112j

[Part 63.51] *Maximum Achievable Control Technology (MACT) floor* means:

(1) For **existing sources**:

(i) The average **emission limitation** achieved by the best performing 12 percent of the existing sources in the United States (for which the

Administrator has emissions information), excluding those sources that have, within 18 months before the emission standard is proposed or within 30 months before such standard is promulgated, whichever is later, first achieved a level of emission rate or emission reduction which complies, or would comply if the source is not subject to such standard, with the lowest achievable emission rate (as defined in section 171 of the Act) applicable to the source category and prevailing at the time, in the category or subcategory, for categories and subcategories of stationary sources with 30 or more sources; or

(ii) The average emission limitation achieved by the best performing five sources in the United States (for which the Administrator has or could reasonably obtain emissions information) in the category or subcategory, for a category or subcategory of stationary sources with fewer than 30 sources;

(2) For new sources, the emission limitation achieved in practice by the best controlled similar source.

112g

[Part 63.41] **Maximum Achievable Control Technology (MACT) floor** means:

(1) for existing sources:

(i) the average emission limitation achieved by the best performing 12 percent of the existing sources in the United States (for which the permitting authority has or could reasonably obtain emission information), excluding those sources that have, within 18 months before the emission standard is proposed or within 30 months before such standard is promulgated, whichever is later, first achieved a level of emission rate or emission reduction which complies, or would comply if the source is not subject to such standard, with the lowest achievable emission rate (as defined in section 171) applicable to the source category and prevailing at the time, for categories and subcategories of stationary sources and subcategories of stationary sources with 30 or more sources in the category or subcategory; or

(ii) the average emission limitation achieved by the best performing five sources in the United States (for which the reviewing agency has or could reasonably obtain emissions information) for a category or subcategory of stationary sources with fewer than 30 sources in the category or subcategory;

(2) for new sources, the emission limitation achieved in practice by the best controlled similar source.

## Maintenance of Standards

SIP

[Part 51.110] Each implementation plan must set forth a control strategy that provides the degree of emission reductions necessary for attainment of the Material Air Quality Standards. Each plan must also provide for the maintenance of the standard after it has been attained.

## Major Modification

PSD

[Part 52.21] (i) **Major modification** means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Act.

(ii) Any net emissions increase that is significant for volatile organic compounds shall be considered significant for ozone.

(iii) A physical change or change in the method of operation shall not include:

(a) Routine maintenance, repair and replacement;

(b) Use of an alternative fuel or raw material by reason of an order under sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plant [sic] pursuant to the Federal Power Act;

(c) Use of an alternative fuel by reason of an order or rule under section 125 of the Act;

(d) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(e) Use of an alternative fuel or raw material by a stationary source which:

(1) The source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975 pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR subpart I or 40 CFR 51.166; or

(2) The source is approved to use under any permit issued under 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51.166;

(f) An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR subpart I or 40 CFR 51.166.

(g) Any change in ownership at a stationary source.

(h) The addition, replacement or use of a pollution control project at an existing electric utility steam generating unit, unless the Administrator determines that such addition, replacement, or use renders the unit less environmentally beneficial, or except:

(1) When the Administrator has reason to believe that the pollution control project would result in a significant net increase in representative actual annual emissions of any criteria pollutant over levels used for that source in the most recent air quality impact analysis in the area conducted for the purpose of title I, if any, and

(2) The Administrator determines that the increase will cause or contribute to a violation of any national ambient air quality standard or PSD increment, or visibility limitation.

(i) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with:

(1) The State implementation plan for the State in which the project is located, and

(2) Other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.

(j) The installation or operation of a permanent clean coal technology demonstration project that constitutes repowering, provided that the project does not result in an increase in the potential to emit of any regulated pollutant emitted by the unit. This exemption shall apply on a pollutant-by-pollutant basis.

(k) The reactivation of a very clean coal-fired electric utility steam generating unit.

## PSD

[Part 51.166] (i) **Major modification** means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Act.

(ii) Any net emissions increase that is significant for volatile organic compounds shall be considered significant for ozone.

(iii) A physical change or change in the method of operation shall not include:

(a) Routine maintenance, repair and replacement;

(b) Use of an alternative fuel or raw material by reason of an order under sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

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## Annotation for PSD - Major Modification

- Existing major sources in attainment areas that undergo a major modification must obtain a PSD preconstruction permit. Significant emission rates of pollutants are included in Table 1.
- For most sources, emission rate is calculated as potential to emit after the modification minus actual emissions prior to the modification.



TABLE 1. SIGNIFICANT EMISSION RATES OF POLLUTANTS  
REGULATED UNDER THE CLEAN AIR ACT

Pollutant	Emission Rate (tpy)
<b>Pollutant listed at 40 CFR 52.21(b)(23)</b>	
Carbon monoxide <sup>a</sup>	100
Nitrogen oxides <sup>a,b</sup>	40
Sulfur dioxide <sup>a,c</sup>	40
Particulate matter (PM/PM-10) <sup>a</sup>	25/15
Ozone (VOC) <sup>a</sup>	40 (of VOC's)
Lead <sup>a</sup>	0.6
Municipal waste combustor organics <sup>d</sup>	0.0000035
Municipal waste combustor metals <sup>e</sup>	15
Municipal waste combustor acid gases <sup>f</sup>	40
Fluorides	3
Sulfuric acid mist	7
Hydrogen sulfide (H <sub>2</sub> S)	10
Total reduced sulfur compounds (including H <sub>2</sub> S)	10
<b>Other pollutants regulated by the Clear Air Act<sup>g,h,i</sup></b>	
CFC's 112, 12, 112, 114, 115	Any emission rate
Halons 1211, 1301, 2402	Any emission rate

<sup>a</sup>Criteria pollutants

<sup>b</sup>Nitrogen dioxide is the compound regulated as a criteria pollutant; however, significant emissions are based on the sum of all oxides of nitrogen.

<sup>c</sup>Sulfur dioxide is the measure surrogate for the criteria pollutant sulfur oxides. Sulfur oxides have been made subject to regulation explicitly through the proposal of 40 CFR 60 Subpart J as of August 17, 1989.

<sup>d</sup>Measured as total tetra- through octa-chlorinated dibenzo-p-dioxins and dibenzofurans.

<sup>e</sup>Measured as Particulate matter.

<sup>f</sup>Measured as sulfur dioxide and hydrogen chloride.

<sup>g</sup>Significant emission rates have not been promulgated for these pollutants, and until such time, any emissions by a new major source or any increase in emissions at an existing major source due to modification, are "significant."

<sup>h</sup>Regulations covering some pollutants such as landfill gas emissions have recently been proposed. Applicants should, therefore, verify what pollutants have been regulated under the Act at the time of application.

<sup>i</sup>The 1990 Clean Air Act Amendments at section 112(b)(6) exclude hazardous air pollutants (HAPs) from PSD requirements. Preconstruction review of HAP sources will be required under section 112(g) of the Act when the implementing regulations are promulgated. The section 112(g) modification provisions appear at 40 CFR 63.40.

(c) Use of an alternative fuel by reason of an order or rule under section 125 of the Act;

(d) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(e) Use of an alternative fuel or raw material by a stationary source which:

(1) The source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975 pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR subpart I or §51.166; or

(2) The source is approved to use under any permit issued under 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51.166;

(f) An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Subpart I or §51.166.

(g) Any change in ownership at a stationary source.

(h) The addition, replacement or use of a pollution control project at an existing electric utility steam generating unit, unless the Administrator determines that such addition, replacement, or use renders the unit less environmentally beneficial, or except:

(1) When the reviewing authority has reason to believe that the pollution control project would result in a significant net increase in representative actual annual emissions of any criteria pollutant over levels used for that source in the most recent air quality impact analysis in the area conducted for the purpose of title I, if any, and

(2) The reviewing authority determines that the increase will cause or contribute to a violation of any national ambient air quality standard or PSD increment, or visibility limitation.

(i) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with:

(1) The State implementation plan for the State in which the project is located, and

(2) Other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.

(j) The installation or operation of a permanent clean coal technology demonstration project that constitutes repowering, provided that the project does not result in an increase in the potential to emit of any regulated pollutant emitted by the unit. This exemption shall apply on a pollutant-by-pollutant basis.

(k) The reactivation of a very clean coal-fired electric utility steam generating unit.

NSR

[Part 51.165] (A) **Major modification** means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Act.

(B) Any net emissions increase that is considered significant for volatile organic compounds shall be considered significant for ozone.

(C) A physical change or change in the method of operation shall not include:

(1) Routine maintenance, repair and replacement;

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## Annotation for NSR - Major Modification

- Existing major sources that undergo a major modification in nonattainment areas are required to obtain a preconstruction NSR permit. Major modification thresholds are listed in Table 2.
- For most sources an emission increase is calculated as the maximum potential to emit (PTE) after the modification minus actual emissions prior to the modification.
- In this definition, the extent to which an emission unit has been utilized immediately before a physical or operational change can be an important part of the determination (e.g., a unit that potentially can emit 1,000 tpy and is used at 80 percent has a difference between PTE and actual emissions of  $1,000 - 800 = 200$  tpy).

TABLE 2. MAJOR SOURCE THRESHOLDS AND MINIMUM EMISSIONS OFFSET RATIO REQUIREMENTS FOR OZONE NONATTAINMENT AREA CLASSIFICATIONS

Ozone Nonattainment Area	VOC (tpy) <sup>1</sup>	NO <sub>x</sub> (tpy) <sup>1</sup>	Minimum Emissions Offset Ratio Required
Extreme	10	10	1.5 to 1 <sup>2</sup>
Severe	25	25	1.3 to 1 <sup>2</sup>
Serious	50	50	1.2 to 1
Moderate	100	100	1.15 to 1
Moderate, in an ozone transport region	50	100	1.15 to 1
Marginal	100	100	1.1 to 1
Marginal, in an ozone transport region <sup>3</sup>	50	100	1.15 to 1
All other nonattainment areas, outside of an ozone transport region <sup>3</sup>	100	100	>1.0 to 1
All other nonattainment areas, in an ozone transport region <sup>3</sup>	100	100	1.15 to 1
Attainment, in an ozone transport region	50	100	1.15 to 1

<sup>1</sup> tpy = tons per year.

<sup>2</sup> The minimum ratio is reduced to 1.2 to 1 if the applicable State implementation plan requires all major sources of VOC and NO<sub>x</sub> emissions to use best available control technology.

<sup>3</sup> The other nonattainment areas are submarginal, transitional, and incomplete/no data.

(2) Use of an alternative fuel or raw material by reason of an order under sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(3) Use of an alternative fuel by reason of an order or rule under section 125 of the Act;

(4) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(5) Use of an alternative fuel or raw material by a stationary source which:

(i) The source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any federally enforceable permit condition which was established after December 12, 1976 [sic] pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR subpart I or §51.166; or

(ii) The source is approved to use under any permit issued under regulations approved pursuant to this section;

(6) An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after December 21, 1976, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR subpart I or §51.166.

(7) Any change in ownership at a stationary source.

(8) The addition, replacement or use of a pollution control project at an existing electric utility steam generating unit, unless the reviewing authority determines that such addition, replacement, or use renders the unit less environmentally beneficial, or except:

(i) When the reviewing authority has reason to believe that the pollution control project would result in a significant net increase in representative actual annual emissions of any criteria pollutant over levels used for that source in the most recent air quality impact analysis in the area conducted for the purpose of title I, if any, and

(ii) The reviewing authority determines that the increase will cause or contribute to a violation of any national ambient air quality standard or PSD increment, or visibility limitation.

(9) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with:

(i) The State Implementation Plan for the State in which the project is located, and

(ii) Other requirements necessary to attain and maintain the national ambient air quality

standard during the project and after it is terminated.

## NSR

[Part 52.24] (i) **Major modification** means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Act.

(ii) Any net emissions increase that is considered significant for volatile organic compounds shall be considered significant for ozone.

(iii) A physical change or change in the method of operation shall not include:

(a) Routine maintenance, repair and replacement;

(b) Use of an alternative fuel or raw material by reason of an order under sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(c) Use of an alternative fuel by reason of an order or rule under section 125 of the Act;

(d) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(e) Use of an alternative fuel or raw material by a stationary source which:

(1) The source was capable of accommodating before July 1, 1979, unless such change would be prohibited under any federally enforceable permit condition which was established after July 1, 1979 pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR subpart I or §51.166; or

(2) The source is approved to use under any permit issued under regulations approved pursuant to 40 CFR subpart I;

(f) An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after July 1, 1979, pursuant to 40 CFR 52.21 or regulations approved pursuant to 40 CFR Part 51 subpart I or 40 CFR 51.166.

(g) Any change in ownership at a stationary source.

(h) The addition, replacement or use of a pollution control project at an existing electric utility steam generating unit, unless the Administrator determines that such addition, replacement, or use renders the unit less environmentally beneficial, or except:

(1) When the Administrator has reason to believe that the pollution control project would result *[sic]* in a significant net increase in representative actual annual emissions of any criteria pollutant over levels used for that source in the most recent air quality impact analysis in the area conducted for the purpose of title I, if any, and

(2) The Administrator determines that the increase will cause or contribute to a violation of any national ambient air quality standard or PSD increment, or visibility limitation.

(i) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project, provided that the project complies with:

(1) The State Implementation Plan for the State in which the project is located, and

(2) Other requirements necessary to attain and maintain the national ambient air quality standard during the project and after it is terminated.

## NSR

[Part 51, Appendix S] (i) **Major modification** means any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Act.

(ii) Any net emissions increase that is considered significant for volatile organic compounds shall be considered significant for ozone.

(iii) A physical change or change in the method of operation shall not include:

(a) Routine maintenance, repair and replacement;

(b) Use of an alternative fuel or raw material by reason of an order under sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(c) Use of an alternative fuel by reason of an order or rule under section 125 of the Act;

(d) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste;

(e) Use of an alternative fuel or raw material by a stationary source which:

(1) The source was capable of accommodating before December 21, 1976, unless such change would be prohibited under any federally enforceable permit condition which was established after December 21, 1976 pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR subpart I or §51.166, or

(2) The source is approved to use under any permit issued under this ruling;

(f) An increase in the hours of operation or in the production rate, unless such change would be prohibited under any federally enforceable permit condition which was established after December 21, 1976, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR subpart I or §51.166.

(g) Any change in ownership at a stationary source.

## SIP

[Document 1] **Major modification.** The Act has multiple definitions for major modifications depending on the nonattainment classification and the pollutant. Major modification thresholds are listed in Table 2 for both VOC and NO<sub>x</sub> sources. The term major modification is used to determine whether the modification of an existing facility is subject to NSR requirements.

## VIS

[Part 51.301] **Major Stationary Source** and **major modification** mean **major stationary source** and **major modification**, respectively, as defined in § 51.24.

## Major Source

### NESHAP

[Part 63.2] **Major source** means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless the Administrator establishes a lesser quantity, or in the case of radionuclides, different criteria from those specified in this sentence.

## V

[Part 70.2] **Major source** means any stationary source (or any group of stationary sources that are located on one or more contiguous or adjacent properties, and are under common control of the same person (or persons under common control) belonging to a single major industrial grouping and that are described in paragraph (1), (2), or (3) of this definition. For the purposes of defining "major source," a stationary source or group of stationary sources shall be considered part of a single industrial grouping if all of the pollutant emitting activities at such source or

group of sources on contiguous or adjacent properties belong to the same Major Group (i.e., all have the same two-digit code) as described in the Standard Industrial Classification Manual, 1987.

(1) A major source under section 112 of the Act, which is defined as:

(i) For pollutants other than radionuclides, any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the **potential to emit**, in the aggregate, 10 tons per year (tpy) or more of any **hazardous air pollutant** which has been listed pursuant to section 112(b) of the Act, 25 tpy or more of any combination of such hazardous air pollutants, or such **lesser quantity** as the Administrator may establish by rule.

Notwithstanding the preceding sentence, emissions from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are major sources; or

(ii) For radionuclides, "major source" shall have the meaning specified by the Administrator by rule.

(2) A **major stationary source** of air pollutants, as defined in section 302 of the Act, that directly emits or has the potential to emit, 100 tpy or more of any air pollutant (including any major source of fugitive emissions of any such pollutant, as determined by rule by the Administrator). The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source for the purposes of section 302(j) of the Act, unless the source belongs to one of the following categories of stationary source:

- (i) Coal cleaning plants (with thermal dryers);
- (ii) Kraft pulp mills;
- (iii) Portland cement plants;
- (iv) Primary zinc smelters;
- (v) Iron and steel mills;
- (vi) Primary aluminum ore reduction plants;
- (vii) Primary copper smelters;
- (viii) Municipal incinerators capable of charging more than 250 tons of refuse per day;
- (ix) Hydrofluoric, sulfuric, or nitric acid plants;
- (x) Petroleum refineries;
- (xi) Lime plants;
- (xii) Phosphate rock processing plants;
- (xiii) Coke oven batteries;
- (xiv) Sulfur recovery plants;
- (xv) Carbon black plants (furnace process);

- (xvi) Primary lead smelters;
- (xvii) Fuel conversion plants;
- (xviii) Sintering plants;
- (xix) Secondary metal production plants;
- (xx) Chemical process plants;
- (xxi) Fossil-fuel boilers (or combination

thereof) totaling more than 250 million British thermal units per hour heat input;

(xxii) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;

(xxiii) Taconite ore processing plants;

(xxiv) Glass fiber processing plants;

(xxv) Charcoal production plants;

(xxvi) Fossil-fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input; or

(xxvii) All other stationary source categories regulated by a **standard** promulgated under section 111 or 112 of the Act, but only with respect to those air pollutants that have been regulated for that category;

(3) A major stationary source as defined in part D of title I of the Act, including:

(i) For ozone nonattainment areas, sources with the potential to emit 100 tpy or more of **volatile organic compounds** or oxides of nitrogen in areas classified as "marginal" or "moderate," 50 tpy or more in areas classified as "serious," 25 tpy or more in areas classified as "severe," and 10 tpy or more in areas classified as "extreme"; except that the references in this paragraph to 100, 50, 25, and 10 tpy of nitrogen oxides shall not apply with respect to any source for which the Administrator has made a finding, under section 182(f)(1) or (2) of the Act, that requirements under section 182(f) of the Act do not apply;

(ii) For ozone transport regions established pursuant to section 184 of the Act, sources with the potential to emit 50 tpy or more of volatile organic compounds;

(iii) For carbon monoxide nonattainment areas:

(A) That are classified as "serious," and

(B) in which **stationary sources** contribute significantly to carbon monoxide levels as determined under rules issued by the Administrator, sources with the **potential to emit** 50 tpy or more of carbon monoxide; and

(iv) For **particulate matter (PM-10)** nonattainment areas classified as "serious," sources with the potential to emit 70 tpy or more of PM-10.

EMP

[Part 64.2] **Major source** means any major source as defined in § 70.2 of this chapter, excluding

any hazardous air pollutant source included in paragraph (1) of that definition.

## Major Stationary Source

### PSD

[Parts 52.21 and 51.166] *Major stationary source* means:

(a) Any of the following stationary sources of air pollutants which emits, or has the potential to emit, 100 tons per year or more of any pollutant subject to regulation under the Act: Fossil-fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input, coal cleaning plants (with thermal dryers), kraft pulp mills, portland cement plants, primary zinc smelters, iron and steel mill plants, primary aluminum ore reduction plants, primary copper smelters, municipal incinerators capable of charging more than 250 tons of refuse per day, hydrofluoric, sulfuric, and nitric acid plants, petroleum refineries, lime plants, phosphate rock processing plants, coke oven batteries, sulfur recovery plants, carbon black plants (furnace process), primary lead smelters, fuel conversion plants, sintering plants, secondary metal production plants, chemical process plants, fossil fuel boilers (or combinations thereof) totaling more than 250 million British thermal units per hour heat input, petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels, taconite ore processing plants, glass fiber processing plants, and charcoal production plants;

(b) Notwithstanding the stationary source size specified in paragraph (a) of this section, any stationary source which emits, or has the potential to emit, 250 tons per year or more of any air pollutant subject to regulation under the Act; or

(c) Any physical change that would occur at a stationary source not otherwise qualifying under paragraph (b)(1) of this section, as a major stationary source, if the changes would constitute a major stationary source by itself.

(ii) A major stationary source that is major for volatile organic compounds shall be considered major for ozone.

(iii) The fugitive emissions of a stationary source shall not be included in determining for any of the purposes of this section whether it is a major stationary source, unless the source belongs to one of the following categories of stationary sources:

- (a) Coal cleaning plants (with thermal dryers);
- (b) Kraft pulp mills;
- (c) Portland cement plants;
- (d) Primary zinc smelters;
- (e) Iron and steel mills;
- (f) Primary aluminum ore reduction plants;

- (g) Primary copper smelters;
- (h) Municipal incinerators capable of charging more than 250 tons of refuse per day;
- (i) Hydrofluoric, sulfuric, or nitric acid plants;

- (j) Petroleum refineries;
- (k) Lime plants;
- (l) Phosphate rock processing plants;
- (m) Coke oven batteries;
- (n) Sulfur recovery plants;
- (o) Carbon black plants (furnace process);
- (p) Primary lead smelters;
- (q) Fuel conversion plants;
- (r) Sintering plants;
- (s) Secondary metal production plants;
- (t) Chemical process plants;
- (u) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;

(v) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;

- (w) Taconite ore processing plants;
- (x) Glass fiber processing plants;
- (y) Charcoal production plants;

(z) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input, and

(aa) Any other stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the Act.

### NSR

[Parts 52.24, 51.165, and 51, Appendix S] (i) *Major stationary source* means:

(a) Any stationary source of air pollutants which emits, or has the potential to emit, 100 tons per year or more of any pollutant subject to regulation under the Act; or

(b) Any physical change that would occur at a stationary source not qualifying under paragraph (i)(a) of this section as a major stationary source, if the change would constitute a major stationary source by itself.

(ii) A major stationary source that is major for volatile organic compounds shall be considered major for ozone.

(iii) The fugitive emissions of a stationary source shall not be included in determining for any of the purposes of this ruling whether it is a major stationary source, unless the source belongs to one of the following categories of stationary sources:

- (a) Coal cleaning plants (with thermal dryers);
- (b) Kraft pulp mills;
- (c) Portland cement plants;
- (d) Primary zinc smelters;

(e) Iron and steel mills;  
 (f) Primary aluminum ore reduction plants;  
 (g) Primary copper smelters;  
 (h) Municipal incinerators capable of charging more than 250 tons of refuse per day;  
 (i) Hydrofluoric, sulfuric, or nitric acid plants;  
 (j) Petroleum refineries;  
 (k) Lime plants;  
 (l) Phosphate rock processing plants;  
 (m) Coke oven batteries;  
 (n) Sulfur recovery plants;  
 (o) Carbon black plants (furnace process);  
 (p) Primary lead smelters;  
 (q) Fuel conversion plants;  
 (r) Sintering plants;  
 (s) Secondary metal production plants;  
 (t) Chemical process plants;  
 (u) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;  
 (v) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;  
 (w) Taconite ore processing plants;  
 (x) Glass fiber processing plants;  
 (y) Charcoal production plants;  
 (z) Fossil fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input;  
 (aa) Any other stationary source category which, as of August 7, 1980, is being regulated under section 111 or 112 of the Act.

## VIS

[Part 51.301] **Major stationary source** and **major modification** mean **major stationary source** and **major modification**, respectively, as defined in § 51.24.

## SIP

[Document 1, 2, and 4] The Act has multiple definitions for **major stationary sources** depending upon the nonattainment classification and the pollutant. Section 302 of the Act defines a major stationary source as one that directly emits, or has the **potential to emit**, 100 tpy or more of any air pollutant. As exceptions to this rule, major stationary source emissions thresholds, as defined in Part D of Title I of the Act, are listed in Table 2 for both **VOC** and **NO<sub>x</sub>** sources.

## Malfunction

### NESHAP

[Part 63.2] **Malfunction** means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

### NSPS

[Part 60.2] **Malfunction** means any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

## Modification (modified source)

### SIP

[Part 52.01] The phrases **modification** or **modified source** mean any physical change, or change in the method of operation of, a **stationary source** which increases the emission rate of any pollutant for which a national **standard** has been promulgated under part 50 of this chapter or which results in the emission of any such pollutant not previously emitted, except that:

(1) Routine maintenance, repair, and replacement shall not be considered a physical change, and  
 (2) The following shall not be considered a change in the method of operation:

(i) An increase in the production rate, if such increase does not exceed the operating design capacity of the source;  
 (ii) An increase in the hours of operation;  
 (iii) Use of an alternative fuel or raw material, if prior to the **effective date** of a paragraph in this part which imposes conditions on or limits modifications, the source is designed to accommodate such alternative use.

### SIP

[Guidance Document 1] **Modification** means, with respect to section 112 of the Act, any physical change in, or change in the method of operation of, a **major source** which increases the **actual emissions** of any **HAP** emitted by such source by more than a **de minimis** amount



or which results in the emissions of any HAP not previously emitted by more than a de minimis amount.

## NSPS

[Part 60.2] **Modification** means, any physical change in, or change in the method of operation of, an **existing facility** which increases the amount of any air pollutant (to which a **standard** applies) emitted into the atmosphere by that **facility** or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted.

40 CFR 60.14 defines the following as exemptions from modifications:

(1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of paragraph (c) of this section and § 60.15

(2) An increase in production rate of an existing facility, if that increase can be accomplished without a **capital expenditure** on that facility.

(3) An increase in the hours of operation.

(4) Use of an alternative fuel or raw material if, prior to the date any standard under this part becomes applicable to that source type, as provided by § 60.1, the existing facility was designed to accommodate that alternative use. A facility shall be considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's **construction** specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in section 111(a)(8) of the Act, shall not be considered a modification.

(5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Administrator determines to be less environmentally beneficial.

(6) The relocation or change in ownership of an existing facility.

## NSPS

[Part 61.15] *(This definition does not appear in part 61.15 exactly as it appears here; this definition is a summarization based on information in this section.)*

A modification is any physical or operational change to a **stationary source** which results in an increase in the rate of emission to the atmosphere of a hazardous pollutant to which a **standard** applies. The following shall not, by themselves, be considered modifications under this part:

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## Annotation for NSPS - Modification

The intent of modification provisions is to apply to existing sources the same programs that apply to new sources (e.g., to apply good control measures or equipment) whenever there is a major change at the facility that increases emissions.

- Existing sources that are modified become subject to NSPS.
- Emission increases for NSPS and NESHAP purposes are determined by changes in hourly emissions rates at maximum capacity. This allows sources to make changes that increase efficiency or even capacity so long as the maximum lb/hr rate does not increase (e.g., improve control equipment).

(1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category.

(2) An increase in production rate of a stationary source, if that increase can be accomplished without a capital expenditure on the stationary source.

(3) An increase in the hours of operation.

(4) Any conversion to coal that meets the requirements specified in Section 111(a)(8) of the Clean Air Act.

(5) The relocation or change in ownership of a stationary source. (However, such activities must be reported in accordance with § 61.10(c)).

112g

[Part 63.41] **Modification** means the fabrication (on site), erection, or installation of any physical change in, or change in the method of operation of, a major source which increases the actual emissions of any hazardous air pollutant emitted by such source by more than a *de minimis* amount or which results in the emission of any hazardous air pollutant not previously emitted by more than a *de minimis* amount. A physical change in, or change in the method of operation of, a major source which results in a greater than *de minimis* increase in actual emissions of hazardous air pollutants shall not be considered a modification, if such increase in the quantity of actual emissions of any hazardous air pollutant from such source will be offset by an equal or greater decrease in the quantity of another hazardous air pollutant (or pollutants) from such source which is deemed more hazardous.

See 40 CFR 63.48 for determining a more hazardous quantity.

## Net Emissions Increase

NSR

[Part 52.24] (i) **Net emissions increase** means the amount by which the sum of the following exceeds zero:

(a) Any increase in actual emissions from a particular physical change or change in the method of operation at a stationary source; and

(b) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(ii) An increase or decrease in actual emissions is contemporaneous with the increase

from the particular change only if it occurs between:

(a) The date five years before construction on the particular change commences and

(b) The date that the increase from the particular change occurs.

(iii) An increase or decrease in actual emissions is creditable only if the Administrator has not relied on it in issuing a permit for the source under regulations approved pursuant to 40 CFR subpart I which permit is in effect when the increase in actual emissions from the particular change occurs.

(iv) An increase in actual emissions in creditable time. [sic] only to the extent that the new level of actual emissions exceeds the old level.

(v) A decrease in actual emissions is creditable only to the extent that:

(a) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(b) It is federally enforceable at and after the time that construction on the particular change begins; and

(c) The Administrator or reviewing authority has not relied on it in issuing any permit under regulations approved pursuant to 40 CFR subpart I or the State has not relied on it in demonstrating attainment or reasonable further progress.

(d) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(vi) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

NSR

[Part 51, Appendix S] (i) **Net emissions increase** means the amount by which the sum of the following exceeds zero:

(a) Any increase in actual emissions from a particular physical change or change in the method of operation at a stationary source; and

(b) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(ii) An increase or decrease in actual emissions is contemporaneous with the increase

from the particular change only if it occurs between:

(a) The date five years before construction on the particular change commences and

(b) The date that the increase from the particular change occurs.

(iii) An increase or decrease in actual emissions is creditable only if the Administrator has not relied on it in issuing a permit for the source under this Ruling which permit is in effect when the increase in actual emissions from the particular change occurs.

(iv) An increase in actual emission is creditable only to the extent that the new level of actual emissions exceeds the old level.

(v) A decrease in actual emissions is creditable only to the extent that:

(a) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(b) It is federally enforceable at and after the time that actual construction on the particular change begins; and

(c) The reviewing authority has not relied on it in issuing any permit under regulations approved pursuant to 40 CFR 51.18; and

(d) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(vi) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

## NSR

[Part 51.165] (A) *Net emissions increase* means the amount by which the sum of the following exceeds zero:

(1) Any increase in actual emissions from a particular physical change or change in the method of operation at a stationary source; and

(2) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(B) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs before the date that the increase from the particular change occurs;

(C) An increase or decrease in actual emissions is creditable only if:

(1) It occurs within a reasonable period to be specified by the reviewing authority; and

(2) The reviewing authority has not relied on it in issuing a permit for the source under regulations approved pursuant to this section which permit is in effect when the increase in actual emissions from the particular change occurs.

(D) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(E) A decrease in actual emissions is creditable only to the extent that:

(1) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(2) It is federally enforceable at and after the time that actual construction on the particular change begins; and

(3) The reviewing authority has not relied on it in issuing any permit under regulations approved pursuant to 40 CFR part 51 subpart I or the state has not relied on it in demonstrating attainment or reasonable further progress;

(4) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(F) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

## PSD

[Part 52.21] (i) *Net emissions increase* means the amount by which the sum of the following exceeds zero:

(a) Any increase in actual emissions from a particular physical change or change in the method of operation at a stationary source; and

(b) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(ii) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between:

(a) The date five years before construction on the particular change commences and

(b) The date that the increase from the particular change occurs.

(iii) An increase or decrease in actual emissions is creditable only if the Administrator has not relied on it in issuing a permit for the source

under this section, which permit is in effect when the increase in actual emissions from the particular change occurs.

(iv) An increase or decrease in actual emissions of sulfur dioxide, **particulate matter**, or nitrogen oxides which occurs before the applicable minor source baseline date is creditable only if it is required to be considered in calculating the amount of maximum allowable increases remaining available.

(v) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceed the old level.

(vi) A decrease in actual emissions is creditable only to the extent that:

(a) The old level of actual emissions or the old level of **allowable emissions**, whichever is lower, exceeds the new level of actual emissions;

(b) It is **federally enforceable** at and after the time that actual construction on the particular change begins; and

(c) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(vii) [Reserved]

(viii) An increase that results from a physical change at a source occurs when the **emissions unit** on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

PSD

[Part 51.166] (i) *Net emissions increase* means the amount by which the sum of the following exceeds zero:

(a) Any increase in **actual emissions** from a particular physical change or change in the method of operation at a **stationary source**; and

(b) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

(ii) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs within a reasonable period (to be specified by the state) before the date that the increase from the particular change occurs.

(iii) An increase or decrease in actual emissions is creditable only if the reviewing authority has not relied on it in issuing a **permit** for the source under regulations approved pursuant to this section, which permit is in effect when the

increase in actual emissions from the particular change occurs.

(iv) An increase or decrease in actual emissions of sulfur dioxide, **particulate matter**, or nitrogen oxides which occurs before the applicable minor source baseline date is creditable only if it is required to be considered in calculating the amount of maximum allowable increases remaining available.

(v) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.

(vi) A decrease in actual emissions is creditable only to the extent that:

(a) The old level of actual emissions or the old level of **allowable emissions**, whichever is lower, exceeds the new level of actual emissions;

(b) It is **federally enforceable** at and after the time that actual construction on the particular change begins; and

(c) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

(vii) An increase that results from a physical change at a source occurs when the **emissions unit** on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

## New Major Source

112j

[Part 63.51] *New major source* means a major source for which **construction or reconstruction** is commenced after the section 112(i) deadline, or after proposal of a **relevant standard** under section 112(d) or section 112(h) of the Clean Air Act (as amended in 1990), whichever comes first.

## New Source

NESHAP

[Part 63.2] *New source* means any affected source the construction or reconstruction of which is commenced after the Administrator

first proposes a relevant emission standard under this part.

NESHAP

[Part 61.02] *New source* means any stationary source, the construction or modification of which is commenced after the

publication in the Federal Register of proposed national emission standards for hazardous air pollutants which will be applicable to such source.

## Nonattainment Area

CAA

[Section 107] A *nonattainment area* is any area that does not meet (or that contributes to ambient air quality in a nearby area that does

not meet) the national primary or secondary ambient air quality standard for the pollutant.

## Nontraditional Source

SIP

[PM-10 Supplement] The phrase *nontraditional source* was coined as a catch-all to refer to those sources not traditionally considered

in air pollution control strategies, including construction and demolition, tailpipe emissions, tire wear, and various sources of fugitive dust. Since then, the use of the term has expanded to include such sources as prescribed agricultural and silvicultural burning, open burning, and residential wood combustion.

## Offsets

SIP

[Guidance Doc. 1] *Offsets* means surplus emissions reductions secured from existing source(s) by a prospective major new stationary

source, or a source planning major modifications, in order for the new or modified source to obtain a nonattainment area preconstruction permit. Offsets are generally secured from other sources in the vicinity of the new source or modification, but can also be obtained, with limitations, from the source itself in the case of a modification.

112g

[63.43] (*This definition was constructed from a portion of § 63.43 and does not appear in the regulation exactly as it*

*appears here.*) (e) *Offsets* means that a physical change or change in the method of operation shall not be considered a modification if the permitting authority approves a showing by the owner or operator that the increase in the emissions of any hazardous air pollutant emitted in greater than *de minimis* quantities from such physical change or change in the method of operation will be offset by an equal or greater decrease in the emissions of another hazardous air pollutant (or pollutants) from such source which is deemed more hazardous.

## Operations That the Major Source is Designed to Accommodate

112g

[Part 63.41] *Operations that the major source is designed to accommodate* means operations that are addressed by and

consistent with:

(1) a State permit (including, but not limited to, permits issued pursuant to State and local regulations approved by the Administrator pursuant to 40 CFR part 51) issued prior to the effective date of a permit issued to the title V permit program; or

(2) a Federal permit issued pursuant to 40 CFR part 52, issued prior to the effective date of a permit issued pursuant to the title V permit program; or

(3) a title V operating permit, incorporating the terms of a State or Federal permit, where such permit was issued prior to the effective date of a permit issued pursuant to title V permit program.

## Part 70 Source

V

[Part 70.2] *Part 70 source* means any source subject to the permitting requirements of this part, as provided in § 70.3(a) and 70.3(b)

of this part. Part 70.3(a) and 70.3(b) specify the following sources:

(1) Any major source;

(2) Any source, including an area source, subject to a standard, limitation, or other requirement under section 111 of the Act;

(3) Any source, including an area source, subject to a standard or other requirement under

section 112 of the Act, except that a source is not required to obtain a permit solely because it is subject to regulations or requirements under section 112(r) of this act;

(4) Any affected source; and

(5) Any source in a source category designated by the Administrator pursuant to this section.

Source category exemptions. (1) All sources listed in paragraph (a) of this section that are not major sources, affected sources, or solid waste incineration units required to obtain a permit pursuant to section 129(e) of the Act, may be exempted by the State from the obligation to obtain a part 70 permit until such time as the Administrator completes a rulemaking to determine how the program should be structured for nonmajor sources and the appropriateness of any permanent exemptions in addition to those provided for in paragraph (b)(4) of this section.

(2) In the case of nonmajor sources subject to a standard or other requirement under either section 111 or section 112 of the Act after July 21, 1992 publication, the Administrator will determine whether to exempt any or all such applicable sources from the requirement to obtain a part 70 permit at the time that the new standard is promulgated.

(3) Any source listed in paragraph (a) of this section exempt from the requirement to obtain a permit under this section may opt to apply for a permit under a part 70 program.

(4) Unless otherwise required by the State to obtain a part 70 permit, the following source categories are exempted from the obligation to obtain a part 70 permit:

(i) All sources and source categories that would be required to obtain a permit solely because they are subject to part 60, subpart AAA--Standards of Performance for New Residential Wood Heaters; and

(ii) All sources and source categories that would be required to obtain a permit solely because they are subject to part 61, subpart M--National Emission Standard for Hazardous Air Pollutants for Asbestos, § 61.145, Standard for Demolition and Renovation.

## Particulate Matter

NSPS

[Part 60.2] **Particulate Matter** means any finely divided solid or liquid material, other than uncombined water, as measured by the reference methods specified under each applicable subpart, or an equivalent or alternative method.

SIP

[Part 51.100] **Particulate matter** means any airborne finely divided solid or liquid material with an aerodynamic diameter smaller than 100 micrometers.

## Particulate Matter Emissions

SIP

[Part 51.100] **Particulate matter emissions** means all finely divided solid or liquid material, other than uncombined water emitted to the ambient air as measured by applicable reference methods, or an equivalent or alternative method, specified in this chapter, or by a test method specified in an approved State implementation plan.

## Periodic Monitoring

V

(This definition does not appear in Title V as it appears here; this definition is a summarization based on the information available in Title V). **Periodic monitoring** means regular, continuous, measurements to determine compliance with applicable Clean Air Act (CAA) requirements. The Title V operating permit regulation at 40 CFR 70.6(a)(3) requires that all permitted emission units and activities be in compliance with all applicable CAA requirements. For many emission units, however, frequent measurements are unnecessary to determine compliance, and monitoring may be periodic. Periodic monitoring must be sufficient to yield reliable data from the relevant time period that can be used to show the source's compliance with applicable CAA requirements. It must use the conditions, test methods, units, averaging periods, and other statistical conventions consistent with the applicable CAA requirement. It applies to any emission unit or activity in the title V permit for which there is an applicable CAA requirement and for which continuous monitoring is not specified.

## Permit

V

[Part 70.2] **Part 70 permit or permit** (unless the context suggests otherwise) means any permit or group of permits covering a part 70 source that is issued, renewed, amended, or revised pursuant to this part.

EMP

[Part 64.2] **Permit** means any applicable permit issued, renewed, amended, revised, or modified

under part C and D of title I of the Act, or title V of the Act.

## Permit Modification

V

[Part 70.2] **Permit modification** means a revision to a part 70 permit that meets the requirements of § 70.7(e) of this part.

NESHAP

[Part 63.2] **Permit modification** means a change to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7661).

## Permit Program

NESHAP

[Part 63.2] **Permit program** means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

## Permit Revision

NESHAP

[Part 63.2] **Permit revision** means any permit modification or administrative permit amendment to a title V permit as defined in regulations codified in this chapter to implement title V of the Act (42 U.S.C. 7651).

V

[Part 70.2] **Permit revision** means any permit modification or administrative permit amendment.

ACID

[Part 72.2] **Permit revision** means a permit modification, fast track modification, administrative permit amendment, or automatic permit amendment, as provided in subpart H of this part.

## PM<sub>10</sub>

SIP

[Part 51.100] (qq) **PM<sub>10</sub>** means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by a reference method based on appendix J of part 50 of this chapter and designated

in accordance with part 53 of this chapter or by an equivalent method designated in accordance with part 53 of this chapter.

SIP

[PM<sub>10</sub> Supplement] **PM<sub>10</sub>** means particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers.

## PM<sub>10</sub> Emissions

SIP

[Part 51.100] **PM<sub>10</sub> emissions** means finely divided solid or liquid material, with an aerodynamic diameter less than or equal to a nominal 10 micrometers emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternative method, specified in this chapter or by a test method specified in an approved State implementation plan.

## Point Source

SIP

[Part 51.100] **Point source** means the following:

(1) For particulate matter, sulfur oxides, carbon monoxide, volatile organic compounds (VOC) and nitrogen dioxide--

(i) Any stationary source the actual emissions of which are in excess of 90.7 metric tons (100 tons) per year of the pollutant in a region containing an area whose 1980 urban place population, as defined by the U.S. Bureau of the Census, was equal to or greater than 1 million.

(ii) Any stationary source the actual emissions of which are in excess of 22.7 metric tons (25 tons) per year of the pollutant in a region containing an area whose 1980 urban place population, as defined by the U.S. Bureau of the Census, was less than 1 million; or

(2) For lead or lead compounds measured as elemental lead, any stationary source that actually emits a total of 4.5 metric tons (5 tons) per year or more.

SIP

[Documents 1, 2, and 4] **Point Source** is any stationary source that has the potential to emit more than some specified threshold level of a pollutant or is identified as an individual source in a State's emissions inventory. For base year SIP inventory purposes, point sources are defined as sources emitting 10 tpy or more of VOC emissions or 100 tpy or more of NO<sub>x</sub> or CO emissions.

## Pollution Control Project

PSD

[Part 52.21] *Pollution control project* means any activity or project undertaken at an existing electric utility steam generating

unit for purposes of reducing emissions from such unit. Such activities or projects are limited to:

(i) The installation of conventional or innovative pollution control technology, including, but not limited to advanced flue gas desulfurization, sorbent injection for sulfur dioxide and nitrogen oxides controls and electrostatic precipitators;

(ii) An activity or project to accommodate switching to a fuel which is less polluting than the fuel in use prior to the activity or project, including, but not limited to natural gas or coal re-burning, or the co-firing of natural gas and other fuels for the purpose of controlling emissions;

(iii) A permanent clean coal technology demonstration project conducted under title II, section 101(d) of the Further Continuing Appropriations Act of 1985 (sec. 5903(d) of title 42 of the United States Code), or subsequent appropriations, up to a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the Environmental Protection Agency; or

(iv) A permanent clean coal technology demonstration project that constitutes a repowering project.

PSD

[Part 51.166] *Pollution control project* means any activity or project undertaken at an existing electric utility steam generating

unit for purposes of reducing emissions from such unit. Such activities or projects are limited to:

(i) The installation of conventional or innovative pollution control technology, including, but not limited to advanced flue gas desulfurization, sorbent injection for sulfur dioxide and nitrogen oxides controls and electrostatic precipitators;

(ii) An activity or project to accommodate switching to a fuel which is less polluting than the fuel used prior to the activity or project, including, but not limited to natural gas or coal re-burning, or the cofiring of natural gas and other fuels for the purpose of controlling emissions;

(iii) A permanent clean coal technology demonstration project conducted under title II, section 101(d) of the Further Continuing Appropriations Act of 1985 (sec. 5903(d) of title 42 of the United States Code), or subsequent appropriations, up to a total amount of \$2,500,000,000 for commercial demonstration of

clean coal technology, or similar projects funded through appropriations for the Environmental Protection Agency; or

(iv) A permanent clean coal technology demonstration project that constitutes a repowering project.

NSR

[Part 52.24] *Pollution control project* means any activity or project undertaken at an existing electric utility steam generating

unit for purposes of reducing emissions from such unit. Such activities or projects are limited to:

(i) The installation of conventional or innovative pollution control technology, including but not limited to advanced flue gas desulfurization, sorbent injection for sulfur dioxide and nitrogen oxides controls and electrostatic precipitators;

(ii) An activity or project to accommodate switching to a fuel which is less polluting than the fuel in use prior to the activity or project including, but not limited to natural gas or coal re-burning, cofiring of natural gas and other fuels for the purpose of controlling emissions;

(iii) A permanent clean coal technology demonstration project conducted under title II, section 101(d) of the Further Continuing Appropriations Act of 1985 (sec. 5903(d) of title 42 of the United States Code), or subsequent appropriations, up to a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the Environmental Protection Agency; or

(iv) A permanent clean coal technology demonstration project that constitutes a repowering project.

NSR

[Part 51.165] *Pollution control project* means any activity or project undertaken at an existing electric utility steam generating

unit for purposes of reducing emissions from such unit. Such activities or projects are limited to:

(A) The installation of conventional or innovative pollution control technology, including, but not limited to advanced flue gas desulfurization, sorbent injection for sulfur dioxide and nitrogen oxides controls and electrostatic precipitators;

(B) An activity or project to accommodate switching to a fuel which is less polluting than the fuel used prior to the activity or project, including, but not limited to natural gas or coal re-burning, cofiring of natural gas and other fuels for the purpose of controlling emissions;

(C) A permanent clean coal technology demonstration project conducted under title II,



sec 101(d) of the Further Continuing appropriations Act of 1985 (sec. 5903(d) of title 42 of the United States Code), or subsequent Appropriations, up to a total amount of \$2,500,000,000 for commercial demonstration of clean coal technology, or similar projects funded through appropriations for the Environmental Protection Agency; or

(D) A permanent clean coal technology demonstration project that constitutes a repowering project.

## Potential to Emit

NSR

PSD

VIS

[Parts 51.165 and 51, Appendix S]  
[Parts 51.166 and 52.21] [Part 51.301] **Potential to emit** means the maximum capacity of a **stationary source** to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is **federally enforceable**. **Secondary emissions** do not count in determining the potential to emit of a stationary source.

NSR

[Part 52.24] **Potential to emit** means the maximum capacity of a **stationary source** to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is **federally enforceable**. **Secondary emissions** do not count in determining the potential to emit of a stationary source.

NESHAP

[Part 63.2] **Potential to emit** means the maximum capacity of a **stationary source** to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the **stationary source** to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its

design if the limitation or the effect it would have on emissions is **federally enforceable**.

V

[Part 70.2] **Potential to emit** means the maximum capacity of a **stationary source** to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation is enforceable by the Administrator. This term does not alter or affect the use of this term for any other purposes under the Act, or the term "capacity factor" as used in title IV of the Act or the regulations promulgated thereunder.

EMP

[Part 64.2] **Potential to emit** means the maximum capacity of a **stationary source** or an **emissions unit** to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of an emissions unit to emit an air pollutant including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its design if the limitation is enforceable by the Administrator. This term does not alter or affect the use of this term for any other purposes under the Act, or the term "capacity factor" as used in title IV of the Act or the regulations promulgated thereunder.

SIP

[Document 1] **Potential to Emit** means the maximum capacity of a source to emit a pollutant under its physical or operational design, except as constrained by federally-enforceable conditions which may include the effect of installed air pollution control equipment, restrictions on the hours of operation, and the type or amount of material combusted, stored, or processed. Potential to emit is used for **major source** determinations under NSR [40 CFR 51.165(b)].

## Reasonably Available Control Technology (RACT)

SIP

[Part 51.100] **Reasonably available control technology (RACT)** means devices, systems, process **modifications**, or other apparatus or techniques that are reasonably available

taking into account (1) the necessity of imposing such controls in order to attain and maintain a national ambient air quality standard (2) the social, environmental and economic impact of such controls, and (3) alternative means of providing for attainment and maintenance of such standard. (This provision defines RACT for the purposes of §§ 51.110(c)(2) and 51.341(b) only.)

## SIP

[NO<sub>x</sub> Supplement] **Reasonably available control technology (RACT)** is the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

## Reconstruction

### NSPS

[Part 60.155] **Reconstruction** means the replacement of components of an existing facility to such an extent that:

(1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, and

(2) It is technologically and economically feasible to meet the applicable standards set forth in this part.

### NESHAP

[Part 63.2] **Reconstruction** means the replacement of components of an affected or previously unaffected stationary source to such an extent that:

(1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable new source; and

(2) It is technologically and economically feasible for the reconstructed source to meet the relevant standard(s) established by the Administrator (or a State) pursuant to section 112 of the Act. Upon reconstruction, an affected source, or a stationary source that becomes an affected source, is subject to relevant standards for new sources, including compliance dates, irrespective of any change in emissions of hazardous air pollutants from that source.

### VIS

[Part 51.301] **Reconstruction** will be presumed to have taken place where the fixed capital cost of the new component exceeds 50 percent of the fixed capital cost of a comparable entirely new source. Any final decision as to whether

reconstruction has occurred must be made in accordance with the provisions of § 60.15 (f) (1) through (3) of this title.

## Reference Method

### NESHAP

[Part 61.02] **Reference method** means any method of sampling and analyzing for an air pollutant as described in Appendix B to this part.

### ACID

[Part 72.2] **Reference method** means any direct test method of sampling and analyzing for an air pollutant as specified in part 60, Appendix A of this chapter.

### NSPS

[Part 60.2] **Reference method** means any method of sampling and analyzing for an air pollutant as specified in the applicable subpart.

## Regulated Air Pollutant

### V

[Part 70.2] **Regulated air pollutant** means the following:

- (1) Nitrogen oxides or any volatile organic compounds;
- (2) Any pollutant for which a national ambient air quality standard has been promulgated;
- (3) Any pollutant that is subject to any standard promulgated under section 111 of the Act;
- (4) Any Class I or II substance subject to a standard promulgated under or established by title VI of the Act; or

(5) Any pollutant subject to a standard promulgated under section 112 or other requirements established under section 112 of the Act, including sections 112(g), (j), and (r) of the Act, including the following:

(i) Any pollutant subject to requirements under section 112(j) of the Act. If the Administrator fails to promulgate a standard by the date established pursuant to section 112(e) of the Act, any pollutant for which a subject source would be major shall be considered to be regulated on the date 18 months after the applicable date established pursuant to section 112(e) of the Act; and

(ii) Any pollutant for which the requirements of section 112(g)(2) of the Act have been met, but only with respect to the individual source subject to section 112(g)(2) requirement.

**EMP**

[Part 64.2] **Regulated air pollutant** shall have the same meaning as provided under part 70 of this chapter.

## Regulated Pollutant (for Presumptive Fee Calculation)

**V**

[Part 70.2] **Regulated pollutant (for presumptive fee calculation)**, which is used only for purposes of § 70.9(b)(2), means any **regulated air pollutant** except the following:

- (1) Carbon monoxide
- (2) Any pollutant that is a regulated air pollutant solely because it is a Class I or II substance subject to a **standard** promulgated under or established by title VI [Stratospheric Ozone Protection] of the Act; or
- (3) Any pollutant that is a regulated air pollutant solely because it is subject to a **standard** or regulation under section 112(r) of the Act.

## Regulated Substance

**112r**

[Part 68, Part III] **Regulated substance** is any substance listed pursuant to section 112(r)(3) of the Clean Air Act as amended, in § 68.130.

## Relevant Standard

**NESHAP**

[Part 63.2] **Relevant standard** means

- (1) An **emission standard**;
- (2) An **alternative emission standard**;
- (3) An **alternative emission limitation**; or
- (4) An **equivalent emission limitation** established pursuant to section 112 of the act that applies to the **stationary source**, the group of stationary sources, or the portion of a stationary source regulated by such **standard** or limitation.

A **relevant standard** may include or consist of a design, equipment, work practice, or operational requirement, or other measure, process, method, system, or technique (including prohibition of emissions) that the Administrator (or a State) establishes for new or **existing sources** to which such standard or limitation applies. Every relevant standard established pursuant to section 112 of the Act includes subpart A of this part and all applicable appendices of this part or of other parts of this chapter that are referenced in that standard.

## Representative Actual Annual Emissions

**NSR****PSD**

[Part 52.24] [Parts 51.166 and 52.21] **Representative actual annual**

**emissions** means the average rate, in tons per year, at which the source is projected to emit a pollutant for the two-year period after a physical change or change in the method of operation of a unit, (or a different consecutive two-year period within 10 years after that change, where the Administrator determines that such period is more representative of normal source operations), considering the effect any such change will have on increasing or decreasing the hourly emissions rate and on projected capacity utilization. In projecting future emissions the Administrator shall:

(i) Consider all relevant information, including but not limited to, historical operational data, the company's own representations, filings with the State or Federal regulatory authorities, and **compliance plans** under title IV of the Clean Air Act; and

(ii) Exclude, in calculating any increase in emissions that results from the particular physical change or change in the method of operation at an **electric utility steam generating unit**, that portion of the unit's emissions following the change that could have been accommodated during the representative baseline period and is attributable to an increase in projected capacity utilization at the unit that is unrelated to the particular change, including any increased utilization due to the rate of electricity demand growth for the utility system as a whole.

**NSR**

[Part 51.165] **Representative actual annual emissions** means the average rate, in tons per year, at which the source is projected to emit a pollutant for the two-year period after a physical change or change in the method of operation of a unit (or a different consecutive two-year period within 10 years after that change, where the reviewing authority determines that such period is more representative of source operations), considering the effect any such change will have on increasing or decreasing the hourly emissions rate and on projected capacity utilization. In projecting future emissions the reviewing authority shall:

(A) Consider all relevant information, including but not limited to, historical operational data, the company's own representations, filings with the State or Federal regulatory authorities, and

compliance plans under title IV of the Clean Air Act; and

(B) Exclude, in calculating any increase in emissions that results from the particular physical change or change in the method of operation at an electric utility steam generating unit, that portion of the unit's emissions following the change that could have been accommodated during the representative baseline period and is attributable to an increase in projected capacity utilization at the unit that is unrelated to the particular change, including any increased utilization due to the rate of electricity demand growth for the utility system as a whole.

## Responsible Official

112g

[Section 63.41] **Responsible official** means the responsible official as defined in part 70 of this chapter.

NESHAP

[Part 63.2] **Responsible official** means one of the following:

(1) For a corporation: A president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities and either:

(i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or

(ii) The delegation of authority to such representative is approved in advance by the Administrator.

(2) For a partnership or sole proprietorship: a general partner or the proprietor, respectively.

(3) For a municipality, State, Federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of the EPA).

(4) For affected sources (as defined in this part) applying for or subject to a title V permit: "responsible official" shall have the same meaning as defined in part 70 or Federal title V regulations in this chapter (42 U.S.C. 7661), whichever is applicable.

EMP

[Part 64.2] **Responsible official** shall have the same meaning as provided under part 70 of this chapter.

V

[Part 70.2] **Responsible official** means one of the following:

(1) For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

(i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or

(ii) The delegation of authority to such representatives is approved in advance by the permitting authority;

(2) For a partnership or sole proprietorship: a general partner or the proprietor, respectively;

(3) For a municipality, State, Federal, or other public agency: Either a principal executive officer or ranking elected official. For the purpose of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of EPA); or

(4) For affected sources:

(i) The designated representative in so far as actions, standards, requirements, or prohibitions under title IV of the Act or the regulations promulgated thereunder are concerned; and

(ii) The designated representative for any other purposes under part 70.

## Secondary Emissions

PSD

[Part 52.21] **Secondary emissions** means emissions which would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. Secondary emissions include emissions from any offsite support facility which would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary

emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

(i) Emissions from ships or trains coming to or from the new or modified **stationary source**; and

(ii) Emissions from any offsite support facility which would not otherwise be constructed or increase its emissions as a result of the construction or operation of the major stationary source or major modification.

## PSD

[Part 51.166] **Secondary emissions** means emissions which occur as a result of the **construction** or **operation** of a **major stationary source** or **major modification**, but do not come from the major stationary source or major modification itself. For the purpose of this section, secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the **stationary source** or **modification** which causes the secondary emissions. Secondary emissions include emissions from any offsite support **facility** which would otherwise not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

## NSR

[Part 52.24] **Secondary emissions** means emissions which would occur as a result of the **construction** or **operation** of a **major stationary source** or **major modification**, but do not come from the major stationary source or major modification itself. For the purpose of this section, secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the **stationary source** or **modification** which causes the secondary emissions. Secondary emissions include emissions from any offsite support **facility** which would otherwise not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

## NSR

[Part 51, Appendix S] **Secondary emissions** means emissions which would occur as a result of the **construction** or **operation** of a **major stationary source** **major modification**, but do not come from the major stationary source or major modification itself. For the purpose of this Ruling, secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the **stationary source** or **modification** which causes the secondary emissions. Secondary emissions include emissions from any offsite support **facility** which would not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

## NSR

[Part 51.165] **Secondary emissions** means emissions which would occur as a result of the **construction** or **operation** of a **major stationary source** or **major modification**, but do not come from the major stationary source or major modification itself. For the purpose of this section, secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the **stationary source** or **modification** which causes the secondary emissions. Secondary emissions include emissions from any offsite support **facility** which would otherwise not be constructed or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

## VIS

[Part 51.301] **Secondary emissions** means emissions which occur as a result of the **construction** or **operation** of an **existing stationary facility** but do not come from the existing stationary facility. Secondary emissions may include, but are not limited to, emissions from ships or trains coming to or from the existing stationary facility.

## NSPS

[Subpart Na] **Secondary emissions** are defined to mean **particulate matter** emissions that are not captured by the BOPF primary control system, including emissions from hot metal transfer and skimming stations. This definition also includes particulate matter emissions that escape

from openings in the primary emission control system, such as from lance hole openings, gaps or tears in the ductwork of the primary emission control system, or leaks in hoods.

## Secondary Standard

SIP

[Part 51.100] *Secondary standard* means a national secondary ambient air quality standard promulgated pursuant to section

109 of the Act.

## Shutdown

NESHAP

[Part 63.2] *Shutdown* means the cessation of operation of an affected source for any purpose.

NSPS

[Part 60.2] *Shutdown* means the cessation of operation of an affected facility for any purpose.

## Source Reduction Project

112g

[Part 63.41] *Source reduction project* means a process change, change in a raw materials, or other change in a continuing process or operation consistent with Pollution Prevention Act, Pub. L. 101-503. Source reduction results when a lesser quantity of hazardous air pollutant emissions is produced prior to out-of-process recycling, treatment, or control of emissions for a given quantity of product. Source reduction does not include emissions reduction from add-on air pollution control devices, including but not limited to, fabric filters, electrostatic precipitators, absorbers (scrubbers), carbon adsorption units, and incinerators or other combustion devices.

## Standard

NESHAP

[Part 61.02] *Standard* means a national emission standard including a design, equipment, work practice or operational standard for a hazardous air pollutant proposed or promulgated under this part.

NSPS

[Part 60.2] *Standard* means a standard of performance proposed or promulgated under this part.

## Startup

NESHAP

[Part 61.02] *Startup* means the setting in operation of a stationary source for any purpose.

NESHAP

[Part 63.2] *Startup* means the setting in operation of an affected source for any purpose.

NSPS

[Part 60.2] *Startup* means the setting in operation of an affected facility for any purpose.

SIP

[Part 52.01] The term *startup* means the setting in operation of a source for any purpose.

## State

NESHAP

[Part 63.2] *State* means all non-Federal Authorities, including local agencies, interstate associations, and State-wide programs, that have delegated authority to implement: (1) the provisions of this part and/or (2) the permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

ACID

[Part 72.2] *State* means one of the 48 contiguous States and the District of Columbia and includes any non-Federal authorities, including local agencies, interstate associations, and State-wide agencies with approved State operating permit programs. The term "State" shall have its conventional meaning where such meaning is clear from the context.

V

[Part 70.2] *State* means any non-Federal permitting authority, including any local agency, interstate association, or state-wide program. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samos, and the Commonwealth of the Northern Mariana Islands. Where such meaning is clear from the context, "State" shall have its conventional meaning. For purposes of the acid rain program, the term "State" shall be limited to authorities within the 48 contiguous States and the District of Columbia as provided in section 402(14) of the Act.

## Stationary Source

112r

[Parts 9 & 68, Part III] *Stationary source* means any buildings, structures, equipment, installations, or substance emitting stationary activities which belong to the same industrial group, which are located on one or more contiguous properties, which are under the control of the same person (or persons under common control), and from which an accidental release may occur. A stationary source includes transportation containers that are no longer under active shipping papers and transportation containers that are connected to equipment at the stationary source for the purposes of temporary storage, loading, or unloading. The term stationary source does not apply to transportation, including the storage incident to transportation, of any regulated substance or any other extremely hazardous substance under the provisions of this part, provided that such transportation is regulated under 49 CFR parts 192, 103, or 195. Properties shall not be considered contiguous solely because of a railroad or gas pipeline right-of-way.

NESHAP

[Part 61.02] *Stationary source* means any building, structure, facility, or installation which emits or may emit any air pollutant which has been designated as hazardous by the Administrator.

NESHAP

VIS

[Part 63.2]  
[Part 51.301]  
*Stationary source* means any building, structure, facility, or installation which emits or may emit any air pollutant.

PSD

NSR

[Parts 52.21 and 51.166] [Parts 52.24, 51.165, and Part 51, Appendix S] *Stationary source* means any building, structure, facility, or installation which emits or may emit any air pollutant subject to regulation under the Act.

V

[Part 70.2] *Stationary source* means any building, structure, facility, or installation which emits or may emit any air pollutant or any pollutant listed under section 112(b) of the Act.

SIP

[Part 52.01] The term *stationary source* means any building, structure, facility, or installation which emits or may emit an air pollutant for which a national standard is in effect.

## Test Method

NESHAP

[Part 63.2] *Test method* means the validated procedure for sampling, preparing, and analyzing for an air pollutant specified in a relevant standard as the performance test procedure. The test method may include methods described in an appendix of this chapter, test methods incorporated by reference in this part, or methods validated for an application through procedures in Method 301 of Appendix A of this part.

## Threshold Quantity

112r

[Part 68.3] *Threshold quantity* means the quantity specified for regulated substances pursuant to section 112(r)(5) of the Clean Air Act as amended, listed in § 68.130 and determined to be present at a stationary source as specified in § 68.115 of this Part.

## Total Actual Emissions

SIP

[Document 1] *Total Actual Emissions* means the total emissions from a source over a year or other averaging period that is based on an emissions unit's actual operating hours, production rates, control equipment, and types of material processed, stored, or combusted. The averaging period used depends on the program. For example, NSR netting baselines are based on 2 years of emissions and operating permit fees are based on 1 year of emissions. For the purposes of the 1990 base year inventory for ozone, actual VOC, NO<sub>x</sub>, and CO emissions are based on a typical weekday of the peak ozone season.

## Total Suspended Particulate

SIP

[Part 51.100] *Total suspended particulate* means particulate matter as measured by the method described in appendix B of part 50 of this chapter.

## Unclassifiable Area

**CAA**

[Section 107] An *unclassifiable* area is any area that cannot be classified on the basis of available information as meeting or not meeting the national primary or secondary ambient air quality standard for a given pollutant.

## Variance

**SIP**

[Part 51.100] *Variance* means the temporary deferral of a final compliance date for an individual source subject to an approved regulation, or a temporary change to an approved regulation as it applies to an individual source.

## Volatile Organic Compounds (VOCs)

**NSPS**

[Part 60.2] *Volatile Organic Compound* means any organic compound which participates in atmospheric photochemical reactions; or which is measured by a reference method, an equivalent method, an alternative method, or which is determined by procedures specified under any subpart.

**SIP**

[Documents 1, 2, and 4] *Volatile Organic Compound* means any compound of carbon, excluding CO, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. This includes any organic compound other than those EPA has determined to have negligible photochemical reactivity (57 FR 3945, February 3, 1992).

**PSD****NSR****SIP**

[Parts 52.21 and 51.166] [Parts 52.24, 51.165, and 51, Appendix S] [Part 51.100] *Volatile Organic Compound (VOC)* means any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions.

(1) This includes any such organic compound other than the following, which have been determined to have negligible photochemical reactivity: Methane; ethane; methylene chloride (dichloromethane); 1,1,1-trichloroethane (methyl chloroform); 1,1,1-trichloro-2,2,2-trifluoroethane

(CFC-113); trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (CFC-22); trifluoromethane (FC-23); 1,2-dichloro 1,1,2,2-tetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123); 1,1,1,2-tetrafluoroethane (HFC-134a); 1,1-dichloro 1-fluoroethane (HCFC-141b); 1-chloro 1,1-difluoroethane (HCFC-142b); 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HCFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); and perfluorocarbon compounds which fall into these classes;

(i) Cyclic, branched, or linear, completely fluorinated alkanes;  
(ii) Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;  
(iii) Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and  
(iv) Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.

(2) For purposes of determining compliance with emissions limits, VOC will be measured by the test methods in the approved State implementation plan (SIP) or 40 CFR part 60, appendix A, as applicable. Where such a method also measures compounds with negligible photochemical reactivity, these negligibility-reactive compounds may be excluded as VOC if the amount of such compounds is accurately quantified, and such exclusions is approved by the enforcement authority.

(3) As a precondition to excluding these compounds as VOC or at any time thereafter, the enforcement authority may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of the enforcement authority, the amount of negligibly-reactive compounds in the source's emissions.

(4) For purposes of Federal enforcement for a specific source, the EPA shall use the test methods specified in the applicable EPA-approved SIP, in a permit issued pursuant to a program approved or promulgated under title V of the Act, or under 40 CFR Part 51, subpart I or Appendix S, or under 40 CFR parts 52 or 60. The EPA shall not be bound by any State determination as to appropriate methods for testing or monitoring negligibly-reactive compounds if such determination is not reflected in any of the above provisions.



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16. ABSTRACT This glossary is one in a series of public education materials published to help the public, state and local air pollution control agencies, and the regulated and enforcement communities understand how various programs under the Clean Air Act interrelate. This glossary contains terms found in the implementing regulations and policies of the various Federal air programs. Every term that is defined in a Federal rule is not necessarily included in this glossary. Rather, the terms that are included are those that may have caused confusion in the past or whose definitions vary from program to program. In some cases, annotations have been made in an attempt to clarify differences and to clarify how a definition may vary from program to program. This glossary includes definitions from proposed and promulgated rules, policy memoranda, and other guidance documents; therefore, it should be reviewed as an evolving document which will be revised to reflect changes (for example, when a proposing rule is promulgated).		
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