

## EL DORADO COUNTY AIR QUALITY MANAGEMENT DISTRICT

### **RULE 527 - FEDERAL MAJOR MODIFICATIONS**

*(Adopted June 06, 2006, Amended December 5, 2006)*

#### **527.1 GENERAL**

- A. PURPOSE:** The purpose of this rule is to set additional definitions and exemptions from certain requirements when processing Authority to Construct applications pursuant to Rule 523, NEW SOURCE REVIEW.
- B. APPLICABILITY:** This rule may apply to major stationary source permit applicants.
- C. SEVERABILITY:** If a court of competent jurisdiction issues an order that any provision of this rule is invalid, it is the intent of the Board of Directors of the District that other provisions of this rule remain in full force and affect to the extent allowed by law.

#### **527.2 DEFINITIONS**

Unless otherwise defined below, the terms in this rule are defined in Rule 501, GENERAL PERMIT REQUIREMENTS, Rule 522, TITLE V – FEDERAL OPERATING PERMIT PROGRAM, Rule 523, NEW SOURCE REVIEW, and Rule 524, EMISSION REDUCTION CREDITS.

- A. FEDERAL MAJOR MODIFICATION:** A Major Modification as defined in 40 CFR Section 51.165 (July 1, 2005 edition), excluding provisions that pertain to Clean Units, Pollution Control Projects and the Equipment Replacement Provisions, including but not limited to subdivisions 51.165(c), 51.165(d), 51.165(e) and 51.165(h).
  - 1. All terms used in the definition of Major Modification shall be defined in 40 CFR 51.165(a)(1), except that:
    - a. the term “reviewing authority” as used in that Section shall mean the El Dorado County Air Quality Management District;
    - b. the term “major stationary source” as used in that Section means a Major Stationary Source as defined in this rule; and
    - c. the term “significant” as used in that Section means a rate of emissions that would equal or exceed the rates specified in the definition for Major Modification in Rule 523 – NEW SOURCE REVIEW, Section AA.
  - 2. A Major Modification that does not cause source-wide emissions to exceed a preestablished Plantwide Applicability Limit (PAL), for the respective pollutant, is not a Federal Major Modification for that pollutant.

- a. For the purposes of this exclusion, a PAL must be established by a permitting action prior to the major modification permitting action.
- B. HAZARDOUS AIR POLLUTANT:** Any air pollutant listed pursuant to section 112(b) of the Federal Clean Air Act as amended in 1990.
- C. MAJOR STATIONARY SOURCE:** A stationary source which has the potential to emit a regulated air pollutant or a Hazardous Air Pollutant (HAP) in quantities equal to or exceeding the lesser of any of the following thresholds:
1. 100 tons per year (tpy) of any regulated air pollutant
  2. 50 tpy of volatile organic compounds or oxides of nitrogen for a federal nonattainment area classified as serious, 25 tpy for an area classified as severe, or, 10 tpy for an area classified as extreme;
  3. 70 tpy of PM10 (particulate matter of 10 microns or less) for a federal PM10 nonattainment area classified as serious;
  4. 10 tpy of one HAP or 25 tpy of two or more HAPs; or
  5. Any lesser quantity threshold promulgated by the U.S. EPA.
- D. PLANTWIDE APPLICABILITY LIMITS (PAL):** An emission limitation expressed in tons per year, for a pollutant at a major stationary source, that is enforceable as a practical matter and established source-wide in accordance with 40 CFR Section 51.165(f)(1)-(15).
1. All terms used in 40 CFR 51.165(f) shall be as defined in 40 CFR 51.165(a)(1) and 40 CFR 51.165(f)(2), as it exists on July 1, 2005 except that:
    - a. the term “reviewing authority” as used in those Sections shall mean the El Dorado County Air Quality Management District.

### **527.3 STANDARDS**

- A. FEDERAL MAJOR MODIFICATION EXEMPTIONS:** If the permit applicant demonstrates that a proposed modification to an existing stationary source would not constitute a Federal Major Modification, the application for Authority to Construct such modification shall not be subject to the alternative siting and benefits analysis as specified in the Federal Clean Air Act, Section 173 (A)(5) as referenced in Rule 523, NEW SOURCE REVIEW, Section 523.3.H CEQA APPLICABILITY.

### **527.4 ADMINISTRATIVE REQUIREMENTS**

- A. PLANTWIDE APPLICABILITY LIMITS:** The operator of a major stationary source may apply to the Air Pollution Control Officer pursuant to Rule 501, GENERAL PERMIT REQUIREMENTS to establish a PAL.
1. All PALs shall be established according to the provisions of 40 CFR 51.165(f)(1)-(15);  
and

2. All PALs shall comply with the requirements under 40 CFR 51.165(f)(1)-(15) to either maintain, renew or retire the PAL.