

RULE 514 FEDERAL MAJOR MODIFICATIONS

Adopted 10-12-06

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100 GENERAL

101 PURPOSE: To set additional definitions and exemptions from certain requirements when processing Authority to Construct applications.

102 APPLICABILITY:

102.1 **GEOGRAPHIC:** The provisions of this rule apply only to facilities located in the Sacramento Valley Air Basin portion of Placer County, as defined by California Code of Regulations, Title 17, Division 3, Chapter 1, Subchapter 1.5, Article 1, Section 60106.

102.2 **BUSINESS CATEGORY:** This rule shall apply to all major source permit applicants that are not filing an application for a Federal Major Modification.

102.3 **SEVERABILITY:** If a court of competent jurisdiction issues an order that any provision of the rule is invalid, it is the intent of the Board of Directors of the District that the other provisions of this rule shall remain in full force and effect to the extent allowed by law.

103 EXEMPTIONS:

103.1 **GENERAL:** The provisions of this rule shall not apply to an existing stationary source proposing a modification that is a Federal Major Modification.

200 DEFINITIONS:

201 FEDERAL MAJOR MODIFICATION: A Major Modification as defined in 40 CFR, Section 51.165 (July 1, 2005 edition), including but not limited to subdivisions 51.165(c), 51.165(d), 51.165(e) and 51.165(h). Provisions that pertain to Clean Units, Pollution Control Projects and Equipment Replacement are excluded. All other terms used in the definition of Federal Major Modification are as defined in CFR Section 51.165(a)(1) except as follows:

201.1 The term "reviewing authority" shall mean the Placer County Air Pollution Control District;

201.2 The term "major stationary source" shall mean a Major Stationary Source as defined in this rule; and

201.3 The term "significant" shall mean a rate of emissions that would equal or exceed 25 tons per year of nitrogen oxides, 25 tons per year of reactive organic compounds, 100 tons per year of carbon monoxide, 40 tons per year of sulfur oxides, or 15 tons per year of PM10 aggregated with all other increases in potential to emit over the period of five consecutive years before the application for modification, and including the calendar year of the most recent application.

201.4 A Major Modification that does not cause source-wide emissions to exceed a pre-established Plantwide Applicability Limit (PAL), for the respective pollutant, is not a Federal Major Modification for that pollutant. For the purposes of this exclusion, a PAL must be established prior to the major modification permitting action.

202 MAJOR STATIONARY SOURCE: For the purpose of this rule a major stationary source is defined as follows:

- 202.1 A major source, as defined in Section 112 of the Federal Clean Air Act, with the potential to emit 10 tons per year, or more, of any hazardous air pollutant listed pursuant to Section 112(b) of the Federal Clean Air Act; or 25 tons per year, or more, of any combination of hazardous air pollutants listed pursuant to Section 112(b) of the Federal Clean Air Act, or any lesser threshold as U.S. Environmental Protection Agency may establish by rule. Fugitive hazardous air pollutant emissions shall be considered when determining whether a source is a major stationary source.
- 202.2 A stationary source with a potential to emit exceeding: 25 tons per year of nitrogen oxides, 25 tons per year of volatile organic compounds, 100 tons per year of sulfur dioxide, 100 tons per year of carbon monoxide, 100 tons per year of PM10, or 100 tons per year of a regulated air pollutant. Once a source is determined to be a major stationary source, all of its fugitive emissions shall be included in calculating the source's emissions. The fugitive emissions of a source shall not be considered in determining whether it is a major stationary source, unless the source belongs to one of the following categories of stationary sources listed in 40 CFR 70.2, "Definitions", "Major Source" (2):
1. Coal cleaning plants (with thermal dryers);
 2. Kraft pulp mills;
 3. Portland cement plants;
 4. Primary zinc smelters;
 5. Iron and steel mills;
 6. Primary aluminum ore reduction plants;
 7. Primary copper smelters;
 8. Municipal incinerators capable of charging more than 250 tons of refuse per day;
 9. Hydrofluoric, sulfuric, or nitric acid plant;
 10. Petroleum refineries;
 11. Lime plants;
 12. Phosphate rock processing plants;
 13. Coke oven batteries;
 14. Sulfur recovery plants;
 15. Carbon black plants (furnace process);
 16. Primary lead smelters;
 17. Fuel conversion plants;
 18. Sintering plants;
 19. Secondary metal production plants;
 20. Chemical process plants;
 21. Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;
 22. Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
 23. Taconite ore processing plants;
 24. Glass fiber processing plants;
 25. Charcoal production plants;
 26. Fossil-fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input; or
 27. All other stationary source categories regulated by a standard promulgated under Section 111 or 112 of the Federal Clean Air Act, but only with respect to those air pollutants that have been regulated for that category.
- 202.3 A source with a potential to emit which exceeds any lesser quantity emission threshold promulgated by the U.S. Environmental Protection Agency.

203 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). All terms used in the definition of PAL are as defined in CFR Section 51.165(a)(1) except the term "reviewing authority" shall mean the Placer County Air Pollution Control District.

300 STANDARDS

301 FEDERAL MAJOR MODIFICATION EXEMPTION: If a permit applicant demonstrates that a proposed modification to an existing stationary source would not constitute a Federal Major Modification, the application for that Authority to Construct shall not be subject to the alternative siting and benefits analysis as specified in the Federal Clean Air Act, Section 173 (A)(5).

400 ADMINISTRATIVE REQUIREMENTS

401 PLANTWIDE APPLICABILITY LIMITS: The operator of a major stationary source shall apply to the Air Pollution Control Officer for a permit amendment to establish a PAL.

401.1 All PALs shall be established according to the provisions of 40 CFR 51.165(f)(1)-(15); and

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

500 MONITORING AND RECORDS (Not Applicable)

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