

RULE 213 – FEDERAL MAJOR MODIFICATIONS
Adopted 3-23-06

INDEX

- 100 GENERAL**
 - 101 PURPOSE
 - 102 APPLICABILITY
 - 103 SEVERABILITY

- 200 DEFINITIONS**
 - 201 FEDERAL MAJOR MODIFICATION
 - 202 MAJOR STATIONARY SOURCE
 - 203 PLANTWIDE APPLICABILITY LIMIT (PAL)

- 300 STANDARDS**
 - 301 FEDERAL MAJOR MODIFICATION EXEMPTIONS

- 400 ADMINISTRATIVE REQUIREMENTS**
 - 401 PLANTWIDE APPLICABILITY LIMITS (PAL)

- 500 MONITORING AND RECORDS (NOT APPLICABLE)**

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100 **GENERAL**

101 **PURPOSE:** The purpose of this rule is to set additional definitions and exemptions from certain requirements when processing authorities to construct pursuant to Rule 202, NEW SOURCE REVIEW.

102 **APPLICABILITY:** This rule shall apply to all major stationary source permit applicants that are not a Federal Major Modification or have an approved Plantwide Applicability Limit (PAL).

103 **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.

200 **DEFINITIONS:** Unless otherwise defined below, the terms in this rule are defined in Rule 201, GENERAL PERMIT REQUIREMENTS, Rule 202, NEW SOURCE REVIEW, Rule 204, EMISSION REDUCTION CREDITS, and Rule 207, TITLE V - FEDERAL OPERATING PERMIT PROGRAM.

201 **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).*

201.1 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 Sacramento Metropolitan 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 Rule 207, TITLE V – FEDERAL OPERATING PERMIT PROGRAM, Section 233.6.

201.2 A major modification that does not cause source-wide emissions to exceed a pre-established 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.

202 **MAJOR STATIONARY SOURCE:** For the purposes of this rule "major stationary source" has the same meaning as Major Stationary Source – Title V in Rule 207, TITLE V – FEDERAL OPERATING PERMIT PROGRAM.

203 **PLANTWIDE APPLICABILITY LIMIT (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)(2)(v).

203.1 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 March 23, 2006, except that:

- a. the term "reviewing authority" as used in those Sections shall mean the Sacramento Metropolitan Air Quality Management District.

300 **STANDARDS**

301 **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 Rule 202, NEW SOURCE REVIEW, Section 401, Alternative Siting.

400 ADMINISTRATIVE REQUIREMENTS:

401 PLANTWIDE APPLICABILITY LIMITS: The operator of a major stationary source may apply to the Air Pollution Control Officer pursuant to Rule 201, GENERAL PERMIT REQUIREMENTS to establish a PAL.

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

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

500 MONITORING AND RECORDS (NOT APPLICABLE)