

Arkansas Regulation No. 19, Regulations of the Arkansas Plan of Implementation for Air Pollution Control

CHAPTER 3: PROTECTION OF THE NATIONAL AMBIENT AIR QUALITY STANDARDS

As approved by EPA March 4, 2015 (80 FR 11573) effective April 3, 2015 (ARd18), Regulations.gov docket EPA-R06-OAR-2014-0700 [AR018]

Regs. 19.301, 19.302, 19.303:

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Reg. 19.304:

As adopted by the Arkansas Pollution Control and Ecology (PC&E) Commission December 5, 2008, effective January 25, 2009 and submitted to EPA July 26, 2010 (AR-30).

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CHAPTER 3: PROTECTION OF THE NATIONAL AMBIENT AIR QUALITY STANDARDS

Reg. 19.301 Purpose

The purpose of this chapter is to state the responsibilities of the Department and regulated sources in meeting and maintaining the NAAQS contained in 40 CFR Part 50. If any area of the state is determined to be in violation of the NAAQS, all applicable requirements contained in the Clean Air Act, as amended, and all regulations promulgated thereto shall be met by the Department.

Reg. 19.302 Department Responsibilities

The Department shall be responsible for taking the following precautions to prevent the NAAQS from being exceeded:

- (A) Ambient air monitoring in any area that can reasonably be expected to be in excess of the NAAQS.
- (B) Computer modeling of regulated air pollutant emissions for any area that can reasonably be expected to be in excess of the NAAQS, and review of the ambient air impacts of any new or modified source of federally regulated air emission that is the subject of the requirements of this Plan. All computer modeling shall be performed using EPA-approved models, and using averaging times commensurate with averaging times stated in the NAAQS.

Reg. 19.303 Regulated Sources Responsibilities

Any source subject to the provisions of this Plan shall be responsible for taking the following precautions to prevent the NAAQS from being exceeded:

- (A) When required by law or this regulation, obtaining a permit from the Department prior to construction of a new source of federally regulated air pollutant emissions or prior to the modification of an existing source of air emissions.
- (B) Operating equipment in such a manner as to meet any applicable permit requirement or any applicable regulations.
- (C) Repairing malfunctioning equipment and pollution control equipment as quickly as possible. If the malfunctioning equipment is causing, or contributing to, a violation of the NAAQS, as determined by computer modeling, the source is responsible for ceasing operations of the affected equipment until such time that it is repaired.

- ~~(B) Operating equipment in such a manner as to meet any applicable permit requirement or any applicable regulations.~~
- ~~(C) Repairing malfunctioning equipment and pollution control equipment as quickly as possible. If the malfunctioning equipment is causing, or contributing to, a violation of the NAAQS, as determined by computer modeling, the source is responsible for ceasing operations of the affected equipment until such time that it is repaired.~~

Reg. 19.304 Delegated Federal Programs

Sources subject to this regulation shall also comply with all Federal programs that the Department is responsible for administering including certain delegated subparts of the New Source Performance Standards (40 CFR Part 60), provisions designed for the Prevention of Significant Deterioration (40 CFR § 52.21), and certain delegated subparts of the National Emissions Standards for Hazardous Air Pollutants (40 CFR Parts 61 and 63), which were promulgated as of January 27, 2006. These delegated subparts only apply to major sources. (There are subparts that apply to minor sources, but the Department has not requested delegation of them as of April 28, 2006.)