

26.11.01.08

.08 Determination of Ground Level Concentrations — Acceptable Techniques.

A. Definitions.

- (1) "Major modification" means any modification as defined in 40 CFR Parts 51 and 52, 1985 edition.
- (2) "State Implementation Plan" means the plan required by the Federal Clean Air Act, 42 U.S.C §7410, which the State adopts and submits to the United States Environmental Protection Agency showing attainment and maintenance of National Ambient Air Quality Standards.
- (3) "Unacceptable dispersion technique" means any dispersion technique as defined in 40 CFR Part 51, 1985 edition, as amended, 50 FR 27906—27907 (July 8, 1985: Stack Height Regulation).

B. Exemptions.

- (1) This regulation does not apply to any stack height in existence or dispersion technique implemented on or before December 31, 1970, except when a source using a stack or dispersion technique undergoes a major modification after December 31, 1970.
- (2) This regulation does not apply to the calculation of ground level concentrations of toxic air pollutants for the purpose of demonstrating compliance with COMAR 26.11.15.06.

C. Dispersion Technique. A person may not use an unacceptable dispersion technique to determine the ground level concentrations of air pollutants discharged from a source in order to obtain:

- (1) An approval or permit under this subtitle;
- (2) A revision to the State Implementation Plan; or
- (3) A Certificate of Public Convenience and Necessity under Article 78, §§54A and B, or H, Annotated Code of Maryland.