

CHAPTER 5: GENERAL EMISSIONS LIMITATIONS APPLICABLE TO EQUIPMENT

Rule 19.501 Purpose

The purpose of this chapter is to define the general federally regulated air pollutant emissions limitations applicable to all equipment subject to Rule 19. Stricter specific limitations may be required in applicable permits if such limitations are necessary to comply with federal law or regulations that are in effect as of the effective date of this rule.

Rule 19.502 General Rules

No person shall cause or permit the construction or modification of equipment that would cause or allow the following standards or limitations to be exceeded:

- (A) Any national ambient air quality standard as defined herein;
- (B) Any ambient air increment pursuant to Chapter 9 of this Rule;
- (C) Any applicable emission limitation promulgated by the EPA; or
- (D) Any applicable emission limitation promulgated by the Division in this rule.

Rule 19.503 Visible Emission Rules

- (A) No person shall cause or permit visible emissions (other than uncombined water vapor) from equipment identified hereunder and that was installed and in operation, or for which a permit had been issued by the Division prior to January 30, 1972, to exceed the following limitations:
 - (1) Emissions shall not exceed forty percent (40%) opacity, except that emissions greater than forty percent (40%) opacity will be allowed for not more than six (6) minutes in the aggregate in any consecutive sixty-minute period, provided such emissions will not be permitted more than three (3) times during any twenty-four-hour period.
- (B) No person shall cause or permit visible emissions (other than uncombined water vapor) from new equipment identified hereunder that was installed or permitted by the Division after January 30, 1972, to exceed the following limitations or to exceed any applicable visible emission limitations of the new source performance standards promulgated by the EPA:

- (1) For incinerators and fuel burning equipment, exclusively, emissions shall not exceed twenty percent (20%) opacity except that emissions greater than twenty percent (20%) opacity but not exceeding sixty percent (60%) opacity will be allowed for not more than six (6) minutes in the aggregate in any consecutive sixty-minute period, provided such emissions will not be permitted more than three (3) times during any twenty-four-hour period.
 - (2) For equipment used in a manufacturing process, emissions shall not exceed twenty percent (20%).
- (C) Opacity of visible emissions shall be determined using EPA Method 9 (40 C.F.R. Part 60, Appendix A).

Rule 19.504 Stack Height/Dispersion Rules

The stack height provisions of 40 C.F.R. § 51.118 are incorporated by reference. The definition of “stack,” “a stack in existence,” “dispersion technique,” “good engineering practice,” “nearby,” and “excessive concentration” are defined in 40 C.F.R. §§ 51.100 (ff) through (kk) are incorporated into this chapter by reference.

Rule 19.505 Revised Emissions Limitation

The emissions limitations contained within Rule 19 and applicable permits are for the purpose of assuring the attainment and maintenance of the national ambient air quality standards and have been established within the framework of information presently available to the Division. As additional and more precise information becomes available, the emission limitations and reporting procedures of this chapter may be amended as described below:

- (A) More restrictive limitations to protect the national ambient air quality standards. In accordance with the provisions of the federal Clean Air Act, as amended, and the federal regulations promulgated pursuant to the Clean Air Act, as amended, the emission limitations and reporting procedures of this chapter or any applicable permits may be further amended and made more restrictive where the Director finds more restrictive measures are necessary to assure maintenance of the national ambient air quality standards.
- (B) Less restrictive limitations. Any person subject to the emission limitations contained in Rule 19 or in a permit may petition the Director for a less stringent limitation on the grounds that the existing limitation cannot be met when considering physical, economical, or technological constraints. In no case shall the Director approve a less stringent limitation if it would cause a violation of the national ambient air quality

standards. The Director shall not approve a less stringent limitation if it violates a federal emission standard or regulation, unless approved according to applicable federal regulations.

The Director shall take into account the following factors when making such determinations:

- (1) The process, fuels, and raw materials available and to be employed in the facility involved;
 - (2) The engineering aspects of the application of various types of control techniques that have been adequately demonstrated;
 - (3) Process and fuel changes;
 - (4) The respective costs of the application of all such control techniques, process changes, alternative fuels, etc.; and
 - (5) Locational and siting considerations.
- (C) In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (D) This provision is in addition to any emergency or upset provision contained in any applicable requirement.