

Rule 16.5. Emission Standards for Source Categories of Area Sources.

- (a) The definition of an “area source” for the purposes of Rule 16.5 is any stationary source that is not a “major source” as that term is defined in Title 40 CFR Part 63, which has been incorporated by reference in Chapter 4.
- (b) No emission standard or other requirement in Rule 16 shall be interpreted, construed, or applied to diminish or replace the requirements of a more stringent emission limitation or other applicable requirement in this chapter for an area source.
- (c) The emissions limitations, standards, prohibitions and requirements for hazardous air pollutants for source categories contained in Title 40 Code of Federal Regulations Part 63, Subparts A, F, G, H, I, M, N, O, Q, R, T, EE, and Appendices A and C, which have been incorporated by reference in Chapter 4, are the official emissions limitations, standards, prohibitions, and requirements for the control of hazardous air pollutants for source categories of area sources.
- (d) If the owner or operator of an area source has executed an enforceable agreement with the Administrator pursuant to the Title 42 U.S.C. Section 7412 (i) (5) [Early Reductions Program] that contains more stringent requirements or more stringent emissions limitations than would otherwise be applicable under this chapter, any certificate of operation issued to the source shall include the requirements and emissions limitations contained in that agreement, unless the source is subsequently released from said enforceable agreement and such release is confirmed in a writing signed by the Administrator, or designee, and submitted to the director.
- (e) No source shall emit any hazardous air pollutant in excess of any emissions limitation or contrary to any standard, prohibition or requirement contained in a certificate of operation, effective for new area sources beginning with initial operation and effective for existing area sources as expeditiously as practicable, but not later than the date determined by the Administrator in a standard promulgated in Title 40 Code of Federal Regulations Part 63, which has been incorporated by reference in Chapter 4, or such other compliance date as would apply under Title 42 U.S.C. 7412 (i) [Early Reductions Program].

THIS IS THE FEDERALLY APPROVED REGULATION AS OF AUGUST 12, 1997

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