METROPOLITAN HEALTH DEPARTMENT
DIVISION OF POLLUTION CONTROL

Regulation No. 14

REGULATION FOR CONTROL OF NITROGEN OXIDES

SECTION 14-1 DEFINITIONS.

As used in this Regulation, all terms not defined herein shall have the meaning given them in Chapter 10.56, "Air Pollution Control," Section 10.56.010, "Definitions," of the Metropolitan Code of Law.

(a) "Facility" - means any building, structure, installation, activity, or combination thereof which contains one or more stationary sources of air contaminants.

(b) "LOWEST ACHIEVABLE EMISSION RATE (LAER)" - The rate of emission which reflects the most stringent emission limitation which is achieved in practice or achievable by such class or category of sources. In no event shall the application of this term permit a proposed, new or modified source to emit any pollutant in excess of the amount allowable under applicable New Source Performance Standards.

(c) "Major Stationary Source" - means any source which emits or has the potential to emit one hundred (100) tons of nitrogen oxides or more per year.

(d) "Nitrogen Oxides (NOx)" - means all oxides of nitrogen except nitrous oxide.

(e) "Potential to Emit" - means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation is enforceable by the Administrator.

(f) **"Reasonable Available Control Technology (RACT) -** means the lowest emission limit that a particulate source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

SECTION 14-2: EMISSION STANDARDS

(a) *Note: This section was not federally approved into the SIP. See Federal Register notice (61 FR 39326, July 29, 1996) for additional information.*

(b) The owner or operator of a tangentially-fired coal burning boiler having heat input capacity in excess of six hundred million (600,000,000) BTU per hour shall not allow emissions of nitrogen oxides from said boiler in excess of 0.45 pounds per million BTU (30 day rolling average).

(c) *Note: This section was not federally approved into the SIP. See Federal Register notice (61 FR 39326, July 29, 1996) for additional information.*

(d) *Note: This section was not federally approved into the SIP. See Federal Register notice (61 FR 39326, July 29, 1996) for additional information.*

(e) *Note: This section was not federally approved into the SIP. See Federal Register notice (61 FR 39326, July 29, 1996) for additional information.*

SECTION 14-3: PROCEDURES FOR DETERMINING RACT

(a) *Note: This section was not federally approved into the SIP. See Federal Register notice (61 FR 39326, July 29, 1996) for additional information.*

(b) *Note: This section was not federally approved into the SIP. See Federal Register notice (61 FR 39326, July 29, 1996) for additional information.*

SECTION 14-4: RECORDKEEPING AND REPORTING REQUIREMENTS

When an operating permit is issued for a nitrogen oxides emitting source in accordance with Section 10.56.040, "Operating Permits" of Chapter 10.56, "Air Pollution Control" of the Metropolitan Code of Laws or Regulation No. 13, "Part 70 Operating Permit Program" the permit will include sufficient enforceable conditions to specify the required level or type of control, the appropriate averaging time, and recordkeeping, reporting and testing requirements. Where applicable, U.S. EPA recommended test methods will be required. The averaging times for each allowable emission rate will follow minimum EPA requirements for identifiable and enforceable emissions that relate to ozone formation (normally daily or no more than monthly, depending on source operation).'

SECTION 14-5: COMPLIANCE SCHEDULE.

The owner or operator of any process emission source or fuel burning equipment subject to this Regulation shall:

(a) Submit a demonstration of reasonable available control technology to this office within 90 days after adoption of this Regulation by the Metropolitan Board of Health; or

(b) Submit a final control plan and obtain construction permit(s) for the installation of the nitrogen oxides emission control system and/or modification of the source or equipment within 150 days of adoption; and

(c) Complete construction or installation of control system by May 31, 1995; and

(d) Demonstrate final compliance with the nitrogen oxides reasonable available control technology requirement of this Regulation by July 31, 1995, using approved test methods and procedures.

THIS IS THE FEDERALLY APPROVED REGULATION AS OF SEPTEMBER 27, 1996

	Date Submitted to EPA	Date Approved by EPA	Federal Register
Original Reg	SEP 28, 1993	61 FR 39326	JUL 29, 1996