

(A) Applicability

This section applies to any *major stationary source* or *major modification* that is to be constructed in an area designated in 40 CFR 81.336 et seq as attainment for an air pollutant for which the *major stationary source* or *major modification* is major.

(B) A *major stationary source* or *major modification* shall meet each applicable emission limitation under the *Ohio state implementation plan* and each applicable emission standard and standard of performance under 40 CFR Parts 60 and 61.

(C) The owner or operator of a new *major stationary source* shall apply *best available control technology* to the *major stationary source* for each air pollutant subject to regulation under the Clean Air Act, excluding pollutants regulated due to being listed under Section 112 of the Clean Air Act, that the *major stationary source* would have the potential to emit in significant amounts.

(D) A *major modification* shall apply *best available control technology* for each air pollutant subject to regulation under the Clean Air Act, excluding pollutants regulated due to being listed under Section 112 of the Clean Air Act, that would be a *significant net emissions increase* at the *stationary source*. This requirement applies to each proposed *emissions unit* at which a *net emissions increase* in the air pollutant would occur as a result of a physical change or change in the method of operation in the *emissions unit*.

(E) For phased *construction projects*, the determination of *best available control technology* shall be reviewed and modified as appropriate no more than eighteen months prior to commencement of *construction* of each independent phase of the project. At such time, the owner or operator of the *stationary source* may be required to demonstrate the adequacy of any previous determination of *best available control technology* for the *stationary source*.

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Certification: original signed by Donald R. Schregardus
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Ohio Environmental Protection Agency

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Date

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