

ARTICLE I

POLICY, SHORT TITLE, AND DEFINITIONS

ADOPTED: June 9, 1969

REVISED: May 3, 2007

EFFECTIVE: June 3, 2007

SECTION 1.01 POLICY

The Authority, co-extensive with the boundaries of Spokane County, having been activated pursuant to the Washington Clean Air Act, Chapter 70.94 RCW as amended shall be known and cited as the "Spokane Regional Clean Air Agency," and hereinafter may be cited as the "SRCAA", the "Agency", or the "Authority". The Authority adopts the following Regulation to control the emissions of air contaminants from all stationary sources within the jurisdiction of the Authority; to provide for the uniform administration and enforcement of the Authority's Regulation; and to carry out the requirements and purposes of the Washington Clean Air Act (WCAA).

It is hereby declared to be the public policy of the Spokane Regional Clean Air Agency to secure and maintain such levels of air quality that protect human health and safety, including the health and safety of the most sensitive members of the population, to comply with the requirements of the Federal Clean Air Act (FCAA), to prevent injury to plant and animal life and to property, to foster the comfort and convenience of its inhabitants, to promote the economic and social development of the County and to facilitate the enjoyment of the natural attractions of the County.

It is further the intent of this Regulation to protect the public welfare, to preserve visibility, to protect scenic, aesthetic, historic, and cultural values, and to prevent air pollution problems that interfere with the enjoyment of life, property, or natural attractions.

Wherever the Authority's Regulation constitutes a restatement of the requirements and purposes of Chapter 70.94 RCW, it is the intent of the Authority that the Regulation be interpreted in the same manner as the statute adopted by the Legislature. Any deviation from the statute, except where the statute allows an Authority to be more stringent, is intended for purposes of clarity.

SECTION 1.02 NAME OF AUTHORITY

The name of the County Air Pollution Control Authority, co-extensive with the boundaries of Spokane County, shall be known as the "SPOKANE REGIONAL CLEAN AIR AGENCY" (SRCAA).

Any reference to the Spokane County Air Pollution Control Authority, SCAPCA, or the Authority in any document previously issued by the Authority, including without limitation regulations, orders, permits, judgments, letters and the like shall be deemed reference to the Spokane Regional Clean Air Agency or SRCAA.

SECTION 1.03 SHORT TITLE

This regulation shall be known and cited as "Regulation I of the Spokane Regional Clean Air Agency."

SECTION 1.04 GENERAL DEFINITIONS

Unless otherwise defined differently in an Article of this Regulation, the following definitions apply to all of this Regulation:

Actual Emissions means the actual rate of emissions of a pollutant from an emissions unit, as determined in accordance with 1. through 3. of this subsection.

1. In general, actual emissions as of a particular date shall equal the average rate, in tons per year at which the emissions unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal stationary source operation. The Authority shall allow the use of a different time period upon a determination that it is more representative of normal stationary source operation. Actual emissions shall be calculated using the emissions unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.
2. The Authority may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the emissions unit.
3. For any emissions unit, which has not begun normal operations on the particular date, actual emissions shall equal the potential-to-emit of the emissions unit on that date.

Agency means the same as "Authority".

Air Contaminant means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance or any combination thereof.

Air Contaminant Source means the same as "source".

Air Operating Permit Source means any facility required to have an air operating permit pursuant to Chapter 173-401 WAC.

Air Pollutant means the same as "air contaminant".

Air Pollution means the presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property; or which unreasonably interferes with enjoyment of life and property. For the purposes of this Regulation, air pollution shall not include air contaminants emitted in compliance with Chapter 17.21 RCW, the Washington Pesticide Application Act, which regulates the application and control of the use of various pesticides.

Allowable Emissions means the emission rate of a stationary source, calculated using the maximum rated capacity of the stationary source (unless the stationary source is subject to federally enforceable limits which restrict the operating rate, or hours of operation, or both) and the most stringent of the following:

1. The applicable standards as in 40 CFR Part 60 or 61, or 63;
2. Any applicable SIP emissions limitation including those with a future compliance date; or
3. The emissions rate specified as a federally enforceable permit condition, including those with a future compliance date.

Alteration means the act of altering, which means to change or make different. Alteration includes, but is not limited to, any enlargement, replacement, or change in the design, operation, capacity, or arrangement of a process; any increase in the connected loading of process or control equipment; and any change in fuels, method of operation or hours of operation not previously approved by the Agency.

Ambient Air means the surrounding outside air.

Ambient Air Quality Standard means an established concentration, exposure time, and frequency of occurrence of air contaminant(s) in the ambient air, which shall not be exceeded.

Attainment Area means a geographic area, designated by EPA at 40 CFR Part 81, as having attained the National Ambient Air Quality Standard for a given criteria pollutant.

Authority means Spokane Regional Clean Air Agency (SRCAA), or with regard to new source review, any other designated permitting agency.

Begin Actual Construction means, in general, initiation of physical on-site construction activities on an emissions unit, which are of a permanent nature. Such activities include, but are not limited to, installation of building supports and foundations, laying underground pipe work and construction of permanent storage structures. With respect to a change in method of operations, this term refers to those on-site activities, other than preparatory activities, which mark the initiation of the change.

Best Available Control Technology (BACT) means an emission limitation, based on the maximum degree of reduction for each air pollutant subject to regulation under Chapter 70.94 RCW emitted from, or which results from, any new or modified stationary source, which the Authority, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such stationary source or modification through application of production processes and available methods, systems, and techniques, including fuel cleaning, clean fuels, or treatment or innovative fuel combustion techniques for control of each such pollutant. In no event shall application of the "best available control technology" result in emissions of any pollutants which will exceed the emissions allowed by any applicable standard under 40 CFR Part 60 and Part 61. Emissions from any stationary source utilizing clean fuels, or any other means, to comply with this paragraph shall not be allowed to increase above levels that would have been required under the definition of BACT in the Federal Clean Air Act as it existed prior to enactment of the Clean Air Act Amendments of 1990.

Best Available Control Technology for Toxics, or "Toxic Best Available Control Technology (TBACT)" means an emission limitation applied to each, or each mixture of, toxic air pollutants (TAPs) identified in WAC 173-460-150 & 160 discharged, taking in account the potency, quantity, and toxicity of each TAP or mixture of TAPs discharged, in addition to the meaning given for "BACT", herein.

Board means Board of Directors of the Spokane Regional Clean Air Agency.

Burn Out Oven means any oven used to clean or remove dirt, grease, grime, paint, varnish, or any other unwanted substance or contaminant, from any object by using controlled incineration, without burning the object itself.

Closure or Shutdown means permanently stopping or terminating all processes that produce air contaminant emissions at a stationary source or emissions unit.

1. Except as provided for in subsections 3., 4., and 5., whether a closure or shutdown was permanent depends on the intention of the owner and operator at the time of the closure or shutdown, as determined from all facts and circumstances, including the cause of the closure or shutdown and whether registration fees have been paid;
2. A closure or shutdown lasting two or more years is presumed to be permanent, except that this presumption does not apply in the case of a temporary/portable stationary source operating under a valid permit to operate as provided for in Article V, Section 5.08 of this Regulation;

3. A closure or shutdown is permanent, if the owner or operator files a "Source Closure Notification Form", as provided for in Article IV, Section 4.02 of this Regulation. Failure to file such a report does not mean that closure or shutdown was temporary and not permanent.
4. If the owner/operator of the stationary source, fails to pay registration fees for one year or more, then the stationary source is considered permanently closed.
5. A closure or shutdown lasting five or more years is considered permanent even if registration fees have been paid and even in the case of temporary/portable stationary sources.

Certified Observer means a person who has met the requirements, pursuant to 40 CFR 60, Appendix A, Method 9.

Class I Area means any area designated under Section 162 or 164 of the Federal Clean Air Act as a Class I area. The following areas are the Class I areas in Washington state:

1. Alpine Lakes Wilderness;
2. Glacier Peak Wilderness;
3. Goat Rocks Wilderness;
4. Mount Adams Wilderness;
5. Mount Rainier National Park;
6. North Cascades National Park;
7. Olympic National Park;
8. Pasayten Wilderness; and
9. Spokane Indian Reservation.

Combustion and Incineration Unit means an emissions unit using combustion for waste disposal, steam production, chemical recovery or other process requirements; excluding outdoor burning.

Commenced, as applied to construction, means that the owner or operator has all the necessary preconstruction approvals or permits and either has:

1. Begun, or caused to begin, a continuous program of actual on-site construction of the stationary source, to be completed within a reasonable time; or
2. Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the stationary source to be completed within a reasonable time.

For the purposes of this definition, "necessary preconstruction approvals" means those permits or orders of approval required under federal air quality control laws and regulations, including state, local and federal regulations and orders contained in the State Implementation Plan (SIP).

Concealment means any action taken to reduce the observed or measured concentrations of a pollutant in a gaseous effluent while, in fact, not reducing the total amount of pollutant discharged.

Construction means fabrication, erection, or installation of a stationary source.

Control Equipment means any equipment which has the primary function of regulating or controlling emissions from a process, fuel burning or refuse burning equipment and thus reduces the formation of, or the emission of, air contaminants into the atmosphere, or both.

Control Officer means the Air Pollution Control Officer for the Spokane Regional Clean Air Agency or his/her duly authorized representative.

Criteria Pollutant means a pollutant for which there is established a National Ambient Air Quality Standard in 40 CFR Part 50. The criteria pollutants are carbon monoxide (CO), particulate matter (PM₁₀ and PM_{2.5}), ozone (O₃), sulfur dioxide (SO₂), lead (Pb), and nitrogen dioxide (NO₂).

Ecology means the Washington State Department of Ecology.

Emission means a release of air contaminants into the ambient air.

Emission Point means the point at which emissions are released into the ambient air, such as, but not limited to; a duct, vent, stack, pipe, or other opening to the ambient air.

Emission Reduction Credit means a credit granted, by the Authority, to a stationary source for a voluntary reduction in actual emissions per WAC 173-400-131.

Emission Standard and Emission Limitation means a requirement established under the Federal Clean Air Act or Chapter 70.94 RCW which limits the quantity, rate, or concentration of emissions of air contaminants on a continuous basis, including any requirement relating to the operation or maintenance of a stationary source to assure continuous emission reduction and any design, equipment work practice, or operational standard adopted under the Federal Clean Air Act or Chapter 70.94 RCW.

Emissions Unit means any part of a stationary source which emits, or would have the potential-to-emit, any pollutant subject to rules and regulation(s) pursuant to the Federal Clean Air Act, the Washington State Clean Air Act (Chapter 70.94 RCW), the Washington Nuclear Energy and Radiation Act (Chapter 70.98 RCW), or the Authority. This term does not include non-road engines.

Episode means a period when a forecast, alert, warning, or emergency air pollution stage is declared, as given in RCW 70.94.715.

Federal Clean Air Act (FCAA) means the Federal Clean Air Act, also known as Public Law 88-206, 77 Stat. 392, December 17, 1963, 42 U.S.C. 7401 et seq, as amended by the Clean Air Act Amendments of 1990, P.L. 101-549, November 15, 1990 and subsequent amendments.

Federal Class I Area means any federal land that is classified or reclassified Class I. The following areas are federal Class I areas in Washington state:

1. Alpine Lakes Wilderness;
2. Glacier Peak Wilderness;
3. Goat Rocks Wilderness;
4. Mount Adams Wilderness;
5. Mount Rainier National Park;
6. North Cascades National Park;
7. Olympic National Park; and

8. Pasayten Wilderness.

Federal Land Manager means the secretary of the department with authority over federal lands in the United States. This includes, but is not limited to, the U.S. Department of the Interior - National Park Service, the U.S. Department of Agriculture - Forest Service, and/or the U.S. Department of the Interior - Bureau of Land Management.

Federally Enforceable means all limitations and conditions which are enforceable by EPA, including those requirements developed pursuant to 40 CFR Parts 60, 61, and 63; requirements within the Washington SIP, requirements within any permit established under 40 CFR 52.21 or order of approval under a SIP approved new source review regulation, or any voluntary limits on emissions pursuant to WAC 173-400-091.

Fire Protection Agency means a city fire department, county fire department, local fire protection district, or the Washington State Department of Natural Resources.

Fugitive Dust means particulate emissions made airborne by forces of wind, human activity, or both. Unpaved roads, construction sites, and tilled land are examples of sources of fugitive dust. Fugitive dust is a type of fugitive emission.

Fugitive Emissions means emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

Garbage means putrescible animal or vegetable waste resulting from the handling, preparation, cooking or serving of food.

Good Engineering Practice (GEP), as used in Chapter 173-400 WAC, refers to a calculated stack height based on the equation specified in WAC 173-400-200 (2)(a)(ii).

Incinerator means a furnace used primarily for the thermal destruction of waste.

In Operation means engaged in activity related to the primary design function of the stationary source.

Installation means the act of installing, which means placing, assembling or constructing process equipment or control equipment at the premises where the equipment will be used. Installation includes all preparatory work at such premises.

Lowest Achievable Emission Rate (LAER) means for any stationary source, that rate of emissions which reflects the more stringent of:

1. The most stringent emission limitation which is contained in the implementation plan of any state for such class or category of stationary source, unless the owner or operator of the proposed new or modified stationary source demonstrates that such limitations are not achievable; or
2. The most stringent emission limitation which is achieved in practice by such class or category of stationary source.
3. In no event shall the application of this term permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under applicable New Source Performance Standards (NSPS).

Major Modification, as it applies in nonattainment areas, is defined in WAC 173-400-112.

Major Modification, as it applies in attainment or unclassified areas, is defined in WAC 173-400-113.

Major Stationary Source, as it applies in nonattainment areas, is defined in WAC 173-400-112.

Major Stationary Source, as it applies in attainment or unclassified areas, is defined in WAC 173-400-113.

Masking means the mixing of a chemically nonreactive control agent with a malodorous gaseous effluent to change the perceived odor.

Materials Handling means the handling, transporting, loading, unloading, storage, or transfer of materials with no significant chemical or physical alteration.

Modification means any physical change in, or change in the method of operation of, a stationary source that increases the amount of any air contaminant emitted by such stationary source or that results in the emissions of any air contaminant not previously emitted. The term modification shall be construed consistent with the definitions of modification in Section 7411, Title 42, United States Code (USC), and with rules implementing that section.

National Ambient Air Quality Standard (NAAQS) means an ambient air quality standard set by EPA at 40 CFR Part 50 and includes standards for carbon monoxide (CO), particulate matter, ozone (O₃), sulfur dioxide (SO₂), lead (Pb), and nitrogen dioxide (NO₂).

National Emission Standards for Hazardous Air Pollutants (NESHAP) means the federal rules in 40 CFR Part 61.

National Emission Standards for Hazardous Air Pollutants for Source Categories means the federal rules in 40 CFR Part 63. These rules are commonly referred to as Maximum Available Control Technology (MACT) standards.

Net Emissions Increase, as it applies to stationary sources subject to requirements for new sources in nonattainment areas, is defined in WAC 173-400-112.

Net Emissions Increase, as it applies to stationary sources subject to requirements for new sources in attainment or unclassified areas, is defined in WAC 173-400-113.

New Source means one or more of the following:

1. The construction or modification of a "stationary source" that increases the amount of any air contaminant emitted by such "stationary source" or that results in the emission of any air contaminant not previously emitted;
2. Any other project that constitutes a new source under the Federal Clean Air Act,
3. Restart of a "stationary source" after permanent shutdown; or
4. Relocation of a "stationary source" to a new location, except in the case of portable stationary sources operating under a valid "permit to operate" as provided in Article V, Section 5.08.A.2 through 5.08.A.5.

New Stationary Air Contaminant Source, as used in this Regulation, means the same as "new source".

New Source Performance Standards (NSPS) means the Federal rules in 40 CFR Part 60.

Nonattainment Area means a geographic area designated by EPA at 40 CFR Part 81 as exceeding a NAAQS for a given criteria pollutant. An area is nonattainment only for the pollutants for which the area has been designated nonattainment.

Nonroad Engine means:

1. Except as provided in 2. of this subsection, any internal combustion engine:
 - a. In or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as garden tractors, off-highway mobile cranes and bulldozers); or
 - b. In or on a piece of equipment that is intended to be propelled while performing its function (such as lawnmowers and string trimmers); or
 - c. That, by itself or in or on a piece of equipment, is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Methods of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.
2. An internal combustion engine is not a nonroad engine if:
 - a. The engine is used to propel a motor vehicle or a vehicle used solely for competition, or is subject to standards promulgated under Section 202 of the FCAA; or
 - b. The engine is regulated by a NSPS promulgated under Section 111 of the FCAA; or
 - c. The engine otherwise included in 1.c. of this subsection remains or will remain at a location for more than twelve consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine (or engines) that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced, will be included in calculating the consecutive time period. An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and that operates at that single location approximately three months (or more) each year. This paragraph does not apply to an engine after the engine is removed from the location.

Notice of Construction (NOC) Application or Notice of Construction and Application for Approval means a written application to permit construction of a new source, modification of an existing stationary source or replacement or substantial alteration of control technology at an existing stationary source. Affected activities include, but are not limited to, equipment modifications or alterations, changes to process or control equipment, establishment of emission limits, installation of "new sources," control technology determinations, PSD determinations (by Ecology), and other items specified by the Authority.

Odor means that property of a substance, which allows its detection by the sense of smell or through the use of instruments designed for that purpose.

Opacity means the degree to which an object seen through a plume is obscured, stated as a percentage.

Outdoor Burning or Open Burning means the combustion of material of any type in an open fire or in an outdoor container without providing for the control of combustion or the control of emissions from the combustion in a manner approved by the Authority. For the purposes of this Regulation, "Outdoor burning" means all types of outdoor burning except agricultural burning and silvicultural burning (RCW 70.94.743)

Order means any order issued by Ecology or the Authority pursuant to Chapter 70.94 RCW, including, but not limited to RCW 70.94.332, 70.94.152, 70.94.153, and 70.94.141(3), and includes, where used in the

generic sense, the terms order, corrective action order, order of approval, permit to operate, compliance schedule order, consent order, order of denial, notice of violation, and regulatory order.

Order of Approval, Approval Order or Permit means a regulatory order issued by Ecology or the Authority to approve the Notice of Construction Application for a proposed new source or modification, or the replacement or substantial alteration of control technology at an existing stationary source.

Ozone depleting substance means any substance listed in Appendices A and B to Subpart A of 40 CFR Part 82.

Particulate Matter or Particulates means any airborne finely divided solid or liquid material with an aerodynamic diameter smaller than 100 micrometers.

Particulate Matter Emissions means all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air, as measured by applicable reference methods, or an equivalent or alternative method specified in Title 40 Chapter I of the Code of Federal Regulations or by a test method specified in the SIP.

Parts per Million by Volume (ppmv) means parts of a contaminant per million parts of gas or carrier medium, by volume, exclusive of water or particulate matter.

Permit to Operate, Permission to Operate and Temporary or Portable Permit means a regulatory order issued by Ecology or the Authority to approve the *Notice of Intent to Install and Operate a Temporary Source Application* for the relocation of a proposed temporary or portable stationary source.

Permitting Agency means the Authority, except that Ecology is the permitting agency pursuant to WAC 173-400-141 (PSD) and for air pollution sources that have been retained by Ecology's Industrial Sector, pursuant to RCW 70.94.422, in Spokane County.

Person means an individual, firm, public or private corporation, association, partnership, political subdivision, municipality, or government agency.

PM₁₀ means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers as measured by a reference method based on 40 CFR Part 50 Appendix J and designated in accordance with 40 CFR Part 53 or by an equivalent method designated in accordance with 40 CFR Part 53.

PM₁₀ Emissions means finely-divided solid or liquid material, including condensible particulate matter, with an aerodynamic diameter less than or equal to a nominal 10 micrometers emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternate method, specified in Appendix M of 40 CFR Part 51 or by a test method specified in the SIP.

Pollution Control Hearings Board of Washington means the body established under Chapter 43.21 RCW to adjudicate hearings pertaining to decisions and orders of the Authority.

Portable Stationary Source means a stationary source consisting of one or more emission units that is portable or transportable (excluding non-road engines) that emits pollutants at a specific site for a brief period and then moves to another site(s) and emits pollutants for a brief period and that is established at any specific site for less than 12 consecutive months. Portable equipment includes, but is not limited to: portable rock crushers, portable asphalt plants, portable concrete batch plants and each of their auxiliary emissions producing equipment). The act of installing a portable source at a particular site is considered to be the construction of a new source or modification of an existing source and therefore is subject to the requirements of new source review the first time that the Portable Stationary Source locates in Spokane County; thereafter, the Portable Stationary Source is subject to the requirements of Sections 5.08.A.2 through 5.08.A.5 of this Regulation. A Portable Stationary Sources is a subset of Temporary Stationary Source.

Potential-to-emit (PTE) means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a 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 only if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions are not included in determining the potential-to-emit of a stationary source.

Prevention of Significant Deterioration (PSD) means the program set forth in WAC 173-400-141.

Reasonably Available Control Technology (RACT) means the lowest emission limit that a particular stationary source or source category is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. RACT is determined on a case-by-case basis for an individual stationary source or source category, taking into account the impact of the stationary source upon air quality, the availability of additional controls, the emission reduction to be achieved by additional controls, the impact of additional controls on air quality, and the capital and operating costs of the additional controls. RACT requirements for any stationary source or source category shall be adopted only after notice and opportunity for comment are afforded. RACT shall apply to existing stationary sources.

Refuse means putrescible and non-putrescible solid wastes including garbage, rubbish, ashes, incinerator residue, dead animals, abandoned automobiles, solid market wastes, street cleanings, and solid commercial and industrial waste (including waste disposal in industrial salvage).

Regulatory Order means an order issued to a stationary air contaminant source by Ecology, or the Authority, which subjects that stationary source to applicable provisions of Chapter 70.94 RCW, or the rules and regulations adopted thereunder.

Secondary Emissions means emissions which would occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. Secondary emissions must be specific, well defined, quantifiable, and impact the same general area as the major stationary source or major modification which causes the secondary emissions. Secondary emissions may include, but are not limited to:

1. Emissions from ships or trains located at the new or modified stationary source; and
2. Emissions from any off-site support facility which would not otherwise be constructed or increase its emissions as a result of the construction or operation of the major stationary source or major modification.

Significant:

1. As it applies to new sources in nonattainment areas, is defined in WAC 173-400-112.
2. As it applies to new sources in attainment or unclassified areas, is defined in WAC 173-400-113.
3. As it applies to stationary air contaminant sources subject to Articles IV and X of this Regulation, means:
 - a. Increased emissions of 10 tons per year of any one toxic air pollutant or hazardous air pollutant; or,
 - b. Increased emissions of a combined 25 tons per year of two or more toxic air pollutants or hazardous air pollutants; or,

- c. In reference to a net emissions increase or the stationary source's potential-to-emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:

Pollutant and Emissions Rate

Carbon monoxide:	100 tons per year (tpy)
Nitrogen oxides:	40 tpy
Sulfur dioxide:	40 tpy
Particulate matter (PM):	25 tpy of PM emissions 15 tpy of PM-10 emissions
Volatile organic compounds:	40 tpy
Fluorides:	3 tpy
Lead:	0.6 tpy
Sulfuric acid mist:	7 tpy
Hydrogen sulfide (H ₂ S):	10 tpy
Total reduced sulfur (including H ₂ S):	10 tpy
Reduced sulfur compounds (including H ₂ S):	10 tpy
Municipal waste combustor organics: (measured as total tetra-through octa-chlorinated dibenzo-p-dioxins and dibenzofurans)	3.2 grams per year (0.112 oz. per year or 49 grains per year)
Municipal waste combustor metals: (measured as particulate matter)	14 megagrams per year (15 tpy)
Municipal waste combustor acid gases: (measured as sulfur dioxide and hydrogen chloride)	36 megagrams per year (40 tpy)
Municipal solid waste landfill emissions: (measured as nonmethane organic compounds)	45 megagrams per year (50 tpy)
Ozone-depleting substances (in effect on the date listed in Article II, Section 2.13 of this Regulation):	100 tpy

- d. Regardless of the definition in GGGG.3, significant means any emissions rate or any net emissions increase associated with a major stationary source or major modification which constructs a stationary air contaminant source within 10 kilometers of a Class I area, and has an ambient air quality impact on such area equal to, or greater than, 1 microgram per

cubic meter (twenty-four-hour average), demonstrated through an Authority approved dispersion model.

Silvicultural Burning means burning on unimproved land the Department of Natural Resources protects pursuant to RCW 70.94.030(20), 70.94.660, 70.94.690 and pursuant to Chapter 76.04 RCW.

Source means all of the emissions unit(s) including quantifiable fugitive emissions, that are located on one or more contiguous or adjacent properties, and are under the control of the same person or persons under common control, whose activities are ancillary to the production of a single product or functionally related groups of products. Activities shall be considered ancillary to the production of a single product or functionally related group of products if they belong to the same major group (i.e., which have the same two digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 supplement.

Source Category means all sources of the same type or classification.

Stack means any point in a stationary source designed to emit solids, liquids, or gases into the air, including a pipe or duct.

Stage I Vapor Recovery means the capture of all gasoline vapors at gasoline dispensing facilities during the transfer of gasoline from a transport tank into a stationary storage tank, except motor vehicle refueling. Regulations relating to Stage I vapor recovery are found in Chapter 173-491 WAC.

Stage II Vapor Recovery means the capture of gasoline vapors at gasoline dispensing facilities during the transfer of gasoline from a stationary storage tank into a motor vehicle fuel tank. Regulations relating to Stage II vapor recovery are found in Chapter 173-491 WAC.

Standard Conditions means a temperature of 20⁰C (68⁰F) and a pressure of 760 mm (29.92 inches) of mercury.

State Implementation Plan (SIP) or Washington SIP means the Washington SIP in 40 CFR Part 52, subpart WW. The SIP contains state, local and federal regulations and orders, the state plan and compliance schedules approved and promulgated by EPA, for the purpose of implementing, maintaining, and enforcing the National Ambient Air Quality Standards.

Stationary Air Contaminant Source means the same as "Stationary Source".

Stationary Source means any building, structure, facility, or installation that emits or may emit any air contaminant. This term does not include emissions resulting directly from an internal combustion engine for transportation purposes or from a nonroad engine or nonroad vehicle, as defined in Section 216(11) of the Federal Clean Air Act.

Synthetic Minor means any stationary source whose potential-to-emit has been limited below applicable major stationary source thresholds by means of a federally enforceable order, rule, or permit condition.

Temporary Stationary Source means a stationary source consisting of one or more emission units that is portable or transportable (excluding non-road engines) that emits pollutants at a specific site for a brief period and then not again for the foreseeable future and that is established at any site for less than 12 consecutive months. A temporary stationary source includes, but is not limited to: a temporary boiler, while a permanent boiler is undergoing maintenance; fugitive dust emissions associated with the construction of a new building; non-stationary stump grinders and each of their auxiliary emissions producing equipment). The act of installing a Temporary Stationary Source at a particular site may or may not be considered to be the construction of a new source or modification of an existing source and therefore may or may not be subject to the requirements of new source review.

Total Actual Annual Emissions means the total of all criteria and toxic air pollutant emissions for the most recent complete year that is available to the Authority.

Total Reduced Sulfur (TRS) means the sum of the mass of sulfur compounds, hydrogen sulfide, mercaptans, dimethyl sulfide, dimethyl disulfide, and any other organic sulfides, emitted and measured by EPA method 16 in Appendix A to 40 CFR Part 60 or an approved equivalent method and expressed as hydrogen sulfide.

Total Suspended Particulate means the mass of particulate matter as measured by the method described in 40 CFR Part 50 Appendix B.

Toxic Air Pollutant (TAP) or Toxic Air Contaminant means any Class A or B toxic air pollutant listed in WAC 173-460-150 and 173-460-160. The term toxic air pollutant may include particulate matter and volatile organic compounds, if an individual substance or a group of substances within either of these classes is listed in WAC 173-460-150 and/or 173-460-160. The term toxic air pollutant does not include particulate matter and volatile organic compounds as generic classes of compounds.

Upset Condition means a failure, breakdown, or malfunction of any piece of process equipment or pollution control equipment that causes, or has the potential to cause, excess emissions.

Unclassifiable Area means an area that cannot be designated attainment or nonattainment on the basis of available information as meeting or not meeting the National Ambient Air Quality Standard for the criteria pollutant and that is listed by EPA at 40 CFR Part 81.

United States Environmental Protection Agency (USEPA) shall be referred to as EPA.

Visibility Impairment means any humanly perceptible change in visibility (light extinction, visual range, contrast, or coloration) from that which would have existed under natural conditions.

Visibility Impairment of Class I Areas means visibility impairment within the Class I area and visibility impairment of any formally designated integral vista associated with the Class I area.

Volatile Organic Compound (VOC) means any carbon compound that participates in atmospheric photochemical reactions.

1. Exceptions. The following compounds are not a VOC: Acetone; carbon monoxide; carbon dioxide; carbonic acid; metallic carbides or carbonates; ammonium carbonate, methane; ethane; methylene chloride (dichloromethane); 1,1,1-trichloroethane (methyl chloroform); 1,1,2-trichloro 1,2,2-trifluoroethane (CFC-113); trichlorofluoromethane (CFC-11); dichlorodifluoromethane (CFC-12); chlorodifluoromethane (HCFC-22); trifluoromethane (HFC-23); 1,2-dichloro 1,1,2,2-tetrafluoroethane (CFC-114); chloropentafluoroethane (CFC-115); 1,1,1-trifluoro 2,2-dichloroethane (HCFC-123); 1,1,1,2-tetrafluoroethane (HFC-134a); 1,1-dichloro 1-fluoroethane (HCFC-141b); 1-chloro 1,1-difluoroethane (HCFC-142b); 2-chloro 1,1,1,2-tetrafluoroethane (HCFC-124); pentafluoroethane (HFC-125); 1,1,2,2-tetrafluoroethane (HFC-134); 1,1,1-trifluoroethane (HFC-143a); 1,1-difluoroethane (HFC-152a); perchlorobenzotrifluoride (PCBTF); cyclic, branched, or linear completely methylated siloxanes; perchloroethylene (tetrachloroethylene); 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca); 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb); 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee); difluoromethane (HFC-32); ethylfluoride (HFC-161); 1,1,1,3,3,3-hexafluoropropane (HFC-236fa); 1,1,2,2,3-pentafluoropropane (HFC-245ca); 1,1,2,3,3-pentafluoropropane (HFC-245ea); 1,1,1,2,3-pentafluoropropane (HFC-245eb); 1,1,1,3,3-pentafluoropropane (HFC-245fa); 1,1,1,2,3,3-hexafluoropropane (HFC-236ea); 1,1,1,3,3-pentafluorobutane (HFC-365mfc); chlorofluoromethane (HCFC-31); 1 chloro-1-fluoroethane (HCFC-151a); 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a); 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C4F9OCH3); 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF3)2CFCF2OCH3); 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C4F9OC2H5); 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-

heptafluoropropane((CF₃)₂CF₂OC₂H₅); methyl acetate and perfluorocarbon compounds that fall into these classes:

- a. Cyclic, branched, or linear completely fluorinated alkanes;
 - b. Cyclic, branched, or linear completely fluorinated ethers with no unsaturations;
 - c. Cyclic, branched, or linear completely fluorinated tertiary amines with no unsaturations; and
 - d. Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.
2. For the purpose of determining compliance with emission limits, VOC is measured by the appropriate methods in 40 CFR Part 60 Appendix A. Where the method also measures compounds with negligible photochemical reactivity, these negligibly reactive compounds are excluded as VOC, if the amount of the compounds is accurately quantified, and the exclusion is approved by the Authority, or EPA.
 3. As a precondition to excluding these negligibly-reactive compounds as VOC or at any time thereafter, the Authority may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of the Authority, the amount of negligibly-reactive compounds in the stationary source's emissions.