

I.B. Sources

I.B.1. New Sources

I.B.1.a. New sources, defined as any sources which either (1) submit a complete permit application on or after October 30, 1989, or (2) if no permit is required, commence operation on or after October 30, 1989, must comply with the provisions of this regulation upon commencement of operation.

I.B.1.b. This section I.B.1 does not apply to oil and gas operations subject to section XII, or stationary and portable engines subject to section XVI.

I.B.2. Existing Sources

I.B.2.a. ~~Existing sources, are DEFINED AS~~ (1) those sources for which a complete permit application was submitted prior to October 30, 1989, or (2) those sources which commenced operation prior to October 30, 1989.

~~I.B.2.b. Existing sources shall COMPLY WITH ANY RACT REQUIREMENTS INCORPORATED INTO THEIR PERMIT. not be required to comply with requirements of this regulation until on and after October 30, 1991. All existing sources shall comply with the requirements set forth in exhibit A, attached to this regulation, until October 30, 1991.~~

~~I.B.2.c. On and after October 30, 1991, all existing sources shall comply with the requirements of this regulation, and exhibit A shall no longer be applicable.~~

~~I.B.2.d. On or before October 30, 1990, all existing sources shall submit to the Division a report containing the following:~~

~~I.B.2.d.(1) — A list of sources of volatile organic compound emissions located at the stationary source. The list shall include a description, potential emissions, and actual emissions of each source.~~

~~I.B.2.d.(2) — Identification of each source subject to a Division RACT determination, and when a request for that determination will be made.~~

~~I.B.2.d.(3) — The owner or operator's expected RACT for each source and a description of how compliance will be achieved. If a source is subject to RACT requirements as stated in previous versions of this regulation, the report need only specify how compliance will be achieved for any revised provisions of the regulation.~~

~~I.B.2.e. On or before October 30, 1991, all existing sources shall update and submit the report required under subparagraph b. above. The updated~~

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~~report shall describe in detail all actions taken to comply with the RACT requirements, and when those actions were taken.~~

I.B.2.f. This section I.B.2 does not apply to oil and gas operations subject to section XII, or stationary and portable engines subject to section XVI.

I.C. Once a source subject to this regulation exceeds an applicable threshold limit, the requirements of this regulation are irrevocably effective unless the source obtains a federally enforceable permit limiting emissions to levels below the threshold limit by restricting production capacity or hours of operation.

The owner or operator of a source not required to obtain a permit by provisions of law other than this section may apply for and shall be required to accept a permit as a condition of avoiding RACT requirements. Such permits shall contain only those conditions necessary to ensure the enforcement of the production capacity or hours of operation.

I.D. Materials incorporated by reference in this regulation are available for public inspection during regular business hours at the Commission's Office at 4300 Cherry Creek Drive South, Denver, Colorado. The regulation incorporates the materials as they exist at the date of the promulgation of this regulation and does not include later amendments to or editions of the incorporated materials.



II.C. General Emission Limitation FOR SOURCES IN THE 1-HOUR OZONE NON-ATTAINMENT AREA

II.C.1. Existing Sources LOCATED IN AN AREA PREVIOUSLY DESIGNATED AS A 1-HOUR OZONE NON-ATTAINMENT AREA

II.C.1.a. All existing sources LOCATED IN AN AREA THAT WAS PREVIOUSLY DESIGNATED AS A 1-HOUR OZONE NON-ATTAINMENT AREA shall:

II.C.1.A.(i) Comply WITH ANY RACT REQUIREMENTS INCORPORATED INTO THEIR PERMIT; OR

II.C.1.A.(ii) COMPLY WITH ANY CONDITIONS IN A PERMIT ISSUED TO AVOID RACT REQUIREMENTS.

~~with the requirements set forth in this regulation.~~

~~II.C.1.a.(1) Existing sources of VOC which are not subject to specific emission limitations set forth in this regulation, and which have the potential to emit 100 tons per year or more of VOC, shall utilize Reasonably Available Control Technology (RACT).~~

~~II.C.1.a.(2) The potential to emit of such sources shall be based on design capacity or maximum production rate, whichever is greater, 8760 hours/year operation, and before add-on controls.~~

~~II.C.1.a.(3) Owners or operators of such sources with potential emissions of 100 tons per year or more, but with actual emissions less than 100 tons per year may obtain a federally enforceable permit limiting emissions to actual rates by~~

~~restricting production capacity or hours of operation, thus avoiding RACT requirements.~~

~~The owner or operator of a source not required to obtain a permit by provisions of law other than this section may apply for and shall be required to accept a permit as a condition of avoiding RACT requirements. Such permits shall contain only those conditions necessary to ensure the enforcement of the production capacity or hours of operation.~~

~~II.C.1.a.(4) — Such sources with potential emissions of 100 tons per year or more but with actual emissions of less than 50 tons per year, on a rolling 12-month total, may avoid RACT and permit requirements if the following requirements are met:~~

~~II.C.1.a.(4)(A) — The owner or operator shall submit revised Air Pollutant Emission Notices by April 1 of each year which demonstrate that the 50 tons per year threshold has not been exceeded.~~

~~II.C.1.a.(4)(B) — The owner or operator shall maintain records on site which include monthly VOC use and monthly VOC emissions. The records shall include calculation of total emissions for each rolling 12-month period. The records shall be made available to the Division for inspection upon request.~~

II.C.1.B. EXISTING SOURCES THAT ARE MODIFIED ON OR AFTER MARCH 30, 2008, SHALL UTILIZE RACT PURSUANT TO REGULATION 3, PART B, SECTION III.D.2.

~~II.C.1.b. Provided however, that no existing source of VOC emissions employing emission controls on or within the six-month period preceding the effective date of this regulation may reduce its level of control of VOC emissions below that level of control actually achieved, even though such source may otherwise be subject to less stringent control requirements, except that no existing source shall be required to control emissions to an extent greater than that level of control which RACT would achieve.~~II.C.2. EXISTING SOURCES LOCATED IN ANY OZONE NON-ATTAINMENT AREA, THAT WAS NOT PREVIOUSLY PART OF THE 1-HOUR OZONE NON-ATTAINMENT AREA SHALL:

II.C.2.A. SUBMIT A PERMIT MODIFICATION APPLICATION THAT INCLUDES A REVISED APEN AND RACT ANALYSIS, TO THE DIVISION WITHIN ONE YEAR AFTER AN EPA PUBLICATION IN THE FEDERAL REGISTER OF SUCH OZONE NON-ATTAINMENT DESIGNATION.

II.C.2.B. UTILIZE RACT PURSUANT TO REGULATION 3, PART B, SECTION II.D.2., THREE YEARS AFTER AN EPA PUBLICATION IN THE FEDERAL REGISTER OF AN OZONE NON-ATTAINMENT DESIGNATION, OR TWO YEARS AFTER DIVISION APPROVAL OF RACT, WHICHEVER COMES LATER.

II.C.23. New Sources

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II.C.2.a. All new sources shall utilize controls representing Reasonably Available Control Technology (RACT), PURSUANT TO REGULATION 3, PART B, SECTION II.D.2.

II.D. REPEALED.

II.D.1.