VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 26.12 - FEDERAL MAJOR MODIFICATIONS
(Adopted xx/xx/06)

A. Federal Major Modifications

1. Major modifications, as defined in Rule 26.1.17, are also federal major modifications, unless the applicant demonstrates that the proposed major modification meets the criteria of at least one of the following exclusions:

a. Less-Than-Significant Emissions Increase Exclusion: An emissions increase for the project, or a net emissions increase for the project [as determined by the procedures in 40 CFR § 51.165 (a)(2)(ii)(B) through (D), and (F)], that is not significant for a given regulated NSR pollutant, is not a federal major modification for that pollutant. 40 CFR § 51.165 (a)(2)(ii)(E), relating to clean units, shall not be used in these calculations.

1) To determine the post-project projected actual emissions from existing units, the provisions of 40 CFR § 51.165 (a)(1)(xxviii) shall be used.

2) To determine the pre-project baseline actual emissions, the provisions of 40 CFR § 51.165 (a)(1)(xxxv)(A) through (C) shall be used.

3) Emissions increases calculated pursuant to this section are significant if they are equal to or greater than the significance thresholds specified in Rule 26.1.17.

4) If the project is determined not to be a federal major modification pursuant to the provisions of 40 CFR § 51.165 (a)(2)(ii)(B) through (D) and (F), and Subsection A.1.a.3) above, but there is a reasonable possibility that the project may result in a significant emissions increase, the owner or operator shall comply with all of the provisions of 40 CFR § 51.165 (a)(6) and (a)(7).

b. Plantwide Applicability Limit (PAL) Exclusion: A major modification that does not cause emissions to exceed a pre-established PAL, as defined in 40 CFR § 51.165 (f)(2)(v), for the respective pollutant, is not a federal major modification for that pollutant.

1) For the purposes of this exclusion, a PAL must be established by a permitting action prior to the major modification permitting action.

2) All PALs shall be established according to the provisions of 40 CFR § 51.165 (f)(1) through (15).

3) All PALs shall comply with the requirements under 40 CFR § 51.165 (f)(1) through (15) to either maintain, renew or retire the PAL.

2. If an applicant can demonstrate that the proposed major modification does not constitute a federal major modification, the major modification shall be exempt from the requirements of Rule 26.2.E, Analysis of Alternatives.

B. Definitions

1. All terms used in Section A of this rule shall be as defined in 40 CFR § 51.165 (a)(1), as it exists on (date of adoption), except that:

a. the term "reviewing authority" as used in 40 CFR § 51.165 shall mean the Ventura County Air Pollution Control District,

b. the term "major stationary source" as used in 40 CFR § 51.165 means a stationary source which emits, or has the potential to emit, the amounts as specified in Rule 26.1.16, and

c. the term "significant" as used in 40 CFR § 51.165 means a rate of emissions that would equal or exceed the rates specified in Rule 26.1.17.

2. All terms used in 40 CFR § 51.165 (f) shall be as defined in 40 CFR § 51.165 (a)(1), as it exists on (date of adoption), except that the term "reviewing authority" as used in that Section shall mean the Ventura County Air Pollution Control District.