

REGULATION 5.12 Standards of Performance for New or Modified Processes or Process Equipment Emitting Toxic Air Pollutants

**Air Pollution Control District of Jefferson County
Jefferson County, Kentucky**

Relates To: KRS Chapter 77 Air Pollution Control

Pursuant To: KRS Chapter 77 Air Pollution Control

Necessity and Function: KRS 77.180 authorizes the Air Pollution Control Board to adopt and enforce all orders, rules, and regulations necessary or proper to accomplish the purposes of KRS Chapter 77. This regulation provides for the control of toxic air pollutants (TAPs) emissions from new or modified processes or process equipment.

SECTION 1 Applicability–Kentucky References

This regulation controls emissions of TAPs from processes or process equipment that were constructed or modified between November 11, 1986 and July 1, 2005. Except as provided in Section 5, Kentucky Regulation 401 KAR 63:022 (11-11-86) for control of toxic air pollutant toxics emissions from new or modified processes or process equipment sources is hereby adopted and incorporated by reference. It is not the intent of this regulation to allow the use of taller stacks to effect compliance by application of the correction factor in Appendix C. However, in certain situations in which the requirement to control cannot be justified, the District may permit such usage. Further, in no event shall application of this regulation result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under Part Regulation 5, 6, or 7.

SECTION 2 Summary and Applicability

This regulation Kentucky Regulation 401 KAR 63:022 controls emissions of toxic air pollutants from new or modified processes or process equipment, sources that were constructed or modified during the time period from November 11, 1986, until July 1, 2005, by specifying either an allowable emissions limit or by requiring the application of best available control technology.

SECTION 3 General Definition

In 401 KAR 63:022 (11-11-86), "Cabinet" shall be read as "District."

SECTION 4 Availability

Copies of 401 KAR 63:022 (11-11-86) are available from:

Division for Air Quality

803 Schenkel Lane

Frankfort, KY 40601-1403

or

Air Pollution Control District

850 Barret Avenue

Louisville, KY 40204-1745

SECTION 5 Adjusted Significant Level Determination

When determining the adjusted significant levels of individual pollutants at a source, the height of

48 ~~release (H) used to enter the table in Appendix C shall be a weighted average derived by dividing~~
49 ~~the sum of the products of emission rates and heights of release of the individual points of release~~
50 ~~by the total emission rate of a pollutant from all points of release. If the weighted height of~~
51 ~~release falls between two values in the table in Appendix C, the lesser value shall be used.~~

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53 ~~When determining the adjusted significant levels of individual pollutants from an new or modified~~
54 ~~process or process equipment addition or modification at a source, the height of release (H) used to~~
55 ~~enter the table in Appendix C shall be a weighted average derived by dividing the sum of the~~
56 ~~products of emission rates and heights of release of the individual points of release of the new or~~
57 ~~modified process or process equipment by the total emission rate of a pollutant from all points of~~
58 ~~release of the new or modified process or process equipment in the addition or modification. If the~~
59 ~~weighted height of release falls between two values in the table in Appendix C, the lesser value~~
60 ~~shall be used.~~

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63 **SECTION 2.6 Savings Clause**

64 ~~An emission standard established pursuant to this regulation for a Group 1 or Group 2 stationary~~
65 ~~source for a toxic air pollutant (TAP) that is also a Category 1 or 2 toxic air contaminant (TAC)~~
66 ~~listed in Regulation 5.23 shall remain in effect until the stationary source demonstrates the~~
67 ~~environmental acceptability of that TAC emission pursuant to Regulation 5.21. ~~replaced with an~~~~
68 ~~emission standard established pursuant to Regulation 5.21 *Environmental Acceptability for Toxic*~~
69 ~~*Air Contaminant* Emission standards for all other TAPs established pursuant to this regulation are~~
70 ~~repealed.~~

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72 | Adopted v1/12-17-86; effective 12-17-86; amended v2/5-20-98, v3/6-21-05 effective 7-1-05, v4/