(**Adopted:** 09/24/01; **Amended:** 08/28/06; **Amended:** 06/27/16; **Amended:** 08/22/16; **Amended:** 03/25/19; Amended: 03/22/21)

Rule 1320
New Source Review for Toxic Air Contaminants

(A) Purpose

(1) The purpose of this Rule is to:

(a) Set forth the requirements for preconstruction review of all new, Modified, Relocated, or Reconstructed Facilities which emits or have the potential to emit any Hazardous Air Pollutant, Toxic Air Contaminant, or Regulated Toxic Substance; and

(b) Ensure that any new, Modified, or Relocated Emissions Unit is required to control the emissions of Toxic Air Contaminants as required pursuant to Chapter 3.5 of Part 2 of Division 26 of the California Health and Safety Code (commencing with §39650); and

(c) Ensure that any proposed new or Reconstructed Facility or Emissions Unit is required to control the emissions of Hazardous Air Pollutants as required under 42 U.S.C. §7412(g) (FCAA §112(g)).

(2) This Rule is not submitted to USEPA and is not intended to be included as part of the California State Implementation Plan.

(B) Applicability

(1) General Applicability

(a) The provisions of this rule shall be applicable to:

(i) Applications for new, Modified or Relocated Facilities or Emissions Unit(s) which were received by the District on or after the adoption date of this rule.
(ii) Any Permit Unit(s) installed without a required Authority to Construct Permit shall be subject to this rule, if the application for a permit to operate such equipment was submitted after the adoption date of this rule.
(iii) Applications shall be subject to the version of the District Rules that are in effect at the time the application is received.

(2) State Toxic New Source Review Program (State T-NSR) Applicability

(a) The provisions of Subsection (E) of this Rule shall apply to any new or Modified Emissions Unit which:

(i) Emits or has the potential to emit a Toxic Air Contaminant; or
(ii) Is subject to an Airborne Toxic Control Measure.

(3) Federal Toxic New Source Review Program (Federal T-NSR) Applicability

(a) The provisions of Subsection (F) of this Rule shall apply to any new or Reconstructed Facility or new or Modified Emissions Unit(s) which:

(i) Emits or has the potential to emit 10 tons per year or more of any single HAP; or
(ii) Emits or has the potential to emit 25 tons per year or more of any combination of HAPs; or
(iii) Has been designated an Air Toxic Area Source by USEPA pursuant to the provisions of 42 U.S.C. §7412 (FCAA §112) and the regulations promulgated thereunder.

(C) Definitions

The definitions contained in District Rule 1301 shall apply unless the term is otherwise defined herein.

(1) "Air Toxic Area Source" – Any Facility or Emissions Unit(s) of Hazardous Air Pollutants that emits or has the potential to emit less than ten (10) tons per year of any single HAP or twenty-five (25) tons per year of any combination of HAPs and which has been designated as an area source by USEPA pursuant to the provisions of 42 U.S.C. §7412 (FCAA §112).

(2) "Airborne Toxic Control Measure" (ATCM) – Recommended methods or range of methods that reduce, avoid, or eliminate the emissions of a TAC promulgated by CARB pursuant to the provisions of Division 26, Part 2, Chapter 3.5 of the California Health and Safety Code commencing with §39650.

(3) "Best Available Control Technology for Toxics" (T-BACT) – The most stringent emissions limitation or control technique for Toxic Air Contaminants or Regulated Toxic Substances which:

(i) Has been achieved in practice for such permit unit category or class of source; or

(ii) Is any other emissions limitation or control technique, including process and equipment changes of basic and control equipment, found by the APCO to be technologically feasible for such class or category of sources, or for a specific source.

(4) "Cancer Burden" – The estimated increase in the occurrence of cancer cases in a population resulting from exposure to carcinogenic air contaminants. The cancer burden can be calculated by multiplying the cancer risk at a census block centroid by the number of people who live in the census block, and adding up the estimated number of potential cancer cases across the zone of impact. The result of this calculation is a single number that is intended to estimate of the number of potential cancer cases within the population that was exposed to the emissions for a lifetime (70 years). The cancer burden is calculated on the basis of lifetime (70-year) risks (whereas individual cancer risk at the MEIR is based on 30-year

residential exposure). Cancer burden is independent of how many people move in or out of the vicinity of an individual facility. For example, if 10,000 people are exposed to a carcinogen at a concentration with a 1×10^{-5} cancer risk for a lifetime the cancer burden is 0.1, and if 100,000 people are exposed to a 1×10^{-5} risk the cancer burden is 1.

(5) "Case-by-Case Maximum Achievable Control Technology Standard" (Case-by-Case MACT) – An emissions limit or control technology that is applied to a new, Relocated, or Reconstructed Facility or Emissions Unit(s), located at a major source of HAP where USEPA has not yet promulgated a MACT standard pursuant to 42 U.S.C. §7412(d)(3) (FCAA §112(d)(3). Such limit or control technique shall be determined pursuant to the provisions of 40 CFR 63.43.

(6) "Hazard Index" (HI) – The total acute or chronic non-cancer Hazard Quotient for a substance by toxicological endpoint. Also see definition of Noncancer Hazard Indices.

(7) "Hazard Quotient" (HQ) – The estimated ambient air concentration divided by the acute or chronic reference exposure for a single substance and a particular endpoint.

(8) "Hazardous Air Pollutant" (HAP) – Any air pollutant listed pursuant to 42 U.S.C. §7412(b) (Federal Clean Air Act §112(b)) or in regulations promulgated thereunder.

(9) "Health Risk Assessment" (HRA) – A detailed and comprehensive analysis prepared pursuant to the District's most recently approved *Modeling Guidelines for Health Risk Assessments* to evaluate and predict the dispersion of Toxic Air Contaminants and Regulated Toxic Substances in the environment, the potential for exposure of human population and to assess and quantify both the individual and population wide health risks associated with those levels of exposure. An HRA document shall include details of the methodologies and methods of analysis which were utilized to prepare the document.

(10) "High Priority" – A Facility or Emissions Unit(s) for which any Prioritization Score for cancer, acute non-cancer health effects or chronic non-cancer health effects is greater than or equal to ten (10).

(11) "Intermediate Priority" – A Facility or Emissions Unit(s) for which any Prioritization Score for cancer, acute non-cancer health effects or chronic non-cancer health effects is greater than or equal to one (1) and less than ten (10).

(12) "Low Priority" – A Facility or Emissions Unit(s) for which all Prioritization Scores for cancer, acute non-cancer health effects or chronic non-cancer health effects are less than one (1).

(13) "Maximum Achievable Control Technology Standard" (MACT) – The maximum degree of reduction in emissions of HAPs, including prohibitions of such emissions where achievable, as promulgated by USEPA pursuant to 42 U.S.C. §7412(d)(3) (Federal Clean Air Act §112(d)(3)).

(14) "Maximum Individual Cancer Risk" (MICR) – The estimated probability of a potential maximally exposed individual contracting cancer as a result of exposure to carcinogenic air contaminants over a period of 30 years for residential locations and 25 years for worker receptor locations.

(15) "Moderate Risk" – A classification of a Facility or Emission Unit for which the HRA Report indicates the MICR is greater than one (1) in one million (1×10^{-6}) but less than ten (10) in a million (1×10^{-5}) at the location of any receptor.

(16) "Modification" (Modified) – Any physical or operational change to a Facility or Emissions Unit(s) to replace equipment, expand capacity, revise methods of operation, or modernize processes by making any physical change, change in method of operation, addition to an existing Emissions Unit(s) and/or change in hours of operation, including but not limited to changes which results in the emission of any Hazardous Air Pollutant, Toxic Air Contaminant, or Regulated Toxic Substance or which results in the emission of any Hazardous Air Pollutant, Toxic Air Contaminant, or Regulated Toxic Substance not previously emitted.

(a) A physical or operational change shall not include:

(i) Routine maintenance or repair; or

(ii) A change in the owner or operator of an existing Facility with valid PTO(s); or

(iii) An increase in the production rate, unless:

a. Such increase will cause the maximum design capacity of the Emission Unit to be exceeded; or

b. Such increase will exceed a previously imposed enforceable limitation contained in a permit condition.

(iv) An increase in the hours of operation, unless such increase will exceed a previously imposed enforceable limitation contained in a permit condition.

(v) An Emission Unit replacing a functionally identical Emission Unit, provided:

a. There is no increase in maximum rating or increase in emissions of any HAP, TAC or Regulated Toxic Substance; and

b. No ATCM applies to the replacement Emission Unit.

(vi) An Emissions Unit which is exclusively used as emergency standby equipment provided:

a. The Emissions Unit does not operate more than 200 hours per year; and

b. No ATCM applies to the Emission Unit.

(vii) An Emissions Unit which previously did not require a written permit pursuant to District Rule 219 provided:

a. The Emissions Unit was installed prior to the amendment to District Rule 219 which eliminated the exemption; and

b. A complete application for a permit for the Emission Unit is received within one (1) year after the date of the amendment to District Rule 219 which eliminated the exemption.

(viii) An Emissions Unit replacing Emissions Unit(s) provided that the replacement causes either a reduction or no increase in the cancer burden, MICR, or acute or chronic HI at any receptor location.

(b) Any applicant claiming exemption from this rule pursuant to the provisions of subsection (C)(17)(a) above:

(i) Shall provide adequate documentation to substantiate such exemption; and

(ii) Any test or analysis method used to substantiate such exemption shall be approved by the APCO.

(17) "Noncancer Hazard Indices" – Noncancer hazard indices are an indicator of potential noncancer health effects (e.g., eye or respiratory irritation, reproductive, or developmental effects, etc). They are the ratio of the estimated concentration of a specific pollutant compared to the reference exposure level for that pollutant. A pollutant's reference exposure level identifies the potential threshold level for some type of pollutant-specific toxic effect.

Noncancer hazard indices can be expressed for one substance as a hazard quotient or as a hazard index when there are multiple substances emitted that affect the same target organ (e.g., lung, eye, etc.). Hazard indices can be evaluated for acute periods (e.g., one-hour) and for chronic (long-term) exposures (e.g., annual average). Hazard indices less than one are typically not of concern because they are below the reference exposure level. It is important to note that hazard indices above one do not necessarily mean there is certainty for an adverse effect; rather, it indicates there may be the potential for adverse effects that warrant further investigation.

(18) "Office of Environmental Health Hazard Assessment" (OEHHA) – A department within the California Environmental Protection Agency that is responsible for evaluating chemicals for adverse health impacts and establishing safe exposure levels.

(19) "Prioritization Score" – The numerical score for cancer health effects, acute non-cancer health effects or chronic non-cancer health effects for a Facility or Emissions Unit(s) as determined by the District pursuant to California Health and Safety Code §44360 in a manner consistent with the District's most recently approved Facility Prioritization Guidelines; the most recently approved OEHHA Unit Risk Factor for cancer potency factors; and the most recently approved OEHHA Reference Exposure Levels for non-cancer acute factors, and non-cancer chronic factors.

(20) "Receptor" – Any location outside the boundaries of a Facility at which a person may be impacted by the emissions of that Facility. Receptors include, but are not limited to residential units, commercial work places, industrial work places and sensitive sites such as hospitals, nursing homes, schools and day care centers.

(21) "Reconstruction" (Reconstructed) – The replacement of components at an existing process or Emissions Unit(s) that in and of itself emits or has the Potential to Emit 10 tons per year of any HAP or 25 tons per year of any combination of HAP, whenever:

(a) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable process or production unit; and

(b) It is technically and economically feasible for the reconstructed major source to meet the applicable MACT Standard for new sources.

(22) "Reference Exposure Level" (REL) – The ambient air concentration level expressed in microgram/cubic meter ($\mu g/m^3$) at or below which no adverse health effects are anticipated for a specified exposure.

(23) "Regulated Toxic Substance" – A substance which is not a Toxic Air Contaminant but which has been designated as a chemical substance which poses a threat to public health when present in the ambient air by CARB in regulations promulgated pursuant to California Health and Safety Code §44321.

(24) "Relocation" (Relocated) – The removal of an existing permit unit from one location in the District and installation at another location. The removal of a permit unit from one location within a Facility and installation at another location within the same Facility is a relocation only if an increase in MICR in excess of one in one million (1×10^{-6}) occurs at any receptor location.

(25) "Significant Health Risk" – A classification of a Facility for which the HRA Report indicates that the MICR is greater than or equal to ten (10) in a million (1×10^{-5}) but less than one hundred (100) in a million (1×10^{-4}), or that the HI is greater than or equal to one (1).

(26) "Significant Risk" – A classification of a Facility or Emissions Unit(s) for which the HRA Report indicates that the MICR is greater than or equal to one hundred (100) in a million (1×10^{-4}) or that the HI is greater than or equal to ten (10).

(27) "Toxic Air Contaminant" (TAC) – an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health and has been identified by CARB pursuant to the provisions of California Health and Safety Code §39657, including but not limited to, substances that have been identified as HAPs pursuant to 42 U.S.C. §7412(b) (Federal Clean Air Act §112(b)) and the regulations promulgated thereunder.

(28) "Toxics Emission Inventory Report" – An emissions inventory report for TAC and Toxic Substances prepared for a Facility or Emissions Unit(s) pursuant to the District's *Comprehensive Emission Inventory Guidelines*.

(29) "Unit Risk Factor" (URF) – The theoretical upper bound probability of extra cancer cases occurring from the chemical when the air concentration is expressed in exposure units per microgram/cubic meter $((\mu g/m^3)^{-1})$.

(D) Initial Applicability Analysis

(1) The APCO shall analyze the Potential to Emit and/or the Comprehensive Emissions Inventory Report or Comprehensive Emissions Inventory Report Update which was submitted pursuant to District Rule 1302(B)(1)(a) within thirty (30) days of receipt or after such longer period as the APCO and the applicant agree to in writing, to determine if the new, Modified, Relocated, Emissions Unit(s) or Reconstructed Facility is subject to provisions (E) or (F) of this rule.

(a) If the Facility or Emissions Unit(s) is subject to the State T-NSR pursuant to Section (B)(2), then the APCO shall perform the analysis required pursuant to Section (E).

(b) If the Facility is subject to the Federal T-NSR pursuant to Section (B)(3), then the APCO shall perform the analysis required pursuant to Section (F).

(c) If the Facility or Emissions Unit(s) is subject to both the State T-NSR pursuant to Section (B)(2) and the Federal T-NSR pursuant to Section (B)(3) then the APCO shall perform the analysis required pursuant to Section (E) followed by the analysis pursuant to Section (F).

(d) If the provisions of this Rule are not applicable to the Facility or Emissions Unit(s) then the APCO shall continue the permit analysis process commencing with the provisions of District Rule 1302(C)(6).

(E) State Toxic New Source Review Program Analysis (State T-NSR)

(1) ATCM Requirements

(a) The APCO shall analyze the application, Potential to Emit and/or Comprehensive Emission Inventory Report within thirty (30) days of receipt or after such longer period as the APCO and the applicant agree to in writing, for the new or modified Emission Units(s) and determine if any currently enforceable ATCM applies to the Emissions Unit(s).

(b) If an ATCM applies to the new or modified Emission Units(s) the APCO shall:

(i) Add the requirements of the ATCM or of any alternative method(s) submitted and approved pursuant to Health & Safety Code §39666(f) to any ATC or PTO issued pursuant to the provisions of

this Regulation or District Regulation II whichever process is utilized to issue the permit(s); and

(ii) Continue the analysis with Section (E)(2).

(c) If no ATCM applies to the proposed new or modified Emissions Unit(s) the APCO shall continue the analysis with Section (E)(2).

(2) Emission Unit(s) Prioritization Score

(a) The APCO shall analyze the application, Potential to Emit, and/or Comprehensive Emission Inventory Report for the Emission Unit(s) and calculate three (3) prioritization scores for each new or modified Emission Unit.

(i) Prioritization Scores shall be calculated for carcinogenic effects, non-carcinogenic acute effects and non-carcinogenic chronic effects.

(ii) Prioritization Scores shall be calculated utilizing the District's most recently approved *Facility Prioritization Guidelines*; the most recently approved OEHHA Unit Risk Factor for cancer potency factors; and the most recently approved OEHHA Reference Exposure Levels for non-cancer acute factors, and non-cancer chronic factors.

(iii) Prioritization Scores may be adjusted utilizing any or all of the following factors if such adjustment is necessary to obtain an accurate assessment of the Facility.

a. Multi-pathway analysis
b. Method of release.
c. Type of Receptors potentially impacted.
d. Proximity or distance to any Receptor.
e. Stack height.
f. Local meteorological conditions.
g. Topography of the proposed new or Modified Facility and surrounding area.
h. Type of area.
i. Screening dispersion modeling.
j. Project life.

(b) If all Prioritization Scores indicate that the Emission Unit(s) is categorized as Low or Intermediate Priority, the APCO shall:

(i) Determine if the Facility or Emission Unit(s) is subject to Federal T-NSR pursuant to subsection (B)(3) and continue the analysis with Section (F).

(ii) If the Facility or Emission Unit(s) is not subject to Federal T-NSR, continue the permit analysis process commencing with the provisions of District Rule 1302(C)(6).

(c) If any Prioritization Score indicates that the Emission Unit(s) is categorized as High Priority, the APCO shall continue the analysis pursuant to subsection (E)(3).

(3) Emission Unit(s) Health Risk Assessment

(a) Health Risk Assessment Plans

(i) The APCO shall notify the applicant in writing that the applicant is required to prepare and submit an HRA plan for the new or modified Emission Units(s).

(ii) The applicant shall prepare the HRA plan for the new or modified Emission Unit(s) in accordance with the District's most recently approved *Modeling Guidelines for Health Risk Assessment*.

(iii) The HRA plan for the Emission Unit(s) shall be submitted by the applicant no later than thirty (30) days after receipt of the written notification from the APCO or after such longer time that the applicant and the APCO may agree to in writing.

(iv) The APCO shall approve or disapprove the HRA plan within thirty (30) days of receipt from the owner/operator.

(v) The APCO shall transmit a written determination of approval or disapproval immediately to the owner/operator of the Facility.

a. If the HRA plan is disapproved, the written determination shall specify which parts of the plan are inadequate and how it may be corrected.

1. The owner/operator shall resubmit the plan within thirty (30) days of receipt of the written determination or after such longer period as the APCO and the owner/operator may agree to in writing.

2. Upon such resubmission a new thirty (30) day review period shall begin.

(b) Health Risk Assessment

(i) The applicant shall submit the HRA prepared pursuant to the plan within ninety (90) days of receipt of the written determination approving the plan or after such longer period as the APCO and the applicant may agree to in writing.

(ii) The APCO shall approve or disapprove the HRA within thirty (30) days of receipt or after such longer time that the applicant and the APCO may agree to in writing.

(iii) The APCO shall transmit a written notice of the approval or disapproval of the HRA immediately to the applicant of the Facility.

a. If the HRA was disapproved the APCO shall:

1. Specify the deficiencies and indicate how they can be corrected; and

2. Require the applicant to resubmit the HRA to the District within sixty (60) days.

(iv) Upon receipt by the District of a resubmitted HRA a new thirty (30) day period in which the APCO must determine the approval or disapproval of the HRA shall begin.

(c) The APCO shall analyze the HRA for the new or modified Emission Unit(s) to determine the cancer burden for each Emissions Unit.

(i) If the cancer burden is greater than 0.5 in the population subject to a risk of greater than or equal to one in one million (1×10^{-6}) the APCO shall immediately notify the applicant that the application will be denied in its current form unless the applicant submits a revised application which reduces the cancer burden to equal or below 0.5 within thirty (30) days of receipt of the notice or after such longer time as both the applicant and the APCO may agree to in writing.

a. If the applicant does not submit a revised application within the time period specified the APCO shall notify the applicant in writing that the application has been denied.

b. If the applicant submits a revised application the analysis process shall commence pursuant to District Rule 1302 as if the application was newly submitted.

(ii) If the cancer burden is less than or equal to 0.5 in the population subject to a risk of greater than or equal to one in one million (1×10^{-6}) the APCO shall continue with the analysis pursuant to subsection (E)(3)(d).

(d) The APCO shall analyze the HRA for the new or modified Emissions Unit(s) and determine the risk for each Emissions Unit.

(i) If the HRA indicates that the Emissions Unit(s) are less than a Moderate Risk then the APCO shall continue the analysis pursuant to subsection (E)(3)(e).

(ii) If the HRA indicates that the Emissions Unit(s) are a Moderate Risk but less than a Significant Health Risk then the APCO shall:

a. Add requirements for each Emissions Unit sufficient to ensure T-BACT is applied to any ATC or PTO issued pursuant to the provisions of District Regulation XIII or Regulation II whichever process is utilized to issue the permit(s); and

b. Continue with the analysis pursuant to subsection (E)(3)(e).

(iii) If the HRA indicates that the Emission Unit(s) is a Significant Health Risk but less than a Significant Risk then the APCO shall:

a. Add requirements for each Emissions Unit sufficient to ensure T-BACT is applied to any ATC or PTO issued pursuant to the provisions of District Regulation XIII or Regulation II whichever process is utilized to issue the permit(s); and

b. Require the Facility to perform a public notification pursuant to the District's *Public Notification Guidelines* and District Rule 1520; and

c. Continue with the analysis pursuant to subsection (E)(3)(e).

(iv) If the HRA indicates that the Emissions Unit(s) is a Significant Risk then the APCO shall immediately notify the applicant that the application will be denied in its current form unless the applicant submits a revised application which reduces the risk below that of Significant Risk within thirty (30) days of receipt of the notice or after such longer time as both the applicant and the APCO may agree to in writing.

(e) If the HRA Report indicates that all new or modified Emission Unit(s) are less than a Significant Risk then the APCO shall determine if the Facility or Emission Unit(s) is subject to Federal T-NSR pursuant to subsection (B)(3). *[Terminology Consistency]*

(i) If the Facility or Emission Unit(s) is subject to the Federal T-NSR, continue the analysis with Section (F).

(ii) If the Facility or Emission Unit(s) is not subject to the Federal T-NSR, continue the permit analysis process commencing with the provisions of District Rule 1302(C)(6).

(F) Federal Toxic New Source Review Program Analysis (Federal T-NSR)

(1) MACT Standard Requirements

(a) The APCO shall analyze the application and Comprehensive Emission Inventory and determine if any currently enforceable MACT standard applies to the new or Reconstructed Facility or Emissions Unit(s).

(b) If a MACT standard applies to the new or Reconstructed Facility or Emissions Unit(s) the APCO shall:

(i) Add the requirements of the MACT standard to any ATC or PTO issued pursuant to the provisions of District Regulation XIII or Regulation II whichever process is utilized to issue the permit(s); and

(ii) Continue the analysis with District Rule 1302(C)(6).

(c) If no MACT standard applies to the new or Reconstructed Facility or Emissions Unit(s) the APCO shall continue the analysis with Section (G)(2).

(2) Case-by-Case MACT Standards Requirements

(a) The APCO shall determine if a Case-by-Case MACT standard applies to the proposed new or Reconstructed Facility or Emissions Unit(s).

(b) If a Case-by-Case MACT standard applies to the new or Reconstructed Facility or Emissions Unit the APCO shall:

(i) Notify the applicant in writing that the applicant is required to prepare and submit a Case-by-Case MACT application.
  a. The applicant shall prepare the Case-by-Case MACT application in accordance with the provisions of 40 CFR 63.43(e).
  b. The Case-by-Case MACT application shall be submitted no later than thirty (30) days after receipt of the written notification from the APCO or after such longer time that the applicant and the APCO may agree to in writing.

(ii) Preliminarily approve or disapprove the Case-by-Case MACT application within 30 days after receipt of the application or after such longer time as the applicant and the APCO may agree to in writing.

(iii) After the approval or disapproval of the Case-by-Case MACT application the APCO shall transmit a written notice of the approval or disapproval to the applicant at the address indicated on the application.
  a. If the Case-by-Case MACT application is disapproved the APCO shall specify the deficiencies, indicate how they can be corrected and specify a new deadline for submission of a revised Case-by-Case MACT application.

(iv) The APCO shall review and analyze the Case-by-Case MACT application and submit it to USEPA along with any proposed permit conditions necessary to enforce the standard.

(v) Provide public notice and comment of the proposed Case-by-Case MACT standard determination pursuant to the procedures in 40 CFR 63.42(h).
  a. Such notice may be concurrent with the notice required under District Rule 1302(C)(7)(a) if notice is required pursuant to that provision.

(vi) Add the approved Case-by-Case MACT standard requirements or conditions to any ATC or PTO issued pursuant to the provisions of District Regulation XIII or Regulation II whichever process is utilized to issue the permit(s); and

(vii) Continue the analysis with District Rule 1302(C)(6).

(c) If a Case-by-Case MACT standard does not apply to the new or Reconstructed Facility or Emissions Unit(s) the APCO shall continue the analysis with District Rule 1302(C)(6). *[Terminology Consistency]*

(G) Most Stringent Emission Limit or Control Technique

(1) If a Facility or Emission Unit(s) is subject to more than one emission limitation pursuant to sections (E) or (F) of this rule the most stringent emission limit or control technique shall be applied to the Facility or Emission Unit(s).

(i) Notwithstanding the above, if a Facility or Emission Unit(s) is subject to a published MACT standard both the MACT standard and the emissions limit or control technique, if any, required pursuant to sections (E) shall apply unless the District has received delegation from USEPA for that particular MACT standard pursuant to the provisions of 42 U.S.C. §7412(l) (FCAA §112(l)).

(H) Interaction with Air Toxic "Hot Spots" Program for Existing Facilities

(1) Nothing in this Rule shall be construed to exempt an existing Facility from compliance with the provisions of District Rule 1520.

See SIP Table at: http://www.mdaqmd.ca.gov/Modules/ShowDocument.aspx?documentid=45

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