

ARTICLE III. AIR RESOURCES

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Authority

The provisions of this Article III issued under section 5 of the Air Pollution Control Act (35 P. S. § 4005), unless otherwise noted.

Source

The provisions of this Article III adopted September 10, 1971, effective September 11, 1971, 1 Pa.B. 1804, unless otherwise noted.

Cross References

This article cited in 25 Pa. Code § 250.203 (relating to points of compliance); 25 Pa. Code § 250.407 (relating to point of compliance); 25 Pa. Code § 273.217 (relating to air resources protection); 25 Pa. Code § 279.218 (relating to air resources protection); 25 Pa. Code § 281.217 (relating to air resources protection); 25 Pa. Code § 283.218 (relating to air resources protection); 25 Pa. Code § 287.118 (relating to Departmental responsibilities); 25 Pa. Code § 288.217 (relating to air resources protection); 25 Pa. Code § 289.227 (relating to air resources protection); 25 Pa. Code § 293.218 (relating to air resources protection); 25 Pa. Code § 295.217 (relating to air resources protection); and 25 Pa. Code § 297.218 (relating to air resources protection).

CHAPTER 121. GENERAL PROVISIONS

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Source

The provisions of this Chapter 121 adopted September 10, 1971, effective September 11, 1971, 1 Pa.B. 1804, unless otherwise noted.

Cross References

This chapter cited in 25 Pa. Code § 77.575 (relating to air resources protection); 25 Pa. Code § 87.137 (relating to air resources protection); 25 Pa. Code § 88.114 (relating to air resources protection); 25 Pa. Code § 88.205 (relating to air resources protection); 25 Pa. Code § 88.317 (relating to air resources protection); 25 Pa. Code § 89.64 (relating to air resources protection); 25 Pa. Code § 90.149 (relating to air resources protection); and 25 Pa. Code § 265a.382 (relating to open burning; waste explosives).

§ 121.1. Definitions.

The definitions in section 3 of the act (35 P. S. § 4003) apply to this article. In addition, the following words and terms, when used in this article, have the following meanings, unless the context clearly indicates otherwise:

APO—Average Passenger Occupancy—The average passenger occupancy for employers in the Philadelphia CMSA is the number of employees reporting to the worksite during the peak travel period divided by the sum of the number of vehicles in which employees report during these peak travel periods.

$$APO = \frac{\begin{array}{l} \text{\# of employees reporting to worksite} \\ \text{6 a.m. to 10 a.m.} \\ \text{from Monday through Friday} \end{array}}{\begin{array}{l} \text{\# of vehicles in which employees report} \\ \text{6 a.m. to 10 a.m.} \\ \text{from Monday through Friday} \end{array}}$$

AVO—Average Vehicle Occupancy—An estimated average number of passengers in vehicles reporting to worksites during the peak travel period. AVO is estimated by dividing the number of employees who report to worksites or other related activity centers in the severe ozone nonattainment area during the peak travel period by the number of vehicles in which these employees report over that 5-day period. All employees, including those who work for employers with less than 100 employees are included in this calculation. The AVO for the severe nonattainment area which includes the counties of Bucks, Chester, Delaware, Montgomery and Philadelphia is 1.37 passengers per vehicle.

Ablative coating—A coating that chars when exposed to open flame or extreme temperatures, as would occur during the failure of an engine casing or during aerodynamic heating. The ablative char surface serves as an insulating barrier, protecting adjacent components from the heat or open flame.

Account—The place in the NO_x allowance tracking system where allowances are recorded including allowances held by a NO_x affected source.

Account number—The identification number given by the NO_x budget administrator to an account in which NO_x allowances are held in the NO_x allowance tracking system.

Acquiring account—The party in a NO_x allowance transfer who obtains NO_x allowances through purchase, trade, auction, gift or another lawful means.

Act—The Air Pollution Control Act (35 P. S. §§ 4001—4015).

Actual emissions—For purposes of Chapter 127, Subchapter E (relating to new source review), the actual rate of emissions of a regulated NSR pollutant from an emissions unit shall be determined in accordance with the following subparagraphs. This definition does not apply for calculating whether a significant emissions increase has occurred, or for establishing a PAL under § 127.218 (relating to PALs). Instead, the definition of the terms “projected actual emissions” and “baseline actual emissions” apply for those purposes. This definition may not be used to calculate a baseline emissions rate under § 127.207(4) (relating to creditable emissions decrease or ERC generation and creation).

(i) Actual emissions as of a particular date must equal the average rate, in TPY, at which the unit actually emitted the regulated NSR pollutant during the consecutive 24-month period which immediately preceded the particular date and which is representative of normal source operations. The Department will authorize the use of a different time period upon a determination that it is more representative of normal source operation. Actual emissions shall be calculated using the unit’s actual operating hours, production rates and types of materials processed, stored or combusted during the selected time period.

(ii) For an emissions unit that has not begun normal operations on the particular date, actual emissions equal the potential to emit of the unit on that date.

Actual PAL for a major facility—A PAL based on the baseline actual emissions of all emissions units at a major facility that emit or have the potential to emit the PAL pollutant.

Adhesion promoter—A very thin coating applied to an aerospace vehicle or component substrate to promote wetting and to form a chemical bond with the subsequently applied material.

Adhesive—A chemical substance that is applied for the purpose of bonding two surfaces together other than by mechanical means. The term does not include coatings or finishing materials.

Adhesive bonding primer—A primer applied in a thin film to aerospace components for the purpose of corrosion inhibition and increased adhesive bond strength by attachment. There are two categories of adhesive bonding primers:

- (i) Primers with a design cure at 250°F or below.
- (ii) Primers with a design cure above 250°F.

Adhesive primer—A coating applied to an aerospace vehicle or component that does one of the following:

- (i) Inhibits corrosion and serves as a primer when applied to bare metal or other surfaces prior to adhesive application.
- (ii) Is applied to surfaces that can be expected to contain fuel, with the exception of fuel tanks.

Aerosol coating—A coating expelled from a hand-held pressurized, nonrefillable container in a finely divided spray when a valve on the container is depressed.

Aerospace coating operation—An operation using a spray booth, tank or other enclosure of an area, such as a hangar for applying a single type of coating—for example, primer. Using the same spray booth for applying another type of coating—for example, a topcoat—constitutes a separate coating operation for which compliance determinations are performed separately.

Aerospace coating unit—A series of one or more coating applicators and any associated drying area or oven wherein a coating is applied, dried and cured. A coating unit ends at the point where the coating is dried or cured, or prior to a subsequent application of a different coating. It is not necessary to have an associated oven or flashoff area to be included in this definition.

Aerospace primer—The first layer and subsequent layers of identically formulated coating applied to the surface of an aerospace vehicle or component. Primers are typically used for corrosion prevention, protection from the environment, functional fluid resistance or adhesion of subsequent coatings. The term does not include primers that are defined as specialty coatings.

Aerospace surface preparation—The removal of contaminants from the surface of an aerospace vehicle or component or the activation or reactivation of the surface in preparation for the application of a coating.

Aerospace topcoat—A coating that is applied over a primer on an aerospace vehicle or component for appearance, identification, camouflage or protection. The term does not include topcoats that are defined as specialty coatings.

Aerospace touch-up and repair operation—

- (i) That portion of the coating operation that is the incidental application of coating used to cover minor imperfections in the coating finish or to achieve complete coverage.
- (ii) The term includes out-of-sequence or out-of-cycle coating.

Aerospace vehicle or component—A fabricated part, processed part, assembly of parts or completed unit, with the exception of electronic components, of any aircraft including, but not limited to, airplanes, helicopters, missiles, rockets and space vehicles.

Agency—An official body of a political subdivision of the Commonwealth having the authority or duty to enforce local ordinances or resolutions relating to the prevention and control of air pollution.

Air basin—A geographic area of this Commonwealth as delimited in this section.

Air cleaning device—An article, chemical, machine, equipment or other contrivance, the use of which may eliminate, reduce or control the emission of air contaminants into the atmosphere.

Air contamination source—Any place, facility or equipment, stationary or mobile, at, from or by reason of which there is emitted into the outdoor atmosphere any air contaminant.

Aircraft fluid systems—Systems that handle hydraulic fluids, fuel, cooling fluids or oils.

Aircraft transparency—An aircraft windshield, canopy, passenger window, lense or another component that is constructed of transparent materials.

Air dried coating—Coatings which are dried by the use of air or forced warm air at temperatures up to 194°F.

Airless cleaning system—A solvent cleaning machine that is automatically operated and seals at a differential pressure of 0.50 pounds per square inch gauge (psig) or less, prior to the introduction of solvent or solvent vapor into the cleaning chamber and maintains differential pressure under vacuum during all cleaning and drying cycles.

Airless spray—A spray coating method in which the coating is atomized by forcing it through a small nozzle opening at high pressure. The coating is not mixed with air before exiting from the nozzle opening.

Air pollution—The presence in the outdoor atmosphere of any form of contaminant, including, but not limited to, the discharging from stacks, chimneys, openings, buildings, structures, open fires, vehicles, processes or any other source of any smoke, soot, fly ash, dust, cinders, dirt, noxious or obnoxious acids, fumes, oxides, gases, vapors, odors, toxic, hazardous or radioactive substances, waste or other matter in a place, manner or concentration inimical or which may be inimical to public health, safety or welfare or which is or may be injurious to human, plant or animal life or to property or which unreasonably interferes with the comfortable enjoyment of life or property.

Air quality control region—An air quality control region designated as such by the Administrator of the EPA under the Clean Air Act and which includes any part of this Commonwealth.

Airtight cleaning system—A solvent cleaning machine that is automatically operated and seals at a differential pressure no greater than 0.50 psig, prior to the introduction of solvent or solvent vapor into the cleaning chamber and during all cleaning and drying cycles.

Allegheny County air basin—Allegheny County.

Allentown, Bethlehem, Easton air basin—The following political subdivisions in Lehigh County: City of Allentown, City of Bethlehem, Catasauqua Borough, Coplay Borough, Emmaus Borough, Fountain Hill Borough, Hanover Township, Salisbury Township, South Whitehall Township and Whitehall Township, and the following political subdivisions in Northampton County: Allen Township, Bath Borough, City of Bethlehem, Bethlehem Township, East Allen Township, City of Easton, Freemansburg Borough, Glendon Borough, Hanover Township, Hellertown Borough, Lower Nazareth Township, Lower Saucon Township, Nazareth Borough, North Catasauqua Borough, Northampton Borough, Palmer Township, Stockertown Borough, Tatamy Borough, Upper Nazareth Township, West Easton Borough and Wilson Borough.

Allowable emissions—The emissions rate of a facility calculated using the maximum rated capacity of the facility unless the facility is subject to Federally enforceable limits which restrict the operating rate, or hours of operation, or both, and the most stringent of the following:

(i) The applicable standards in 40 CFR Part 60 or 61 (relating to standards of performance for new stationary sources; and National emission standards for hazardous air pollutants).

(ii) An applicable SIP emissions limitation, including those with a future compliance date.

(iii) The emissions rate specified under a requirement or condition in a plan approval or operating permit that is Federally enforceable or enforceable as a practical matter, including those with a future compliance date.

(iv) For purposes of the PAL requirements in § 127.218, the allowable emissions shall be calculated considering the emission limitations that are enforceable as a practical matter on the emissions unit's potential to emit.

Alternative method—A method of sampling and analyzing for an air pollutant that is not a reference or equivalent method but has been demonstrated to the satisfaction of the Administrator of the EPA to, in specific cases, produce results adequate for a determination of compliance.

Ambient air quality standards—Concentrations of air contaminants in the ambient air, as provided for in Chapter 131 (relating to ambient air quality standards).

Antichafe coating—A coating applied to areas of moving aerospace components that may rub during normal operations or installation.

Antique aerospace vehicle or component—An antique aircraft, as defined by 14 CFR Part 45 (relating to identification and registration marking), or components thereof. An antique aerospace vehicle would not routinely be in commercial or military service in the capacity for which it was designed.

Antique motor vehicle—A motor vehicle, but not a reproduction thereof, manufactured more than 25 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformance with manufacturer specifications.

Applicability determination—The process of determining which new source review requirements, including netting, apply to a modification to a facility.

Applicable requirements—Requirements which apply to any source at a Title V facility including the following:

(i) Those that have been promulgated or approved by the EPA under the Clean Air Act or the regulations adopted under the Clean Air Act through rulemaking at the time of issuance but have future-effective compliance dates.

(ii) A standard provided for in the Commonwealth's SIP approved by the EPA under Title I of the Clean Air Act (42 U.S.C.A. §§ 7401—7508) that implements the relevant requirements of the Clean Air Act, including revisions to that plan.

(iii) A term or condition of preconstruction permits issued under regulations approved or promulgated through rulemaking under Title I, including Part C or D, of the Clean Air Act.

(iv) A standard or other requirement under section 111 of the Clean Air Act (42 U.S.C.A. § 7411), including subsection (d).

(v) A standard or other requirement under section 112 of the Clean Air Act (42 U.S.C.A. § 7412), including a requirement concerning accident prevention under subsection (r)(7).

(vi) A standard or other requirement of the acid rain program under Title IV of the Clean Air Act (42 U.S.C.A. §§ 7641—7651o) or the regulations thereunder.

(vii) Requirements established under section 504(b) or section 114(a)(3) of the Clean Air Act (42 U.S.C.A. § 7414(a)(3)).

(viii) A standard or other requirement governing solid waste incineration, under section 129 of the Clean Air Act (42 U.S.C.A. § 7429).

(ix) A standard or other requirement for consumer and commercial products, under section 183(e) of the Clean Air Act (42 U.S.C.A. § 7511b(e)).

(x) A standard or other requirement for tank vessels, under section 183(f) of the Clean Air Act.

(xi) A standard or other requirement of the program to control air pollution from outer continental shelf sources, under section 328 of the Clean Air Act (42 U.S.C.A. § 7627).

(xii) A standard or other requirement of the regulations promulgated to protect stratospheric ozone under Title VI of the Clean Air Act (42 U.S.C.A. §§ 7671—7671q), unless the Administrator of the EPA has determined that the requirements need not be contained in a Title V permit.

(xiii) A National ambient air quality standard or increment or visibility requirement under Title I, Part C of the Clean Air Act, but only as it would apply to temporary sources permitted under section 504(e) of the Clean Air Act (42 U.S.C.A. § 7661d).

(xiv) A requirement enforceable by the Administrator of the EPA and by citizens under the act that limits emissions for purposes of creating offset credits or for complying with or avoiding applicability of applicable requirements.

Aqueous cleaning solvent—A solvent in which water is at least 80% by weight of the solvent. Aqueous cleaning solvents solutions have a flash point greater than 93°C (200°F) (as reported by the manufacturer) and the solution is miscible with water.

As applied—The VOC and solids content of a coating that is actually used to coat the substrate. The term includes the contribution of materials used for in-house dilution of the coating.

As supplied—The VOC and solids content of a coating as sold and delivered to the end user.

Automobiles—Passenger cars capable of seating 12 or fewer passengers and major components of these cars, including, but not limited to, chassis, frames, doors and engines.

Automotive elastomeric coating—A coating designed for application over surfaces of flexible mobile equipment and mobile equipment components, such as elastomeric bumpers.

Automotive impact-resistant coating—A coating designed to resist chipping caused by road debris.

Automotive jambing clearcoat—A fast-drying, ready-to-spray clearcoat applied to surfaces such as door jambs and trunk and hood edges to allow for quick closure.

Automotive lacquer—A thermoplastic coating applied directly to bare metal surfaces of mobile equipment and mobile equipment components which dries primarily by solvent evaporation, and which is resolvable in its original solvent.

Automotive low-gloss coating—A coating which exhibits a gloss reading less than or equal to 25 on a 60° glossmeter.

Automotive multicolored topcoat—A topcoat that exhibits more than one color, is packaged in a single container, and camouflages surface defects on areas of heavy use, such as cargo beds and other surfaces of trucks and other utility vehicles.

Automotive pretreatment—A primer that contains a minimum of 0.5% acid, by weight, that is applied directly to bare metal surfaces of mobile equipment and mobile equipment components to provide corrosion resistance and to promote adhesion of subsequent coatings.

Automotive primer-sealer—A coating applied to mobile equipment and mobile equipment components prior to the application of a topcoat for the purpose of providing corrosion resistance, promoting the following:

- (i) Adhesion of subsequent coatings.
- (ii) Color uniformity.
- (iii) The ability of the undercoat to resist penetration by the topcoat.

Automotive primer-surfacer—A coating applied to mobile equipment and mobile equipment components prior to the application of topcoat for the purpose of:

- (i) Filling surface imperfections in the substrate.
- (ii) Providing corrosion resistance.
- (iii) Promoting adhesion of subsequent coatings.

Automotive specialty coating—Coatings, including, but not limited to, elastomeric coatings, adhesion promoters, low gloss coatings, bright metal trim repair coatings, automotive jamming clearcoats, impact resistant coatings, rubberized asphaltic underbody coatings, uniform finish blenders, weld-through primers applied to automotive surfaces and lacquer topcoats applied to a classic motor vehicle or to an antique motor vehicle.

Automotive topcoat—A coating or series of coatings applied over an automotive primer-surfacer, automotive primer-sealer or existing finish on the surface of mobile equipment and mobile equipment components for the purpose of protection or beautification.

Automotive touch up repair—The application of automotive topcoat finish materials to cover minor finishing imperfections equal to or less than 1 inch in diameter.

BACT—Best available control technology—An emissions limitation (including a visible emissions standard) based on the maximum degree of reduction for each regulated NSR pollutant which would be emitted from any proposed major facility or major modification which the Department, on a case-by-case basis, taking into account energy, environmental and economic impacts and other costs, determines is achievable for the facility or modification through application of production processes or available methods, systems and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of the pollutant. The application of BACT may not result in emissions of a pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR Part 60 or 61. If the Department determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard, or combination thereof, may be prescribed instead to satisfy the requirement for the application of BACT. The standard must, to the degree possible, set forth the emissions reduction achievable by implementation of the design, equipment, work practice or operation, and provide for compliance by means which achieve equivalent results.

Basecoat—A coat of colored material, usually opaque, that is ordinarily applied before graining inks, glazing coats or other opaque coatings and is usually covered with an application of topcoat for protection.

Baseline actual emissions—The rate of emissions, in TPY, of a regulated NSR pollutant, as determined in accordance with § 127.203a(a)(4) (relating to applicability determination).

Batch vapor cleaning machine—

(i) A vapor cleaning machine in which individual parts or a set of parts move through the entire cleaning cycle before new parts are introduced into the cleaning machine.

(ii) The term includes solvent cleaning machines, such as ferris wheel cleaners or cross rod machines, that clean multiple loads simultaneously and are manually loaded.

(iii) The term does not include machines which do not have a solvent/air interface, such as airless and airtight cleaning systems.

Bead dipping—The dipping of an assembled tire bead into a solvent based cement.

Begin actual construction—Initiation of physical onsite construction activities on an emissions unit or a facility which are of a permanent nature. These activities include installation of building supports and foundations, laying of underground pipe work and construction of permanent storage structures. With respect to a change in method of operating, the term refers to those onsite activities other than preparatory activities which mark the initiation of the change.

Best available technology—Equipment, devices, methods or techniques as determined by the Department which will prevent, reduce or control emissions of air contaminants to the maximum degree possible and which are available or may be made available.

Blender—A person who owns, leases, operates, controls or supervises an oxygenate blending facility.

Bonding maskant—A temporary coating used to protect selected areas of aerospace parts from strong acid or alkaline solutions during processing for bonding.

Bottom filling—The filling of a tank truck or stationary storage tank through an opening which is flush with or directly adjacent to the tank bottom.

Bulk gasoline plant—A gasoline storage and distribution facility with a daily throughput of less than 20,000 gallons (76,000 liters).

Bulk gasoline terminal—A gasoline storage and distribution facility which has a daily throughput of 20,000 gallons (76,000 liters) or more of gasoline.

Bus pool—An employer-administered bus transportation service having advance ticket purchase, guaranteed seats and limited pickup at defined locations.

CARB—California Air Resources Board—The board established and empowered to regulate sources of air pollution in California, including motor vehicles, under California Health & Safety Code Section 39003.

CARB Executive Order—A document issued by CARB certifying that a specified engine family or model year vehicle has met applicable Title 13 CCR requirements for certification and sale in California.

CARC—chemical agent resistant coating—An exterior topcoat applied to aerospace vehicles or components designed to withstand exposure to chemical warfare agents or the decontaminants used on these agents.

CCR—California Code of Regulations.

CEMS—Continuous emissions monitoring system—For purposes of Chapter 127, Subchapter E, all of the equipment that may be required to meet the data acquisition and availability requirements of Chapter 127, Subchapter E to sample, condition, analyze and provide a record of emissions on a continuous basis.

CERMS—Continuous emissions rate monitoring system—For purposes of Chapter 127, Subchapter E, the total equipment required for the determination and recording of the pollutant mass emissions rate, in terms of mass per unit of time.

CMSA—Consolidated Metropolitan Statistical Area.

CO—Carbon monoxide.

CO₂—Carbon dioxide.

CPDS—Certified Product Data Sheet—For purposes of wood furniture manufacturing operations under §§ 129.101—129.107 (relating to wood furniture manufacturing operations), documentation furnished by a coating supplier or an outside laboratory for a coating, strippable spray booth coating or solvent that provides the VOC content as pounds of VOC per pound of coating solids calculated from data measured using the EPA Reference Method 24 or an equivalent or alternative method. Batch formulation data may be used if it is demonstrated to the satisfaction of the Administrator of the EPA that the coating does not release additional VOC as reaction byproducts during the cure. The VOC content stated should represent the maximum VOC emission potential of the coating, strippable spray booth coating or solvent.

CPMS—Continuous parameter monitoring system—For purposes of Chapter 127, Subchapter E, all of the equipment necessary to meet the data acquisition and availability requirements to monitor process and control device operational parameters (for example, control device secondary voltages and electric currents), and other information (for example, gas flow rate, O₂ or CO₂ concentrations), and to record average operational parameter values on a continuous basis.

Can coating—Exterior coating and interior spray coating in two-piece can lines; interior and exterior coating in sheet coating lines for three-piece cans; side-seam spray coating and interior spray coating in can-fabricating lines for three-piece cans; and sealing compound application and sheet coating in end coating lines.

Carbon adsorber—A bed of activated carbon into which an air/solvent gas-vapor stream is routed and which absorbs the solvent on the carbon.

Car pool—Two or more persons commuting to a worksite on a regular basis in a vehicle with a capacity of less than seven seating positions.

Carrier—A distributor who does not take title to or otherwise have ownership of the gasoline, and does not alter either the quality or quantity of the gasoline.

Charging—The operation by which coal is introduced into a coke oven.

Charging port—An opening on the oven through which coal is or may be introduced into a coke oven whether or not the opening is regularly used for that purpose, including a jumper pipe port.

Chemical milling maskant—A coating that is applied directly to aluminum aerospace vehicles or components to protect surface areas when chemically milling the component with a Type II etchant. The term does not include maskants used with Type I etchants, bonding maskants, line sealers and critical use and seal coat maskants. Additionally, maskants that must be used on an individual part or subassembly with a combination of Type II etchants and any of these types of maskants—for example, Type I compatible, bonding, line sealers and critical use and seal coat.

Classic motor vehicle—A motor vehicle, but not a reproduction thereof, manufactured at least 15 years prior to the current year which has been maintained in or restored to a condition which is substantially in conformity with manufacturer specifications and appearance.

Clean Air Act—The Clean Air Act (42 U.S.C.A. §§ 7401—7642), and the rules and regulations promulgated thereunder.

Clean Vehicles Program—A low-emissions vehicle program established under section 177 of the Clean Air Act (42 U.S.C.A. § 7507) which implements the low emission standards for new motor vehicles and motor vehicle engines adopted by California under a waiver obtained from the Administrator of the EPA under section 209(b) of the Clean Air Act (42 U.S.C.A. § 7543(b)).

Cleaning operation—Spray-gun, hand-wipe and flush cleaning operations.

Cleaning solvent—A liquid material used for hand-wipe spray gun or flush cleaning. The term includes solutions that contain VOCs.

Clear coat—A coating which lacks opacity or which is transparent and uses the undercoat as a reflectant base or undertone color, except for extreme performance coatings.

Closed charging—The introduction of coal into a coke oven without exposing or opening the receiving coke oven to the atmosphere during charging.

Closed charging emissions—An air contaminant emitted during closed charging from equipment through or by which coal is transported from storage or preheat hoppers and from a point on the receiving oven, including, but not limited to, a transport pipe, duct, fitting, valve or charging port or offtake piping.

Closed-cycle depainting system—A dust free, automated process that removes a permanent coating in small sections at a time, and maintains a continuous vacuum around the area being depainted to capture emissions.

Coating—For purposes of wood furniture manufacturing operations under §§ 129.101—129.107, a protective, decorative or functional material applied in a thin layer to a surface.

(i) The term includes paints, topcoats, clear coats, varnishes, sealers, stains, washcoats, basecoats, inks and temporary protective coatings.

(ii) The term does not include adhesives.

Coating solids or *solids*—For purposes of wood furniture manufacturing under §§ 129.101—129.107, the part of the coating which remains after the coating is dried or cured. Solids content is determined using data from the EPA Reference Method 24 or an alternative method approved by the Administrator of the EPA.

Coil coating—The coating of a continuous flat metal sheet or strip.

Coke oven—The chamber into which coal is introduced for coking, including, but not limited to, the doors, jambs, refractory floor, walls and ceiling, charging ports and charging port covers—that is, lids—and the offtake piping, damper and other ducts or piping associated therewith.

Coke oven battery—A process consisting of a jointly operated group of slot-type coke ovens, the operation of which results in the destructive distillation of coal by the indirect application of heat to separate the gaseous and liquid distillates from the carbon residue and includes coal preparation, coal charging, coking, separation and cleaning of the distillate, coke pushing, hot coke transfer and coke quenching. A coke oven battery is a single source for the purpose of this article and shall include, but not be limited to, the following, when present: the ovens; coal preheaters; underfiring systems; waste heat stack; offtake piping; flues; closed charging systems; door hoods; and operating equipment including larry cars, jumper pipes, pusher machines, door machines, mud trucks and quench cars associated with the operation of a battery. Existing batteries are identified as follows:

<i>Operator</i>	<i>Plant</i>	<i>Identifying Symbol</i>
Bethlehem Steel	Bethlehem	“2A” (includes batteries #2 and #3), “A”
Erie Coke Corporation	Erie	#1
Koppers Industries	Monessen	#1B, #2 (operated as one battery for purposes of meeting the charging standard)

Coke oven gas collector main—The pipes or ducts by which the gaseous byproducts of coking are transported from the offtake piping of coke ovens to the byproduct plant.

Coke oven topside—The top of the coke oven, including, but not limited to, the charging ports; charging port covers—that is, lids; refractory ceiling; flue caps; and offtake piping associated with an oven.

Cold cleaning degreaser—A batch-loaded device using nonboiling organic solvent to clean or degrease metal parts.

Cold cleaning machine—

(i) A device or piece of equipment, containing or using nonboiling liquid which contains greater than 5% VOC or hazardous air pollutant (HAP) by weight, into which parts are placed to remove dirt, grease or oil from the surfaces of the parts or to dry the parts.

(ii) The term does not include machines which do not have a solvent/air interface, such as airless and airtight cleaning systems.

Combustion efficiency—A measure of the extent of a combustion reaction, abbreviated C. E. and computed as follows:

$$\text{C. E.} = \frac{[\text{CO}_2]}{[\text{CO}_2] + [\text{CO}]} \times 100\%$$

where: $[\text{CO}_2]$ = concentration of carbon dioxide and
 $[\text{CO}]$ = concentration of carbon monoxide

Combustion unit—A stationary equipment used to burn fuel primarily for the purpose of producing power or heat by indirect heat transfer.

Commence—As applied to the construction, modification or installation of an air contamination source or facility the owner or operator has the necessary approvals including plan approvals or permits and has either:

(i) Begun, or caused to begin, a continuous program of actual onsite construction of the facility, to be completed within a reasonable time.

(ii) Entered into binding agreements or contractual obligations, which cannot be canceled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

Commercial exterior aerodynamic structure primer—An aerospace vehicle or component primer used on aerodynamic components and structures that protrude from the fuselage, such as wings and attached components, control surfaces, horizontal stabilizers, vertical fins, wing-to-body fairings, antennae and landing gear and doors, for the purpose of extended corrosion protection and enhanced adhesion.

Commercial fuel oil—Commercial fuel oil and mixtures of commercial fuel oils with other fuels where greater than 50% of the heat content is derived from the commercial fuel oil.

Commercial interior adhesive—Materials used in the bonding of passenger cabin interior components which meet the Federal Aviation Administration (FAA) fireworthiness requirements.

Commuting trips—Trips from the employee's residence to the employee's worksite including stops en route to work during the peak travel period.

Compatible epoxy primer—An aerospace vehicle or component primer that is compatible with the filled elastomeric coating and is epoxy based. The compatible substrate primer is an epoxy-polyamide primer used to promote adhesion of elastomeric coatings such as impact-resistant coatings.

Compatible substrate primer—Either compatible epoxy primer or adhesive primer applied to aerospace vehicles or components.

Compliance account—The place in the NO_x allowance tracking system where allowances are recorded and held by a NO_x affected source.

Compliance docket—The list of violations or lack of intention or ability to comply maintained by the Department which identifies sources and facilities for which plan approvals and operating permits cannot be issued based on non-compliance with the act and the regulations adopted under the act.

Compliance review form—The form completed by the applicant periodically or as part of the plan approval application or operating permit application in which an applicant submits information about its compliance status and that of related parties including information which is presently unknown to the Department.

Compliant coating—A coating that meets the applicable emission limits specified in Chapter 129 (relating to standards for sources).

Compliant fuel—Low RVP gasoline.

Confined space—A space that is the following:

- (i) Large enough and so configured that an employee can enter and perform assigned work.
- (ii) Has limited or restricted means for entry or exit—for example, fuel tanks, fuel vessels and other spaces that have limited means of entry.
- (iii) Not suitable for continuous employee occupancy.

Construction—To physically initiate assemblage, installation, erection or fabrication of an air contamination source or an air pollution control device, including building supports and foundations and other support functions.

Continuous coater—A surface coating process that continuously applies coatings onto parts moving along a conveyor. Coatings that are not transferred to the part are recycled to a reservoir. Several types of application methods can be used with a continuous coater including spraying, curtain coating, roller coating, dip coating and flow coating.

Control area—A geographic area in which only gasoline under the oxygenated gasoline program may be sold or dispensed, with boundaries determined

by section 211(m) of the Clean Air Act (42 U.S.C.A. § 7545(m)). The term includes the counties of Bucks, Chester, Delaware, Montgomery and Philadelphia.

Control period—The period from November 1 to February 29 or other period approved by the Administrator of the EPA and published in the *Federal Register*, during which oxygenated gasoline is required to be sold and dispensed in a control area, under section 211(m)(2) of the Clean Air Act.

Conventional air spray—A spray coating application method in which the coating is atomized by mixing it with compressed air and applied at an air pressure greater than 10 pounds per square inch (gauge) at the point of atomization. The term does not include:

- (i) Airless and air assisted airless spray technologies.
- (ii) Electrostatic spray technology.

Conveyorized degreaser—A continuously-loaded device containing either boiling or nonboiling solvents used to clean metal parts or used in production of electronic circuit boards.

Corrosion prevention system—A coating system applied to aerospace vehicles or components that provides corrosion protection by displacing water and penetrating mating surfaces, forming a protective barrier between the metal surface and moisture. Coatings containing oils or waxes are excluded from this category.

Cosmetic specialty coatings—Materials including padding stains, shading stains, sap stains, spatter stains, fillers, waxes and inks applied to enhance wood finishes.

Creation—The process of generating usable and tradable ERCs to be used to offset emissions. This process includes the following elements:

- (i) Application.
- (ii) Documentation.
- (iii) Quantification.
- (iv) Verification.
- (v) Entry into the registry.

Creditable emissions decrease—Emission changes at an existing major facility as determined in accordance with § 127.203a(a)(3).

Critical use and line sealer maskant—

(i) a temporary coating applied to aerospace vehicles or components, not covered under other maskant categories, used to protect selected areas of aerospace parts from strong acid or alkaline solutions such as those used in anodizing, plating, chemical milling and processing of magnesium, titanium or high strength steel, high precision aluminum chemical milling of deep cuts and aluminum chemical milling of complex shapes.

(ii) The term includes materials used for repairs or to bridge gaps left by scribing operations—that is, a line sealer.

Cryogenic flexible primer—A primer applied to aerospace vehicles or components designed to provide corrosion resistance, flexibility and adhesion of subsequent coating systems when exposed to loads up to and surpassing the yield point of the substrate at cryogenic temperatures (−275°F and below).

Cryoprotective coating—A coating applied to aerospace vehicles or components that:

- (i) Insulates cryogenic or subcooled surfaces to limit propellant boil-off.
- (ii) Maintains structural integrity of metallic structures during ascent or reentry.
- (iii) Prevents ice formation.

Curtain coating—The application of a coating to an object by moving the object through a falling curtain of coating.

Cutback asphalt—Asphalt cement which has been liquefied by blending with petroleum solvents—diluent—which, upon application, evaporate to the atmosphere. The term does not include an emulsified asphalt paving compound which contains less than 12% of solvent—diluent—by volume.

Cyanoacrylate adhesive—A fast-setting, single component adhesive that cures at room temperature. The term is also known as “super glue.”

Daily—The discrete 24-hour period from 12 p.m. to the next 12 p.m.

Deactivation—Cessation of the emissions of an air pollutant from air contamination source, emissions unit or facility.

Dealer—A person who is engaged in the sale or distribution of new motor vehicles or new motor vehicles to the ultimate purchaser as defined in section 216(4) of the Clean Air Act (42 U.S.C.A. § 7550(4)).

De minimis emissions increase—For purposes of Chapter 127, Subchapter E, an increase in emissions calculated in accordance with § 127.203a(a)(1)(i) which is less than the emissions rate that is significant as defined in this section.

Deviation—An activity that occurred at a source owned or operated in this Commonwealth by the applicant, permittee or related party within the 5 years prior to the date of submission of the compliance review form but not prior to July 9, 1992, that has not been formally documented by the Department or another authorized enforcement or regulatory agency in this Commonwealth which exceeds applicable emission limits or otherwise did not conform to the act, regulations promulgated thereunder, plan approvals, permits or orders of the Department. The identification of a deviation on a compliance review form does not constitute a waiver of a defense to liability under the law for the activity disclosed. The term includes, but is not limited to, the following:

- (i) Unauthorized, accidental or emergency releases of air pollutants.
- (ii) Malfunctions of equipment, the maintenance of which is necessary to meet plan approval requirements or emission limitations.

(iii) Instances of exceeding permit terms or conditions or regulatory requirements found during routine plant maintenance, whether or not the Department is aware of the situation.

(iv) Instances of exceeding permit terms or conditions or regulatory requirements recorded by continuous monitoring equipment.

(v) Other departures from the requirements of the act, regulations adopted under the act, terms or conditions of operating permits or plan approvals and Department orders by the applicant or a related party.

Dip coating—The application of a coating by immersing an object into the coating.

Dispersion technique—An attempt to affect the concentration of a pollutant in the ambient air by methods contained in 40 CFR 51.100 (gg)—(kk) (relating to definitions).

Distributor—A person who transports, stores or causes the transportation or storage of gasoline at any point between a refinery, an oxygenate blending facility or terminal and a retail outlet or wholesale purchaser-consumer's facility. The term includes a refinery, an oxygenate blending facility or a terminal.

Documented conduct—An activity that occurred at a source owned or operated in this Commonwealth by the applicant, permittee or a related party within 5 years prior to the date of submission of the compliance review form but not prior to July 9, 1992, identified by the Department as a violation of the act, the regulations, a plan approval, permit or Department order issued under the act. The term includes, but is not limited to, activities which are described in or the subject of the following:

(i) Notices of violation issued by the Department or another authorized enforcement or regulatory agency in this Commonwealth against the applicant, permittee or a related party.

(ii) Administrative orders, civil penalties, permit suspensions or revocations and civil penalty actions issued by the Department or another authorized enforcement or regulatory agency in this Commonwealth against the applicant, permittee or a related party concerning the act, regulations adopted under the act, terms or conditions of an operating permit or plan approval, or order.

(iii) Consent decrees, consent orders and adjudications, consent orders and agreements, consent assessments, letter agreements, stipulations or other settlements between the Department or another authorized enforcement or regulatory agency in this Commonwealth against an applicant, permittee or a related party concerning the act, regulations adopted under the act, terms or conditions of an operating permit or plan approval, or an order.

(iv) Pennsylvania court proceedings related to enforcement of the act, including proceedings before the EHB, involving an applicant, permittee or a related party.

(v) Summary, misdemeanor or felony convictions, or pleas of guilty or pleas of no contest that have been entered in this Commonwealth against an applicant, permittee or a related party under the act.

(vi) A suspension, revocation or denial of reissuance of an operating permit issued to an applicant, permittee or a related party under the act.

Door area—The vertical face of a coke oven between the bench and the top of the battery and between two adjacent buckstays.

Door area emissions—An air contaminant emitted into the outdoor atmosphere from a door area, including, but not limited to, emissions from the door, chuck door, door seal, jamb or refractory.

Drum—A cylindrical metal shipping container which has a capacity between 12 and 110 gallons.

Dry cleaning facility—A facility engaged in the cleaning of fabrics in an essentially nonaqueous solvent by means of one or more washes in solvent, extraction of excess solvent by spinning and drying by tumbling in an air-stream. The facility includes, but is not limited to, washers, dryers, filters and purification systems, waste disposal systems, holding tanks, pumps and attendant piping and valves.

Dwell—The holding of metal parts within the freeboard area of a solvent cleaning machine above the solvent vapor zone to allow solvent to drain from the parts or parts baskets back into the solvent cleaning machine.

Dwell time—The period of time between when a parts basket is placed in the solvent vapor zone of a batch vapor or in-line vapor cleaning machine and when solvent dripping ceases.

ERC—Emission Reduction Credit—A permanent, enforceable, quantifiable and surplus emissions reduction which can be considered as a reduction for the purpose of offsetting emissions increases.

Economic Incentive Program—A program developed by a source or the Department that is submitted to the EPA as a revision to the SIP. The program may include emissions fees or a system of marketable permits, or a system of fees on the sale or manufacture of products, the use of which contributes to ozone formation, or a combination of the foregoing or similar measures, as well as incentives and requirements to reduce vehicle emissions and vehicle miles traveled in the area, including a transportation control measure identified in section 108(f) of the Clean Air Act (42 U.S.C.A. § 7408(f)). The term includes a program that may be directed toward stationary, area or mobile sources to achieve emission reduction milestones, to attain and maintain NAAQS, or to provide more flexible lower cost approaches to meeting applicable requirements.

Electric generating facility—For the purposes of NO_x allowance requirements, any fossil fuel fired combustion facility of 15 MW or greater electrical generating capacity.

Electric or radiation-effect coating—

(i) A coating or coating system applied to aerospace vehicles or components engineered to interact, through absorption or reflection, with specific regions of the electromagnetic energy spectrum, such as the ultraviolet, visible, infrared or microwave regions.

(ii) Uses include, but are not limited to:

(A) Lightning strike protection.

(B) Electromagnetic pulse (EMP) protection.

(C) Radar avoidance.

(iii) The term excludes coatings that have been designated “classified” by the Department of Defense.

*Electric utility steam generating unit—*For purposes of the NSR requirements in Chapter 127, Subchapter E, a steam electric generating unit that is constructed for the purpose of supplying more than one-third of its potential electric output capacity and more than 25 MW electrical output to a utility power distribution system for sale. Steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

*Electrostatic discharge and electromagnetic interference (EMI) coating—*A coating applied to space vehicles, missiles, aircraft radomes and helicopter blades to disperse static energy or reduce electromagnetic interference.

*Elevated temperature skydrol resistant commercial primer—*A primer, applied primarily to commercial aircraft (or commercial aircraft adapted for military use), that must withstand immersion in phosphate-ester (PE) hydraulic fluid (skydrol 500B or equivalent) at the elevated temperature of 150°F for 1,000 hours.

*Emergency vehicle—*A fire, police or sheriff department vehicle, ambulance, blood-delivery vehicle, hazardous material response vehicle, armed forces emergency vehicle, one vehicle operated by a coroner or chief deputy coroner or deputy chief county medical examiner used for answering emergency calls. The term includes motor vehicles under 75 Pa.C.S. § 6106 (relating to designation of emergency vehicles by Pennsylvania State Police), or a privately-owned vehicle specified in 75 Pa.C.S. § 102 (relating to definitions) which is used in answering an emergency call by any of the following:

(i) A police chief and assistant chief.

(ii) A fire chief, assistant chief and, when a fire company has three or more fire vehicles, a second or third assistant chief.

(iii) A fire police captain and fire police lieutenant.

(iv) An ambulance corps commander and assistant commander.

(v) A river rescue commander and assistant commander.

(vi) A county emergency management coordinator.

(vii) A fire marshall.

(viii) A rescue service chief and assistant chief.

Emissions—Air contaminants emitted into the outdoor atmosphere.

Emissions unit—For purposes of Chapter 127, Subchapter E, a part of a facility that emits or has the potential to emit a regulated NSR pollutant including an electric utility steam generating unit as defined in this section. For the purposes of NSR requirements, there are two types of emissions units:

(i) A new emissions unit, which is or will be newly constructed and which has existed for less than 2 years from the date the emissions unit first operated.

(ii) An existing emissions unit is an emissions unit that does not meet the requirements in subparagraph (i). A replacement unit, as defined in this section, is an existing emissions unit.

Employee—For purposes of the employer trip reduction requirements of Chapter 126, Subchapter B (relating to employer trip reduction), a person working for a firm, person, educational institution, nonprofit agency or corporation, Federal, state or local government department or agency or other entity, in a full or part time position who either reports to work or is assigned primarily to a worksite 80 or more hours per 28-day period in either a permanent or temporary capacity, on either a contract or employed basis, excluding volunteers.

Employer—For purposes of the employer trip reduction requirements of Chapter 126, Subchapter B, a person, firm, business, educational institution, government department or agency, nonprofit agency or corporation or another entity which employs 100 or more employees at a single worksite within the Philadelphia CMSA and which has 33 or more employees reporting to the worksite during the peak travel period. Several subsidiaries or units that occupy the same worksite and report to one common governing body or governing entity are considered to be one employer.

Enamel—A coat of colored material, usually opaque, that is applied as a protective topcoat over a basecoat, primer or previously applied enamel coat. Another coating may be applied as a topcoat over the enamel.

Epoxy polyamide topcoat—A coating applied to aerospace vehicles or components when harder films are required or in some areas where engraving is accomplished in camouflage colors.

Erie air basin—The following political subdivisions in Erie County: City of Erie, Harborcreek Township, Lawrence Park Township, Millcreek Township and Wesleyville Borough.

Equivalent method—A method of sampling and analyzing for an air pollutant that has been demonstrated to the satisfaction of the Administrator of the EPA to have a consistent and quantitatively known relationship to the reference method under specific conditions.

Exempt solvent—Specified organic compounds that have been designated by the EPA as having negligible photochemical reactivity and are listed in 40 CFR 51.100 (relating to requirements for preparation, adoption and submittal of implementation plans).

Extreme cleaning service—The use of a cold cleaning machine to clean parts used in the manufacture of the following gases or to clean parts exposed to these gases in manufacturing, production, research and development, analytical work, or other similar operations:

- (i) Oxygen in concentrations greater than 23%.
- (ii) Ozone
- (iii) Nitrous oxide.
- (iv) Fluorine.
- (v) Chlorine.
- (vi) Bromine.
- (vii) Halogenated compounds.

Extreme environmental conditions—Exposure to weather all of the time, temperature consistently above 203° F, detergents, abrasive and scouring agents, solvents, corrosive atmospheres or similar environmental conditions.

Extreme performance coatings—Coatings designed and used for harsh exposure or extreme environmental conditions.

Fabric coating—The coating of a textile substrate by a method, including, but not limited to, roll coating, knife coating, spray coating or use of a rotogravure device to impart properties that are not initially present, such as strength, stability, water- or acid-repellancy or appearance.

Facility—An air contamination source or a combination of air contamination sources located on one or more contiguous or adjacent properties and which is owned or operated by the same person under common control.

Federally enforceable—The limitations and conditions which are enforceable by the EPA, including:

- (i) Requirements developed under 40 CFR Parts 60 and 61.
- (ii) Requirements within an applicable SIP.
- (iii) Plan approval or operating permit requirements established under 40 CFR 52.21 (relating to prevention of significant deterioration of air quality) or under regulations approved under 40 CFR Part 51, Subpart I (relating to review of new sources and modifications), including plan approvals or operating permits issued under an EPA-approved program that is incorporated into the SIP and expressly requires adherence to a permit issued under the program.

Federally enforceable emissions cap—An operating permit condition or requirement limiting the total emissions of an air contaminant from an individual source at a facility or from a facility for a specified period of time including on an hourly, a daily, monthly or annual basis, established by the Department or assumed by the facility to avoid an applicable requirement to

which the source would otherwise be subject. An operating permit condition or requirement includes physical or operational limitations on the capacity of a source to emit an air contaminant—including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed—that has been made Federally enforceable through submission of the operating permit to the EPA as an amendment to the SIP or, if the operating permit is otherwise Federally enforceable, as a result of SIP approval by the EPA of the Department's plan approval and operating permit program.

Final repair coat—Liquids applied to correct imperfections or damage to the topcoat.

Fire-resistant (interior) coating—

(i) For civilian aircraft, fire-resistant interior coatings are used on passenger cabin interior parts that are subject to the FAA fireworthiness requirements.

(ii) For military aircraft, fire-resistant interior coatings are used on parts that are subject to the flammability requirements of MIL-STD-1630A and MIL-A-87721.

(iii) For space applications, these coatings are used on parts that are subject to the flammability requirements of SE-R-0006 and SSP 30233.

Fleet average—For the purposes of motor vehicles subject to Pennsylvania's Clean Vehicles Program requirements, a motor vehicle manufacturer's average vehicle emissions of all NMOG emissions from vehicles which are produced and delivered for sale in this Commonwealth in any model year.

Flexible primer—A primer applied to aerospace vehicles or components that meets flexibility requirements such as those needed for adhesive bond primed fastener heads or on surfaces expected to contain fuel. The flexible coating is required because it provides a compatible, flexible substrate over bonded sheet rubber and rubber-type coatings as well as a flexible bridge between the fasteners, skin and skin-to-skin joints on outer aircraft skins. This flexible bridge allows more topcoat flexibility around fasteners and decreases the chance of the topcoat cracking around the fasteners. The result is better corrosion resistance.

Flexographic printing—The application of words, designs and pictures to a substrate by means of a roll printing technique in which the pattern to be applied is raised above the printing roll and the image carrier is made of rubber or other elastomeric materials.

Flight test coating—A coating applied to aircraft other than missiles or single-use aircraft prior to flight testing to protect the aircraft from corrosion and to provide required marking during flight test evaluation.

Flow coating—The application of a coating by flowing the coating over an object and completely covering the surface.

Flue—A duct, pipe, stack, chimney or conduit permitting air contaminants to be emitted into the outdoor atmosphere which is of a nature so as to permit the performance of the test methods and procedures specified in Chapter 139 (relating to sampling and testing).

Flush cleaning—

(i) Removal of contaminants such as dirt, grease, oil and coatings from an aerospace vehicle or component or coating equipment by passing solvent over, into or through the item being cleaned. The solvent simply may be poured into the item being cleaned and then drained or assisted by air or hydraulic pressure or by pumping.

(ii) The term does not include hand-wipe cleaning operations where wiping, scrubbing, mopping or other hand action is used.

Fossil fuel—Natural gas, petroleum, coal or any form of solid, liquid or gaseous fuel derived from this material.

Fossil fuel fired—The combustion of fossil fuel or, if in combination with any other fuel, fossil fuel comprises 51% or greater of the annual heat input on a Btu basis.

Freeboard ratio—

(i) For a cold cleaning machine or batch vapor cleaning machine, the distance from the liquid solvent in the idling mode to the top edge of the cleaning machine divided by the smaller dimension of the cleaning machine.

(ii) For an operating in-line vapor cleaning machine, the distance from the solvent/air interface to the bottom of the entrance or exit opening, whichever is lower, as measured during the idling mode.

Freeboard refrigeration device—A set of secondary coils mounted in the freeboard area of a solvent cleaning machine that carries a refrigerant or other chilled substance to provide a chilled air blanket above the solvent vapor. A solvent cleaning machine primary condenser which is capable of maintaining a temperature in the center of the chilled air blanket at not more than 30% of the solvent boiling point is both a primary condenser and a freeboard refrigeration device.

Fuel tank adhesive—An adhesive used to bond aerospace vehicle components exposed to fuel and which must be compatible with fuel tank coatings.

Fuel tank coating—A coating applied to aerospace vehicle fuel tank components for the purpose of corrosion or bacterial growth inhibition and to assure sealant adhesion in extreme environmental conditions.

Fugitive air contaminant—An air contaminant of the outdoor atmosphere not emitted through a flue, including, but not limited to, industrial process losses, stock pile losses, reentrained dust and construction/demolition activities.

Fugitive emissions—For purposes of Chapter 127 (relating to construction, modification, reactivation and operation of sources), those emissions which could not reasonably pass through a stack, chimney, vent or other functionally equivalent opening.

GVWR—Gross Vehicle Weight Rating—The total motor vehicle weight, including load, as designated by the manufacturer of the vehicle.

Gasoline—A petroleum distillate having a Reid vapor pressure of 4 pounds per square inch (28 kilopascals) or greater and which is a liquid at standard temperature and pressure.

Gasoline dispensing facility—A facility from which gasoline is transferred to motor vehicle fuel tanks.

Gasoline tank truck—Tank trucks or trailers equipped with a storage tank and used for the transport of gasoline from sources of supply to small gasoline storage tanks, bulk gasoline plants or bulk gasoline terminals.

Gas service—Equipment which processes, transfers or contains a VOC or mixture of VOCs in the gaseous phase.

General account—An account in the NATS that is not a compliance account.

General operating permit—An operating permit issued for a category of stationary air contamination sources that the Department determines are similar in nature and that can be adequately regulated using standardized specifications and conditions.

General plan approval—A plan approval issued for a category of stationary air contamination sources that the Department determines are similar in nature and that can be adequately regulated using standardized specifications and conditions.

Generation—With respect to ERCs, an action taken by an owner or operator of an air contamination source, emissions unit or facility that results in the actual reduction of emissions.

Good engineering practice stack height—The distance above the exhaust point grade elevation, necessary to insure that emissions from the stack do not result in excessive concentrations of air pollutants in the immediate vicinity of the source as set forth in 40 CFR 51.100(gg)—(kk) except as permitted by 40 CFR 51.118(b) (relating to stack height provisions).

Green tires—Assembled tires before molding and curing have occurred.

Green-tire spraying—The spraying of green tires, both inside and outside, with release compound which helps remove air from the tire during molding and prevents the tire from sticking to the mold after curing.

Hand-wipe cleaning operation—Removing contaminants such as dirt, grease, oil and coatings from an aerospace vehicle or component by physically

rubbing it with a material such as a rag, paper or cotton swab that has been moistened with a cleaning solvent.

Harrisburg air basin—The following political subdivisions in Cumberland County: Camp Hill Borough, East Pennsboro Township, Lemoyne Borough, New Cumberland Borough, West Fairview Borough, Wormleysburg Borough, and the political subdivisions in Dauphin County of the City of Harrisburg, Highspire Borough, Lower Swatara Township, Middletown Borough, Paxtang Borough, Royalton Borough, Steelton Borough, Susquehanna Township and Swatara Township.

Harrisburg Area Transportation Study area—Includes the following municipalities of Cumberland, Dauphin, Perry and York Counties:

(i) Cumberland County—Boroughs of Camp Hill, Carlisle, Lemoyne, Mechanicsburg, Mount Holly Springs, New Cumberland, Shiremanstown, West Fairview and Wormleysburg; Townships of East Pennsboro, Hampden, Lower Allen, Middlesex, Monroe, North Middleton, Silver Springs, South Middleton and Upper Allen.

(ii) Dauphin County—City of Harrisburg, Boroughs of Dauphin, Highspire, Hummelstown, Middletown, Paxtang, Penbrook, Royalton and Steelton; Townships of Conewago, Derry, East Hanover, Londonderry, Lower Paxton, Lower Swatara, Middle Paxton, Reed, South Hanover, Susquehanna, Swatara and West Hanover.

(iii) Perry County—Boroughs of Duncannon and Marysville; Townships of Rye and Penn.

(iv) York County—Township of Fairview.

Heat input—Heat derived from the combustion of fuel in a NO_x affected source. The term does not include the heat derived from preheated combustion air, recirculated flue gas or exhaust from another source or combination of sources.

Heavy-duty diesel engine—A diesel engine that is used to propel a motor vehicle with a GVWR of greater than 14,000 pounds.

Heavy-duty diesel vehicle—A diesel-powered motor vehicle with a GVWR of greater than 14,000 pounds.

High temperature coating—An aerospace vehicle or component coating designed to withstand temperatures of more than 350°F.

High volume-low pressure spray—The application of a coating by means of a gun which operates between 0.1 and 10.0 psig air pressure.

Hopper car—A rail car which is used to transport raw materials such as coal, iron ore or grain in bulk and in an unpackaged form.

Idling mode—The time period when a solvent cleaning machine is not actively cleaning metal parts and the sump heating coils, if present, are turned off.

Immersion cold cleaning machine—An open top cold cleaning machine in which the parts are immersed in the solvent when being cleaned.

Importer—A person who imports gasoline or gasoline blending stocks or components from a foreign country into the United States.

Incineration—The combustion of wastes, including municipal wastes, in an enclosed device with the products of combustion directed to a flue as defined in this section.

Incinerator—A device designed to burn or oxidize solid, semisolid, liquid or gaseous wastes for the primary purpose, as determined by the Department, of volume reduction or of disposal. The term includes heat recovery systems.

Indirect heat exchange combustion unit—Combustion equipment in which the flame or products of combustion, or both, are separated from any contact with the principal material in the process by metallic or refractory walls, including, but not limited to, steam boilers, vaporizers, melting pots, heat exchangers, column reboilers, fractioning column feed preheaters, reactor feed preheaters, fuel-fired reactors such as steam hydrocarbon reformer heaters and pyrolysis heaters.

In-line vapor cleaning machine—A vapor cleaning machine that uses an automated parts handling system, typically a conveyor, to automatically provide a supply of parts to be cleaned. In-line vapor cleaning machines are fully enclosed except for the conveyor inlet and exit portals.

Inner zone of the Southeast Pennsylvania air basin—Philadelphia County; the following political subdivision in Bucks County: Bensalem Township, Bristol Borough, Bristol Township, Falls Township, Morrisville Borough and Tullytown Borough; the following political subdivisions in Montgomery County: Abington Township, Bridgeport Borough, Bryn Athyn Borough, Cheltenham Township, Conshohocken Borough, East Norriton Township, Jenkintown Borough, Lower Merion Township, Lower Moreland Township, Narberth Borough, Norristown Borough, Plymouth Township, Rockledge Borough, Springfield Township, Upper Merion Township, West Conshohocken Borough, West Norriton Township and Whitmarsh Township; and all of Delaware County except for Bethel Township, Birmingham Township, Chester Heights Borough, Concord Township, Edgemont Township, Newton Township and Thornbury Township.

Insulation covering—Material that is applied to foam insulation to protect the insulation from mechanical or environmental damage.

Intermediate release coating—A thin coating applied beneath topcoats on aerospace vehicles or components to assist in removing the topcoat in repainting operations and generally to allow the use of less hazardous repainting methods.

Johnstown air basin—The political subdivisions in Cambria County of Brownstown Borough, Conemaugh Township, Daisytown Borough, Dale Borough, East Conemaugh Borough, East Taylor Township, Ferndale Borough, Franklin Borough, Geistown Borough, City of Johnstown, Lorain Borough, Lower Yoder Township, Middle Taylor Township, Southmont Borough, Stonycreek Township, Upper Yoder Township, West Taylor Township and Westmont Borough.

LAER—Lowest Achievable Emission Rate—

(i) The rate of emissions based on the following, whichever is more stringent:

(A) The most stringent emission limitation which is contained in the implementation plan of a state for the class or category of source unless the owner or operator of the proposed source demonstrates that the limitations are not achievable.

(B) The most stringent emission limitation which is achieved in practice by the class or category of source.

(ii) The application of the term may not allow a new or proposed modified source to emit a pollutant in excess of the amount allowable under an applicable new source standard of performance.

LDT—light-duty truck—

(i) For purposes of § 129.52 (relating to surface coating processes), a light-duty truck is a motor vehicle rated at 8,500 pounds gross vehicle weight or less which is designed primarily for purposes of transportation or major components of the vehicle, including, but not limited to, chassis, frames, doors and engines.

(ii) For purposes of Chapter 126, Subchapter D (relating to the Pennsylvania Clean Vehicles Program), a light-duty truck is a motor vehicle rated at 8,500 pounds gross vehicle weight or less which is designed primarily for purposes of transportation of property or is a derivative of such a vehicle, or is available with special features enabling off-street or off-highway operation and use.

LDV—light-duty vehicle—A passenger car or light-duty truck.

Lacquer—A clear or pigmented coating formulated with a nitrocellulose or synthetic resin to dry by evaporation without a chemical reaction. Lacquers are resolvable in their original solvent.

Lancaster air basin—The political subdivisions in Lancaster County of East Petersburg Borough, City of Lancaster, Lancaster Township, Manheim Township and Millersville Borough.

Large appliances—Doors, cases, lids, panels and interior support parts of washers, dryers, ranges, refrigerators, freezers, water heaters, dishwashers, trash compactors, air conditioners and other similar products.

Lease custody transfer—The transfer of produced crude oil or condensate, after processing or treating in the producing operations, from storage tanks or automatic transfer facilities to pipelines or other forms of transportation.

Limited access space—Internal surfaces or passages of an aerospace vehicle or component to which coatings cannot be applied without the aid of an airbrush or a spray gun extension for the application of coatings.

Liquid service—Equipment which processes, transfers or contains a VOC or mixture of VOCs in the liquid phase.

Low RVP gasoline—Gasoline that has an RVP of 7.8 pounds per square inch or less as determined in accordance with the appropriate sampling and testing methodologies in 40 CFR Part 80, Appendix E (relating to test for determining Reid vapor pressure (RVP) of gasoline and gasoline-oxygenate blends).

Lower Beaver Valley air basin—All of Beaver County except for the following political subdivisions: Darlington Borough, Darlington Township, Economy Borough, Frankfort Springs Borough, Franklin Township, Hanover Township, Independence Township, Marion Township, New Sewickley Township and South Beaver Township.

Low emission vehicle—A vehicle certified as a low emission vehicle under the Clean Air Act.

Low NO_x burner with separated overfire air—A burner design capable of reducing the formation of NO_x emissions through substoichiometric combustion of fuel by means of a burner assembly consisting of two or more stages and the addition of secondary combustion air introduced downstream of the burner location.

MERC—Mobile Emission Reduction Credit—A permanent (for the time frame specified in an Economic Incentive Program), quantifiable, enforceable and surplus emissions reduction generated by a mobile source in accordance with an Economic Incentive Program which can be carried forward—for the time frame specified in the program—and considered a reduction for the purpose of offsetting emissions increases. If a MERC is used for new source review offsets, the use of the MERC shall be conditioned upon the new source obtaining other offsets that are enforceable by the time that the MERC program ceases to provide the required emissions credit.

MSDS—Material Safety Data Sheet—The documentation required for hazardous chemicals by the Occupational Safety and Health Administration (OSHA) Hazard Communication Standard—29 CFR Part 1910 (relating to occupational safety and health standards)—for a solvent, cleaning material, coating or other material that identifies select reportable hazardous ingredients of the material, safety and health considerations and handling procedures.

MWH—Megawatt hour.

Magnet wire coating—The process of applying a coating of electrically-insulating varnish or enamel to aluminum or copper wire for use in electrical machinery.

Major emissions unit—For purposes of § 127.218, an emissions unit that emits or has the potential to emit the PAL pollutant in an amount that is equal to or greater than the major facility threshold as defined in this section for the PAL pollutant.

Major facility—

(i) A facility which emits or has the potential to emit 100 TPY or more of a regulated NSR pollutant, except that lower emissions thresholds apply as follows:

(A) Fifty TPY of VOCs in a serious nonattainment area for ozone.

(B) Fifty TPY of VOCs in an area within an ozone transport region except for a severe or extreme nonattainment area for ozone.

(C) Twenty-five TPY of VOCs in a severe nonattainment area for ozone.

(D) Ten TPY of VOCs in an extreme nonattainment area for ozone.

(E) Seventy TPY of PM-10 in a serious nonattainment area for PM-10.

(F) Fifty TPY of CO in a serious nonattainment area for CO.

(ii) For the purposes of applying the requirements of Chapter 127, Subchapter E to the owner or operator of a facility located in an ozone nonattainment area or in an ozone transport region which emits or has the potential to emit NO_x, as follows:

(A) One hundred TPY or more of NO_x in an ozone nonattainment area classified as marginal, basic or moderate.

(B) One hundred TPY or more of NO_x in an ozone nonattainment area classified as a transitional, submarginal, or incomplete or no data area, when the area is located in an ozone transport region.

(C) One hundred TPY or more of NO_x in an area designated under section 107(d) of the Clean Air Act (42 U.S.C.A. § 7407(d)) as attainment or unclassifiable for ozone that is located in an ozone transport region.

(D) Fifty TPY or more of NO_x in a serious nonattainment area for ozone.

(E) Twenty-five TPY or more of NO_x in a severe nonattainment area for ozone.

(F) Ten TPY or more of NO_x in an extreme nonattainment area for ozone.

(iii) A physical change that occurs at a facility which does not exceed the major facility thresholds specified in Chapter 127, Subchapter E is considered a major facility if the change constitutes a major facility by itself.

(iv) A facility which is major for VOCs or NO_x is considered major for ozone.

(v) Notwithstanding the provisions under subparagraphs (i) and (ii), a facility which emits or has the potential to emit 25 TPY or more of NO_x or VOC and is located in Bucks, Chester, Delaware, Montgomery or Philadelphia County.

Major modification—

(i) A physical change in or change in the method of operation of a major facility that would result in the following:

(A) A significant emissions increase of a regulated NSR pollutant.

(B) A significant net emissions increase of that pollutant from the major facility.

(ii) A proposed de minimis increase that would result in a net emissions increase as determined under Chapter 127, Subchapter E that meets or exceeds the applicable emissions rate that is significant.

(iii) A significant emissions increase from an emissions unit or a net emissions increase at a major facility that is significant for VOCs or NO_x is considered significant for ozone.

(iv) A physical change in or change in the method of operation of a major facility does not include:

(A) Routine maintenance, repair and replacement.

(B) The use of an alternative fuel or raw material by reason of an order under section 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (ESECA) (15 U.S.C.A. § 79(a) and (b)) (or superseding legislation) or by reason of a natural gas curtailment plan under the Federal Power Act (16 U.S.C.A. §§ 792—825r).

(C) The use of an alternative fuel by reason of an order or rule under section 125 of the Clean Air Act (42 U.S.C.A. § 7425).

(D) The use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.

(E) The use of an alternative fuel or raw material by a facility which meets one of the following conditions:

(I) The facility was capable of accommodating the fuel before January 6, 1975, unless the change would be prohibited under a Federally enforceable operating permit condition.

(II) The facility is approved to use the fuel or material under a Federally enforceable operating permit.

(F) An increase in the hours of operation or in the production rate, unless the change is prohibited under a condition of a Federally enforceable plan approval or an operating permit.

(G) A change in ownership of a facility.

(v) The term does not apply to a particular regulated NSR pollutant when the major facility is complying with the requirements under § 127.218. Instead, the definition of “PAL major modification” applies.

*Major NO_x emitting facility—*A facility which emits or has the potential to emit NO_x from the processes located at the site or on contiguous properties under the common control of the same person at a rate greater than one of the following:

(i) Ten TPY in an ozone nonattainment area designated as extreme under section 182(e) and (f) of the Clean Air Act (42 U.S.C.A. § 7511a(e) and (f)).

(ii) Twenty-five TPY in an ozone nonattainment area designated as severe under section 182(d) and (f) of the Clean Air Act.

(iii) Fifty TPY in an area designated as serious under section 182(c) and (f) of the Clean Air Act.

(iv) One hundred TPY in an area included in an ozone transport region established under section 184 of the Clean Air Act (42 U.S.C.A. § 7511c).

(v) Twenty-five TPY and is located in Bucks, Chester, Delaware, Montgomery or Philadelphia County.

Major VOC emitting facility—A facility which emits or has the potential to emit VOCs from processes located at the site or on contiguous properties under the common control of the same person at a rate greater than one of the following:

(i) Ten TPY in an ozone nonattainment area designated as extreme under section 182(e) of the Clean Air Act.

(ii) Twenty-five TPY in an ozone nonattainment area designated as severe under section 182(d) of the Clean Air Act.

(iii) Fifty TPY in an area included in an ozone transport region established under section 184 of the Clean Air Act.

(iv) Twenty-five TPY and is located in Bucks, Chester, Delaware, Montgomery or Philadelphia County.

Malodor—An odor which causes annoyance or discomfort to the public and which the Department determines to be objectionable to the public.

Maximum allowable emissions—The emission rate calculated using the maximum rated capacity of the source unless the source is subject to enforceable permit conditions which limit operating rate or hours of operation, or both, and the most stringent of the following:

(i) Applicable new source performance standards or standards for hazardous pollutants in 40 CFR Parts 60 and 61.

(ii) Applicable emission limitation under this title.

(iii) The emission rate specified as an enforceable permit.

Maximum heat input capacity—The maximum steady state heat input under which a source may be operated as determined by its physical design and characteristics. Maximum heat input capacity is expressed in millions of British Thermal Units (MMBtu) per unit of time.

Metal furniture coating—The surface coating of a furniture made of metal or a metal part which will be assembled with other metal, wood, fabric, plastic or glass parts to form a furniture piece.

Metalized epoxy coating—A coating applied to aerospace vehicles or components that contains relatively large quantities of metallic pigmentation for appearance or added protection, or both.

Minor operating permit modification—A change to incorporate de minimis conditions and other insignificant physical changes to a source or applicable requirements into an existing permit or a change that does not require plan approval but which contravenes an express permit term. The term does not include the following:

- (i) A change to permit terms or conditions that the source is violating.
- (ii) A change to existing monitoring, reporting or recordkeeping requirements in the permit except as follows:

(A) A change in the enforceable operating level of the method that, prior to the source's submission of a minor permit revision application, the Department has affirmatively determined the source has demonstrated to be correlated to the source's existing or proposed compliance emissions rate. The changes may not involve a switch to a new or alternative monitoring or recordkeeping operating parameter.

(B) A change to a monitoring or recordkeeping method that affects the measurement sensitivity of the method and representativeness of the data (for example, precision, accuracy, measurement location or averaging time), so that there may be a measurable effect in relation to the relevant source compliance emissions rate; a change that affects the scope and intent of the existing monitoring method (for example, modified sample conditioning system, upgraded detector, upgraded data management system); or changes that may be generally applicable to similar monitoring methods in the same or other source categories (for example, equipment modification for interference avoidance). The changes may not involve a switch to new or alternative monitoring methods. Prior to the source's submission of a minor permit revision application, the Department must have affirmatively determined that the monitoring or recordkeeping change has been demonstrated by the source to have a known relationship and ability to determine compliance with the applicable source compliance emissions rate.

- (iii) A change that is a modification under Title I of the Clean Air Act.
- (iv) A change subject to Title IV of the Clean Air Act.
- (v) A change that exceeds the emissions allowable under the permit, whether expressed as a rate of emissions or in terms of total emissions.

(vi) Any other change precluded by the Clean Air Act or the regulations adopted thereunder as being eligible for processing as a minor permit modification.

Miscellaneous metal parts and products—Items made of ferrous or nonferrous metals, including large farm machinery, small farm machinery, small appliances, commercial and industrial machinery, fabricated metal products and items listed under the *Standard Industrial Classification Codes* 3300—3999. The term does not include cans, coils, automobiles, light-duty trucks, metal furniture, magnet wire, large appliances, aerospace vehicles or components and

automobile refinishing and customized top coating of automobiles and trucks, if production since January 1, 1987, has not exceeded 34 vehicles per day.

Mobile air contamination source—An air contamination source, including, but not limited to, automobiles, trucks, tractors, buses and other motor vehicles; railroad locomotives; ships, boats and other waterborne craft. The term does not include a source mounted on a vehicle, whether the mounting is permanent or temporary, which source is not used to supply power to the vehicle.

Mobile equipment—Equipment which may be driven or is capable of being driven on a roadway including, but not limited to:

- (i) Automobiles.
- (ii) Trucks, truck cabs, truck bodies and truck trailers.
- (iii) Buses.
- (iv) Motorcycles.
- (v) Utility bodies.
- (vi) Camper shells.
- (vii) Mobile cranes.
- (viii) Bulldozers.
- (ix) Street cleaners.
- (x) Golf carts.
- (xi) Ground support vehicles, used in support of aircraft activities at airports.
- (xii) Farm equipment.

Model year—The manufacturer's annual production period (as determined under 40 CFR 85.2304 (relating to definition of production period)) which includes January 1 of the calendar year. If the manufacturer has no annual production period, the term means the calendar year.

Moderate ozone nonattainment area—A region with an ozone design value greater than or equal to 0.138 but less than 0.160 ppm as designated by the Administrator of the EPA. A designation is based on data from the 3-year period of 1987—1989 and may not be changed until the region demonstrates attainment of the NAAQS except in accordance with section 181 of the Clean Air Act.

Modification—A physical change in a source or a change in the method of operation of a source which would increase the amount of an air contaminant emitted by the source or which would result in the emission of an air contami-

nant not previously emitted, except that routine maintenance, repair and replacement are not considered physical changes. An increase in the hours of operation is not considered a modification if the increase in the hours of operation has been authorized in a way that is Federally enforceable or legally and practicably enforceable by an operating permit condition.

Mold release—A coating applied to an aerospace vehicle or component mold surface to prevent the molded piece from sticking to the mold as it is removed.

Monongahela Valley air basin—The following political subdivisions in Fayette County: Belle Vernon Borough, Brownsville Borough, Brownsville Township, Fayette City Borough, Jefferson Township, Newell Borough and Washington Township; the following political subdivisions in Washington County: Allenport Borough, California Borough, Carroll Township, Charleroi Borough, Coal Center Borough, Donora Borough, Dunlevy Borough, Elco Borough, Fallowfield Township, Finleyville Borough, Long Branch Borough, Monongahela City, New Eagle Borough, North Charleroi Borough, Roscoe Borough, Speers Borough, Stockdale Borough, Twilight Borough, Union Township and West Brownsville Borough; and the following political subdivisions in Westmoreland County: Monessen City, North Belle Vernon Borough, Rostraver Township and West Newton Borough.

Motor vehicle—A self-propelled vehicle designed for transporting persons or property on a street or highway.

Motor vehicle manufacturer—A person engaged in the manufacturing or assembling of new motor vehicles, new motor vehicle engines, new nonroad vehicles, new nonroad engines or importing these vehicles or engines for resale. The term includes a person who acts for and is under the control of any manufacturer in connection with the distribution of new motor vehicles, new motor vehicle engines, new nonroad vehicles, new nonroad engines. The term does not include a dealer with respect to new motor vehicles or new motor vehicle engines received by the dealer in commerce.

Municipal waste—Wastes as defined at § 260a.10 (relating to definitions) collected by a public or private hauler from more than one waste generator. The term does not include chemotherapeutic, pathological, infectious, sewage sludge and radioactive contaminated and hazardous wastes.

Municipal waste incinerator—A building, structure, facility or installation for reducing the volume of municipal waste through the use of incineration.

NAAQS—National Ambient Air Quality Standards.

NATS-NO_x Allowance Tracking System—The computerized system used to track the number of NO_x allowances held and used by any person.

NETS-NO_x Emissions Tracking System—The computerized system used to track NO_x emissions from NO_x affected sources.

NMOG—Nonmethane organic gases.

NO_x affected source—A fossil fuel fired indirect heat exchange combustion unit with a maximum rated heat input capacity of 250 MMBtu/hour or more

and all fossil fuel fired electric generating sources rated at 15 megawatts or greater or any other source that voluntarily opts to become a NO_x affected source.

NO_x allocation—Assignment by the Department of NO_x allowances to a NO_x affected source and recorded by the NO_x budget administrator to a NATS account.

NO_x allowance—The limited authorization to emit 1 ton of NO_x during a specified NO_x allowance control period.

NO_x allowance CEMS-NO_x Allowance Continuous Emissions Monitoring System—For the purposes of the NO_x allowance requirements, an emission monitoring system which continuously measures and records NO_x emissions.

NO_x allowance control period—The period beginning May 1 of each year and ending on September 30 of the same year, inclusive.

NO_x allowance curtailment—For the purposes of NO_x allowance requirements, a reduction in the hours of operation or in the rate of production.

NO_x allowance deduction—The withdrawal of NO_x allowances for permanent retirement by the NO_x budget administrator from a NATS account.

NO_x allowance transfer—The conveyance to another NATS account of one or more NO_x allowances from one person to another by whatever means, including, but not limited to, purchase, trade, auction or gift.

NO_x allowance transfer deadline—The deadline by which NO_x allowances may be submitted for recording in a NO_x affected source's compliance account for purposes of meeting NO_x allowance requirements.

NO_x budget—The total tons of NO_x emissions which may be released from NO_x affected sources as listed in Appendix A.

NO_x budget administrator—The person or agency designated by the Department as the NO_x budget administrator of the NATS and the NETS.

NO_x—Oxides of Nitrogen—All the oxides of nitrogen, except nitrous oxide (N₂O), which are the regulated pollutants for both the ozone and nitrogen dioxide NAAQS.

NSPS—New Source Performance Standards.

NSR—New source review.

Necessary preconstruction approvals or permits—Those permits or approvals required under the Clean Air Act or the act and regulations adopted under the acts, which are part of the applicable SIP.

Net emissions increase—Emission changes at an existing major facility as determined in accordance with § 127.203a(a)(1).

New motor vehicle or new light-duty vehicle—A motor vehicle for which the equitable or legal title has never been transferred to the ultimate purchaser. For purposes of the Pennsylvania Clean Vehicles Program and the Pennsylvania Heavy-Duty Diesel Emissions Control Program, the equitable or legal title to a motor vehicle with an odometer reading of 7,500 miles or more shall be considered to be transferred to the ultimate purchaser. If the equitable or legal title

to a motor vehicle with an odometer reading is less than 7,500 miles, the vehicle will not be considered to be transferred to the ultimate purchaser.

New source—A stationary air contamination source which:

- (i) Was constructed and commenced operation on or after July 1, 1972.
- (ii) Was modified, irrespective of a change in the amount or kind of air contaminants emitted, so that the fixed capital cost of new components exceeds 50% of the fixed capital cost that would be required to construct a comparable entirely new source; fixed capital costs means the capital needed to provide the depreciable components.

Nonattainment area—An area designated by the EPA under section 107 of the Clean Air Act (42 U.S.C.A. § 7407) in 40 CFR 81.339 (relating to Pennsylvania).

Noncommercial fuels—A gaseous or liquid fuel generated as a byproduct or waste product which is not specifically produced and manufactured for sale. A mixture of noncommercial and a commercial fuel oil where at least 50% of the heat content is derived from the noncommercial fuel portion is considered a noncommercial fuel.

Nonoxygenated gasoline—A gasoline which does not meet the definition of oxygenated gasoline.

Nonpermanent final finish—A material such as a wax, polish, nonoxidizing oil or similar substance that must be periodically reapplied to a substrate over its lifetime to maintain or restore the material's effect.

Nonspecific particulate matter—Particulate matter which is nonodorless and nonirritating, including, but not limited to, alundum, calcium carbonate, cellulose, portland cement, graphite, gypsum, limestone, magnesite, starch, tin oxide and glycerine mist.

Nonstructural adhesive—An adhesive applied to aerospace vehicles or components that bonds nonload bearing aerospace components in noncritical applications and is not included in any other specialty adhesive categories.

Normally closed container—A container that is closed unless an operator is actively engaged in activities such as emptying or filling the container.

Northeast Ozone Transport Region—The ozone transport region which includes this Commonwealth as established by section 184(a) of the Clean Air Act.

O₂—Oxygen.

OTC MOU—*Ozone Transport Commission Memorandum of Understanding*—The memorandum of understanding signed by representatives of ten states and the District of Columbia as members of the Ozone Transport Commission on September 27, 1994.

Offset vehicle—A light-duty vehicle which has been certified by California as set forth in Title 13 CCR, Division 3, Chapter 1.

Offtake piping—The pipes or ducts by which the gaseous byproducts of coking are transported from one end of an oven to a coke oven gas collector main, including the standpipe and standpipe cap.

Opacity—The degree to which emissions reduce the transmission of light and obscure the view of an object in the background.

Open burning—A fire, the air contaminants from which are emitted directly into the outdoor atmosphere and not directed thereto through a flue.

Open charging—The introduction of coal into a coke oven which is open or exposed to the atmosphere during charging, beginning when the coal is introduced into the oven and continuing until the oven is closed from the atmosphere.

Open charging emissions—An air contaminant emitted from one or more charging ports, spaces between charging port rings and oven refractory, open chuck doors, drop sleeves, larry car hoppers, jumper pipes, standpipe caps or devices for the capture and cleaning of air contaminants during open charging. The term does not include an air contaminant emitted during the temporary removal of a charging port cover after it has been firmly seated over the charging port following the removal of the larry car.

Open top vapor degreaser—A batch-loaded device used to clean metal parts through the condensation or organic solvent on colder metal parts.

Operating parameter value—A minimum or maximum value established for a control equipment process parameter that, if achieved by itself or in combination with one or more other operating parameter values, determines whether an owner or operator has complied with an applicable emission limitation.

Optical antireflection coating—A coating, applied to aerospace vehicles or components, with a low reflectance in the infrared and visible wavelength ranges that is used for antireflection on or near optical and laser hardware.

Organic liquid cargo vessel—A tanker, freighter, barge, vessel, ship or boat used for the bulk transport of organic liquid cargo.

Outer zone of the southeast Pennsylvania air basin—The political subdivisions in the southeast Pennsylvania air basin which are not in the inner zone of the southeast Pennsylvania air basin.

Owner or operator—A person who owns, leases, operates, controls or supervises a source or facility.

Oxygenate—A substance which, when added to gasoline, increases the amount of oxygen in that gasoline blend. Lawful use of a combination of these substances requires that they be “substantially similar” under section 211(f)(1) of the Clean Air Act, or be permitted under a waiver granted by the Administrator of the EPA under the authority of section 211(f)(4) of the Clean Air Act.

Oxygenate blending facility—A facility at which oxygenated gasoline is produced. The oxygenate blending facility does not have to be physically located in the control area.

Oxygenated gasoline—Gasoline which contains a minimum oxygen content of 2.7% by weight on a per gallon basis.

Oxygen content of gasoline blends—The percentage of oxygen by weight contained in a gasoline blend, based upon its percentage oxygenate by volume, excluding denaturants and other nonoxygen-containing components.

PAL—Plantwide applicability limit—An emissions limit expressed in TPY, for a pollutant at a major facility, that is enforceable as a practical matter and established facility-wide in accordance with § 127.218.

PAL effective date—The date of issuance of the PAL permit. The PAL effective date for an increased PAL is the date an emissions unit which is part of the PAL major modification becomes operational and begins to emit the PAL pollutant.

PAL effective period—The period beginning with the PAL effective date and ending 10 years later.

PAL major modification—Notwithstanding the definitions under this section for “major modification” and “net emissions increase,” a physical change in or change in the method of operation of the facility that causes the facility to emit the PAL pollutant at a level equal to or greater than the PAL.

PAL permit—The plan approval, operating permit or Title V permit issued by the Department that establishes a PAL for a major facility.

PAL pollutant—The pollutant for which a PAL is established for a major facility.

PEMS—Predictive emissions monitoring system—For purposes of Chapter 127, Subchapter E, all of the equipment necessary to monitor process and control device operational parameters including control device secondary voltages and electric currents, other information including gas flow rate, O₂ or CO₂ concentrations, and calculate and record the mass emissions rate in terms of mass per unit time, like lb/hr, on a continuous basis.

PM-10—Particulate matter with an effective aerodynamic diameter of less than or equal to a nominal 10 micrometer body as measured by the applicable reference method or an equal method.

ppmvd—Parts per million dry volume.

Pail—A nominally cylindrical metal shipping container which has a capacity between 1 and 12 gallons and which is constructed of 29-gauge and heavier material.

Paper coating—Coatings applied in a uniform layer to paper and pressure-sensitive tapes regardless of substrate. The term includes related web coating processes on plastic films and decorative coatings on metal foil. The term does not include coatings applied in whole or in part as nonuniform layers such as patterns, designs or print.

Particulate matter—A material except uncombined water which is or has been airborne and exists as a solid or liquid at 70° F and 14.7 pounds per square inch absolute pressure.

Part marking coating—Coating or ink used to make identifying markings on aerospace materials, components and assemblies. These markings may be either permanent or temporary.

Passenger car—A motor vehicle designed primarily for transportation of persons and having a design capacity of 12 persons or less.

Passenger-type tire—Agricultural, airplane, industrial, mobile home, light- and medium-duty truck and passenger vehicle tires with a bead diameter up to 20 inches and cross sectional dimension up to 12.8 inches.

Paving operation—The process of covering an area with stone, concrete, asphalt or other material in order to make a firm, level surface for travel. The term does not include compounds used exclusively as residential driveway sealing compounds are excluded.

Peak travel period—The time between 6 a.m. and 10 a.m., inclusive, Monday through Friday.

Performance standard—For purposes of the regulation of hazardous air pollutants under section 112 of the Clean Air Act, the term includes design, equipment, work practice or operational standards or a combination thereof.

Petroleum refinery—A facility engaged in producing gasoline, aromatics, kerosene, distillate fuel oils, residual fuel oils, lubricants, asphalt or other products through distillation of petroleum or through redistillation, cracking, rearrangement or reforming of unfinished petroleum derivatives.

Philadelphia CMSA—The counties of Bucks, Chester, Delaware, Montgomery and Philadelphia.

Pittsburgh-Beaver Valley Area—The seven-county area comprised of the following Pennsylvania counties: Allegheny, Armstrong, Beaver, Butler, Fayette, Washington and Westmoreland.

Pneumatic rubber tire manufacture—The production of pneumatic rubber, passenger-type tires on a mass production basis.

Pollution prevention—Source reduction and other practices that reduce or eliminate the creation of pollutants through changes within the production process, including process modifications, feedstock substitutions, improvements in feedstock purity, shipping and packing modifications, housekeeping and management practices, increases in the efficiency of machinery and recycling within a process. The term does not include out-of-process recycling, treatment and safe disposal.

Potential emission rate—The total weight rate at which a particular air contaminant, in the absence of air cleaning devices, would be emitted per unit of time from an air contamination source when the source is operated at its rated capacity.

Potential to emit—The maximum capacity of a source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and limitations on hours of operation or on the type or

amount of material combusted, stored or processed shall be treated as part of the design if the limitation or the effect it would have on emissions is Federally enforceable or legally and practicably enforceable by an operating permit condition. The term does not include secondary emission from an offsite facility.

Pretreatment coating—An organic coating that contains at least 0.5% acids by weight and is applied directly to metal surfaces of aerospace vehicles and components to provide surface etching, corrosion resistance, adhesion and ease of stripping.

Prime coat—The first of two or more films of coating applied to a metal surface.

Process—A method, reaction or operation in which materials are handled or whereby materials undergo physical change—that is, the size, shape, appearance, temperature, state or other physical property of the material is altered—or chemical change—that is, a substance with different chemical composition or properties is formed or created. The term includes all of the equipment, operations and facilities necessary for the completion of the transformation of the materials to produce a physical or chemical change. There may be several processes in series or parallel necessary to the manufacture of a product.

Project—A physical change in or change in the method of operation of an existing facility, including a new emissions unit.

Projected actual emissions—The maximum annual rate in TPY at which an existing emissions unit is projected to emit a regulated NSR pollutant, as determined in accordance with § 127.203a(a)(5).

Publication rotogravure printing—Rotogravure printing upon paper which is subsequently formed into books, magazines, catalogues, brochures, directories, newspaper supplements and other types of printed material.

Public transportation—Transportation provided by a municipal or public entity, including rail, bus and paratransit services.

Pushing emissions—An air contaminant emitted into the outdoor atmosphere which is generated by or results from the pushing operation.

Pushing operation—The operation by which coke is removed from a coke oven and transported to a quench station, beginning when the coke side door is first removed from a coke oven and continuing until the quenching operation is commenced.

Quenching—The operation by which the combustion of hot coke is stopped by application of water or any other procedure achieving the same effect.

RACT—Reasonably Available Control Technology—The lowest emission limit for VOCs or NO_x that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

RFP—Reasonable Further Progress—The annual incremental reduction in emissions of an air contaminant as required by section 172(c)(2) of the Clean

Air Act (42 U.S.C.A. § 7502(c)(2)), for the purpose of ensuring attainment of the applicable NAAQS by the applicable statutory deadline.

RVP—Reid Vapor Pressure—The measure of pressure exerted on the interior of a special container as determined by the appropriate methodologies in 40 CFR Part 80, Appendix E.

Radome—The nonmetallic protective housing for aerospace electromagnetic transmitters and receivers—for example, radar, electronic countermeasures.

Rain erosion resistant coating—A coating or coating system used to protect the leading edges of parts such as flaps, stabilizers, radomes and engine inlet nacelles against erosion caused by rain impact during flight.

Rating—The operating limit of a source as stated by the manufacturer of the source or as determined by good engineering judgment.

Reactor—A vat or vessel, which may be jacketed to permit temperature control, designed to contain chemical reactions.

Reading air basin—The political subdivisions in Berks County of Bern Township, Cumru Township, Kenhorst Borough, Laureldale Borough, Leesport Borough, Lower Alsace Township, Mohnton Borough, Mt. Penn Borough, Muhlenberg Township, City of Reading, Shillington Borough, Sinking Spring Borough, Spring Township, St. Lawrence Borough, Temple Borough, West Lawn Borough, West Reading Borough, Wyomissing Borough and Wyomissing Hills Borough.

Reduced room draft—Decreasing the flow or movement of air across the top of the freeboard area of a solvent cleaning machine to less than 50 feet per second (15.2 meters per second) by methods including:

- (i) Redirecting fans or air vents, or both.
- (ii) Moving a machine to a corner where there is less room draft.
- (iii) Constructing a partial or complete enclosure.

Refiner—A person who owns, leases, operates, controls or supervises a refinery.

Refinery—A plant which produces petroleum products, including gasoline.

Refinery component—A piece of equipment which has the potential to leak VOCs when tested in the manner specified in § 129.58 (relating to petroleum refineries—fugitive sources). These sources include, but are not limited to, pump seals, compressor seals, seal oil degassing vents, pipeline valves, pressure relief devices, process drains and open-ended pipes. Excluded from these sources are valves which are not externally regulated.

Refinery unit—A basic process operation, such as distillation hydrotreating, cracking or reforming of hydrocarbons which is made up of a set of refinery components.

Regulated NSR pollutant—

- (i) NO_x or VOCs.
- (ii) A pollutant for which the EPA has promulgated a NAAQS.

(iii) A pollutant that is a constituent or precursor of a pollutant listed under subparagraph (i) or (ii), if the constituent or precursor pollutant may only be regulated under NSR as part of regulation of the pollutant listed under subparagraph (i) or (ii).

Related party—For purposes of compliance review, a general partner, parent or subsidiary corporation of the applicant or permittee for a plan approval or operating permit including a general plan approval and general operating permit.

Remote reservoir cold cleaning machine—A machine in which liquid solvent is pumped to a sink-like work area that immediately drains solvent back into an enclosed container or beneath a solvent cover while parts are being cleaned, allowing no solvent to pool in the work area.

Renewal—The process by which a permit may be reissued at the end of its term.

Replacement source—A new source which is replacing a NO_x affected source where both sources are under common ownership located within this Commonwealth. The NO_x affected source shall be deactivated or permitted only as an emergency standby unit to the replacement source with operation limited to a maximum of 500 hours per year following commencement of operation of the replacement source.

Replacement unit—An emissions unit for which all the criteria listed in subparagraphs (i)—(iv) are met. Creditable emission reductions may not be generated from shutting down the existing emissions unit that is replaced.

(i) The emissions unit is a reconstructed unit if the fixed capital cost of the new components exceeds 50% of the fixed capital cost that would be required to construct a comparable, entirely new emissions unit, or the emissions unit completely takes the place of an existing emissions unit.

(ii) The emissions unit is identical to or functionally equivalent to the replaced emissions unit.

(iii) The replacement unit does not alter the basic design parameters of the process unit.

(iv) The replaced emissions unit is permanently removed from the major facility, otherwise permanently disabled, or permanently barred from operation by a permit that is enforceable as a practical matter. If the replaced emissions unit is brought back into operation, it shall constitute a new emissions unit.

Research and development facility—A stationary source, whether a laboratory or pilot project, that is not engaged in the manufacture of products for commercial sale except in de minimis amounts on an infrequent basis or internal manufacturing use except in de minimis amounts on an infrequent basis and with emissions that are less than the emission thresholds for a Title V facility, whose purpose is to conduct one of the following:

(i) Research and development into new products or processes, the improvement of existing products or processes or new uses for existing products or processes.

(ii) Basic research to provide for education or the general advancement of technology or knowledge, where the source is also operated under the close supervision of technically trained personnel.

Reseller—A person who purchases gasoline identified by the corporate, trade or brand name of a refiner or a distributor and resells or transfers the gasoline to retailers or wholesale purchaser-consumers displaying the refiner's or distributor's brand, and whose assets or facilities are not owned, leased or controlled by the refiner or distributor.

Resource recovery unit—A building, structure, facility or installation using incineration of municipal waste to recover usable energy in a combustion unit as defined in this section.

Responsible official—An individual who is:

(i) For a corporation: a president, secretary, treasurer or vice president of the corporation in charge of a principal business function, or another person who performs similar policy or decision making functions for the corporation, or an authorized representative of the person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for, or subject to, a permit and one of the following applies:

(A) The facility employs more than 250 persons or has gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars).

(B) The delegation of authority to the representative is approved, in advance, in writing, by the Department.

(ii) For a partnership or sole proprietorship: a general partner or the proprietor, respectively.

(iii) For a municipality, State, Federal or other public agency: a principal executive officer or ranking elected official. A principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency—for example, a regional administrator of the EPA.

(iv) For affected sources:

(A) The designated representatives in so far as actions, standards, requirements or prohibitions under Title IV of the Clean Air Act (42 U.S.C.A. §§ 7641 and 7642) or the regulations thereunder are concerned.

(B) The designated representative or a person meeting provisions of subparagraphs (i)—(iii) for any other purpose under 40 CFR Part 70 (relating to operating permit programs) or Chapter 127 (relating to construction, modification, reactivation and operation of sources).

Retailer—A person who owns, leases, operates, controls or supervises a retail outlet.

Retail outlet—An establishment at which gasoline is sold or offered for sale to the ultimate consumer for use in motor vehicles.

Rocket motor bonding adhesive—An adhesive used in rocket motor bonding applications.

Rocket motor nozzle coating—A catalyzed epoxy coating system used in elevated temperature applications on rocket motor nozzles.

Roller coating—The application of a coating to a sheet or strip in which the coating is transferred by a roller or series of rollers.

Roll printing—The application of words, designs and pictures to a substrate usually by means of a series of hard rubber or steel rolls each with only partial coverage.

Rotogravure printing—The application of words, designs and pictures to substrate by means of a roll printing technique which involves an intaglio or recessed image area in the form of cells.

Rubber-based adhesive—A quick setting contact cement applied to aerospace vehicles and components that provides a strong, yet flexible, bond between two mating surfaces that may be of dissimilar materials.

SIP—State Implementation Plan—The plan that a state is authorized and required to submit under section 110 of the Clean Air Act (42 U.S.C.A. § 7410) to provide for the attainment of the National ambient air quality standards.

Scale inhibitor—A coating that is applied to the surface of an aerospace vehicle component prior to thermal processing to inhibit the formation of scale.

Scranton, Wilkes-Barre air basin—The political subdivisions in Lackawanna County of Archbald Borough, Blakely Borough, Dickson City Borough, Dunmore Borough, Jessup Borough, Moosic Borough, Old Forge Borough, Olyphant Borough, City of Scranton, Taylor Borough, Throop Borough, and the political subdivisions in Luzerne County of Ashley Borough, Avoca Borough, Courtdale Borough, Dupont Borough, Duryea Borough, Edwardsville Borough, Exeter Borough, Forty Fort Borough, Hanover Township, Hughestown Borough, Jenkins Township, Kingston Borough, Laflin Borough, Larksville Borough, Laurel Run Borough, Luzerne Borough, City of Nanticoke, City of Pittston, Pittston Township, Plains Township, Plymouth Borough, Plymouth Township, Pringle Borough, Sugar Notch Borough, Swoyersville Borough, Warrior Run Borough, West Pittston Borough, West Wyoming Borough, City of Wilkes-Barre, Wilkes-Barre Township, Wyoming Borough and Yatesville Borough.

Screen print ink—An ink used in screen printing processes during fabrication of decorative laminates and decals for aerospace vehicles and components.

Sealant—

(i) A material used to prevent the intrusion of water, fuel, air or other liquids or solids from certain areas of aerospace vehicles or components.

(ii) There are two categories of sealants:

(A) Extrudable/rollable/brushable sealants.

(B) Sprayable sealants.

Seal coat maskant—A coating applied over a maskant on aerospace vehicles and components to improve abrasion and chemical resistance during production operations.

Sealer—A coating used to seal the pores of a wood substrate before additional coatings are applied.

Secondary emissions—

(i) Emissions which occur as a result of the construction or operation of a major facility or major modification of a major facility, but do not come from the major facility or major modification itself. The secondary emissions must be specific, well defined, quantifiable and impact the same general area as the facility or modification which causes the secondary emissions.

(ii) The term includes emissions from an offsite support facility which would not be constructed or increase its emissions except as a result of the construction or operation of the major facility or major modification.

(iii) The term does not include emissions which come directly from a mobile source regulated under Title II of the Clean Air Act (42 U.S.C.A. §§ 7521—7589).

Self-priming topcoat—A topcoat that is applied directly to an uncoated aerospace vehicle or component for purposes of corrosion prevention, environmental protection and functional fluid resistance. More than one layer of identical coating formulation may be applied to the vehicle or component. The coating is not subsequently topcoated with any other product formulation.

Semiaqueous cleaning solvent—A solution in which water is a primary ingredient (>60% by weight of the solvent solution as applied is water).

Significant—

(i) In reference to a net emissions increase or the potential of a facility to emit one of the following pollutants at a rate of emissions that would equal or exceed the following emissions rates except as specified in subparagraphs (ii)—(v):

<i>Pollutant</i>	<i>Emissions Rate</i>
Carbon monoxide (CO):	100 TPY
Nitrogen oxides (NO _x):	40 TPY
Sulfur oxides (SO _x):	40 TPY
Ozone:	40 TPY of VOCs or NO _x
Lead:	0.6 TPY
PM-10:	15 TPY

(ii) The emissions rate that is significant for VOCs in a serious or severe ozone nonattainment area is 25 TPY.

(iii) For purposes of applying Chapter 127, Subchapter E to the owner or operator of modifications at a major facility located in an ozone nonattainment area or in an ozone transport region that emits or has the potential to emit NO_x, the emissions rate that is significant and other requirements for VOCs in subparagraphs (i) and (ii) apply to NO_x emissions.

(iv) The emissions rate that is significant for CO in a serious nonattainment area is 50 TPY if the EPA has determined that the affected facility contributes significantly to CO levels in that area.

(v) The emissions rate that is significant for VOCs in an extreme nonattainment area for ozone is any amount above zero.

Significant emissions increase—For a regulated NSR pollutant, an increase in emissions that is significant as defined in this section for that pollutant.

Significant emissions unit—For purposes of the PAL requirements in § 127.218, an emissions unit that emits or has the potential to emit a PAL pollutant in an amount that is equal to or greater than the emissions rate that is significant as defined in this section or in the Clean Air Act for that PAL pollutant, whichever is lower, but less than the amount that would qualify the unit as a major facility as defined in this section.

Significant net emissions increase—For a regulated NSR pollutant, a net emissions increase that is significant as defined in this section.

Silicone insulation material—An insulating material applied to exterior metal surfaces of aerospace vehicles for protection from high temperatures caused by atmospheric friction or engine exhaust. These materials differ from ablative coatings in that they are not designed to be purposefully exposed to open flame or extreme heat and charred.

Single coat—One film of coating applied to a metal surface.

Small emissions unit—For purposes of the PAL requirements in § 127.218, an emissions unit that emits or has the potential to emit the PAL pollutant in an amount less than the emissions rate that is significant for that PAL pollutant as defined in this section or in the Clean Air Act, whichever is lower.

Small gasoline storage tank—A tank from which gasoline is dispensed to motor vehicle gasoline tanks.

Solid fossil fuel—Petroleum coke, anthracite, bituminous coal and subbituminous coal.

Solid fossil fuel fired combustion unit—A combustion unit where more than 10% of the annual heat input is derived by combustion of solid fossil fuels.

Solids—The nonvolatile portion of the coating that after drying makes up the dry film.

Solid film lubricant—A very thin coating, applied to aerospace vehicles or components, consisting of a binder system which contains as its chief pigment material one or more of the following:

- (i) Molybdenum.
- (ii) Graphite.
- (iii) Polytetrafluoroethylene (PTFE).
- (iv) Other solids that act as a dry lubricant between faying surfaces.

Solvent—Organic compounds which are liquid at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents.

Solvent/air interface—For a vapor cleaning machine, the location of contact between the concentrated solvent layer and the air. This location of contact is the midline height of the primary condenser coils. For a cold cleaning machine, the location of contact between the liquid solvent and the air.

Solvent cleaning machine—

- (i) A device or piece of equipment that uses solvent liquid or vapor to remove contaminants, such as dirt, grease and oil from the surfaces of materials.
- (ii) Types of solvent cleaning machines include:
 - (A) Batch vapor cleaning machines.
 - (B) In-line vapor cleaning machines.
 - (C) Immersion cold cleaning machines.
 - (D) Remote reservoir cold cleaning machines.
 - (E) Airless cleaning systems.
 - (F) Air-tight cleaning systems.

Solvent cleaning machine automated parts handling system—A mechanical device that carries all parts and parts baskets at a controlled speed from the initial loading of soiled or wet parts through the removal of the cleaned or dried parts.

Solvent cleaning machine down time—The period when a solvent cleaning machine is not cleaning parts and the sump heating coils, if present, are turned off.

Solvent vapor zone—For a vapor cleaning machine, the area that extends from the liquid solvent surface to the level that solvent vapor is condensed. This level is defined as the midline height of the primary condenser coils.

Source—An air contamination source.

Southeast Pennsylvania air basin—The counties of Bucks, Chester, Delaware, Montgomery and Philadelphia.

Space vehicle—A manmade device, either manned or unmanned, designed for operation beyond earth's atmosphere.

- (i) The term includes integral equipment, such as models, mock-ups, prototypes, molds, jigs, tooling, hardware jackets and test coupons.
- (ii) The term also includes auxiliary equipment associated with test, transport and storage, that through contamination can compromise the space vehicle performance.

Specialty coating—A coating applied to aerospace vehicles or components that, even though it meets the definition of a primer, topcoat or self-priming

topcoat, has additional performance criteria beyond those of primers, topcoats and self-priming topcoats for specific applications. These performance criteria may include, but are not limited to, temperature or fire resistance, substrate compatibility, antireflection, temporary protection or marking, sealing, adhesively joining substrates or enhanced corrosion protection.

Specialized function coating—A coating applied to aerospace vehicles or components that fulfills extremely specific engineering requirements that are limited in application and are characterized by low volume usage. This category excludes coatings included in other specialty coating categories.

Spray gun—A device that atomizes a coating or other material and projects the particulates or other material onto a substrate.

Stain—For purposes of wood furniture manufacturing operations under §§ 129.101—129.107, a color coat having a solids content by weight of no more than 8.0% that is applied in single or multiple coats directly to the substrate. The term includes nongrain raising stains, equalizer stains, sap stains, body stains, no-wipe stains, penetrating stains and toners.

Standard conditions—Seventy degrees fahrenheit and 14.7 pounds per square inch absolute pressure.

Stationary internal combustion engine—For purposes of § 129.203 (relating to stationary internal combustion engines), an internal combustion engine of the reciprocating type that is either attached to a foundation at a facility or is designed to be capable of being carried or moved from one location to another and is not a mobile air contamination source.

Stockpiling—The act of placing, storing and removing materials on piles exposed to the outdoor atmosphere. Placing refers to the deposition of material onto the pile. Removing refers to disturbing the pile either for loading of material into or onto vehicles for transportation purposes or for material handling. Material that is not to be utilized in the production of a product or is not itself a useful product is excluded from the definition of stockpile material. Operations which consist entirely of transferring material between different transportation conveyances are also excluded from this definition.

Strippable spray booth coating—A coating that meets the following requirements:

- (i) Is applied to a spray booth wall to provide a protective film to receive overspray during a surface coating process including wood furniture manufacturing operations.
- (ii) Is subsequently peeled off and disposed.
- (iii) Reduces or eliminates the need to use solvents to clean spray booth walls by meeting the conditions of subparagraphs (i) and (ii).

Structural autoclavable adhesive—An adhesive, cured by heat and pressure in an autoclave, that is used to bond load carrying aerospace components.

Structural nonautoclavable adhesive—An adhesive that is cured under ambient conditions that is used to bond load carrying aerospace components or other critical functions, such as nonstructural bonding in the proximity of engines.

Substrate—The surface onto which a coating is applied or into which a coating is impregnated.

Superheated vapor system—A system that heats the solvent vapor to a temperature 10° F above the solvent's boiling point. Parts are held in the superheated vapor before exiting the machine to evaporate the liquid solvent on the parts.

Surface active agents—Finishing agents, sulfonated oils and textile assistants included under *Standard Industrial Classification Code* 2843.

Surface coating process—The application and solidification of a coating onto or into a substrate as the substrate proceeds through the equipment and activities of the manufacturing process.

Synthesized pharmaceutical manufacturing—Manufacture of pharmaceutical products by chemical synthesis.

TPY—Tons per year.

Tank car—A rail car which is used for transporting liquids in bulk in an unpackaged form.

Target area—An area within the severe nonattainment area in which employers shall achieve specific increases in APO. The four target areas for the severe nonattainment area are described in Appendix A—Target Areas for the Philadelphia Severe Ozone Nonattainment Area.

Telecommuter—A term used to describe an employe who works at the employe's own residence using electronic or other means to communicate with the employer.

Temporary protective coating—A coating applied to provide scratch or corrosion protection during manufacturing, storage or transportation of aerospace vehicles or components.

(i) The term includes peelable protective coatings and alkaline removable coatings. These materials are not intended to protect against strong acid or alkaline solutions.

(ii) The term does not include coatings that provide protection from acid or alkaline chemical processing.

Terminal—A facility which is capable of receiving gasoline in bulk, that is, by pipeline, barge, ship or other transport, and at which gasoline is sold or transferred into trucks for transportation to retail outlets or wholesale purchaser-consumers' facilities. The term includes bulk gasoline terminals and bulk gasoline plants. The terminal does not have to be physically located in the control area.

Thermal control coating—A coating formulated with specific thermal conductive or radiative properties to permit temperature control of the aerospace vehicle or component substrate.

Thinner—A volatile liquid that is used to dilute coatings (to reduce viscosity, color strength or solids content or to modify drying conditions). The term includes diluent, makeup solvent or reducer.

Title V facility—A stationary air contamination source, or a group of stationary sources, located on one or more contiguous or adjacent properties, which are under common control of the same person (or persons under common control), belonging to a single major industrial grouping and that are described in subparagraph (i), (ii), (iii) or (iv). For the purposes of this definition, a stationary source or group of stationary sources will be considered part of a single industrial grouping if the air contaminant emitting activities at the source or group of sources on contiguous or adjacent properties belong to the same major group, that is, all have the same two-digit code, as described in the Standard Industrial Classification Manual, 1987.

(i) A major stationary source under section 112 of the Clean Air Act, which is defined as one of the following:

(A) For air contaminants other than radionuclides, a stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, in the aggregate, 10 tons per year (tpy) or more of any hazardous air pollutant, including any fugitive emissions of the pollutant, which has been listed under section 112(b) of the Clean Air Act, 25 tpy or more of a combination of the hazardous air pollutants, including any fugitive emissions of the pollutants, or the lesser quantity as the Administrator of the EPA may establish by regulations promulgated under the Clean Air Act. Notwithstanding the preceding sentence, emissions from an oil or gas exploration or production well, with its associated equipment and emissions from a pipeline compressor or pump station may not be aggregated with emissions from other similar units, whether or not the units are in a contiguous area or under common control, to determine whether the units or stations are a major source.

(B) For radionuclides, the meaning specified by the Administrator of the EPA in regulations promulgated under the Clean Air Act.

(ii) A major stationary source of air pollutants, as defined in section 302 of the Clean Air Act (42 U.S.C.A. § 7602), that directly emits or has the potential to emit, 100 tpy or more of any air contaminant, including a major source of fugitive emissions of the pollutant, as determined by regulations established under the Clean Air Act. The fugitive emissions of a stationary source may not be considered in determining whether it is a major stationary source for the purposes of section 302(j) of the Clean Air Act, unless the source belongs to one or more of the following categories of stationary source:

- (A) Coal cleaning plants, with thermal dryers.
- (B) Kraft pulp mills.
- (C) Portland cement plants.
- (D) Primary zinc smelters.

- (E) Iron and steel mills.
 - (F) Primary aluminum ore reduction plants.
 - (G) Primary copper smelters.
 - (H) Municipal incinerators capable of charging more than 250 tons of refuse per day.
 - (I) Hydrofluoric, sulfuric or nitric acid plants.
 - (J) Petroleum refineries.
 - (K) Lime plants.
 - (L) Phosphate rock processing plants.
 - (M) Coke oven batteries.
 - (N) Sulfur recovery plants.
 - (O) Carbon black plants, furnace process.
 - (P) Primary lead smelters.
 - (Q) Fuel conversion plants.
 - (R) Sintering plants.
 - (S) Secondary metal production plants.
 - (T) Chemical process plants.
 - (U) Fossil-fuel boilers, or combination thereof, totaling more than 250 million Btus per hour heat input.
 - (V) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels.
 - (W) Taconite ore processing plants.
 - (X) Glass fiber processing plants.
 - (Y) Charcoal production plants.
 - (Z) Fossil-fuel-fired steam electric plants of more than 250 million Btus per hour heat input.
 - (AA) Other stationary source categories regulated by a standard promulgated under section 111 or 112 of the Clean Air Act, but only with respect to air contaminants that have been regulated for that category, when required by the Clean Air Act or the regulations thereunder.
- (iii) A major stationary source as defined in Title I, Part D of the Clean Air Act (42 U.S.C.A. §§ 7501—7515), including:
- (A) For ozone nonattainment areas, sources with the potential to emit 100 tpy or more of VOCs or NO_x in areas classified as “marginal” or “moderate,” 50 tpy or more in areas classified as “serious,” 25 tpy or more in areas classified as “severe” and 10 tpy or more in areas classified as “extreme.”
 - (B) For ozone transport regions established under section 184 of the Clean Air Act (42 U.S.C.A. § 7511c), sources with the potential to emit 50 tpy or more, of VOCs or 100 tpy or more of oxides of NO_x.
 - (C) For carbon monoxide nonattainment areas that are classified as “serious,” and in which stationary sources contribute significantly to carbon monoxide levels as determined under rules issued by the Administrator of the EPA, sources with the potential to emit 50 tpy or more of carbon monoxide.

(D) For particulate matter (PM-10) nonattainment areas classified as “serious,” sources with the potential to emit 70 tpy or more of PM-10.

(iv) A source located at a facility that does not meet the requirements of subparagraphs (i)—(iii) after the Administrator of the EPA completes a rule-making requiring regulation of those sources under Title V of the Clean Air Act (42 U.S.C.A. §§ 7661—7661f).

Title V permit—An operating permit issued by the Department to a Title V facility.

Title V regulated air pollutant—For purposes of the requirements of Title V of the Clean Air Act, the term means one or more of the following:

- (i) NO_x or VOCs.
- (ii) An air contaminant for which a National ambient air quality standard has been promulgated.
- (iii) An air contaminant that is subject to a standard promulgated under section 111 of the Clean Air Act.
- (iv) A Class I or II substance subject to a standard promulgated under or established by Title VI of the Clean Air Act (42 U.S.C.A. §§ 7671—7671g).
- (v) An air contaminant subject to a standard promulgated under section 112 or other requirements established under section 112 of the Clean Air Act, including subsections (g), (j) and (r), including the following:
 - (A) An air contaminant subject to requirements under section 112(j) of the Clean Air Act. If the Administrator of the EPA fails to promulgate a standard by the date established under section 112(e) of the Clean Air Act, an air contaminant for which a subject source would be major shall be considered to be regulated on the date 18 months after the applicable date established under section 112(e) of the Clean Air Act.
 - (B) An air contaminant for which the requirements of section 112(g)(2) of the Clean Air Act have been met, but only with respect to the individual source subject to a section 112(g)(2) requirement.

Topcoat—The last film-building coating that is applied, in one or more layers, to wood furniture or a wood furniture component substrate in a surface coating process. The term does not include nonpermanent final finishes.

Topside emissions—An air contaminant emitted from any point on the coke oven topside, excluding charging and pushing emissions.

Touch-up and repair—The application of coatings to cover minor finishing imperfections.

Tradable renewable certificate—A certificate issued by a tradable renewable certificate issuing body in recognition of renewable energy generation. A certificate represents a specific amount of electricity or thermal power equivalent that was generated.

Tradable renewable certificate issuing body—An entity approved by the Department to issue and account for tradable renewable certificates in accordance with a protocol consistent with the laws and renewable energy programs of the Commonwealth.

Transferee—A person who is the recipient of a sale or transfer.

Transfer efficiency—The ratio of the amount of coating solids deposited onto the surface of a coated part to the amount of coating solids used expressed as a percentage.

Transferor—A person who initiates a sale or transfer.

Transitional low emission vehicle—A vehicle certified as a transitional low emission vehicle under the Clean Air Act.

Transportation coordinator—An hourly or salaried employe designated by an employer with authority for and responsibility to develop and implement the employer trip reduction program. The term does not include a transportation management association or other contractor that assists an employer with the development and implementation of the employer trip reduction program.

Tread end cement—The application of a solvent-based cement to the tire tread ends.

Type I chemical etchant—A chemical milling etchant which contains varying amounts of dissolved sulfur but which does not contain amines.

Type I chemical milling maskant—A coating that is applied directly to aluminum aerospace vehicles and components to protect surface areas when chemically milling the aerospace vehicle or component with a Type I etchant.

Type II chemical etchant—A chemical milling etchant that is a strong sodium hydroxide solution containing amines.

Type II chemical milling maskant—A coating that is applied directly to aluminum aerospace vehicles and components to protect surface areas when chemically milling the aerospace vehicle or component with a Type II etchant.

Ultimate purchaser—With respect to any new motor vehicle or new motor vehicle engine, the first person who in good faith purchases a new motor vehicle or new motor vehicle engine for purposes other than resale.

Ultra low emission vehicle—A vehicle certified as an ultra low emission vehicle under the Clean Air Act.

Undertread cementing—The application of a solvent-based cement to the underside of a tire tread.

Upper Beaver Valley air basin—The following political subdivisions in Lawrence County: Bessemer Borough, Ellport Borough, Ellwood City Borough, Enon Valley Borough, Little Beaver Township, New Beaver Borough, City of New Castle, North Beaver Township, Shenango Township, South New Castle Borough, Taylor Township, Wampum Borough and Wayne Township.

VOC composite vapor pressure—The sum of the partial pressures of the compounds defined as VOCs and is determined by the following calculation:

$$PP_c = \frac{\sum_{i=1}^n \frac{W_i}{MW_i} \times VP_i}{\frac{W_w}{MW_w} + \frac{\sum_{i=1}^n W_e}{MW_e} + \sum_{i=1}^n \frac{W_i}{MW_i}}$$

where:

W_i = Weight of the “i”th VOC compound, grams.

W_w = Weight of water, grams.

W_e = Weight of non-HAP, non-VOC compound, grams.

MW_i = molecular weight of the “i”th VOC compound, G/G-mole.

MW_w = Molecular weight of water, G/G-mole.

MW_e = Molecular weight of exempt compound, G/G-mole.

PP_c = VOC composite partial pressure at 20°C, mmHg.

VP_i = Vapor pressure of the “i”th VOC compound at 20°C, mmHg.

VOC—volatile organic compound—An organic compound which participates in atmospheric photochemical reactions; that is, an organic compound other than those which the Administrator of the EPA designates in 40 CFR 51.100 (relating to definitions) as having negligible photochemical reactivity.

Valves not externally regulated—Valves that have no external controls, such as in-line check valves.

Van pool—Seven or more persons commuting to a worksite in one vehicle on a regular basis.

Vapor balance system—A vapor transport system which directs the vapors from the vessel being loaded into either a vessel being unloaded or a vapor control system or vapor holding tank.

Vapor cleaning machine—

(i) A solvent cleaning machine that boils liquid solvent, generating a vapor that is used as part of the cleaning or drying cycle.

(ii) The term does not include machines which do not have a solvent/air interface, such as airless and air-tight cleaning systems.

Vapor cleaning machine primary condenser—A series of circumferential cooling coils on a vapor cleaning machine through which a chilled substance is circulated or recirculated to provide continuous condensation of rising solvent vapors, thereby creating a concentrated vapor zone.

Vapor disposal system—A system that is designed to control the release of VOCs displaced from a vessel during transfer of gasoline.

Vapor pressure—The pressure exerted by a vapor in equilibrium with its solid or liquid phase.

Vapor up control switch—A thermostatically controlled switch which shuts off or prevents condensate from being sprayed when there is no vapor. On in-line vapor cleaning machines, the switch also prevents the conveyor from operating when there is no vapor.

Vehicle—A highway vehicle powered by an internal combustion engine with fewer than nine seating positions for adults.

Vintage or vintage year—The calendar year assigned to an allowance by the issuing authority that designates the first year in which it is valid to be applied against emissions.

Vinyl coating—Application of a decorative or protective topcoat on vinyl sheets.

Washcoat—Clear liquids having a solids content by weight of 12% or less, applied over stains and toners to protect the color coats and to set the fibers for subsequent sanding or to separate spray stains from wiping stains to enhance color depth.

Washoff operations—Operations in which solvent is used to remove coating from a substrate.

Wastewater separator—A holding area for waste liquids in which waste materials are separated from water by gravity.

Water-based sprays—Release compounds, sprayed on the inside and outside of green tires, in which solids, water and emulsifiers have been substituted for organic solvents.

Waterborne coating—A coating that contains more than 5% water by weight in its volatile fraction.

Waterborne (water-reducible) coating—A coating that contains more than 5% water by weight in its volatile fraction, as applied.

Waxy, heavy-pour crude oil—A crude oil with a pour point of 50°F or higher as determined by the *American Society of Testing and Materials Standard D 97-66*, “Test for Pour Point of Petroleum Oils.”

Wet fastener installation coating—A primer or sealant applied to aerospace vehicles or components by dipping, brushing or daubing on fasteners which are installed before the coating is cured.

Wholesale purchaser-consumer—An organization that is an ultimate consumer of gasoline which purchases or obtains gasoline from a supplier for use in motor vehicles and receives delivery of that product into a storage tank of at least 550-gallon capacity substantially under the control of that organization.

Wing coating—A corrosion-resistant topcoat applied to aerospace vehicles or components that is resilient enough to withstand the flexing of the wings.

Wood furniture—A product made of wood, a wood product such as rattan or wicker or an engineered wood product such as particleboard that is manufactured under the following *Standard Industrial Classification Codes*: 2434 (Wood kitchen cabinets), 2511 (Wood household furniture, except upholstered), 2512 (Wood household furniture, upholstered), 2517 (Wood television, radio,

phonograph, and sewing machine cabinets), 2519 (Household furniture, not elsewhere classified), 2521 (Wood office furniture), 2531 (Public building and related furniture), 2541 (Wood office and store fixtures, partitions, shelving, and lockers), 2599 (Furniture and fixtures, not elsewhere classified) or 5712 (Furniture stores).

Wood furniture component—A part that is used in the manufacture of wood furniture. The term includes drawer sides, cabinet doors, seat cushions and laminated tops.

Wood furniture manufacturing operations—The coating, cleaning and washoff operations associated with the production of wood furniture or wood furniture components.

Working mode cover—A cover or solvent cleaning machine design that allows the cover to shield the cleaning machine openings from outside air disturbances while parts are being cleaned in the cleaning machine. A cover that is used during the working mode is opened only during parts entry and removal.

Worksites—A building or a portion of a building which is owned or operated by the same employer or by employers under common control as provided in the employer definition or a grouping of buildings located within the same target area of the severe ozone nonattainment area which are in actual physical contact or separated only by a private or public roadway or other private or public right-of-way and which are owned or operated by the same employer or by employers under common control as provided in the employer definition.

York air basin—The political subdivisions in York County of Manchester Township, North York Borough, Spring Garden Township, Springettsbury Township, West Manchester Township, West York Borough and City of York.

Authority

The provisions of this § 121.1 issued under section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20); and section 5 of the Air Pollution Control Act (35 P. S. § 4005); amended under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

Source

The provisions of this § 121.1 adopted September 10, 1971, effective September 11, 1971, 1 Pa.B. 1804; amended March 3, 1972, effective March 20, 1972, 2 Pa.B. 383; amended August 12, 1977, effective August 29, 1977, 7 Pa.B. 2251; corrected August 20, 1977, effective August 29, 1977, 7 Pa.B. 2348; amended August 4, 1978, effective October 1, 1978, 8 Pa.B. 2163; amended April 27, 1979, effective April 28, 1979, 9 Pa.B. 1447; corrected May 11, 1979, effective April 28, 1979, 9 Pa.B. 1534; amended June 22, 1979, effective July 1, 1979, 9 Pa.B. 1935; amended June 29, 1979, effective July 1, 1979, 9 Pa.B. 2150; corrected July 20, 1979, effective July 1, 1979, 9 Pa.B. 2393; amended September 26, 1980, effective September 27, 1980, 10 Pa.B. 3788; amended November 7, 1980, effective January 1, 1981, 10 Pa.B. 4296; amended June 19, 1981, effective June 20, 1981, 11 Pa.B. 2118; amended August 12, 1983, effective August 13, 1983, 13 Pa.B. 2478; amended May 6, 1988, effective May 7, 1988, 18 Pa.B. 2098; amended May 13, 1988, effective May 14, 1988, 18 Pa.B. 2204; amended March 17, 1989, effective March 18, 1989, 19 Pa.B. 1169; amended October 19, 1990, effective October 20, 1990, 20 Pa.B. 5289; amended October 26, 1990, effective October 27, 1990, 20 Pa.B. 5416; amended August 2, 1991, effective August 3, 1991, 21 Pa.B. 3406; amended September 28, 1991, effective September 29, 1991, 21 Pa.B. 4400; amended February 7, 1992, effective February 8, 1992, 22 Pa.B. 585; amended August 28, 1992, effective August 29, 1992, 22 Pa.B. 4424; corrected October 23, 1992, effective August 29, 1992, 22 Pa.B. 5249; amended January 14,

1994, effective January 15, 1994, 24 Pa.B. 443; amended January 28, 1994, effective January 29, 1994, 24 Pa.B. 693; amended November 25, 1994, effective November 26, 1994, 24 Pa.B. 5899; amended August 18, 1995, effective August 19, 1995, 25 Pa.B. 3453; amended October 31, 1997, effective November 1, 1997, 27 Pa.B. 5601, 5683; amended December 26, 1997, effective December 27, 1997, 27 Pa.B. 6804; amended December 4, 1998, effective December 5, 1998, 28 Pa.B. 5973; amended April 9, 1999, effective April 10, 1999, 29 Pa.B. 1879; amended October 1, 1999, effective October 2, 1999, 29 Pa.B. 5089; amended November 24, 1999, effective November 27, 1999, 29 Pa.B. 6003; corrected December 10, 1999, effective April 10, 1999, 29 Pa.B. 6241; amended March 10, 2000, effective March 11, 2000, 30 Pa.B. 1370; amended June 9, 2000, effective June 10, 2000, 30 Pa.B. 2995; corrected October 20, 2000, effective April 10, 1999, 30 Pa.B. 5447; corrected August 3, 2001, effective April 10, 1999, 31 Pa.B. 4171; amended December 21, 2001, effective December 22, 2001, 31 Pa.B. 6921; amended May 10, 2002, effective May 11, 2002, 32 Pa.B. 2327; amended December 10, 2004, effective December 11, 2004, 34 Pa.B. 6509; corrected April 15, 2005, effective March 2, 2002, 35 Pa.B. 2278; as amended December 8, 2006, effective December 9, 2006, 36 Pa.B. 7424; amended May 18, 2007, effective May 19, 2007, 37 Pa.B. 2365; amended April 11, 2008, effective April 12, 2008, 38 Pa.B. 1705. Immediately preceding text appears at serial pages (327744) to (327800).

Notes of Decisions

Particulate Matter

While fugitive air contaminants are not excluded from the definition of particulate matter, fugitive air contaminants are not defined in terms of particulate matter only, thus neither term subsumed the other with regard to the material emitted. *Department of Environmental Resources v. Locust Point Quarries, Inc.*, 396 A.2d 1205 (Pa. 1979).

As defined in this section, particulate matter was not distinguishable from fugitive emissions. *Department of Environmental Resources v. Locust Point Quarries Inc.*, 367 A.2d 392 (Pa. Cmwlth. 1976).

Cross References

This section cited in 25 Pa. Code § 123.44 (relating to limitations of visible fugitive air contaminants from operation of any coke oven battery); 25 Pa. Code § 126.101 (relating to general); 25 Pa. Code Ch. 126 Appendix A (relating to target areas for the Philadelphia Severe Ozone Nonattainment Area); 25 Pa. Code § 127.102 (relating to general requirements); 25 Pa. Code § 127.704 (relating to Title V operating permit fees under Subchapter G); 25 Pa. Code § 127.705 (relating to emission fees); 25 Pa. Code § 145.113 (relating to standard requirements); 25 Pa. Code § 145.143 (relating to standard requirements); 25 Pa. Code § 271.1 (relating to definitions); 25 Pa. Code § 283.218 (relating to air resources protection); 25 Pa. Code § 287.1 (relating to definitions); and 25 Pa. Code § 287.102 (relating to permit-by-rule).

§ 121.2. Purpose.

The purpose of this article is to:

- (1) Provide for the control and prevention of air pollution anywhere in this Commonwealth, except as expressly excluded in the act or otherwise noted in this article.
- (2) Provide guidance for the design and operation of sources.

Source

The provisions of this § 121.2 adopted September 10, 1971, effective September 11, 1971, 1 Pa.B. 1804; amended March 3, 1972, effective March 20, 1972, 2 Pa.B. 383.

§ 121.3. Applicability.

This article applies in all regions of this Commonwealth, unless otherwise clearly noted.

Source

The provisions of this § 121.3 adopted September 10, 1971, effective September 11, 1971, 1 Pa.B. 1804; amended March 3, 1972, effective March 20, 1972, 2 Pa.B. 383.

§ 121.4. Regional organization of the Department.

The following regions are established for purposes of air pollution control and include the indicated counties:

(1) *Southeast Region.* Bucks, Chester, Delaware, Montgomery and Philadelphia Counties.

(2) *Northeast Region.* Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming Counties.

(3) *Southcentral Region.* Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York Counties.

(4) *Northcentral Region.* Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union Counties.

(5) *Southwest Region.* Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland Counties.

(6) *Northwest Region.* Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango and Warren Counties.

Source

The provisions of this § 121.4 adopted September 10, 1971, effective September 11, 1971, 1 Pa.B. 1804; amended March 3, 1972, effective March 20, 1972, 2 Pa.B. 383; amended May 22, 1992, effective May 23, 1992, 22 Pa. B. 2720. Immediately preceding text appears at serial page (162518).

Cross References

This section cited in 25 Pa. Code § 127.45 (relating to contents of notice); and 25 Pa. Code § 127.425 (relating to contents of notice).

§ 121.5. [Reserved].**Source**

The provisions of this § 121.5 adopted September 10, 1971, effective September 11, 1971, 1 Pa.B. 1804; amended March 3, 1972, effective March 20, 1972, 2 Pa.B. 383; reserved August 12, 1983, effective August 13, 1983, 13 Pa.B. 2478. Immediately preceding text appears at serial page (75530).

§ 121.6. [Reserved].**Source**

The provisions of this § 121.6 adopted September 10, 1971, effective September 11, 1971, 1 Pa.B. 1804; amended March 3, 1972, effective March 20, 1972, 2 Pa.B. 383; reserved August 12, 1983, effective August 13, 1983, 13 Pa.B. 2478. Immediately preceding text appears at serial page (75530).

§ 121.7. Prohibition of air pollution.

No person may permit air pollution as that term is defined in the act.

Source

The provisions of this § 121.7 adopted September 10, 1971, effective September 11, 1971, 1 Pa.B. 1804; amended March 3, 1972, effective March 20, 1972, 2 Pa.B. 383.

§ 121.8. Compliance responsibilities.

Compliance with any provision of this title may not relieve a person of the responsibility to comply with other provisions of this title, except when the relief has been clearly provided for in this title. Unless explicit reference is made to another section, each section of this title is construed and enforced according to its own terms. Thus, for example and without limitation on the general application of this section, compliance with both §§ 123.1 and 123.41 (relating to prohibition of certain fugitive emissions; and limitations) shall be attained whether or not emissions comply with §§ 123.11—123.13 (relating to particulate matter emissions). Compliance with each section of this title will be independently determined.

Source

The provisions of this § 121.8 adopted September 10, 1971, effective September 11, 1971, 1 Pa.B. 1804; amended March 3, 1972, effective March 20, 1972, 2 Pa.B. 383; amended August 12, 1977, effective August 13, 1977, 7 Pa.B. 2251. Immediately preceding text appears at serial page (4618).

§ 121.9. Circumvention.

No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of this article, except that with prior approval of the Department, the device or technique may be used for control of malodors.

Source

The provisions of this § 121.9 adopted September 10, 1971, effective September 11, 1971, 1 Pa.B. 1804; amended March 3, 1972, effective March 20, 1972, 2 Pa.B. 383; amended May 13, 1988, effective May 14, 1988, 18 Pa.B. 2204.

§ 121.10. Existing orders.

Orders and permits issued and stipulations and agreements entered into by the Department prior to the effective date of this section shall continue in effect, but no order, permit, stipulation or agreement may relieve a person from the responsibility to fully comply with the applicable provisions of this article.

Source

The provisions of this § 121.10 adopted September 10, 1971, effective September 11, 1971, 1 Pa.B. 1804; amended March 3, 1972, effective March 20, 1972, 2 Pa.B. 383.

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