

MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT

RULE 1300 – GENERAL

(Adopted: 7/21/80) (Rescinded: 10/27/93) (Adopted: 03/25/96) (Amended: 09/24/01)

(A) Purpose

- (1) The purpose of this Regulation is to:
 - (a) Set forth the requirements for the preconstruction review of all new or modified Facilities.
 - (b) Ensure that the Construction, or Modification of Facilities subject to this Regulation does not interfere with the attainment and maintenance of Ambient Air Quality Standards.
 - (c) Ensure that there is no net increase in the emissions of any Nonattainment Air Pollutants from new or modified Major Facilities which emit or have the Potential to Emit any Nonattainment Air Pollutant in an amount greater than or equal to the amounts set forth in District Rule 1303(B)(1).
 - (d) Ensure that the Construction or Modification of Facilities subject to this Regulation comply with the preconstruction review requirements for Toxic Air Contaminants set forth in District Rule 1320.

(B) Applicability

- (1) The provisions of this Regulation shall apply to:
 - (a) Any new or modified Facility or Emissions Unit which requires a permit pursuant to the provisions of District Regulation II.

(C) Exemption

- (1) Change of Ownership
 - (a) Any Facility which is a continuing operation, shall be exempt from the provisions of this Rule when:

- (i) A new permit to operate is required solely because of permit renewal or change in ownership; and
- (ii) There is no Modification or change in operating conditions for the Facility.

(D) Interaction with Other Federal, State and District Requirements

(1) Interaction with District Rules

(a) Supersession of Various District Rules

- (i) This Regulation shall supersede District Rules 203.1, 203.2, 213, 213.1, 213.2, and 213.3 for all applications for ATC(s) which have not been accepted as complete prior to July 21, 1980 and for the issuance of PTO(s) which received ATC(s) under such rules prior to July 21, 1980.

(b) Issuance of Authority to Construct Permits and Permits to Operate

- (i) ATC(s) and PTO(s) issued pursuant to this Regulation shall also comply with the applicable provisions of District Regulation II.

(2) Prevention of Significant Deterioration (PSD)

- (a) Nothing in this Regulation shall be construed to exempt a Facility or an Emissions Unit located in an area designated by USEPA as attainment or unclassified for a Regulated Air Pollutant from complying with the applicable provisions of Title I, Part C of the Federal Clean Air Act (42 U.S.C. §§7470-7492, Prevention of Significant Deterioration of Air Quality) and the regulations promulgated thereunder.

(3) Other Federal Requirements

- (a) Nothing in this Regulation shall be construed to exempt a Facility or an Emissions Unit from complying with all other applicable Federal Requirements including, but not limited to, the following:
 - (i) Any standard or other requirement contained in the applicable implementation plan for the District, and any amendments thereto, approved or promulgated pursuant to the provisions of Title I of the Federal Clean Air Act (42 U.S.C. §§7401-7515).

- (ii) Any standard or other requirement under 42 U.S.C. §7411, Standards of Performance for New Stationary Sources (Federal Clean Air Act §111); 42 U.S.C. §7412, Hazardous Air Pollutants (Federal Clean Air Act §112) or the regulations promulgated thereunder.
- (iii) Any standard or other requirement under Title IV of the Federal Clean Air Act (42 U.S.C. §§7651-7651o, Acid Rain) or the regulations promulgated thereunder.
- (iv) Any standard or other requirement under Title V of the Federal Clean Air Act (42 U.S.C. §§7661a - 7661f, Permits), the regulations promulgated or the District program approved thereunder.
- (v) Any standard or other requirement of the regulations promulgated under Title VI of the Federal Clean Air Act (42 U.S.C. §§7671-7671q, Stratospheric Ozone Protection) or the regulations promulgated thereunder.
- (vi) Any national Ambient Air Quality Standard or increment or visibility requirement promulgated pursuant to part C of Title I of the Federal Clean Air Act (42 U.S.C. §7401-7515).

(E) Violations

- (1) Failure to comply with the provisions of this Regulation shall result in enforcement action under applicable provisions of Division 26, Part 4, Chapter 4 of the California Health and Safety Code (commencing with §42300) and or applicable provisions of the Federal Clean Air Act (42 U.S.C. §§ 7401 et.seq.)

[SIP: Submitted as amended 09/24/01 on _____; Approved 11/13/96, 61 FR 58133, 40 CFR 52.220(c)(239)(i)(A)(1); Submitted recision of 10/27/93 on 03/29/94]

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