

demonstrating attainment or reasonable further progress in the nonattainment area which the particular change will impact.

- d) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a shakedown period not to exceed 180 days.

(Source: Amended at 12 Ill. Reg. 6118, effective March 28, 1988)

Section 203.209 Significant Emissions Determination

A net emission increase in the pollutant emitted is significant if the rate of emission is equal to or in excess of the following:

- a) Carbon monoxide: 100 tons per year (tpy)
- b) Nitrogen oxides: 40 tpy
- c) Sulfur dioxide: 40 tpy
- d) Particulate matter: 25 tpy
- e) Ozone: 40 tpy of volatile organic compounds
- f) Lead: 0.6 tpy

(Source: Amended at 12 Ill. Reg. 6118, effective March 22, 1988)

Section 203.210 Relaxation of a Source-Specific Limitation

- a) No person shall cause or allow the operation of a source so as to exceed any enforceable limitation which affects or defines the applicability of the requirements of this Part to a stationary source or modification by specifying the permissible emission rate, operating hours, the type or amount of material processed, stored or combusted, or other aspects of source operation.
- b) At such time that a particular source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in, or expiration of, any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours or operation, then the requirements of this Part shall apply as though construction had not yet commenced on the source or modification.

(Source: Amended at 12 Ill. Reg. 6118, effective March 22, 1988)

Section 203.211 Permit Exemption Based on Fugitive Emissions

The provisions of this Part shall not apply to a source or modification that would be a major stationary source or major modification only if fugitive emissions, to the extent quantifiable as evidenced by 35 Ill. Adm. Code 201.122, are considered in calculating the potential to emit of the stationary source or modification and the source does not belong to any of the categories enumerated in Section 203.206(d).

(Source: Added at 12 Ill. Reg. 6118, effective March 22, 1988)

SUBPART C: REQUIREMENTS FOR MAJOR STATIONARY SOURCES IN NONATTAINMENT AREAS

Section 203.301 Lowest Achievable Emission Rate

- a) For any source, lowest achievable emission rate (LAER) will be the more stringent rate of emissions based on the following:
 - 1) The most stringent emission limitation which is contained in the implementation plan of any state for such class or category of stationary source, unless it is demonstrated that such limitation is not achievable; or
 - 2) The most stringent emission limitation which is achieved in practice by such a class or category of stationary source. This limitation, when applied to a modification, means the lowest achievable emissions rate for the new or modified emissions units within the stationary source. In no event shall the application of this term permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under an applicable new source performance standard adopted by USEPA pursuant to Section 111 of the Clean Air Act and made applicable in Illinois pursuant to Section 9.1 of the Act.
- b) The owner or operator of a new major stationary source shall demonstrate that the control equipment and process measures applied to the source will produce LAER.
- c) The owner or operator of a major modification shall demonstrate that the control equipment and process measures applied to the major modification will produce LAER. This requirement applies to each emissions unit at which a net increase in emissions of the pollutant has occurred or would occur as a result of a physical change or change in the method of operation.