26) Fossil fuel-fired steam electric plants of more than 250 million Btu per hour heat input;

27) Any other stationary source category which was regulated as of August 7, 1980, by USEPA under Section 111 or 112 of the Clean Air Act (42 U.S.C. 7411, 7412).

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

Section 203.207 Major Modification of a Source

a) Except as provided in Subsection (c), a physical change, or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant for which the area is designated a nonattainment area, shall constitute a major modification of a source.

b) Any net emissions increase that is significant for volatile organic compounds shall be considered significant for ozone.

c) A physical change or change in the method of operation shall not include:

1) Routine maintenance, repair, and replacement which does not constitute reconstruction pursuant to Section 203.206(c).

2) Use of an alternative fuel or raw material by reason of any order under Sections 2(a) and (b) of the Energy Supply and Environmental Coordination Act of 1974 (15 U.S.C. 791), the Power Plant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8301) (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act (16 U.S.C. 791, et seq.).

3) Use of an alternative fuel by reason of an order or rule under Section 125 of the Clean Air Act (42 U.S.C. 7425).

4) Use of an alternative fuel at a steam generating unit to the extent that the fuel is generated from municipal solid waste.

5) Use of an alternative fuel or raw material by a stationary source which:

A) Was capable of accommodating such alternative fuel or raw material before December 21, 1976, and which has continuously remained capable of accommodating such fuels or materials unless such change would be prohibited under any enforceable permit condition established after December 21, 1976, pursuant to 40 CFR 52.21, this Part, or 35 Ill. Adm. Code 201.142 or 201.143, or

B) Is approved for use under any permit issued pursuant to this Part or 35 Ill. Adm. Code 201.142 or 201.143.

6) An increase in the hours of operation or in the production rate, unless such change is prohibited under any enforceable permit condition which was established after December 21, 1976 pursuant to 40 CFR 52.21, this Part, or 35 Ill. Adm. Code 201.142 or 201.143.

7) Any change in ownership at a stationary source.

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

Section 203.208 Net Emission Determination

A net emissions increase is the amount by which the sum of any increase in actual emissions from a particular physical change or change in method of operation at a source, and any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable, exceeds zero. The following steps determine whether the increase or decrease in emissions is available.

a) An increase or decrease in actual emissions is contemporaneous only if it occurs between the date that an increase from a particular change occurs and the date five years before a timely and complete application is submitted for the particular change. It must also occur after either April 24, 1979, or the date the area is designated by the U.S. Environmental Protection Agency (USEPA) as a nonattainment area for the pollutant, whichever is more recent;

b) An increase or decrease in actual emissions is creditable:

1) Only if there is not in effect for the source at the time the particular change occurs, a permit which relied on the same increase or decrease in actual emissions; and

2) Only to the extent the new and old levels differ.

c) A decrease in actual emissions is creditable to the extent that:

1) It is enforceable at and after the time that actual construction on the particular change begins;

2) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change;

3) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions; and

4) It is demonstrated by the Agency not to have been previously relied on in issuing any permit pursuant to this part or 35 Ill. Adm. Code 201.142 or 201.143 or for