

REGULATION 6.47 Federal Acid Rain Program Incorporated by Reference

Air Pollution Control District of Jefferson County Jefferson County, Kentucky

Relates To: KRS Chapter 77 Air Pollution Control

Pursuant To: KRS Chapter 77 Air Pollution Control

Necessity and Function: KRS 77.180 authorizes the Air Pollution Control Board to adopt and enforce all orders, rules, and regulations necessary or proper to accomplish the purposes of KRS Chapter 77. This regulation incorporates by reference the Federal Acid Rain Program of the Clean Air Act for affected facilities.

SECTION 1 General Definition

In the federal regulations incorporated by reference, the term "permitting authority" shall mean the Air Pollution Control District of Jefferson County and the term "Administrator" shall mean the Administrator of the United States Environmental Protection Agency.

SECTION 2 Applicability

This regulation applies to all affected facilities subject to any Acid Rain emissions reduction requirement or Acid Rain emissions limitation under 40 CFR §72.6 or 40 CFR Part 74.

SECTION 3 General Provisions

For purposes of implementing an acid rain program that meets the requirements of the Act Title IV, the District incorporates by reference the following:

- 3.1 40 CFR Part 72 *Permits Regulation*,
- 3.2 40 CFR Part 73 *Sulfur Dioxide Allowance System*,
- 3.3 40 CFR Part 74 *Sulfur Dioxide Opt-ins*,
- 3.4 40 CFR Part 75 *Continuous Emission Monitoring*,
- 3.5 40 CFR Part 76 *Acid Rain Nitrogen Oxides Emission Reduction Program*,
- 3.6 40 CFR Part 77 *Excess Emissions*, and
- 3.7 40 CFR Part 78 *Appeal Procedures for Acid Rain Program*.

SECTION 4 Availability

Copies of the *Code of Federal Regulations* (CFR) are available:

- 4.1 For sale from:
 - U. S. Government Printing Office
 - Superintendent of Documents
 - Mail Stop SSOP
 - Washington, DC 20402-9328.
- 4.2 For free by downloading from the Internet:
 - <http://www.access.gpo.gov/nara/cfr>

SECTION 5 Additional Affected Facility Requirements

In addition to complying with EPA regulations 40 CFR Part 72 to 40 CFR Part 78, affected facilities shall comply with any more stringent requirements in District regulations. If the provisions or requirements of 40 CFR Part 72 to 40 CFR Part 78 conflict with or are not included in Regulation 2.16 *Title V Operating Permits*, the Part 72 to Part 78 provisions and requirements shall apply and take precedence unless Regulation 2.16 is more stringent.

Adopted v1/12-21-94; effective 12-21-94, amended v2/6-21-95, v3/11-19-97, v4/3-15-00.