

3745-110-02 **Applicability.**

[Comment: For dates of non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see paragraph (C) of rule 3745-110-01 of the Administrative Code titled "Reference to materials."]

(A) Unless exempted under paragraph (K) of rule 3745-110-03 of the Administrative Code, the requirements of this chapter shall apply to any stationary source of NOx emissions that meets one of the following conditions:

(1) Existing sources.

(a) The source is, as defined in rule 3745-110-01 of the Administrative Code, a very large boiler, large boiler, mid-size boiler, small boiler, stationary combustion turbine, stationary internal combustion engine, or reheat furnace, or it is located at a facility that emits or has the potential to emit a total of more than one hundred tons per year of NOx emissions from all sources at that facility, including all sources that are exempt under rule 3745-110-03 of the Administrative Code; and

(b) The source is located in Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage, or Summit County.

(2) New or modified sources, as defined in rule 3745-31-01 of the Administrative Code.

(a) The source is, as defined in rule 3745-110-01 of the Administrative Code, a very large boiler, large boiler, mid-size boiler, small boiler, stationary combustion turbine, stationary internal combustion engine, or reheat furnace; and

(b) Except where the emission limitations and requirements of an applicable new source performance standard under 40 CFR Part 60 are more stringent than the emission limitations and requirements of this chapter, any new or modified source issued a permit-to-install after January 1, 2008, shall comply with the requirements of this chapter.

[Comment: If a new source performance standard is determined to be more stringent than the requirements of this chapter, the new source described under this paragraph shall comply with the new source performance standards in lieu of the requirements of this chapter].

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Certification

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