

CHAPTER III -- APPLICABILITY OF REGULATION 5

Rule 5-300 - Applicability

(a) Sources Subject to Regulation 5

The sources listed below are subject to the requirements of Regulation 5:

- (1) A major source;
- (2) A source with an acid rain unit for which application for an Acid Rain Permit is required pursuant to Title IV of the Clean Air Act;
- (3) A solid waste incinerator subject to a performance standard promulgated pursuant to Section 111 or 129 of the Clean Air Act;
- (4) Any other source in a source category designated by rule of the U.S. EPA, pursuant to 40 CFR Part 70.3; and
- (5) Any source that is subject to a standard or other requirement promulgated pursuant to Section 111 or 112 of the Clean Air Act, published after July 21, 1992, designated by the U.S. EPA pursuant to 40 CFR Part 70.3 at the time the new standard is promulgated.

[Reference: 40 CFR 70.3(a)]

(b) Sources Exempt from Regulation 5

The sources listed below are not subject to the requirements of Regulation 5:

- (1) Sources regulated solely by 40 CFR Part 60, Subpart AAA (Standards of Performance for New Residential Wood Heaters);
- (2) Sources regulated solely by 40 CFR Part 61, Subpart M, Section 145 (National Emission Standards for Asbestos, Standard for Demolition and Renovation); and
- (3) Any other source in a source category deferred by U.S. EPA pursuant to 40 CFR Part 70.3.

[Reference: 40 CFR 70.3(b)]