

PART F - AIR POLLUTION EPISODES

§2106.01 AIR POLLUTION EPISODE SYSTEM

- a. **General.** The purpose of this Part is to provide the Department with the authority to decrease the severity and duration of air pollution episodes by requiring staged reductions in the emission of air contaminants and general reductions in activities which place demands upon air pollution sources or which result in generation of air contaminants either directly or indirectly, in conjunction with air quality measurements and meteorological forecasts. The goal of these reductions is the avoidance of conditions which may result in significant harm to human health or welfare.
- b. **Other powers unaffected.** Nothing contained in this Part shall affect the power of the Department to issue an Emergency Order pursuant to §2109.05 of this Article, whether or not such emergency occurs during an air pollution episode, or any other order pursuant to Part I of this Article.

§2106.02 AIR POLLUTION SOURCE CURTAILMENT PLANS

- a. Any person responsible for a source of air contaminants of the type set forth below shall, upon written request of the Department, submit a source curtailment plan, consistent with good industrial practice and safe operating procedures, designed to reduce emissions of air contaminants during air pollution episodes. Such plans shall meet the requirements of Subsection c below, and shall be consistent with any further guidance developed by the Department in the administration of this Part.
 1. Coal or oil-fired electric power generating sources.
 2. Coal or oil-fired steam generating sources.
 3. Manufacturing industries in the following classifications:
 - A. primary metals
 - B. secondary metals
 - C. metal fabricating
 - D. coke making
 - E. paper and allied products
 - F. chemical and allied products
 - G. petroleum refining and related industry
 - H. stone, glass, clay, and concrete products.
 4. Asphalt plants.
 5. Incinerators.
 6. Slag handling operations.
 7. Other sources designated by Department.
- b. Source curtailment plans required by Subsection a above shall be in writing and shall show the source of emissions, the approximate emissions rate and percentage of reductions to be achieved upon

implementation, the time necessary after notification to implement the plan, and a brief description of the manner in which reductions will be achieved at the respective Stages or Levels of an air pollution episode.

- c. Source curtailment plans shall specify three phases of curtailment actions. These phases shall correspond to the respective Alert Stages or Localized Incident Levels, unless otherwise provided for in an individual source curtailment plan upon the approval of the Department. The goal of the first phase of curtailment shall be to provide for the reduction of emissions to the level required by the applicable emission limitations of this Article. Subject to the approval of the Department, plans may specify that the first phase emission reductions required of a non-complying source may instead be brought about by the curtailment of another source (or sources) under common control at the same site. The goal of the second phase of curtailment shall be to provide substantial reduction of emissions of air contaminants by ceasing, curtailing, deferring or postponing production and allied operations. The goal of the third phase of curtailment shall be to eliminate emissions of air contaminants by ceasing curtailing, deferring, or postponing production and allied operations. Curtailment shall be obtained without causing injury to persons or substantial damage to equipment.
- d. Source curtailment plans for incinerators shall specify what preparations have been made to handle and store, or otherwise dispose of, refuse without incineration.
- e. Source curtailment plans required by this Section shall be kept on the premises of the source affected and made available to any person authorized to enforce the provisions of this Article.
- f. If a submitted plan, as required by Subsection a, is not acceptable to the Department, it shall issue an order directing the responsible person to modify and resubmit the plan within 30 days after receiving notice. The order shall specify the reason or reasons for disapproval and shall specify the changes or additions necessary to make the plan acceptable to the Department. In the event that the person responsible for a source fails to resubmit a plan or fails to resubmit a plan in accordance with the changes or additions recommended by the Department, the Department, in addition to any other remedies available to it under this Article, shall have the authority to issue an order to that person detailing the procedures for that person to following during the various stages of an air pollution episode and which shall be considered the source curtailment plan for that source.
- g. Any person responsible for operation of a source for which a source curtailment plan has been submitted shall advise the Department in writing of any changes affecting the technical content or the implementation of the plan within 30 days of their occurrence. Such submittals shall be processed according to the procedures described in Subsection f above.
- h. The Department may, upon its determination that particular sources are adversely contributing to an air pollution episode, order such sources to implement the procedures of their source curtailment plans. Upon notification by the Department of the existence of an episode and the need to implement the source curtailment plan, the person responsible for the source affected shall immediately implement such plan. If an Air Pollution Episode or Localized Incident occurs during the period when a source curtailment plan is under review by the Department, such plan shall be implemented, provided, however, that if such plan is not acceptable to the Department, other curtailment action shall be taken as specified by the Department.

§2106.03 EPISODE CRITERIA

- a. **County-wide Air Pollution Watch Declaration Criteria and Alert Declaration Criteria.**
 - 1. **County-wide Air Pollution Watch:** A County-wide Air Pollution Watch shall be declared by the Department when either of the following conditions has been met: