
40 C.F.R. § 49.138

Rule for the registration of air pollution sources and the reporting of emissions.

(a) *What is the purpose of this section?* This section allows the Regional Administrator to develop and maintain a current and accurate record of air pollution sources and their emissions within the Indian reservation.

(b) *Who is affected by this section?* This section applies to any person who owns or operates a part 71 source or an air pollution source that is subject to a standard established under section 111 or section 112 of the Federal Clean Air Act. This section also applies to any person who owns or operates any other air pollution source except those exempted in paragraph (c) of this section.

(c) *What is exempted from this section?* As provided in paragraph (b) of this section, this section does not apply to the following air pollution sources:

- (1) Air pollution sources that do not have the potential to emit more than two tons per year of any air pollutant;
- (2) Mobile sources;
- (3) Single family residences, and residential buildings with four or fewer dwelling units;
- (4) Air conditioning units used for human comfort that do not exhaust air pollutants into the atmosphere from any manufacturing or industrial process;
- (5) Ventilating units used for human comfort that do not exhaust air pollutants into the atmosphere from any manufacturing or industrial process;
- (6) Furnaces and boilers used exclusively for space heating with a rated heat input capacity of less than 400,000 British thermal units (Btu) per hour;
- (7) Cooking of food, except for wholesale businesses that both cook and sell cooked food;
- (8) Consumer use of office equipment and products;
- (9) Janitorial services and consumer use of janitorial products;
- (10) Maintenance and repair activities, except for air pollution sources engaged in the business of maintaining and repairing equipment;
- (11) Agricultural activities and forestry and silvicultural activities, including agricultural burning and forestry and silvicultural burning; and
- (12) Open burning.

(d) *What are the requirements of this section?* Any person who owns or operates an air pollution source subject to

this section, except for part 71 sources, must register the source with the Regional Administrator and submit reports as specified in paragraph (e) of this section. Any person who owns or operates a part 71 source must submit reports as specified in paragraph (f) of this section. All registration information and reports must be submitted on forms provided by the Regional Administrator.

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