
40 C.F.R. § 75.70

NOX mass emissions provisions.

(a) *Applicability.* The owner or operator of a unit shall comply with the requirements of this subpart to the extent that compliance is required by an applicable State or federal NO_x mass emission reduction program that incorporates by reference, or otherwise adopts the provisions of, this subpart.

(1) For purposes of this subpart, the term “affected unit” shall mean any unit that is subject to a State or federal NO_x mass emission reduction program requiring compliance with this subpart, the term “non-affected unit” shall mean any unit that is not subject to such a program, the term “permitting authority” shall mean the permitting authority under an applicable State or federal NO_x mass emission reduction program that adopts the requirements of this subpart, and the term “designated representative” shall mean the responsible party under the applicable State or federal NO_x mass emission reduction program that adopts the requirements of this subpart.

(2) In addition, the provisions of subparts A, C, D, E, F, and G and appendices A through G of this part applicable to NO_x concentration, flow rate, NO_x emission rate and heat input, as set forth and referenced in this subpart, shall apply to the owner or operator of a unit required to meet the requirements of this subpart by a State or federal NO_x mass emission reduction program. When applying these requirements, the term “affected unit” shall mean any unit that is subject to a State or federal NO_x mass emission reduction program requiring compliance with this subpart, the term “permitting authority” shall mean the permitting authority under an applicable State or federal NO_x mass emission reduction program that adopts the requirements of this subpart, and the term “designated representative” shall mean the responsible party under the applicable State or federal NO_x mass emission reduction program that adopts the requirements of this subpart. The requirements of this part for SO₂, CO₂ and opacity monitoring, recordkeeping and reporting do not apply to units that are subject to a State or federal NO_x mass emission reduction program only and are not affected units with an Acid Rain emission limitation.

(b) *Compliance dates.* The owner or operator of an affected unit shall meet the compliance deadlines established by an applicable State or federal NO_x mass emission reduction program that adopts the requirements of this subpart.

(c) *Prohibitions.* (1) No owner or operator of an affected unit or a non-affected unit under § 75.72(b)(2)(ii) shall use any alternative monitoring system, alternative reference method, or any other alternative for the required continuous emission monitoring system without having obtained prior written approval in accordance with paragraph (h) of this section.

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