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## 40 C.F.R. § 63.41

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### Definitions.

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Terms used in this subpart that are not defined in this section have the meaning given to them in the Act and in subpart A.

*Affected source* means the stationary source or group of stationary sources which, when fabricated (on site), erected, or installed meets the definition of “construct a major source” or the definition of “reconstruct a major source” contained in this section.

*Affected States* are all States:

- (1) Whose air quality may be affected and that are contiguous to the State in which a MACT determination is made in accordance with this subpart; or
- (2) Whose air quality may be affected and that are within 50 miles of the major source for which a MACT determination is made in accordance with this subpart.

*Available information* means, for purposes of identifying control technology options for the affected source, information contained in the following information sources as of the date of approval of the MACT determination by the permitting authority:

- (1) A relevant proposed regulation, including all supporting information;
- (2) Background information documents for a draft or proposed regulation;
- (3) Data and information available for the Control Technology Center developed pursuant to section 113 of the Act;
- (4) Data and information contained in the Aerometric Informational Retrieval System including information in the MACT data base;
- (5) Any additional information that can be expeditiously provided by the Administrator; and
- (6) For the purpose of determinations by the permitting authority, any additional information provided by the applicant or others, and any additional information considered available by the permitting authority.

*Construct a major source* means:

- (1) To fabricate, erect, or install at any greenfield site a stationary source or group of stationary sources which is located within a contiguous area and under common control and which emits or has the potential to emit 10 tons per year of any HAP's or 25 tons per year of any combination of HAP, or

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