

**Petition for Rulemaking.**

The following proposed rule has been submitted to DEQ by Petitioner Richard A. Dawson. Consistent with DEQ's Rules of Practice and Procedure (OAC 252:4-5-3), the petition has been referred to the Air Quality Council and will be set on the hearing agenda for the July 17, 2002 Air Quality Council meeting.

**SUBCHAPTER 8.PERMITS FOR PART 70 SOURCES**

PART 7. PREVENTION OF SIGNIFICANT DETERIORATION (PSD)  
252:100-8-34. Best available control technology  
[AMENDED]

**252:100-8-34. Best available control technology [AMENDED]**

(a) A new source must demonstrate that the control technology to be applied is the best that is available (i.e., BACT as defined herein for each regulated pollutant that it would have the potential to emit in significant amounts).

(b) A major modification must demonstrate that the control technology to be applied is the best that is available for each regulated pollutant for which it would be a significant net emissions increase at the source. This requirement applies to each proposed emissions unit at which a net emissions increase in the pollutant would occur as a result of a physical change or change in the method of operation in the unit.

(c) The determination of best available control technology shall be made on a case by case basis taking into account costs and energy, environmental and economic impacts.

(d) For phased construction projects the determination of best available control technology shall be reviewed and modified at the discretion of the Executive Director at a reasonable time but no later than 18 months prior to commencement of construction of each independent phase of the project. At such time the owner or operator may be required to demonstrate the adequacy of any previous determination of best available control technology.

(e) NOx BACT for gas-fired turbine electric generation units at new electric power plants shall be any control technology sufficient to lower emissions of NOx to 2.0 ppm (1-hour rolling average and 15% Oxygen) or less. If Selective Catalytic Reduction is used the ammonia slip shall not be more than 5.0 ppm.

(f) CO BACT for gas-fired turbine electric generation units at new electric power plants shall be any control technology sufficient to lower emissions to 2.0 ppm (3-hour rolling average) or less.