

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
RESEARCH TRIANGLE PARK, NC 27711

OFFICE OF
AIR QUALITY PLANNING
AND STANDARDS

MAY 4 1995

Mr. Robert Kalish
Environmental Services Department
The Dow Chemical Company
Post Office Box 150
Plaquemine, Louisiana 70765-0150

Dear Mr. Kalish:

This letter responds to your letter dated April 10, 1995 concerning the Environmental Protection Agency's (EPA) guidance memorandum of March 11, 1991 entitled "New Source Review Transitional Guidance." You specifically request clarification on the applicability of the prevention of significant deterioration (PSD) regulations at 40 CFR 52.21 to modifications at major stationary sources that increase emissions of noncriteria air pollutants.

Under the PSD regulations, stationary sources that emit, or have the potential to emit, any air pollutant subject to regulation under the Clean Air Act (Act) in major amounts [see 40 CFR 52.21 (b)(1)(i)(a)] are major sources. The pollutants regulated under the Act may be criteria or noncriteria pollutants. Likewise, major modifications for any air pollutant subject to regulation under the Act, either criteria or noncriteria, at major stationary sources are subject to the PSD regulations (see 40 CFR 52.21(i)(2)]. For PSD applicability purposes, an increase in a criteria pollutant is not a requisite for modifications that increase noncriteria pollutants to be subject to PSD. For your example, this means that a modification resulting in a net emissions increase of 4 tons per year of fluorides is a major modification subject to the PSD requirements even if there would be no increase in the emissions of a criteria pollutant. Note that under section 112(b)(6) of the Act as amended in 1990, the hazardous air pollutants listed under section 112 of the Act are not subject to the PSD provisions.

Enclosed for your information is EPA's workshop manual entitled "New Source Review Workshop Manual." This manual provides additional information on the applicability of the PSD program.

Questions concerning this issue may be directed to Mr. Mike Sewell of this office at (919) 541-0873. I appreciate this opportunity to be of service and trust this information will be helpful to you.

Sincerely,

John S. Seitz
Director
office of Air Quality Planning
and Standards

Enclosure

cc: Regional Air Division Directors
Mike Sewell (MD-12)