

DISCUSSION AID: This is a draft working document with the sole purpose of facilitating conversation. It does not reflect the position of the Governor or the Arkansas Department of Energy and Environment.

Rule 26		State or Federal Corresponding Term	
Term	Definition	Citation	Definition or Notes
“Acid rain source”	means “affected source” as defined in Title IV of the Clean Air Act.	40 CFR 70.2	Affected source shall have the meaning given to it in the regulations promulgated under title IV of the Act.
“Administrative permit amendment”	means a permit revision that meets the criteria of Rule 26.901 or Rule 26.902 and is processed pursuant to the procedures established in Rule 26.903.	40 CFR 70.(7)(d)(1)	<p>(1) An “administrative permit amendment” is a permit revision that:</p> <ul style="list-style-type: none"> (i) Corrects typographical errors; (ii) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source; (iii) Requires more frequent monitoring or reporting by the permittee; (iv) Allows for a change in ownership or operational control of a source where the permitting authority determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the permitting authority; (v) Incorporates into the part 70 permit the requirements from preconstruction review permits authorized under an EPA-approved program, provided that such a program meets procedural requirements substantially equivalent to the requirements of §§ 70.7 and 70.8 of this part that would be applicable to the change if it were subject to review as a permit modification, and compliance requirements substantially equivalent to those contained in § 70.6 of this part; or (vi) Incorporates any other type of change which the Administrator has determined as part of the approved part 70 program to be similar to those in paragraphs (d)(1) (i) through (iv) of this section. <p>(2) Administrative permit amendments for purposes of the acid rain portion of the permit shall be governed by regulations promulgated under title IV of the Act.</p>

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“Affected states”	means states: (A) Whose air quality may be affected and that are contiguous to the state in which a Part 70 permit, permit modification, or permit renewal is being proposed; or (B) That are within fifty (50) miles of the permitted Part 70 source.	40 CFR 70.2	Affected States are all States: (1) Whose air quality may be affected and that are contiguous to the State in which a part 70 permit, permit modification or permit renewal is being proposed; or (2) That are within 50 miles of the permitted source.
“Air pollutant”	means any solid, liquid, gas, or combination thereof, other than water vapor, nitrogen, and oxygen.	Ark Code Ann 8-4-303	(2) “Air contaminant” means any solid, liquid, gas, or vapor or any combination thereof;
“Applicable implementation plan”	means the plan promulgated by the State, and those portions of the plan that may be promulgated by EPA, that are codified at 40 C.F.R. § 52 Subpart E.	No equivalent in Part 70	Notes: Original language based on where SIP is codified and information in (1) of definition of “applicable requirement” in 70.2. EPA also codifies FIP elements for Arkansas into Subpart E. (1) Any standard or other requirement provided for in the applicable implementation plan approved or promulgated by EPA through rulemaking under title I of the Act that implements the relevant requirements of the Act, including any revisions to that plan promulgated in part 52 of this chapter;
“Applicable requirement”	means all of the following as they apply to emissions units in a Part 70 source (including requirements that have been promulgated or approved by EPA through rulemaking at the time of issuance but have future-effective compliance dates): (A) Any standard or other requirement provided for in the applicable implementation plan approved or promulgated by EPA through rulemaking under Title I of the Clean Air Act that implements the relevant requirements of the Clean Air Act, including any revisions to that plan promulgated in 40 C.F.R. Part 52; (B) Any term or condition of any preconstruction permits issued pursuant to rules approved or promulgated through rulemaking under Title I, including Parts C or D, of the	40 CFR 70.2	Applicable requirement means all of the following as they apply to emissions units in a part 70 source (including requirements that have been promulgated or approved by EPA through rulemaking at the time of issuance but have future-effective compliance dates): (1) Any standard or other requirement provided for in the applicable implementation plan approved or promulgated by EPA through rulemaking under title I of the Act that implements the relevant requirements of the Act, including any revisions to that plan promulgated in part 52 of this chapter; (2) Any term or condition of any preconstruction permits issued pursuant to regulations approved or promulgated through rulemaking under title I, including parts C or D, of the Act; (3) Any standard or other requirement under section 111 of the Act,

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	<p>Clean Air Act;</p> <p>(C) Any standard or other requirement under § 111 of the Clean Air Act, including § 111(d);</p> <p>(D) Any standard or other requirement under § 112 of the Clean Air Act, including any requirement concerning accident prevention under § 112(r)(7) of the Clean Air Act;</p> <p>(E) Any standard or other requirement of the Acid Rain Program under Title IV of the Clean Air Act or the rules promulgated thereunder;</p> <p>(F) Any requirements established pursuant to § 504(b) or § 114(a)(3) of the Clean Air Act;</p> <p>(G) Any standard or other requirement governing solid waste incineration, under § 129 of the Clean Air Act;</p> <p>(H) Any standard or other requirement for consumer and commercial products, under §183(e) of the Clean Air Act;</p> <p>(I) Any standard or other requirement for tank vessels, under § 183(f) of the Clean Air Act;</p> <p>(J) Any standard or other requirement of the program to control air pollution from outer continental shelf sources, under § 328 of the Clean Air Act;</p> <p>(K) Any standard or other requirement of the rules promulgated to protect stratospheric ozone under Title VI of the Clean Air Act, unless EPA has determined that the requirements need not be contained in a Part 70 permit; and</p> <p>(F) Any national ambient air quality standard or increment or visibility requirement under Part C of Title I of the Clean Air Act, but only as it would apply to temporary sources permitted pursuant to § 504(e) of the Clean Air Act</p>		<p>including section 111(d);</p> <p>(4) Any standard or other requirement under section 112 of the Act, including any requirement concerning accident prevention under section 112(r)(7) of the Act;</p> <p>(5) Any standard or other requirement of the acid rain program under title IV of the Act or the regulations promulgated thereunder;</p> <p>(6) Any requirements established pursuant to section 504(b) or section 114(a)(3) of the Act;</p> <p>(7) Any standard or other requirement under section 126(a)(1) and (c) of the Act;</p> <p>(8) Any standard or other requirement governing solid waste incineration, under section 129 of the Act;</p> <p>(9) Any standard or other requirement for consumer and commercial products, under section 183(e) of the Act;</p> <p>(10) Any standard or other requirement for tank vessels under section 183(f) of the Act;</p> <p>(11) Any standard or other requirement of the program to control air pollution from outer continental shelf sources, under section 328 of the Act;</p> <p>(12) Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under title VI of the Act, unless the Administrator has determined that such requirements need not be contained in a title V permit; and</p> <p>(13) Any national ambient air quality standard or increment or visibility requirement under part C of title I of the Act, but only as it would apply to temporary sources permitted pursuant to section 504(e) of the Act.</p>

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“Area source”	means any stationary source of hazardous air pollutants that is not a major source. The term “area source” shall not include motor vehicles or nonroad vehicles subject to regulation under 42 U.S.C. Subchapter II.	42 USC 7412(a)	(2) Area source The term "area source" means any stationary source of hazardous air pollutants that is not a major source. For purposes of this section, the term "area source" shall not include motor vehicles or nonroad vehicles subject to regulation under subchapter II of this chapter.
“Ark. Code Ann.”	means the Arkansas Code Annotated.	None	Note: Defining any shortened form of a term rather than using technical writing establishment of shortened terms. Other option would be just to use Arkansas Code Annotated everywhere
“Clean Air Act”	means the federal Clean Air Act, as amended 42 U.S.C. §§ 7401, <i>et seq.</i>	40 CFR 70.2	Act means the Clean Air Act, as amended, 42 U.S.C. 7401, et seq.
“C.F.R.”	means the Code of Federal Regulations.	None	Note: Defining any shortened form of a term rather than using technical writing establishment of shortened terms. Other option would be just to use Code of Federal Regulations everywhere
“Designated representative”	shall have the meaning given to it in § 402(26) of the Clean Air Act and the rules promulgated thereunder.	40 CFR 70.2	Designated representative shall have the meaning given to it in section 402(26) of the Act and the regulations promulgated thereunder.
“Division”	means the Division of Environmental Quality, or its successor	None	
“Draft permit”	means the version of a Part 70 permit for which the Division offers public participation and affected state review.	40 CFR 70.2	Draft permit means the version of a permit for which the permitting authority offers public participation under § 70.7(h) or affected State review under § 70.8 of this part
“Emissions unit”	means any part or activity of a stationary source that emits or has the potential to emit any federally regulated air pollutant. This term is not meant to alter or affect the definition of the term “unit” for purposes of Title IV of the Clean Air Act.	40 CFR 70.2	Emissions unit means any part or activity of a stationary source that emits or has the potential to emit any regulated air pollutant or any pollutant listed under section 112(b) of the Act. This term is not meant to alter or affect the definition of the term “unit” for purposes of title IV of the Act.
“EPA”	means the Administrator of the United States Environmental Protection Agency or his/her designee.	40 CFR 70.2	The EPA or the Administrator means the Administrator of the EPA or his designee.
“Existing Part 70 source”	means a Part 70 source that is in operation on the effective date of Rule 26.	None	Note: Simplified definition from existing definition in Regulation No. 26 to

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			remove GHG tailoring rule hold over. As of effective date of Rule 26 is inclusive of as of 1993. If a distinction is intended, the current definition does not provide for this.
“Federally regulated air pollutant”	<p>(A) Nitrogen oxides or any volatile organic compounds;</p> <p>(B) Any air pollutant that has a promulgated national ambient air quality standard;</p> <p>(C) Except as provided in Paragraph (E) of this definition, any air pollutant that is subject to any standard promulgated under the § 111 or § 112 Clean Air Act as of the effective date of Rule 26.</p> <p>(D) Any Class I or II substance subject to a standard promulgated under or established by Title VI of the Clean Air Act.</p> <p>(E) Greenhouse gases, except that greenhouse gases shall not be a federally regulated air pollutant unless the greenhouse gases emissions are regulated under Rule 19.</p>	40 CFR 70.2	<p>Regulated air pollutant means the following:</p> <p>(1) Nitrogen oxides or any volatile organic compounds;</p> <p>(2) Any pollutant for which a national ambient air quality standard has been promulgated;</p> <p>(3) Any pollutant that is subject to any standard promulgated under section 111 of the Act;</p> <p>(4) Any Class I or II substance subject to a standard promulgated under or established by title VI of the Act; or</p> <p>(5) Any pollutant subject to a standard promulgated under section 112 or other requirements established under section 112 of the Act, including sections 112(g), (j), and (r) of the Act, including the following:</p> <p>(i) Any pollutant subject to requirements under section 112(j) of the Act. If the Administrator fails to promulgate a standard by the date established pursuant to section 112(e) of the Act, any pollutant for which a subject source would be major shall be considered to be regulated on the date 18 months after the applicable date established pursuant to section 112(e) of the Act; and</p> <p>(ii) Any pollutant for which the requirements of section 112(g)(2) of the Act have been met, but only with respect to the individual source subject to section 112(g)(2) requirement.</p>
“Final permit”	means the version of a Part 70 permit issued by the Division that has completed all review procedures required by Rule 26.	40 CFR 70.2	Final permit means the version of a part 70 permit issued by the permitting authority that has completed all review procedures required by §§ 70.7 and 70.8 of this part.
“Fugitive emissions”	are those emissions that could not reasonably pass through a stack, chimney, vent, or other functionally-equivalent opening.	40 CFR 70.2	Fugitive emissions are those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally-equivalent opening.
“Greenhouse	means the aggregate group of the following six (6) gases: carbon	40 CFR 70.2	Greenhouse gases (GHGs), the air pollutant defined in § 86.1818-12(a) of

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gases”	dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.	in definition of “Subject to Regulation”	this chapter as the aggregate group of six greenhouse gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, shall not be subject to regulation unless, as of July 1, 2011, the GHG emissions are at a stationary source emitting or having the potential to emit 100,000 tpy CO2 equivalent emissions
“Initial permit”	means the first Part 70 permit issued to a Part 70 source that is in existence on the effective date of Rule 26.	None	Note: Clarified definition from existing definition in Regulation No. 26
“Major source”	means any stationary source (or any group of stationary sources that are located on one or more contiguous or adjacent properties, and are under common control of the same person [or persons under common control]) belonging to a single major industrial grouping and that are described in subsection (A), (B), or (C) of this definition. For the purposes of defining “major source,” a stationary source or group of stationary sources shall be considered part of a single industrial grouping if all of the air pollutant emitting activities at the stationary source or group of stationary sources on contiguous or adjacent properties belong to the same Major Group (i.e., all have the same two-digit code) as described in the Standard Industrial Classification Manual, 1987. (A) A major source under § 112 of the Clean Air Act, which is defined as: (1) For air pollutants other than radionuclides, any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, in the aggregate, ten (10) tons per year or more of any hazardous air pollutant that has been listed pursuant to § 112(b) of the Clean Air Act, twenty-five (25) tons per year or more of any combination of hazardous air pollutants, or a lesser quantity as the EPA may establish by rule.	40 CFR 70.2	Major source means any stationary source (or any group of stationary sources that are located on one or more continuous or adjacent properties, and are under common control of the same person (or persons under common control)) belonging to a single major industrial grouping and that are described in paragraph (1), (2), or (3) of this definition. For the purposes of defining “major source,” a stationary source or group of stationary sources shall be considered part of a single industrial grouping if all of the pollutant emitting activities at such source or group of sources on contiguous or adjacent properties belong to the same Major Group (i.e., all have the same two-digit code) as described in the Standard Industrial Classification Manual, 1987. State programs may adopt the following provision: For onshore activities belonging to Standard Industrial Classification (SIC) Major Group 13: Oil and Gas Extraction, pollutant emitting activities shall be considered adjacent if they are located on the same surface site; or if they are located on surface sites that are located within 1/4 mile of one another (measured from the center of the equipment on the surface site) and they share equipment. Shared equipment includes, but is not limited to, produced fluids storage tanks, phase separators, natural gas dehydrators or emissions control devices. Surface site, as used in the introductory text of this definition, has the same meaning as in 40 CFR 63.761. (1) A major source under section 112 of the Act, which is defined as: (i) For pollutants other than radionuclides, any stationary source or group

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	<p>Notwithstanding the preceding sentence, emissions from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not the units are in a contiguous area or under common control, to determine whether the units or stations are major sources; or</p> <p>(2) For radionuclides, “major source” shall have the meaning specified by the EPA by rule.</p> <p>(B) A major stationary source of air pollutants, as defined in § 302 of the Clean Air Act, that directly emits or has the potential to emit, one hundred (100) tons per year or more of any federally regulated air pollutant (including any major source of fugitive emissions of any federally regulated air pollutant, as determined by rule by EPA). The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source for the purposes of § 302(j) of the Clean Air Act, unless the stationary source belongs to one of the following categories of stationary source:</p> <ol style="list-style-type: none"> (1) Coal cleaning plants (with thermal dryers); (2) Kraft pulp mills; (3) Portland cement plants; (4) Primary zinc smelters; (5) Iron and steel mills; (6) Primary aluminum ore reduction plants; (7) Primary copper smelters; (8) Municipal incinerators capable of charging more than two hundred fifty (250) tons of refuse per 		<p>of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, in the aggregate, 10 tons per year (tpy) or more of any hazardous air pollutant which has been listed pursuant to section 112(b) of the Act, 25 tpy or more of any combination of such hazardous air pollutants, or such lesser quantity as the Administrator may establish by rule. Notwithstanding the preceding sentence, emissions from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units or stations are major sources; or</p> <p>(ii) For radionuclides, “major source” shall have the meaning specified by the Administrator by rule.</p> <p>(2) A major stationary source of air pollutants, as defined in section 302 of the Act, that directly emits, or has the potential to emit, 100 tpy or more of any air pollutant subject to regulation (including any major source of fugitive emissions of any such pollutant, as determined by rule by the Administrator). The fugitive emissions of a stationary source shall not be considered in determining whether it is a major stationary source for the purposes of section 302(j) of the Act, unless the source belongs to one of the following categories of stationary source:</p> <ol style="list-style-type: none"> (i) Coal cleaning plants (with thermal dryers); (ii) Kraft pulp mills; (iii) Portland cement plants; (iv) Primary zinc smelters; (v) Iron and steel mills; (vi) Primary aluminum ore reduction plants; (vii) Primary copper smelters; (viii) Municipal incinerators capable of charging more than 250 tons of refuse per day;

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	<p>day;</p> <p>(9) Hydrofluoric, sulfuric, or nitric acid plants;</p> <p>(10) Petroleum refineries;</p> <p>(11) Lime plants;</p> <p>(12) Phosphate rock processing plants;</p> <p>(13) Coke oven batteries;</p> <p>(14) Sulfur recovery plants;</p> <p>(15) Carbon black plants (furnace process);</p> <p>(16) Primary lead smelters;</p> <p>(17) Fuel conversion plant;</p> <p>(18) Sintering plants;</p> <p>(19) Secondary metal production plants;</p> <p>(20) Chemical process plants;</p> <p>(21) Fossil-fuel boilers (or combination thereof) totaling more than two hundred fifty (250) million British thermal units per hour heat input;</p> <p>(22) Petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand (300,000) barrels;</p> <p>(23) Taconite ore processing plants;</p> <p>(24) Glass fiber processing plants;</p> <p>(25) Charcoal production plants;</p> <p>(26) Fossil-fuel-fired steam electric plants of more than two hundred fifty (250) million British thermal units per hour heat input; or</p> <p>(27) Any other stationary source category, that, as of August 7, 1980, is being regulated under § 111 or § 112 of the Clean Air Act.</p> <p>(C) A major stationary source as defined in Part D of Title I of the Clean Air Act, including:</p> <p>(1) For ozone nonattainment areas, stationary sources</p>		<p>(ix) Hydrofluoric, sulfuric, or nitric acid plants;</p> <p>(x) Petroleum refineries;</p> <p>(xi) Lime plants;</p> <p>(xii) Phosphate rock processing plants;</p> <p>(xiii) Coke oven batteries;</p> <p>(xiv) Sulfur recovery plants;</p> <p>(xv) Carbon black plants (furnace process);</p> <p>(xvi) Primary lead smelters;</p> <p>(xvii) Fuel conversion plants;</p> <p>(xviii) Sintering plants;</p> <p>(xix) Secondary metal production plants;</p> <p>(xx) Chemical process plants - The term chemical processing plant shall not include ethanol production facilities that produce ethanol by natural fermentation included in NAICS codes 325193 or 312140;</p> <p>(xxi) Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;</p> <p>(xxii) Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;</p> <p>(xxiii) Taconite ore processing plants;</p> <p>(xxiv) Glass fiber processing plants;</p> <p>(xxv) Charcoal production plants;</p> <p>(xxvi) Fossil-fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input; or</p> <p>(xxvii) Any other stationary source category, which as of August 7, 1980 is being regulated under section 111 or 112 of the Act.</p> <p>(3) A major stationary source as defined in part D of title I of the Act, including:</p> <p>(i) For ozone nonattainment areas, sources with the potential to emit 100 tpy or more of volatile organic compounds or oxides of nitrogen in areas classified or treated as classified as “Marginal” or “Moderate,” 50 tpy or more in areas classified or treated as classified as “Serious,” 25 tpy or</p>

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	<p>with the potential to emit:</p> <ul style="list-style-type: none"> (a) One hundred (100) tons per year or more of volatile organic compounds or nitrogen oxides in areas classified as “marginal” or “moderate;” (b) Fifty (50) tons per year or more in areas classified as “serious;” (c) Twenty-five (25) tons per year or more in areas classified as “severe;” and (d) Ten (10) tons per year or more in areas classified as “extreme.” (e) The references in Paragraph (C)(1)(a)–(d) of this definition to one hundred (100), fifty (50), twenty-five (25), and ten (10) tons per year of nitrogen oxides shall not apply with respect to any stationary source for which EPA has made a finding, under § 182(f)(1) or (2) of the Clean Air Act, that requirements under § 182(f) of the Clean Air Act do not apply; <ul style="list-style-type: none"> (2) For ozone transport regions established pursuant to § 184 of the Clean Air Act, stationary sources with the potential to emit fifty (50) tons per year or more of volatile organic compounds; (3) For carbon monoxide nonattainment areas that are classified as “serious” and in which stationary sources contribute significantly to carbon monoxide levels as determined under rules issued by EPA, stationary sources with the potential to emit fifty (50) tons per year or more of carbon monoxide; and 		<p>more in areas classified or treated as classified as “Severe,” and 10 tpy or more in areas classified or treated as classified as “Extreme”; except that the references in this paragraph to 100, 50, 25 and 10 tpy of nitrogen oxides shall not apply with respect to any source for which the Administrator has made a finding, under section 182(f)(1) or (2) of the Act, that requirements under section 182(f) of the Act do not apply;</p> <ul style="list-style-type: none"> (ii) For ozone transport regions established pursuant to section 184 of the Act, sources with the potential to emit 50 tpy or more of volatile organic compounds; (iii) For carbon monoxide nonattainment areas: <ul style="list-style-type: none"> (A) That are classified or treated as classified as “Serious,” and (B) in which stationary sources contribute significantly to carbon monoxide levels as determined under rules issued by the Administrator, sources with the potential to emit 50 tpy or more of carbon monoxide; and (iv) For particulate matter (PM-10) nonattainment areas classified or treated as classified as “Serious,” sources with the potential to emit 70 tpy or more of PM-10.

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	(4) For PM ₁₀ nonattainment areas classified as “serious,” stationary sources with the potential to emit seventy (70) tons per year or more of PM ₁₀ .		
“Minor permit modification”	means a change to a Part 70 permit that meets the criteria of Rule 26.1002 and is processed pursuant to the procedures established in Rule 26.1003 through Rule 26.1009.	None	Note: Not previously defined
“Part 70 permit”	means any permit or group of permits covering a Part 70 source that is issued, renewed, amended, or revised pursuant to this Rule.	40 CFR 70.2	Part 70 permit or permit (unless the context suggests otherwise) means any permit or group of permits covering a part 70 source that is issued, renewed, amended, or revised pursuant to this part.
“Part 70 program”	means a program approved by EPA under 40 C.F.R. Part 70.	40 CFR 70.2	Part 70 program or State program means a program approved by the Administrator under this part.
“Part 70 source”	means any stationary source subject to the permitting requirements of this Rule.	40 CFR 70.2	Part 70 source means any source subject to the permitting requirements of this part, as provided in §§ 70.3(a) and 70.3(b) of this part.
“Permit modification”	means a revision to a Part 70 permit that meets the requirements of Chapter 10 of Rule 26.	40 CFR 70.2	Permit modification means a revision to a part 70 permit that meets the requirements of § 70.7(e) of this part.
“Permit revision”	means any permit modification or administrative permit amendment.	40 CFR 70.2	Permit revision means any permit modification or administrative permit amendment.
“Potential to emit”	means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a stationary source to emit an air pollutant; including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed; shall be treated as part of its design if the limitation is enforceable by EPA. This term does not alter or affect the use of this term for any other purposes under the Clean Air Act, or the term “capacity factor” as used in Title IV of the Clean Air Act or the rules	40 CFR 70.2	Potential to emit means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation is enforceable by the Administrator. This term does not alter or affect the use of this term for any other purposes under the Act, or the term “capacity factor” as used in title IV of the Act or the regulations promulgated thereunder.

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	promulgated thereunder.		
“PM₁₀”	shall have the same meaning as set forth in Chapter 2 of Rule 19. The definition of the term “PM ₁₀ ” in Chapter 2 of Rule 19 is hereby incorporated by reference.	None	
“Proposed permit”	means the version of a Part 70 permit that the Division proposes to issue and forwards to EPA for review.	40 CFR 70.2	Proposed permit means the version of a permit that the permitting authority proposes to issue and forwards to the Administrator for review in compliance with § 70.8.
“Recognized air pollutant emissions”	shall mean those air pollutant emissions that may reasonably be assumed to be present according to mass balance calculations or applicable published literature on air pollutant emissions or those air pollutant emissions that causes or present a threat of harm to human health or the environment due to their characteristics, toxicity, rate and quantity of emission, and duration of their presence in the atmosphere.	None	
“Renewal”	means the process of reissuing a Part 70 permit at the end of its term.	40 CFR 70.2	Renewal means the process by which a permit is reissued at the end of its term.
“Renewal permit”	means a Part 70 permit that is reissued at the end of its term.	None	Note: Revised definition from existing Regulation No. 26.
“Responsible official”	means one of the following: (A) For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of the person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and	40 CFR 70.2	Responsible official means one of the following: (1) For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

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	<p>either:</p> <p>(1) The facilities employ more than two hundred fifty (250) persons or have gross annual sales or expenditures exceeding twenty-five million dollars (\$25,000,000) (in second quarter 1980 United States dollars); or</p> <p>(2) The Division approves in advance the delegation of authority to the representative;</p> <p>(B) For a partnership or sole proprietorship: a general partner or the proprietor, respectively;</p> <p>(C) For a municipality, State, federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of Rule 26, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of EPA); or</p> <p>(D) For acid rain sources:</p> <p>(1) The designated representative insofar as actions, standards, requirements, or prohibitions under Title IV of the Clean Air Act or the rules promulgated thereunder are concerned; and</p> <p>(2) The designated representative for any other purposes under Part 70.</p>		<p>(i) The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or</p> <p>(ii) The delegation of authority to such representatives is approved in advance by the permitting authority;</p> <p>(2) For a partnership or sole proprietorship: a general partner or the proprietor, respectively;</p> <p>(3) For a municipality, State, Federal, or other public agency: Either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of EPA); or</p> <p>(4) For affected sources:</p> <p>(i) The designated representative in so far as actions, standards, requirements, or prohibitions under title IV of the Act or the regulations promulgated thereunder are concerned; and</p> <p>(ii) The designated representative for any other purposes under part 70.</p>
“Rule 8”	means Arkansas Pollution Control and Ecology Commission Regulation No. 8 until Arkansas Pollution Control and Ecology Commission Regulation No. 8 is amended to replace the term “regulation” with “rule.” After that time, Rule 8 means Arkansas Pollution Control and Ecology Commission Rule 8.	None	

DISCUSSION AID: This is a draft working document with the sole purpose of facilitating conversation. It does not reflect the position of the Governor or the Arkansas Department of Energy and Environment.

Rule 26		State or Federal Corresponding Term	
Term	Definition	Citation	Definition or Notes
“Rule 9”	means Arkansas Pollution Control and Ecology Commission Regulation No. 9 until Arkansas Pollution Control and Ecology Commission Regulation No. 9 is amended to replace the term “regulation” with “rule.” After that time, Rule 9 means Arkansas Pollution Control and Ecology Commission Rule 9.	None	
“Rule 18”	means Arkansas Pollution Control and Ecology Commission Regulation No. 18, until Arkansas Pollution Control and Ecology Commission Regulation No. 18 is amended to replace the term “regulation” with “rule.” After that time, Rule 18 means Arkansas Pollution Control and Ecology Commission Rule 18.	None	
“Rule 19”	means Arkansas Pollution Control and Ecology Commission Regulation No. 19, until Arkansas Pollution Control and Ecology Commission Regulation No. 19 is amended to replace the term “regulation” with “rule.” After that time, Rule 19 means Arkansas Pollution Control and Ecology Commission Rule 19.	None	
“Stationary source”	means any building, structure, facility, or installation that emits or may emit any federally regulated air pollutant.	40 CFR 70.2	Stationary source means any building, structure, facility, or installation that emits or may emit any regulated air pollutant or any pollutant listed under section 112 of the Act.
“Title I modification”	means any modification as defined under any rule promulgated pursuant to Title I of the Clean Air Act. <i>De Minimis</i> changes under Rule 19, changes to state only permit requirements, administrative permit amendments, and changes to the insignificant activities list are not Title I modifications.	None	Note: Existing definition in Regulation No. 26. Intended to clarify what cannot be processed as a minor modification.