

Agenda Item No. 2(c)(iii)

**Comparison of Ozone Attainment and Nonattainment NSR Air
Permitting Requirements
(Assumes a Classification of Marginal)**

Designation	Attainment	Nonattainment
Major Source Classification Level	100 tpy for a named source*, 250 tpy all other sources	100 tpy
Emission Control Requirement for Major Sources	Best Available Control Technology (BACT)	Lowest Achievable Emission Rate (LAER)
Offset Requirement	N/A	1.10 to 1 offset ratio
Significance Level for Modifications	40 tpy of volatile organic compounds or nitrogen oxides	40 tpy of volatile organic compounds or nitrogen oxides

Major Source Classification Level – When a facility is a major source it must go through Federal New Source Review (NSR), which for attainment areas is Prevention of Significant Deterioration (PSD) and for nonattainment areas is Nonattainment Area New Source Review (NNSR).

Best Available Control Technology (BACT) - Control technology requirement with consideration given to the technical practicability and the economic reasonableness of reducing or eliminating emissions from the facility.

Lowest Achievable Emission Rate (LAER) - The most stringent emission limitation that is contained in the rules and regulations of any approved state implementation plan for a specific class or category of facility, unless the owner or operator of the proposed facility demonstrates that such limitations are not achievable; or the most stringent emission limitation that is achieved in practice by a specific class or category of facilities, whichever is more stringent.

Offsetting Requirements – For major sources in nonattainment areas, emissions increases from new or modified facilities must be offset by reductions from existing sources located in the vicinity of the proposed source.

Significance Level – The level at which an emissions increase is considered to be significant and therefore require Federal New Source Review.

*A list of named sources can be found in 40 Code of Federal Regulations (CFR) §51.166(b)(1).

Note: This comparison is intended to be a brief summary of permitting requirement and does not include consideration of potential variations in the application of state and federal rules that may apply on a case-by-case basis.