

**REGULATION IV  
AUTHORITY TO CONSTRUCT REGULATIONS**

**Rule 420**      **Exemptions to Rule 419**

The Air Pollution Control Officer may exempt from the provisions of Rule 419 any of the following facilities or modifications with respect to a particular nonattainment pollutant or precursor:

- A. Any new facility or modification which is not a major facility or major modification, providing such facility or modification will meet all other District Rules and Regulations, any applicable new source performance standard in 40 CFR Part 60 and any applicable national emission standard for hazardous air pollutants in 40 CFR Part 61.
  
- B. Any source of nonmethane hydrocarbons, providing the owner or operator can demonstrate to the satisfaction of the Air Pollution Control Officer that the emissions from the proposed source will have no impact upon any area that exceeds the national ambient air quality standard for ozone. This exemption shall be considered only for sources locating in rural areas where source emissions would not be likely to interact with other significant sources of non-methane hydrocarbons or nitrogen oxides to form additional ozone.
  
- C. Any new facility or modification, providing the applicant can demonstrate to the satisfaction of the Air Pollution Control Officer that the proposed facility location will not be in violation of an applicable national ambient air quality standard as of the new facility or modification startup date. Such an exemption shall be granted by the Air Pollution Control Officer only if the applicant presents a substantial and relevant argument (including any necessary monitoring data gathered in compliance with the provisions of 40 CFR Part 53) to substantiate the attainment status of the proposed source location. To qualify for such exemption, the applicant must notify the Air Pollution Control Officer no less than 30 days prior to the initiation of any air quality monitoring effort.
  
- D. Any temporary source of emissions.
  
- E. Any source of carbon monoxide which the Air Pollution Control Officer determines would not cause a violation of any national ambient air quality standard for such pollutant at the point of maximum ground level impact.