

REGULATION IV
AUTHORITY TO CONSTRUCT REGULATIONS

Rule 422 **Exemptions to Rule 421**

The Air Pollution Control Officer may exempt from any of the requirements of Rule 421.C. any of the following facilities or modifications: (1) Resource recovery sources burning refuse derived or biomass derived solid waste fuels, (2) sources which must switch fuels due to a lack of adequate fuel supplies, and (3) sources required to be modified as a result of Environmental Protection Agency regulations where no exemption from such regulation is available to the source. An exemption under this Rule shall not be granted unless:

- A. The applicant demonstrates that it made its best efforts to obtain sufficient emission offsets to comply with Rule 421.C. and that such efforts were unsuccessful; and

- B. The applicant has secured all available emission offsets and will continue to seek the necessary offsets and apply them when they become available.