

## Environmental Protection Agency

## § 61.02

Air Act (Act) as amended November 15, 1990 (42 U.S.C. 7661). For more information about obtaining an operating permit see part 70 of this chapter.

[50 FR 46290, Nov. 7, 1985, as amended at 51 FR 7715 and 7719, Mar. 5, 1986; 51 FR 11022, Apr. 1, 1986; 52 FR 37617, Oct. 8, 1987; 59 FR 12429, Mar. 16, 1994]

### § 61.02 Definitions.

The terms used in this part are defined in the Act or in this section as follows:

*Act* means the Clean Air Act (42 U.S.C. 7401 *et seq.*).

*Administrator* means the Administrator of the Environmental Protection Agency or his authorized representative.

*Alternative method* means any method of sampling and analyzing for an air pollutant which is not a reference method but which has been demonstrated to the Administrator's satisfaction to produce results adequate for the Administrator's determination of compliance.

*Approved permit program* means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to title V of the Act (42 U.S.C. 7661).

*Capital expenditure* means an expenditure for a physical or operational change to a stationary source which exceeds the product of the applicable "annual asset guideline repair allowance percentage" specified in the latest edition of Internal Revenue Service (IRS) Publication 534 and the stationary source's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to a stationary source must not be reduced by any "excluded additions" as defined for stationary sources constructed after December 31, 1981, in IRS Publication 534, as would be done for tax purposes. In addition, "annual asset guideline repair allowance" may be used even though it is excluded for tax purposes in IRS Publication 534.

*Commenced* means, with respect to the definition of "new source" in section 111(a)(2) of the Act, that an owner or operator has undertaken a contin-

uous program of construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

*Compliance schedule* means the date or dates by which a source or category of sources is required to comply with the standards of this part and with any steps toward such compliance which are set forth in a waiver of compliance under § 61.11.

*Construction* means fabrication, erection, or installation of an affected facility.

*Effective date* is the date of promulgation in the FEDERAL REGISTER of an applicable standard or other regulation under this part.

*Existing source* means any stationary source which is not a new source.

*Force majeure* means, for purposes of § 61.13, an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents the owner or operator from complying with the regulatory requirement to conduct performance tests within the specified timeframe despite the affected facility's best efforts to fulfill the obligation. Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility.

*Issuance* of a part 70 permit will occur, if the State is the permitting authority, in accordance with the requirements of part 70 of this chapter and the applicable, approved State permit program. When the EPA is the permitting authority, issuance of a title V permit occurs immediately after the EPA takes final action on the final permit.

*Monitoring system* means any system, required under the monitoring sections in applicable subparts, used to sample and condition (if applicable), to analyze, and to provide a record of emissions or process parameters.

*New source* means any stationary source, the construction or modification of which is commenced after the publication in the FEDERAL REGISTER

of proposed national emission standards for hazardous air pollutants which will be applicable to such source.

*Owner or operator* means any person who owns, leases, operates, controls, or supervises a stationary source.

*Part 70 permit* means any permit issued, renewed, or revised pursuant to part 70 of this chapter.

*Permit program* means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

*Permitting authority* means:

(1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter; or

(2) The Administrator, in the case of EPA-implemented permit programs under title V of the Act (42 U.S.C. 7661).

*Reference method* means any method of sampling and analyzing for an air pollutant, as described in appendix B to this part.

*Run* means the net period of time during which an emission sample is collected. Unless otherwise specified, a run may be either intermittent or continuous within the limits of good engineering practice.

*Standard* means a national emission standard including a design, equipment, work practice or operational standard for a hazardous air pollutant proposed or promulgated under this part.

*Startup* means the setting in operation of a stationary source for any purpose.

*State* means all non-Federal authorities, including local agencies, interstate associations, and State-wide programs, that have delegated authority to implement:

(1) The provisions of this part; and/or

(2) The permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

*Stationary source* means any building, structure, facility, or installation which emits or may emit any air pollutant which has been designated as hazardous by the Administrator.

*Title V permit* means any permit issued, renewed, or revised pursuant to Federal or State regulations established to implement title V of the Act (42 U.S.C. 7661). A title V permit issued by a State permitting authority is called a part 70 permit in this part.

[44 FR 55174, Sept. 25, 1979, as amended at 50 FR 46290, Nov. 7, 1985; 59 FR 12429, Mar. 16, 1994; 72 FR 27442, May 16, 2007]

### §61.03 Units and abbreviations.

Used in this part are abbreviations and symbols of units of measure. These are defined as follows:

(a) System International (SI) units of measure:

A=ampere  
g=gram  
Hz=hertz  
J=joule  
K=degree Kelvin  
kg=kilogram  
m=meter  
m<sup>2</sup>=square meter  
m<sup>3</sup>=cubic meter  
mg=milligram=10<sup>-3</sup>gram  
mm=millimeter=10<sup>-3</sup>meter  
Mg=megagram=10<sup>6</sup>gram  
mol=mole  
N=newton  
ng=nanogram=10<sup>-9</sup>gram  
nm=nanometer=10<sup>-9</sup>meter  
Pa=pascal  
s=second  
V=volt  
W=watt  
Ω=ohm  
μg=microgram=10<sup>-6</sup>gram

(b) Other units of measure:

°C=degree Celsius (centigrade)  
cfm=cubic feet per minute  
cc=cubic centimeter  
Ci=curie  
d=day  
°F=degree Fahrenheit  
ft<sup>2</sup>=square feet  
ft<sup>3</sup>=cubic feet  
gal=gallon  
in=inch  
in Hg=inches of mercury  
in H<sub>2</sub>O=inches of water  
l=liter  
lb=pound  
lpm=liter per minute  
min=minute  
ml=milliliter=10<sup>-3</sup>liter