

CHAPTER Env-A 400 ACID DEPOSITION CONTROL PROGRAM

Statutory Authority: RSA 125-D:3

PART Env-A 401 PURPOSE AND SCOPE

Env-A 401.01 Purpose. The purpose of this chapter is to reduce the adverse effects of acid deposition on ecosystems and public health by reducing sulfur dioxide (SO₂) emissions from sulfur-emitting sources within New Hampshire pursuant to RSA 125-D:3.

Source. #120, eff 8-31-73; ss by #721.5, eff 12-7-75; ss by #718, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; EXPIRED 12-27-96

New. #6424, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (from Env-A 406); ss by #8233, eff 12-22-04

Env-A 401.02 Scope. This chapter shall apply to all sources that emitted 100 tons or more of SO₂ per year on average during 1979 through 1982.

Source. #8233, eff 12-22-04 (from Env-A 402.01)

PART Env-A 402 REQUIRED EMISSION REDUCTIONS FROM CLASS A MAJOR SOURCES

Env-A 402.01 Limitations on Percentage of Baseline. Pursuant to RSA 125-D:3, I(b) annual SO₂ emissions from each Class A major source, except as provided by Env-A 404.01, shall not exceed 75 percent (%) of such source's portion of the baseline emissions.

Source. #120, eff 8-31-73; ss by #721.5, eff 12-7-75; ss by #718, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; EXPIRED 12-27-96

New. #6424, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (from Env-A 406); ss and moved by #8233, eff 12-22-04 (from Env-A 403.01)

PART Env-A 403 REQUIRED EMISSION REDUCTIONS FROM CLASS B MAJOR SOURCES

Env-A 403.01 Limitations on Individual Sources. Pursuant to RSA 125-D:3, I(e), annual SO₂ emissions from each Class B major source, except as provided by Env-A 404.02, shall have an average emission rate not to exceed 1.6 pounds of SO₂ per million BTU heat input, equivalent to no. 6 oil with 1.5% sulfur by weight, which is 75% of the baseline average emission rate for Class B major sources.

Source. #120, eff 8-31-73; ss by #721.5, eff 12-7-75; ss by #718, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; EXPIRED 12-27-96

New. #6424, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (from Env-A 406); ss and moved by #8233, eff 12-22-04 (from Env-A 404.01)

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Env-A 403.02 Maximum Total Emissions. Pursuant to RSA 125-D:3, I(c), for each running 4-year period, the combined SO₂ emissions from all class B major sources shall not exceed 75% of their combined baseline SO₂ emissions.

Source. #6469-B, eff 3-5-97 (from Env-A 406); ss and moved by #8233, eff 12-22-04 (from Env-A 404.03)

PART Env-A 404 EMISSIONS FROM MULTIPLE SOURCES UNDER COMMON OWNERSHIP

Env-A 404.01 Class A Major Sources. Pursuant to RSA 125-D:3, I(f)(1), the owner or operator of 2 or more sources under common ownership that are subject to the provisions of Env-A 402 may combine the annual emissions of all such sources to demonstrate that the total annual emissions of such sources do not exceed 75% of their baseline emissions for Class A major sources.

Source. #120, eff 8-31-73; ss by #721.5, eff 12-7-75; ss by #718, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; EXPIRED 12-27-96

New. #6424, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (from Env-A 406); ss and moved by #8233, eff 12-22-04 (from Env-A 405.01)

Env-A 404.02 Class B Major Sources. Pursuant to RSA 125-D:3, I(f)(2), the owner or operator of applicable sources under common ownership that are subject to the provisions of Env-A 403 may average the emission rates of all such sources on a BTU heat input basis to demonstrate compliance with the average emission rate for Class B major sources.

Source. #6469-B, eff 3-5-97 (from Env-A 406); ss and moved by #8233, eff 12-22-04 (from Env-A 405.02)

PART Env-A 405 RECORDKEEPING AND REPORTING REQUIREMENTS

Env-A 405.01 Recordkeeping Requirements. The owner or operator of a source meeting the applicability criteria of Env-A 401.02 shall be subject to the recordkeeping requirements specified in Env-A 903.03.

Source. #718, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; EXPIRED 12-27-96

New. #6424, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (from Env-A 406); ss and moved by #8233, eff 12-22-04 (from Env-A 406.01)

Env-A 405.02 Reporting Requirements. The owner or operator of a source meeting the applicability criteria of Env-A 401.02 shall be subject to the reporting requirements specified in Env-A 907.02.

Source. #718, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; EXPIRED 12-27-96

New. #6424, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (from Env-A 406); ss and moved by #8233, eff 12-22-04 (from Env-A 406.02)

Appendix

Rule	Specific State or Federal Statutes or Regulations which the Rule is Intended to Implement
Env-A 401	RSA 125-D:1; RSA 125-D:3
Env-A 402	RSA 125-D:3, I(b)
Env-A 403	RSA 125-D:3, I(c) and I(e)
Env-A 404	RSA 125-D:3, I(f)(1) and I(f)(2)
Env-A 405	RSA 125-D:3, II(b); RSA 125-C:6, XI