199 DEFINITIONS AND ABBREVIATIONS

199.1 When used in Chapters 1 through 9 of this title, and in forms prescribed under those chapters, where not otherwise distinctly expressed or manifestly incompatible with the intent of this subtitle, the following terms shall have the meaning ascribed:

Actual emissions – the actual rate of emissions of a pollutant from an emissions unit, as determined in accordance with paragraphs (a) through (f):

(a) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during the twenty-four (24) month period which precedes the particular date and which is representative of normal source operation;

(b) Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period;

(c) When a project involves multiple emissions units or multiple regulated NSR pollutants, or both, only one (1) consecutive twenty-four (24) month period within the last five (5) years must be used to determine the actual emissions for all pollutants and for all the emissions units affected by the project;

(d) The average rate shall not be based on any consecutive twenty-four (24) period for which there is inadequate information for determining annual emissions;

(e) The Department may allow the use of a different time period within the last five (5) years upon determining that it is more representative of operations; and

(f) For any emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.

Administrator – Administrator of the United States Environmental Protection Agency or an authorized representative.

Affected facility - in §702 of this subtitle each individual source within a petroleum refinery complex that could potentially leak volatile organic compounds to the atmosphere, including, but not limited to, pump seals, compressor seals, seal oil degassing vents, pipeline valves, flanges and other connections, pressure relief devices, process drains, and open ended pipes.

Air pollutant - dust, fumes, gas, mist, smoke, vapor, odor, particulate matter, or any combination thereof, except that these terms shall not include uncombined water in the atmosphere unless it presents a safety hazard.

Air pollution - the presence in the outdoor atmosphere of one or more pollutants in sufficient quantities and of characteristics and duration as are likely to be injurious to public welfare, to the health of humans, plant or animal life, or to property, or which interferes with the reasonable enjoyment of life and property.

Allowable emissions – the emission rate of a stationary source calculated using the maximum rated capacity of the source (unless the source is subject to enforceable limits which restrict the operating rate, hours of operation, or both) and the most stringent of the following:

(a) The applicable standards as set forth in 40 C.F.R. parts 60, 61, and 63;

(b) Any applicable State Implementation Plan emissions limitation, including those with a future compliance date; or

(c) The emissions rate specified under any requirement or permit condition that is enforceable as a practical matter, including those with a future compliance date.

Annual process rate - the actual or estimated annual fuel, process or solid waste operating rate. (40 DCR 5474)

Begin actual construction - the initiation of physical on-site construction activities on an emissions unit which are of a permanent nature. These activities include, but are not limited to, installation of building supports and foundations, laying of underground pipework, and construction of permanent storage structures. With respect to a change in method of operations, this term refers to those on-site activities other than preparatory activities which mark the initiation of the change.

Best available control technology (BACT) – an emissions limitation (including a visible emissions standard) based on the maximum degree of reduction for each regulated NSR pollutant which would be emitted from any proposed major stationary source or major modification which the Department, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of

best available control technology result in emissions of any pollutant that would exceed the emissions allowed by any applicable standard under 40 C.F.R. parts 60, 61, or 63. If the Department determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard, or combination thereof, may be prescribed instead to satisfy the requirement for the application of BACT. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice or operation, and shall provide for compliance by means that achieve equivalent results.

Blending plant - any refinery or other facility at which oxygenated gasoline is produced through the addition of oxygenates, and at which the quality or quantity of the gasoline is not altered in any other manner. (40 DCR 5474)

Boiler - an enclosed fossil or other fuel-fired combustion device used to produce heat and to transfer heat to recirculating water, steam, or any other medium.

Building, structure, facility, or installation – all of the pollutant emitting activities which belong to the same industrial grouping, are located on one (1) or more contiguous or adjacent properties, and are under the control of the same person (or persons under common control), except the activities of any vessel. Pollutant-emitting activities shall be considered as part of the same industrial grouping if they belong to the same "Major Group" (for example, which have the same first two (2) digit code) as described in the Standard Industrial Classification Manual, 1972, as amended by the 1977 Supplement (U.S. Government Printing Office stock numbers 4101-0066 and 003-005-00176-0, respectively).

Carrier - a distributor of gasoline who does not take title to or otherwise have ownership of the gasoline, and does not alter either the quality or quantity of the gasoline.

Cartridge filter - perforated canisters containing filtration paper or activated carbon that are used in a pressurized system to remove solid particles and fugitives dyes from soil-laden solvent.

Certifying individual - the individual responsible for the completion and certification of the emission statement and who will take legal responsibility for the emission statement's accuracy. (40 DCR 5474)

Clean Air Act – federal Clean Air Act, enacted August 7, 1977 (Pub. Law 95-95; 42 U.S.C. §§ 7401 *et seq.*).

Cold cleaner - any batch loaded, non-boiling solvent degreaser.

Commence - as applied to construction of a major stationary source or major modification - that the owner or operator has obtained all necessary preconstruction approvals or permits and either has:

(a) Begun, or caused to begin, a continuous program of physical on-site construction of source to be completed within a reasonable time; or

(b) Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the owner or operator, to undertake a program of actual construction of the source to be completed within a reasonable time.

Complete - in reference to an application for a permit, that the application contains all of the information necessary for processing the application, as determined by the Mayor.

Component - any piece of equipment which has the potential to leak volatile organic compounds which tested in the manner described in §702.6 of this subtitle. These sources include, but are not limited to, pumping seals, compressor seals, seal oil degassing vents, pipeline valves, flanges and other connections, pressure relief devices, process drains, and open ended pipes. Excluded from these sources are valves which are not externally regulated.

Condensate - hydrocarbon liquid separated from natural gas which condenses due to changes in the temperature or pressure and remains liquid at standard conditions.

Construction – any physical change or change in the method of operation including fabrication, erection, installation, demolition, or modification of an emissions unit that would result in a change in emissions.

Containers and conveyors of solvent - piping, ductwork, pumps, storage tanks, and other ancillary equipment that are associated with the installation and operation of washers, dryers, filters, stills, and settling tanks.

Continuous emissions monitoring system (CEMS) – all of the equipment that may be required to meet data acquisition and availability requirements to sample, condition (if applicable), analyze, and provide a record of emissions on a continuous basis.

Continuous emissions rate monitoring system (CERMS) – the total equipment required for the determination and recording of the pollutant mass emissions rate of mass per unit of time.

Continuous parameter monitoring system (CPMS) – all of the equipment necessary to meet the data acquisition and availability requirements of this section, to monitor process and control device operational parameters (for example, control device secondary voltages and electric currents) and other information (for example, gas flow rate, O_2 or CO_2 concentrations), and to record average operational parameter value(s) on a continuous basis.

Control device - any device which has as its primary function the control of emissions from fuel burning, refuse burning, or from a process, and thus reduces the creation of, or the emission of, air pollutants into the atmosphere, or both.

Control efficiency - the actual total control efficiency achieved by the control device(s). (40 DCR 5474)

Control equipment identification code - the AIRS/AFS code which defines the equipment used to reduce, by destruction or removal, the amount of air pollutant(s) in an air stream prior to discharge to the ambient air. (40 DCR 5474)

Conveyorized degreaser - any continuously loaded, boiling or non-boiling, conveyorized solvent degreaser.

Crude oil - a naturally occurring mixture which consists of hydrocarbons and sulfur, nitrogen or oxygen derivatives of hydrocarbons which is liquid at standard conditions.

Cutback asphalt - any asphalt cement which has been liquified by blending with a volatile organic compound(s).

Dampening solution - as applied to lithography, is a water-based solution, usually containing an acid, a buffer, a gum, and alcohols and used to prevent the non-printing areas of the plate from receiving ink.

Department – The District Department of the Environment (DDOE).

Director - the Director of the District of Columbia Department of Health or the Director's duly authorized representative.

Dispersion technique - includes any intermittent or supplemental control of air pollutants varying with atmospheric conditions, or so much of the stack height of any source that exceeds the greater of sixty-five (65) meters (213 feet) or $H_g = H + 1.5L$, where H_g + maximum stack height determined from consideration of all nearby structures, measured from the ground-

level elevation at the base of the stack, H = height of nearby structure(s) measured from the ground-level elevation at the base of the stack, L = lesser dimension (height or projected width) of nearby structure(s), or so much of the stack height of any source that exceeds the height determined by a demonstration performed to the satisfaction of the Mayor. In determining whether a demonstration is performed satisfactorily, the Mayor shall take into consideration, among other factors, the methods, documents, and practices used in performing the demonstration.

Distillate oil - any oil that meets the specifications of the American Society for Testing and Materials for No. 1 and No. 2 grades of fuel oil (ASTM Publication 0396-69 Standard Specifications for Fuel Oils).

District - the District of Columbia.

Distributor - any person or party who supplies gasoline for delivery to a retail outlet. (40 DCR 5474)

Dry cleaning - a process for the cleaning of textiles and fabric products in which articles are washed in a nonaqueous solution (solvent) and then dried by exposure to a heated air stream.

Dry cleaning facility - a facility engaged in the cleaning of fabrics in an essentially nonaqueous solvent by means of one or more washes in solvent, extraction of excess solvent by spinning, and drying by tumbling in an airstream. The facility includes, but is not limited to, any washer, dryer, filer and purification systems, waste disposal systems, holding tanks, pumps, and attendant piping and values.

Emission - the act of releasing or discharging air pollutants into the outdoor atmosphere from any source.

Emission factor - an estimate of the rate at which a pollutant is released to the atmosphere as the result of some activity divided by the rate of that activity. (40 DCR 5474)

Emission statement - annual report of actual emissions of oxides of nitrogen and volatile organic compounds required of each owner or operator of stationary sources pursuant to the requirements of §182(a)(3)(B) of the Federal Clean Air Act. (40 DCR 5474)

Emissions unit - any part of a stationary source which emits or would have the potential to emit any pollutant subject to regulation under the Federal Clean Air Act or under this subtitle.

Episode stage - a level of air pollution in excess of an ambient air quality standard which may result in an imminent and substantial danger to public health or welfare. This term shall include alert, warning, and emergency stages.

Estimated emissions method code - a one-position AIRS/AFS code which identifies the estimation technique used in the calculation of estimated emissions. (40 DCR 5474)

Excessive concentrations - for the purpose of determining good engineering practice stack height in a demonstration, a maximum concentration due to downwash, wakes, or eddies produced by structures or terrain features that the Mayor determines would result in adverse health effect(s) beyond those that would be experienced in the absence of the downwash, wake, or eddies. In determining the adverse health effect(s) resulting from downwash, wakes, or eddies, the Mayor shall take into consideration, among other factors, the following:

(a) The nature and concentration of the pollutant(s);

(b) The applicable National Ambient Air Quality Standard(s);

(c) Any other appropriate air quality standard(s); and

(d) The possible duration of exposure to the pollutant(s).

Existing source - equipment, machines, devices, articles, contrivances, or installations which are under construction or in operation on February 1, 1985, except that any existing equipment, machine, device, article, contrivance, or installation which is altered, replaced, or rebuilt after February 1, 1985, shall be defined as a new source.

External floating roof - a storage vessel cover in an open top tank consisting of a double deck or pontoon single deck which rests upon and is supported by the petroleum liquid being contained and is equipped with a closure seal or seals to close the space between the roof edge and tank wall.

Federally enforceable – all limitations and conditions which are enforceable by the Administrator, including those requirements developed pursuant to 40 CFR parts 60, 61, and 63 requirements within any applicable state implementation plan, any permit requirements established pursuant to 40 C.F.R. § 52.21 or under regulations approved pursuant to 40 CFR part 51, subpart I, including operating permits issued under an EPA-approved program that is incorporated into the state implementation plan and expressly requires adherence to any permit issued under such program, or any permit requirements not designated as "state only" in a federal

operating permit, a permit issued pursuant to chapter 3 of this title, or a permit issued pursuant to 40 C.F.R. parts 70 and 71.

Fossil fuel - natural gas, petroleum, coal, and any form of solid, liquid, or gaseous fuel derived from these materials.

Fossil fuel-fired – Except as used in Chapter 10, the combustion of fossil fuel or any derivative of fossil fuel, alone or in combination with any other fuel, independent of the percentage of fossil fuel consumed in any calendar year, expressed in Million British Thermal Units (MMBtu).

Fossil-Fuel-Fired Stream-Generating Unit - a furnace or boiler, or combination of furnaces or boilers connected to a common stack, used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer.

Freeboard - for cold degreasing tanks, the distance from the top of the solvent to the top of the tank; and for vapor degreasing tanks, the distance from the solvent vapor-air interface to the top of the tank.

Fuel burning equipment - any furnace, boiler, apparatus, stack, and all appurtenances in connection with, used in the process of burning fuel for the primary purpose of producing heat or power by indirect heat transfer.

Fugitive dust - solid, airborne particulate matter emitted from any source other than through a stack or originating from any activity or process, or both.

Fugitive emissions - those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

Gas service - equipment which processes, transfers, or contains a volatile organic compound or mixture of volatile compounds in the gaseous phase.

Gas service for pipeline valves and pressure relief valves - the volatile organic compounds being gaseous at conditions that prevail in the component during normal operations.

Gasoline - any petroleum distillate having a Reid vapor pressure of four pounds (4 lbs.) or greater.

Hydrocarbon - a volatile organic compound.

Incinerator - any furnace used in the process of burning solid waste or sludge for the primary purpose or reducing the volume of the waste or sludge by removing combustible matter.

Independent small business marketer of gasoline - any person engaged in the marketing of gasoline who would be required to pay for procurement and installation of vapor recovery equipment under § 324 of the Federal Clean Air Act or regulations promulgated thereunder, unless such person:

(a) Is a refiner;

(b) Controls, is controlled by, or is under common control with a refiner;

(c) Is otherwise directly affiliated with a refiner or with a person who controls, is controlled by, or is under a common control with a refiner; or

(d) Receives less than fifty percent (50%) of his or her annual income from refining or marketing of gasoline. For purposes of the definition of independent small business marketer of gasoline, the term "refiner" shall not include any refiner whose total refinery capacity (including the refinery capacity of any person who controls, is controlled by, or is under common control with such refiner) does not exceed sixty five thousand (65,000) barrels per day, and the terms "controls," "controlled by," or "common control" mean ownership of more than fifty percent (50%) of the refiner's common stock. (40 DCR 5474)

Indirect source - any facility, or group of facilities, the use of which may result in the emission of one or more air pollutants from any other stationary or non-stationary source. Without limiting the generality of the foregoing, this phrase includes any facility, whether industrial, commercial, residential, public, private or other, used for human activity, any highway, road, roadway, street or lane, whether public or private, any associated equipment or facility, such as traffic signals, signs, parking meters, any airport, and any parking lot or facility.

Ink - a fluid or viscous substance used in printing for the purpose of creating images, including glues and varnishes used for coating areas of the paper (or other substrate). The images and coatings need not be visible to the naked eye.

Innovative control technology - any system of air pollution control that has not been adequately demonstrated in practice, but would have substantial likelihood of achieving greater continuous emissions reduction than any control system in current practice or of achieving at least comparable reductions at lower cost in terms of energy, economics, or non-air quality environmental impacts.

Lead-based paint project - shall have the same meaning as the term "lead-based paint activity."

Leaking component - a component which has a volatile organic compound concentration exceeding ten thousand (10,000) parts per million when tested in the manner described in Appendix 8, EPA Guideline Series, EPA-450/2-78-036, OAQPS No. 1.2-111, June 1979 ("Appendix 8").

Lease custody transfer - the transfer of produced crude oil or condensate, after processing or treating in the producing operations, from storage tanks or automatic transfer facilities to pipelines or any forms of transportation.

Liquid-mounted seal - a primary seal mounted in continuous contact with the liquid between the tank wall and the floating room around the circumference of the tank.

Liquid service - equipment which processes, transfers or contains a volatile organic compound or mixture of volatile compounds in the liquid phase.

Loading facility - any aggregation or combination of gasoline loading equipment which is both possessed by one (1) person, and located so that all the gasoline loading outlets for the aggregation or combination of loading equipment can be encompassed within any circle of three hundred feet (300 ft.) in diameter.

Lowest achievable emission rate (LAER) – for any source, the more stringent rate of emissions based on the following:

(a) The most stringent emissions limitation which is contained in the implementation plan of any State for such class or category of stationary source, unless the owner or operator of the proposed stationary source demonstrates that such limitations are not achievable; or

(b) The most stringent emissions limitation which is achieved in practice by such class or category of stationary sources. This limitation, when applied to a modification, means the lowest achievable emissions rate for the new or modified emissions units within or stationary source. In no event shall the application of the term permit a proposed new or modified stationary source to emit any pollutant in excess of the amount allowable under an applicable new source standard of performance.

Major stationary source – any stationary source of air pollutants which emits, or has the potential to emit, one hundred tons per year (100 Tpy) or more of any pollutant regulated under the Clean Air Act, except that lower emissions thresholds shall apply as follows:

(a) Seventy (70) Tpy or more of PM_{10} or, where applicable, seventy (70) Tpy of a specific PM_{10} precursor, in any nonattainment area for PM_{10};

(b) Fifty (50) Tpy or more of carbon monoxide in any serious nonattainment area for carbon monoxide, where stationary sources contribute significantly to carbon monoxide levels in the area (as determined under rules issued by the EPA Administrator);

(c) Twenty-five (25) Tpy or more of nitrogen oxides or volatile organic compounds in any nonattainment area for ozone, except where paragraph (d) below is applicable;

(d) Ten (10) Tpy or more of nitrogen oxides or volatile organic compounds in any extreme nonattainment area for ozone;

(e) Any physical change that would occur at a stationary source not qualifying under paragraphs (a) - (d) above, is a major stationary source if the change would constitute a major stationary source by itself;

(f) A major stationary source that is major for volatile organic compounds or oxides of nitrogen shall be considered major for ozone; and

(h) The fugitive emissions of a stationary source shall not be included in determining major stationary source status, unless the source belongs to one (1) of the following categories of stationary sources:

(1) Coal cleaning plants (with thermal dryers);

(2) Kraft pulp mills;

(3) Portland cement plants;

(4) Primary zinc smelters;

(5) Iron and steel mills;

(6) Primary aluminum ore reduction plants;

(7) Primary copper smelters;

(8) Municipal incinerators capable of charging more than two hundred fifty tons (250 T) of refuse per day;

(9) Hydrofluoric, sulfuric, or nitric acid plants;

(10) Petroleum refineries;

(11) Lime plants;

(12) Phosphate rock processing plants;

(13) Coke oven batteries;

(14) Sulfur recovery plants;

(15) Carbon black plants (furnace process);

(16) Primary lead smelters;

(17) Fuel conversion plants;

(18) Sintering plants;

(19) Secondary metal production plants;

(20) Chemical process plants;

(21) Fossil-fuel boilers (or combination thereof) totaling more than two hundred fifty million British thermal units (250,000,000 Btus) per hour heat input;

(22) Petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand (300,000) barrels;

(23) Taconite ore processing plants;

(24) Glass fiber processing plants;

(25) Charcoal production plants;

(26) Fossil fuel-fired steam electric plants of more than two hundred fifty million British thermal units (250,000,000 Btus) per hour heat input; and

(27) Any other stationary source category which, as of August 7, 1980, is being regulated under §§ 111 or 112 of the Clean Air Act.

Malfunction - any sudden and unavoidable failure of air pollution control equipment, process equipment, or of a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

Modification – other than as used in § 205 of this title, any physical change in, or change in the method of operation of, a stationary source which increases or decreases the amount of any air pollutant emitted by the source, or which results in the emission of any air pollutant not previously emitted, except that the term shall not include the following:

(a) Routine maintenance, repair, or replacement;

(b) An increase in the hours of operation or in the production rate, unless the change would be prohibited under any federally enforceable permit condition established pursuant to § 204;

(c) Use of an alternative fuel or raw material if, prior to March 15, 1985, the affected facility was designed to accommodate the alternative use; and

(d) Decommissioning or removal.

Multiple chamber incinerator -

(a) Any incinerator consisting of three (3) or more refractory lined combustion chambers in series, physically separated by refractory walls, interconnected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned. The combustion chamber shall include as a minimum, one chamber principally for ignition, one chamber principally for mixing, and one chamber for combustion; and

(b) Any incinerator consisting of less than three (3) refractory-lined combustion chambers in series that is connected to an afterburner approved by the Director and employing adequate design parameters necessary for maximum combustion of the material to be burned. (36 DCR 2554)

Nearby - as used in the definition of "dispersion technique," that distance up to five (5) times the lesser of the height or the projected width of a structure but not greater than eight tenths (0.8) kilometer (five tenths (0.5) mile). The height of the structure is measured from the ground-level elevation at the base of the stack. "Nearby" as applied to terrain features, means up to the distance that a terrain feature has an adverse influence on stack effluent or eight tenths (0.8) kilometer (five tenths (0.5) mile), whichever is less; except, that if it is shown to the satisfaction of the Mayor that the eight tenths (0.8) kilometer (five tenths (0.5) mile) restriction is unreasonable, a new cutoff distance may be used. In the determination of the unreasonableness of the eight tenths (0.8) kilometer (five tenths (0.5) mile) cutoff for demonstrations, the Mayor shall take into consideration,

among other factors, the extent and shape of the terrain feature(s), and the frequency of occurrence of meteorological conditions leading to excessive concentrations caused by downwash, wakes, or eddies.

Necessary preconstruction approvals or permits - those permits or approvals required under federal air quality control laws and regulations and those air quality control laws and regulations which are part of the State Implementation Plan for the District of Columbia.

New source - equipment, machines, devices, articles, contrivances, or installations built or installed on or after the effective date of the District of Columbia Air Pollution Control Act of 1984, or existing at that time which are later altered, repaired, or rebuilt. Any equipment, machines, devices, articles, contrivances, or installations moved to a new address, or operated by a new owner, or new lessee, after the effective date of the District of Columbia Air Pollution Control Act of 1984, shall be considered a new source.

Non-oxygenated gasoline - any gasoline having an oxygen content of less than two percent (2%) by volume or four tenths of a percent (0.4%) by weight. (40 DCR 5474)

Odor - that property of an air pollutant which affects the sense of smell.

Offset lithography - a process of planographic offset printing involving two (2) difference areas on the plate, one (1) receptive to ink, the other receptive to dampening solution.

Opacity - the degree to which emissions reduce the transmission of light or obscure the view of an object in the background.

Open-top vapor degreaser - any batch loaded, boiling solvent degreaser.

Organic solvents - volatile organic compounds which are liquids at standard conditions, and which are used as dissolvers, viscosity reducers, viscosity reducers, or cleaning agents.

Oxides of nitrogen - in air pollution usage, this comprises nitric oxide and nitrogen dioxide, expressed as the molecular weight of nitrogen dioxide. (40 DCR 5474)

Oxygenate - any oxygen- containing compound approved for use in gasoline by the United States Environmental Protection Agency, including oxygen-containing compounds which comply with the United States Environmental Protection Agency's substantially similar definition under § 211(f) (1) of the Federal Clean Air Act, or which have received a waiver

from the United States Environmental Protection Agency under §211(f)(4) of the Federal Clean Air Act. (40 DCR 5474)

Oxygenated gasoline - gasoline which contains one or more oxygenates. (40 DCR 5474)

Oxygenated gasoline control area - the District of Columbia portion of the Washington, D.C. - Maryland - Virginia Metropolitan Statistical Area. (40 DCR 5474)

Oxygenated gasoline control period - the four (4) month period which begins on November 1st of each year and continues through the last day of February of the following year. (40 DCR 5474)

Particulate matter - any finely divided material, with the exception of uncombined water, which, under standard conditions, exists as a liquid or solid; except, that when a test procedure for particulate matter, specified elsewhere in this subtitle, is applicable, particulate matter shall be defined by the specified test procedure.

Particulate Matter 2.5 ($PM_{2.5}$) – finely divided solid or liquid material, including condensable particulate, other than uncombined water, with an aerodynamic diameter less than or equal to a nominal two and a half micrometers (2.5 μm), emitted to the ambient air. When used in the context of ambient concentration, means particles with an aerodynamic diameter less than or equal to a nominal two and a half micrometers (2.5 μm) as measured by a reference method based on 40 C.F.R. part 50, appendix L, or an equivalent method designated in accordance with 40 C.F.R. part 53.

Particulate Matter 10 (PM_{10}) – particulate matter with an aerodynamic diameter less than or equal to a nominal ten micrometers (10 μm).

Peak ozone season - the consecutive three (3) month period from June 1st through August 31st. (40 DCR 5474)

Percentage annual throughput - the weighted percent of yearly activity for the following consecutive three (3) month periods:

(a) December through February;

(b) March through May;

(c) June through August; and

(d) September through November. (40 DCR 5474)

Perceptible leaks - any petroleum solvent vapor or liquid leaks that are conspicuous from visual observation; such as pools or droplets of liquid, or buckets or barrels of solvent or solvent-laden waste standing open to the atmosphere.

Person - includes individuals, firms, partnerships, companies, corporations, trusts, associations, organizations, or any other private or governmental entities.

Petroleum liquids - crude oil, condensate, and any finished or intermediate products manufactured or extracted in a petroleum refinery.

Petroleum refinery complex - any facility engaged in producing, conveying, or distributing gasoline, aromatics, kerosene, distillate fuel oils, residual fuel oils, lubricants, asphalt gas, or other products through distillation of petroleum or through redistillation, cracking, rearrangement, or reforming of petroleum derivatives.

Petroleum solvent - organic material produced by petroleum distillation that exists as a liquid under standard conditions.

Plant -the total facilities available for production or service. (40 DCR 5474)

Point - a physical emission point or process within a plant that results in pollutant emissions. (40 DCR 5474)

Potential to emit – the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is enforceable as a practical matter. Secondary emissions do not count in determining the potential to emit of a stationary source.

Process - any action, operation, or treatment of materials, including handling and storage of the materials, which may cause the discharge of an air pollutant or pollutants, into the atmosphere, excluding fuel burning and refuse burning.

Process rate - quantity per unit time of any fuel burned, or raw material or process intermediate consumed, or product generated through the use of any equipment, source operation, or process. (40 DCR 5474)

Process weight - the total weight in pounds of all materials introduced into any specific process.

Process weight per hour - the process weight divided by the number of hours in one (1) complete operation, excluding any time during which equipment is idle.

Project – a physical change in, or change in the method of operation of, an existing major stationary source.

Refiner - any person who owns, leases, operates, controls, or supervises a refinery. (40 DCR 5474)

Refinery - any facility, Including a blending plant, which produces gasoline. (40 DCR 5474)

Refinery operator - a refinery operator of an affected facility or the owner of a petroleum refinery complex where the affected facility is located.

Refinery unit - a set of components which are a part of a basic process operation, such as, distillation, hydrotreating, cracking, or reforming or hydrocarbons.

Reid Vapor Pressure - the absolute vapor pressure of volatile nonviscous petroleum liquids, except liquified petroleum gases, as determined by the test methods contained in 40 CFR Part 80, E. (38 DCR 331)

Retailer - any person who owns, leases, operates, controls, or supervises a retail outlet. (40 DCR 5474)

Retail outlet - any establishment at which motor fuel is sold or offered for sale to the general public for use in motor vehicles. (40 DCR 5474)

Ringelmann smoke chart - the chart published and described in the United States Bureau of Mines Information Circular 8333.

Routing - the act of cutting away with a tool, to etch, or to scoop out, as with a gouge.

Secondary emissions - emissions which occur as a result of the construction or operation of a major stationary source or major modification, but do not come from the major stationary source or major modification itself. Secondary emissions must be specific, well defined, quantifiable, and impact the same general areas as the stationary source or modification which causes the secondary emissions. Secondary emissions include emissions from any offsite support facility which would not be constructed

or increase its emissions except as a result of the construction or operation of the major stationary source or major modification. Secondary emissions do not include any emissions which come directly from a mobile source, such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

Segment - components of an emissions point or process at the level that emissions are calculated. (40 DCR 5474)

Shutdown - the cessation of operation of a stationary or other source for any purpose; except, that for oil-fired fuel-burning equipment, shutdown shall be the period starting with the continuous action of turning down or pulling out burners for the sole purpose of shutting-down the equipment and ending with the time when all burners have been turned off or pulled out.

Significant -

(a) In reference to a net emission increase or the potential of a source to emit any of the following pollutants, a rate of emissions that would equal or exceed any of the following rates:

Pollutant	Emissions Rate
Asbestos	0.007 tpy
Beryllium	0.0004 tpy
Carbon Monoxide	100 tpy (tons per year)
Florides	3 tpy
Hydrogen Sulfide	10 tpy (H_2S)
Lead	0.6 tpy
Mercury	0.1 tpy
Nitrogen Oxides	40 tpy
Ozone	40 tpy of volatile organic compounds
Particulate Matter	25 tpy
Reduced Sulfur Compounds	10 tpy (including H_2S)
Sulfuric Acid Mist	7 tpy
Sulfur Dioxide	40 tpy
Total Reduced	10 tpy sulfur (including H_2S)
Vinyl Chloride	1 tpy

(b) In reference to a net emissions increase or the potential of a source to emit a pollutant subject to regulation under the Federal Clean Air Act that paragraph (a) of this definitions does not list, any emissions rate; and

(c) Notwithstanding paragraph (a) of this definition, any emissions rate or any net emissions increase associated with a major stationary source or major modification, which would construct within six and twenty-one hundredths (6.21) miles ten (10) kilometers) of any Class I area, and have an impact on the area equal to or greater than one (1) ug/m3 (24-hour average).

Site - means one specific address, including unit number in a multi-unit building.

Smoke - small gas-borne particles resulting from incomplete combustion, consisting predominantly, but not exclusively, of carbon, ashes, or other combustible material.

Solid waste - refuse, more than fifty percent (50%) of which is waste consisting of a mixture of paper, wood, yard wastes, food wastes, plastics, leather, rubber, and other combustibles, and noncombustible materials such as glass and rock.

Solvent recovery dryer - a class of dry cleaning dryers that employs a condenser to liquify and recover solvent vapors evaporated in a closed-loop, recirculating stream of heated air.

Source - any property, real or personal, which emits or may emit any air pollutant. For purposes of sources affecting non-attainment areas and permits for the sources under §204 of this subtitle, the term includes both plants and each individual piece of process equipment.

Stack - any point in a source designed to emit solids, liquids, or gases into the air, including a pipe or duct but not including flares.

Stack in existence - that the owner or operator had begun, or caused to begin, a continuous program of physical on-site construction of the stack or entered into binding agreements or contractual obligations, which could not be cancelled or modified without substantial loss to the owner or operator, to undertake a program of construction of the stack to be completed in a reasonable time.

Standard conditions - a dry gas temperature of seventy (70^0 F.) degrees Fahrenheit and a gas pressure of fourteen and seven tenths (14.7) psia.

Standard industrial classification code - a series of codes devised by the Office of Management and Budget to classify establishments according to the type of economic activity in which they are engaged. (40 DCR 5474)

Start-up - the setting in operation of a stationary or other source for any purpose; except, that for fuel-burning equipment that generate stream, start-up shall mean a period from initial fire to the time stream can be delivered in usable form to stream-using equipment.

State Implementation Plan or SIP - a plan approved or promulgated under Sections 110 or 172 of the Clean Air Act, 42 U.S.C. 7410 or 7502.

Stationary source - a building, structure, facility, installation, or group of buildings, structures, facilities or installations that emits or may emit any air pollutant subject to regulation under the federal Clean Air Act or this Title. By amending the definition of "Volatile Organic Compounds" to read as follows:

Submerged fill pipe - any fill pipe, the discharge opening of which is entirely submerged when the liquid level is six inches (6 in.) above the bottom of the tank. This term shall also include, when applied to a tank which is loaded from the side, a fill pipe adequately covered at all times during normal working of the tank.

Submit or serve - to send or transmit a document, information, or correspondence to the person specified in accordance with the applicable regulation:

(a) In person;

(b) By United States Postal Service certified mail with the official postmark or, if service is by the Director, by any other mail service by the United States Postal Service; or

(c) By other means with an equivalent time and date mark used in the course of business to indicate the date of dispatch or transmission and a record of prompt delivery. Compliance with any "submission", "service", or "mailing" deadline shall be determined by the date of dispatch, transmission, or mailing and not the date of receipt.

Substrate - the base material which is coated or printed.

Terminal - a gasoline storage and distribution facility with an average daily throughput greater than forty thousand (40,000) gallons of gasoline. (40 DCR 5474)

Typical ozone season day - a day typical of that period of the year during the peak ozone season. (40 DCR 5474)

Vacuum still - a device that distills solvent by depositing it in a heated, partially evacuated vessel in which evaporated (boiled) solvent and water vapors are successively pumped through a condenser to liquify the solvent and water vapors, a gravimetric separator separates solvent from wastewater, and a rag filter removes final traces of water before reuse.

Valves not externally regulated - valves that have no external controls, such as in-line check valves.

Vapor-mounted seal - a primary seal mounted so there is an annular vapor space underneath the seal. The annular vapor space is bounded by the bottom of the primary seal, the tank wall, the liquid surface, and the floating roof.

Vapor-tight - no gas or vapor leakage is detectable using leak detection procedures specified in Appendix B of "Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection System," published by EPA, December 1978, publication numbers EPA-450/2-78-051 and OAQPS No. 1.2-119.

Volatile organic compound (VOC) – any compound of carbon, other than those organic compounds that are defined in 40 CFR Part 51 (40 C.F.R. § 51.100).

Waxy, heavy pour crude oil - a crude oil with a pour point of fifty (50° F.) degrees Fahrenheit or higher as determined by the American Society for Testing and Materials Standard D97-66, "Test for Pour Point of Petroleum Oils."

Wholesale purchaser- consumer - any ultimate consumer of gasoline who purchases or obtains gasoline from a supplier for use in motor vehicles and receives delivery of that product into a storage tank, substantially under the control of that person, of at least five hundred fifty (550) gallon capacity. (40 DCR 5474)

Wiping solution - the liquid cleanser used to assist in removing ink from cylinder(s) wipe process.

199.2 When used in this subtitle, the following abbreviations shall have the meaning ascribed:

ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology

BTU	British thermal unit
[degree]C	degree Celsius (centigrade)
cal.	Calorie(S)
cfm	Cubic feet per minute
CO	Carbon Monoxide
CFR	Code of Federal Regulations
COH_3	Coefficient of haze
CPI	Consumer Price Index
EPA	United States Environment Protection Agency
[degree]F	Degree Fahrenheit
ft	Feet
g.	Gram(S)
GEP	Good Engineering Practice
Hg	Mercury
Hi-Vol	High Volume Samplers
H_2O	Water
hr.	Hour(S)
H_2S	Hydrogen Sulfide
in	Inch
in H_2O	Inches Of Water
LAER	Lowest Achievable Emissions Rate
lb.	Pound
max.	Maximum
mm	Millimeter
mm Btu	Million Btu
mm HG	Millimeters Of Mercury
mol	Mole
MWe	Megawatt Electrical
NESHAP	National Emission Standards for Hazardous Air Pollutants
NOx	Nitrogen Oxides or oxides of Nitrogen
NO_2	Nitrogen Dioxide
No.	Number
NSPS	New Source Performance Standard
NSR	New Source Review
O	Oxygen
PM	Particulate Matter

PM_{10}	Particulate Matter 10
$PM_{2.5}$	Particulate Matter 2.5
ppm	Parts Per Million
ppmv	Parts Per Million By Volume
psia	Pounds Per Square Inch Absolute Pressure
RACT	Reasonably Available Control Technology
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
ug/m3	Microgram(S) Per Cubic Meter
U.L.	Underwriters Laboratories located at: 207 East Ohio Street Chicago, Illinois 60611
VOC	Volatile Organic Compound
[mu] m	Micrometer-10 Meter

SOURCE: Section 3 of the District of Columbia Air Pollution Control Act of 1984, effective March 15, 1985 (D.C. Law 5-165; 32 DCR 562, 572 (February 1, 1985)); as amended by Final Rulemaking published at 36 DCR 2554 (April 14, 1989); as amended by § 2 of the Gasoline Reid Vapor Pressure Requirements Act of 1990, effective March 8, 1991 (D.C. Law 8-238; 38 DCR 331 (January 11, 1991)); as amended by § 2 of the Air Pollution Control Act of 1984 National Ambient Air Quality Standards Attainment Amendment Act of 1993, effective October 15, 1993 (D.C. Law 10-24; 40 DCR 5474 (July 30, 1993)); as amended by Final Rulemaking published at 44 DCR 2793 (May 9, 1997); as amended by Final Rulemaking published at 45 DCR 20 (June 2, 1998); as amended by Final Rulemaking published at 45 DCR 7037 (October 2, 1998); as amended by Final Rulemaking published at 47 DCR 8638 (October 27, 2000); as amended by Final Rulemaking published at 47 DCR 9686 (December 8, 2000); as amended by Final Rulemaking published at 51 DCR 3877 (April 16, 2004) [incorporating by reference the text of Proposed Rulemaking published at 51 DCR1437 (February 6, 2004)]; as amended by Final Rulemaking published at 58 DCR 11286 (December 30, 2011); as amended by Final Rulemaking published at 59 DCR 13044 (November 16, 2012); as amended by Final Rulemaking published at 62 DCR 5685 (May 8, 2015).