

**WAC 173-460-060 Control technology requirements.** (1) Except as provided for in WAC 173-460-040, a person shall not establish, operate, or cause to be established or operated any new or modified toxic air pollutant source which is likely to increase TAP emissions without installing and operating tBACT.

(2) A notice of construction application for a new or modified toxic air pollutant source must demonstrate that the new or modified emission units will employ tBACT for all TAPs for which the increase in emissions will exceed de minimis emission values as found in WAC 173-460-150. TAP emission increases from nonprocess fugitive emissions activities such as construction or demolition sites, unpaved and paved roads, coal piles, waste piles and fuel and ash handling operations are exempt from the requirement to apply tBACT.

[Statutory Authority: Washington Clean Air Act, RCW 70.94.152. WSR 09-11-131 (Order 05-19), § 173-460-060, filed 5/20/09, effective 6/20/09. Statutory Authority: RCW 70.94.860, 70.94.510 and 70.94.331. WSR 98-15-129 (Order 98-04), § 173-460-060, filed 7/21/98, effective 8/21/98. Statutory Authority: Chapter 70.98 RCW. WSR 98-04-062 (Order 97-38), § 173-460-060, filed 2/2/98, effective 3/5/98. Statutory Authority: Chapter 70.94 RCW. WSR 94-03-072 (Order 93-19), § 173-460-060, filed 1/14/94, effective 2/14/94. Statutory Authority: RCW 70.94.331. WSR 91-13-079 (Order 90-62), § 173-460-060, filed 6/18/91, effective 9/18/91.]