

**(b) Applicability.** This section applies to the owner or operator of a fuel burning emission unit, including a temporary unit, located at a non-major stationary source of NO<sub>x</sub>, if:

- (1) The unit emits on any day after the effective date of this section:
  - (A) One hundred thirty-seven (137) pounds of NO<sub>x</sub> during any day from May 1 to September 30, inclusive, of any year, if such source is located in a severe nonattainment area for ozone, or
  - (B) Two hundred seventy-four (274) pounds of NO<sub>x</sub> during any day from May 1 to September 30, inclusive, of any year, if such source is located in a serious nonattainment area for ozone; or

(2) The unit is an affected unit that is not subject to RCSCA section 22a-174-22e.

**(c) Exemptions.** The following emission units are exempt from this section:

- (1) An emission unit that is a type of incinerator for which an emissions guideline has been issued under Section 129 of the Act;
- (2) A stationary fuel-burning emission unit that is not a reciprocating engine and that has as a maximum rated capacity of less than five MMBtu/hr;
- (3) A reciprocating engine that has a maximum rated capacity of less than three MMBtu/hr;
- (4) An emergency engine;
- (5) An emission unit used to test and provide emergency power or alternative power for safety-related structures, systems, and components or other Nuclear Regulatory Commission mandated systems at an electric generating facility licensed under 10 CFR 50;
- (6) An emission unit that is located at a hospital or health care facility and that is used to meet standards of The Joint Commission or the National Fire Protection Association for emergency electrical power systems;
- (7) A reciprocating engine operated by an EAS Participant, as defined in 47 CFR 11.2, to meet the equipment operational readiness requirements of 47 CFR 11.35; or
- (8) For an emission unit subject to this section pursuant to subsection (b)(1) of this section, if, subsequent to the effective date of this section, the owner or operator obtains a practicably enforceable limitation on NO<sub>x</sub> emissions from the emission unit to a level below the levels of subsection (b)(1) of this section, such emission unit is not subject to this section.