

PART 200

GENERAL PROVISIONS

(Statutory authority: Environmental Conservation Law, §§ 1-0101, 3-0301, 3-0303, 19-0103, 19-0105, 19-0107, 19-0301, 19-0302, 19-0303, 19-0305, 19-0306, 19-0311, 19-0319, 70-0109)

Sec.	
200.1	Definitions
200.2	Safeguarding information
200.3	False statements
200.4	Severability
200.5	Sealing
200.6	Acceptable ambient air quality
200.7	Maintenance of equipment
200.8	Conflict of interest
200.9	Referenced material
200.10	Federal standards and requirements

Historical Note

Part (§§ 200.1-200.16) renam. Part 370, Title 9, filed Sept. 1971, new (§§ 200.1-200.10) filed April 28, 1972, repealed, new (§§ 200.1-200.4) filed May 17, 1972, and filed Dec. 13, 1974 eff. 30 days after filing. New statutory authority cited.

~~§ 200.1 Definitions.~~

~~(a) *Act*. The Federal Clean Air Act, 42 U.S.C. section 7401, *et seq.*, as amended by Public Law 101-549, November 15, 1990.~~

~~(b) *Administrator*. The Administrator of the United States Environmental Protection Agency or designee.~~

~~(c) *Air cleaning installation, air cleaning device or control equipment*. Any method, process or equipment which removes, reduces or renders less noxious air contaminants discharged into the outdoor atmosphere.~~

~~(d) *Air contaminant or air pollutant*. A chemical, dust, compound, fume, gas, mist, odor, smoke, vapor, pollen or any combination thereof.~~

~~(e) *Air contamination*. The presence in the outdoor atmosphere of one or more air contaminants which contribute or which are likely to contribute to a condition of air pollution.~~

~~(f) *Air contamination source or emission source*. Any apparatus, contrivance or machine capable of causing emission of any air contaminant to the outdoor atmosphere, including any apparatus exhaust system, air cleaning device, but excepting an indirect source of air contamination as defined in Part 203 of this Title. Where a process at an emission unit uses more than one apparatus, contrivance or machine in combination, the combination may be considered a single emission source.~~

~~(g) *Air pollution*. The presence in the outdoor atmosphere of one or more contaminants in quantities, of characteristics and of a duration which are or may be injurious to human, plant or animal life or to property or which unreasonably interfere with the comfortable enjoyment of life and property.~~

~~(h) *Annual*. Refers to a period of time based upon a calendar year commencing January 1st and terminating midnight December 31st.~~

~~(i) *Attainment area*. Any area of the State meeting all National Ambient Air Quality Standards (NAAQS) for a specific air contaminant as designated pursuant to section 107(d) of the Federal Clean Air Act. (*Note*: A list of such areas may be obtained from any office of the Department of Environmental Conservation.)~~

~~(j) *Best available control technology (BACT)*. An emission limitation or equipment standard based on the maximum degree of reduction of each contaminant emitted from stationary air~~

Historical Note

~~Sec. amds. filed: June 20, 1962; April 19, 1966; Aug. 8, 1966; Sept. 18, 1970; renum. 370.3 Title 9, filed Sept. 1971; new filed April 28, 1972; repealed, new filed May 17, 1972 eff. 30 days after filing.~~

§ 200.4 Severability.

If any provisions of this Subchapter are held invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provisions.

Historical Note

Sec. amds. filed: Nov. 2, 1964; July 19, 1966; renum. 370.4 Title 9, filed Sept. 1971; new filed April 28, 1972; repealed, new filed May 17, 1972; am. filed July 10, 1984 eff. 30 days after filing.

§ 200.5 Sealing.

(a) The commissioner may seal an air contamination source to prevent its operation if compliance with this Chapter is not met within the time provided by an order of the commissioner issued in the case of the violation. *Sealing* means labelling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

(b) No person shall operate any air contamination source sealed by the commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

(c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any air contamination source in accordance with this section.

Historical Note

Sec. renum. 370.5, Title 9, filed Sept. 1971; new filed April 28, 1972; repealed, filed May 17, 1972; new filed Feb. 22, 1979; eff. Feb. 22, 1979.

§ 200.6 Acceptable ambient air quality.

Notwithstanding the provisions of this Subchapter, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the commissioner shall specify the degree and/or method of emission control required.

Historical Note

Sec. renum. 370.6, Title 9, filed Sept. 1971; new filed April 28, 1972; repealed, filed May 17, 1972; new filed Feb. 22, 1979; am. filed March 7, 1983 eff. 30 days after filing.

§ 200.7 Maintenance of equipment.

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Historical Note

Sec. renum. 370.7, Title 9, filed Sept. 1971; new filed April 28, 1972; repealed, filed May 17, 1972; new filed Feb. 22, 1979 eff. Feb. 22, 1979.

§ 200.8 Conflict of interest.

~~(a) The commissioner or his designees who have the designated authority to approve either permits and certificates issued pursuant to 6 NYCRR Part 201, or the issuance of an order~~

~~Paragraphs 10 of the ECL shall disclose prior to any such approval of issuance a significant portion of income, directly or indirectly received from persons who may be a recipient of such a permit, certificate or order.~~

(b) For the purposes of this section:

(1) A significant portion of income shall mean 10 percent or more of gross personal income for a calendar year, or if the recipient is 60 years of over, a significant portion of income shall mean 50 percent of gross personal income for a calendar year if such income is received pursuant to an established fixed pension or retirement program.

(2) Income shall include retirement benefits, consultant fees and dividends.

(3) Income is not received directly or indirectly where it is derived from mutual fund payments or other diversified investments where the identity of the primary source of income is not known to the recipient.

§ 200.9 Referenced material.

Regulations included in Chapter III, Air Resources, frequently contain references to documents for information as to the standards to be met or guidelines and methodology to be used in meeting the requirements of specific regulations. The availability of such documents will be noted in table I below which correlates specific references with specific regulations. In addition, copies of referenced material are available for public inspection and copying at the Division of Air Resources in the Albany office of the Department of Environmental Conservation, or at the Albany office of the New York State Department of State.

Table I

Regulation 6 NYCRR Part/sec/etc	Referenced material CFR (Code of Federal Regulations) or other	Availability
200.10(b)		
Table 2	40 CFR Part 60 (July 1, 1995) 60 <i>Federal Register</i> 65387-65436 (December 19, 1995) 61 <i>Federal Register</i> 9905-9944 (March 12, 1996) 63 <i>Federal Register</i> 32743-32753 (June 16, 1998)	• • •
Table 3	40 CFR Part 61 (July 1, 1995)	•
Table 4	40 CFR Part 61 (July 1, 1995) 60 <i>Federal Register</i> 43244-43297 (August 18, 1995) 60 <i>Federal Register</i> 45948-45980 (September 1, 1995) 60 <i>Federal Register</i> 48388-48417 (September 19, 1995) 60 <i>Federal Register</i> 64330-64347 (December 15, 1995) 60 <i>Federal Register</i> 62930-62962 (December 7, 1995)	• • • • •
Table 5	40 CFR Part 52 (July 1, 1995) 40 CFR Part 72 to 85 (July 1, 1995)	• •
201.2(b)(21)	Standard Industrial Classification Manual (1987)	•••••
201.3.3(94)	United States Department of Health and Human Services' Seventh Annual Report on Carcinogens (1994)	•••••
202.2.1(d)	40 CFR Part 60 (July 1993) pages 4-943 40 CFR Part 61 (July 1993) pages 4-278	• •
204.1.2(b)(3)	40 CFR 72.2 (May 26, 1999)	•
204.1.2(b)(15)	40 CFR Part 75 (May 26, 1999)	•
204.1.2(b)(33)	40 CFR Part 75, Appendix D (May 26, 1999) 40 CFR Part 75 (May 26, 1999)	• •

Regulation 6 NYCRR Part/sec./etc.	Referenced material CFR (Code of Federal Regulations) or other	Availability
204-1.2(b)(34)	40 CFR Part 75, Appendix F, Section 3 (May 26, 1999) 40 CFR Part 75, Appendix A, Section 2 (May 26, 1999)	•
204-1.2(b)(53)	40 CFR 51.121 (October 27, 1998) 40 CFR Part 97 (September 24, 1998)	•
204-1.2(b)(66)	40 CFR Part 60, Appendix A (July 1, 1998)	•
204-1.4(b)(1)(iii)(a)	40 CFR 75.19(c)(1)(ii), Table 2 (May 26, 1999)	•
204-5.3(g)	40 CFR 51.121 (October 27, 1998)	•
204-8.1	40 CFR Part 75, Subpart H (May 26, 1999) 40 CFR 72.2 (May 26, 1999) 40 Part 75 (May 26, 1999)	•
204-8.1(a)(1)	40 CFR 75.71 and 75.72 (May 26, 1999)	•
204-8.1	40 CFR Part 75 (May 26, 1999)	•
204-8.1(c)	40 CFR 75.50(g) (May 26, 1999)	•
204-8.1(d)(1)	40 CFR 75.72(b)(2)(ii) (May 26, 1999)	•
204-8.1(d)(2)	40 CFR 75.72(b)(2)(ii) (May 26, 1999) 40 CFR Part 75 (May 26, 1999) 40 CFR Part 75.74 (May 26, 1999)	•
204-8.1(d)(3)	40 CFR 75.72(b)(2)(ii) (May 26, 1999) 40 CFR Part 75 (May 26, 1999) 40 CFR 75.74 (May 26, 1999)	•
204-8.1(d)(4)	40 CFR 75.72(b)(2)(ii) (May 26, 1999)	•
204-8.1(d)(4)(i)	40 Part CFR 75 (May 26, 1999)	•
204-8.2(a)	40 CFR Part 75 (May 26, 1999)	•
204-8.2(a)(1)	40 CFR 75.17(a) or (b) (May 26, 1999) 40 CFR 75.66 (May 26, 1999) 40 CFR 75.17 (May 26, 1999)	•
204-8.2(a)(2)	40 CFR 75.72 (May 26, 1999) 40 CFR 75.71(a)(2) (May 26, 1999)	•
204-8.2(b)	40 CFR 75.19 (May 26, 1999) 40 CFR Part 75, Subpart E (May 26, 1999) 40 CFR 75.72 (May 26, 1999) 40 CFR 75.71(a)(2) (May 26, 1999)	•
204-8.2(b)(1)	40 CFR Part 75, Subpart H (May 26, 1999) 40 CFR 75.20 (May 26, 1999)	•
204-8.2(b)(2)	40 CFR 75.21 (May 26, 1999)	•

Regulation 6 NYCRR Part/Sec./etc.	Referenced material CFR (Code of Federal Regulations) or other	Availability
	40 CFR Part 75, Appendix B (May 26, 1999)	
	40 CFR 75.20(b) (May 26, 1999)	
204-8.2(b)(3)(ii)	40 CFR Part 75, Subpart H (May 26, 1999)	•
204-8.2(b)(3)(iii)	40 CFR 75.19 (May 26, 1999)	•
	40 CFR 75.20(a)(3) (May 26, 1999)	
	40 CFR Part 75 (May 26, 1999)	
204-8.2(b)(3)(iv)	40 CFR Part 75 (May 26, 1999)	•
204-8.2(b)(3)(iv)(a)	40 CFR Part 75 (May 26, 1999)	•
204-8.2(b)(3)(v)(a)	40 CFR 75.20(a)(5)(i) (May 26, 1999)	•
204-8.2(b)(3)(v)(a)(1)	40 CFR 75.19 (May 26, 1999)	•
204-8.2(b)(3)(v)(a)(2)	40 CFR Part 75, Appendix A, Section 2.1 (May 26, 1999)	•
204-8.2(c)	40 CFR 75.19 (May 26, 1999)	•
	40 CFR 75.10 (May 26, 1999)	
204-8.2(c)(1)(i)	40 CFR 75.19 (May 26, 1999)	•
204-8.2(c)(1)(ii)	40 CFR 75.19 (May 26, 1999)	•
204-8.2(c)(2)(i)	40 CFR 75.19 (May 26, 1999)	•
204-8.2(c)(2)(ii)	40 CFR 75.19 (May 26, 1999)	•
204-8.2(c)(2)(iv)	40 CFR 75.19 (May 26, 1999)	•
204-8.2(d)	40 CFR Part 75, Subpart E (May 26, 1999)	•
	40 CFR 75.20(f) (May 26, 1999)	
204-8.3(a)	40 CFR Part 75, Appendix B (May 26, 1999)	•
	40 CFR Part 75, Subpart D, Appendix D or Appendix E (May 26, 1999)	
204-8.3(b)	40 CFR Part 75 (May 26, 1999)	•
204-8.4	40 CFR 75.61 (May 26, 1999)	•
204-8.5(a)(2)	40 CFR Part 75, Subpart F, G or H (May 26, 1999)	•
	40 CFR Part 72 (May 26, 1999)	
204-8.5(b)(1)	40 CFR 75.62 (May 26, 1999)	•
	40 CFR Part 75, Subpart H (May 26, 1999)	
204-8.5(b)(2)	40 CFR 75.62 (May 26, 1999)	•
	40 CFR Part 75, Subpart H (May 26, 1999)	
204-8.5(c)	40 CFR Part 75, Subpart H (May 26, 1999)	•
204-8.5(d)(2)(i)	40 CFR Part 75 (May 26, 1999)	•
204-8.5(d)(2)(ii)	40 CFR 75.74(d)(3) (May 26, 1999)	•
	40 CFR 75.74(b) (May 26, 1999)	

Regulation 6 NYCRR Part/sec./etc.	Referenced material CFR (Code of Federal Regulations) or other	Availability
204-8.5(d)(3)	40 CFR Part 75, Subpart H (May 26, 1999) 40 CFR 75.64 (May 26, 1999)	•
204-8.5(d)(3)(i)	40 CFR Part 75, Subparts G & H (May 26, 1999)	•
204-8.5(d)(3)(ii)	40 CFR Part 75, Subpart H (May 26, 1999)	•
204-8.5(d)(4)(i)	40 CFR Part 75 (May 26, 1999)	•
204-8.5(d)(4)(ii)	40 CFR 75.34(a)(1) (May 26, 1999)	•
204-8.5(d)(4)(iii)	40 CFR Part 75, Subpart D (May 26, 1999)	•
204-8.6(a)	40 CFR 75.66 (May 26, 1999)	•
204-8.6(a)(2)	40 CFR 75.72 (May 26, 1999)	•
204-8.6(b)	40 CFR 75.66 (May 26, 1999)	•
204-8.6(b)(1)	40 CFR 75.66 (May 26, 1999) 40 CFR 75.72 (May 26, 1999) 40 CFR 75.71(a)(2) (May 26, 1999)	•
204-8.7	40 CFR Part 75 (May 26, 1999)	•
209.1(b)(7)	40 CFR Part 60, Appendix A (July 1989) pages 568-964	•
209.2(c)	40 CFR Part 60, Subpart S (July 1989) pages 344-346	•
210.1(a)	42 U.S.C. Section 7401 <i>et seq</i> Clean Air Act as amended by Pub. L. 101-549 (1990)	••

Regulation	Referenced material CFR (Code of Federal Regulations) or other	Availability
6 NYCRR Part/Sec./etc.		
210.1(g)	40 CFR Part 88 (March 1, 1993)	•
210.1(j)	40 CFR Part 88 (March 1, 1993) 40 CFR Part 86 (July 1, 1995)	• •
210.1(k)	40 CFR Part 86 (July 1, 1995) 40 CFR Part 88 (March 1, 1993)	• •
210.1(n)	40 CFR Section 80.40 (July 1, 1995)	•
210.1(ah)	40 CFR Section 88.311-93 (March 1, 1993)	•
210.1(am)	42 U.S.C. Section 7583 Clean Air Act as amended by Pub. L. 101-549 (1990)	••
210.1(ar)	42 U.S.C. Section 7521 Clean Air Act as amended by Pub. L. 101-549 (1990)	••
210.1(aw)	42 U.S.C. Section 7407(d) Clean Air Act as amended by Pub. L. 101-549 (1990)	••
210.1(az)	42 U.S.C. Section 7581(5) Clean Air Act as amended by Pub L. 101-549 (1990)	••
210.1(ba)	40 CFR Part 86 (July 1, 1995)	•
210.1(bb)	40 CFR Part 86 (July 1, 1995) 40 CFR Part 88 (March 1, 1993)	• •
210.1(bj)	42 U.S.C. Section 7583 Clean Air Act as amended by Pub L 101-549 (1990)	••
210.1(bm)	42 U.S.C. Section 7583 Clean Air Act as amended by Pub L 101-549 (1990)	••
210.1(bp)	40 CFR Section 86.082-24 (July 1, 1995)	•
210.1(br)	42 U.S.C. Section 7583 Clean Air Act as amended by Pub. L. 101-549 (1990)	••
210.4(b)(2)	40 CFR Part 86, Subpart N (July 1, 1995)	•
210.4(b)(4)	40 CFR Part 86 (July 1, 1995)	•
210.9(a)	40 CFR Part 88.306.94 (March 1, 1993) 40 CFR Part 88, Subpart C (March 1, 1993)	• •
210.9(b)	40 CFR Part 86 (July 1, 1995) 40 CFR Part 88 (March 1, 1993)	• •
210.9(c)(1)	42 U.S.C. Section 7525 Clean Air Act as amended by Pub. L. 101-549 (1990)	••
	42 U.S.C. Section 7541 Clean Air Act as amended by Pub. L. 101-549 (1990)	••
210.9(c)(2)	40 CFR Part 85 (July 1, 1995)	•
210.9(f)	42 U.S.C. Section 7522 Clean Air Act as amended by Pub L 101-549 (1990)	••
212.5(e)	40 CFR Part 60 (July 1989) pages 195-1013 40 CFR Part 61 (July 1989) pages 4-164 40 CFR Part 761 (July 1989) pages 213-267	•

Regulation 6 NYCRR Part/sec./etc.	Referenced material CFR (Code of Federal Regulations) or other	Availability
214.9(b)(2)(iv)	40 CFR Part 61 Subpart L (July 1991) pages 63-69 40 CFR Part 61 Subpart FF (July 1991) pages 151-178	
214.11(a), (c)	40 CFR Part 60, Appendix A (July 1989) pages 568-964	•
216.6(a)	40 CFR Part 60, Subpart N (July 1989) pages 326-328	•
216.7(a)	40 CFR Part 60, Subpart AA (July 1989) pages 359-364	•
216.9(a)	40 CFR Part 60, Appendix A (July 1989) Reference Method 5, pages 624-648	•
217-1.1(e)	Emissions Inspection Procedure Manual (VS-28) (April 1992)	•••••
217-1.3(a)	Emissions Inspection Procedure Manual (VS-28) (April 1992)	•••••
217-1.3(b)	Emissions Inspection Procedure Manual (VS-28) (April 1992)	•••••
217-2.3(a)	Emissions Inspection Procedure Manual (VS-28) (April 1992)	•••••
217-2.3(b)	Emissions Inspection Procedure Manual (VS-28) (April 1992)	•••••
217-5.1(ai)	SAE J1667 Surface Vehicle Recommended Practice (Snap- Acceleration Smoke Test Procedure for Heavy-Duty Diesel Powered Vehicles) (February 1996)	•••••••••
218-1.2(d)	Clean Air Act 42 U.S.C. Section 7543 (1988) as amended by Pub. L. 101-549 (1990) Clean Air Act 42 U.S.C. Section 7507 (1988) as amended by Pub. L. 101-549 (1990)	•• ••
218-1.2(e)	California Health and Safety Code, Section 39003 (1991)	••
218-1.2(i)	California Code of Regulations, Title 13, Section 1900(b)(3) (7-12-91)	•• •••
218-1.2(w)	California Code of Regulations, Title 13, Section 1960 (11-30-83)	•• •••
218-1.2(ab)	Clean Air Act 42 U.S.C. 7521(b)(1)(B) (1988) as amended by Pub. L. 101-549 (1990)	••
218-1.2(af)	California Code of Regulations, Title 13, Section 2112 (7-12-91)	•• •••
218-2.1(a)	Clean Air Act 42 U.S.C. Section 7521 (1988) as amended by Pub. L. 101-549 (1990)	••
218-2.1(b)(5)	Clean Air Act 42 U.S.C. Section 7401 et seq. (1988) as amended by Pub. L. 101-549 (1990)	••
218-2.1(d)	Clean Air Act 42 U.S.C. Section 7507 (1988) as amended by Pub. L. 101-549 (1990)	••
218-2.2(a)	California Code of Regulations, Title 13, Section 1960.1 (7-12-91)	•• •••
218-2.2(a)(2)(ii)	California Code of Regulations, Title 13, Section 1976 (11-20-91)	•• •••
218-3.1	California Code of Regulations, Title 13, Section 2112 (7-12-91) 40 CFR Part 600 (July 1, 1989)	•• ••• •
218-5.1	California Code of Regulations, Title 13, Section 2061 (7-12-91)	•• •••

Regulation 6 NYCRR Part/Sec./etc.	Referenced material CFR (Code of Federal Regulations) or other	Availability
218-5.2(a)	California Code of Regulations, Title 13, Section 2109 (11-30-83)	..
	California Code of Regulations, Title 13, Section 2110 (11-30-83)	...
218-5.3(b)	California Code of Regulations, Title 13, Section 2101 (11-30-83)	..
218-5.4	Clean Air Act 42 U.S.C. Section 7507 (1988) as amended by Pub. L. 101-549 (1990)	..
218-8.3	Clean Air Act 42 U.S.C. Section 7401 et seq. (1988) as amended by Pub. L. 101-549 (1990)	..
218-9.3(a)(1)	California Code of Regulations, Title 13, Section 2221 (11-30-83)	..
	California Code of Regulations, Title 13, Section 2224 (7-17-90)	..
218-9.3(a)(2)	California Code of Regulations, Title 13, Section 2224(a) (7-17-90)	..
218-9.4(b)(3)(i)	California Code of Regulations, Title 13, Section 2222 (7-17-90)	..
218-9.4(b)(3)(ii)	California Code of Regulations, Title 13, Section 2222 (7-17-90)	..
218-9.5(b)	California Code of Regulations, Title 13, Section 2222 (7-17-90)	..
218-10.1	California Code of Regulations, Title 13, Section 2290 (2-21-90)	..
219-2.7(a)	40 CFR Part 60, Appendix B (July 1987) Performance Specifications 1, 2 and 3 pages 822-847	.
219-3.8	40 CFR Part 60, Appendix B (July 1987) Performance Specifications 1, 2 and 3 pages 822-847	.
225-1.7(b)	40 CFR Part 60, Appendix B (July 1989) Performance Specification 2, pages 981-988	.
225-2.4(a)(3)	40 CFR Part 761 (July 1989) pages 213-267	.
225-3.2(b)(14)	Clean Air Act 42 U.S.C. Section 7512a(a)(2)(A) (1988) as amended by Pub. L. 101-549 (1990)	..
225-3.2(b)(16)	Clean Air Act 42 U.S.C. Section 7545 (1988) as amended by Pub. L. 101-549 (1990)	..
225-3.2(b)(26)	Clean Air Act 42 U.S.C. Section 7512a(a)(2)(A) (1988) as amended by Pub. L. 101-549 (1990)	..
225-3.3(c)(1)	Clean Air Act 42 U.S.C. Section 7502(c)(9) (1988) as amended by Pub. L. 101-549 (1990)	..
225-3.3(c)(1)	Clean Air Act 42 U.S.C. Section 7512a(a)(3) (1988) as amended by Pub. L. 101-549 (1990)	..
225-3.3(c)(1)(ii)	Clean Air Act 42 U.S.C. Section 7512a(a)(2)(A) (1988) as amended by Pub. L. 101-549 (1990)	..

Regulation 6 NYCRR Part/sec./etc.	Referenced material CFR (Code of Federal Regulations) or other	Availability
225-3.3(c)(1)(iii)	Clean Air Act 42 U.S.C. Section 7512a(x)(2)(A) (1988) as amended by Pub. L. 101-549 (1990)	..
225-3.5(b)(1)	40 CFR 80, Appendix D (July 1991) pages 380-393	.
225-3.5(c)(1)(i)	ASTM, D 4815-89 (October 1989)
225-3.5(c)(1)(ii)	ASTM, D 4815-89 (October 1989)
227-1.3(b)(1)	40 CFR Part 60, Appendix A (Updated July 1, 1996) Reference Method 9, pages 734-740	.
227-2.6(b)(3)(i)	40 CFR 60, Appendix A, (July 1990) Reference Method 19, pages 956-962	.
227-2.6(b)(3)(v)	40 CFR 60.13(d), (e) and (f) (July 1990) pages 226 - 227 40 CFR 60, Appendix B, (July 1990) Performance Specification 2 pages 1040-1047	.
227-2.6(b)(3)(vi)	40 CFR Part 60, Appendix F (July 1990), pages 1051-1056	.
227-2.6(b)(4)(iv)	40 CFR Part 60, Appendix F (July 1990) pages 1051-1056	.
227-2.6(b)(4)(v)	40 CFR Part 60, Appendix B (July 1990), pages 1023-1050	.
227-2.6(b)(5)	40 CFR Part 75 <i>Federal Register</i> , January 11, 1993	.
227-2.6(c)(2)	40 CFR Part 60, Appendix A (July 1990) pages 630 - 1023	.
227-2.6(c)(2)(i)	40 CFR Part 60, Appendix A (July 1990), Reference Methods 7, 7E, and 19, pages 771-777, 791-792, 956-962	.
227-2.6(c)(2)(ii)	40 CFR Part 60, Appendix A (July 1990), Reference Method 20, pages 962-971	.
227-2.6(c)(2)(iii)	40 CFR Part 60, Appendix A (July 1990), Reference Methods 7, 7E, 19 and 20, pages 771-777, 791-792, 956-971	.
227-2.6(c)(2)(iv)	40 CFR Part 60, Appendix A (July 1990), Reference Methods 7, 7E, and 19, pages 771-777, 791-792, 956-962	.
227-3.1	OTC NO _x MOU (September 27, 1994)	..
227-3.3(b)(27)	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	..
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	..
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	..
227-3.3(b)(37)	Clean Air Act 42 U.S.C. Sections 7511c(a) and 7506a as amended by Public Law 101-549 (November 20, 1990)	..
227-3.3(b)(38)	OTC NO _x MOU (September 27, 1994)	..
227-3.3(b)(39)	Clean Air Act 42 U.S.C. Sections 7511c(a) as amended by Public Law 101-549 (November 20, 1990)	..
227-3.3(b)(44)	40 CFR Part 72 (October 1997, as updated on July 1, 1998, or May 26, 1999)	.

Regulation	Referenced material	Availability
6 NYCRR Part/sec. etc.	CFR (Code of Federal Regulations) or other	
227-3.13(a)(1)	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	..
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	..
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	..
227-3.13(a)(2)	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	..
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	..
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	..
	40 CFR Part 75 (November 20, 1996, as updated on July 1, 1998; or May 26, 1999)	.
227-3.13(a)(3)	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	..
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	..
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	..
227-3.13(a)(4)	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	..
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	..
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	..
227-3.13(a)(5)	40 CFR Part 75 (November 20, 1996, as updated July 1, 1998, or May 26, 1999)	.
	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	..
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	..
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	..
227-3.13(b)	40 CFR Part 75 (November 20, 1996, as updated on July 1, 1998, or May 26, 1999)	.
227-3.13(b)(1)	40 CFR Part 75 (November 20, 1996, as updated on July 1, 1998, or May 26, 1999)	.
227-3.13(b)(1)(i)	40 CFR Part 75 Appendix F, Section 3 (November 20, 1996, as updated on July 1, 1998, or May 26, 1999)	.
227-3.13(b)(1)(ii)	40 CFR Part 75 Appendix F, Section 5 (November 20, 1996, as updated on July 1, 1998, or May 26, 1999)	.
227-3.13(b)(2)(i)	40 CFR Part 75 Appendix F, Section 3 (November 20, 1996, as updated on July 1, 1998, or May 26, 1999)	.

Regulation 6 NYCRR Part/sec./etc.	Referenced material CFR (Code of Federal Regulations) or other	Availability
227-3.13(b)(2)(ii)	40 CFR Part 75 Appendix D (November 20, 1996, as updated on July 1, 1998; or May 26, 1999)	•
227-3.13(b)(3)	40 CFR Part 75 Appendix E (November 20, 1996, as updated on July 1, 1998; or May 26, 1999)	•
227-3.13(b)(3)(i)	40 CFR Part 75 Appendix E (November 20, 1996, as updated on July 1, 1998; or May 26, 1999)	•
227-3.13(b)(3)(ii)	40 CFR Part 75 Appendix D (November 20, 1996, as updated on July 1, 1998; or May 26, 1999)	•
227-3.13(b)(4)	40 CFR Part 75 Subpart E (November 20, 1996, as updated on July 1, 1998; or May 26, 1999)	•
227-3.13(b)(4)(i)	40 CFR Part 75 Subpart E (November 20, 1996, as updated on July 1, 1998; or May 26, 1999)	•
227-3.13(b)(4)(ii)	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	••
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	••
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	••
227-3.13(b)(5)	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	••
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	••
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	••
227-3.13(c)	40 CFR Part 75 (November 20, 1996, as updated on July 1, 1998; or May 26, 1999)	•
227-3.13(c)(1)(ii)	40 CFR Part 75 (November 20, 1996, as updated on July 1, 1998; or May 26, 1999)	•
227-3.13(c)(1)(vi)(c)	40 CFR Part 75, Appendix D (November 20, 1996, as updated on July 1, 1998; or May 26, 1999)	•
227-3.13(c)(1)(vii)	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	••
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	••
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	••
227-3.13(c)(2)(i)	CFR Part 75 (November 20, 1996, as updated on July 1, 1998; or May 26, 1999)	•
227-3.13(c)(2)(ii)	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	••
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	••

Regulation	Referenced material	Availability
6 NYCRR Part/sec./etc.	CFR (Code of Federal Regulations) or other	
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	••
	40 CFR Part 75 Subpart D (November 20, 1996, as updated on July 1, 1998, or May 26, 1999)	•
227-3.13(c)(2)(iii)	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	••
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	••
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	••
227-3.13(c)(2)(iii)(a)	40 CFR Part 75 Appendix E (November 20, 1996, as updated on July 1, 1998, or May 26, 1999)	•
227-3.13(c)(2)(iv)	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	••
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	••
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	••
227-3.13(c)(3)(i)(a)	40 CFR Part 75 (November 20, 1996, as updated on July 1, 1998, or May 26, 1999)	•
	40 CFR Part 75 Appendix F Section 5 (November 20, 1996, as updated on July 1, 1998, or May 26, 1999)	•
227-3.13(c)(3)(i)(b)	40 CFR Part 75 Appendix D (November 20, 1996, as updated on July 1, 1998, or May 26, 1999)	•
	40 CFR Part 75 Appendix F Section 5 (November 20, 1996, as updated on July 1, 1998, or May 26, 1999)	•
227-3.13(c)(3)(ii)	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	••
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	••
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	••
227-3.15(a)	Guidance For Implementation of Emissions Monitoring Requirements for the NO _x Budget Program (January 28, 1997)	••
	NO _x Budget Program Monitoring Certification and Reporting Requirements (July 3, 1997)	••
	Electronic Data Reporting, Acid Rain Program/NO _x Budget Program (July 3, 1997)	••
228.5(b)	40 CFR Part 60, Appendix A, Reference Method 24 (July 1989) pages 921-922	•
228.5(f)	40 CFR Part 60, Appendix A, (July 1989) pages 968-964	•
229.3(d)(1)	40 CFR Part 60, Appendix A (July 1989) pages 968-964	•
229.4(a)	40 CFR Part 60, Appendix A (July 1989) pages 968-964	•

Regulation 6 NYCRR Part/sec./etc.	Referenced material CFR (Code of Federal Regulations) or other	Availability
230.4(b)	40 CFR Part 60, Appendix A (July 1989) Method 27, pages 945-947	•
231-2.1(b)(24)(iii)	Further Continuing Appropriations Act of 1985, 42 U.S.C. Section 5903d (December 19, 1985)	••
231-2.1(b)(31)(i)	Clean Air Act, Title IV, 42 U.S.C. Section 7651, as amended by Pub. L. 101-549 (November 15, 1990)	••
231-2.2(j)(1)	Clean Air Act, 42 U.S.C. Section 7511a(f), as amended by Pub. L. 101-549 (November 15, 1990)	••
231-2.11(a)(2)(iii)	Clean Air Act, 42 U.S.C. Section 7511a(b), (c), and (g), as amended by Pub. L. 101-549 (November 15, 1990)	••
232.5(a)(1)	40 CFR 63, Subpart M (July 1, 1995)	•
232.5(e)	40 CFR 63, Subpart M (July 1, 1995)	•
232.5(g)	40 CFR 63, Subpart M (July 1, 1995)	•
232.6(b)(6)(iv)(b)	40 CFR 63, Subpart M (July 1, 1995)	•
232.7(c)	40 CFR 60, Appendix A, Reference Method 21 (July 1989) pages 913-916	•
232.11(g)(5)	40 CFR 63, Subpart M (July 1, 1995)	•
232.11(h)(5)	40 CFR 63, Subpart M (July 1, 1995)	•
233.4(b)	40 CFR Part 60, Appendix A, (July 1989) pages 568-964	•
234.4(b)(1)	40 CFR Part 60, Appendix A, (July 1989) pages 568-964	•
234.4(b)(2)	40 CFR Part 60, Appendix A, Reference Methods 24 and 24A, (July 1989) pages 568-964	•
236.7	40 CFR Part 60, Appendix A, Reference Method 21 (July 1989) pages 913-916	•
240.1	40 CFR Part 51.390 (August 15, 1997) Title 23 U.S.C. (1994, ed.) Federal Transit Laws (Title 49 U.S.C. Chapter 53) (1994, ed.) Clean Air Act 42 U.S.C. Section 110, as amended by Public Law 101-549 (November 20, 1990) Clean Air Act 42 U.S.C. Part D as amended by Public Law 101-549 (November 20, 1990)	• • • •• ••
240.2(b)	Clean Air Act 42 U.S.C. Section 302(q) as amended by Public Law 101-549 (November 20, 1990) Clean Air Act 42 U.S.C. Sections 110, 110(c), and 301(d) as amended by Public Law 101-549 (November 20, 1990)	•• ••
240.2(d)	40 CFR Part 58 (July 1, 1997)	•
240.2(e)	Clean Air Act 42 U.S.C. Sections 182(b)(1), 182(c)(2)(A), 182(c)(2)(B), 187(a)(7), 189(a)(1)(B), and 189(b)(1)(A), and Sections 192(a) and 192(b), for nitrogen dioxide as amended by Public Law 101-549 (November 20, 1990)	••
240.2(n)	23 CFR Part 450 (April 1, 1997)	•
240.2(x)	Clean Air Act 42 U.S.C. Section 175A as amended by Public Law 101-549 (November 20, 1990)	••

Regulation 6 NYCRR Part/sec./etc.	Referenced material CFR (Code of Federal Regulations) or other	Availability
240.2(y)	Clean Air Act 42 U.S.C. Section 175A as amended by Public Law 101-549 (November 20, 1990)	••
240.2(z)	Title 23 U.S.C. Section 134 (1994, ed.) Title 49 U.S.C. Section 5303 (July 5, 1994)	• •
240.2(aa)	Clean Air Act 42 U.S.C. Sections 182(g)(1) and 198(c), as amended by Public Law 101-549 (November 20, 1990)	••
240.2(ac)	Clean Air Act 42 U.S.C. Section 109 as amended by Public Law 101-549 (November 20, 1990)	••
240.2(aj)	Title 23 U.S.C. (1994, ed.) Federal Transit Laws (Title 49 U.S.C. Chapter 53) (1994, ed.)	• •
240.2(ao)	Title 23 U.S.C. (1994, ed.)	•
240.2(ar)	Clean Air Act 42 U.S.C. Section 108 as amended by Public Law 101-549 (November 20, 1990)	••
240.2(as)	23 CFR Part 450 (April 1, 1997)	•
240.2(at)	23 CFR Part 450 (April 1, 1997)	•
240.3(a)(1)(i)	23 CFR Part 450 (April 1, 1997) 49 CFR Part 613 (Oct. 1, 1997)	• •
240.3(a)(1)(ii)	23 CFR Part 450 (April 1, 1997) 49 CFR Part 613 (Oct. 1, 1997)	• •
240.3(b)(3)	Clean Air Act 42 U.S.C. Section 107(d) as amended by Public Law 101-549 (November 20, 1990)	••
240.6(f)(2)(v)	23 CFR 450.212 (April 1, 1997)	•
240.6(j)(1)	23 CFR 450 (April 1, 1997)	•
240.6(j)(3)	23 CFR 450 (April 1, 1997)	•
240.9	23 CFR 450 (April 1, 1997)	•
240.13	23 CFR 450 (April 1, 1997)	•
240.14(b)(1)	Title 23 U.S.C. (1994, ed.) Federal Transit Laws (Title 49 U.S.C. Chapter 53) (1994, ed.)	• •
240.14(c)(1)	Title 23 U.S.C. (1994, ed.) Federal Transit Laws (Title 49 U.S.C. Chapter 53) (1994, ed.)	• •
240.20(b)	Clean Air Act 42 U.S.C. section 182(b)(1), as amended by Public Law 101-549 (November 20, 1990)	••
240.20(c)	Clean Air Act 42 U.S.C. Section 182(b)(1), as amended by Public Law 101-549 (November 20, 1990)	••
240.21(a)(1)	Clean Air Act 42 U.S.C. Section 179(b)(1), as amended by Public Law 101-549 (November 20, 1990)	••
240.21(b)	Clean Air Act 42 U.S.C. Sections 179, 110(m), 179(b)(1) and, as amended by Public Law 101-549 (November 20, 1990)	••
240.22(a)	Title 23 U.S.C. (1994, ed.) Federal Transit Laws (Title 49 U.S.C. Chapter 53) (1994, ed.)	• •
240.22(b)	Title 23 U.S.C. (1994, ed.)	•

Regulation 6 NYCRR Paraphr. Etc.	Referenced material CFR (Code of Federal Regulations) or other	Availability
	Federal Transit Laws (Title 49 U.S.C. Chapter 53) (1994, ed.)	•
240.24(a)(1)	40 CFR Part 51, Appendix W (Guideline on Air Quality Models) (July 1, 1997)	•
240.26(a)	Title 23 U.S.C. (1994, ed.) Federal Transit Laws (Title 49 U.S.C. Chapter 53) (1994, ed.)	• •
240.27	23 CFR Part 771 (April 1, 1997) Title 49 U.S.C. (1994, ed.) 23 CFR 712.204(d) (April 1, 1997)	• • •

- * Any volume of the *Code of Federal Regulations* (CFR) can be obtained by writing to the Superintendent of Documents, Attn: New orders, P.O. Box 371954, Pittsburgh, PA 15250-7954.
- ** Available from Department of Environmental Conservation, Air Resources, Room 130, 50 Wolf Road, Albany, NY 12233-3251.
- *** Available from Barclay's Law Publishers, P.O. Box 3066, 400 Oyster Point Boulevard, South San Francisco, CA 94080
- **** Available from ASTM, 1916 Race Street, Philadelphia, PA 19103-1187.
- ***** Available from New York State Department of Motor Vehicles, Technical Services Bureau, Swan Street Building, Empire State Plaza, Albany, NY 12228.
- ***** Available from National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.
- ***** Available from Department of Health and Human Services, National Toxicology Program, Central Data Management, P.O. Box 12233, M₁D₁AO-01, Research Triangle Park, NC 27709
- ***** Available from SAE, 400 Commonwealth Dr., Warrendale, PA 15096-0001

Historical Note

Sec renun 370.9, Title 9, filed Sept. 1971; new filed April 28, 1972, repealed, filed May 17, 1972, new filed Nov. 5, 1984, amds. filed March 12, 1985, Oct. 16, 1985, Dec. 30, 1985, Dec. 1, 1988, Oct. 23, 1990; Nov. 1, 1991, Dec. 17, 1991, April 28, 1992, Sept. 17, 1992 as emergency measure, expired 90 days after filing; Dec. 18, 1992 as emergency measure, Feb 12, 1993 as emergency measure; March 5, 1993; April 2, 1993, April 12, 1993 as emergency measure, June 11, 1993 as emergency measure; Aug 3, 1993, Aug 10, 1993 as emergency measure; Jan. 19, 1994; July 15, 1994; Aug. 23, 1994, Sept. 15, 1994; Nov. 15, 1994 as emergency measure; Feb. 13, 1995 as emergency measure; Oct. 27, 1995 as emergency measure; Dec. 22, 1995 as emergency measure; Feb. 16, 1996 as emergency measure, May 15, 1996 as emergency measure; June 7, 1996; July 12, 1996 as emergency measure, July 16, 1996 as emergency measure; Sept. 11, 1996 as emergency measure; Sept. 30, 1996 as emergency measure; Nov. 8, 1996 as emergency measure; Dec. 30, 1996 as emergency measure, Jan. 7, 1997 as emergency measure; March 7, 1997 as emergency measure; April 2, 1997 as emergency measure, April 15, 1997; April 22, 1997; Sept. 1, 1998; Sept. 22, 1998, Feb 3, 1999, July 15, 1999, Jan 26, 2000 eff. 30 days after filing. Amended Table 1.

~~§ 200.10 Federal standards and requirements~~

~~(a) As indicated by a * on the lists, the United States Environmental Protection Agency has delegated authority to the New York State Department of Environmental Conservation to issue permits in accordance with Part 201 of this Title, for the construction or modification of any stationary source subject to the Federal requirements of prevention of significant deterioration (P.S.D.), and for many sources subject to New Source Performance Standards (NSPS) or National~~