

## FACT SHEET

### Final Amendments to the Indian Country Minor New Source Review Rule

#### Action

- On May 9, 2014, EPA finalized revisions to its Federal Implementation Plan (FIP) that ensures Clean Air Act permitting requirements are applied consistently to facilities in Indian country. This action changes permitting requirements for new or modified small sources located in Indian country.
- These changes will improve implementation of the Indian country minor New Source Review (NSR) rule and will ensure that facilities have the permits they need to meet Clean Air Act requirements and protect people's health and the environment.
- These final amendments will:
  - Exempt five additional source categories (and modify a sixth category) from permitting requirements:
    - Certain emergency generators,
    - Internal combustion engines with a horsepower rating below 50,
    - Certain small furnaces or boilers used for space heating,
    - Single family residences and residential buildings with four or fewer dwelling units,
    - Air conditioning units not associated with industrial processes, and
    - Cooking of food other than wholesale businesses that both cook and sell cooked food.

These sources emit air pollutants at levels below the level that would require them to obtain a preconstruction permit.
  - Add definitions for construction-related terms to specifically address small sources regulated under this rule.

#### Background

- Congress established the NSR program as part of the 1977 Clean Air Act Amendments and modified it in the 1990 Amendments. NSR is a preconstruction permitting program that serves two important purposes.
- First, it ensures the maintenance of air quality standards when factories, industrial boilers and power plants are modified or added. In areas with unhealthy air, NSR assures that new emissions do not slow progress toward cleaner air. In areas with clean air, especially pristine areas like national parks, NSR assures that new emissions fall within air quality standards.

- Second, the NSR program assures that state of the art control technology is installed at new plants or at existing plants that are undergoing a major modification.
- EPA issued the Indian country minor NSR rule on July 1, 2011. This action filled a regulatory gap by clarifying the permit process for large and small sources in Indian country and ensuring that any increases in emissions from these facilities will not significantly impact air quality in these areas.
- EPA proposed changes to the Indian country minor NSR rule on June 4, 2013.

**Additional Information**

- Interested parties can download today's final rule from EPA's web site at: [www.epa.gov/nsr](http://www.epa.gov/nsr)
- Today's final action and other background information are also available either electronically in EPA's electronic public docket and comment system, or in hard copy at EPA's Docket Center, Environmental Protection Agency, William Jefferson Clinton Building, Room 3334, 1301 Constitution Avenue, NW, Washington, DC (Docket ID No. EPA-HQ-OAR-2003-0076). The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the EPA Docket Center is (202) 566-1742.
- For general information about this final rule, contact Greg Nizich at (919) 541-3078, [nizich.greg@epa.gov](mailto:nizich.greg@epa.gov) or Raj Rao of EPA's Office of Air Quality Planning and Standards at (919) 541-5344, [rao.raj@epa.gov](mailto:rao.raj@epa.gov).