

Pennsylvania Code
Title 25 Environmental Resources
Part I Department of Environmental Protection
Subpart C Protection of Natural Resources
Article III Air Resources

Chapter 121 General Provisions

§121.1. Definitions.

[See separate document]

§121.2. Purpose

The purpose of this article is to:

- (1) Provide for the control and prevention of air pollution anywhere in this Commonwealth, except as expressly excluded in the act or otherwise noted in this article; and
- (2) Provide guidance for the design and operation of sources.

§121.3. Applicability.

This article applies in all regions of this Commonwealth, unless otherwise clearly noted.

§121.4. Regional organization of the Department.

The following regions are established for purposes of air pollution control and include the indicated counties:

- (1) Southeast Region, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties.
- (2) Northeast Region. Carbon, Lackawanna, Lehigh, Luzerne, Monroe, Northampton, Pike, Schuylkill, Susquehanna, Wayne and Wyoming Counties.
- (3) Southcentral Region, Adams, Bedford, Berks, Blair, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry and York Counties.
- (4) Northcentral Region. Bradford, Cameron, Centre, Clearfield, Clinton, Columbia, Lycoming, Montour, Northumberland, Potter, Snyder, Sullivan, Tioga and Union Counties.
- (5) Southwest Region. Allegheny, Armstrong, Beaver, Cambria, Fayette, Greene, Indiana,

Somerset, Washington and Westmoreland Counties.

(6) Northwest Region. Butler, Clarion, Crawford, Elk, Erie, Forest, Jefferson, Lawrence, McKean, Mercer, Venango and Warren Counties.

§§121.5 to 121.6 [Reserved]

§121.7. Prohibition of air pollution.

No person shall cause, suffer, or permit air pollution as that term is defined in the act.

§121.8. Compliance responsibilities.

Compliance with any provision of this title may not relieve a person of the responsibility to comply with other provisions of this title, except when the relief has been clearly provided for in this title. Unless explicit reference is made to another section, each section of this title is construed and enforced according to its own terms. Thus, for example and without limitation on the general application of this section, compliance with both §§123.1 of this title (relating to prohibition of certain fugitive emissions) and 123.41 of this title (relating to limitations) shall be attained whether or not emissions comply with §§123.11-123.13 of this title (relating to particulate matter emissions). Compliance with each section of this title will be independently determined.

§121.9. Circumvention.

No person shall cause, suffer or permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of this article, except that with prior approval of the Department, the device or technique may be used for control of malodors.

§121.10. Existing orders.

All orders and permits issued and all stipulations and agreements entered into by the Department prior to the effective date of this section shall continue in full force and effect, but no such order, permit, stipulation or agreement shall relieve a person from the responsibility to fully comply with the applicable provisions of this article.

§ 121.11 Severability clause.

The provisions of the Article shall be severable. If any provision of the Article is found by a court of record to be unconstitutional or void, the remaining provision of this Article shall, nevertheless, remain valid unless the court finds valid provisions of the Article so essentially and inseparably connected with, and so depend upon, the void provision, that it cannot be presumed that the Environmental Quality Board would have adopted the remaining valid provisions without the void ones; or unless the court finds the remaining valid provisions standing alone, are incomplete and are incapable of being executed in accordance with the Environmental Quality Board's intent.