

## Environmental Protection Agency

## § 55.3

(2) Is regulated or authorized under the Outer Continental Shelf Lands Act (“OCSLA”) (43 U.S.C. § 1331 *et seq.*); and

(3) Is located on the OCS or in or on waters above the OCS.

This definition shall include vessels only when they are:

(1) Permanently or temporarily attached to the seabed and erected thereon and used for the purpose of exploring, developing or producing resources therefrom, within the meaning of section 4(a)(1) of OCSLA (43 U.S.C. § 1331 *et seq.*); or

(2) Physically attached to an OCS facility, in which case only the stationary sources aspects of the vessels will be regulated.

*Onshore area* means a coastal area designated as an attainment, non-attainment, or unclassifiable area by EPA in accordance with section 107 of the Act. If the boundaries of an area designated pursuant to section 107 of the Act do not coincide with the boundaries of a single onshore air pollution control agency, then onshore area shall mean a coastal area defined by the jurisdictional boundaries of an air pollution control agency.

*Outer continental shelf* shall have the meaning provided by section 2 of the OCSLA (43 U.S.C. § 1331 *et seq.*).

*Potential emissions* means the maximum emissions of a pollutant from an OCS source operating at its design capacity. Any physical or operational limitation on the capacity of a source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as a limit on the design capacity of the source if the limitation is federally enforceable. Pursuant to section 328 of the Act, emissions from vessels servicing or associated with an OCS source shall be considered direct emissions from such a source while at the source, and while enroute to or from the source when within 25 miles of the source, and shall be included in the “potential to emit” for an OCS source. This definition does not alter or affect the use of this term for any other purposes under §§ 55.13 or 55.14 of this part, except that vessel emissions must be

included in the “potential to emit” as used in §§ 55.13 and 55.14 of this part.

*Residual emissions* means the difference in emissions from an OCS source if it applies the control requirements(s) imposed pursuant to § 55.13 or § 55.14 of this part and emissions from that source if it applies a substitute control requirement pursuant to an exemption granted under § 55.7 of this part.

*State* means the State air pollution control agency that would be the permitting authority, a local air pollution permitting agency, or certain Indian tribes which can be the permitting authority for areas within their jurisdiction. State may also be used in the geographic sense to refer to a State, the NOA, or the COA.

[57 FR 40806, Sept. 4, 1992, as amended at 62 FR 46408, Sept. 2, 1997]

### § 55.3 Applicability.

(a) This part applies to all OCS sources except those located in the Gulf of Mexico west of 87.5 degrees longitude.

(b) OCS sources located within 25 miles of States’ seaward boundaries shall be subject to all the requirements of this part, which include, but are not limited to, the Federal requirements as set forth in § 55.13 of this part and the Federal, State, and local requirements of the COA (designated pursuant to § 55.5 of this part), as set forth in § 55.14 of this part.

(c) The OCS sources located beyond 25 miles of States’ seaward boundaries shall be subject to all the requirements of this part, except the requirements of §§ 55.4, 55.5, 55.12 and 55.14 of this part.

(d) New OCS sources shall comply with the requirements of this part by September 4, 1992 where a “new OCS source” means an OCS source that is a new source within the meaning of section 111(a) of the Act.

(e) Existing sources shall comply with the requirements of this part by September 4, 1994, where an “existing OCS source” means any source that is not a new source within the meaning of section 111(a) of the Act.

[57 FR 40806, Sept. 4, 1992, as amended at 62 FR 46408, Sept. 2, 1997]