Subchapter II. Prohibitions

Section 5-261 Control of Hazardous Air Contaminants

(1) No person shall discharge, or cause or allow the discharge of, emissions of any hazardous air contaminants, except in conformity with the provisions of this section.

(2) For each hazardous air contaminant emitted by a source, the source shall apply control technology adequate to achieve the most stringent emission rate (MSER), as defined for major stationary sources.

(3) The Secretary may require a degree of emission reduction higher than that which would otherwise be required under paragraph (2) when, in his judgement, such is warranted based on an evaluation of the following factors:

(a) The degree of toxicity of the air contaminant and the emission rate;

(b) The proximity of the source to residences, population centers and other sensitive environmental receptors;

(c) Emission dispersion characteristics at or near the source, taking into account the physical location of the source relative to surrounding buildings and terrain; and

(d) The projected maximum cumulative impact of the proposed and existing emissions from the source, taking into account the existing ambient concentration of the air contaminant under consideration.

(4) In performing the evaluation described in paragraph (3), the Secretary shall consult with the Director of the Division of Occupational Health, Department of Health.