§ 19-0919. General powers.

1. Nothing in this title shall be construed to require or prohibit the department from:

a. extending compliance schedules, issuing variances or relaxing performance standards at any specific facility or stationary source, so long as such extension, issuance or relaxation does not result in:

(i) violation of any primary federal ambient air quality standard or any state ambient air quality standard; or

(ii) failure to make reasonable further progress in a non-attainment area pursuant to the federal clean air act; or

(iii) failure to attain the interim control target pursuant to section 19-0909 of this title; or

(iv) failure to attain the final control target pursuant to section 19-0911 of this title; or

(v) violation of the nitrogen control program pursuant to section 19-0913 of this title; or

(vi) creation of a public or private nuisance.

b. Continuing any special limitations until January first, nineteen hundred ninety-six or reauthorize any special limitation which has expired after the effective date of this title and prior to January first, nineteen hundred eighty-six.

c. Allowing any conversion or modification of a facility or stationary source to burn coal as a boiler fuel.

2. Nothing in this title shall be construed to establish a statewide cap or limitation on acid deposition precursors such that new sources would be excluded for the state.