**Section 187.104 Relation to Other Rules and Regulatory Innovation Programs**

a) The provisions of this Part shall apply to any pilot project developed pursuant to Section 52.3 of the Act.

b) Nothing in this Part shall be construed to modify or alter any federal environmental statute or regulation applicable to a pilot project or its sponsor, owner or operator. An EMSA that seeks to modify or alter a federal environmental statute or regulation applicable to a pilot project or its sponsor, owner or operator must follow any procedures applicable under such law.

c) No EMSA entered into by the Agency may allow a participant in the pilot program to cause air or water pollution or an unauthorized release in violation of the Act.

d) Nothing in this Part shall be construed to affect any fees that a sponsor or an owner or operator of a facility covered by an EMSA may be subject to under any State or federal environmental statute or regulation.

e) *Nothing in this Section shall limit the authority or ability of a State's Attorney or the Attorney General to proceed pursuant to Section 43(a) of* the *Act, or to enforce Section 44 or 44.1 of* *the* *Act, except that for the purposes of enforcement under Section 43(a), 44 or 44.1, an* EMSA *shall be deemed to be a permit issued under* *the* *Act to engage in activities authorized under the* EMSA. (Section 52.3-4(e) of Act)