

ANTELOPE VALLEY AIR QUALITY MANAGEMENT DISTRICT

**RULE 219 -- EQUIPMENT NOT REQUIRING A PERMIT**

*(Adopted: 01/09/76; Amended: 10/08/76; Amended: 01/02/79; Amended : 10/05/79; Amended: 09/04/81; Amended: 06/08/88; Amended: 09/11/92; Amended: 08/12/94; Amended: 12/13/96; Amended: 03/17/98; Amended: 07/21/98; Amended: 01/16/01)*

(A) Purpose

- (1) The purpose of this Rule is:
  - (a) To describe equipment that does not require a permit pursuant to Regulation II; and
  - (b) To describe equipment which does not need to be listed on an application for a Federal Operating Permit (FOP) or on an FOP issued pursuant to Regulation XXX.

(B) General Provisions

- (1) The APCO shall not require an owner/operator to obtain a permit for particular equipment pursuant to Regulation II if:
  - (a) Such equipment is described in the list of particular equipment in section (D) below; and
  - (b) The owner/operator has not been required to obtain a written permit or registration by the APCO pursuant to subsection (B)(3) below.
- (2) The APCO shall not require an owner/operator to list particular equipment on an application for an FOP or require the listing of such equipment upon an FOP issued pursuant to Regulation XXX if:
  - (a) Such equipment is described in the list of particular equipment in section (D) below; and
  - (b) Such equipment emits Air Pollutants as defined in District Rule 3001(E), in an amount less than the threshold levels set forth in section (C) below; and
  - (c) Such equipment is not subject to an Applicable Requirement, as defined in District Rule 3001(G), and information regarding such equipment is not required to determine the applicability of an Applicable Requirement; and
  - (d) Such equipment is not included in section (D) below solely due to size or production rate.

- (3) Notwithstanding subsections (B)(1) and (B)(2) above the APCO may require a written permit or registration for equipment listed in section (D) below if:
- (a) The APCO determines that:
    - (i) the equipment, process material or air contaminant is subject to District Regulation IX, or X, or District Rule 1401; or
    - (ii) the equipment, process material or air contaminant is subject to the emission limitation requirements of the state Air Toxic Control Measure (ATCM) or the National Emission Standards For Hazardous Air Pollutants (NESHAP); or
    - (iii) the equipment may not operate in compliance with all applicable District Rules and Regulations.
  - (b) Written notification is given to the equipment owner or operator.
  - (c) After such determination and notification the equipment shall thereafter be subject to District Rules 201 and 203.
- (4) Nothing in this Rule shall be interpreted to exempt the emissions from such equipment from being considered in any emissions calculations required pursuant to Regulation XIII, Regulation XIV and/or Regulation XXX unless such emissions are specifically exempted by the terms of those Regulations.
- (5) The burden of proof regarding the applicability of this Rule to particular equipment shall be upon the owner/operator of such equipment.

**(C) Threshold Criteria for Exclusion from Federal Operating Permit**

- (1) To be eligible for exclusion from a FOP pursuant to section (B)(2) above, any equipment proposed to be excluded shall not emit Air Pollutants as defined in District Rule 3001(E) in an amount greater than:
- (a) For a Regulated Air Pollutant as defined in District Rule 3001(X) the lesser of the following two amounts:
    - (i) Ten percent (10%) of the applicable threshold for determination of a Major Facility pursuant to District Rule 3001(S); or
    - (ii) Two (2) tons per year.
  - (b) For a Hazardous Air Pollutant as defined pursuant to District Rule 3001(R) the lesser of the following three amounts:
    - (i) Any de minimis level promulgated pursuant to 42 U.S.C. §7412(g) (Federal Clean Air Act §112(g)); or
    - (ii) Any significance level defined in 40 CFR 52.21(b)(23)(i); or
    - (iii) 0.5 ton per year.

(D) Specific Equipment Not Requiring a Permit

(1) Mobile Equipment

(a) Equipment defined as follows:

- (i) motor vehicle or vehicle as defined by the California Vehicle Code; or
- (ii) marine vessel as defined by Health and Safety Code Section 39037.1; or
- (iii) a motor vehicle or a marine vessel that uses one internal combustion engine to propel the motor vehicle or marine vessel and also operate other equipment mounted on the motor vehicle or marine vessel; or
- (iv) equipment which is mounted on a vehicle, motor vehicle or marine vessel if such equipment does not emit air contaminants.

- (b) This subsection does not apply to equipment which emits air contaminants and which is mounted and operated on a motor vehicle, marine vessel, mobile hazardous material treatment systems, mobile day tankers except those carrying solely fuel oil, and pavement heating machines.

(2) Combustion and Heat Transfer Equipment

- (a) Piston type internal combustion engines with a manufacturer's rating of 50 brake horsepower or less, or gas turbine engines with a maximum heat input rate of 2,975,000 British thermal units (Btu) per hour or less.
- (b) Boilers, process heaters or any combustion equipment that has a maximum heat input rate of 2,000,000 Btu per hour (gross) or less and is equipped to be heated exclusively with, natural gas, methanol, liquefied petroleum gas or any combination thereof that does not include piston type internal combustion engines.
- (c) Fuel cells which use phosphoric acid, molten carbonate, proton exchange membrane or solid oxide technologies.
- (d) Test cells and test stands used for testing internal combustion engines provided that the internal combustion engines use less than 3,000 liters (800 gallons) of diesel fuel or 13,000 liters (3,500 gallons) of gasoline fuel per year, or use other fuels with equivalent or less emissions.
- (e) Internal combustion engines used exclusively for training at educational institutions.
- (f) Portable internal combustion engines, including any turbines qualified as

military tactical support equipment under Health and Safety Code §41754, registered pursuant to the California Statewide Portable Engine Registration Program.

(3) Structures and Equipment - General

- (a) Structural changes which cannot change the quality, nature or quantity of air contaminant emissions.
- (b) Repairs or maintenance not involving structural changes to any equipment for which a permit has been granted.
- (c) Identical replacement in whole or in part of any equipment where a permit to operate had previously been granted for such equipment under District Rule 203, except seals for external or internal floating roof storage tanks.
- (d) Replacement of floating roof tank seals provided that the replacement seal is of a type and model which the APCO has determined is capable of complying with the requirements of District Rule 463.
- (e) Equipment utilized exclusively in connection with any structure which is designed for and used exclusively as a dwelling for not more than four families, and where such equipment is used by the owner or occupant of such a dwelling.
- (f) Laboratory testing equipment, and quality control testing equipment used exclusively for chemical and physical analysis, and non-production bench scale research equipment. Laboratory testing equipment does not include engine test stands or test cells unless such equipment is also exempt pursuant to subsection (D)(2)(d).
- (g) Vacuum-producing devices used in laboratory operations or in connection with other equipment not requiring a written permit.
- (h) Vacuum-cleaning systems used exclusively for industrial, commercial or residential housekeeping purposes.
- (i) Hoods, stacks or ventilators.

(4) Utility Equipment - General

- (a) Comfort air conditioning or ventilating systems which are not designed or used to remove air contaminants generated by, or released from, specific equipment units, provided such systems are exempt pursuant to subsection (D)(2)(b).
- (b) Refrigeration units except those used as or in conjunction with air pollution control equipment.

- (c) Water cooling towers and water cooling ponds not used for evaporative cooling of process water or not used for evaporative cooling of water from barometric jets or from barometric condensers, and in which no chromium compounds are contained.
  - (d) Equipment used exclusively to generate ozone and associated ozone destruction equipment for the treatment of cooling tower water or for water treatment processes.
  - (e) Equipment used exclusively for steam cleaning provided such equipment is also exempt pursuant to subsection (D)(2)(b).
  - (f) Equipment used exclusively for space heating provided such equipment is exempt pursuant to subsection (D)(2)(b).
  - (g) Equipment used exclusively to compress or hold purchased quality natural gas, except internal combustion engines not exempted pursuant to subsection (D)(2)(a).
  - (h) Emergency ventilation systems used exclusively to scrub ammonia from refrigeration systems during process upsets or equipment breakdowns.
  - (i) Emergency ventilation systems used exclusively to contain and control emissions resulting from the failure of a compressed gas storage system.
  - (j) Refrigerant recovery and/or recycling units. This exemption does not include refrigerant reclaiming facilities.
  - (k) Carbon arc lighting equipment, provided such equipment is exempt pursuant to subsection (D)(2)(a).
- (5) Glass, Ceramic, Metallurgical Processing and Fabrication Equipment
- (a) Crucible-type or pot-type furnaces with a brimful capacity of less than 7400 cubic centimeters (452 cubic inches) of any molten metal.
  - (b) Crucible furnaces, pot furnaces or induction furnaces with a capacity of 450 kilograms (992 pounds) or less each, where no sweating or distilling is conducted, provided such equipment is exempt pursuant to subsection (D)(2)(b), and where only the following materials are poured or held in a molten state (provided the materials do not contain alloying elements of arsenic, beryllium, cadmium, chromium and/or lead):
    - (i) Aluminum or any alloy containing over 50 percent aluminum,
    - (ii) Magnesium or any alloy containing over 50 percent magnesium,
    - (iii) Tin or any alloy containing over 50 percent tin,
    - (iv) Zinc or any alloy containing over 50 percent zinc,
    - (v) Copper, or any alloy containing over 50 percent copper,

- (vi) Precious metals, and
- (vii) Glass.
  
- (c) Molds used for the casting of metals.
  
- (d) Inspection equipment used exclusively for metal, plastic, glass, or ceramic products and control equipment venting exclusively such equipment.
  
- (e) Ovens used exclusively for curing potting materials or castings made with epoxy resins, provided such ovens are exempt pursuant to subsection (D)(2)(b).
  
- (f) Hand-held or automatic brazing and soldering equipment, and control equipment that exclusively vents such equipment, provided that the equipment uses one quart per day or less of material containing Volatile Organic Compounds (VOC). This exemption does not include hot oil, hot air, or vapor phase solder leveling equipment and related control equipment.
  
- (g) Brazing ovens where no materials containing VOC (except flux) are present, provided such ovens are exempt pursuant to subsection (D)(2)(b).
  
- (h) Welding equipment or oxygen gaseous fuel-cutting equipment and control equipment venting such equipment. This exemption does not include plasma arc-cutting equipment that is used to cut stainless steel or rated 30 kW or more.
  
- (i) Sintering equipment used exclusively for the sintering of metal (excluding lead) or glass where no coke or limestone is used, and control equipment exclusively venting such equipment, provided such equipment is exempt pursuant to subsection (D)(2)(b).
  
- (j) Mold forming equipment for foundry sand to which no heat is applied, and where no VOC materials are used in the process, and control equipment exclusively venting such equipment.
  
- (k) Forming equipment used exclusively for forging, rolling, or drawing of metals provided that any lubricants used have 50 g/L VOC or less, or a VOC composite partial pressure of 20 mm Hg or less at 20°C (68°F), or equipment used for heating metals prior to forging, pressing, rolling or drawing, provided such heaters are exempt pursuant to subsection (D)(2)(b).
  
- (l) Heat treatment equipment used exclusively for heat treating glass or metals (provided no VOC materials are present), or equipment used exclusively for case hardening, carburizing, cyaniding, nitriding, carbonitriding, siliconizing or diffusion treating of metal objects, provided any combustion equipment involved is exempt pursuant to subsection

(D)(2)(b).

- (m) Ladles used in pouring molten metals.
  - (n) Tumblers used for the cleaning or de-burring of solid materials.
  - (o) Die casting machines, except those used for copper base alloys, those with an integral furnace having a brimful capacity of more than 450 kg (992 lbs), or those using a furnace not exempt pursuant to subsection (D)(2)(b).
  - (p) Furnaces or ovens used for the curing or drying of porcelain enameling, or vitreous enameling provided such furnaces or ovens are exempt pursuant to subsection (D)(2)(b).
  - (q) Wax burnout kilns where the total internal volume is less than 0.2 cubic meter (7.0 cubic feet) or kilns used exclusively for firing ceramic ware, provided such kilns are exempt pursuant to subsection (D)(2)(b).
  - (r) Shell-core and shell-mold manufacturing machines.
  - (s) Furnaces used exclusively for melting titanium materials in a closed evacuated chamber where no sweating or distilling is conducted, provided such furnaces are exempt pursuant to subsection (D)(2)(b).
  - (t) Vacuum metallizing chambers which are electrically heated or heated with equipment that is exempt pursuant to subsection (D)(2)(b), and control equipment exclusively venting such equipment, provided the control equipment is equipped with a mist eliminator or the vacuum pump used with control equipment demonstrates operation with no visible emissions from the vacuum exhaust.
- (6) Abrasive Blasting Equipment
- (a) Blast cleaning cabinets in which a suspension of abrasive in water is used and control equipment exclusively venting such equipment.
  - (b) Glove-box type abrasive blast cabinet, vented to a dust-filter where the total internal volume of the blast section is 1.5 cubic meters (53 cubic feet) or less, and any dust filter exclusively venting such equipment.
  - (c) Enclosed equipment used exclusively for shot blast removal of flashing from rubber and plastics at sub-zero temperatures and control equipment exclusively venting such equipment.
  - (d) Shot peening operations, provided no surface material is removed, and control equipment exclusively venting such equipment.
  - (e) Portable sand/water blaster equipment and associated piston type internal

combustion engine, provided the water content in the mixture is maintained at or above 66 percent by volume during operation of such equipment. Piston type internal combustion engines must be exempt pursuant to subsection (D)(2)(a).

(7) Machining Equipment

- (a) Equipment used exclusively for buffing (except tire buffers), polishing, carving, mechanical cutting, drilling, machining, pressing, routing, sanding, surface grinding or turning provided that any lubricants used have 50 g/L VOC or less, or a VOC composite partial pressure of 20 mm Hg or less at 20°C (68°F), and control equipment exclusively venting such equipment. This exemption does not include asphalt pavement grinders.
- (b) Equipment used exclusively for shredding of wood, or the extruding, handling, or storage of wood chips, sawdust, or wood shavings and control equipment exclusively venting such equipment. This exemption does not include piston type internal combustion engines over 50 bhp which are used to supply power to such equipment.
- (c) Equipment used exclusively to mill or grind coatings or molding compounds where all materials charged are in the paste form.

(8) Printing and Reproduction Equipment

- (a) Printing and related coating and/or laminating equipment and associated dryers not emitting more than 1.4 kg (3 pounds) of VOC emissions per day, or not using more than 23 liters (6 gallons) per day of UV, electron beam, or plastisols type, including cleanup solvent, or 8 liters (2 gallons) per day of any other graphic arts materials provided such dryers are exempt pursuant to subsection (D)(2)(b). Graphic arts materials are any inks, coatings, adhesives, fountain solutions (excluding water), thinners (excluding water), retarders, or cleaning solutions (excluding water), used in printing or related coating or laminating processes.
- (b) Photographic process equipment by which an image is reproduced upon material sensitized by radiant energy and control equipment exclusively venting such equipment.
- (c) Lithographic printing equipment which uses laser printing.
- (d) Printing equipment used exclusively for training and non-production at educational institutions.
- (e) Flexographic plate-making and associated processing equipment.

(9) Food Processing and Preparation Equipment

- (a) Smokehouses for preparing food in which the maximum horizontal inside



cross-sectional area does not exceed 2 square meters (21.5 square feet).

- (b) Smokehouses exclusively using liquid smoke, and which are completely enclosed with no vents to either a control device or the atmosphere.
  - (c) Confection cookers where products are edible and intended for human consumption.
  - (d) Grinding, blending or packaging equipment used exclusively for tea, cocoa, roasted coffee, flavor, fragrance extraction, dried flowers, or spices, and control equipment exclusively venting such equipment.
  - (e) Equipment used in eating establishments for the purpose of preparing food for human consumption, excluding commercial direct-fired chain-driven charbroilers (regardless of the Btu rating). Direct-fired charbroilers include but are not limited to, gas, electric, wood, or charcoal-fired.
  - (f) Equipment used to convey or process materials in bakeries or used to produce noodles, macaroni, pasta, food mixes or drink mixes where products are edible and intended for human consumption and control equipment exclusively venting such equipment. This exemption does not include storage bins located outside buildings, or equipment not exempt pursuant to subsection (D)(2)(b).
  - (g) Cooking kettles where all the product in the kettle is edible and intended for human consumption. This exemption does not include deep frying equipment used in facilities other than eating establishments.
  - (h) Coffee roasting equipment with a maximum capacity of 4.5 kg (10 pounds) or less.
- (10) **Plastics, Composite and Rubber Processing Equipment**
- (a) Presses or molds used for curing, post curing or forming rubber products, composite products and plastic products where no VOC or chlorinated blowing agent is present, and control equipment exclusively venting these presses or molds.
  - (b) Ovens used exclusively for the forming of plastics or composite products, which are concurrently being vacuum held to a mold, and where no foam forming or expanding process is involved, provided such equipment is exempt pursuant to subsection (D)(2)(b).
  - (c) Equipment used exclusively for softening or annealing plastics, provided such equipment is exempt pursuant to subsection (D)(2)(b).
  - (d) Extrusion equipment used exclusively for extruding rubber products or plastics where no organic plasticizer is present, or for pelletizing

polystyrene foam scrap, except equipment used to extrude or to pelletize acrylics, polyvinyl chloride, polystyrene, and their copolymers.

- (e) Injection or blow molding equipment for rubber or plastics where no blowing agent other than compressed air, water or carbon dioxide is used, and control equipment exclusively venting such equipment.
- (f) Mixers, roll mills and calendars for rubber or plastics where no material in powder form is added and no organic solvents, diluents or thinners are used.
- (g) Ovens used exclusively for the curing of vinyl plastisols by the closed-mold curing process, provided such ovens are exempt pursuant to subsection (D)(2)(b).
- (h) Equipment used exclusively for conveying and storing plastic materials, provided they are not in powder form.
- (i) Hot wire cutting of expanded polystyrene foam and woven polyester film.
- (j) Photocurable stereolithography equipment.

(11) Mixing and Blending Equipment

- (a) Batch mixers which have a brimful capacity of 208 liters or less (55 gallons or 7.35 cubic feet).
- (b) Equipment used exclusively for mixing and blending of materials where no organic solvents are used and no materials in powder form are added.
- (c) Equipment used exclusively for mixing and blending of materials to make water emulsions of asphalt, grease, oils or waxes where no materials in powder or fiber form are added.
- (d) Equipment used to blend, grind, mix, or thin liquids to which powders may be added, with a capacity of 950 liters (251 gallons) or less, where no supplemental heat is added and no ingredient charged (excluding water) exceeds 57°C (135°F).
- (e) Concrete mixers, with a rated working capacity of one cubic yard or less.

(12) Miscellaneous Process Equipment

- (a) Equipment, including dryers, used exclusively for dyeing, stripping, or bleaching of textiles where no organic solvents, diluents or thinners are used, provided such equipment is also exempt pursuant to subsection (D)(2)(b).

- (b) Equipment used exclusively for bonding lining to brake shoes, where no organic solvents are used and control equipment exclusively venting such equipment.
- (c) Equipment used exclusively to liquefy or separate oxygen, nitrogen, or the rare gases from air, except equipment not exempt pursuant to subsections (D)(2)(a) or (D)(2)(b).
- (d) Equipment used exclusively for surface preparation, cleaning, passivation, deoxidation, and/or stripping which uses water based cleaners containing two percent or less of VOC by volume (20 g/L or less), or containing formic acid, acetic acid, phosphoric acid, sulfuric acid, hydrochloric acid (12 percent or less by weight), alkaline oxidizing agents, hydrogen peroxide, salt solutions, sodium hydroxide and/or water. This exemption does not include anodizing, hard anodizing, chemical milling, circuit board etching using ammonia-based etchant, or the stripping of chromium, except sulfuric acid anodizing with a bath concentration of 20 percent or less by weight of sulfuric acid and using 10,000 amp-hours per day or less of electricity.
- (e) Equipment used exclusively for electrolytic plating (excluding the use of chromic, hydrochloric or sulfuric acid) or electrolytic stripping (excluding the use of chromic, hydrochloric, nitric or sulfuric acid) of brass, bronze, copper, iron, tin, zinc, precious metals, and associated rinse tanks.
- (f) Equipment used exclusively for the packaging of lubricants or greases.
- (g) Equipment used exclusively for tableting vitamins or pharmaceuticals, packaging vitamins or pharmaceuticals and cosmetics, or coating vitamins or pharmaceutical tablets, provided no organic solvents are used, and control equipment used exclusively to vent such equipment.
- (h) Equipment used exclusively for coating objects with oils, melted waxes or greases which contain no organic solvents, diluents or thinners.
- (i) Equipment used exclusively for coating objects by dipping in waxes or natural and synthetic resins which contain no organic solvents, diluents or thinners.
- (j) Unheated, non-conveyorized, cleaning or coating equipment:
  - (i) With an open surface area of 1.0 square meter (10.8 square feet) or less and an internal volume of 350 liters (92.5 gallons) or less, having an organic solvent loss of 11 liters (3 gallons) per day or less, or
  - (ii) Using only organic solvents with an initial boiling point of 150°C (302°F) or greater, or
  - (iii) Using materials with a VOC content of 2 percent (20 g/L) or less

by volume.

This exemption does not include equipment with a capacity of more than 7.6 liters (2 gallons), which was designed as a solvent cleaning and drying machine, using solvents that are greater than 5 percent by weight of perchloroethylene, methylene chloride, carbon tetrachloride, chloroform, 1,1,1-trichloroethane, trichloroethylene, or any combination thereof.

- (k) Batch ovens with 1.5 cubic meters (53 cubic feet) or less internal volume where no melting occurs, provided such equipment is exempt pursuant to (D)(2)(b). This exemption does not include ovens used to cure vinyl plastisols or debond brake shoes.
- (l) Batch ovens used exclusively to cure 14kg (30 pounds) per day or less of powder coatings, provided that such equipment is exempt pursuant to subsection (D)(2)(b).
- (m) Equipment used exclusively for the washing and subsequent drying of materials and air pollution control equipment exclusively venting such equipment, provided that no VOCs are emitted and the equipment is exempt pursuant to subsection (D)(2)(b).
- (n) Equipment used exclusively for manufacturing soap or detergent bars, including mixing tanks, roll mills, plodders, cutters, wrappers, where no heating, drying or chemical reactions occur.
- (o) Spray coating equipment operated within control enclosures.
- (p) Coating or laminating equipment operated outside control enclosures such as air, airless, air-assisted airless, high volume low pressure (HVLP), and electrostatic spray equipment, and roller coaters, dip coaters, vacuum coaters and flow coaters and associated drying equipment which must be exempt pursuant to subsection (D)(2)(b), provided that:
  - (i) The VOC emissions from such equipment are only 1.4 kg (3 pounds) per day or less; or
  - (ii) The total amount of coatings, adhesives and/or, organic solvent (including cleanup) used in such equipment are 23 liters (6 gallons) per day or less of UV or electron beam type; or
  - (iii) The total amount of solvent type coating and/or adhesive used is 4 liters (1 gallon) per day or less, including cleanup solvent; or
  - (iv) The total amount of water reducible or water based type coating and/or adhesive used is 11 liters (3 gallons) per day or less, including cleanup solvent and excluding water used as a reducer or for cleanup; or
  - (v) The total amount of polyester resin or gel coat type material used is 4 liters (1 gallon) per day or less, including cleanup solvent.

- (q) Spray coating and associated drying equipment and control enclosures used exclusively for educational purposes in educational institutions.
- (r) Control enclosures with an internal volume of 0.2 cubic meter (8 cubic feet) or less, provided that aerosol cans, air brushes, or hand work are used exclusively.
- (s) Portable coating equipment and pavement stripers used exclusively for the application of architectural coatings according to District Rule 1113, and associated internal combustion engines provided such equipment is exempt pursuant to section (B) or subsection (D)(2)(b).
- (t) Inert gas generators, except equipment not exempt pursuant to subsection (D)(2)(b).
- (u) Hammermills used exclusively to process aluminum and/or tin cans, and control equipment exclusively venting such equipment.
- (v) Heated degreasers with a liquid/vapor interface surface area of 0.09 square meter (1 square foot) or less, or using aqueous cleaning materials with a VOC content of 2 percent (20 g/L) or less by volume provided such degreasers have an organic solvent loss of 11 liters (3 gallons) per day or less. This exemption does not include heated degreasers with a capacity of more than 7.6 liters (2 gallons) using solvents that are greater than 5 percent by weight of perchloroethylene, methylene chloride, carbon tetrachloride, chloroform, 1,1,1-trichloroethane, trichloroethylene, or any combination thereof.
- (w) Paper shredding and associated conveying systems, baling equipment, and control equipment venting such equipment.
- (x) Chemical vapor type sterilization equipment where no Ethylene Oxide is used, and with a chamber volume of 0.06 cubic meter (2 cubic feet) or less used by healthcare facilities.
- (y) Hand lay, brush and roll up resins operation.
- (z) Hot melt adhesive equipment.
- (aa) Pyrotechnical equipment, especial effects or fireworks paraphernalia equipment used for entertainment purposes, provided such equipment is exempt pursuant to subsection (D)(2).
- (bb) Ammunition or explosive testing equipment.
- (cc) Fire extinguishing equipment using halons.

- (dd) Industrial wastewater treatment equipment which only does pH adjustment, precipitation, gravity separation and/or filtration of the wastewater, including equipment used for reducing hexavalent chromium and/or destroying cyanide compounds. This exemption does not include treatment processes where VOC and/or toxic materials are emitted, or where the inlet concentration of cyanide salts through the wastewater treatment process prior to pH adjustment exceeds 200 mg/liter.
  - (ee) Equipment used exclusively for the packaging of sodium hypochlorite-based household cleaning or pool products.
  - (ff) Foam packaging equipment using 76 liters (20 gallons) per day or less of liquid foam material.
  - (gg) Rental equipment operated by a lessee and which is not located more than twelve consecutive months at any one facility in the District provided that the owner of the equipment has a permit to operate issued by the District and that the lessee complies with the terms and conditions of the permit to operate.
  - (hh) Industrial wastewater evaporators treating water generated from on-site processes only, where no VOC and/or toxic materials are emitted and provided that the equipment is exempt pursuant to subsection (D)(2)(b).
- (13) Storage and Transfer Equipment
- (a) Equipment used exclusively for the storage and transfer of fresh, commercial or purer grades of:
    - (i) Sulfuric acid or phosphoric acid with an acid strength of 99 percent or less (weight by weight).
    - (ii) Nitric acid with an acid strength of 70 percent or less (w/w).
    - (iii) Water based solutions of salts or sodium hydroxide.
  - (b) Equipment used exclusively for the storage and/or transfer of liquefied gases, not including LPG storage greater than 75,000 liters (19,815 gallons) or hydrogen fluoride storage greater than 4,000 liters (1,057 gallons).
  - (c) Equipment used exclusively for the transfer of less than 75,700 liters (20,000 gallons) per day of unheated organic materials, with an initial boiling point of 150°C (302°F) or greater, or with an organic vapor pressure of 5 mm Hg (0.1 psi) absolute or less at 21.1°C (70°F).

- (d) Equipment used exclusively for the storage of unheated organic materials with an initial boiling point of 150°C (302°F) or greater, or with an organic vapor pressure of 5 mm Hg (0.1 psi) absolute or less at 21.1°C (70°F). This exemption does not include liquid fuel storage greater than 160,400 liters (40,000 gallons).
- (e) Equipment used exclusively for transferring organic liquids, materials containing organic liquids, or compressed gases into containers of less than 225 liters (60 gallons) capacity, except equipment used for transferring more than 4,000 liters (1,057 gallons) of materials per day with a vapor pressure greater than 25.8 mm Hg (0.5 psi) absolute at operating conditions.
- (f) Equipment used exclusively for the storage and transfer of liquid soaps, liquid detergents, vegetable oils, fatty acids, fatty esters, fatty alcohols, waxes and wax emulsions.
- (g) Equipment used exclusively for the storage and transfer of refined lubricating oils.
- (h) Equipment used exclusively for the storage and transfer of crankcase drainage oil.
- (i) Equipment used exclusively for organic liquid storage or transfer to and from such storage, of less than 950 liters (251 gallons) capacity. This exemption does not include asphalt.
- (j) Equipment used exclusively for the storage and transfer of "top white" (i.e., Fancy) or cosmetic grade tallow or edible animal fats intended for human consumption and of sufficient quality to be certifiable for United States markets.
- (k) Equipment used exclusively for the storage, holding, melting and transfer of asphalt or coal tar pitch with a capacity of less than 600 liters (159 gallons).
- (l) Pumps used exclusively for pipeline transport of liquids.
- (m) Equipment used exclusively for the unheated underground storage of 23,000 liters (6,077 gallons) or less, and equipment used exclusively for the transfer to or from such storage of organic liquids with a vapor pressure of 77.5 mm Hg (1.5 psi) absolute or less at actual storage conditions.
- (n) Equipment used exclusively for the storage and/or transfer of an asphalt-water emulsion heated to 66°C (150°F) or less.
- (o) Liquid fuel storage tanks piped exclusively to emergency internal combustion engine-generators, turbines or pump drivers.

- (p) Bins used for temporary storage and transport of material with a capacity of 2,080 liters (550 gallons) or less.
  - (q) Equipment used for material storage where no venting occurs during filling or normal use.
  - (r) Equipment used exclusively for storage, blending, and/or transfer of water emulsion intermediates and products, including latex, with a VOC content of 5% by volume or less or a VOC composite partial pressure of 5 mm Hg (0.1 psi) absolute or less at 20°C (68°F).
  - (s) Equipment used exclusively for storage and/or transfer of sodium hypochlorite solution.
  - (t) Equipment used exclusively for the storage of organic materials which are stored at a temperature at least 130°C (234°F) below its initial boiling point, or have an organic vapor pressure of 5 mm Hg (0.1 psi) absolute or less at the actual storage temperature. To qualify for this exemption, the operator shall, if the stored material is heated, install and maintain a device to measure the temperature of the stored organic material. This exemption does not include liquid fuel storage greater than 160,400 liters (40,000 gallons), asphalt storage, or coal tar pitch storage.
- (14) Natural Gas and Crude Oil Production Equipment:
- (a) Well heads and well pumps.
  - (b) Crude oil and natural gas pipeline transfer pumps.
  - (c) Gas, hydraulic or pneumatic re-pressurizing equipment.
  - (d) Equipment used exclusively as water boilers, water or hydrocarbon heaters, and closed heat transfer systems (does not include steam generators used for oilfield steam injection) that have:
    - (i) a maximum heat input rate of 2,000,000 Btu per hour or less, and
    - (ii) been equipped to be fired exclusively with purchased quality natural gas, liquefied petroleum gas, produced gas which contains less than 10 ppm hydrogen sulfide, or any combination thereof.
  - (e) The following equipment used exclusively for primary recovery, and not associated with community lease units:
    - (i) Gas separators and boots.
    - (ii) Initial receiving, dehydrating, storage, washing and shipping tanks with an individual capacity of 34,069 liters (9,000 gallons) or less.
    - (iii) Crude oil tank truck loading facilities (does not include a loading



- rack), and gas recovery systems exclusively serving tanks exempted under subsection (D)(15)(e)(ii) .
- (iv) Produced gas de-hydrating equipment.
- (f) Gravity-type oil water separators with a total air/liquid interfacial area of less than 4.2 square meters (45 square feet) and the oil specific gravity of 0.8251 or higher (40.0 API or lower).
- (g) The following definitions will apply to subsection (D)(15) above:
- (i) PRIMARY RECOVERY - Crude oil or natural gas production from "free-flow" wells or from well units where only water, produced gas or purchased quality gas is injected to repressurize the production zone.
  - (ii) COMMUNITY LEASE UNITS - Facilities used for multiple-well units (three or more wells), whether for a group of wells at one location or for separate wells on adjoining leases.
  - (iii) SHIPPING TANKS - Fixed roof tanks which operate essentially as "run down" tanks for separated crude oil where the holding time is 72 hours or less.
  - (iv) WASH TANKS - Fixed roof tanks which are used for gravity separation of produced crude oil/water, including single tank units which are used concurrently for receipt, separation, storage and shipment.

## (E) Recordkeeping

- (1) Any person claiming exemptions under the provisions of this Rule shall provide adequate records pursuant to District Rule 109 and any applicable Material Safety Data Sheets (MSDS), to verify and maintain any exemption. Any test method used to verify the percentages, concentrations, vapor pressures, etc., shall be the approved test method as contained in the District's Test Method Manual.

[SIP: Submitted as amended 1/16/01 on \_\_\_\_\_; Submitted as amended 7/21/98 on 2/16/99, Approved 7/6/82, 47 FR 29231, \_\_\_\_\_, Approved \_\_\_\_\_, \_\_\_\_\_, 40 CFR 52.220(103)(xviii)(A); Approved 11/9/78, 43 FR 52237, 40 CFR 52.220(c)(39)(iv)(B) and 40 CFR 52.220(c)(31)(vi)(C)]