

BUTTE COUNTY AIR QUALITY MANAGEMENT DISTRICT

**RULE 450 - LARGE CONFINED ANIMAL FACILITIES**

*(Adopted December 21, 2006)*

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RULE 450

- 1 **APPLICABILITY:** This Rule establishes the permitting requirements for agricultural sources subject to permit as a result of amendments to California Health and Safety Code (HSC) Section 40724 that became effective January 1, 2004. A written Authority to Construct and Permit to Operate shall be required for all Large Confined Animal Facilities.
  
- 2 **DEFINITIONS:** For the purpose of this Rule, the following definitions shall apply:
  - 2.1 **Best Available Retrofit Control Technology (BARCT)** means an emission limitation that is based on the maximum degree of reduction achievable, taking into account environmental, energy, and economic impacts by each class or category of source.
  
  - 2.2 **Confined Animal Facility (CAF)** means a source or group of sources of air pollution at an agricultural source for the raising of 3,360 or more fowl or 50 or more animals, including but not limited to, any structure, building, installation, farm, corral, coop, feed storage area, milking parlor, or system for the collection, storage, or distribution of solid and liquid manure; if domesticated animals, including but not limited to, cattle, calves, horses, sheep, goats, swine, rabbits, chickens, turkeys, or ducks corralled, penned, or otherwise caused to remain in restricted areas for commercial agricultural purposes, and feeding is by means other than grazing.
  
  - 2.3 **Large Confined Animal Facility (LCAF)** means any confined animal facility that maintains or exceeds the following thresholds:

<b>LIVESTOCK CATEGORY</b>	<b>THRESHOLD</b>
Dairy	1,000 milking cows
Beef Cattle	3,500 head
Other Cattle	7,500 calves, heifers, or other cattle
Turkeys	100,000 head
Chickens	650,000 head
Swine	3,000 head
Sheep, lambs, or goats	15,000 head of sheep, lamb, goats, or any combination of the three
Horses	2,500 head
Ducks	650,000 head
Any other livestock not listed above	30,000 head

- 2.4 Precursor Emissions** means any emissions of air contaminants that contribute to the formation of ozone and particulates, including but not limited to, emissions of volatile organic compounds, oxides of nitrogen, and ammonia.

### **3 REQUIREMENTS**

- 3.1** On or before May 15, 2007, an owner or operator of an LCAF shall not build, erect, install, alter, replace, or operate any LCAF without first obtaining written authorization from the Air Pollution Control Officer (APCO). The permit application shall include:
- 3.1.1.** The information that the APCO, or his designee, determines is necessary to prepare an emissions inventory of all regulated air pollutants emitted from the operation, including, but not limited to, precursor and fugitive emissions, using emission factors approved by the California Air Resource Board (CARB) in a public hearing; and
  - 3.1.2.** List of all equipment and the regulating DISTRICT Rules; and
  - 3.1.3** List of all other sources of air pollution, including but not limited to animals, birds, and lagoons; and
  - 3.1.4** Total capacity of the facility in terms of animal and bird population; and
  - 3.1.5** An emissions mitigation plan that demonstrates that the facility will use BARCT to reduce emissions of pollutants that contribute to the nonattainment of any ambient air quality standard, and that are within the DISTRICT's regulatory authority.
- 3.2** The APCO shall act upon an application for permit submitted pursuant to this Rule within six months of receipt of a complete application.
- 3.3** Operators of LCAFs shall implement the control measures identified in their mitigation plan pursuant to a schedule approved by the APCO.
- 3.4** On or before January 15, 2008, and each year thereafter, the owner or operator of an LCAF shall submit an annual compliance plan that updates the information submitted pursuant to Section 3.1 above.

### **4 COMPLIANCE DETERMINATION**

- 4.1** Any violation of this Rule constitutes a violation of the underlying LCAF permit.
- 4.2** Pursuant to HSC Section 42301(e), the APCO may update LCAF permits upon annual renewal to include conditions necessary for compliance.

- 5 **ANNUAL RENEWAL:** Permits to Operate for LCAF shall be renewed pursuant to HSC Section 42301 and Rule 500.
- 6 **RECORDKEEPING:** All owners of confined animal facilities, regardless of size, shall keep records that specify the daily number of animals maintained at the facility. Records shall be maintained and kept at the facility and shall be presented to the APCO, or his designee, upon request.
- 7 **PUBLIC NOTICE:** Prior to issuing any permit for an LCAF, the draft permit shall be available for public review and inspection for a period of not less than thirty (30) calendar days.
- 8 **NON-DUPLICATION:** Information required to be submitted pursuant to other DISTRICT Rules and Regulations that are applicable to an LCAF, may be excluded from the mitigation measures specified in Section 3.1 of this Rule, as determined by the APCO.
- 9 **EXISTING FACILITIES:** Operators that have obtained an LCAF permit on or before December 21, 2006, satisfy the information requirements of Section 3.1.1 thru 3.1.4 of this Rule for initial permitting.
- 10 **OTHER PROVISIONS:** Any permit issued to an LCAF is subject to all applicable provisions of the California Health & Safety Code and the DISTRICT Rules and Regulations.