

RULE 4.3 **EXEMPTIONS FROM PERMIT** (Adopted 8/91, Amended 10/01/2007)

(New and existing operations) An Authorization to Construct or Permit to Operate shall not be required for:

- a. Vehicles as defined by the Vehicle Code of the State of California, but not including any article, machine, equipment or other contrivance mounted on such vehicle that would otherwise require a permit under the provisions of these Rules and Regulations.
- b. Vehicles used to transport passengers or freight.
- c. Equipment utilized exclusively in connection with any structure, which structure is designed for and used exclusively as a dwelling for not more than two (2) families.
- d. The following equipment:
 - 1) Comfort air conditioning or comfort ventilating systems which are not designed to remove air contaminants generated by or released from specific units or equipment;
 - 2) Refrigeration units except those used as, or in conjunction with air pollution control equipment;
 - 3) Water-cooling towers and water-cooling ponds not used for evaporative cooling or process water, or not used for evaporative cooling of water from barometric jets or from barometric condensers;
 - 4) Equipment used exclusively for steam cleaning;
 - 5) Presses used exclusively for extruding metals, minerals, plastics or wood;
 - 6) Residential incinerators when used for burning of paper or leaves.
- e. Space heaters.
- f. Equipment used in eating establishments for the purpose of preparing food for human consumption.
- g. Self-propelled mobile construction equipment other than pavement burners.
- h. The APCO may exempt any process, article, machine, equipment or other contrivance with uncontrolled emissions which never exceed 2 pounds in any 24 hour period.
- i. Equipment used exclusively in agricultural operations. This exemption does not apply to agricultural sources of air pollution as defined in California Health & Safety Code 39011.5 that are:
 - 1) Major sources or Major Modifications, as defined in Rule 10.1, New Source Review, or
 - 2) Majors Sources of HAPs (Hazardous Air Pollutants) as defined in Rule 10.7, Toxics New Source Review, or
 - 3) Large confined animal facilities as defined in California Health and Safety Code 40724.6, or
 - 4) An agricultural source of air pollution that emits in any 12-month period air emissions greater than or equal to the following quantities of emissions:

- a. 50 percent of the major source thresholds for regulated air pollutants (excluding Hazardous Air Pollutants (HAPs));
- b. 5 tons per year of a single HAP;
- c. 12.5 tons per year of any combination of HAPs;
and
- d. 50 percent of any lesser threshold for a single HAP as the U.S.EPA may establish by rule.