

GREAT BASIN UNIFIED AIR POLLUTION CONTROL DISTRICT

RULE 101 - DEFINITIONS

Adopted 9/05/74 Revised 3/10/76, 10/01/76, 6/25/79, 2/09/81, 11/04/92, 5/08/96, 11/07/01, 09/24/03

Except as otherwise specifically provided in these rules and except where the content otherwise indicates, words used in these rules are used in exactly the same sense as the same words are used in Part 1 of Division 26 of the Health and Safety Code.

A. AGRICULTURAL BURNING

1. "Agricultural burning" means open outdoor fires used in agricultural operations in the growing of crops or raising of fowl or animals, or open outdoor fires used in forest management, range improvement, or the improvement of land for wildlife and game habitat, or disease or pest prevention.
2. "Agricultural burning" also means open outdoor fires used in the operation or maintenance of a system for the delivery of water for the purposes specified in Subsection 1.
3. "Agricultural burning" also means open outdoor fires used in wildland vegetation management burning. Wildland vegetation management burning is the use of prescribed burning conducted by a public agency, or through a cooperative agreement or contract involving a public agency, to burn land predominantly covered with chaparral, trees, grass, tule, or standing brush. Prescribed burning is the planned application of fire to vegetation to achieve any specific objective on lands selected in advance of that application. The planned application of fire may also include natural or accidental ignition.

B. AGRICULTURAL OPERATION

"Agricultural operation" means the growing of crops, the raising of fowl, animals or bees, as a gainful occupation.

C. AGRICULTURAL WASTES

"Agricultural wastes" are defined as unwanted or unsalvageable material produced wholly from agricultural operations directly related to the growing of crops or the raising of animals for the primary purpose of making a profit or for a livelihood. This also includes, for the purpose of cultural practice burns, the burning of fence rows and ditch banks for weed control and weed maintenance and burning in nontillage orchards operations and of paper raisin trays, but does not include such items as shop wastes, demolition materials, garbage, oil filters, tires, pesticide containers (except paper pesticide containers), broken boxes, pallets, and other similar material, or orchard or vineyard wastes removed for land use conversion to non-agricultural purposes.

D. AIR CONTAMINANTS

"Air Contaminant" includes smoke, charred paper, dust colloids, soot, grime, carbon, noxious acid, noxious fumes, noxious gases, odors, or particulate matter, or any combination thereof.

E. ATMOSPHERE

"Atmosphere" means the air that envelopes or surrounds the earth. Where air contaminants are emitted into a building or structure not designed specifically as a piece of air pollution control equipment such emission into the building or structure shall be considered an emission into the atmosphere.

F. BOARD

"Board" means the Air Pollution Control Board of the Great Basin Unified Air Pollution Control District.

G. BRUSH TREATED

"Brush treated" means that the material to be burned has been felled, crushed or uprooted with mechanical equipment, has been desiccated with herbicides, or is dead.

H. BURN DAY

"Burn day," or "permissive-burn day" means any day on which agricultural burning, including prescribed burning, is not prohibited by the state board within the Great Basin Unified Air Pollution Control District and is authorized by the Air Pollution Control Officer consistent with District regulations related to open outdoor fires.

I. COMBUSTIBLE REFUSE

"Combustible Refuse" is any solid or liquid combustible waste material containing carbon in a free or combined state.

J. COMBUSTION CONTAMINANTS

"Combustion Contaminants" are solid or liquid particles discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.

K. DUSTS

"Dusts" are minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, blasting, shoveling, conveying, covering, bagging and sweeping or any combination thereof.

L. FLUE

"Flue" means any duct or passage for air, gases, or the like, such as a stack or chimney.

M. FOREST MANAGEMENT BURNING

"Forest Management Burning" means the use of open fires, as a part of a forest practice, to remove forest debris. Forest management practices include timber operations, silvicultural practices or forest protection practices.

1. "Timber Operations" means cutting or removal of timber or other forest vegetation.
2. "Silvicultural" means the establishment, development, care and reproduction of stands of timber.

N. FUMES

"Fumes" are minute solid particles generated by the condensation of vapors from solid matter after volatilization from the molten state, or generated by sublimation, distillation, calcination or chemical reaction, when these processes create air-borne particles.

O. HOUSEHOLD RUBBISH

"Household Rubbish" means combustible waste material and trash, including garden trash and prunings, normally accumulated by a family in a residence in the course of ordinary day to day living. See also Rule 101 BB. Waste.

P. INCINERATOR

"Incinerator" means any furnace or other closed fire chamber used for the burning of combustible refuse from which the products of combustion are directed through a chimney or flue. "Incinerator" also means any device constructed of nonflammable materials, including containers commonly known as burn barrels, for the purpose of burning therein trash, debris, and other flammable materials for volume reduction or destruction.

Q. MULTIPLE-CHAMBER INCINERATOR

"Multiple-chamber incinerator" is any article, machine, equipment, contrivance, structure or part of a structure used to dispose of combustible refuse by burning, consisting of three or more refractory lined combustion furnaces in series, physically separated by refractory walls, interconnected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned.

R. OIL-EFFLUENT WATER SEPARATOR

"Oil-effluent Water Separator" is any tank, box, sump or other container in which any petroleum or product thereof, floating on or entrained or contained in water

entering such tank, box, sump or other container is physically separated and removed from such water prior to outfall, drainage, or recovery of such water.

S. OPEN OUTDOOR FIRE

"Open Outdoor Fire" means the burning or smoldering of any combustible material of any type outdoors in the open air, either inside or outside a fireproof container, where the products of combustion are not directed through a chimney or flue.

T. PARTICULATE MATTER

"Particulate matter (PM)" means any airborne finely divided material, except uncombined water, which exists as a solid or liquid at standard conditions (e.g., dust, smoke, mist, fumes or smog). "PM2.5" means particles with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers. "PM10" means particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers (including PM2.5).

U. PERSON

"Person" means any person, firm, association, organization, partnership, business trust, corporation, company contractor, supplier, installer, user, owner, or any Federal, State or local governmental agency or public district, or any officer, or employee thereof. "Person" also means the United States or its agencies, to the extent authorized by Federal Law.

V. PRESCRIBED BURNING

"Prescribed burning" means the planned application of fire to vegetation on lands selected in advance of such application, where any of the purposes of the burning are specified in the definition of agricultural burning as set forth in Health and Safety Code Section 39011.

W. PROCESS WEIGHT PER HOUR

"Process Weight" is the total weight of all materials introduced into any specific process which process may cause any discharge into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. The "Process Weight per Hour" will be derived by dividing the total process weight by the number of hours in one cycle of operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.

X. RANGE IMPROVEMENT BURNING

"Range Improvement Burning" means the use of open fires to remove vegetation for a wildlife, game or livestock habitat or for the initial establishment of an agricultural practice on previously uncultivated land.

Y. REGULATION

"Regulation" means one of the major subdivisions of the rules of the Great Basin Unified Air Pollution Control Districts.

Z. RULE

"Rule" means a rule of the Great Basin Unified Air Pollution Control District.

AA. SECTION

"Section" means the section of the Health and Safety Code of the State of California, as amended, effective January 1, 1976, unless some other statute is specifically mentioned.

AB. SOURCE OPERATION

"Source Operation" means the last operation preceding the emission of an air contaminant for which the operation both:

1. Results in the separation of the air contaminant from the process materials or in the conversion of the process materials into air contaminants, as in the case of combustion of fuel; and
2. Is not an air pollution abatement operation.

AC. WILDLAND VEGETATION MANAGEMENT BURNING

"Wildland vegetation management burning" means the use of prescribed burning conducted by a public agency, or through a cooperative agreement or contract involving a public agency, to burn land predominantly covered with chaparral (as defined in Title 14, California Code of Regulations, Section 1561.1), trees, grass, tule, or standing brush.

AD. NON-INDUSTRIAL WOOD WASTE

"Non-industrial wood waste" means wood waste from trees, vines and brush that is not produced as a result of an industrial process.

AE. OPEN BURN/OPEN DETONATION OPERATIONS (OB/OD)

"Open burn/open detonation operations" refers to the treatment of propellants, explosives, and pyrotechnics (PEP) at military bases. During "open burning," raw material mixes with air and burns at temperatures which can exceed 3500 degrees Kelvin and pressures greater than 1000 pounds per square inch absolute. The open burning process entails a rapid oxidation of some fuel with a heat release and formation of combustion products. The burning of waste munitions converts the solid materials to gaseous products and particulate matter. Open detonation produces temperatures and pressures that are considerably greater than open burning. Detonation is an explosion in which a chemical transformation passes through the material faster than the speed of sound.

- AF. “Air quality” means the characteristics of the ambient air as indicated by state ambient air quality standards which have been adopted by the state board pursuant to section 39606 of the Health and Safety Code and by National Ambient Air Quality Standards which have been established pursuant to sections 108 and 109 of the federal Clean Air Act pertaining to criteria pollutants and section 169A of the federal Clean Air Act pertaining to visibility.
- AG. “Ambient air” means that portion of the atmosphere, external to buildings, to which the general public has access.
- AH. “CARB,” “ARB” or “state board” means the California Air Resources Board.
- AI. “Burn plan” means an operational plan for managing a specific fire to achieve resource benefits and specific management objectives. The plan includes, at a minimum, the project objectives, contingency responses for when the fire is out of prescription with the smoke management plan, the fire prescription (including smoke management components), and a description of the personnel, organization, and equipment.
- AJ. “Burn project” means an active or planned prescribed burn or a naturally ignited wildland fire managed for resource benefits.
- AK. “Class I Area” means a mandatory visibility protection area designated pursuant to section 169A of the federal Clean Air Act.
- AL. “Fire protection agency” means any agency with the responsibility and authority to protect people, property, and the environment from fire, and having jurisdiction within a district or region.
- AM. “Land manager” means any federal, state, local, or private entity that administers, directs, oversees, or controls the use of public or private land, including the application of fire to the land.
- AN. “National Ambient Air Quality Standards (NAAQS)” mean standards promulgated by the United States Environmental Protection Agency that specify the maximum acceptable concentrations of pollutants in the ambient air to protect public health with an adequate margin of safety, and to protect public welfare from any known or anticipated adverse effects of such pollutants (e.g., visibility impairment, soiling, harm to wildlife or vegetation, materials damage, etc.) in the ambient air.
- AO. “No-burn day” means any day on which agricultural burning, including prescribed burning, is prohibited by the state board, or the Air Pollution Control Officer.
- AP. “Open burning in agricultural operations in the growing of crops or raising of fowl or animals” means:

1. The burning in the open of materials produced wholly from operations in the growing and harvesting of crops or raising of fowl or animals for the primary purpose of making a profit, of providing a livelihood, or of conducting agricultural research or instruction by an educational institution.
2. In connection with operations qualifying under paragraph 1:
 - a. The burning of grass and weeds in or adjacent to fields in cultivation or being prepared for cultivation.
 - b. The burning of materials not produced wholly from such operations, but which are intimately related to the growing or harvesting of crops and which are used in the field, except as prohibited by district regulations. Examples are trays for drying raisins, date palm protection paper, and fertilizer and pesticide sacks or containers, where the sacks or containers are emptied in the field.

AQ. “Prescribed fire” means any fire ignited by management actions to meet specific objectives, and includes naturally-ignited wildland fires managed for resource benefits.

AR. “Smoke Management Plan” means a document prepared for each prescribed fire by land managers or fire managers that provides the information and procedures required in Rule 411.

AS. “Smoke sensitive areas” are populated areas and other areas where the Air Pollution Control Officer determines that smoke and air pollutants can adversely affect public health or welfare. Such areas can include, but are not limited to, towns and villages, campgrounds, trails, populated recreational areas, hospitals, nursing homes, schools, roads, airports, public events, shopping centers, and mandatory Class I areas.

AT. “State ambient air quality standards” means specified concentrations and durations of air pollutants which reflect the relationship between the intensity and composition of air pollution to undesirable effects, as established by the state board pursuant to Health and Safety Code section 39606.

AU. “Wildfire” means an unwanted wildland fire.

AV. “Wildland” means an area where development is generally limited to roads, railroads, power lines, and widely scattered structures. Such land is not cultivated (i.e., the soil is disturbed less frequently than once in 10 years), is not fallow, and is not in the United States Department of Agriculture (USDA) Conservation Reserve Program. The land may be neglected altogether or managed for such purposes as wood or forage production, wildlife, recreation, wetlands, or protective plant cover. “Wildland” also means any lands that are

contiguous to lands classified as a state responsibility area if wildland fuel accumulation is such that a wildland fire occurring on these lands would pose a threat to the adjacent state responsibility area. For California Department of Forestry (CDF) only, "Wildland" as specified in California Public Resources Code (PRC) section 4464(a) means any land that is classified as a state responsibility area pursuant to article 3 (commencing with section 4125) of chapter 1, part 2 of division 4 and includes any such land having a plant cover consisting principally of grasses, forbs, or shrubs that are valuable for forage.

- AW. "Wildland fire" means any non-structural fire, other than prescribed fire, that occurs in the wildland. For CDF only, "wildland fire" as specified in PRC section 4464(c) means any uncontrolled fire burning on wildland.
- AX. "Wildland/urban interface" means the line, area, or zone where structures and other human development meet or intermingle with the wildland.
- AY. "Approved ignition device" means an instrument or material that will ignite open fires without the production of black smoke by the ignition device, as approved by the APCO.
- AZ. "Burn Barrel" means a metal container used to hold combustible or flammable waste materials so that they can be ignited outdoors for the purpose of disposal.
- BA. "Natural vegetation" means all plants, including but not limited to grasses, forbs, trees, shrubs, flowers, or vines that grow in the wild or under cultivation. Natural vegetation excludes vegetative materials that have been processed, treated or preserved with chemicals for subsequent human or animal use, including but not limited to chemically-treated lumber, wood products or paper products.
- BB. "Waste" for the purpose of District Rules 406 and 407, means all discarded putrescible and non-putrescible solid, semisolid, and liquid materials, including but not limited to petroleum products and petroleum wastes; construction and demolition debris; coated wire; tires; tar; tarpaper; wood waste; processed or treated wood and wood products; metals; motor vehicle bodies and parts; rubber; synthetics; plastics, including plastic film, twine and pipe; fiberglass; styrofoam; garbage; trash; refuse; rubbish; disposable diapers; ashes; glass; industrial wastes; manufactured products; equipment; instruments; utensils; appliances; furniture; cloth; rags; paper or paper products; cardboard; boxes; crates; excelsior; offal; swill; carcass of a dead animal; manure; human or animal parts or wastes, including blood; fecal- and food-contaminated material. For the purpose of District Rule 406, dry, natural vegetation waste from yard maintenance is excluded from the meaning of "waste," if the material is reasonably free of dirt, soil and surface moisture.