

IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 202 - EXEMPTIONS

(Adopted prior to 11/19/85; revised 9/7/93, 9/14/99, 10/10/2006)

- A. An Authority to Construct or Permit to Operate shall not be required for any process, article, machine, Equipment, or other contrivance listed in Section E unless:
 - A.1 The process, article, machine, Equipment, or other contrivance is subject to New Source Performance Standards (NSPS) or National Emission Standards for Hazardous Air Pollutants (NESHAPS) or a Source specific prohibitory rule, or
 - A.2 The process, article, machine, Equipment, or other contrivance emits, in quantities determined to be appropriate for review by the Air Pollution Control Officer, substances identified as Toxic Air Contaminants or which are under review as candidate Toxic Air Contaminants by the California Air Resources Board, or
 - A.3 The Air Pollution Control Officer makes a determination that a permit shall be required because the Equipment may not operate in compliance with all Air Pollution Control District rules and regulations.
- B. An Authority to Construct or Permit to Operate shall not be required for any process, article, machine, Equipment, or other contrivance with uncontrolled emissions of Affected Pollutants less than or equal to two pounds in any 24-hour period.
- C. An otherwise exempt piece of Equipment requires a permit if it is part of a process that requires a permit.
- D. Appropriate recordkeeping shall be required to verify and maintain any exemption.
- E. Unless otherwise specified in sections A or B, an Authority to Construct or Permit to Operate shall not be required for the following Equipment:
 - E.1 Combustion and Heat Transfer Equipment
 - E.1.a Internal Combustion Engines and Gas Turbines: Piston type internal combustion engines with a manufacturer's maximum continuous rating of 50 brake horsepower (bhp) or less or gas turbine engines with a maximum heat input rate of 3 million British thermal units (Btu) per hour or less at ISO Standard Day Conditions. The ratings of all engines or turbines used within a Stationary Source will be accumulated to determine whether this exemption applies.
 - E.1.b (reserved)
 - E.1.c Steam generator, steam superheaters, water boilers, water heaters, steam cleaners, and closed indirect heat transfer systems which have a maximum

input heat rating of 5,000,000 Btu per hour (gross) or less and are equipped to be fired exclusively with Public Utilities Commission regulated natural gas, liquefied petroleum gas or any combination thereof.

E.1.d Portable equipment holding a valid registration under the Statewide Portable Equipment Registration Program pursuant to Title 13, Article 5, Sections 2450 - 2465 of the California Code of Regulations.

E.2 Vehicles

E.2.a Motor 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.

E.2.b Locomotives, airplanes and watercraft used to transport passengers or freight. This exemption is not intended to apply to Equipment used for the dredging of waterways or to Equipment used in pile driving adjacent to or in waterways.

E.3 Residential Structures

E.3.a Any structure designed for and used exclusively as a dwelling for not more than four families and any Incinerator used exclusively in connection with such a structure.

E.4 Cooling Towers

E.4.a Water Cooling Towers that have a circulation rate of less than 10,000 gallons per minute and which are not used for cooling of process water, water from barometric jets or water from barometric condensers.

E.5 Printing and Reproduction Equipment

E.5.a Printing and related Coating or laminating Equipment not using more than 2 gallons of graphic arts material per day. Graphic arts materials are any inks, Coatings, Adhesives, fountain solutions, thinners, retarders, or cleaning solutions used in printing or related Coating or laminating processes. (Does not include Equipment associated with wood flat stock Coating operations.)

E.6 Food Processing

E.6.a Equipment, excluding boilers, used in eating establishments or other retail establishments for the purpose of preparing food for human consumption.

E.6.b Mixers and blenders used in bakeries where the products are edible and intended for human consumption. Ovens at bakeries whose total production

is less than 1,000 pounds of product per operating day.

E.6.c Equipment used exclusively to grind, blend or package tea, cocoa, spices or roasted coffee and Control Equipment venting exclusively such Equipment.

E.6.d Smokehouses for preparing food in which the maximum horizontal inside cross-section area does not exceed 20 square feet (or 2 square meters).

E.6.e Barbecue Equipment.

E.7 Plastic/Rubber Processing

E.7.a General - The following uncontrolled Equipment or process, located at the same Stationary Source, using material containing ROCs, when aggregated emissions of ROCs from the Equipment or process do not exceed 5 pounds in any one day:

- Foam manufacturing or application

- Fiberglass reinforced plastic fabrication

- Plastics manufacturing

E.7.b Presses - Equipment used exclusively for extruding rubber products or plastic where no plasticizer or blowing agent is present, or for pelletizing polystyrene foam scraps except Equipment used to extrude or to pelletize acrylics, polyvinyl chloride, polystyrene, and their copolymers.

E.7.c Ovens - Ovens used exclusively for the curing, softening, or annealing of plastics. Does not apply to ovens used to cure fiberglass reinforced plastics.

E.8 Storage and Transfer Equipment

E.8.a Unheated solvent dispensing containers with capacity not more than 250 gallons.

E.8.b Mobile Transport Tanks or delivery tanks or cargo tanks on vehicles for delivery of VOCs except Asphalt tankers used to transport and transfer hot Asphalt for roofing applications.

E.8.c Equipment used exclusively for the storage of unheated Organic Material 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) as determined by the following ASTM test methods:

E.8.c.1 ASTM D 2879-86, "Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope"

E.8.c.2 ASTM 1078-86, "Standard Test Method for Distillation Range of Volatile Organic Liquids"

E.8.d Equipment used exclusively for the unheated underground storage of 23,000 liters (6,077 gallons) or less of organic liquids with a vapor pressure of 77.5 mm Hg (1.5 psi) absolute or less at actual storage conditions. 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. Vapor pressure to be determined by ASTM D 2879-86, "Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope".

E.9 Surface Coating and Cleaning Operations

E.9.a Application Equipment for architectural surface Coatings used for commercial or residential applications. Architectural surface Coating is defined as any Coating applied to stationary structures and their Appurtenances, to mobile homes, to pavements, or to curbs.

E.9.b Unheated non-conveyorized, cleaning Equipment: (Does not include control enclosures)

E.9.b.1 With an open surface area of 1.0 square meters (10.8 sq. feet) or less and an internal volume of 350 liters (92.5 gal.) or less, and

E.9.b.2 Using only Organic Solvents with an initial boiling point of 160 C (302 F) or greater as determined by ASTM test method 1078-86, "Standard Test Method for Distillation Range of Volatile Organic Liquids", and

E.9.b.3 Less than 25 gallons of solvent per year are lost to the Atmosphere from all such Equipment. Solvent lost shall not include solvent that is recycled or disposed of properly. Any Person claiming exemption pursuant to this subsection shall maintain adequate monthly records to substantiate their exempt status.

E.9.c Surface Coating Equipment using a combined total of one gallon per day or less of Coating material and solvent. Coatings applied by means of non-refillable aerosol cans shall not be included in the daily usage determination for purposes of determining the one gallon per day limit.

E.9.d Surface Coating using non-refillable aerosol spray cans.

E.10 Agricultural Sources

E.10.a Stationary combustion agricultural sources with combined actual emissions of less than one half of any applicable emissions threshold for a major source.

E.10.b Any confined animal facility that maintains on any one day less than 1,000 milk producing cows; or less than 3500 beef cattle, calves, heifers, or other cattle; or less than 100,000 turkeys or less than 650,000 chickens other than laying hens; or less than 650,000 laying hens; or less than 3,000 swine; or less than 15,000 sheep, lambs or goats; or less than 2,500 horses or less than 650,000 ducks or less than 30,000 rabbits or other animals.

E.11 Repairs or Maintenance

Routine repairs or maintenance not involving structural changes to any Equipment for which a permit has been granted.