

IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 217 - LARGE CONFINED ANIMAL FACILITIES PERMITS REQUIRED

(Adopted 10/10/2006)

A. Applicability

A.1 This rule sets forth the permitting requirements for agricultural sources subject to permit as a result of amendments to California Health and Safety Code Section 40724.6 that became effective January 1, 2004. A written Permit to Operate shall be required for all Large Confined Animal Facilities.

B. Definitions

Terms applicable to this Rule are defined in Rule 101 - Definitions.

C. Requirements

C.1 On or before January 1, 2007, an owner or operator of a LCAF shall submit, for approval by the Air Pollution Control Officer (APCO), an Authority to Construct (ATC)/Permit to Operate (PTO) application for each LCAF. Additionally, each application shall include:

C.1.a 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, the provisions listed in C.1.b through C.1.e.

C.1.b List of all stationary combustion equipment. The applicant must inform the APCD the frequency of the usage of the equipment, year and model of the equipment, capacity (Btu/hr, horsepower, etc.), hours of usage each year, or gallons of fuel burned to determine the baseline emission factors.

C.1.c List of all other significant sources of air pollution, including but not limited to stationary irrigation pumps, gasoline storage tanks, etc.

C.1.d Total capacity of the facility in terms of commercial production animal and bird population.

C.1.e An emissions mitigation plan that demonstrates that the facility will use RACT to reduce emissions of pollutants that contribute to the non-attainment of any ambient air quality standard, and that are within the Air District's regulatory authority.

C.1.f In addition, the dust control plan for beef feedlots shall adhere to the requirements within Rule 420.

- C.2 The APCO shall determine completeness for each ATC/PTO Application according to the requirements contained within Rule 206, Section A.2. The APCO shall act upon an application pursuant to this rule within six months of receipt of a complete application. In the interim, current Livestock Feed Yard certificates and conditions shall be honored.
- C.3 Operators of LCAFs shall implement the control measures identified in their emissions mitigation plan which shall ~~may~~ be selected from the Air District's Policy Number 38, "Recommended Mitigation Measures for Large Confined Animal Facilities."
- C.4 The owner or operator of an LCAF shall adhere and apply to the selected control measures outlined in their mitigation plan pursuant to a six month schedule approved by the APCO.
- C.5 On or before January 1, 2008, and each year thereafter, the owner or operator of a LCAF shall submit an annual compliance plan that updates the information submitted pursuant to section C.1.

D. Compliance Determination

- D.1 Any violation of this underlying LCAF permit constitutes a violation of Rule 217.
- D.2 Pursuant to District Rule 212, the APCO may update LCAF permits upon annual renewal to include conditions necessary for compliance.

E. Annual Renewal Permits

Annual Renewal Permits to Operate for LCAF shall be renewed according to the conditions set forth within Rule 206 and Rule 301.

F. Recordkeeping

All owners of confined animal facilities, regardless of size, shall keep records that specify the daily number of animals maintained at the facility. Current records shall be maintained and kept on-site for two years after the date of each entry and shall be presented to the APCO, or his designee, within 72 hours of notice to the owner or operator.

G. Public Review

Noticing prior to issuing any permit for LCAF, the draft permit shall be available for public review and inspection for a period of no less than 30 calendar days. To identify the location, the public notice shall include only the city and state of the LCAF, as well as any other relevant permit information.

H. Non-duplication

Information required to be submitted pursuant to other Air District Rules and Regulations that are applicable to a LCAF, may be excluded from the mitigation measures specified in section C.1.e of this rule, as determined by the APCO.

I. Other Provisions

Any permit issued to a LCAF is subject to all applicable provisions of the California Health & Safety Code and the Air District Rules and Regulations.