

KERN COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 202 – PERMIT EXEMPTIONS

Adopted 4/18/72, Amended 3/19/74, 12/17/74, 6/30/80, 12/15/80, 4/25/83, 11/18/85, 8/22/89, 4/30/90, 8/19/91, 5/2/96, 1/8/98, 3/13/03, 1/8/04

I. California Health and Safety Code (CH & SC) Exemptions:

Neither an Authority to Construct nor a Permit to Operate shall be required for the following:

- 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 structure (CH & SC, Sections 42310(b) and (c));
- B. Motor vehicles as defined by the Vehicle Code of the State of California (CH & SC, Section 42310 (a)), but not including any source operation mounted on such vehicle that would otherwise require a permit under provisions of the District Rules and Regulations;
- C. Repairs or maintenance not involving structural changes to any source operation with a Permit to Operate (CH & SC, Section 42310(f)); and
- D. Portable engines and/or equipment associated with such engines qualifying for and complying with CARB's statewide registration system (CH & SC, Section 41753).

II. Additional Exemptions

Neither an Authority to Construct nor a Permit to Operate shall be required for the following unless a written permit is specifically requested by the owner/operator:

- A. Combustion Equipment
 - 1. Steam generators, steam superheaters, water boilers, water heaters, steam cleaners, and closed heat transfer systems with a total burner(s) maximum input heat rating of less than 5,000,000 Btu per hour (gross) and equipped to be fired exclusively with natural gas, liquefied petroleum gas, or any combination thereof, provided the fuel contains no more than 5 percent by weight hydrocarbons heavier than butane (as determined by test method ASTM E-260-73) and no more than 0.30 grains of total sulfur per 100 standard cubic feet of gas (as determined by test method ASTM D-1072-80);
 - 2. Piston-type internal combustion engines with a manufacturer's maximum continuous rating of 50 brake horsepower (bhp) or less; and
 - 3. Gas turbine engines with a maximum heat input rating of 3,000,000 Btu per hour or less at ISO Standard Day Conditions.
 - 4. Natural gas or liquified petroleum gas fired equipment used exclusively for space heating, except boilers.
- B. Vehicles

Locomotives, airplanes, and watercraft used to transport passengers or freight. This

exemption is not intended to apply to equipment used for dredging of waterways or to equipment used in pile driving adjacent to or in waterways.

C. Cooling Towers

Except as required by Rule 429.1, water cooling towers with a circulation rate of less than 1,000 gallons/minute and not used for cooling liquids containing volatile organic compounds such as process water, water from barometric jets, or water from barometric condensers.

D. Printing and Reproduction Equipment

Printing, coating, or laminating facilities using less than 2 gallons per day of graphic arts materials. Graphic arts materials are any ink, coating, adhesive, fountain solution, thinner, retarder, or cleaning solution.

E. Food Processing Equipment

1. Mixers and blenders used in bakeries producing edible foodstuffs intended for human consumption;
2. Ovens at bakeries with total production less than 1,000 pounds of product per operating day, if exempted by Subsection II.A.1.; or if electrically heated; and
3. Smokehouses used for preparing food with a maximum horizontal inside cross-sectional area not exceeding 20 square feet.

F. Plastic/Rubber Processing Equipment

Source operations used exclusively for extruding or compression molding of rubber products or plastics, if no plasticizer or blowing agent is present.

G. Storage Vessels

Containers, reservoirs, or tanks used exclusively for:

1. Storage of oil with specific gravity of 0.8762 or higher (30 API or lower) as measured by test method API 2547 or ASTM D-1298-80 and with a capacity of 100 bbl or less;
2. Storage of unheated organic material with a capacity of 250 gallons or less;
3. Storage of unheated organic material with an initial boiling point of 150 C (302 F) or greater as measured by test method ASTM D-86;
4. Storage of fuel oils or non-air-blown asphalt with 0.9042 specific gravity or higher (25 API or lower) as measured by test method API 2547 or ASTM D-1298-80;
5. Storage of petroleum distillates used as motor fuel with 0.8251 specific gravity or higher (40 API or lower) as measured by test method API 2547 or ASTM D-1298-80 and with a capacity of 19,800 gallon (471 bbls) or less;
6. Storage of refined lubricating oils and greases;

7. Storage of liquefied gases in unvented (except for emergency relief) pressure vessels; and
8. Transporting of liquids on streets or highways.

H. Loading Racks and Equipment

Loading racks (as defined in Rule 102) used exclusively for transfer of:

1. Unheated organic materials with an initial boiling point of 150 °C (302 °F) or greater as measured by test method ASTM D-86;
2. Fuel oil with 0.8251 specific gravity or higher (40 °API or lower) as measured by test method API 2547 or ASTM D-1298-80;
3. Crude oil, asphalt, or residual oil from tanks not requiring permits in accordance with this Rule;
4. Crude oil with 0.8762 specific gravity or higher (30 °API or lower) as measured by test method API 2547 or ASTM D-1298-80;
5. Crude oil, asphalt, or residual oil from a delivery vehicle if loading equipment is attached to such vehicle; and
6. Refined lubricating oil.

I. Surface Coating and Solvent Cleaning Operations

1. Equipment used for application of architectural surface coatings. Architectural surface coating is defined as any coating applied to stationary structures and their appurtenances, to mobile homes, to pavements, or to curbs.
2. Unheated, nonconveyorized cleaning equipment (not including emission control enclosures):
 - a. with an open surface area of 10.0 ft² or less, and internal volume of 92.5 gallons or less;
 - b. using only organic solvents with an initial boiling point of 120 °C (248 °F) or greater as determined by ASTM 1078-78; and
 - c. located at a stationary source losing less than 25 gallons of solvent per year to the atmosphere from all such equipment at the stationary source. Solvent lost shall not include solvent recycled or disposed of properly. Any person claiming exemption pursuant to this subsection shall maintain adequate monthly records to document his exempt status.

J. Abrasive Blasting Equipment

1. Blast cleaning cabinets in which a suspension of abrasive in water is used;
2. Any manually-operated abrasive blast cabinet, vented to a dust-filter, where the total internal volume of the blast section is 50 cubic feet or less;
3. Enclosed equipment used exclusively for shot blast removal of flashing from rubber and plastics at sub-zero temperatures;
4. Shot peening operations, provided no surface material is removed; and
5. Portable sand/water blaster equipment and associated piston type internal combustion engine, provided water in the mixture is maintained at 66% or more by volume during operation of such equipment. Piston type internal combustion engines must be exempt pursuant to Subsection II.A.2.

K. Miscellaneous

1. Brazing, soldering, or welding equipment. This exemption applies to conventional brazing, soldering, or welding operations only; any internal combustion engine or other equipment associated with these operations that would otherwise require permits is not exempt.
2. Equipment used exclusively to compress or hold dry natural gas; any engine or other equipment associated with such operations otherwise requiring permits is not exempt.
3. Unvented (except for emergency pressure relief) pressure vessels associated with a source operation exempt from permit.
4. Comfort air conditioning or comfort ventilating systems not designed to remove air contaminants generated by or released from a source operation.

To qualify for the following exemptions, an application and \$104 filing fee shall be submitted to the Control Officer. Such application shall include: identification of source operation, documentation of expected emissions and proposed form and location of records to be used to verify qualification for exemption. Such requests shall be acted upon by the District within 30 days. To retain such exemption, the owner of a source operation shall reapply biannually. Each request for reapplication shall be accompanied by a \$104 filing fee.

5. Source operation operated at one stationary source for not more than 45 days, which is not a replacement for a specific activity which lasts or is intended to last for more than 45 days at one stationary source, and which emits less than two tons per year of any air contaminant.
6. Any source operation if the uncontrolled emission of any criteria air

contaminant, except Oxides of Nitrogen and Volatile Organic Compounds, cannot exceed 2 pounds in any 24-hour period; or

7. Sources of Oxides of Nitrogen (NO_x) or Volatile Organic Compounds (VOC) which:
 - a. cannot emit more than 10 pounds of NO_x or VOC uncontrolled in any 24 hour period,
 - b. cannot emit more than 180 pounds of NO_x or VOC uncontrolled in any quarter, and
 - c. will not interfere with provisions of the newest adopted ozone Air Quality Attainment Plan.

III. Provisions for Permitting Otherwise Exempt Equipment

Notwithstanding provisions of Section II, an Authority to Construct and a Permit to Operate shall be required for the following source operations:

- A. Those subject to EPA 40 CFR, Part 60, New Source Performance Standards (NSPS), EPA 40 CFR, Parts 61 and 63, National Emission Standards for Hazardous Air Pollutants (NESHAPS and MACT); or any source specific prohibitory Rule;
- B. Those for which the Control Officer makes a determination a permit shall be required because such source operation may not operate in compliance with all district rules and regulations, or has the potential to emit hazardous air pollutants in such quantity as to pose a significant risk to public health; and
- C. Those proposed as part of soil or groundwater remediation projects.

IV. Recordkeeping

Recordkeeping shall be required to verify or maintain any exemption if such exemption is based on a maximum emission limitation.