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3 **CHAPTER IV – PROHIBITIONS**  
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6 **RULE 1-400 - GENERAL LIMITATIONS**  
7

8 **(a) Public Nuisance**  
9

10 A person shall not discharge from any source whatsoever such quantities of air contaminants or  
11 other material that cause injury, detriment, nuisance or annoyance to any considerable number  
12 of persons or to the public or that endanger the comfort, repose, health or safety of any such  
13 persons or the public or that cause or have a natural tendency to cause injury or damage to  
14 business or property, (Health and Safety Code, Section 41700).  
15

16 The limitations of Rule 1-400(a) do not apply to odors emanating from agricultural operations  
17 necessary for the commercial growing of crops or the raising of fowl or animals, as may be  
18 exempted in California Health and Safety Code, Section 41705.

19 [Amended 5/6/03]  
20

21 **(b) Circumvention**  
22

23 A person shall not construct, erect, modify, operate or use any equipment that conceals or tends  
24 to conceal an air contaminant emission that would be subject to the rules and regulations of the  
25 Mendocino County Air Quality Management District or to state law regarding air pollution, or  
26 that prevents the determination of compliance with the District's rules and regulations or with  
27 applicable state law, unless the operation or use of such equipment results in a verifiable and  
28 enforceable significant reduction in the emission of air contaminants that are or would be  
29 concealed or determination of whose compliance would be prevented. A person shall not  
30 discharge air contaminants into the atmosphere from any source whatsoever except in such  
31 fashion as to permit determination of compliance with applicable rules and regulations of the  
32 Mendocino County Air Quality Management District and with applicable provisions of state  
33 law.  
34

35 [Amended April 6, 1993]  
36

37 **RULE 1-410 - VISIBLE EMISSIONS**  
38

39 **(a)** A person shall not discharge into the atmosphere from any source whatsoever any air  
40 contaminant for a period or periods aggregating more than three (3) minutes in any one hour  
41 that is as dark or darker in shade as that designated as No. 1 on the Ringlemann Chart, as  
42 published by the United States Bureau of Mines; or of such opacity as to obscure an observer's  
43 view to a degree equal to or greater than Ringlemann 1 or twenty (20) percent opacity.  
44

45 **(b)** The provisions of Rule 1-410(a) do not apply to excessive visible emissions caused by:

46 **(1)** Failure of the emission to meet the requirements solely because of the presence of  
47 uncombined water.  
48

49 **(2)** Smoke from fires set pursuant to Regulation 2 of the Mendocino County Air Quality  
50 Management District.

- 1  
2  
3 (3) Smoke from fires set or permitted by any public officer in the performance of his  
4 official duty for the improvement of watershed, range or pasture. (Health and Safety  
5 Code, Section 41704(c))  
6  
7 (4) Use of any aircraft to distribute seed, fertilizer, insecticides, or other agricultural aids  
8 over lands devoted to the growing of crops or the raising of fowl or animals. (Health  
9 and Safety Code, Section 41704(d))  
10  
11 (5) Open outdoor fires used only for cooking of food for human beings or for recreational  
12 purposes. (Health and Safety Code, Section 41704(e))  
13

14  
15 **RULE 1-420 - PARTICULATE MATTER**  
16

17 **(a) General Combustion Sources**  
18

19 A person shall not discharge particulate matter into the atmosphere from any combustion  
20 source in excess of 0.46 grams per standard cubic meter (0.20 grains per standard cubic foot) of  
21 exhaust gas, calculated to 12 percent carbon dioxide; or in excess of the limitations of NSPS,  
22 Rule 1-490, as applicable.  
23

24 **(b) Steam Generating Units**  
25

26 A person shall not discharge particulate matter into the atmosphere from any steam generating  
27 unit, installed or modified after July 1, 1976, in excess of 0.23 grams per standard cubic meter  
28 (0.10 grains per standard cubic foot) of exhaust gas, calculated to 12 percent carbon dioxide; or  
29 in excess of the limitations of NSPS Rule 1-490.  
30

31 **(c) Non-Combustion Sources**  
32

33 A person shall not discharge particulate matter into the atmosphere from any non-combustion  
34 source in excess of 0.46 grams per actual cubic meter (0.20 grains per cubic foot) of exhaust  
35 gas or in total quantities in excess of the amount shown in Table I, whichever is the more  
36 restrictive condition.

**TABLE I**  
**ALLOWABLE RATE OF EMISSION BASED ON**  
**PROCESS WEIGHT RATE**

Process Weight Rate		Rate of Emission		Process Weight Rate		Rate of Emission	
Lbs/Hr	Kg/Hr	Lbs/Hr	Lbs/Hr	Lbs/Hr	Kg/Hr	Lbs/Hr	
100	45	0.55		6,000	2,720	8.6	
200	92	0.88		7,000	3,380	9.5	
400	183	1.40		8,000	3,680	10.4	
600	275	1.83		9,000	4,134	11.2	
800	377	2.22		10,000	4,540	12.0	
1,000	454	2.58		12,000	5,460	13.6	
1,500	681	3.38		16,000	7,260	16.5	
2,000	920	4.10		18,000	8,220	17.9	
2,500	1,147	4.76		20,000	9,070	19.2	
3,000	1,362	5.38		30,000	13,600	25.2	
3,500	1,690	5.96		40,000	18,100	30.5	
4,000	1,840	6.52		50,000	22,700	35.4	
5,000	2,300	7.58		60,000	27,200	40.0	
							or more

Where the process weight per hour is between two listed figures, such process weight and maximum allowable particulate emission per hour shall be interpolated linearly. The total process weight of all similar process operations located at a single plant or of similar multiple plants located on a single premise, shall be used for determining the maximum allowable particulate emission from the combination of such operations.

**(d) Geothermal Well Drilling**

Notwithstanding the provisions of Rule 1-420(d), a person shall not discharge particulate into the atmosphere from any geothermal steam source in excess of the quantity established by the following formula:

$$y = .00069X + 1.4$$

where y is the particulate emission rate limitation in kilograms per hour (averaged over one hour) and X is the steam rate in kilograms per hour passing through a geothermal well drilling operation or any geothermal well being vented for clean out.

1 **RULE 1-430 - FUGITIVE DUST EMISSIONS**

2  
3 This Rule prohibits the handling, transportation, or open storage of materials, or the conduct of  
4 other activities in such a manner that allows or may allow unnecessary amounts of particulate  
5 matter to become airborne except under the following circumstances:  
6

- 7       **(a)** Reasonable precautions shall be taken to prevent particulate matter from becoming  
8           airborne, including, but not limited to, the following provisions:  
9
- 10           **(1)** Covering open bodied trucks when used for transporting materials likely to give  
11           rise to airborne dust.
  - 12
  - 13           **(2)** Installation and use of hoods, fans, and fabric filters to enclose and vent the  
14           handling of dusty materials.
  - 15
  - 16           **(3)** The screening of all open-outdoor sandblasting and similar operations.
  - 17
  - 18           **(4)** The use of water or chemicals for the control of dust during the demolition of  
19           existing buildings or structures.
  - 20
- 21       **(b)** The following airborne dust control measures shall be required during all construction  
22           operations, the grading of roads, or the clearing of land  
23
- 24           **(1)** All visibly dry disturbed soil road surfaces shall be watered to minimize fugitive  
25           dust emissions.
  - 26
  - 27           **(2)** All unpaved surfaces, unless otherwise treated with suitable chemicals or oils,  
28           shall have a posted speed limit of 10 miles per hour.
  - 29
  - 30           **(3)** Earth or other material that has been transported by trucking or earth moving  
31           equipment, erosion by water, or other means onto paved streets shall be promptly  
32           removed.
  - 33
  - 34           **(4)** Asphalt, oil, water or suitable chemicals shall be applied on materials stockpiles,  
35           and other surfaces that can give rise to airborne dusts.
  - 36
  - 37           **(5)** All earthmoving activities shall cease when sustained winds exceed 15 miles per  
38           hour.
  - 39
  - 40           **(6)** The operator shall take reasonable precautions to prevent the entry of  
41           unauthorized vehicles onto the site during non-work hours.
  - 42
  - 43           **(7)** The operator shall keep a daily log of activities to control fugitive dust.
- 44       **(c)** During recreational activities adequate dust control shall be maintained to prevent dust  
45           from migrating off the property where the activity is occurring.  
46  
47

1 **RULE 1-440 - SULFUR OXIDE EMISSIONS**

2 A person shall not discharge into the atmosphere from any single source of emissions whatsoever  
3 sulfur oxides, calculated as sulfur dioxide (SO<sub>2</sub>) in excess of 1,000 ppm; or in excess of the specific  
4 source emissions limitations of New Source Performance Standards Rule 1-490 (NSPS) of the  
5 Mendocino County Air Quality Management District, as applicable.  
6  
7

8 **RULE 1-455 - GEOTHERMAL EMISSION STANDARDS**

9  
10 **(a)** No person shall discharge into the atmosphere from any geothermal operation sulfur  
11 compounds, calculated as sulfur dioxide (SO<sub>2</sub>), in excess of 1,000ppm(v).  
12

13 **(1)** Notwithstanding Rule 1-400(b) and Rule 1-455(a) geothermal wells on standby bleed  
14 shall be authorized in writing by the Air Pollution Control Officer to exceed 1000  
15 ppm(v) (as measured in the bleeding steam) provided all the following conditions,  
16 which shall be annually verified, are met:  
17

18 **(A)** The geothermal well on standby bleed will emit less H<sub>2</sub>S in pounds hour than if  
19 operated at or below 1000 ppm(v).  
20

21 **(B)** An air aspirator or other device(s) approved by the Air Pollution Control Officer  
22 is used to lower the emissions level to below 1000 ppm(v) at the point of  
23 emissions exit.  
24

25 **(C)** All other applicable emissions limitations in Regulation 1 are not exceeded.  
26

27 **(D)** The geothermal well on standby bleed, singularly or when combined with sources  
28 on the same well pad site or from adjacent well pad sites (within 33 meters), will  
29 not create a public nuisance as defined in Rule 1-400(a).  
30

31 **(b)** No person shall discharge hydrogen sulfide (H<sub>2</sub>S) into the atmosphere at a rate that exceeds 50  
32 grams per hour per Gross Megawatt.  
33

34 **(1)** Gross Megawatt refers to the source's full load gross generating capacity of the turbine  
35 generator as guaranteed by the turbine generator manufacturer.  
36

37 **(2)** Compliance shall be verified by the source testing or protocol method approved by the  
38 District for the applicable emission source(s).  
39

40 **(c)** In no case shall the hydrogen sulfide emissions from a geothermal power generating facility  
41 exceed 1 kg/hr.  
42

43 **(d)** The 1 kg per hour limit shall not apply to geothermal power generating facilities of 20  
44 megawatt electrical generating capacity or less provided:  
45

46 **(1)** No more than one such facility is within a 1.0 km radius area from any existing power  
47 plant facility (as of Jan. 1, 1985), and no more than one such facility is within a 0.5 km  
48 radius area of another, or  
49

1           **(2)** The facility can provide a significant net annual H<sub>2</sub>S emissions reduction.

2  
3 **(e)** Each geothermal facility may be allowed to establish a protocol acceptable to the District that  
4 specifies the manner in which the facility will be operated to meet the emissions limitations set  
5 forth in sections (b) and (c) above. Each protocol shall specify if applicable:

6  
7           **(1)** the frequency and method of sampling the incoming steam quality and flow rates;

8  
9           **(2)** the frequency and method of adjusting chemical feed rate settings;

10  
11           **(3)** the frequency and method of instrument and testing equipment calibration;

12  
13           **(4)** the predicted relationship between incoming steam quality and flow rates, chemical  
14 feed rates, and H<sub>2</sub>S emissions;

15  
16           **(5)** the frequency and method of emissions source testing;

17  
18           **(6)** data logging requirements;

19  
20           **(7)** the locations of all logs and source test records; and

21  
22           **(8)** the requirement that periodic source tests be performed.

23  
24 Each operating protocol can be modified by mutual agreement between the District and the  
25 operator. Changes in operating protocol(s) shall not take effect until copies of the revised  
26 protocol(s) are filed at the District office and the facility. Compliance with the operating  
27 protocol approved by the Air Pollution Control Officer shall be deemed compliance with the  
28 H<sub>2</sub>S emissions limitations of this rule.

29  
30 The major purpose of the protocol method is to provide a practical means of compliance  
31 with the specified emissions limitations given variations in incoming steam quality,  
32 chemical abatement system performance, and emission source test accuracy. A form of  
33 transferable emissions credits or allocation (pound for pound) among specified power plants  
34 shall be allowed in the protocol(s) as long as in the opinion of the Air Pollution Control  
35 Officer that enforceability can be reasonably achieved and ambient air quality would not be  
36 substantially degraded.

37  
38 **(f)** Any geothermal power plant and associated steam transmission line, for which applications are  
39 submitted for Authority to Construct processing shall employ Best Available Control  
40 Technology for stacking event avoidance.

41  
42 **(g)** A summary of the data required to determine compliance with applicable provisions of this rule  
43 shall be submitted to the Air Pollution Control Officer. This summary shall be presented in the  
44 manner, frequency and form as prescribed by the Air Pollution Control Officer.

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1 **RULE 1-470 - REDUCTION OF ANIMAL MATTER**

2  
3 A person shall not operate or use any article, machine, equipment or other contrivance for the  
4 reduction of animal matter, unless all gases, vapors and gas-entrained effluents that contain odorous  
5 material are:

6  
7 (a) Incinerated at temperatures of not less than 1200 degrees Fahrenheit for a period of not less  
8 than 0.3 second; or

9  
10 (b) Processed in such a manner determined by the Air Pollution Control Officer to be equally, or  
11 more effective for the purpose of air pollution control than (a) above.

12  
13 (1) A person incinerating or processing gases, vapors, or gas entrained effluents pursuant  
14 to this rule shall provide, install, maintain in calibration, and continuously operate  
15 instruments and monitoring devices, as specified by the Air Pollution Control Officer,  
16 for indicating temperature, pressure or other operating conditions.

17 For the purpose of this prohibition, "reduction" is defined as any heated process, including  
18 rendering, cooking, drying, dehydrating, digesting, evaporating and protein concentrating.

19  
20  
21 **RULE 1-480 - ORCHARD, VINEYARD, AND CITRUS GROVE HEATERS**

22  
23 (a) No new orchard, vineyard or citrus grove heater produced or manufactured shall be sold for use  
24 against frost damage unless the California Air Resources Board has approved it. (Health and  
25 Safety Code, Section 41860)

26  
27 (b) No person shall use any orchard, vineyard or citrus grove heater unless of a type from an  
28 approved listing by the California Air Resources Board which does not produce more than one  
29 gram per minute of unconsumed solid carbonaceous material. (Health and Safety Code, Section  
30 41860)

31  
32  
33 **RULE 1-482 - PETROLEUM LOADING AND STORAGE**

34  
35 (a) All petroleum storage tanks in excess of 40,000 gallons capacity shall conform to the  
36 requirements of Rule 1-490.

37  
38 (b) No person shall install or maintain any stationary gasoline tank with a capacity of 250 gallons  
39 or more that is not equipped for loading through a permanent submerged fill pipe. (Health and  
40 Safety Code, Section 41950)

41  
42 (1) For the purpose of Rule 1-482(b) "gasoline" means any petroleum distillate having a  
43 Reid vapor pressure of four pounds or greater.

44  
45 (2) For the purpose of Rule 1-482(b) "submerged fill pipe", means any fill pipe that has its  
46 discharge opening entirely submerged when the liquid level is six inches above the  
47 bottom of the tank. "Submerged fill pipe" when applied to a tank that is loaded from  
48 the side, means any fill pipe that has its discharge opening entirely submerged when  
49 the liquid level is 18 inches above the bottom of the tank.

50 (c) The requirements of Rule 1-482(b) shall not apply:

- 1  
2 (1) To any stationary tanks installed prior to December 31, 1970.  
3  
4 (2) To any stationary tank that is used primarily for the fueling of implements used in  
5 agricultural operations.  
6  
7 (3) To any "pressure tank" that maintains working pressure sufficient at all times to  
8 prevent hydrocarbon vapor or gas loss to the atmosphere.  
9  
10 (4) To any tank equipped with a "vapor recovery system" consisting of a vapor gathering  
11 system capable of collecting the hydrocarbon vapors and gases discharged and a vapor  
12 disposal system capable of processing such vapors and gases so as to prevent their  
13 emission into the atmosphere, with all tank gauging and sampling devices gastight  
14 except when gauging or sampling is taking place.  
15  
16 (5) To any tank equipped with a "floating roof" that consists of a pontoon-type or double-  
17 deck-type roof, resting on the surface of the liquid contents and equipped with a  
18 closure seal, or seals, to close the space between the roof edge and tank wall. A  
19 floating roof tank shall not be used if the gasoline or petroleum distillate has a vapor  
20 pressure of 570 millimeters of mercury absolute (11.0 pounds per square inch  
21 absolute) or greater, under actual storage conditions. All tank gauging and sampling  
22 devices shall be gastight except when gauging or sampling is taking place.  
23  
24

25 **RULE 1-490 - FEDERAL NEW SOURCE PERFORMANCE STANDARDS (NSPS)**  
26

- 27 (a) The provisions of Part 60, Chapter 1, Title 40 of the Code of Federal Regulations (40 CFR Part  
28 60), Standards of Performance for New Stationary Sources, that are in effect at the time of  
29 reading are incorporated herein as a part of the Rules and Regulations of the Mendocino  
30 County Air Quality Management District. All new sources of air contaminants or  
31 modifications to existing sources shall comply with the rules, standards, criteria and  
32 requirements set forth in those provisions. For the purpose of this rule, the word  
33 "Administrator" as used in the federal new source performance standards shall mean the Air  
34 Pollution Control Officer of the District, except that the Air Pollution Control Officer shall not  
35 be empowered to approve alternate or equivalent test methods nor alternative standards or work  
36 practices. Other deviations from these federal standards as presented in the Code of Federal  
37 Regulations and that were ordered by the District Board to suit the needs of the District shall be  
38 noted in the affected Subpart. As of May 6, 2003 there are no deviations.  
39

40 [Amended 4/6/93; 5/6/03]  
41

- 42 (b) Whenever any source is subject to more than one rule, regulation, provision, or requirement  
43 relating to the control of any air contaminant, in cases of conflict or duplication, the most  
44 stringent rule, regulation provision, or requirement shall apply.  
45



1 (c) For the purpose of Federal enforcement:

2 Notes:

- 3 (1) The emissions averaging periods specified in the federal standard are deleted  
4 and replaced with 24-hour maximum emissions averaging periods for affected  
5 facilities in the District.
- 6 (2) The observation of a leak in excess of the requirements of the rule constitutes a  
7 violation of the rule.
- 8 (3) California Air Resources Board (CARB) Certification and Test Procedures for  
9 Vapor Recovery Systems of Gasoline Delivery Tanks shall be followed in lieu  
10 of the federal procedure as shown in the CFR. Documentation and record  
11 keeping requirements shall record results of CARB Certification Tests.  
12

13  
14 **RULE 1-492 - NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR**  
15 **POLLUTANTS (NESHAPs)**  
16

17 The provisions of Part 61, Chapter 1, Title 40 of the Code of Federal Regulations (40 CFR, Part 61)  
18 National Emission Standards for Hazardous Air Pollutants are incorporated herein as a part of the  
19 Rules and Regulations of the Mendocino County Air Quality Management District. For the purpose  
20 of this rule, the word "Administrator" as used in these national emission standards for hazardous air  
21 pollutants shall mean the Air Pollution Control Officer of the District, except that the Air Pollution  
22 Control Officer shall not be empowered to approve alternate or equivalent test methods nor  
23 alternative standards/work practices. Other deviations from these federal standards as presented in  
24 the CFR and that were ordered by the Mendocino County Air Quality Management District Board  
25 to suit the needs of the District shall be noted in the affected Subpart. As of May 6, 2003 there are  
26 no deviations. Whenever any source is subject to more than one rule, regulation, provision, or  
27 requirement relating to the control of any air contaminant, in cases of conflict or duplication, the  
28 most stringent rule, regulation, provision, or requirement shall apply.  
29

30 [Amended 5/6/03]