

PLACER COUNTY AIR POLLUTION CONTROL DISTRICT

**RULE 507 FEDERAL OPERATING PERMIT PROGRAM**

*(Adopted 10-19-93) (Amended 08-24-95, 04-17-01)*

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**100 GENERAL**

**101 PURPOSE:** To establish procedures and requirements for an operating permit system consistent with the requirements of Title V of the Federal Clean Air Act (CAA), as amended in 1990, and pursuant to 40 CFR Part 70. Title V provides for the establishment of operating permit programs for stationary sources which emit regulated air pollutants, including attainment and nonattainment pollutants. The effective date of this Rule is the date the District Board adopts the rule.

**102 APPLICABILITY:** Stationary sources subject to Rule 507 include major stationary sources, acid rain units subject to Title IV of the Federal Clean Air Act, solid waste incinerators subject to Section 111 or 129 of the Federal Clean Air Act, and any other stationary sources specifically designated by rule of the US Environmental Protection Agency. The sources listed below are subject to the requirements of this rule:

- 102.1 A major stationary source - Title V;
- 102.2 A stationary source with an acid rain unit for which application for an Acid Rain Permit is required pursuant to Title IV of the Federal Clean Air Act;
- 102.3 A solid waste incinerator subject to a performance standard promulgated pursuant to Section 111 or 129 of the Federal Clean Air Act;
- 102.4 Any other stationary source in a source category designated by rule of the US Environmental Protection Agency; and
- 102.5 Any stationary source that is subject to a standard or other requirement promulgated pursuant to Section 111 or 112 of the Federal Clean Air Act, published after July 21, 1992, that is designated as subject to the requirements of Title V of the Federal Clean Air Act in the standard or requirement.

Nothing in this rule relieves a permit applicant from any obligation to comply with any other applicable federal, state, or District orders, rules, and regulations, including the requirements to obtain permits as required by Rule 501, GENERAL PERMIT REQUIREMENTS, and Rule 502, NEW SOURCE REVIEW. The requirements in this rule shall augment and take precedence over conflicting administrative requirements of other provisions of the District's Rules and Regulations. Nothing in this rule limits the authority of the District to revoke or terminate a permit pursuant to Sections 40808, and 42307-42309 of the California Health and Safety Code (H&SC). A stationary source shall operate in compliance with permits to operate issued pursuant to this rule.

**110 EXEMPTION, SOURCES NOT SUBJECT TO RULE 507:** The stationary sources listed below are not subject to the requirements of Rule 507:

- 110.1 Any stationary source that would be required to obtain a permit solely because it is subject to 40 CFR Part 60, Subpart AAA (Standards of Performance for New Residential Wood Heaters);
- 110.2 Any stationary source that would be required to obtain a permit solely because it is subject to 40 CFR Part 61, Subpart M, Section 145 (National Emission Standards for Asbestos, Standard for Demolition and Renovation);
- 110.3 Any other source in a source category deferred by US Environmental Protection

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Agency rulemaking, unless such source is otherwise subject to Title V (i.e., it is a major source).

## 200 DEFINITIONS

For the purposes of this rule the following definitions apply:

**201 ACID RAIN UNIT:** An "acid rain unit" is any fossil fuel-fired combustion device that is an affected unit under 40 CFR Part 72.6 and therefore subject to the requirements of Title IV (Acid Deposition Control) of the Federal Clean Air Act.

**202 ADMINISTRATIVE PERMIT AMENDMENT:** An "administrative permit amendment" is an amendment to a permit to operate which:

202.1 Corrects a typographical error;

202.2 Identifies a minor administrative change at the stationary source; for example, a change in the name, address, or phone number of any person identified in the permit;

202.3 Requires more frequent monitoring or reporting by a responsible official of the stationary source; or

202.4 Transfers ownership or operational control of a stationary source, provided that, prior to the transfer, the Air Pollution Control Officer receives a written agreement which specifies a date for the transfer of permit responsibility, coverage, and liability from the current to the prospective permittee.

**203 AFFECTED STATE:** An "affected state" is any state that: 1) is contiguous with California and whose air quality may be affected by a permit action, or 2) is within 50 miles of the stationary source for which a permit action is being proposed.

**204 AIR POLLUTION CONTROL OFFICER (APCO):** "Air Pollution Control Officer" refers to the air pollution control officer of the Placer County Air Pollution Control District, or his/her designee.

**205 APPLICABLE FEDERAL REQUIREMENT:** An "applicable federal requirement" is any requirement which is enforceable by the US Environmental Protection Agency and citizens pursuant to Section 304 of the Federal Clean Air Act and is set forth in, or authorized by, the Federal Clean Air Act or a US Environmental Protection Agency regulation. An "applicable federal requirement" includes any requirement of a regulation in effect at permit issuance and any requirement of a regulation that becomes effective during the term of the permit. Applicable federal requirements include:

205.1 Title I requirements of the Federal Clean Air Act, including:

a. New Source Review requirements in the State Implementation Plan approved by the US Environmental Protection Agency and the terms and conditions of the preconstruction permit issued pursuant to an approved New Source Review rule;

b. Prevention of Significant Deterioration (PSD) requirements and the terms and conditions of the PSD permit (40 CFR Part 52);

c. New Source Performance Standards (40 CFR Part 60);

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- d. National Ambient Air Quality Standards, increments, and visibility requirements as they apply to portable sources required to obtain a permit pursuant to Section 504(e) of the Federal Clean Air Act;
- e. National Emissions Standards for Hazardous Air Pollutants (40 CFR Part 61);
- f. Maximum Achievable Control Technology or Generally Available Control Technology Standards (40 CFR Part 63);
- g. Risk Management Plans and plan preparation and registration requirements (Section 112(r) of the Federal Clean Air Act);
- h. Solid Waste Incineration requirements (Sections 111 or 129 of the Federal Clean Air Act);
- i. Consumer and Commercial Product requirements (Section 183 of the Federal Clean Air Act);
- j. Tank Vessel requirements (Section 183 of the Federal Clean Air Act);
- k. District prohibitory rules that are approved into the State Implementation Plan;
- l. Standards or regulations promulgated pursuant to a Federal Implementation Plan; and
- m. Enhanced Monitoring and Compliance Certification requirements (Section 114(a)(3) of the Federal Clean Air Act).

205.2 Title III, Section 328 (Outer Continental Shelf) requirements of the Federal Clean Air Act (40 CFR Part 55);

205.3 Title IV (Acid Deposition Control) requirements of the Federal Clean Air Act (40 CFR Parts 72, 73, 75, 76, 77, 78 and regulations implementing Sections 407 and 410 of the Federal Clean Air Act);

205.4 Title VI (Stratospheric Ozone Protection) requirements of the Federal Clean Air Act (40 CFR Part 82); and

205.5 Monitoring and Analysis requirements (Section 504(b) of the Federal Clean Air Act).

**206 CALIFORNIA AIR RESOURCES BOARD (ARB):** "California Air Resources Board" refers to the Air Resources Board of the State of California.

**207 CLEAN AIR ACT (CAA):** "Clean Air Act" or "Federal Clean Air Act" refers to the federal Clean Air Act as amended in 1990 (42 U.S.C. Section 7401 et seq.).

**208 CODE OF FEDERAL REGULATIONS:** "Code of Federal Regulations" refers to the United States Code of Federal Regulations.

**209 COMMENCE OPERATION:** "Commence operation" is the date of initial operation of an emissions unit, including any start-up or shakedown period authorized by a temporary permit

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to operate issued pursuant to Section 42301.1 of the California Health and Safety Code.

- 210 DIRECT EMISSIONS:** "Direct emissions" are emissions that may reasonably pass through a stack, chimney, vent, or other functionally-equivalent opening.
- 211 DISTRICT:** "District" refers to the Placer County Air Pollution Control District.
- 212 EMERGENCY:** An "emergency" is any situation arising from a sudden and reasonably unforeseeable event beyond the control of a permittee (e.g., an act of God) which causes the exceedance of a technology-based emission limitation under a permit and requires immediate corrective action to restore compliance. An "emergency" shall not include noncompliance as a result of improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.
- 213 EMISSIONS UNIT:** An "emissions unit" is any identifiable article, machine, contrivance, or operation which emits, may emit, or results in the emissions of, any regulated air pollutant or Hazardous Air Pollutant (HAP) directly or as fugitive emissions. With the exception of HAP sources, the fugitive emissions of a source shall not be considered in determining whether it is a major stationary source, unless the source belongs to one of the categories of stationary sources listed in 40 CFR 70.2, "Definitions", "Major Source" (2).
- 214 FEDERALLY-ENFORCEABLE CONDITION:** A "federally-enforceable condition" is any condition set forth in the Title V permit to operate which addresses an applicable federal requirement or a voluntary emissions cap.
- 215 FUGITIVE EMISSIONS:** Emissions from unintended openings in process equipment, emissions occurring from miscellaneous activities relating to the operation of a facility, and those emissions which do not pass through a stack, chimney, vent, or other functionally equivalent opening.
- 216 HAZARDOUS AIR POLLUTANT (HAP):** Any air pollutant listed pursuant to Section 112(b) of the Federal Clean Air Act as amended in 1990 (42 U.S.C. Section 7401 et seq.).
- 217 HEALTH AND SAFETY CODE (H&SC):** "Health and Safety Code" refers to the California Health and Safety Code.
- 218 INITIAL PERMIT:** An "initial permit" is the first operating permit for which a stationary source submits an application that addresses the requirements of the federal operating permits program as implemented by this rule.
- 219 MAJOR STATIONARY SOURCE:** For the purpose of this rule a major stationary source is defined as follows:
- 219.1 A major source, as defined in Section 112 of the Federal Clean Air Act, with the potential to emit 10 tons per year, or more, of any hazardous air pollutant listed pursuant to Section 112(b) of the Federal Clean Air Act; or 25 tons per year, or more, of any combination of hazardous air pollutants listed pursuant to Section 112(b) of the Federal Clean Air Act, or any lesser threshold as U.S. EPA may establish by rule. Fugitive hazardous air pollutant emissions shall be considered when determining whether a source is a major stationary source.
- 219.2 A stationary source with a potential to emit exceeding: **25** tons per year of nitrogen oxides, **25** tons per year of volatile organic compounds, 100 tons per year of sulfur

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dioxide, 100 tons per year of carbon monoxide, 100 tons per year of PM10, or 100 tons per year of a regulated air pollutant. Once a source is determined to be a major stationary source, all of its fugitive emissions shall be included in calculating the source's emissions. The fugitive emissions of a source shall not be considered in determining whether it is a major stationary source, unless the source belongs to one of the following categories of stationary sources listed in 40 CFR 70.2, "Definitions", "Major Source" (2):

1. Coal cleaning plants (with thermal dryers);
2. Kraft pulp mills;
3. Portland cement plants;
4. Primary zinc smelters;
5. Iron and steel mills;
6. Primary aluminum ore reduction plants;
7. Primary copper smelters;
8. Municipal incinerators capable of charging more than 250 tons of refuse per day;
9. Hydrofluoric, sulfuric, or nitric acid plant;
10. Petroleum refineries;
11. Lime plants;
12. Phosphate rock processing plants;
13. Coke oven batteries;
14. Sulfur recovery plants;
15. Carbon black plants (furnace process);
16. Primary lead smelters;
17. Fuel conversion plants;
18. Sintering plants;
19. Secondary metal production plants;
20. Chemical process plants;
21. Fossil-fuel boilers (or combination thereof) totaling more than 250 million British thermal units per hour heat input;
22. Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels;
23. Taconite ore processing plants;
24. Glass fiber processing plants;
25. Charcoal production plants;
26. Fossil-fuel-fired steam electric plants of more than 250 million British thermal units per hour heat input; or
27. All other stationary source categories regulated by a standard promulgated under Section 111 or 112 of the Federal Clean Air Act, but only with respect to those air pollutants that have been regulated for that category.

219.3 A source with a potential to emit which exceeds any lesser quantity emission threshold promulgated by the US Environmental Protection Agency.

**220 MINOR PERMIT MODIFICATION:** A "minor permit modification" is any modification to a federally-enforceable condition on a permit to operate which: A) is not a significant permit modification, and B) is not an administrative permit amendment. However, for modifications involving economic incentives, marketable permits, emissions trading, or other similar approaches, minor permit modification procedures may be used only to the extent provided for in the applicable implementation plan or applicable federal requirement.

**221 OPERATING SCENARIOS:** All modes of facility operation to be permitted, including normal operating conditions, start-up, and shutdown. This shall include all planned or reasonably

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foreseeable process, feed, and product changes. Operating scenarios must meet all applicable federal requirements.

**222 PERMIT MODIFICATION:** A "permit modification" is any addition, deletion, or revision to a permit to operate condition.

**223 POTENTIAL TO EMIT:** For the purposes of this rule, "potential to emit" as it applies to an emissions unit and a stationary source is defined below.

223.1 Potential to Emit of an Emissions Unit: The "potential to emit" of an emission unit is the maximum physical and operational design capacity of an emissions unit to emit a regulated air pollutant or HAP. Any limitation on the physical or operational design capacity, including emission control devices and restrictions on hours of operation, or on the type, or amount of material combusted, stored, or processed, may be considered as part of the design only if the limitation is set forth in permit conditions or in rules or regulations that are legally and practicably enforceable by U.S. EPA and citizens or by the District.

223.2 Potential to Emit of a Stationary Source: The "potential to emit" for a stationary source is the sum of the potential to emit from all emissions units at the stationary source. If two or more HAPs are emitted at a stationary source, the potential to emit for each of those HAPs shall be combined to determine applicability. Fugitive emissions shall be considered in determining the potential to emit for: 1) sources as specified in 40 CFR Part 70.2, "Definitions", "Major Source" (2), and 2) sources of HAP emissions. Notwithstanding the above, any HAP emissions from any oil or gas exploration or production well (with its associated equipment) and any pipeline compressor or pump station shall not be aggregated with emissions of similar units for the purpose of determining a major source of HAPs, whether or not such units are located in contiguous areas or are under common control.

**224 PRECONSTRUCTION PERMIT:** A "preconstruction permit" is a permit authorizing construction prior to construction and includes:

224.1 A preconstruction permit issued pursuant to a program for the prevention of significant deterioration of air quality required by Section 165 of the Federal Clean Air Act; or

224.2 A preconstruction permit issued pursuant to a new source review program required by Sections 172 and 173 of the Federal Clean Air Act or Rule 502, NEW SOURCE REVIEW.

**225 REGULATED AIR POLLUTANT:** A "regulated air pollutant" is any pollutant: 1) which is emitted into or otherwise enters the ambient air, and 2) for which the US Environmental Protection Agency has adopted an emission limit, standard, or other requirement. Regulated air pollutants include:

225.1 Oxides of nitrogen and volatile organic compounds;

225.2 Any pollutant for which a national ambient air quality standard has been promulgated pursuant to Section 109 of the Federal Clean Air Act;

225.3 Any pollutant subject to a New Source Performance Standard promulgated pursuant to Section 111 of the Federal Clean Air Act;



- 225.4 Any ozone-depleting substance specified as a Class I (chlorofluorocarbons) or Class II (hydrofluorocarbons) substance pursuant to Title VI of the Federal Clean Air Act; and
- 225.5 Any pollutant subject to a standard or requirement promulgated pursuant to Section 112 of the Federal Clean Air Act, including:
- a. Any pollutant listed pursuant to Section 112(r) of the Federal Clean Air Act (Prevention of Accidental Releases) shall be considered a "regulated air pollutant" upon promulgation of the list.
  - b. Any HAP subject to a standard or other requirement promulgated by the US Environmental Protection Agency pursuant to Section 112(d) or adopted by the District pursuant to 112(g) and (j) of the Federal Clean Air Act shall be considered a "regulated air pollutant" for all sources or categories of sources:
    - 1) upon promulgation of the standard or requirement, or 2) 18 months after the standard or requirement was scheduled to be promulgated pursuant to Section 112(e)(3) of the Federal Clean Air Act.
  - c. Any HAP subject to a District case-by-case emissions limitation determination for a new or modified stationary source, prior to the US Environmental Protection Agency promulgation or scheduled promulgation of an emissions limitation shall be considered a "regulated air pollutant" when the determination is made pursuant to Section 112(g)(2) of the Federal Clean Air Act. In case-by-case emissions limitation determinations, the HAP shall be considered a "regulated air pollutant" only for the individual stationary source for which the emissions limitation determination was made.

**226 RESPONSIBLE OFFICIAL:** A "responsible official" is an individual with the authority to certify that a stationary source complies with all applicable federal requirements and federally-enforceable conditions of permits issued to sources in accordance with this rule. "Responsible official" means one of the following:

- 226.1 For a corporation, a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
- a. The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or
  - b. The delegation of authority to such representative is approved in advance by the Air Pollution Control Officer;
- 226.2 For a partnership or sole proprietorship, a general partner or the proprietor, respectively;
- 226.3 For a municipality, state, federal, or other public agency, either a principal executive officer or a ranking elected official; or
- 226.4 For an acid rain unit subject to Title IV (Acid Deposition Control) of the Federal Clean Air Act, the "responsible official" is the designated representative of that unit for any

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purposes under Title IV and this rule.

**227 SIGNIFICANT PERMIT MODIFICATION:** A "significant permit modification" is any modification to a federally-enforceable condition on a permit to operate which:

227.1 Involves any modification under Section 112(g) of Title I of the Federal Clean Air Act or under US Environmental Protection Agency regulations promulgated pursuant to Title I of the Federal Clean Air Act, including 40 CFR Parts 51, 52, 60, 61, and 63;

227.2 Significantly changes monitoring conditions;

227.3 Provides for the relaxation of any reporting or recordkeeping conditions;

227.4 Involves a permit term or condition which allows a source to avoid an applicable federal requirement, including: 1) a federally-enforceable voluntary emissions cap assumed in order to avoid triggering a modification requirement of Title I of the Federal Clean Air Act, or 2) an alternative HAP emission limit pursuant to Section 112(l)(5) of the Federal Clean Air Act;

227.5 Involves a case-by-case determination of any emission standard or other requirement; or

227.6 Involves a source-specific determination for ambient impacts, visibility analysis, or increment analysis on portable sources.

**228 SOLID WASTE INCINERATOR:** A "solid waste incinerator" is any incinerator which burns solid waste material from commercial, industrial, medical, general public sources (e.g., residences, hotels, or motels), or other categories of solid waste incinerators subject to a performance standard promulgated pursuant to Sections 111 or 129 of the Federal Clean Air Act.

The following incinerators are excluded from the definition of "solid waste incinerator" for the purpose of this rule:

228.1 Any hazardous waste incinerator required to obtain a permit under the authority of Section 3005 of the Solid Waste Disposal Act (42 U.S.C. Section 6925);

228.2 Any materials recovery facility which primarily recovers metals;

228.3 Any qualifying small power production facility as defined in 16 U.S.C.A. Section 796(17)(C);

228.4 Any qualifying cogeneration facility which burns homogenous waste for the production of energy as defined in 16 U.S.C.A. Section 796(18)(B); or

228.5 Any air curtain incinerator which burns only wood, yard, or clean lumber waste and complies with the opacity limitations to be established by the Administrator of the US Environmental Protection Agency.

**229 STATIONARY SOURCE:** For the purposes of this rule, a "stationary source" is any building, structure, facility, or installation (or any such grouping) that:

229.1 Emits, may emit, or results in the emissions of any regulated air pollutant or HAP;

- 229.2 Is located on one or more contiguous or adjacent properties;
- 229.3 Is under the ownership, operation, or control of the same person (or persons under common control) or entity; and
- 229.4 Belongs to a single major industrial grouping; for example, each building, structure, facility, or installation in the grouping has the same two-digit code under the system described in the 1987 Standard Industrial Classification Manual.

**230 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (U.S. EPA or US Environmental Protection Agency):** "United States Environmental Protection Agency" refers to the Administrator or appropriate delegee of the "United States Environmental Protection Agency".

**231 VOLUNTARY EMISSIONS CAP:** A "voluntary emissions cap" is an optional, federally-enforceable emissions limit on one or more emissions unit(s) which a source assumes in order to avoid an applicable federal requirement. The source remains subject to all other applicable federal requirements.

**300 STANDARDS**

**301 TITLE V APPLICATION SHIELD:** An existing stationary source shall not be subject to enforcement action by the Air Pollution Control Officer or US Environmental Protection Agency for operation without a Title V permit to operate if the stationary source has complied with all of the following requirements:

- 301.1 The responsible official has submitted a timely and complete Title V permit to operate application for an initial permit or for the five year renewal of a permit pursuant to Section 302; and
- 301.2 The Air Pollution Control Officer has not taken final action on the application; and
- 301.3 The stationary source is operated in accordance with the requirements of any valid permit to operate issued pursuant to Section 42301 of the California Health and Safety Code and any Title V permit to operate issued pursuant to this rule, notwithstanding expiration of this permit; and
- 301.4 The responsible official has honored all requests for further information by the Air Pollution Control Officer pursuant to Subsection 303.2(b); and
- 301.5 The Title V permit to operate has not been canceled, suspended or terminated.

The application shield does not apply to stationary sources applying for permit modifications. For permit modifications, a stationary source shall operate in accordance with the applicable federal requirements, the permit to operate issued pursuant to this rule and any temporary permit to operate issued pursuant to Section 42301.1 of the California Health and Safety Code.

**302 APPLICATION REQUIREMENTS:**

302.1 General: Stationary sources subject to this rule shall obtain Title V permits to operate pursuant to this rule. Each permit to operate issued pursuant to this rule shall contain conditions and requirements adequate to ensure compliance with:

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- a. All applicable provisions of Division 26 of the California Health and Safety Code, commencing with Section 39000;
- b. All applicable orders, rules, and regulations of the District and the California Air Resources Board (ARB);
- c. All applicable provisions of the applicable implementation plan required by the Federal Clean Air Act;
- d. Each applicable emission standard or limitation, rule, regulation, or requirement adopted or promulgated to implement the Federal Clean Air Act; and
- e. The requirements of all preconstruction permits issued pursuant to Parts C and D of the Federal Clean Air Act.

The operation of an emissions unit to which this rule is applicable without a permit or in violation of any applicable permit condition or requirement shall be a violation of this rule.

302.2 Application Submittal for Existing Stationary Sources: For a stationary source that is subject to the requirements of this rule on June 2, 1995, a responsible official of the stationary source shall submit a complete application for a Title V permit to operate to the Air Pollution Control Officer in accordance with the following:

- a. For existing sources with Standard Industrial Classification (SIC) of 4911, 3411, and 2421, as determined by the Air Pollution Control Officer, the complete application shall be submitted no later than September 2, 1995.
- b. For existing sources with Standard Industrial Classification (SIC) of 3674, 2431, and 4613, as determined by the Air Pollution Control Officer, the complete application shall be submitted no later than December 2, 1995.
- c. For existing sources with Standard Industrial Classification (SIC) of 3083, 2492, as determined by the Air Pollution Control Officer, and all other stationary sources subject to this rule and existing on or prior to June 2, 1995, the complete application shall be submitted no later than March 2, 1996.

302.3 Application Submittal for New or Modified Stationary Sources: For a stationary source that becomes subject to the requirements of this rule after June 2, 1995, and after obtaining any required preconstruction permits, a responsible official of the stationary source shall submit a complete application for a Title V permit to operate within 12 months of the source commencing operation or of otherwise becoming subject to this rule.

302.4 Application Submittal for Permit Renewal: For renewal of a permit, a responsible official of the stationary source shall submit a complete application for a Title V permit to operate to the Air Pollution Control Officer no earlier than 18 months and no later than 6 months before the expiration date of the current Title V permit to operate. Title V permits to operate for all emissions units at a stationary source shall undergo simultaneous renewal.

302.5 Sources with Existing Acid Rain Unit(s): For a source with an acid rain unit, a responsible official shall submit a standard District application and acid rain permit applications to the District. The applications shall be submitted within the following timeframe:

- a. If the source is subject to this rule because it is a major stationary source as defined in Section 219, applications shall be submitted within the timeframe specified in Subsections 302.2 or 302.3, above.
- b. If the source is subject to this rule only because the source has an acid rain unit for which an application for an Acid Rain Permit is required pursuant to Title IV of the Federal Clean Air Act, applications shall be submitted by January 1, 1996, or , if applicable, a later date established by 40 CFR Part 72.

302.6 Significant Permit Modification:

1. After obtaining any required pre-construction permits, a responsible official shall submit a standard District application for each emissions unit affected by a proposed permit revision that qualifies as a significant permit modification. Upon request by the Air Pollution Control Officer, the responsible official shall submit copies of the latest pre-construction permit for each affected emissions unit. The emissions unit(s) affected by the proposed permit modification shall not commence operation until the Air Pollution Control Officer takes final action to issue the revised permit or until the requirements of subsection b., below, are met.
2. An emissions unit may commence operation of change(s) in a proposed significant permit modification prior to final action by the Air Pollution Control Officer to issue the permit modification, provided:
  1. The stationary source has received and complies with a pre-construction permit under Section 112(g) of the CAA, or under pre-construction review programs either approved into the State Implementation Plan, or authorized by the provisions of 40 CFR Part 52.21, pursuant to Parts C and D of Title I of the CAA;
  2. The stationary source has received and complies with a temporary permit to operate issued pursuant to Rule 501, GENERAL PERMIT REQUIREMENTS;
  3. The stationary source submits an application for a significant permit modification within 12 months of commencing operation of the change(s);
  4. The change(s) is not prohibited by any permit conditions including

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those issued pursuant to this rule; and

5. The modified emissions unit(s) complies with all applicable federal requirements and rules and regulations of the District.

302.7 Minor Permit Modification:

1. After obtaining any required pre-construction permits, a responsible official shall submit a standard District application for each emissions unit affected by the proposed permit revision that qualifies as a minor permit modification. The emissions unit(s) affected by the proposed permit modification shall not commence operation until the Air Pollution Control Officer takes final action to approve the permit revision or until the requirements in subsection b., below, are met. In the application, the responsible official shall include the following:
  1. A description of the proposed permit revision, any change in emissions, and additional applicable federal requirements that will apply;
  2. Proposed permit terms and conditions; and
  3. A certification by a responsible official that the permit revision meets criteria for use of minor permit modification procedures and a request that such procedures be used.
2. After filing its minor permit modification application as required by subsection a., above, and prior to final action by the District to issue or deny the requested minor permit modification or to determine it is a significant permit modification, the stationary source may immediately make the change(s) in a proposed minor permit modification, provided:
  1. The modified emissions unit(s) complies with the conditions of any applicable pre-construction or temporary permit to operate issued pursuant to District rules and regulation;
  2. The modified emissions unit(s) complies with all proposed permit terms and conditions identified in its minor permit modification application; and
  3. The change(s) does not violate any applicable federal requirement or any rule or regulation of the District.

3. Allowing a stationary source to make a change prior to permit issuance does not constitute final action and does not preclude the District from denying the change or requiring the change to be processed as a significant permit modification, nor does it preclude the U.S. EPA from objecting to the permit modification.
4. After the stationary source makes the change and before the minor permit modification is issued, the stationary source need not comply with the existing permit terms and conditions it seeks to modify. If the modified emissions unit(s) fails to comply with the terms and conditions of the proposed minor permit modification, the existing permit terms and conditions the stationary source seeks to modify may be enforced against it.

302.8 Acid Rain Unit Permit Modification: A permit modification of the acid rain portion of the operating permit shall be governed by regulations promulgated pursuant to Title IV of the Federal Clean Air Act.

### **303 APPLICATION CONTENT AND CORRECTNESS:**

303.1 Standard District Application: The standard District application submitted shall include the following information:

- a. Information identifying the source;
- b. Description of processes and products (by Standard Industrial Classification Code) including any associated with proposed alternative operating scenarios;
- c. Identification of fees specified in REGULATION 6, Rule 601, PERMIT FEES;
- d. A listing of all existing emissions units at the stationary source and identification and description of all points of emissions from the emissions units in sufficient detail to establish the applicable federal requirements and the basis for applicable fees to be assessed;
- e. Citation and description of all applicable federal requirements, information and calculations used to determine the applicability of such requirements and other information that may be necessary to implement and enforce such requirements;
- f. Calculation of all emissions, including fugitive emissions, in tons per year and

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in such terms as are necessary to establish compliance with the all applicable District, State, or federal requirements for the following:

1. All regulated air pollutants emitted from the source,
  2. Any HAP that the source has the potential to emit in quantities equal to or in excess of 10 tons per year, and
  3. If the source has the potential to emit two or more HAPs in quantities equal to or in excess of 25 tons per year, all HAPs emitted by the source;
- g. As these affect emissions from the source, the identification of fuels, fuel use, raw materials, production rates, operating schedules, limitations on source operation or workplace practices;
- h. An identification and description of air pollution control equipment and compliance monitoring devices or activities;
- I. Other information required by an applicable federal requirement;
- j. The information needed to define permit terms or conditions implementing a source's options for operational flexibility, including alternative operating scenarios, pursuant to Subsection 401.9;
- k. A compliance plan and compliance schedule with the following:
1. A description of the compliance status of each emissions unit within the stationary source with respect to applicable federal requirements,
  2. A statement that the source will continue to comply with such applicable federal requirements that the source is in compliance,
  3. A statement that the source will comply, on a timely basis, with future-effective requirements which have been adopted, and
  4. A description of how the source will achieve compliance with requirements for which the source is not in compliance;
- l. For a source not in compliance with any applicable federal requirement at the time of permit issuance, renewal, and modification (if the non-compliance is with units being modified), a schedule of compliance which resembles and is at least as stringent as that contained in any judicial consent decree,



administrative order, or schedule approved by the District hearing board if required by state law and which identifies remedial measures with specific increments of progress, a final compliance date, testing and monitoring methods, recordkeeping requirements, and a schedule for submission of certified progress reports to the U.S. EPA and the Air Pollution Control Officer at least every 6 months;

- m. A certification by a responsible official of all reports and other documents submitted for permit application, compliance progress reports at least every 6 months; statements on compliance status with any applicable enhanced monitoring, and compliance plans at least annually which shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete;
  - n. For a source with an acid rain unit, an application shall include the elements required by 40 CFR Part 72;
  - o. For a source of HAPs required to prepare a risk management plan pursuant to Section 112(r) of the Federal Clean Air Act, the application shall include verification that a risk management plan has been submitted to the authorized implementing agency or a compliance schedule for the submittal of such a plan shall be included in the permit to operate; and
  - p. For proposed portable sources, an application shall identify all locations of potential operation and how the source will comply with all applicable District, State, and federal requirements at each location.
  - q. Activities identified as insignificant in Appendix I of this rule based upon size and production rate shall be listed in the permit application. An application may not omit information needed to determine the applicability of, or to impose, any applicable requirement, or to evaluate the fee amount required in Section VII of this rule.
- 303.2 Correcting and Updating of a Title V Application: A responsible official of a source shall submit an accurate and complete application in accordance with the requirements of the District.
- a. Upon the written request of the Air Pollution Control Officer, a responsible official shall supplement any complete application with additional information relating to the Title V application within 30 days of the date the request is made.
  - b. A responsible official shall promptly provide additional information in writing

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to the Air Pollution Control Officer upon discovery of submittal of any inaccurate information as part of the application or as a supplement thereto, or of any additional relevant facts previously omitted which are needed for accurate analysis of the application.

- c. Intentional or negligent submittal of inaccurate information shall be reason for denial of an application.
- d. A responsible official shall submit to the Air Pollution Control Officer timely updates to the Title V permit to operate application as new requirements become applicable to the source.

**304 WRITTEN REQUESTS FOR DISTRICT ACTION:** A responsible official shall submit a written request to the Air Pollution Control Officer for the following permit actions:

304.1 Administrative Permit Amendment: For an administrative permit amendment, a responsible official may implement the change addressed in the written request immediately upon submittal of the request.

304.2 Permit Modification for a Condition that is not Federally Enforceable: For a permit modification for a condition that is not federally enforceable, a responsible official shall submit a written request in accordance with the requirements of Rule 501, GENERAL PERMIT REQUIREMENTS.

304.3 Permits to Operate for New Emissions Units: For permits to operate for a new emissions unit at a stationary source, a responsible official shall submit a written request in accordance with the requirements of Rule 501, GENERAL PERMIT REQUIREMENTS, except under the following circumstances:

- a. The construction or operation of the emissions unit is a modification under US Environmental Protection Agency regulations promulgated pursuant to Title I of the Federal Clean Air Act, including 40 CFR Parts 51, 52, 60, 61, 63;
- b. The construction or operation of the emissions unit is addressed or prohibited by permits for other emissions units at the stationary source;
- c. The emissions unit is an acid rain unit subject to Title IV of the Federal Clean Air Act; or
- d. The emissions unit is a major stationary source for the purpose of this rule.

In the circumstances specified in Subsections (a), (b), (c), or (d), above, a responsible

official shall apply for a permit to operate for the new emissions unit pursuant to the requirements of this rule.

- 304.4 Response to Permit Reopening For Cause: Upon notification by the Air Pollution Control Officer of a reopening of a permit for cause for an applicable federal requirement pursuant to Section 401.8, below, a responsible official shall respond to any written request for information by the Air Pollution Control Officer within 30 days of the post-marked date of the request, unless an extension for a longer period of time is agreed to in writing by the Air Pollution Control Officer.

## **400 ADMINISTRATIVE PROCEDURES**

### **401 DISTRICT ADMINISTRATIVE PROCEDURES:**

- 401.1 Completeness Review of Applications: The Air Pollution Control Officer shall determine if an application is complete and shall notify the responsible official of the determination within the following timeframes:

- a. For an initial permit, permit renewal, or a significant permit modification, within 60 days of receiving the application;
- b. For a minor permit modification, within 30 days of receiving the application;

The application shall be deemed complete unless the Air Pollution Control Officer requests additional information or otherwise notifies the responsible official that the application is incomplete within the timeframes specified above.

- 401.2 Notification of Completeness Determination: The Air Pollution Control Officer shall provide written notification of the completeness determination to the US Environmental Protection Agency, the ARB and any affected state and shall submit a copy of the complete application to the US Environmental Protection Agency within five working days of the determination. The Air Pollution Control Officer need not provide notification for applications from sources that are not major sources when the US Environmental Protection Agency waives such requirement for a source category by regulation or at the time of approval of the District operating permits program.

- 401.3 Application Processing Timeframes: The Air Pollution Control Officer shall act on a complete application in accordance with the procedures in Subsections 401.4, 401.5 and 401.6, below (except as application procedures for acid rain units are provided for under regulations promulgated pursuant to Title IV of the Federal Clean Air Act), and take final action within the following timeframes:

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- a. For an initial permit for a source subject to this rule on June 2, 1995, no later than June 2, 1998;
- b. For an initial permit for a source that becomes subject to this rule after June 2, 1995, no later than 18 months after the complete application is received;
- c. For a permit renewal, no later than 18 months after the complete application is received;
- d. For a significant permit modification, no later than 18 months after the complete application is received;
- e. For a minor permit modification, within 90 days after the application is received or 60 days after written notice to the US Environmental Protection Agency on the proposed decision, whichever is later; or
- f. For any permit application with early reductions pursuant to Section 112(l)(5) of the Federal Clean Air Act, within 9 months from the date a complete application is received.

401.4 Notification and Opportunity for Review of Proposed Decision: Within the applicable timeframe specified in Subsection 401.3 the Air Pollution Control Officer shall provide notice of and opportunity to review the proposed decision to issue a permit to operate in accordance with requirements in this Subsection.

- a. For Minor Permit Modifications: The Air Pollution Control Officer shall provide written notice of the proposed decision to the US Environmental Protection Agency, the ARB, and any affected state. Additionally, the District shall provide to the US Environmental Protection Agency (and, upon request, to the ARB or any affected state) copies of the proposed permit, the District analysis, and all necessary supporting information. The District analysis shall include a statement that sets forth the legal and factual basis for the proposed permit conditions, including references to the applicable statutory and regulatory provisions.
- b. For Initial Permits, Renewal of Permits, Significant Permit Modifications, and Reopenings For Cause: The Air Pollution Control Officer shall provide the following:
  - 1. Written notice, the proposed permit and, upon request, copies of the District analysis to interested persons or agencies. The District analysis shall include a statement that sets forth the legal and factual basis for the proposed permit conditions, including references to the applicable statutory and regulatory provisions. Interested persons or agencies shall include persons who have requested in writing to be notified of proposed Title V permit decisions, any affected state and the ARB.
  - 2. On or after providing written notice pursuant to Subsection (1), above, public notice that shall be published in at least one newspaper of general circulation in the District and, if necessary, by other means to assure adequate notice to the affected public. The notice shall provide the following information:

- A. The identification of the source, the name and address of permit holder, the activity(ies) and emissions change involved in the permit action;
- B. The name and address of the District, the name and telephone number of District staff to contact for additional information;
- C. The availability, upon request, of a statement that sets forth the legal and factual basis for the proposed permit conditions;
- D. The location where the public may inspect the complete application, the District analysis, and the proposed permit;
- E. A statement that the public may submit written comments regarding the proposed decision within at least 30 days from the date of publication and a brief description of commenting procedures, and
- F. A statement that members of the public may request the Air Pollution Control Officer to preside over a public hearing for the purpose of receiving oral public comment, if a hearing has not already been scheduled. The Air Pollution Control Officer shall provide notice of any public hearing scheduled to address the proposed decision, in at least one newspaper of general circulation and to parties that have requested such notice, at least 30 days prior to such hearing in accordance with Rule 701, PROCEDURE BEFORE THE HEARING BOARD.

- 3. A copy of the complete application, the District analysis and the proposed permit at District offices for public review and comment during normal business hours;
- 4. A written response, including reasons for not accepting comments and recommendations for a proposed permit, to persons or agencies that submitted written comments which are postmarked by the close of the public notice and comment period. All written comments and responses to such comments shall be sent to all commenters and kept on file at the District office and made available upon request.
- 5. After completion of the public notice and comment period pursuant to Subsection (1), above, written notice to the US Environmental Protection Agency of the proposed decision along with copies of the proposed permit, the District analysis, the public notice submitted for publication, the District's response to written comments, and all necessary supporting information.

401.5 Changes to the Proposed Decision Changes to the proposed decision shall be governed by the following procedure:

- a. The Air Pollution Control Officer may modify or change the proposed decision, the proposed permit, or the District analysis on the basis of information set forth in the comments received during the public comment period provided pursuant to Subsection 401.4(b)(2)(e) or due to further analysis of the Air Pollution Control

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Officer. Pursuant to Subsection 401.4(b)(5) the Air Pollution Control Officer shall forward any such modified proposed decision, the proposed permit, the District analysis, and all necessary supporting information to the US Environmental Protection Agency.

- b. If the US Environmental Protection Agency objects in writing to the proposed decision within 45 days of being notified of the decision and receiving a copy of the proposed permit and all necessary supporting information pursuant to Subsection 401.4(b)(5) the Air Pollution Control Officer shall not issue the permit. Also, if the public petitions the US Environmental Protection Agency within 60 days after the end of the US Environmental Protection Agency's 45-day review period and the permit has not yet been issued, the Air Pollution Control Officer shall not issue the permit until US Environmental Protection Agency objections in response to the petition are resolved. The Air Pollution Control Officer shall either deny the application or revise and resubmit a permit which addresses the deficiencies identified in the US Environmental Protection Agency objection within the following timeframes:
  1. For initial permits, permit renewals, and significant permit modifications, within 90 days of receiving the US Environmental Protection Agency objection; or
  2. For minor permit modifications, within 90 days of receipt of the application or 60 days of the notice to US Environmental Protection Agency, whichever is later.

401.6 Final Decision: If the US Environmental Protection Agency does not object in writing within 45 days of the notice provided pursuant to Subsection 401.4(b)(5) or the Air Pollution Control Officer submits a revised permit pursuant to Subsection 401.5(a) the Air Pollution Control Officer shall, expeditiously, deny the application or issue the final permit to operate. In any case, the Air Pollution Control Officer shall take final action on an application within the applicable timeframe specified in Subsection 401.3. Failure of the Air Pollution Control Officer to act on a permit application or permit renewal application in accordance to the timeframes provided in Subsection 401.3, shall be considered final action for purposes of obtaining judicial review to require that action on the application be taken expeditiously.

Written notification of the final decision shall be sent to the responsible official of the source, the US Environmental Protection Agency, the ARB and any person and affected state that submitted comments during the public comment period. The Air Pollution Control Officer shall submit a copy of a permit to operate as issued to the US Environmental Protection Agency and provide a copy to any person or agency requesting a copy. If the application is denied, the Air Pollution Control Officer shall provide reasons for the denial in writing to the responsible official along with the District analysis and cite the specific statute, rule, or regulation upon which the denial is based.

401.7 District Action on Written Requests: The Air Pollution Control Officer shall act on a written request of a responsible official for permit action using the applicable procedure specified in this Subsection.

- a. Administrative Permit Amendment: The Air Pollution Control Officer shall take final action no later than 60 days after receiving the written request for an administrative permit amendment.

1. After designating the permit revisions as an administrative permit amendment, the Air Pollution Control Officer may revise the permit without providing notice to the public or any affected state.
  2. The Air Pollution Control Officer shall provide a copy of the revised permit to the responsible official and the US Environmental Protection Agency.
  3. While the Air Pollution Control Officer need not make a completeness determination on a written request, the Air Pollution Control Officer shall notify the responsible official if the Air Pollution Control Officer determines that the permit can not be revised as an administrative permit amendment.
- b. Permit Modification for a Condition that is not Federally Enforceable: The Air Pollution Control Officer shall take action on a written request for a permit modification for a condition that is not federally enforceable in accordance with the requirements of Rule 501, GENERAL PERMIT REQUIREMENTS, under the following circumstances:
1. Any change at the stationary source allowed by the permit modification shall meet all applicable federal requirements and shall not violate any existing permit term or condition; and
  2. The Air Pollution Control Officer provides to the US Environmental Protection Agency a contemporaneous written notice describing the change, including the date, any change in emissions or air pollutants emitted, and any applicable federal requirement that would apply as a result of the change.
- c. Permits to Operate for New Emissions Units: The Air Pollution Control Officer shall take action on a written request for a permit to operate for a new emissions unit in accordance with the requirements for of Rule 501, GENERAL PERMIT REQUIREMENTS, under the circumstances specified in Subsection 401.7(b)(1) and 401.7(b)(2), above. However, if Subsections 304.3(a), 304.3(b), 304.3(c), or 304.3(d) apply, the Air Pollution Control Officer shall require the submittal of a standard District application and take action on that application pursuant to the requirements of this rule.
- 401.8 Permit Reopening for Cause: The Air Pollution Control Officer shall reopen and revise a permit to operate during the annual review period required by Section 42301(c) of the California Health and Safety Code, or petition the District hearing board to do so pursuant to Section 42307 of the California Health and Safety Code, whichever is applicable, prior to its expiration date upon discovery of cause for reopening or upon notification of cause for reopening by the US Environmental Protection Agency, or within 18 months of promulgation of a new applicable federal requirement. The Air Pollution Control Officer shall act only on those parts of the permit for which cause to reopen exists.
- a. Circumstances that are cause for reopening and revision of a permit include, but are not limited to, the following:
    1. The need to correct a material mistake or inaccurate statement;

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2. The need to revise or revoke a permit to operate to assure compliance with applicable federal requirements;
  3. The need to incorporate any new, revised, or additional applicable federal requirements, if the remaining authorized life of the permit is 3 years or greater, no later than 18 months after the promulgation of such requirement (where less than 3 years remain in the authorized life of the permit, the Air Pollution Control Officer shall incorporate these requirements into the permit to operate upon renewal); or
  4. The need to reopen a permit issued to acid rain unit subject to Phase II of Title IV of the Federal Clean Air Act to include:
    - A. Oxides of nitrogen requirements prior to January 1, 1999, and
    - B. Additional requirements promulgated pursuant to Title IV as they become applicable to any acid rain unit governed by the permit.
- b. In processing a permit reopening, the Air Pollution Control Officer shall use the same procedures as for an initial permit and additionally:
1. Provide written notice to a responsible official and the US Environmental Protection Agency at least 30 days, or a shorter period in the case of an emergency, prior to reopening a permit; and
  2. Complete action to revise the permit as specified in the notice of reopening within 60 days after the written notice to the US Environmental Protection Agency pursuant to Subsection 401.4(b)(5), if the US Environmental Protection Agency does not object, or after the Air Pollution Control Officer has responded to US Environmental Protection Agency objection pursuant to Subsection 401.5(b).
- 401.9 Options for Operational Flexibility: The Air Pollution Control Officer shall allow specified changes in operations at a source without requiring a permit revision for conditions that address an applicable federal requirement. The Air Pollution Control Officer shall not allow changes which constitute a modification under Title I of the Federal Clean Air Act or Rule 502, NEW SOURCE REVIEW, or that result in an exceedance of the emissions allowable under the permit, whether expressed therein as a rate of emissions or in terms of total emissions without revision to the permit. The source may gain operational flexibility through use of the following options:
- a. Alternative Operating Scenarios: The Air Pollution Control Officer shall allow the use of alternative operating scenarios provided that:
    1. Terms and conditions applicable to each operating scenario are identified by the responsible official in the permit application,
    2. The terms and conditions are approved by the Air Pollution Control Officer,
    3. The terms and conditions are incorporated into the permit; and
    4. The terms and conditions are in compliance with all applicable District,

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State, and federal requirements.

A permit condition shall require a contemporaneous log to record each change made from one operating scenario to another.

b. Voluntary Emissions Caps: The Air Pollution Control Officer shall issue a permit that contains terms and conditions that allow for trading of emissions increases and decreases within the stationary source solely for the purpose of complying with a voluntary emissions cap established in the permit independent of otherwise applicable federal requirements provided that:

1. The requirements of Subsections 401.9(a)(1), 401.9(a)(3), and 401.9(a)(4) are met;
2. The terms and conditions are approved by the Air Pollution Control Officer as quantifiable and enforceable; and
3. The terms and conditions are consistent with the applicable preconstruction permit.

A permit condition shall require that a responsible official provide written notice to the US Environmental Protection Agency and Air Pollution Control Officer 30 days in advance of a change by clearly requesting operational flexibility under this Subsection. The written notice shall describe the change, identify the emissions unit which will be affected, the date on which the change will occur and the duration of the change, any change in emissions of any air pollutant, whether regulated or not, and any new emissions of any air pollutant not emitted before the change, whether regulated or not.

c. Contravening an Express Permit Condition: The Air Pollution Control Officer shall allow for changes in operation that contravene an express condition addressing an applicable federal requirement in a permit to operate provided that:

1. The change will not violate any applicable federal requirement;
2. The change will not contravene federally-enforceable conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements;
3. The change is not a modification under Title I of the Federal Clean Air Act or any provision of Rule 502, NEW SOURCE REVIEW;
4. The change does not result in exceeding the emissions allowable under the permit, whether expressed therein as a rate of emissions or in terms of total emissions;
5. Written notice is given to the US Environmental Protection Agency and Air Pollution Control Officer 30 days in advance of a change, and the notice clearly indicates which term or condition will be contravened, requests operational flexibility under this Subsection, describes the change, identifies the emissions units which will be affected, the date on which the change will occur, the duration of the change, any change in emissions of any air pollutant, whether regulated or not, and any new emissions of any air pollutant not emitted before the change, whether regulated or not; and

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6. The Air Pollution Control Officer has not provided a written denial pursuant to Subsections (1), (2), (3), (4) and (5), above, to the responsible official within 30 days of receipt of the request for an operational change. The written denial shall identify which of the requirements of Subsections (1), (2), (3), (4) and (5), above, have not been satisfied.

#### **402 PERMIT CONTENT REQUIREMENTS:**

A permit-to-operate shall contain permit conditions that will assure compliance with all applicable federal requirements.

402.1 Incorporation of Applicable Federal Requirements: A permit to operate shall incorporate all applicable federal requirements as permit conditions. The following procedure shall be used to incorporate an applicable federal requirement as a permit condition:

- a. A permit condition that addresses an applicable federal requirement shall be specifically identified in the permit, or otherwise distinguished from any requirement that is not federally enforceable;
- b. Where an applicable federal requirement and a similar requirement that is not federally enforceable apply to the same emissions unit, both shall be incorporated as permit conditions, provided that they are not mutually exclusive; and
- c. Where an applicable federal requirement and a similar requirement that is not federally enforceable apply to the same emissions unit and are mutually exclusive (e.g., require different air pollution control technology), the requirement specified in the preconstruction permit (or, in the case of sources without preconstruction permits, the more stringent requirement) shall be incorporated as a permit condition and the other requirement shall be referenced.

402.2 General Requirements: All permits to operate shall contain the conditions or terms consistent with 40 CFR Part 70.6 Permit Content, including:

- a. Emission and Operational Limitations: The permit shall contain conditions that require compliance with all applicable federal requirements, including any operational limitations or requirements.
- b. Preconstruction Permit Requirements: The permit shall include all of the preconstruction permit conditions for each emissions unit.
- c. Origin and Authority for Permit Conditions: The origin and authority for each permit term or condition shall be referenced in the permit.
- d. Equipment Identification: The permit shall identify the equipment to which a permit condition applies.
- e. Monitoring, Testing, and Analysis: The permit shall contain conditions that require monitoring, analytical methods, compliance certification, test methods, equipment management, and statistical procedures consistent with any applicable federal requirement, including those pursuant to Sections 114(a)(3) and 504(b) of the Federal Clean Air Act, and 40 CFR Part 64. Periodic monitoring shall be required as a condition to ensure that the monitoring is sufficient to yield reliable data which are representative of the source's compliance with permit conditions over

the relevant time period.

- f. Recordkeeping: The permit shall include recordkeeping conditions that require:
  - 1. Record maintenance of all monitoring and support information associated with any applicable federal requirement, including:
    - A. Date, place, and time of sampling;
    - B. Operating conditions at the time of sampling; and
    - C. Date, place, and method of analysis; and
    - D. Results of the analysis;
  - 2. Retention of records of all required monitoring data and support information for a period of at least five years from the date of sample collection, measurement, report, or application; and
  - 3. Any other recordkeeping deemed necessary by the Air Pollution Control Officer to ensure compliance with all applicable federal requirements.
  
- g. Reporting: The permit shall include reporting conditions that require the following:
  - 1. Any deviation from permit requirements, including that attributable to upset conditions (as defined in the permit), shall be promptly reported to the Air Pollution Control Officer who will determine what constitutes "prompt" reporting in terms of the requirement, the degree, and type of deviation likely to occur;
  - 2. A monitoring report shall be submitted at least every six months and shall identify any deviation from permit requirements, including that previously reported to the Air Pollution Control Officer in accordance with Subsection 402.2(g)(1);
  - 3. All reports of a deviation from permit requirements shall include the probable cause of the deviation and any preventative or corrective action taken;
  - 4. A progress report shall be made on a compliance schedule at least semi-annually and shall include: A) the date when compliance will be achieved, B) an explanation of why compliance was not, or will not be, achieved by the scheduled date, and C) a log of any preventative or corrective action taken; and
  - 5. Each monitoring report shall be accompanied by a written statement from the responsible official which certifies the truth, accuracy, and completeness of the report.
  
- h. Compliance Plan: The permit shall include a compliance plan that:
  - 1. Describes the compliance status of an emissions unit with respect to each applicable federal requirement;
  - 2. Describes how compliance will be achieved if an emissions unit is not in

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- compliance with an applicable federal requirement at the time of permit issuance;
3. Assures that an emissions unit will continue to comply with those permit conditions with which it is in compliance; and
  4. Assures that an emissions unit will comply, on a timely basis, with any applicable federal requirement that will become effective during the permit term.
- i. Compliance Schedule: The permit shall include a compliance schedule for any emissions unit which is not in compliance with current applicable federal requirements at the time of permit issuance, renewal, and modification (if the non-compliance is with units being modified). The compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree, administrative order, or schedule approved by the District hearing board if required by state law and shall require:
1. A statement that the emissions unit will continue to comply with those permit conditions with which it is in compliance;
  2. A statement that the emissions unit will comply, on a timely basis, with an applicable federal requirement that will become effective during the permit term.
  3. For each condition with which the emissions unit is not in compliance with an applicable federal requirement, a schedule of compliance which lists all preventative or corrective activities, and the dates when these activities will be accomplished; and
  4. For each emissions unit that is not in compliance with an applicable federal requirement, a schedule of progress on at least a semi-annual basis which includes: A) the date when compliance will be achieved, B) an explanation of why compliance was not, or will not be, achieved by the scheduled date, and C) a log of any preventative or corrective actions taken.
- j. Right of Entry: The permit shall require that the source allow the entry of the District, ARB, or US Environmental Protection Agency officials for the purpose of inspection and sampling, including:
1. Inspection of the stationary source, including equipment, work practices, operations, and emission-related activity;
  2. Inspection and duplication of records required by the permit to operate; and
  3. Source sampling or other monitoring activities.
- k. Compliance with Permit Conditions: The permit shall include the following provisions regarding compliance:
1. The permittee shall comply with all permit conditions;

2. The permit does not convey property rights or exclusive privilege of any sort;
  3. The non-compliance with any permit condition is grounds for permit termination, revocation and reissuance, modification, enforcement action, or denial of permit renewal;
  4. The permittee shall not use the "need to halt or reduce a permitted activity in order to maintain compliance" as a defense for non-compliance with any permit condition;
  5. A pending permit action or notification of anticipated non-compliance does not stay any permit condition; and
  6. Within a reasonable time period, the permittee shall furnish any information requested by the Air Pollution Control Officer, in writing, for the purpose of determining: 1) compliance with the permit, or 2) whether or not cause exists for a permit or enforcement action.
- I. Emergency Provisions: The permit shall include the following emergency provisions:
1. The permittee shall comply with the requirements of Rule 404, UPSET CONDITIONS, BREAKDOWN AND SCHEDULED MAINTENANCE, and the emergency provisions contained in all applicable federal requirements.
  2. Within two weeks of an emergency event, the responsible official shall submit to the District a properly signed, contemporaneous log or other relevant evidence which demonstrates that:
    - A. An emergency occurred;
    - B. The permittee can identify the cause(s) of the emergency; and
    - C. The facility was being properly operated at the time of the emergency; and
    - D. All steps were taken to minimize the emissions resulting from the emergency; and
    - E. Within two working days of the emergency event, the permittee provided the district with a description of the emergency and any mitigating or corrective actions taken; and
  3. In any enforcement proceeding, the permittee has the burden of proof for establishing that an emergency occurred.
- m. Severability: The permit shall include a severability clause to ensure the continued validity of otherwise unaffected permit requirements in the event of a challenge to any portion of the permit.
- n. Compliance Certification: The permit shall contain conditions for compliance certification which include the following requirements:

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1. The responsible official shall submit a compliance certification to the US Environmental Protection Agency and the Air Pollution Control Officer every 12 months or more frequently as specified in an applicable requirement or by the District. All compliance reports and other documents required to be submitted to the District by the responsible official shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete;
  2. The compliance certification shall identify the basis for each permit term or condition (e.g., specify the emissions limitation, standard, or work practice) and a means of monitoring compliance with the term or condition;
  3. The compliance certification shall include the compliance status and method(s) used to determine compliance for the current time period and over the entire reporting period; and
  4. The compliance certification shall include any additional inspection, monitoring, or entry requirement that may be promulgated pursuant to Sections 114(a) and 504(b) of the Federal Clean Air Act.
- o. Permit Life: With the exception of solid waste incinerators subject to Section 129(e) of the Federal Clean Air Act, each permit to operate for any source, including acid rain units subject to Title IV of the Federal Clean Air Act, shall include a condition for a fixed term of five years from the time of issuance. A permit to operate for a solid waste incinerator shall have a permit term of 12 years; however, the permit shall be reviewed at least every five years.
- p. Payment of Fees: The permit shall include a condition to ensure that appropriate permit fees are paid on schedule. If fees are not paid on schedule, the permit is forfeited. Operation without a permit subjects the source to potential enforcement action by the District and the US Environmental Protection Agency pursuant to Section 502(a) of the Federal Clean Air Act.
- q. Alternative Operating Scenarios: Where a responsible official requests that an alternative operating scenario be included in the permit for an emissions unit, the permit shall contain specific conditions for each operating scenario, including each alternative operating scenario. Each operating scenario, including each alternative operating scenario, identified in the permit must meet all applicable federal requirements and all of the requirements of this Section. Furthermore, the source is required to maintain a contemporaneous log to record each change from one operating scenario to another.
- r. Voluntary Emissions Caps: To the extent applicable federal requirements provide for averaging emissions increases and decreases within a stationary source without case-by-case approval, a responsible official may request, subject to approval by the Air Pollution Control Officer, to permit one or more emissions unit(s) under a voluntary emissions cap. The permit for each emissions unit shall include federally-enforceable conditions requiring that:
1. All applicable federal requirements, including those authorizing emissions averaging, are complied with;

2. No individual emissions unit shall exceed any emissions limitation, standard, or other requirement;
  3. Any emissions limitation, standard, or other requirement shall be enforced through continuous emission monitoring, where applicable; and
  4. All affected emissions units under a voluntary emissions cap shall be considered to be operating in violation of the permit, if the voluntary emissions cap is exceeded.
- s. Acid Rain Units Subject to Title IV: The permit for an acid rain unit shall include conditions that require compliance with any federal standard or requirement promulgated pursuant to Title IV (Acid Deposition Control) of the Federal Clean Air Act and any federal standard or requirement promulgated pursuant to Title V of the Federal Clean Air Act, except as modified by Title IV. Acid rain unit permit conditions shall include the requirements of 40 CFR Part 72.9 and the following provisions:
1. The sulfur dioxide emissions from an acid rain unit shall not exceed the annual emissions allowances (up to one ton per year of sulfur dioxide may be emitted for each emission allowance allotted) that the source lawfully holds for that unit under Title IV of the Federal Clean Air Act or the regulations promulgated pursuant to Title IV;
  2. Any increase in an acid rain unit's sulfur dioxide emissions authorized by allowances acquired pursuant to Title IV of the Federal Clean Air Act shall not require a revision of the acid rain portion of the operating permit provided such increases do not require permit revision under any other applicable federal requirement; and
  3. Although there is no limit on the number of sulfur dioxide emissions allowances held by a source, a source with an acid rain unit shall not use these emissions allowances as a defense for noncompliance with any applicable federal requirement or District requirement, including District Rule 502, NEW SOURCE REVIEW; and
  4. An acid rain unit's sulfur dioxide allowances shall be accounted for according to the procedures established in regulations promulgated pursuant to Title IV of the Federal Clean Air Act.
- t. Portable Sources: The permit for any portable source, which may operate at two or more locations, shall contain conditions that require the portable source to:
1. Meet all applicable District, State, and federal requirements at each location;
  2. Specify the monitoring methods, or other methods (e.g. air quality modeling) approved by the Air Pollution Control Officer, that will be used to demonstrate compliance with District, State, and federal requirements; and
  3. Notify the Air Pollution Control Officer ten working days prior to a change in location.

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- u. Permit Revision Exemption: No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit.

**403 SUPPLEMENTAL ANNUAL FEE:** The fees collected pursuant to this section shall supplement the fee requirements in District Regulation 6, FEES, if applicable.

403.1 Payment of Supplemental Fee: A responsible official shall pay an annual supplemental fee for a permit to operate pursuant to this rule as determined by the calculation method in Subsection 403.3, below, to meet an overall fee rate of \$25 per ton of fee-based emissions (CPI adjusted), unless Subsection 403.2, below, applies.

- a. "Fee-based emissions" means the actual rate of emissions in tons per year of any fee pollutant, including fugitive emissions, emitted from the stationary source over the preceding year or any other period determined by the Air Pollution Control Officer to be representative of normal operation. Fee-based emissions shall be calculated using each emission unit's actual operating hours, production rates, and in-place control equipment; types of material processed, stored, or combusted during the preceding calendar year, or other time period established by the Air Pollution Control Officer.
- b. "Fee pollutant" means oxides of nitrogen, volatile organic compounds, any pollutant for which a national ambient air quality standard has been promulgated by the US Environmental Protection Agency (excluding carbon monoxide), and any other pollutant that is subject to a standard or regulation promulgated by the US Environmental Protection Agency under the Federal Clean Air Act or adopted by the District pursuant to section 112(g) and (j) of the Federal Clean Air Act. Any air pollutant that is regulated solely because of a standard or regulation under section 112(r) of the Federal Clean Air Act for accidental release or under Title VI of the Federal Clean Air Act for stratospheric ozone protection shall not be included.
- c. "(CPI adjusted)" means adjusted by the percentage, if any, by which the Consumer Price Index of the year exceeds the Consumer Price Index for calendar year 1989. The value for (CPI adjusted) shall be obtained from the US Environmental Protection Agency.

403.2 No Supplemental Fee: There shall not be a supplemental annual fee if the total annual fee rate paid by the source under Rule 601, PERMIT FEES, equals or exceeds \$25 per ton of fee-based emissions (CPI adjusted).

403.3 Determination of Supplemental Fee: The supplemental annual fee shall be determined by completing the following steps:

**Step 1:** Calculation of Supplemental Annual Fee

$$s = [ \$25 \text{ per ton (CPI adjusted)} \times e ] - f$$

where:  $s$  = supplemental annual fee in dollars

$e$  = fee-based emissions in tons per year

$f$  = sum (in dollars) of annual fees under Rule 601, PERMIT FEES, that fund the direct and indirect costs associated with activities



related to the operating permits program as specified in section 502(b)(3)(A) of the Federal Clean Air Act, and its 1990 amendments.

**Step 2:** When the Supplemental Annual Fee is Zero

If "f" is equal to or greater than "[ \$25 per ton (CPI adjusted) x e ]", then "s" shall be zero and Subsection 403.2, above, applies. If "f" is less than "[ \$25 per ton (CPI adjusted) x e ]", then "s" shall be as calculated in Step 1.

- 403.4 Submittal of Information: The responsible official shall provide the Air Pollution Control District sufficient information to determine the supplemental fee.

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## Appendix I to Rule 507

### List of Title V Insignificant Activities

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## A. General Criteria for Insignificant Activities

An insignificant activity is any activity, process, or emissions unit which is not subject to a source-specific requirement of a State Implementation Plan, preconstruction permit, or federal standard<sup>1</sup> and which: 1) meets the ACriteria for Specific Source Categories≡ below; or 2) emits no more than 0.5 tons per year of a federal hazardous air pollutant (HAP)<sup>2</sup> and no more than two tons per year of a regulated pollutant that is not a HAP.

## B. Criteria for Specific Source Categories

### 1. Fugitive Emissions Sources Associated With Insignificant Activities

Any valves, flanges, and unvented (except for emergency pressure relief valves) pressure vessels associated with an insignificant activity on this list.

Justification: Insignificant air pollutant emissions from this source

### 2. Combustion and Heat Transfer Equipment

1. Any combustion equipment, other than a gas turbine, that has a maximum heat input rating of no more than five million British thermal units (mmBtu) per hour (gross) and is equipped to be fired exclusively with natural gas, liquefied petroleum gas, or any combination thereof, provided the fuel contains no more than five per cent by weight of hydrocarbons heavier than butane (as determined by American Society for Testing and Materials (ASTM) test method E-260-73) and no more than 0.75 grains of total sulfur per 100 cubic feet of gas (as determined by ASTM test method D-1072-80).

Justification:

$$100 \text{ lb NOx}/10^6 \text{ft}^3 * 5 \text{ mmBtu/hr}/1,050 \text{ mmBtu}/10^6 \text{ft}^3 = 0.5 \text{ lb NOx/hr}$$

(Reference AP-42)

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<sup>1</sup> Federal standards include: 40 CFR Parts 60 (New Source Performance Standards), 61 (National Emission Standards for Hazardous Air Pollutants), 63 (National Emission Standards for Hazardous Air Pollutants for Source Categories).

<sup>2</sup> HAPs are toxic substances listed pursuant to Section 112(b) of the Federal Clean Air Act.

2. Any piston-type internal combustion engine (ICE) with a manufacturer=s maximum continuous rating of no more than 50 braking horsepower (bhp).

Justification:

$$14 \text{ g NOx/hp-hr} * 50 \text{ hp}/454 \text{ g/lb} = 1.5 \text{ lb NOx/hr}$$

(Reference AP-42)

3. Any ICE which emits no more than 2 tons per year of NOx and is operated solely for the purpose of: 1) providing power when normal power service fails (service failure does not include voluntary power reductions); or 2) the emergency pumping of water.

Justification:

$$14 \text{ g NOx/hp-hr} * 300 \text{ bhp} * 100 \text{ hr/yr}/454 \text{ g/lb}/2,000 \text{ lb/ton} = 0.46 \text{ tons NOx/yr}$$

(Reference AP-42)

- d. Any non-electric space heater that is not a boiler.

Justification:

$$94 \text{ lb NOx}/10^6 \text{ ft}^3 * 60,000,000 \text{ Btu/hr} * 720 \text{ hr/yr}/1,000 \text{ Btu/scf} = 2 \text{ tons}$$

NO  
x/yr

*Note: An electric space heater should be considered a trivial activity.*

### 3. Cooling Towers

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Any water cooling tower which: 1) has a circulation rate of less than 10,000 gallons per minute; and 2) is not used to cool process water, water from barometric jets, or water from barometric condensers.

Justification:

$$0.019 \text{ lb PM}_{10}/1,000 \text{ gal/min} * 10,000 \text{ gal/min} * 60 \text{ min/hr} * 0.10 = 1.14 \text{ lb PM}_{10}/\text{hr}$$

#### 4. Printing and Reproduction Equipment

1. Any printing, coating, or laminating activity which uses no more than two gallons per day of graphic arts materials, including: inks, coatings, adhesives, fountain solutions, thinners, retarders, or cleaning solutions.

Justification:  $7.5 \text{ lb VOC/gal} * 2 \text{ gal/day} = 15 \text{ lb VOC/day}$

- b. Any photographic process equipment, and control equipment venting such equipment, which reproduces images upon material sensitized to radiant energy.

Justification: Insignificant air pollutant emissions from this source

- c. Any laser printing equipment.

Justification: Insignificant air pollutant emissions from this source

#### 5. Food Processing Equipment

1. Any oven in a food processing operation where less than 1,000 pounds of product are produced per day of operation.

Justification:

$$13.7 \text{ lb VOC}/2,000 \text{ lb product} * 1,000 \text{ lb product} = 6.9 \text{ lb VOC/day}$$

(Reference AP-42)

2. Any smokehouse in which the maximum horizontal inside cross section area does not exceed 20 square feet.

Justification:

$$0.3 \text{ lb PM}_{10}/\text{ton of meat} * 1 \text{ ton /day} = 0.3 \text{ lb PM}_{10}/\text{day}$$

$$0.6 \text{ lb CO}/\text{ton of meat} * 1 \text{ ton/day} = 0.6 \text{ lb CO/day}$$

(Reference AP-42)

3. Any confection cooker, and associated venting or control equipment, cooking edible products intended for human consumption.

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Justification: Insignificant air pollutant emissions from this source

6. Plastic and/or Rubber Processing

- a. Any hot-wire cutting of expanded polystyrene foam, provided such cutting is limited to packaging operations.

Justification: 20 cuts/day \* 0.27 lb VOC/cut = 5.4 lb VOC/day  
[San Diego APCD emission factor based on BASF Wyandotte Corporation industrial hygiene tests]

- b. Any equipment used exclusively for the extrusion or compression molding of rubber or plastics, provided no plasticizer or blowing agent is used.

Justification: Insignificant air pollutant emissions from this source

- c. Any oven used exclusively for curing, softening, or annealing plastics except for ovens used to cure fiberglass reinforced plastics.

Justification: Insignificant air pollutant emissions from this source

7. Storage Containers, Reservoirs, and Tanks - Fuel, Fuel Oil, Asphalt

- 1. Any temporary storage of gasoline in flexible containers to support equipment responding to an emergency or for the purposes of training to support such equipment.

Justification:  
 $11.5 \text{ lb VOC}/1,000 \text{ gal transferred} * 5,000 \text{ gal} * 2 \text{ transfers/yr} = 115 \text{ lb VOC/yr}$

- 2. Any equipment with a capacity of no more than 1,500 gallons used exclusively for the storage of gasoline.

Justification:  
Breathing losses =  
 $30.5 \text{ lb VOC}/1,000 \text{ gal capacity} * 1,500 \text{ gal capacity} = 45.8 \text{ lb VOC/yr}$   
Working losses =  
 $10 \text{ lb VOC}/1,000 \text{ gal throughput} * 12,000 \text{ gal throughput/yr} = 120 \text{ lb VOC/yr}$   
Total losses = 0.08 ton VOC/yr

- c. Any equipment with a capacity of no more than 19,800 gallons (471 barrels) used exclusively for the storage of petroleum distillates used as motor fuel with specific gravity 0.8251 or higher



[40° American Petroleum Institute (API) or lower] as determined by API test method 2547 or ASTM test method D-1298-80.

Justification: 0.03 lb/1,000 gal throughput  
(Reference U.S. EPA 450/4-90-003)

- d. Any equipment used exclusively for the storage of fuel oils or non-air-blown asphalt with specific gravity 0.9042 or higher (25° API or lower) as determined by API test method 2547 or ASTM test method D-1298-80.

Justification: 0.03 lb/1,000 gal throughput  
(Reference U.S. EPA 450/4-90-003)

#### 8. Storage Containers, Reservoirs, and Tanks - General Organic and VOC-containing Material

- 1. Any equipment used exclusively for the storage of unheated organic material with: 1) an initial boiling point of 150° Centigrade (C) [302° Fahrenheit (F)] or greater as determined by ASTM test method 1078-86); or 2) a vapor pressure of no more than five millimeters mercury (mmHg) [0.1 pound per square inch (psi) absolute] as determined by ASTM test method D-2879-86.

Justification:

0.39 lb VOC/1,000 gal storage capacity-yr \* 10,000 gal stored = 3.9 lb VOC/yr

0.007 lb VOC/1,000 gal storage capacity-yr

(Reference U.S. EPA 450/4-90-003 for propylene glycol)

- b. Any equipment with a capacity of no more than 250 gallons used exclusively for the storage of unheated organic liquid.

Justification:

30.5 lb VOC/1,000 gal storage capacity-yr \* 250 gal capacity = 7.62 lb VOC/yr

17.9 lb VOC/1,000 gal storage capacity-yr \* 250 gal capacity = 4.5 lb VOC/yr

(Reference U.S. EPA 450/4-90-003 for carbon tetrachloride)

- c. Any equipment with a capacity of no more than 6,077 gallons used exclusively for the underground storage of unheated organic liquid with a vapor pressure no more than 75 mm Hg (1.5 psi absolute) as determined by ASTM test method D-2879-86.

Justification:

3.6 lb VOC/1,000 gal storage capacity-yr \* 6,077 gal capacity = 21.9 lb VOC/yr

- d. Any transport, delivery, or cargo tank or equipment on vehicles used to deliver VOC-

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containing material.

Justification:

0.005 lb VOC/1,000 gal

(Reference U.S. EPA 450/4-90-003)

9. Storage Containers, Reservoirs, and Tanks - Inorganic Materials

Any equipment used exclusively for the storage of fresh, commercial or purer grade of: 1) sulfuric or phosphoric acid with acid content of no more than 99 per cent by weight; or 2) nitric acid with acid content of no more than 70 per cent by weight.

Justification: Insignificant air pollutant emissions from this source

10. Storage Containers, Reservoirs, and Tanks - Liquefied Gases

Any equipment used exclusively for the storage of liquified gases in unvented (except for emergency pressure-relief valves) pressure vessels.

Justification: Insignificant air pollutant emissions from this source

11. Compression and Storage of Dry Natural Gas

Any equipment used exclusively to compress or hold dry natural gas. Any ICE or other equipment associated with the dry natural gas should not be considered an insignificant activity unless such ICE or other equipment independently qualifies as an insignificant activity.

Justification: Insignificant air pollutant emissions from this source.

12. Transfer Equipment

1. Any transfer equipment when used with the equipment described in 7-11, above.

Justification: Please see justification for 7-11, above

2. Any equipment used exclusively to transfer crude oil, asphalt, or residual oil from a delivery vehicle.

Justification: 0.03 lb/1,000 gal transferred

(Reference U.S. EPA 450/4-90-003)

- c. Any equipment used exclusively for the transfer of crude oil with 0.8762 specific gravity or higher (30 degrees API or lower) as measured by API test method 2547 or ASTM test method D-1298-80.

Justification: Transfer emissions for heavy crude oil are much less than 1 lb/1,000 gal

- d. Any equipment used exclusively for the transfer of less than 4,000 gallons per day of: 1) unheated organic material with an initial boiling point of 150° C (302°F) or greater as determined by ASTM test method D-86; or 2) fuel oil with 0.8251 specific gravity or higher (40° API or lower) as determined by API test method 2547 or ASTM test method D-1298-80.

Justification: Less than 0.03 lb/1,000 gal transferred  
(Reference U.S. EPA 450/4-90-003)

### 13. Adhesive Application

Any adhesive operation in which no more than 173 gallons of adhesives are applied in a consecutive 12-month period.

Justification:  $11.1 \text{ lb VOC-HAP/gal} * 0.52 * 173 \text{ gal/year} = 0.5 \text{ TPY VOC-HAP}$

*A Note: Districts with SIP-approved adhesive rules should determine if insignificant adhesive application at a Title V facility should be less than 173 gallons/year.*

### 14. Surface Coating

1. Any equipment or activity using no more than one gallon per day of surface coating, or any combination of surface coating and solvent, which contains either VOC or hazardous air pollutants (HAP), or both.

Justification:  $7.5 \text{ lb VOC/gal} * 1 \text{ gal/day} = 7.5 \text{ lbVOC/day}$

- b. Any coating operation using less than 10, 950 gallons per year of coating(s) that contain less than 20 grams of VOC per liter.

Justification:  $0.16 \text{ lb VOC/gal} * 10,950 \text{ gal/year} = 1,752 \text{ lb VOC/yr}$

### 15. Solvent Cleaning

1. Any equipment or activity using no more than one gallon per day of solvent, or combination of solvent and surface coating, which contains either VOC or HAP, or both.

Justification:  $7.5 \text{ lb VOC/gal} * 1 \text{ gal/day} = 7.5 \text{ lb VOC/day}$

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2. Any unheated, non-conveyorized cleaning equipment (not including control enclosures):
  - 1) which has an open surface area of no more than 10.8 square feet (2 square meters) and internal volume of no more than 92.5 gallons; 2) which uses organic solvents with an initial boiling point of 302° F or greater as determined by ASTM test method 1078-78; and 3) from which the owner or operator can demonstrate, through solvent purchase and use records, that less than 25 gallons per year of solvent was lost exclusive of solvent loss from recycling or disposal.

Justification:

$7.5 \text{ lb VOC/gal solvent} * 25 \text{ gal solvent/yr} / 2,000 \text{ lb/ton} = 0.094 \text{ ton VOC/yr}$

- c. Any solvent wipe cleaning provided such cleaning:
  - 1) utilizes a container applicator to limit emissions (e.g., squeeze containers with narrow tips, spray bottles, dispensers with press-down caps, etc.); and 2) occurs at a facility which emits no more than five tons VOC (uncontrolled emissions) per calendar year from all solvent wipe-cleaning operations or which purchases no more than 1,500 gallons of solvent per calendar year.

Justification: Less than 5 tons VOC per calendar year

#### 16. Abrasive Blasting

- a. Any blast cleaning equipment using a suspension of abrasive material in water and the control equipment venting such blast cleaning equipment.

Justification: Insignificant air pollutant emissions from this source

- b. Any abrasive blast room when vented to a control device that discharges back to the room.

Justification: Insignificant air pollutant emissions from this source.

#### 17. Brazing, Soldering, Welding, and Cutting Torches

Any brazing, soldering, welding, or cutting torch equipment used in manufacturing and construction activities and with the potential to emit hazardous air pollutant (HAP) metals, provided the total emissions of HAPs do not exceed 0.5 tons per year.

Justification: Less than 0.5 tons per year of total HAPs

*Note: U.S. EPA=s List of Trivial Activities says brazing, soldering, and welding associated with maintenance is a trivial activity. Such activity performed as part of the manufacturing process is also a trivial activity, provided no metal HAPs are emitted.*

#### 18. Solder Leveler, Hydrosqueegee, Wave Solder Machine, or Drag Solder Machine

Any solder leveler, hydrosqueegee, wave solder machine, or drag solder machine which uses less than an average of 10 pounds/day of any VOC-containing material.

Justification: Less than 10 pounds/day of VOC

19. Metal Products

Any equipment, and associated control equipment, used exclusively for the inspection of metal products.

Justification: Insignificant air pollutant emissions from this source.

20. Aerosol Can Puncturing or Crushing

Any aerosol can puncturing or crushing operation that processes less than 500 cans per day, provided such operation uses a closed loop recovery system.

Justification:  $0.02 \text{ lb VOC/aerosol can} * 500 \text{ aerosol cans/day} = 10 \text{ lb VOC/day}$   
[San Diego County APCD emission factor based on saturated vapor in aerosol can]

21. Biotechnology Manufacture

Provided the total uncontrolled VOC emissions from any biotechnology manufacturing facility does not exceed five tons per year, any equipment used in the manufacture of:

- a. Biotechnology pharmaceutical products used exclusively in federal Food and Drug Administration (FDA)-approved clinical trials;
- b. Biomedical devices and diagnostic kits used exclusively in FDA-approved clinical trials and laboratory failure analysis testing; or
- c. Bioagricultural products for exclusive use in field testing required to obtain FDA, U.S. EPA, United States Department of Agriculture (USDA), or California Environmental Protection Agency (Cal-EPA) approval.

Justification: No more than 2 tons VOC/year

22. Textile Dyeing, Stripping, or Bleaching

Any equipment used for dyeing, stripping, or bleaching textiles, provided no organic solvents, diluents, or thinners are used.

Justification: Insignificant air pollutant emissions from this source

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23. Laboratory Fume Hoods and Vents

Any laboratory fume hood or vent, provided such equipment is used exclusively for the purpose of teaching, research, or quality control.

Justification: Insignificant air pollutant emissions from this source

*Note: According to the U.S. EPA's List of Trivial Activities, **A**many lab fume hoods or vents might qualify for treatment as insignificant@*

24. Refrigeration Units

Any refrigeration unit provided the unit: 1) contains less than 50 pounds of refrigerant; and 2) is not used in conjunction with air pollution control equipment.

Justification: Insignificant air pollutant emissions from this source.