

VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 26.2 - NEW SOURCE REVIEW - REQUIREMENTS

(Adopted 10/22/91, Revised 2/13/96, 1/13/98, 5/14/02, 3/14/06)

A. Best Available Control Technology

The Air Pollution Control Officer (APCO) shall deny an applicant an Authority to Construct for any new, replacement, modified, or relocated emissions unit which would have a potential to emit any of the pollutants specified in Table A-1, unless the emissions unit is equipped with the current Best Available Control Technology for such pollutants.

Table A-1.

Reactive Organic Compounds (ROC)
Nitrogen Oxides (NOx)
Particulate Matter (PM10)
Sulfur Oxides (SOx)

B. Offsets

1. The APCO shall deny an applicant an Authority to Construct for any new, replacement, modified or relocated emissions unit with an emission increase of any of the pollutants specified in Table B-1, and where the potential to emit of the stationary source would be greater than or equal to the limits specified in Table B-1, unless offsets are provided for any emission increases of such pollutants from the new, replaced, modified, or relocated emissions unit.

Table B-1.

ROC	5.0 ton/yr
NOx	5.0 ton/yr
PM10	15.0 ton/yr
SOx	15.0 ton/yr

2. An applicant required to provide offsets shall use emission reduction credits to provide offsets. The use of emission reduction credits to offset an emission increase shall be restricted to only those emission reduction credits which are not subject to reduction pursuant to Rules 26.4.D.1 and 26.4.D.2 during the reasonably expected duration of such emission increase.
 - a. For any stationary source where the potential to emit would be equal to or greater than the limits specified in Table B-2, offsets for ROC and NOx shall be provided at a tradeoff ratio of 1.3.

- b. For any stationary source where the potential to emit would be less than the limits specified in Table B-2, offsets for ROC and NOx shall be provided as follows:
 - 1) For a stationary source with a pre-project potential to emit of equal to or greater than 5 tons per year of either NOx or ROC, offsets for any emission increase of such pollutant shall be provided at a tradeoff ratio of 1.1.
 - 2) For a stationary source with a pre-project potential to emit of less than 5 tons per year of either NOx or ROC, offsets for any emission increase of such pollutant shall be provided at a tradeoff ratio of 1.1. The emission increase shall be calculated as follows:

$$A = B - (C \times D)$$

where:

A = Emission Increase (tons/yr)

B = Post-project potential to emit of such pollutant at the stationary source (tons/yr)

C = The number of years since initial permit issuance (but not to exceed 5)

D = Distribution Rate (1 ton per year per year)

- c. Offsets for PM10 and SOx shall be provided at a tradeoff ratio of 1.1.

Table B-2.

ROC	25.0 ton/yr
NOx	25.0 ton/yr

- d. For any new major source and any major modification, offsets for ROC and NOx shall be provided at a tradeoff ratio of 1.3. All emission reduction credits provided by the applicant for a new major source or a major modification shall be surplus at the time of use as determined pursuant to Rule 26.11.B except as provided in Rule 26.11.C.6.
- 3. An applicant for an essential public service who is required to provide offsets may use essential public service credits to provide offsets for ROC and NOx if the following provisions are satisfied:
 - a. The applicant is proposing to provide some or all of the required offsets by using any emission reduction credits held by the applicant.
 - b. The potential to emit of the stationary source will not exceed the limits specified in Table B-2.

If no credits are available from the essential public service bank, the applicant shall provide offsets using emission reduction credits. All ROC and NO_x emission reduction credits and essential public service credits provided as offsets pursuant to this section shall be provided at a tradeoff ratio of 1.0.

4. For any applicant who is using emission reduction credits to provide offsets, the quarterly profile of the emission reduction credits and the quarterly profile of the emission increase for which the applicant is proposing to utilize the emission reduction credits as offsets shall satisfy the profile check for offsets as calculated pursuant to Rule 26.6.F.

C. Protection of Ambient Air Quality Standards and Ambient Air Increments

The APCO shall deny an applicant an Authority to Construct for any new, replacement, modified or relocated emissions unit that would cause the violation of any ambient air quality standard or the violation of any ambient air increment as defined in 40 CFR 51.166(c). In making this determination the APCO shall take into account any offsets which were provided for the purpose of mitigating the emission increase.

D. Certification of Statewide Compliance

The APCO shall deny an application for an Authority to Construct for any new major source or major modification, unless the applicant certifies that all major sources, as defined in their specific nonattainment area, that are both located in California and owned or operated by the applicant, or by any entity controlling, controlled by or under common control with such applicant, are in compliance or on a schedule for compliance with all applicable emission limitations and standards.

E. Analysis of Alternatives

The APCO shall deny an application for an Authority to Construct for any new major source or major modification unless the applicant provides an analysis as required by Section 173(a)(5) of the federal Clean Air Act, of alternative sites, sizes, production processes, and environmental control techniques for the proposed source demonstrating that the benefits of the proposed source significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.