

RULE 1.1 GENERAL PROVISIONS AND DEFINITIONS

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100 GENERAL

101 **TITLE:** These rules and regulations shall be known as the Rules and Regulations of the Yolo-Solano Air Quality Management District.

102 **DEFINITIONS REFERENCED:** Except as otherwise specifically provided in these rules and, except where the context otherwise indicates, words used in these rules are used in exactly the same sense as the same words are used in Chapter 2, Part 1, Division 26 of the Health and Safety Code.

103 **CONFIDENTIAL INFORMATION:**

103.1 All information, analyses, plans or specifications that disclose the nature, extent, quantity or degree of air contaminants which any article, machine, equipment or other contrivance will produce, which the Air Quality Management District requires any applicant to provide before such applicant builds, erects, alters, replaces, operates or uses such article, machine, equipment or other contrivance, are public records.

103.2 All air monitoring data, including data compiled from stationary sources, are public records.

103.3 Except as otherwise provided in Section 103.4 of this rule, trade secrets are not public records under this rule. "Trade secrets", as used in this rule, may include, but are not limited to any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service having commercial value and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

103.4 Notwithstanding any other provision of law, all air pollution emission data, including those emission data which constitute trade secrets as defined in Section 103.3 of this

rule, are public records. Data used to calculate emission data are not emission data for the purposes of this rule and data which constitute trade secrets and which are used to calculate emission data are not public records.

104 **ENFORCEMENT:** These Rules and Regulations shall be enforced by the Air Pollution Control Officer under authority of Health and Safety Code Division 26, Part 4, and by all officers empowered by Section 40157.

105 **VALIDITY:** If any regulation, rule, subdivision, sentence, clause, or phrase of these Rules and Regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of these Rules and Regulations. The Air Quality Management Board hereby declares that it would have adopted these Rules and Regulations and every regulation, rule, subdivision, sentence, clause, and phrase thereof irrespective of the fact that any one or more regulations, rules, subdivisions, sentences, clauses, or phrases be declared unconstitutional or invalid.

106 **EFFECTIVE DATE:** These Rules and Regulations shall take effect on October 1, 1971.

107 **ARREST, NOTICE TO APPEAR:** The Air Pollution Control Officer is hereby authorized pursuant to Penal Code Section 836.5 to arrest a person without a warrant whenever he has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his presence which is a violation of these Rules and Regulations.

200 DEFINITIONS

201 **AGRICULTURAL BURNING:** Open outdoor fires used in the growing of crops; or raising of fowl or animals or for range improvement; or used in improvement of land for wildlife and game habitat; or for wildland vegetation management burning. "Agricultural Burning" also means open outdoor fires used in the operation or maintenance of a system for the delivery of water for these purposes.

202 **AIR CONTAMINANT:** Smoke, charred paper, dust, soot, grime, carbon, noxious acids, fumes, gases, odors, or particulate matter or any combination thereof.

203 **AIR POLLUTION CONTROL OFFICER (APCO):** The Air Pollution

Control Officer of the Yolo-Solano Air Quality Management District, or his or her designee.

- 204 **ASTM:** American Society of Testing and Materials
- 205 **ATMOSPHERE:** For the purposes of these regulations means the air of the Yolo-Solano Air Quality Management District and includes the ambient air of any emission source. It does not include the air within any closed structural building or framework.
- 206 **BOARD:** The Air Quality Management Board of the Yolo-Solano Air Quality Management District.
- 207 **BRUSH TREATED:** The material to be burned has been felled, crushed, or uprooted with mechanical equipment, or has been desiccated with herbicides.
- 208 **CARB:** California Air Resources Board.
- 209 **CLERK OF THE HEARING BOARD:** The Clerk to the Board of Directors, who is ex officio Clerk of the Hearing Board.
- 210 **COMBUSTIBLE REFUSE:** Any solid or liquid combustible waste material containing carbon in a free or combined state.
- 211 **COMBUSTION CONTAMINANTS:** Those air contaminants discharged into the atmosphere from the burning, including incineration, of any kind of material.
- 212 **CONDENSED FUMES:** Minute, solid particles generated by the condensation of vapors from solid matter after volatilization from the molten state, or may be generated by sublimation, distillation, calcination, or chemical reaction when these processes create air-borne particles.
- 213 **CONTROL OFFICER:** The Air Pollution Control Officer of the Yolo-Solano Air Quality Management District.
- 214 **DESIGNATED AGENCY:** Any agency designated by the California Air Resources Board as having authority to issue agricultural burning permits. The U. S. Forest Service and the California Division of Forestry are so designated within their areas of jurisdiction.
- 215 **DISTRICT:** The Yolo-Solano Air Quality Management District.
- 216 **DUSTS:** Minute, solid particles released into the air by

natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, or other similar processes.

217 **EPA:** United States Environmental Protection Agency.

218 **EXEMPT COMPOUNDS:** The following compounds are exempt from the definition of Volatile Organic Compounds (VOC) in Section 235:

- 218.1 Acetone;
- 218.2 Ammonium carbonate;
- 218.3 Carbon monoxide;
- 218.4 Carbon dioxide;
- 218.5 Carbonic acid;
- 218.6 Ethane;
- 218.7 Metallic carbides or carbonates;
- 218.8 Methane;
- 218.9 Methyl Acetate;
- 218.10 Methyl formate (HCOOCH₃);
- 218.11 Methylene chloride (dichloromethane);
- 218.12 Parachlorobenzotrifluoride (PCBTF) (1-chloro-4-trifluoromethyl benzene);
- 218.13 Perchloroethylene (tetrachloroethylene);
- 218.14 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF₃)₂CF₂OC₂H₅);
- 218.15 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF₃)₂CF₂OC₂H₅);
- 218.16 1,1,1-trichloroethane (methyl chloroform);
- 218.17 The following chlorofluorocarbons (CFCs);
 - a. Chloropentafluoroethane (CFC-115);
 - b. Dichlorodifluoromethane (CFC-12);
 - c. 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114);
 - d. 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113);
 - e. Trichlorofluoromethane (CFC-11);
- 218.18 The following hydrochlorofluorocarbons (HCFCs);
 - a. Chlorodifluoromethane (HCFC-22);
 - b. Chlorofluoromethane (HCFC-31);
 - c. 1-chloro-1,1-difluoroethane (HCFC-142b);
 - d. 1-chloro-1-fluoroethane (HCFC-151a);
 - e. 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124);
 - f. 1,1-dichloro-1-fluoroethane (HCFC-141b);
 - g. 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca);

- h. 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb);
- i. 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a);
- j. 1,1,1-trifluoro-2,2-dichloroethane (HCFC-123);
- 218.19 The following hydrofluorocarbons (HFCs);
 - a. 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee);
 - b. 1,1-difluoroethane (HFC-152a);
 - c. Difluoromethane (HFC-32);
 - d. Ethylfluoride (HFC-161);
 - e. 1,1,1,2,3,3,3-heptafluoropropane (HFC 227ea);
 - f. 1,1,1,3,3,3-hexafluoropropane (HFC-236fa);
 - g. 1,1,1,3,3-pentafluorobutane (HFC-365mfc);
 - h. 1,1,2,2,3-pentafluoropropane (HFC-245ca);
 - i. 1,1,2,3,3-pentafluoropropane (HFC-245ea);
 - j. 1,1,1,2,3-pentafluoropropane (HFC-245eb);
 - k. 1,1,1,3,3-pentafluoropropane (HFC-245fa);
 - l. 1,1,1,2,3,3-hexafluoropropane (HFC-236ea);
 - m. Pentafluoroethane (HFC-125);
 - n. 1,1,2,2-tetrafluoroethane (HFC-134);
 - o. 1,1,1,2-tetrafluoroethane (HFC-134a);
 - p. 1,1,1-trifluoroethane (HFC-143a);
 - q. Trifluoromethane (HFC-23);
- 218.20 The following hydrofluorethers (HFEs);
 - a. 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane (HFE 7500);
 - b. 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C4F9OC2H5 or HFE-7200);
 - c. 1,1,1,2,2,3,3-heptafluoro-3-methoxypropane (n-C3F7OCH3, HFE-7000);
 - d. 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxybutane (C4F9OCH3 or HFE-7100);
- 218.21 Cyclic, branched, or linear completely methylated siloxanes;
- 218.22 The following four classes of perfluorocarbon compounds:
 - a. Cyclic, branched, or linear, completely fluorinated alkanes;
 - b. Cyclic, branched, or linear, completely fluorinated ethers with no saturations;
 - c. Cyclic, branched, or linear, completely fluorinated tertiary amines with no saturations;

- d. Sulfur-containing perfluorocarbons with no saturations and with the sulfur bonds to carbon and fluorine;
- 218.23 T-butyl acetate.
- 219 **HEARING BOARD:** The Hearing Board of the Yolo-Solano Air Quality Management District.
- 220 **IMPLEMENT OF HUSBANDRY:** A vehicle which is used exclusively in the conduct of agricultural operations.
- 221 **MULTIPLE-CHAMBER INCINERATOR:** Any article, machine, equipment, contrivance, structure, or any part of a structure used to dispose of combustible refuse by burning, consisting of three or more refractory-lined combustion furnaces in series, physically separated by refractory walls, interconnected by gas passage ports or ducts, and employing adequate design parameters necessary for maximum combustion of the material to be burned. The refractories shall have a Pyrometric Cone equivalent of at least 17, tested according to the method described in the American Society for Testing Materials, Method C-24.
- 222 **NO-BURN DAY:** Any day on which the California Air Resources Board or the Yolo-Solano Air Quality Management District prohibits agricultural burning.
- 223 **OPEN BURNING FOR AGRICULTURAL OPERATIONS IN THE GROWING OF CROPS OR RAISING OF FOWL OR ANIMALS;**
 - 223.1 The burning in the open of materials produced wholly from operations in the growing and harvesting of crops or raising of fowls or animals for the primary purpose of making a profit, of providing a livelihood, or of conducting agricultural research or instruction by an educational institution, and,
 - 223.2 In connection with the operations qualifying under Subdivision 1:
 - (a) The burning of grass and weeds in or adjacent to fields in cultivation or being prepared for cultivation and;
 - (b) The burning of material not produced wholly from such operations, but which are intimately related to the growing or harvesting of crops and which are used in the field, except as prohibited by District regulations.

- 224 **OPEN BURNING FOR RANGE IMPROVEMENT:** The use of open fires to remove vegetation for a wildlife, game or livestock habitat or for the initial establishment of an agricultural practice on previously uncultivated land.
- 225 **OPEN OUTDOOR FIRE:** The combustion of any combustible refuse or other material of any type outdoors in the open air not in any enclosure, where the products of combustion are not directed through a flue.
- 226 **ORCHARD OR CITRUS GROVE HEATER.** "Orchard or Citrus Grove Heater" means any article, machine, equipment or other contrivance, burning any type of fuel or material capable of emitting air contaminants, used or capable of being used for the purpose of giving protection from frost damage.
- 227 **PARTICULATE MATTER:** Any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.
- 228 **PERSON:**
- 228.1 Any person, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, user or owner or any state or local government agency, or public district, or any officer or employee thereof, and;
- 228.2 The United States or its agencies, to the extent authorized by federal law.
- 229 **PROCESS WEIGHT PER HOUR:** The total weight of all materials introduced into any specific process which process may cause any discharge into the atmosphere. Solid Fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. The "Process Weight Per Hour" will be derived by dividing the total process weight by the number of hours in one complete cycle from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.
- 230 **REGULATION:** One of the major subdivisions of the rules of the Yolo-Solano Air Quality Management District.
- 231 **RULE:** A rule of the Yolo-Solano Air Quality Management District.

- 232 **SECTION:** A section of the Health and Safety Code of the State of California unless some other statute is specifically mentioned.
- 233 **SOLANO COUNTY ZONE:** That portion of the District lying within the boundaries of Solano County.
- 234 **STANDARD CONDITIONS:** As used in these regulations, a gas temperature of 68 degrees Fahrenheit and a gas pressure of 14.7 pounds per square inch absolute. Result of all analyses and tests shall be calculated or reported at this gas temperature and pressure. Where the use of U.S. EPA Test Methods are required in these Rules and Regulations, then Standard Conditions are those specified in that Test Method.
- 235 **VOLATILE ORGANIC COMPOUND (VOC):** Any compound containing carbon except exempt compounds as defined in Section 218. Volatile organic compounds may also be referred to as reactive organic compounds (ROC).
- 236 **WILDLAND VEGETATION MANAGEMENT BURNING:** The use of prescribed burning conducted by a public agency to burn land predominantly covered with chaparral, trees, grass, or standing brush.
- 237 **YOLO COUNTY ZONE:** That portion of the District lying within the boundaries of Yolo County.

400 ADMINISTRATIVE REQUIREMENTS

- 401 **ADMINISTRATIVE SETTLEMENT PROCEDURE FOR CIVIL PENALTIES:**
- 401.1 Civil penalties shall be assessed according to Health and Safety Code, Division 26, Part 4, Chapter 4, Article 3, beginning with Section 42400.
- 401.2 The Air Pollution Control Officer after consultation with District Counsel shall give notice to a person who is charged with committing a violation of an applicable State law or District Rules and Regulations that an administrative settlement is being sought.
- 401.3 The Air Pollution Control Officer with advice of District Counsel is authorized as the District's agent to settle any administrative penalty claim for the District under this rule.

