

## **RULE 1.1 GENERAL PROVISIONS AND DEFINITIONS**

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### **INDEX**

#### **100 GENERAL**

- 101 TITLE
- 102 DEFINITIONS REFERENCED
- 103 ENFORCEMENT
- 104 VALIDITY

#### **200 DEFINITIONS**

- 201 AGRICULTURAL BURNING
- 202 AIR CONTAMINANT
- 203 AIR POLLUTION CONTROL OFFICER (APCO)
- 204 ASTM
- 205 ATMOSPHERE
- 206 BOARD
- 207 BRUSH TREATED
- 208 CARB
- 209 CLERK OF THE HEARING BOARD
- 210 COMBUSTIBLE REFUSE
- 211 COMBUSTION CONTAMINANTS
- 212 CONDENSED FUMES
- 213 CONTROL OFFICER
- 214 DESIGNATED AGENCY
- 215 DISTRICT
- 216 DISTRICT JURISDICTION
- 217 DUSTS
- 218 EPA
- 219 EXEMPT COMPOUNDS
- 220 FORMULATION DATA
- 221 HEARING BOARD
- 222 IMPLEMENT OF HUSBANDRY
- 223 MULTIPLE-CHAMBER INCINERATOR
- 224 NO-BURN DAY
- 225 OPEN BURNING FOR AGRICULTURAL OPERATIONS IN THE GROWING  
OF CROPS OR RAISING OF FOWL OR ANIMALS
- 226 OPEN BURNING FOR RANGE IMPROVEMENT
- 227 OPEN OUTDOOR FIRE
- 228 ORCHARD OR CITRUS GROVE HEATER
- 229 PARTICULATE MATTER
- 230 PERSON

- 231 PROCESS WEIGHT PER HOUR
- 232 PUBLIC RECORDS
- 233 REGULATION
- 234 RULE
- 235 SECTION
- 236 STANDARD CONDITIONS
- 237 TRADE SECRETS
- 238 VOLATILE ORGANIC COMPOUND (VOC)
- 239 WILDLAND VEGETATION MANAGEMENT BURNING

**300 STANDARDS**

- 301 AUTHORITY TO ARREST
- 302 DISCLOSURE OF DATA

**400 ADMINISTRATIVE REQUIREMENTS**

- 401 ADMINISTRATIVE SETTLEMENT PROCEDURE FOR CIVIL PENALTIES

## 100 GENERAL

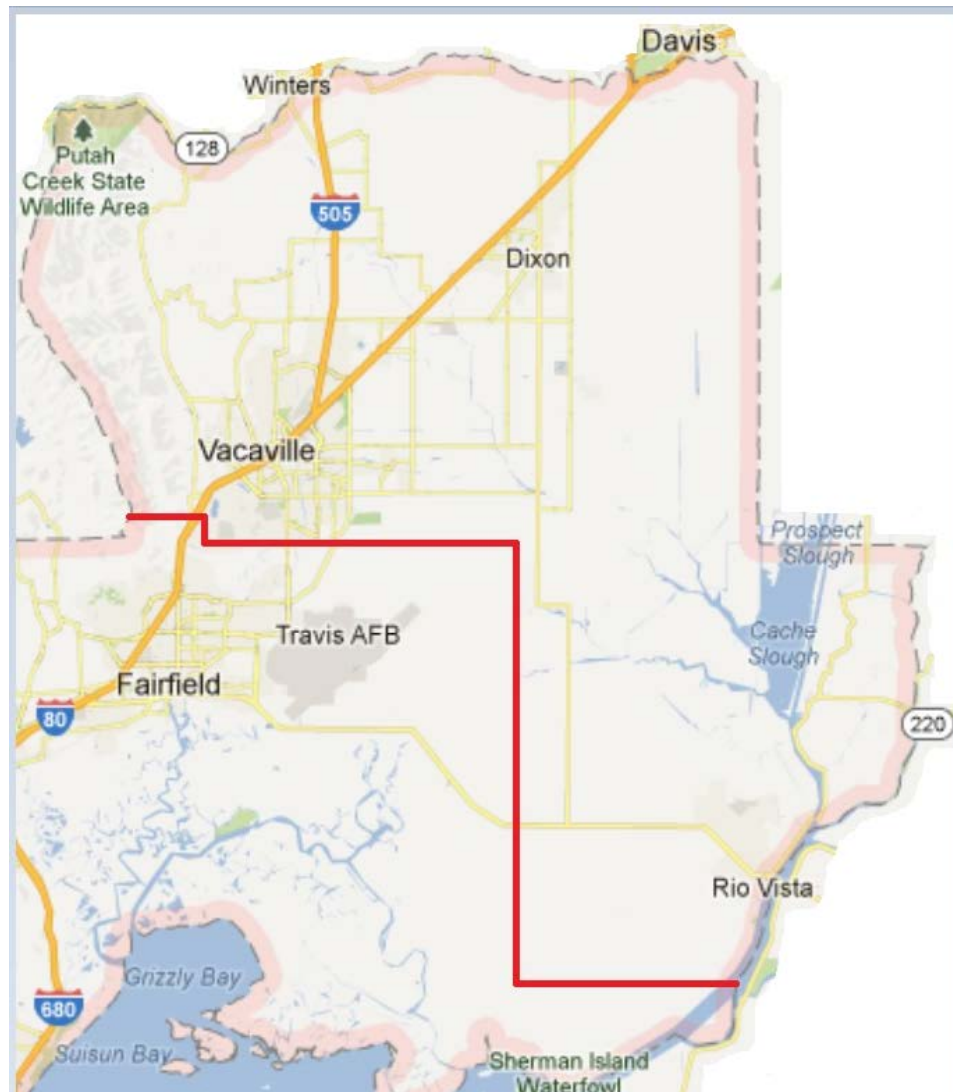
- 101 **TITLE:** These rules and regulations shall be known as the Rules and Regulations of the Yolo-Solano Air Quality Management District.
- 102 **DEFINITIONS REFERENCED:** Except as otherwise specifically provided in these rules and, except where the context otherwise indicates, words used in these 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 **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.
- 104 **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.

## 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:** Any discharge, release, or other propagation into the atmosphere directly or indirectly, caused by man and includes, but is not limited to 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:** The air that envelopes or surrounds the earth. Where air pollutants are emitted into a building not designed specifically as a piece of air pollution control equipment, such emission into the building shall be considered an emission into the atmosphere.
- 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:** Particulate matter discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.
- 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 **DISTRICT JURISDICTION:** The jurisdiction of the Yolo-Solano Air Quality Management District includes:
- 216.1 All of Yolo County
- 216.2 That portion of Solano County which lies north and east of a line described as follows: Beginning at the intersection of the westerly boundary of Solano County and the 1/4 section line running east and west through the center of Section 34, T6N, R2W, M.D.B. & M., thence east along said 1/4 section line to the east boundary of Section 36, T6N, R2W, thence south 1/2 mile and east 2.0 miles, more or less, along the west and south boundary of Los Putos Rancho to the northwest corner of Section 4, T5N, R1W, thence east along a line common to T5N and T6N to the northeast corner of Section 3, T5N, R1E, thence south along section lines to the southeast corner of Section 10, T3N, R1E, thence east along section lines to the south 1/4 corner of Section 8, T3N, R2E, thence east to the boundary between Solano and Sacramento Counties.



- 217 **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.
- 218 **EPA:** United States Environmental Protection Agency.
- 219 **EXEMPT COMPOUNDS:** The following compounds are exempt from the definition of Volatile Organic Compounds (VOC) in Section 237:
  - 219.1 Acetone;
  - 219.2 Ammonium carbonate;
  - 219.3 Carbon monoxide;
  - 219.4 Carbon dioxide;
  - 219.5 Carbonic acid;
  - 219.6 Dimethyl carbonate (DMC);
  - 219.7 Ethane;
  - 219.8 Metallic carbides or carbonates;
  - 219.9 Methane;

- 219.10 Methyl acetate;
- 219.11 Methyl formate (HCOOCH<sub>3</sub>);
- 219.12 Methylene chloride (dichloromethane);
- 219.13 Methyl chloroform (1,1,1-trichloroethane);
- 219.14 Parachlorobenzotrifluoride (PCBTF) (1-chloro-4-trifluoromethyl benzene);
- 219.15 Perchloroethylene (tetrachloroethylene);
- 219.16 Propylene carbonate;
- 219.17 Tertiary-butyl acetate (T-butyl acetate, TBAC, TBAC)\*;
- 219.18 Trans -1,3,3,3-tetrafluoropropene;
- 219.19 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF<sub>3</sub>)<sub>2</sub>CFCH<sub>2</sub>OCH<sub>3</sub>);
- 219.20 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF<sub>3</sub>)<sub>2</sub>CFCH<sub>2</sub>OC<sub>2</sub>H<sub>5</sub>);
- 219.21 The following chlorofluorocarbons (CFCs);
- a. Trichlorofluoromethane (CFC-11);
  - b. Dichlorodifluoromethane (CFC-12);
  - c. 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113);
  - d. 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114);
  - e. Chloropentafluoroethane (CFC-115);
- 219.22 The following hydrochlorofluorocarbons (HCFCs);
- a. Chlorodifluoromethane (HCFC-22);
  - b. Chlorofluoromethane (HCFC-31);
  - c. 1,1,1-trifluoro-2,2-dichloroethane (HCFC-123);
  - d. 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a);
  - e. 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124);
  - f. 1,1-dichloro-1-fluoroethane (HCFC-141b);
  - g. 1-chloro-1,1-difluoroethane (HCFC-142b);
  - h. 1-chloro-1-fluoroethane (HCFC-151a);
  - i. 3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca);
  - j. 1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb);
- 219.23 The following hydrofluorocarbons (HFCs);
- a. Trifluoromethane (HFC-23);
  - b. Difluoromethane (HFC-32);
  - c. 1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC 43-10mee);
  - d. Pentafluoroethane (HFC-125);
  - e. 1,1,2,2-tetrafluoroethane (HFC-134);
  - f. 1,1,1,2-tetrafluoroethane (HFC-134a);
  - g. 1,1,1-trifluoroethane (HFC-143a);
  - h. 1,1-difluoroethane (HFC-152a);
  - i. Ethylfluoride (HFC-161);
  - j. 1,1,1,2,3,3,3-heptafluoropropane (HFC 227ea);
  - k. 1,1,1,2,3,3,3-hexafluoropropane (HFC-236ea);
  - l. 1,1,1,3,3,3-hexafluoropropane (HFC-236fa);
  - m. 1,1,2,2,3-pentafluoropropane (HFC-245ca);
  - n. 1,1,2,3,3-pentafluoropropane (HFC-245ea);
  - o. 1,1,1,2,3-pentafluoropropane (HFC-245eb);
  - p. 1,1,1,3,3-pentafluoropropane (HFC-245fa);
  - q. 1,1,1,3,3-pentafluorobutane (HFC-365mfc);

- 219.24 The following hydrofluorethers (HFEs);
- a.  $\text{HCF}_2\text{OCF}_2\text{H}$  (HFE 134);
  - b.  $\text{HCF}_2\text{OCF}_2\text{OCF}_2\text{H}$  (HFE-236cal2);
  - c.  $\text{HCF}_2\text{OCF}_2\text{CF}_2\text{OCF}_2\text{H}$  (HFE-338pcc13);
  - d.  $\text{HCF}_2\text{OCF}_2\text{OCF}_2\text{CF}_2\text{OCF}_2\text{H}$  (H-Galden 1040X and H-Galden ZT 130 (or 150 or 180));
  - e. 1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane ( $\text{n-C}_3\text{F}_7\text{OCH}_3$ , HFE-7000);
  - f. 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane ( $\text{C}_4\text{F}_9\text{OCH}_3$  or HFE-7100);
  - g. 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane ( $\text{C}_4\text{F}_9\text{OC}_2\text{H}_5$  or HFE-7200);
  - h. (1)  
1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-trifluoromethyl-pentane (HFE-7300);
  - i. 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl) hexane (HFE 7500);
- 219.25 Cyclic, branched, or linear completely methylated siloxanes;
- 219.26 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 unsaturations;
  - c. Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations;
  - d. Sulfur-containing perfluorocarbons with no unsaturations and with the sulfur bonds only to carbon and fluorine;

\* T-butyl acetate shall be considered exempt as a VOC only for purposes of VOC emissions limitations or VOC content requirements, but will continue to be a VOC for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling, and inventory requirements which apply to VOCs.

220 **FORMULATION DATA:** The actual product recipe which itemizes all the ingredients contained in a product including VOCs and the quantities thereof used by the manufacturer to create the product. Material Safety Data Sheets (MSDS) are not considered formulation data.

221 **HEARING BOARD:** The Hearing Board of the Yolo-Solano Air Quality Management District.

222 **IMPLEMENT OF HUSBANDRY:** A vehicle which is used exclusively in the conduct of agricultural operations.

223 **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 ASTM Method C-24.

224 **NO-BURN DAY:** Any day on which the California Air Resources Board or the Yolo-Solano Air Quality Management District prohibits agricultural burning.

225 **OPEN BURNING FOR AGRICULTURAL OPERATIONS IN THE GROWING OF CROPS OR RAISING OF FOWL OR ANIMALS:**

225.1 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,

225.2 In connection with the operations qualifying under section 225.1:

(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. An example is empty sacks which contained pesticides, burned in the field where the substances were applied.

226 **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.

227 **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.

228 **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.

229 **PARTICULATE MATTER:** Any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.

230 **PERSON:**

230.1 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;

230.2 The United States or its agencies, to the extent authorized by federal law.



- 231 **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.
- 232 **PUBLIC RECORDS:** The following are public records:
- 232.1 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.
- 232.2 All air monitoring data, including data compiled from stationary sources.
- 232.3 Except as otherwise provided in Section 232.4 of this rule, trade secrets are not public records under this rule.
- 232.4 Notwithstanding any other provision of law, all air pollution emission data, including those emission data which constitute trade secrets as defined in Section 237 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.
- 233 **REGULATION:** One of the major subdivisions of the rules of the Yolo-Solano Air Quality Management District.
- 234 **RULE:** A rule of the Yolo-Solano Air Quality Management District.
- 235 **SECTION:** A section of the Health and Safety Code of the State of California unless some other statute is specifically mentioned.
- 236 **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.
- 237 **TRADE SECRETS:** "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.

238 **VOLATILE ORGANIC COMPOUND (VOC):** Any compound containing carbon except exempt compounds as defined in Section 219. Volatile organic compounds may also be referred to as reactive organic compounds (ROC).

239 **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.

### **300 STANDARDS**

301 **AUTHORITY TO ARREST:** 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.

#### **302 DISCLOSURE OF DATA:**

302.1 The Air Pollution Control Officer shall, upon due notice, make public records available for examination and provide copies thereof where appropriate.

302.2 Trade secrets may be released:

- a. To the ARB, which protects trade secrets as provided in Section 6254.7 of the Government Code and Sections 91000 to 91022 of the California Administrative Code, Title 17; or
- b. To the Federal Environmental Protection Agency, which protects trade secrets as provided in Section 114C of the Clean Air Act and in 40 CFR, Chapter 1, Part 2.

302.3 Data required to be submitted to the District under the Air Toxics “Hot Spots” Information and Assessment Act, and which the operator believes to be a trade secret, shall be protected from disclosure in accordance with the provisions of Health and Safety Code Section 44346.

### **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.