

## LASSEN COUNTY AIR POLLUTION CONTROL DISTRICT

### **RULE 6:4 - REQUIREMENTS**

Any source subject to this Rule shall be subject to the following requirements.

- a. Best Available Control Technology Requirements - An applicant shall apply BACT to a new source or modification of an existing source, except cargo carriers, for each affected pollutant emitted, including halogenated hydrocarbons (as defined in Section 6:3(m) of this rule), under the following conditions:
  1. A new stationary source emits more than 68 kg (150 lbs.) per day of reactive organic compounds or nitrogen oxides or sulfur oxides or particulate matter; or 249 kg (550 lbs.) per day of carbon monoxide; or 1,450 g (3.2 lbs.) per day of lead, or .04 lbs/day of asbestos; or .0022 lbs/day of beryllium; or .55 lbs/day of mercury; or 5.48 lbs/day of vinyl chloride; or 16.44 lbs/day of fluorides; or 38.35 lbs/day of sulfuric acid mist; or 54.79 lbs/day of hydrogen sulfide or total reduced sulfur or sulfur compounds.
  2. A modification of an existing stationary source will result in a net emissions increase of an affected pollutant by an amount in excess of any of the limits stated in Section 6.4(a)(1).
  3. A new source or modification subject to BACT for any pollutant subject to this section shall apply BACT for any other affected pollutant emitted from the new source or modification, if the Air Pollution Control Officer should so require.
- b. Offset Requirement General - Offsets shall be actual, annual enforceable emission reductions from existing sources, sufficient to offset all anticipated annual emission increases as calculated according to Rule 6:6, associated with a new or modified stationary source.
  1. In Class I and Class I Impact Areas, offsets as specified in Section 6:4(c)(1) and 6:4(c)(2) shall be required from a new or modified stationary source with net emissions increases exceeding 68 kg (150 lbs) per day of reactive organic compounds, or nitrogen oxides, or sulfur oxides, or particulate matter or carbon monoxide. The amount of offsets obtained shall be least equal to the net emissions increases from the proposed new source or modification.
  2. In areas other than Class I areas or Class I impact areas, offsets as specified in Section 6:4(c)(3) shall be required for any affected pollutant from a new or modified stationary source with a net emissions increase exceeding 112 kg (250 lbs.) per day for reactive organic compounds, or nitrogen oxides or sulfur oxides, or 68 kg (150 lbs.) per day of particulate matter, or 246 kg (550 lbs.) per day of carbon monoxide.
  3. Offsets for increases in carbon monoxide shall not be required if the applicant demonstrates to the satisfaction of the Air Pollution Control Officer, through the use of the impact table contained in Rule 6:9, that the Ambient Air Quality Standards are not violated in the areas to be affected.
  4. In no case shall halogenated hydrocarbons as defined in Section 6:3(m), be used as offsets for reactive organic compounds defined in Section 6:3(s).
  5. If a new or modified stationary source is required to obtain offsets for any pollutant pursuant to this section, then that source must obtain offsets, at least equal to the net emissions increase from the new source or modification, for any increase from the new source or modification, for any increase in emissions of all the following

pollutants: reactive organic compounds, nitrogen oxides, sulfur oxides, particulate matter. The Air Pollution Control Officer may exempt a source from offset requirements for pollutants which do not exceed levels specified in Sections 6:4(b)(1) and 6:4(b)(2) provided that the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that the requirement of offsets will result in little or no air quality benefit, that emissions offsets are not available or would not be cost effective, and that any net emission increases from the new or modified stationary source will not cause or contribute to a violation of ambient air quality standard or lead to the violation of emissions increment established pursuant to this rule.

c. Location of Offsets and Offset Ratios

1. The emission from a proposed new or modified stationary source, subject to this Rule, which is to be located within a Class I area must be offset by emissions reductions obtained from within the same Class I area. The offset ratio and distance shall be established by the Air Pollution Control Officer based on air quality analysis or modeling.
2. Emissions from a proposed new or modified stationary source, subject to this Rule, which is to be located within a Class I impact area must be offset by emissions reductions obtained from within the impact area, or from the affected Class I area. The offset ratio and distance shall be established by the Air Pollution Control Officer based on air quality analysis or modeling.
3. Emissions from a proposed new or modified stationary source subject to this Rule which is to be located outside a Class I area or Class I impact area are to be offset with emissions reductions from within a 15-mile radius of the proposed source. The emissions shall be offset at a ratio of 1 to 1 if the offsets are located on the same property as the proposed source. The offset ratio shall be 1.1 to 1 for offsets located outside of the proposed source but within the 15-mile radius, and the Air Pollution Control Officer shall account for the use of the increment.
  - a. If an applicant demonstrates to the satisfaction of the Air Pollution Control Officer that sufficient offsets do not exist at sources owned by the applicant, and are not available at other sources within a 15-mile radius of the proposed source, offsets shall be obtained from an upwind area, (as defined in this Rule) within the air basin at a ratio of 1.2 to 1 and the Air Pollution Control Officer shall analyze the impact on the increment.
  - b. If an applicant demonstrates to the satisfaction of the APCO that sufficient offsets do not exist at the sources owned by applicant and are not available at other sources within a 15-mile radius or in an upwind area, the Air Pollution Control Officer may choose to allow an applicant to use a portion of the remaining increment. If increments have not been established, the Air Pollution Control Officer may exempt a source from offset requirements provided that the applicant demonstrates to the satisfaction of the APCO that any net emissions increases from the new or modified stationary source will not cause or contribute to a violation of any state or federal ambient air quality standard.
- d. Offsets, Seasonal Sources - Emissions offset ratios stated in Section 6:4(c) shall be required for new or modified seasonal sources (as defined in Section 6:3(r), provided that the offsets occur within the same period of seasonal operation during which the seasonal source operates.

- e. Pre-Construction and Post-Construction Monitoring The owner or operator of a new or modified stationary source subject to the requirements of this Rule shall conduct ambient air quality monitoring, not to exceed one year in duration, if the Air Pollution Control Officer finds there is insufficient data available to determine the effect emissions from the stationary source or modification may have, or are having, on air quality in the area. All monitoring shall comply with Environmental Protection Agency guidelines (see 40 CFR 58, Appendix B).
- f. Visibility, soils, and Vegetation Analysis - The applicant shall provide the Air Pollution Control Officer with analysis of impairment to visibility, soils, and vegetation that would occur as a result of the source or modification and general commercial, industrial, and other growth associated with the source or modification.
- g. Protection of Class I Areas - Any new or modified stationary source which will have net emission increase less than 150 lbs per day of sulfur oxides, or particulate matter, which will be constructed within a Class I or Class I impact area after the district baseline date and which will increase ambient pollutant concentration of the Class I area by one microgram per cubic meter (24 hour average) or more shall be subject to Sections 6:4(a), 6:4(e), and 6:4(f).
- h. Ambient Air Quality Standards and Increments - In no case shall the emission from the new or modified stationary source cause the violation of an Ambient Air Quality Standard or lead to the violation of any increment established pursuant to this regulation. The impact table contained in Rule 6:9 shall be used to estimate the effects of a new or modified source. In making this determination the Air Pollution Control Officer shall take into account the mitigation of emissions through offsets obtained pursuant to this rule.
- i. Mandated Reductions, Not Applicable - Emission reductions resulting from any permits, agreements or orders, or from requirements of federal, State, or District laws, rules and regulations, or required by the state approved State Implementation Plan (SIP) shall not be available for offsets.
- j. Denial, Failure to Meet Standards - The Air Pollution Control Officer shall deny any Authority to Construct or Permit to Operate if the Air Pollution Control Officer finds that the subject of the application would not comply with the standards set forth in this Rule.