

Reasonably Available Control Technology (RACT)

Analysis and Negative Declaration

**Prepared by the Feather River Air Quality Management
District pursuant to Sections 182(b)(2) and 182(f) of the Clean
Air Act for the south Sutter County portion of the
Sacramento Metro Nonattainment Area for the
2008 8-hour Ozone National Ambient Air Quality Standard**

Proposed Analysis Released July 3, 2014

Public Hearing August 4, 2014

Staff Report

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EXECUTIVE SUMMARY

The Clean Air Act requires certain sources in ozone nonattainment areas to implement control methods called reasonably available control technology (RACT). The United States Environmental Protection Agency defines RACT as the lowest emission limitation that a particular source is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

The RACT requirement is meant to ensure that moderate and above ozone nonattainment areas have in place all RACT for source categories covered by a Control Techniques Guideline (CTG) document and for major sources of volatile organic compounds or oxides of nitrogen that are not subject to a CTG. A local air District adopts the control methods if it has a source in its area subject to a CTG. Alternatively, the local District may declare that there are no sources in its area subject to a RACT requirement, and then the requirement to adopt a rule for those sources is no longer applicable. This is known as a "Negative Declaration."

The RACT determination and/or Negative Declaration should be submitted by each nonattainment area within two years from the effective date of the designation.

The Feather River Air Quality Management District (District) has prepared this RACT Analysis for sources located in the south Sutter County portion of the Sacramento Metro nonattainment area. This area was designated as severe nonattainment for the 2008 8-hour ozone national ambient air quality standard effective July 20, 2012.

This analysis is re-affirming the previous Negative Declarations for RACT that were submitted in 2006 and 2009 for all CTGs except Design Criteria for Stage 1 Vapor Control Systems Gasoline Service Stations. For this CTG, the District staff evaluated the applicable Rules and determined that they employ control methods that are as stringent as the CTG.

The District does not have any major sources located within the nonattainment area, and does not anticipate any major sources or sources subject to a CTG in the future.

The RACT Analysis and Negative Declaration, once adopted by the Board of Directors, shall be submitted to the California Air Resources Board for transmission to the US EPA as a revision to the State Implementation Plan.

BACKGROUND

National Ambient Air Quality Standards for Ozone

The Clean Air Act (CAA) was adopted in 1970. The legislation authorized the development of comprehensive federal and state regulations to limit emissions from stationary and mobile sources. The CAA was amended in 1977 and again in 1990. The CAA and amendments require the United States Environmental Protection Agency (US EPA) adopt national ambient air quality standards (NAAQS) for six criteria pollutants: ozone, particulate matter, carbon monoxide, nitrogen dioxide, sulfur dioxide, and lead. US EPA formally designates areas as “nonattainment” (not meeting the standard), “unclassifiable/attainment” (meeting the standard or expected to be meeting the standard despite a lack of monitoring data), or “unclassifiable” (insufficient data to classify). The CAA requires US EPA to conduct a periodic review of the science upon which the standards are based and the standards themselves.

Ground level ozone is not emitted directly into the air, but is created by chemical reactions between oxides of nitrogen (NO_x) and volatile organic compounds (VOC) in the presence of sunlight. Ozone-related adverse health effects range from decreased lung function and increased respiratory symptoms to serious indicators of respiratory morbidity including emergency department visits and hospital admissions from respiratory causes, and possibly cardiovascular-related morbidity.

The US EPA first promulgated NAAQS for ozone in 1971 with revisions in 1979, 1997, and 2008. The standard began as a 1-hour averaging time and later changed to an 8-hour averaging time, which was determined to be more health protective.¹

Nonattainment Area within the District

The US EPA revised the ozone NAAQS effective May 27, 2008. The revision lowered the level of the 8-hour standard to 0.075 ppm.² The ozone standard is attained when the fourth highest eight hour concentration in a year, averaged over three years, is equal to or less than the standard. The revision was to provide increased protection for children and other “at risk” populations.

The southern portion of Sutter County (See Appendix B) was designated nonattainment for the 2008 8-hour ozone NAAQS effective July 20, 2012. This portion of the District is part of the Sacramento Metro, CA nonattainment area and was classified as a “severe” nonattainment area.³ As a severe nonattainment area,

¹ History of Ozone Standard http://www.epa.gov/ttn/naaqs/standards/ozone/s_o3_history.html. June 26, 2014.

² National Ambient Air Quality Standards for Ozone, 73 FR 16436, March 27, 2008.

³ Air Quality Designations for the 2008 Ozone National Ambient Air Quality Standards, 77 FR 30088-30160, May 21, 2012.

the area is required to meet the 2008 8-hour ozone NAAQS by December 31, 2027.⁴ The remaining portions of the District (Sutter Buttes, northern Sutter County and Yuba County) were designated attainment.

This same part of south Sutter County was also designated as severe nonattainment for the 1997 8-hour ozone standard as part of the Sacramento Metro, CA nonattainment area.

Reasonably Available Control Technology Requirement

The CAA requires certain sources in ozone nonattainment areas to implement control methods called reasonably available control technology (RACT). The US EPA defines RACT as the lowest emission limitation that a particular source is capable of meeting by the application of control technology (i.e., devices, systems, process modification, or other apparatus or techniques that reduce air pollution) that is reasonably available considering technological and economic feasibility. The RACT requirement is meant to ensure that all moderate and above ozone nonattainment areas have in place all RACT for source categories covered by a Control Techniques Guideline (CTG) document and for major sources⁵ of VOC or NOx that are not subject to a CTG.

Sections 182(b)(2) and 182(f) of the CAA requires a revision to the State Implementation Plan to implement RACT for each category of VOC sources in the ozone nonattainment areas covered by a CTG document and for any major stationary source of VOC or NOx not covered by a CTG document. A District adopts the control methods if it has a source in its area subject to a CTG.

Alternatively, the District may declare that there are no sources in its area subject to a RACT requirement because it has no sources above the CTG recommended threshold, and then the requirement to adopt a rule for those sources is no longer applicable. This is known as a “Negative Declaration.”

Each time US EPA promulgates a revision to the ozone NAAQS, a District with a nonattainment area must re-affirm its Negative Declarations for those source categories for which it is not adopting CTG-based regulations regardless of whether such negative declarations were made for an earlier standard. This is necessary since there may now be sources in the nonattainment area that previously did not exist, or in areas where the boundaries of the nonattainment area have expanded,

⁴ Implementation of the 2008 National Ambient Air Quality Standards for Ozone: Nonattainment Area Classifications Approach, Attainment Deadlines and Revocation of the 1997 Ozone Standards for Transportation Conformity Purposes, 77 FR 30160-30171, May 21, 2012.

⁵ The definition of a *major source* is dependent on the severity of the air quality problem in a region. For the south Sutter portion of the Feather River Air Quality Management District, a severe nonattainment area, the major source threshold is the potential to emit at least 25 tons per year of VOC or NOx.

there may be sources in the new portion of the nonattainment area which should not be overlooked.

The negative declaration must go through the same public review requirements as any other SIP submittal. The RACT Analysis and/or Negative Declaration must be submitted to the US EPA within two years from the effective date of the designations.

PREVIOUS RACT SUBMITTALS

2006 RACT Submittal for 1997 Ozone NAAQS

As part of the Sacramento Metro ozone nonattainment area for the 1997 ozone NAAQS, the District prepared a RACT Analysis for inclusion in the SIP for the CTGs issued prior to 2006 in accordance with 40 CFR 51.912. The RACT Analysis was adopted by the District's Board of Directors at the December 4, 2006 meeting.

The 2006 RACT Analysis included negative declarations for major sources in the nonattainment area and CTG source category analysis for the south Sutter County portion of the nonattainment area. The District identified one source category during the 2006 RACT Analysis that was applicable to a CTG. The District received comments from US EPA that District Rule 3.8 Storage and Transfer of Gasoline was less stringent than US EPA's CTG. In response, the District amended Rule 3.8 on June 2, 2014. The amended rule was submitted to CARB on June 27, 2014, for their transmission to the US EPA for inclusion in the SIP, and has been included in this RACT Analysis as Appendix D.

2009 RACT Update

Between 2006 and 2008 the US EPA issued 11 new CTG's. The District staff evaluated the new CTGs and determined that there were no applicable sources within the south Sutter County portion of the ozone nonattainment area. The source with the largest potential to emit (PTE) was a facility that repairs and paints off road mobile equipment and agricultural implements. As discussed in the 2009 update to the RACT Analysis, the facility is subject to and permitted under District Rule 3.19 Vehicle and Mobile Equipment Coating Operations⁶, which is consistent with the national VOC rules.⁷ Therefore, the District determined that the Miscellaneous Metal Parts CTG (EPA 453/R-08-003 2008/09) does not apply to this source. This facility also used solvents, but at a level below the applicability threshold CTG for industrial cleaning solvents (EPA-453/R-06-001,2006/09).

⁶ Rule 3.19 was amended August 1, 2011, and submitted to US EPA for SIP approval on February 10, 2014.

⁷ National Volatile Organic Compound Emission Standards (40 CFR Part 59).

The 2009 RACT Update identified a second source that used industrial cleaning solvents. This was an automotive repair facility and they were permitted to use 10 gallons per year of solvents, well below the CTG applicability threshold.

The District Board of Directors adopted the negative declaration on June 1, 2009, and it was submitted to the US EPA by CARB on October 27, 2009.

RACT ANALYSIS FOR 2008 OZONE NAAQS

The current RACT Analysis prepared pursuant to Sections 182(b)(2) and 182(f) of the CAA for the 2008 8-hour ozone NAAQS involves the following procedures:

- Source Category Identification: Identify all source categories in the District that require RACT. This includes:
 - Source categories which have RACT guidance, and for which any sources (either major or minor) operate in the District.
 - Source categories for which major sources of NO_x or VOC operate in the District.
- RACT Determination: For each source category that requires RACT, identify if there is a District Rule. If there is no rule, then a new District Rule that meets RACT must be adopted. If there is an existing District Rule, then a determination must be made if the existing District Rule reflects RACT. This is based on an analysis of the applicable District Rule with guidance and regulations used to establish RACT:
 - Federal US EPA: Control Technique Guidelines (CTG), Alternative Control Techniques (ACT), Maximum Achievable Control Technology (MACT) standards, New Source Performance Standards (NSPS),
 - State: California Suggested Control Measures (SCM) and RACT/Best Available Retrofit Control Technology (BARCT) determinations.
 - Local: Regulations, guidance, and rules adopted by Air Districts and other local agencies.

The RACT Determination should identify for each source category:

- Existing District Rules that meet RACT.
- Existing District Rules that require amendments to meet RACT.
- New Rules required to meet RACT.
- Negative Declaration: Negative Declarations are required for all CTG source categories for which there is RACT guidance but for which there are no applicable facilities (major or minor) within the nonattainment area, or for which there are facilities but their permitted maximum emissions are below the CTG applicability threshold.

To determine that there are no operating facilities in the District that are subject to a CTG, the following checks were conducted:

- District internal database of permitted sources.
- Internet website searches for key words.
- County planning records.
- Yellow pages.

Source Category Identification

The District staff have reviewed the existing facilities and sources located in the nonattainment area portion of Sutter County and have presented a summary in Table 1. Table 1 also includes the annual and daily permit limits of VOC of the largest facility within the source type. The daily permit limits were included for applicability to CTGs with minimum daily thresholds. A complete list of all the permitted facilities in the south Sutter County portion of the nonattainment area is included as Appendix A.

Most of the sources that existed when the 2006 and 2009 RACT analyses occurred are still operating. One rice dryer has closed, the natural gas production facility has closed, and the retail gasoline service station transferred ownership. There are three new rice dryers, one new concrete batch plant, three new private gasoline tanks, and new internal combustion engines as backup generators. There is also a soil remediation operation that begun in 2011. None of these new facilities/sources are major sources and none have CTG applicability.

The source with the largest potential to emit (PTE) is a facility that repairs and paints off road mobile equipment and agricultural implements (16003 Holt of CA). The permitted equipment includes a spray booth, internal combustion engines, gasoline storage tanks, and abrasive blasting, which is why they are considered a "Various" source type in Table 1. This facility's maximum daily PTE of VOC is 195 pounds per day for all coating operations however the annual permitted maximum is 7.85 tons. As discussed in the 2009 update to the RACT Analysis, the facility is subject to and permitted under District Rule 3.19 Vehicle and Mobile Equipment Coating Operations, which is consistent with the national VOC rules.⁸ Therefore, the District has determined that the Miscellaneous Metal Parts CTG (EPA 453/R-08-003 2008/09) does not apply to this source. This facility also uses solvents but their permitted limit is 20 gallons per year which is below the CTG applicability threshold.

The automotive repair facility (11037 Broesch Automotive) also uses solvents and was evaluated for applicability in the 2009 RACT Update. Since 2009 the facility has applied for an increase in their solvent use. They are now permitted to use up to 20 gallons per year. This is still below the threshold for the CTG for Industrial Cleaning Solvents (EPA-453/R-06-001 2006/09).

The only source category that has RACT guidance is gasoline service stations.

⁸ National Volatile Organic Compound Emission Standards (40 CFR Part 59).

Table 1: Summary of Source Types in South Sutter County

| Source Type | Number of Sources | Max PTE of NOx (tons/yr) ¹ | Max PTE of VOC (tons/yr) ² | Max PTE of VOC (lbs/day) ³ |
|-----------------------------|-------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| Rice Dryer | 10 | 5.06 | 0.65 | 10.73 |
| Concrete Batch Plant | 2 | 0.65 | 0.05 | 0.28 |
| Private Gasoline Dispensing | 5 | 0 | 0.99 | 7.32 |
| Retail Gasoline | 1 | 0 | 0.73 | 8.1 |
| Emergency ICE | 15 | 4.09 | 0.22 | 40.22 |
| Animal Crematory | 1 | 0.77 | 0.17 | 10.4 |
| Various Equipment | 1 | 2.83 | 7.85 | 195 |
| Automotive Repair | 1 | 0 | 1.4 | 12.5 |
| Soil Remediation | 1 | 0 | 0.34 | 1.9 |

¹Maximum potential to emit of oxides of nitrogen in tons per year

²Maximum potential to emit of total hydrocarbons in tons per year

³Maximum potential to emit of total hydrocarbons in pounds per day

RACT Determination – Gasoline Service Stations

The only type of source subject to RACT guidance is gasoline service stations therefore the only RACT determination needed is for the CTG Design Criteria for Stage I Vapor Control Systems – Gasoline Service Stations (EPA-450/R-75-102 1975/11). This CTG contained design criteria to control the release of vapors from commercial gasoline stations. It included the use of submerged fill pipes, systems to control the displaced vapors from the tanks into the delivery vehicle and specifications for maintaining and inspecting the systems. The District has adopted Rule 3.8 to control VOC emissions from storage tanks and transport vessels. During the 2006 RACT Analysis, US EPA determined that Rule 3.8 was not as stringent as the CTG Design Criteria for Stage I Vapor Control Systems – Gasoline Service Stations because it exempted facilities with throughputs less than 25,000 gallons per month⁹. RACT for ozone nonattainment areas is required when facilities exceed 10,000 gallons/month.

To correct the deficiency, the District Board of Directors adopted amendments to Rule 3.8 on June 2, 2014, that strengthened the control measures of the Rule. The amendments lowered the exemption threshold to 10,000 gallons per month. Existing tanks are required to control a minimum of 90% of the vapors displaced from the transfer of gasoline from a delivery vessel into a storage tank; whereas new tanks must achieve at least 95% control. A summary of the rule analysis is presented in Table 2. Amended Rule 3.8 is now as stringent as the CTG.

⁹ Letter from Andrew Steckel, Chief, Rulemaking Office, US EPA Region IX, December 12, 2006

Table 2: Rule 3.8 RACT Analysis

| CTG | FRAQMD Rule | FRAQMD Rule Requirements and Exemptions |
|--|--|--|
| <p><u>Design Criteria for Stage I Vapor Control Systems – Gasoline Service Stations.</u> EPA-450/R-75-102 1975/11. November 1975</p> | <p>FRAQMD Rule 3.8 Gasoline Dispensing Facilities (June 2, 2014)</p> | <p>Requirements: Submerged fill pipe (D.1); CARB Certified Phase I EVR system that prevents 95% vapors displaced during transfer (D.2.a); CARB Certified Standing Loss Control (D.2.b); Prevent leaks (D.2.c, D.2.d, D.2.e, and D.4); Maintenance Inspections (D.5, D.6 and D.7); Testing (D.8); Recordkeeping (E.1); Test methods (F).</p> <p>Exemptions: Storage tanks less than 250 gallons (B.1.a); tanks used exclusively for fueling implements of husbandry (B.1.b); tanks installed prior to June 1991 with throughputs less than 10,000 gallons/month (B.2); Non retail tanks already achieving a minimum vapor recovery efficiency of 90% by weight and that are installed prior to July 1, 2014, are exempt from Phase I EVR (B.3).</p> |

RACT Determination – all other CTG’s

There are no sources applicable to CTGs located in the south Sutter County portion of the nonattainment area. The District does not anticipate any new such sources in the future.

RACT Determination – major sources

There are no major sources in the south Sutter County portion of the nonattainment area. The District also does not anticipate any new major sources in the future.

Negative Declaration

To determine that there are no operating facilities in the District that fall under a source category with RACT guidance, the following checks were conducted:

- District internal database of permitted stationary sources.
- Internet website searches for key words.
- County planning records.
- Yellow pages.

District Internal Database of Permitted Stationary Sources: The results of the review of the District's stationary source database are included as Appendix A. There are no major sources of VOC or NOx located in the nonattainment area. The largest source of VOC is a coatings operation with a maximum potential to emit 7.85 tons per year. The largest NOx source is from a diesel engine at a rice dryer with a maximum potential to emit 5.06 tons per year. The most abundant source type is emergency backup engines of which the District has 15 under permit. There are also 10 rice dryers, one automotive repair shop, one animal crematory, two concrete batch plants, and several private gasoline tanks.

Internet Search: The District staff conducted internet website searches for businesses located in south Sutter County. There is predominately agricultural land uses in the nonattainment area. The District staff were unable to discover any additional sources using internet search engines.

County Planning Records: The District is routed each new permit application that undergoes environmental review through the planning department of Sutter County. Through this process, the District is alerted to any potential new sources. The District has not received any permit applications from potential new sources that have not already been identified in Appendix A.

Yellow Pages: The District staff also scanned yellow pages for sources. No new sources were discovered as a result of these searches.

As a result of these searches, the District has determined that there are no operating facilities in the south Sutter County portion of the District that fall under a source category with RACT guidance except gasoline service stations. The District is making a Negative Declaration for all CTG's listed in Appendix C except Design Criteria for Stage I Vapor Control Systems – Gasoline Service Stations (EPA-450/R-75-102 1975/11).

STATE IMPLEMENTATION PLAN SUBMITTAL

The District shall make this RACT Analysis and negative declaration available for public comment beginning July 3, 2014. The District shall hold a public hearing on August 4, 2014, at which time the District Board of Directors may adopt the RACT Analysis and direct staff to forward it to the CARB and eventually to the US EPA as a SIP revision.

Appendices

Appendix A: FRAQMD Permitted Sources in the SMNA (as of June 3, 2014)

Appendix B: Definition of Sutter County Portion of Sacramento Metro
Nonattainment Area

Appendix C: Negative Declaration CTGs as of June 6, 2014

Appendix D: Rule 3.8 as amended June 2, 2014

Appendix A: FRAQMD Permitted Sources in the SMNA (as of June 3, 2014)

| FACILITY ID | COMPANY NAME | SITE CITY | SITE ZIP | SOURCE TYPE | PTE NOx Tons/Yr | PTE VOC Tons/Yr |
|-------------|-----------------------------|-----------------|----------|------------------------------------|-----------------|-----------------|
| 28008 | Vogt Farms | Pleasant Grove | 95668 | Animal Crematory | 0.77 | 0.17 |
| 11037 | Broesch Automotive | Knights Landing | 95645 | Automotive Repair | 0 | 1.4 |
| 20013 | Teichert Readymix | Pleasant Grove | 95668 | Concrete batch plant + Boiler | 0.65 | 0.05 |
| 20016 | CEMEX | Pleasant Grove | 95668 | Concrete batch plant | 0 | 0 |
| 21040 | Reclamation District #1500 | Robbins | 95676 | Gasoline Tank-Private + ICE | 0.38 | 0.5 |
| 21033 | South Sutter Water District | Trowbridge | 95659 | Gasoline Tank-Private + ICE | 0.05 | 0.04 |
| 21028 | Sutter County | Nicolaus | 95659 | Gasoline Tank-Private | 0 | 0.99 |
| 21016 | Sutter Mutual Water Co. | Kirkville | 95676 | Gasoline Tank-Private | 0 | 0.12 |
| 21032 | Bear River Supply Inc. | Rio Oso | 95674 | Gasoline Tank-Private | 0 | 0.8 |
| 14052 | Nicolaus Expressmart | Nicolaus | 95659 | Gasoline Retail | 0 | 0.73 |
| 23169 | Verizon Wireless | Pleasant Grove | 95668 | Emergency ICE | 0.07 | 0 |
| 23121 | AT&T Mobility | Nicolaus | 95659 | Emergency ICE | 0 | 0 |
| 23174 | AT&T Mobility | Rio Oso | 95674 | Emergency ICE | 0 | 0 |
| 23100 | Morning Star Park, Inc. | Elverta | 95626 | ICE Fire Pump | 0.08 | 0 |
| 23035 | Sysco | Pleasant Grove | 95668 | Emergency ICE + Boiler | 4.09 | 0.22 |
| 23071 | Clear Channel Radio | Pleasant Grove | 95668 | Emergency ICE | 1.04 | 0.08 |
| 23043 | SBC / Pacific Bell | East Nicolaus | 95659 | Emergency ICE | 0.55 | 0.04 |
| 23017 | Level 3 Communications | Robbins | 95676 | Emergency ICE | 0.32 | 0.02 |
| 23041 | SBC / Pacific Bell | Pleasant Grove | 95668 | Emergency ICE | 0.32 | 0.03 |
| 23014 | 360 Networks | Robbins | 95676 | Emergency ICE | 0.28 | 0.03 |
| 23008 | Verizon | Robbins | 95676 | Emergency ICE | 0.26 | 0.04 |
| 23093 | Pacific Gas & Electric | Pleasant Grove | 95668 | Emergency ICE | 0.11 | 0.02 |
| 23034 | Verizon Wireless | Nicolaus | 95659 | Emergency ICE | 0.02 | 0.01 |
| 23032 | Verizon Wireless | Robbins | 95676 | Emergency ICE | 0 | 0 |
| 23216 | Reclamation District #1001 | Rio Oso | 95674 | Emergency ICE | 0.19 | 0.4 |
| 6023 | Murphy Lake Farms | Sacramento | 95659 | Rice dryer | 5.06 | 0.18 |
| 6017 | Van Dyke's Rice Dryer Inc. | Pleasant Grove | 95668 | Rice dryer | 3.34 | 0.26 |
| 6024 | Sopwith Farms | Sacramento | 95836 | Rice dryer | 1.66 | 0.13 |
| 6005 | Premium Rice Group, LLC | Robbins | 95676 | Rice dryer | 1.05 | 0.04 |
| 6006 | Catlett Warehouse | Pleasant Grove | 95668 | Rice dryer | 1.05 | 0.04 |
| 6004 | Kennan Corporation | Pleasant Grove | 95668 | Rice dryer | 0.64 | 0.29 |
| 6022 | Gallagher Dryer | Rio Oso | 95674 | Rice dryer | 0.59 | 0.05 |
| 6007 | El Centro Storage | Pleasant Grove | 95668 | Rice dryer | 0.2 | 0.01 |
| 6019 | Danna Bins | Nicolaus | 95659 | Rice cleaning | 0 | 0 |
| 6014 | Sutter Basin Growers Coop. | Knights Landing | 95645 | Rice/bean dryer + Private Gas Tank | 3.51 | 0.65 |
| 36014 | East Nicolaus Market | East Nicolaus | 95659 | Soil remediation | 0 | 0.34 |
| 16003 | Holt of California, Inc. | Pleasant Grove | 95668 | Various Equipment | 2.83 | 7.85 |

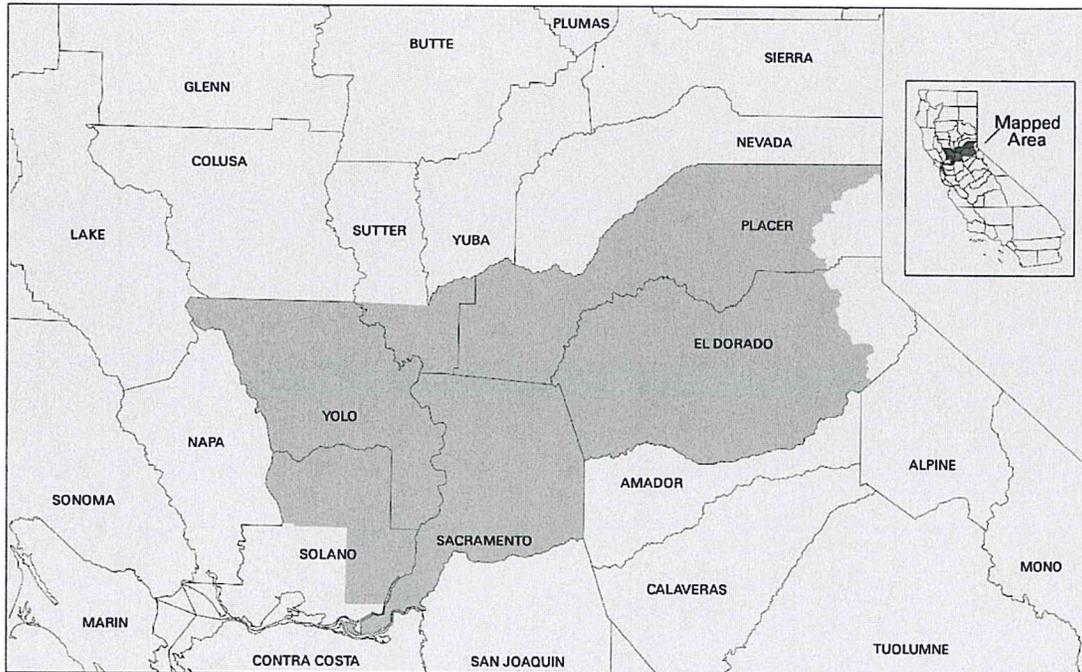
Appendix B: Definition of Sutter County Portion of Sacramento Metro Nonattainment Area

From the Federal Register, Vol. 77, No. 98, May 21, 2012, page 30105:

“Sutter County (part)

Portion south of a line connecting the northern border of Yolo County to the SW tip of Yuba County and continuing along the southern Yuba County border to Placer County.”

Figure 1: Map of Sacramento Metro nonattainment area for ozone



Appendix C: Negative Declaration CTGs (as of June 6, 2014)

The District has reviewed its permit files and the emission inventory, as well as business listings and telephone yellow pages and county planning records, and has determined that there are no stationary sources or emitting facilities for the following CTG categories:

| GUIDANCE DOCUMENT TITLE | DOCUMENT TYPE | DOCUMENT NUMBER |
|---|---------------|--------------------------|
| <u>Control of Volatile Organic Emissions from Existing Stationary Sources – Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks</u> | CTG | EPA-450/2-77-008 1977/05 |
| <u>Control of Volatile Organic Emissions from Solvent Metal Cleaning</u> | CTG | EPA-450/2-77-022 1977/11 |
| <u>Control of Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds</u> | CTG | EPA-450/2-77-025 1977/10 |
| <u>Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals</u> | CTG | EPA-450/2-77-026 1977/10 |
| <u>Control of Volatile Organic Emissions from Existing Stationary Sources – Volume III: Surface Coating of Metal Furniture</u> | CTG | EPA-450/2-77-032 1977/12 |
| <u>Control of Volatile Organic Emissions from Existing Stationary Sources – Volume IV: Surface Coating of Insulation of Magnet Wire</u> | CTG | EPA-450/2-77-033 1977/12 |
| <u>Control of Volatile Organic Emissions from Existing Stationary Sources – Volume V: Surface Coating of Large Appliances</u> | CTG | EPA-450/2-77-034 1977/12 |
| <u>Control of Volatile Organic Emissions from Bulk Gasoline Plants</u> | CTG | EPA-450/2-77-035 1977/12 |
| <u>Control of Volatile Organic Emissions from Storage of Petroleum Liquids in Fixed-Roof Tanks</u> | CTG | EPA-450/2-77-036 1977/12 |
| <u>Control of Volatile Organic Emissions from Use of Cutback Asphalt</u> | CTG | EPA-450/2-77-037 1977/12 |
| <u>Control of Volatile Organic Emissions from Existing Stationary Sources – Volume VI: Surface Coating of Miscellaneous Metal Parts and Products</u> | CTG | EPA-450/2-78-015 1978/06 |
| <u>Control of Volatile Organic Emissions from Existing Stationary Sources – Volume VII: Factory Surface Coating of Flat Wood Paneling</u> | CTG | EPA-450/2-78-032 1978/06 |
| <u>Control of Volatile Organic Compound Leaks from Petroleum Refinery Equipment</u> | CTG | EPA-450/2-78-036 1978/06 |
| <u>Control of Volatile Organic Emissions from Manufacture of Synthesized Pharmaceutical Products</u> | CTG | EPA-450/2-78-029 1978/12 |
| <u>Control of Volatile Organic Emissions from Manufacture of Pneumatic Rubber Tires</u> | CTG | EPA-450/2-78-030 1978/12 |
| <u>Control of Volatile Organic Emissions from Existing Stationary Sources – Volume VIII: Graphic Arts-Rotogravure and Flexography</u> | CTG | EPA-450/2-78-033 1978/12 |
| <u>Control of Volatile Organic Emissions from Petroleum Liquid Storage in External Floating Roof Tanks</u> | CTG | EPA-450/2-78-047 1978/12 |
| <u>Control of Volatile Organic Emissions from Perchloroethylene Dry Cleaning Systems</u> | CTG | EPA-450/2-78-050 1978/12 |
| <u>Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems</u> | CTG | EPA-450/2-78-051 1978/12 |
| <u>Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners</u> | CTG | EPA-450/3-82-009 1982/09 |
| <u>Control of Volatile Organic Compound Emissions from Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins</u> | CTG | EPA-450/3-83-008 1983/11 |
| <u>Control of Volatile Organic Compound Equipment Leaks from Natural Gas/Gasoline Processing Plants</u> | CTG | EPA-450/3-83-007 1983/12 |
| <u>Control of Volatile Organic Compound Leaks from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment</u> | CTG | EPA-450/3-83-006 1984/03 |
| <u>Control of Volatile Organic Compound Emissions from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry</u> | CTG | EPA-450/3-84-015 1984/12 |

| | | |
|---|-----|-----------------------------|
| <u>Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations in Synthetic Organic Chemical Manufacturing Industry</u> | CTG | EPA-450/4-91-031 1993/08 |
| <u>Control of Volatile Organic Compound Emissions from Wood Furniture Manufacturing Operations</u> | CTG | EPA-453/R-96-007 1996/04 |
| <u>Alternative Control Technology Document – Surface Coating Operations at Shipbuilding and Ship Repair Facilities</u> | CTG | EPA-453/R-94-032 1994/04 |
| <u>Control Techniques Guidelines for Shipbuilding and Ship Repair Operations (Surface Coating)</u> | CTG | 61 FR-44050 8/27/96 1996/08 |
| <u>Aerospace MACT</u> | CTG | 59 FR-29216 6/06/94 1994/06 |
| <u>Aerospace (CTG & MACT)</u> | CTG | EPA-453/R-97-004 1997/12 |
| <u>Control Techniques Guidelines for Industrial Cleaning Solvents</u> | CTG | EPA-453/R-06-001 2006/09 |
| <u>Control Techniques Guidelines for Offset Lithographic Printing and Letterpress Printing</u> | CTG | EPA-453/R-06-002 2006/09 |
| <u>Control Techniques Guidelines for Flexible Package Printing</u> | CTG | EPA-453/R-06-003 2006/09 |
| <u>Control Techniques Guidelines for Flat Wood Paneling Coatings</u> | CTG | EPA-453/R-06-004 2006/09 |
| <u>Control Techniques Guidelines for Paper, Film, and Foil Coatings</u> | CTG | EPA 453/R-07-003 2007/09 |
| <u>Control Techniques Guidelines for Large Appliance Coatings</u> | CTG | EPA 453/R-07-004 2007/09 |
| <u>Control Techniques Guidelines for Metal Furniture Coatings</u> | CTG | EPA 453/R-07-005 2007/09 |
| <u>Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings</u> | CTG | EPA 453/R-08-003 2008/09 |
| <u>Control Techniques Guidelines for Fiberglass Boat Manufacturing Materials</u> | CTG | EPA 453/R-08-004 2008/09 |
| <u>Control Techniques Guidelines for Miscellaneous Industrial Adhesives</u> | CTG | EPA 453/R-08-005 2008/09 |
| <u>Control Techniques Guidelines for Automobile and Light-Duty Truck Assembly Coatings</u> | CTG | EPA 453/R-08-006 2008/09 |
| <u>Protocol for Determining the Daily Volatile Organic Compound Emission Rate of Automobile and Light-Duty Truck Primer-Surfacer and Topcoat Operations</u> | CTG | EPA 453/R-08-002 2008/09 |

Appendix D: Rule 3.8 as amended June 2, 2014

RULE 3.8 **GASOLINE DISPENSING FACILITIES** (Adopted 6/91, Amended 6/2/2014)

A. GENERAL

- A.1 **PURPOSE:** The purpose of this rule is to limit displaced gasoline vapors from storage tanks and transport vessels.
- A.2 **APPLICABILITY:** This rule applies to the transfer of gasoline into any stationary storage tank located at a gasoline dispensing facility.
- A.3 **SEVERABILITY:** If a court of competent jurisdiction issues an order that any provision of this rule is invalid, it is the intent of the District that other provisions of this rule remain in full force and effect, to the extent allowed by law.

B. EXEMPTIONS

- B.1 **EXEMPTION:** The provisions of this rule shall not apply to the following:
- a. Storage tanks with a capacity of 250 gallons or less;
 - b. The transfer of gasoline into any stationary storage tank used exclusively for the fueling of implements of husbandry, as such vehicles are defined in Division 16 (Section 36000 et seq.) of the California Vehicle Code, if such storage tank is equipped with a permanent submerged fill pipe; or
 - c. Storage tanks located at gasoline bulk plants or gasoline terminals.
- B.2 **EXEMPTION - PHASE I:** The provisions of Sections D.2 and D.8 shall not apply to any stationary storage tank which meets all of the following requirements:
- a. The storage tank was installed at the stationary source prior to June 1991; and
 - b. The storage tank maintains a monthly throughput of less than 10,000 gallons.

B.3 **EXEMPTION – PHASE I EVR:** The provisions of Section D.2 shall not apply to any stationary storage tank used at a non-retail gasoline dispensing facility that is equipped with a Phase I vapor recovery system that meets all of the following requirements:

- a. The vapor recovery system achieves a minimum vapor recovery efficiency of 90% by weight;
- b. The storage tank is equipped with a pressure/vacuum valve; and
- c. The storage tank was installed at the stationary source before July 1, 2014.

C. DEFINITIONS

- C.1 **CARB CERTIFIED:** A Phase I or Phase II vapor recovery system, equipment, or any component thereof, for which CARB has evaluated its performance and issued a valid Executive Order pursuant to Health and Safety Code Section 41954. Each component of a system is a separate CARB certified item and cannot be replaced with a non-certified item or other items that are not certified for use with the particular system. Except for qualified repairs, a CARB certified component shall be as supplied by the qualified manufacturer. A rebuilt component shall not be deemed as CARB certified unless the person who rebuilds the component is authorized by CARB to rebuild the designated CARB certified component.
- C.2 **DELIVERY VESSEL:** Any motor vehicle, trailer, or rail car used for the transportation of gasoline.
- C.3 **DRY BREAK:** A Phase I vapor recovery component that opens only by connection to a mating device to ensure that no gasoline vapors escape from the storage tank before the vapor return line is connected and sealed.
- C.4 **ENHANCED VAPOR RECOVERY (EVR):** Performance standards and specifications set forth in the CARB CP-201 (Certification Procedure for Vapor Recovery Systems at gasoline dispensing facilities) or in CARB CP-206 (Certification Procedure for Vapor Recovery Systems at Gasoline Dispensing Facilities Using Aboveground Storage Tanks).

- C.5 EXECUTIVE ORDER: A document issued by CARB pursuant to Health and Safety Code Section 41954 certifying that a specific vapor recovery system meets the applicable performance specifications and setting conditions for the certification.
- C.6 GASOLINE: Any petroleum distillate or petroleum distillate/alcohol blend having a Reid vapor pressure of 4 pounds per square inch absolute or greater as determined by a method specified by test methods ASTM DM2879-97 (2007), ASTM D323-06, or ASTM D5191-07.
- C.7 GASOLINE BULK PLANT: Any gasoline loading facility where the primary delivery of gasoline to a storage tank is other than by pipeline.
- C.8 GASOLINE DISPENSING FACILITY: A stationary source consisting of one or more storage tanks and associated equipment that receives, stores, and dispenses gasoline to motor vehicle fuel tanks.
- C.9 GASOLINE TERMINAL: Any loading facility where delivery of gasoline to a storage tank is primarily by pipeline. In the event the pipeline is not operational, delivery of gasoline to the storage tanks may be by delivery vessel.
- C.10 LOADING FACILITY: A facility which uses a gasoline loading rack or set of such racks to load gasoline into delivery vessels.
- C.11 MOTOR VEHICLE: Any self-propelled vehicle as defined in Section 415 of the California Vehicle Code.
- C.12 PHASE I: A gasoline vapor recovery system or equipment that recovers the vapors generated during the transfer of gasoline from transport vessels into storage tanks.
- C.13 PRESSURE/VACUUM VALVE: A valve that is installed on the vent pipe(s) of the gasoline storage tank to relieve pressure or vacuum build-up at preset values of pressure or vacuum within the tank.
- C.14 RETAIL GASOLINE DISPENSING FACILITY: Any gasoline dispensing facility subject to the payment of California sales tax for the sale of gasoline to the public.

- C.15 **SPILL CONTAINER:** An enclosed container around a Phase I fill pipe that is designed to collect gasoline spillage resulting from disconnection between the liquid gasoline delivery hose and the fill pipe.
- C.16 **SUBMERGED FILL PIPE:**
- a. **Top Loading:** Any fill pipe which has the discharge opening entirely submerged when the liquid level is 6 inches above the bottom of the tank.
 - b. **Side Loading:** Any fill pipe which has the discharge opening entirely submerged when the liquid level is 18 inches above the bottom of the tank.
- C.17 **VAPOR TIGHT:** A vapor leak of less than 10,000 ppm hydrocarbon concentration, as determined by EPA Reference Method 21, using an appropriate analyzer calibrated with methane.

D. REQUIREMENTS

- D.1 **SUBMERGED FILL PIPE:** A person shall not transfer or permit the transfer of gasoline into any stationary storage tank unless such storage tank is provided with a permanent submerged fill pipe.
- D.2 **GASOLINE TRANSFER INTO STORAGE TANKS:** A person shall not transfer, allow the transfer or provide equipment for the transfer of gasoline from any transport vessel into any storage tank unless all of the following conditions are met:
- a. The gasoline storage tank is equipped with a CARB certified Phase I Enhanced Vapor Recovery (EVR) system that shall prevent emission to the atmosphere of at least 95%, by volume, of the gasoline vapors displaced from the storage container during the transfer of gasoline into the container;
 - b. All aboveground storage tanks are equipped with a Standing Loss Control vapor recovery system as certified by the CARB pursuant to Certification Procedure CP-206;
 - c. All vapor recovery systems are maintained and operated according to the manufacturer's specifications and the most recent applicable CARB Executive Orders;

- d. All vapor return lines are connected between the transport vessel and the storage tank while gasoline is transferred, and all associated hoses, fittings, and couplings are maintained in a liquid tight and vapor tight condition; and
 - e. The following equipment shall be installed, operated and maintained as specified below:
 - 1. All fill tubes are equipped with vapor tight caps;
 - 2. All dry breaks are equipped with vapor tight seals and vapor tight caps;
 - 3. All CARB certified coaxial fill tubes are spring-loaded and operated so that the vapor passage from the storage tank back to the transport vessel is not obstructed;
 - 4. The fill tube assembly, including fill tube, fittings and gaskets, is maintained to prevent vapor leakage from any portion of the vapor recovery system;
 - 5. All storage tank vapor return lines without dry breaks are equipped with vapor tight caps; and
 - 6. Each vapor tight cap is in a closed position except when the fill tube or dry break it serves is actively in use.
- D.3 **CERTIFICATION REQUIREMENTS:** A person shall not offer for sale, sell, or install within the District any Phase I vapor recovery equipment unless such equipment is CARB certified.
- D.4 **VAPOR TIGHT:** All vapor recovery equipment and gasoline loading equipment shall be maintained in good working order and shall be leak free and vapor tight.
- D.5 **MAINTENANCE INSPECTIONS - RETAIL GASOLINE FACILITY:** The owner/operator of any retail gasoline dispensing facility shall perform a maintenance inspection in accordance with the protocol specified in Section D.7 to ensure proper operating conditions of all components of the vapor recovery systems. The inspection shall be performed weekly, or at the frequency specified in the District Permit to Operate, whichever is more stringent.
- D.6 **MAINTENANCE INSPECTIONS - NON-RETAIL GASOLINE FACILITY:** The owner/operator of any non-retail gasoline dispensing facility shall perform a maintenance inspection in accordance with the protocol

specified in Section D.7 to ensure proper operating conditions of all components of any applicable vapor recovery system. The inspection shall be performed monthly, or at the frequency specified in the District Permit to Operate, whichever is more stringent.

D.7 **MAINTENANCE INSPECTION PROTOCOL:** The owner/operator of a gasoline dispensing facility shall, at a minimum, verify the following and record the results during the maintenance inspection:

- a. The fill caps and gaskets are not missing, damaged, or loose;
- b. The submerged fill pipe is not missing or damaged; and
- c. If applicable:
 1. The spill container is clean and does not contain gasoline, and the spill containment drain valve is seating properly;
 2. The spring-loaded submerged fill tube seals properly against the coaxial fitting; and
 3. The dry break is not missing or damaged;

D.8 **SOURCE TESTING:**

- a. Within 60 calendar days of the initial operation of a new or modified gasoline dispensing facility, the owner/operator shall conduct and successfully pass the performance tests required by the applicable District Authority to Construct permits and CARB Executive Orders.
- b. The owner/operator of a gasoline dispensing facility shall conduct and successfully pass the reverification performance tests in accordance with the test methods specified in Section F, and any additional tests required by the applicable CARB Executive Orders or District Permit to Operate to verify the proper operation of the vapor recovery system. Each reverification test shall be completed within 12 months of the previous successful test.
- c. A person who conducts performance tests shall comply with all of the following:
 1. Conduct tests in accordance with the applicable test methods specified in Section F and other CARB testing procedures. Tests shall be conducted using calibrated equipment meeting the

- calibration range and calibration intervals specified by the manufacturer;
2. Provide notification to the District at least 10 days prior to testing, except for reverification tests conducted after a drive-off; and
 3. Submit a copy of the test report in District-approved format to the District within 15 days after each test is conducted. The test report shall include all the required records of tests, test data, a statement whether the system or component tested meets or fails to meet the required standards, and the name and signature of the person responsible for conducting the tests.
- d. Notwithstanding Section c.2 above, the owner/operator that has failed a performance test or portions thereof may retest the facility provided that the person conducting the tests has complied with one of the following:
1. Notify the District at least 12 hours prior to retesting; or
 2. When all necessary repairs are performed during the same day the facility has failed, the owner/operator may retest the facility on the same day without re-notification, provided that the reasons for the test failure and any repairs performed are properly documented in the test reports and the repair logs pursuant to Section E.
- e. The owner/operator shall not operate or resume operation of a gasoline dispensing facility unless the facility has successfully passed the applicable performance tests. Notwithstanding the above, when a dispenser associated with any equipment that has failed a test is isolated and shut down, the owner/operator may continue operation or resume operation of the remaining equipment at the facility provided that test results demonstrate that the remaining equipment is in good operating condition. All test results and the method of isolating the defective equipment shall be documented in the test reports to be submitted to the APCO pursuant to Section E.

E. MONITORING AND RECORDS:

E.1 **RECORDKEEPING:** A person who performs maintenance inspections, repairs, or testing at any gasoline dispensing facility shall provide to the owner/operator all records listed below, as applicable, at the end of each day when the service is provided. The owner/operator shall maintain all records listed below on site and any other test results or maintenance records that are required to demonstrate compliance for a period of at least 5 years. Records for non-retail gasoline dispensing facilities that are unmanned may be kept off site provided that the records are made available to District personnel within 72 hours. All records required by this section shall be made available to District personnel upon request both on site during inspections and offsite as specified.

- a. Records of all defective components identified or repaired during maintenance inspections.
- b. Repair logs shall include, at a minimum:
 1. Date and time of the repair;
 2. The name of the person(s) who performed the repair, and if applicable, the name, address and phone number of the person's employer;
 3. Description of each component that was repaired, serviced, removed, or replaced, including the required component identification information; and
 4. If applicable, each component that was installed as a replacement, including the required component identification information; and
- c. Records of tests, which shall include:
 1. Date and time of each test;
 2. Name, affiliation, address and phone number of the person(s) who performed the test;
 3. Test data and calibration data for all equipment used;
 4. Date and time that each test is completed;
 5. Date and time that the facility owner/operator is notified of the results;
 6. For a test that fails, a description of the reasons for the test failure shall also be included;
 7. For a retest following a failed performance or reverification test, description of repairs performed; and

8. Copies of the test reports in District-approved format.

E.2 **RECORDKEEPING - TRANSFER OF OWNERSHIP:** If a facility undergoes a transfer of ownership, the new owner shall be responsible for collecting and maintaining all records from the previous owner, as specified in section E.1.

E.3 **BURDEN OF PROOF:** Any person claiming exemption pursuant to Section B.1, B.2, or B.3 shall have records available that would allow the APCO to verify the eligibility of the exemption.

F. TEST METHODS AND PROCEDURES

F.1 **STATIC PRESSURE DECAY:** The static pressure performance tests of a Phase I vapor recovery system for underground and aboveground tanks shall be determined in accordance with CARB Test Procedure TP-201.3 and TP-201.3B or TP-206.3, as applicable.

F.2 **ALTERNATIVE TEST PROCEDURES:** Those vapor recovery systems whose CARB Executive Orders specify different tests to be performed instead of, or in addition to, the referenced test methods, or which, by their design, preclude the use of the referenced test methods, shall be tested in accordance with the test procedures specified in the applicable CARB Executive Orders or their equivalents as approved by the EPA.