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REGULATION II -- PERMITS

RULE 10 -- PERMITS REQUIRED

(a) AUTHORITY TO CONSTRUCT. Before any person builds, erects, alters, replaces, operates, sells, rents or uses any article, machine equipment or other contrivance which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants, such person shall obtain a written authority to construct from the Air Pollution Control Officer. A single authority to construct may be issued for all components of an intergrated system or process. An authority to construct shall remain in effect until the permit to operate the equipment for which the application was filed is granted or denied or the application is cancelled.

(b) PERMIT TO OPERATE. Before any article, machine, equipment or other contrivance described in Rule 10(a) (Authority to Construct) may be operated or used, a written permit shall be obtained from the Air Pollution Control Officer. No permit to operate or use shall be granted either by the Air Pollution Control Officer or the Hearing Board for any article, machine, equipment or contrivance described in Rule 10(a) (Authority to Construct), constructed or installed without authorization as required by Rule 10(a) (Authority to Construct) until the information required is present to the Air Pollution Control Officer and such article, machine, equipment or contrivance is altered, if necessary, and made to conform to the standards set forth in Rule 20 and elsewhere in these Rules and Regulations.

(c) REVIEW OF PERMITS. The Air Pollution Control Officer may at any time require from an applicant for, or holder of, any authority to construct or permit to operate, such information, analyses, plans or specifications as will disclose the nature, extent, quantity or degree of air contaminants which are or may be discharged into the atmosphere.

(d) POSTING OF PERMIT TO OPERATE. A person who has been granted under Rule 10(b) a permit to operate any article, machine, equipment, or other contrivance described in Rule 10(b), shall firmly affix such permit to operate, an approved facsimile, or other approved identification bearing the permit number upon the article, machine, equipment, or other contrivance in such a manner as to be clearly visible and accessible. In the event that the article, machine, equipment, or other contrivance is so constructed or operated that the permit to operate cannot be so placed, the permit to operate shall be mounted so as to be clearly visible in an accessible place within 25 feet of the article, machine, equipment, or other contrivance or maintained readily available at all times on the operating premises.

(e) ALTERATION OF PERMIT. A person shall not willfully deface, alter, forge, counterfeit, or falsify any permit issued under these Rules and Regulations.

(f) CONTROL EQUIPMENT. Nothing in this rule shall be construed to authorize the Control Officer to require the use of machinery, devices, or equipment of a particular type or design if the required emission standard may be met by machinery, device, equipment, product, or process change otherwise available.

RULE II -- EXEMPTIONS

An authority to construct or a permit to operate shall not be required for:

(a) Vehicles as defined by the Vehicle Code of the State of California but not including any article, machine, equipment or other contrivance mounted on such vehicle that would otherwise require a permit under the provisions of these Rules and Regulations.

(b) Vehicles used to transport passengers or freight.

(c) Equipment utilized exclusively in connection with any structure which is designed for and used exclusively as a dwelling for not more than four families.

(d) The following equipment:

- (1) Comfort air conditioning or comfort ventilating system are not designed to remove air contaminants generated by or released from specific units or equipment.
- (2) Refrigeration units except those used as, or in conjunction with, air pollution control equipment.
- (3) Piston type internal combustion engines.
- (4) Water cooling towers and water cooling ponds not used for evaporative cooling of process water or not used for evaporative cooling of water from barometric jets or from barometric condensers.
- (5) Equipment used exclusively for steam cleaning.
- (6) Presses used exclusively for extruding metals, minerals, plastics or wood.
- (7) Equipment used exclusively for space heating other than boilers.
- (8) Equipment used for hydraulic or hydrostatic testing.
- (9) All sheet-fed printing presses and all other printing presses using exclusively inks containing less than 10 per cent organic solvents, diluents or thinners.
- (10) Ovens used exclusively for the curing of plastics which are concurrently being vacuum held to a mold or for the softening or annealing of plastics.
- (11) Equipment used exclusively for the dyeing or stripping (bleaching) of textiles where no organic solvents, diluents or thinners are used.
- (12) Equipment used exclusively to mill or grind coatings and molding compound where all materials charged are in a paste form.

- (13) Crucible type or pot type furnaces with a brimful capacity of less than 450 cubic inches of any molten metal.
- (14) Equipment used exclusively for the melting or applying of wax where no organic solvents, diluents or thinners are used.
- (15) Equipment used exclusively for bonding lining to brake shoes.
- (16) Lint traps used exclusively in conjunction with dry cleaning tumblers.
- (17) Equipment used exclusively to compress or hold dry natural gas.
- (18) Tumblers used for the cleaning or deburring of metal products without abrasive blasting.
- (19) Shell core and shell mold manufacturing machine.
- (20) Molds used for the casting of metals.
- (21) Abrasive blast cabinet-dust filter integral combination units where the total internal volume of the blast section is 50 cubic feet or less.
- (22) Batch mixers of five cubic feet rated working capacity or less.
- (23) Equipment used exclusively for the packaging of lubricants or greases.
- (24) Equipment used exclusively for the manufacture of water emulsions of asphalt, greases, oils or waxes.
- (25) Ovens used exclusively for the curing of vinyl plastisols by the closed mold curing process.
- (26) Equipment used exclusively for conveying and storing plastic pellets.
- (27) Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water-based adhesives.
- (28) Platen presses used for laminating.

(e) The following equipment or any exhaust system or collector serving exclusively such equipment:

- (1) Blast cleaning equipment using a suspension of abrasive in water.
- (2) Ovens, mixers and blenders used in bakeries where the products are edible and intended for human consumption.

- (3) Kilns used for firing ceramic ware, heated exclusively by natural gas, liquefied petroleum gas, electricity or any combination thereof.
- (4) Laboratory equipment used exclusively for chemical or physical analyses and bench scale laboratory equipment.
- (5) Equipment used for inspection of metal products.
- (6) Confection cookers where the products are edible and intended for human consumption.
- (7) Equipment used exclusively for forging, pressing, rolling or drawing of metals or for heating metals immediately prior to forging, pressing, rolling or drawing.
- (8) Die casting machines.
- (9) Atmosphere generators used in connection with metal heat treating processes.
- (10) Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy.
- (11) Brazing, soldering, or welding equipment.
- (12) Equipment used exclusively for the sintering of glass or metals.
- (13) Equipment using aqueous solutions for surface preparation, cleaning, stripping, etching (does not include chemical milling) or the electrolytic plating with, electrolytic polishing of, or the electrolytic stripping of brass, bronze, cadmium, copper, iron, lead, nickel, tin, zinc, and precious metals.
- (14) Equipment used for washing or drying products fabricated from metal, cloth, fabric, or glass, provided that no oil or solid fuel is burned.
- (15) Laundry dryers, extractors or tumblers used for fabrics cleaned only with water solutions of bleach or detergents.
- (16) Foundry sand mold forming equipment to which no heat is applied.
- (17) Ovens used exclusively for curing potting materials or castings made with epoxy resins.
- (18) Equipment used to liquefy or separate oxygen, nitrogen or the rare gases from the air.
- (19) Equipment used for compression molding and injection molding of plastics.
- (20) Mixers for rubber or plastics where no material in powder form is added and no organic solvents, diluents or thinners are used.

(21) Equipment used exclusively to grind, blend or package tea, cocoa, spices or roasted coffee.

(22) Equipment used exclusively to package pharmaceuticals and cosmetics or to coat pharmaceutical tablets.

(23) Roll mills or calenders for rubber or plastics where no organic solvents, diluents or thinners are used.

(24) Vacuum producing devices used in laboratory operations or in connection with other equipment which is exempt by Rule 11.

(f) Steam generators, steam superheaters, water boilers, water heaters, and closed heat transfer systems that are fired exclusively with natural gas or liquified petroleum gas or any combination thereof.

(g) Natural draft hoods, natural draft stacks or natural draft ventilators where no organic solvents, diluents, or thinners are used.

(h) Containers, reservoirs, or tanks used exclusively for:

(1) Dipping operations for coating objects with oils, waxes, or greases where no organic solvents, diluents or thinners are used.

(2) Dipping operations for applying coatings of natural or synthetic resins which contain no organic solvents.

(3) Storage of liquified gases.

(4) Unheated storage of organic materials with an initial boiling point of 300° F. or greater.

(5) The storage of fuel oils and lubricating oils.

(6) The storage of organic liquids, including gasoline, normally used as solvents, diluents or thinners, inks, colorants, paints, lacquers, enamels, varnishes, liquid resins or other surface coatings.

(7) The storage of liquid soaps, liquid detergents, waxes, wax emulsions, or vegetable oils.

(8) The storage of asphalt.

(9) Unheated solvent dispensing containers, unheated non-conveyORIZED solvent rinsing containers or unheated nonconveyORIZED coating dip tanks of 1,000 gallons capacity or less.

(10) Transporting materials on streets or highways.

(i) Natural gas-fired or liquefied petroleum gas-fired or electrically heated furnaces for heat treating glass or metals, the use of which does not involve molten materials.

(j) Crucible furnaces, pot furnaces or induction furnaces, with a capacity of 1,000 pounds or less each, in which no sweating or distilling is conducted and from which only the following metals are poured or in which only the following metals are held in a molten state.

- (1) Aluminum or any alloy containing over 50% aluminum.
- (2) Magnesium or any alloy containing over 50% magnesium.
- (3) Lead or any alloy containing over 50% lead.
- (4) Tin or any alloy containing over 50% tin.
- (5) Zinc or any alloy containing over 50% zinc.
- (6) Copper.
- (7) Precious metals.

(k) Vacuum cleaning systems used exclusively for industrial, commercial or residential housekeeping purposes.

(l) Structural changes which cannot change the quality, nature or quantity of air contaminant emissions.

(m) Repairs or maintenance not involving structural changes to any equipment for which a permit has been granted.

(n) Identical replacements in whole or in part of any article, machine, equipment or other contrivance where a permit to operate had previously been granted for such equipment under Rule 10.

Atomic energy development and radiation protection are controlled by the State of California to the extent it has jurisdiction thereof, in accordance with the advice and recommendations made to the Governor by the Advisory Council on Atomic Energy Development and Radiation Protection. Such development and protection are fully regulated by the United States Atomic Energy Commission to the extent that such authority has not been delegated to the states.

~~RULE 12 -- TRANSFER~~

~~Any permit or written authorization issued hereunder shall not be transferable, by operation of law or otherwise, from one location to another, from one piece of equipment to another, or from one person to another.~~

~~RULE 13 -- TIME TO OBTAIN PERMIT TO OPERATE~~

~~Notwithstanding the provisions of Rule 10 requiring a permit to operate, a person who, prior to June 1, 1971, operated or used any article, machine, equipment, or other contrivance in compliance with all laws, statutes, and ordinances, for the operation and use of which these Rules and Regulations require a permit to operate, may continue to operate or use such article, machine, equipment or contrivance until July 1, 1972, without obtaining a permit to operate.~~

~~On and after July 1, 1972, no person shall operate or use any article, machine, equipment, or other contrivance, for the use of which these Rules and Regulations require a permit to operate, without having obtained said permit to operate or having secured a variance from the Hearing Board pursuant to Regulation V of these Rules and Regulations; provided, however it is the policy of this Board that all persons should bring their processes into compliance with these permit requirements within the time specified by the Hearing Board.~~

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RULE 14 -- APPLICATIONS

Every application for an authority to construct or any permit required under Rule 10 shall be filed in the manner prescribed by the Air Pollution Control Officer, on a form prescribed by the Air Pollution Control Officer, and shall give all the information necessary to enable the Air Pollution Control Officer to make the determination required by Rule 20 hereof.

~~RULE 17 -- CANCELLATION OF APPLICATIONS~~

~~An authority to construct shall expire and the application shall be cancelled one year from the date of issuance of the authority to construct; provided, however, that when a period of longer than one year is stated in the application to be required for the construction, the authority to construct shall expire and the application shall be cancelled upon the expiration of such construction period, but in any event not later than five years from the date of issuance of the authority to construct.~~

RULE 18 -- ACTION ON APPLICATIONS

The Air Pollution Control Officer shall act within 60 days on an application for authority to construct, or permit to operate or permit to sell or rent, as stated in Section 24263 of the Health and Safety Code, and shall notify the applicant in writing by mail or in person of the action taken; namely, approval, conditional approval, or denial. Notice of the action taken shall be deemed to have been given when the written notification has been deposited in the mail, postpaid, addressed to the address shown on the application, or when personally delivered to the applicant or his representative.

RULE 19 -- PROVISIONS OF SAMPLING AND TESTING FACILITIES

A person operating or using any article, machine, equipment, or other contrivance for which these rules require a permit shall provide and maintain such sampling and testing facilities as specified in the authority to construct or permit to operate.

RULE 20 -- STANDARDS FOR GRANTING APPLICATIONS

(a) The Air Pollution Control Officer shall deny an authority to construct, permit to operate or use, or permit to sell or rent, except as provided in Rule 21, if the applicant does not show that every article, machine, equipment or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment that it may be expected to operate without emitting air contaminants in violation of Sections 24242 or 24243, Health and Safety Code, or of these Rules and Regulations.

(b) Before an authority to construct or a permit to operate is granted, the Air Pollution Control Officer may require the applicant to provide and maintain such facilities as are necessary for sampling and testing purposes in order to secure information that will disclose the nature, extent, quantity or degree of air contaminants discharged into the atmosphere from the article, machine, equipment or other contrivance described in the authority to construct or permit to operate. In the event of such a requirement, the Air Pollution Control Officer shall notify the applicant in writing of the required size, number and location of sampling holes; the size and location of the sampling platform; the access

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~~(a) The Air Pollution Control Officer shall deny an authority to construct, permit to operate or use, or permit to sell or rent, except as provided in Rule 21, if the applicant does not show that every article, machine, equipment or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment that it may be expected to operate without emitting air contaminants in violation of Sections 24242 or 24243, Health and Safety Code, or of these Rules and Regulations.~~

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~~RULE 20 -- STANDARDS FOR GRANTING APPLICATIONS~~

(a) The Air Pollution Control Officer shall deny an authority to construct, permit to operate or use, or permit to sell or rent, except as provided in Rule 21, if the applicant does not show that every article, machine, equipment or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment that it may be expected to operate without emitting air contaminants in violation of Sections 24242 or 24243, Health and Safety Code, or of these Rules and Regulations.

(b) Before an authority to construct or a permit to operate is granted, the Air Pollution Control Officer may require the applicant to provide and maintain such facilities as are necessary for sampling and testing purposes in order to secure information that will disclose the nature, extent, quantity or degree of air contaminants discharged into the atmosphere from the article, machine, equipment or other contrivance described in the authority to construct or permit to operate. In the event of such a requirement, the Air Pollution Control Officer shall notify the applicant in writing of the required size, number and location of sampling holes; the size and location of the sampling platform; the access

to the sampling platform; and the utilities for operating the sampling and testing equipment. The platform and access shall be constructed in accordance with the General Industrial Safety Orders of the State of California.

(c) In acting upon a permit to operate, if the Air Pollution Control Officer finds that the article, machine, equipment or other contrivance has not been constructed in accordance with the authority to construct, he shall deny the permit to operate. The Air Pollution Control Officer shall not accept any further application for permit to operate the article, machine, equipment or other contrivance so constructed until he finds that the article, machine, equipment or other contrivance has been constructed in accordance with the authority to construct.

~~RULE 21 -- CONDITIONAL APPROVAL~~

~~(a) The air Pollution Control Officer may issue an authority to construct or a permit to operate or use, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the standards of Rule 20, in which case the conditions shall be specified in writing. Commencing work under such an authority to construct or operation under such a permit to operate shall be deemed acceptance of all the conditions so specified. The Air Pollution Control Officer shall issue an authority to construct or permit to operate with revised conditions upon receipt of a new application, if the applicant demonstrates that the article, machine, equipment or other contrivance can operate within the standards of Rule 20 under the revised conditions.~~

~~(b) The Air Pollution Control Officer may issue a permit to sell or rent, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the standards of Rule 20, in which case the conditions shall be specified in writing. Selling or renting under such a permit to sell or rent shall be deemed acceptance of all the conditions so specified. The Air Pollution Control Officer shall issue a permit to sell or rent with revised conditions upon receipt of a new application, if the applicant demonstrates that the article, machine, equipment or other contrivance can operate within the standards of Rule 20 under the revised conditions.~~

~~RULE 22 -- DENIAL OF APPLICATIONS~~

~~In the event of denial of an authority to construct, permit to operate or permit to sell or rent, the Air Pollution Control Officer shall notify the applicant in writing of the reasons therefor. Service of this notification may be made in person or by mail, addressed to the applicant at the address set forth on the application, and such service may be proved by the written acknowledgement of the persons served or affidavit of the person making the service. The Air Pollution Control Officer shall not accept a further application unless the applicant has complied with the objections specified by the Air Pollution Control Officer as his reasons for denial of the authority to construct, the permit to operate or the permit to sell or rent.~~

~~RULE 23 -- FURTHER INFORMATION~~

~~Before acting on an application for authority to construct, permit to operate or permit to sell or rent, the Air Pollution Control Officer may require the applicant to furnish further information or further plans or specifications.~~

~~to the sampling platform; and the utilities for operating the sampling and testing equipment. The platform and access shall be constructed in accordance with the General Industrial Safety Orders of the State of California.~~

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~~RULE 21 -- CONDITIONAL APPROVAL~~

~~(a) The air Pollution Control Officer may issue an authority to construct or a permit to operate or use, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the standards of Rule 20, in which case the conditions shall be specified in writing. Commencing work under such an authority to construct or operation under such a permit to operate shall be deemed acceptance of all the conditions so specified. The Air Pollution Control Officer shall issue an authority to construct or permit to operate with revised conditions upon receipt of a new application, if the applicant demonstrates that the article, machine, equipment or other contrivance can operate within the standards of Rule 20 under the revised conditions.~~

~~(b) The Air Pollution Control Officer may issue a permit to sell or rent, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the standards of Rule 20, in which case the conditions shall be specified in writing. Selling or renting under such a permit to sell or rent shall be deemed acceptance of all the conditions so specified. The Air Pollution Control Officer shall issue a permit to sell or rent with revised conditions upon receipt of a new application, if the applicant demonstrates that the article, machine, equipment or other contrivance can operate within the standards of Rule 20 under the revised conditions.~~

~~RULE 22 -- DENIAL OF APPLICATIONS~~

~~In the event of denial of an authority to construct, permit to operate or permit to sell or rent, the Air Pollution Control Officer shall notify the applicant in writing of the reasons therefor. Service of this notification may be made in person or by mail, addressed to the applicant at the address set forth on the application, and such service may be proved by the written acknowledgement of the persons served or affidavit of the person making the service. The Air Pollution Control Officer shall not accept a further application unless the applicant has complied with the objections specified by the Air Pollution Control Officer as his reasons for denial of the authority to construct, the permit to operate or the permit to sell or rent.~~

~~RULE 23 -- FURTHER INFORMATION~~

~~Before acting on an application for authority to construct, permit to operate or permit to sell or rent, the Air Pollution Control Officer may require the applicant to furnish further information or further plans or specifications.~~

~~to the sampling platform; and the utilities for operating the sampling and testing equipment. The platform and access shall be constructed in accordance with the General Industrial Safety Orders of the State of California.~~

~~(c) In acting upon a permit to operate, if the Air Pollution Control Officer finds that the article, machine, equipment or other contrivance has not been constructed in accordance with the authority to construct, he shall deny the permit to operate. The Air Pollution Control Officer shall not accept any further application for permit to operate the article, machine, equipment or other contrivance so constructed until he finds that the article, machine, equipment or other contrivance has been constructed in accordance with the authority to construct.~~

~~RULE 21 -- CONDITIONAL APPROVAL~~

~~(a) The air Pollution Control Officer may issue an authority to construct or a permit to operate or use, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the standards of Rule 20, in which case the conditions shall be specified in writing. Commencing work under such an authority to construct or operation under such a permit to operate shall be deemed acceptance of all the conditions so specified. The Air Pollution Control Officer shall issue an authority to construct or permit to operate with revised conditions upon receipt of a new application, if the applicant demonstrates that the article, machine, equipment or other contrivance can operate within the standards of Rule 20 under the revised conditions.~~

~~(b) The Air Pollution Control Officer may issue a permit to sell or rent, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the standards of Rule 20, in which case the conditions shall be specified in writing. Selling or renting under such a permit to sell or rent shall be deemed acceptance of all the conditions so specified. The Air Pollution Control Officer shall issue a permit to sell or rent with revised conditions upon receipt of a new application, if the applicant demonstrates that the article, machine, equipment or other contrivance can operate within the standards of Rule 20 under the revised conditions.~~

~~RULE 22 -- DENIAL OF APPLICATIONS~~

~~In the event of denial of an authority to construct, permit to operate or permit to sell or rent, the Air Pollution Control Officer shall notify the applicant in writing of the reasons therefor. Service of this notification may be made in person or by mail, addressed to the applicant at the address set forth on the application, and such service may be proved by the written acknowledgement of the persons served or affidavit of the person making the service. The Air Pollution Control Officer shall not accept a further application unless the applicant has complied with the objections specified by the Air Pollution Control Officer as his reasons for denial of the authority to construct, the permit to operate or the permit to sell or rent.~~

~~RULE 23 -- FURTHER INFORMATION~~

~~Before acting on an application for authority to construct, permit to operate or permit to sell or rent, the Air Pollution Control Officer may require the applicant to furnish further information or further plans or specifications.~~

RULE 24 -- APPLICATIONS DEEMED DENIED

The applicant may at his option deem the authority to construct, permit to operate or permit to sell or rent denied if the Air Pollution Control Officer fails to act on the application within 60 days after filing, or within 30 days after applicant furnishes the further information, plans and specifications requested by the Air Pollution Control Officer, whichever is later.

~~RULE 25 -- APPEALS~~

~~Within 10 days after notice by the Air Pollution Control Officer of denial or conditional approval of an authority to construct, permit to operate or use or permit to sell or rent, or within 10 days after the application is deemed denied pursuant to Rule 24, the applicant may petition the Hearing Board, in writing, for a public hearing. The Hearing Board, after notice and a public hearing held within 30 days after filing the petition, may sustain, reverse or modify the action of the Air Pollution Control Officer; such order may be made subject to specified conditions.~~

RULE 56 -- SULFUR OXIDE EMISSIONS

~~(a) A person shall not discharge into the atmosphere from any single source of emissions whatsoever sulfur oxides, calculated as sulfur dioxide (SO_2), in excess of 1,000 ppm.~~

(b) It shall be unlawful for any person to cause or permit the emission of sulfur dioxide from any premises which will result in concentrations and time durations at ground level that exceed those shown in the following table:

TABLE II
MAXIMUM ALLOWABLE SULFUR DIOXIDE
GROUND-LEVEL CONCENTRATIONS

*Concentration	Time Duration
0.5 ppm	1 hour
0.04 ppm	24 hours

*Parts per million by volume.

(c) Any person demonstrated by the Control Officer to be emitting sulfur oxides resulting in ground-level concentrations and durations in excess of Table II above shall be required to install and continuously operate recording instruments in at least three locations surrounding the emission point. Such locations are to be approved by the Control Officer.

(d) Such person shall provide to the Control Officer a summary of the data obtained from such instruments during each calendar month. The form of presentation of the data will be specified by the Control Officer.

~~RULE 57 -- SULFIDE EMISSION STANDARD~~

~~(a) A person shall not discharge total reduced sulfur, (TRS), as defined in Rule 2 (gg), into the atmosphere from any single emission point in excess of the total daily weight calculated by the formula:~~

~~TRS (pounds per day) = 0.012 (H_s)²~~

~~where H_s is the height in feet of the emission point above Mean Ground Elevation. Mean Ground Elevation shall be computed as the arithmetic average of the highest and lowest ground-level elevations within a 1,000 yard radius of the emission point. In no case is the lowest ground level elevation to be less than mean sea level.~~

~~Effective January 1, 1972, a person shall not discharge total reduced sulfur (TRS), as defined in Rule 2 (gg), into the atmosphere from any single emission point at a concentration exceeding 60 parts per million by volume, or in excess of the total daily weight calculated by the formula:~~

~~TRS (pounds per day) = 0.012 (H_s)²~~

~~which ever is the more restrictive condition, where H_s is the height in~~

~~RULE 56 -- SULFUR OXIDE EMISSIONS~~

~~(a) A person shall not discharge into the atmosphere from any single source of emissions whatsoever sulfur oxides, calculated as sulfur dioxide (SO₂), in excess of 1,000 ppm.~~

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0.5 ppm	1 hour
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~~(c) Any person demonstrated by the Control Officer to be emitting sulfur oxides resulting in ground-level concentrations and durations in excess of Table II above shall be required to install and continuously operate recording instruments in at least three locations surrounding the emission point. Such locations are to be approved by the Control Officer.~~

~~(d) Such person shall provide to the Control Officer a summary of the data obtained from such instruments during each calendar month. The form of presentation of the data will be specified by the Control Officer.~~

RULE 57 -- SULFIDE EMISSION STANDARD

(a) A person shall not discharge total reduced sulfur, (TRS), as defined in Rule 2 (gg), into the atmosphere from any single emission point in excess of the total daily weight calculated by the formula:

$$TRS \text{ (pounds per day)} = 0.012 (H_s)^2$$

where H_s is the height in feet of the emission point above Mean Ground Elevation. Mean Ground Elevation shall be computed as the arithmetic average of the highest and lowest ground-level elevations within a 1,000 yard radius of the emission point. In no case is the lowest ground level elevation to be less than mean sea level.

Effective January 1, 1972, a person shall not discharge total reduced sulfur (TRS), as defined in Rule 2(gg), into the atmosphere from any single emission point at a concentration exceeding 60 parts per million by volume, or in excess of the total daily weight calculated by the formula:

$$TRS \text{ (pounds per day)} = 0.012 (H_s)^2$$

which ever is the more restrictive condition, where H_s is the height in

feet of the emission point above Mean Ground Elevation, Mean Ground Elevation shall be computed as the arithmetic average of the highest and lowest ground-level elevations within a 1,000-yard radius of the emission point. In no case is the lowest ground-level elevation to be less than mean sea level.

(b) In any intergrated manufacturing facility designed for conversion of wood materials into pulp and/or paper, the total maximum allowable monthly TRS emissions released to the atmosphere must not exceed one pound of TRS per ton of dry wood charged into the conversion process. Wood materials used exclusively for fuel are not to be considered as charge to the conversion process.

Effective January 1, 1972, the total maximum allowable monthly TRS emissions released to the atmosphere must not exceed 0.8 pounds of TRS per ton of dry wood charged into the conversion process.

(c) It shall be unlawful for any person to cause or permit the emission of air contaminants from any premises which will result in ground-level concentrations of TRS, expressed as hydrogen sulfide, in excess of 0.03 ppm for a period of 60 minutes.

(d) A person complying with the requirements of Rule 57(a) and releasing in excess of 100 pounds per day of TRS from a single emission point shall be required to provide, install, maintain and continuously operate a recording instrument at such emission point which will record the concentrations of TRS emissions.

(e) Where the Control Officer demonstrates by standardized analytical chemistry procedures that the requirements of Rule 57(c) have been violated on at least three separate occasions within a one-month period, the person causing said violation shall provide, install, maintain and operate a recording instrument, located at ground level, which will monitor the TRS concentration at the property limits. Location of said monitoring instrument is to be approved by the Control Officer.

(f) Emissions exceeding the limits established by Rule 57(c) shall not constitute a violation provided such emissions, from the emission point to the point of such concentration, are on the property controlled by the person responsible for such emissions.

(g) A summary of the data obtained under the provisions of Rule 57(b), Rule 57(d), and Rule 57(e), if applicable, shall be submitted to the Control Officer once each calendar month no later than the fifteenth day of the following calendar month. This summary shall be presented in the manner and form as prescribed by the Air Pollution Control Officer.

~~RULE 57.5 -- ORGANIC SOLVENTS~~

~~(a) A person shall not discharge more than 15 pounds of organic materials into the atmosphere in any one day from any article, machine, equipment or other contrivance in which any organic solvent or any material containing organic solvent comes into contact with flame or is baked, heat-cured or heat-polymerized, in the presence of oxygen, unless all organic materials discharged from such article, machine, equipment or other contrivance have been reduced either by at least 85 per cent overall or to not more than 15 pounds in any one day.~~

REGULATION

IV

PERMIT SYSTEMS CONDITIONS

All permits issued pursuant to these Rules and Regulations are subject to the following rules:

RULE 401 Responsibility.

The fact that an authorization to construct or modify, or a permit to operate an article, machine, equipment or other contrivance described therein shall have been issued by the Air Pollution Control Officer shall not be an endorsement of such article, machine, or other contrivance neither shall it be deemed or construed to be a warranty, guarantee or representation on the part of the Air Pollution Control Officer that emission standards would not be exceeded by such article, machine, equipment or other contrivance. In every instance the person, firm or corporation to whom such authorization or permit is issued shall be and remain responsible under these regulations for each and every instance wherein emission standards are exceeded by the article, machine, equipment or other contrivance described in the permit, and the fact of issuance or authorization shall not be a defense to or mitigation of any charge of violation.

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REGULATION

IV

PERMIT SYSTEMS CONDITIONS

All permits issued pursuant to these Rules and Regulations are subject to the following rules:

~~RULE 401 Responsibility.~~

~~The fact that an authorization to construct or modify, or a permit to operate an article, machine, equipment or other contrivance described therein shall have been issued by the Air Pollution Control Officer shall not be an endorsement of such article, machine, or other contrivance; neither shall it be deemed or construed to be a warranty, guarantee or representation on the part of the Air Pollution Control Officer that emission standards would not be exceeded by such article, machine, equipment or other contrivance. In every instance the person, firm or corporation to whom such authorization or permit is issued shall be and remain responsible under these regulations for each and every instance wherein emission standards are exceeded by the article, machine, equipment or other contrivance described in the permit, and the fact of issuance or authorization shall not be a defense to or mitigation of any charge of violation.~~

RULE 402 Authority to Inspect.

- A. For the purpose of enforcing or administering any State or local law, order, regulation or rule relating to air pollution, the Air Pollution Control Officer and his duly authorized agents shall have the right of entry to any premises on which an air pollution emission source is located for the purpose of inspecting such source, including securing samples of emissions therefrom, or any records required to be maintained therewith by the District.
- B. The Air Pollution Control Officer or his duly authorized agent shall have the right to inspect sampling and monitoring apparatus as he deems necessary.
- C. The Air Pollution Control Officer may issue identification cards, with the photograph of holder and signature of the Air Pollution Control Officer, to such employees of the District who need such credentials for entry.

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RULE 402 Authority to Inspect.

- a. In the performance of his duties the Air Pollution Control Officer and his duly authorized agents shall have, as a condition of an authority to construct or a permit to operate, the right to access of the property for reasons of Air Pollution Control District inspections.
- b. The Air Pollution Control Officer may issue identification cards, with the photograph of holder and signature of the Air Pollution Control Officer, to such employees of the District who need such credentials for entry.

RULE 403 Responsibility of Permittee.

Issuance of a permit pursuant to these Rules and Regulations does not release permittee of the responsibility of any and all other applicable permits and authorizations issued by other governmental agencies.

REGULATION
V
PERMIT TO OPERATE REGULATIONS

~~Rule 501 Permit Required. Before any source may be operated, a Permit to Operate shall be obtained from the Air Pollution Control Officer. No Permit to Operate shall be granted either by the Air Pollution Control Officer or the Hearing Board for any source constructed or modified without authorization as required in Regulation I until the information required is provided to the Air Pollution Control Officer and such source is altered, if necessary, and made to conform to the standards set forth in Regulation IV and elsewhere in these Rules and Regulations.~~

Rule 502 Exemptions to Rule 501. The Air Pollution Control Officer may exempt from the requirements of Rule 501 any item of equipment specified in Rule 402, Exemptions to Rule 401.

~~Rule 503 Applications. Every application for a Permit to Operate shall be filed in the manner and form prescribed by the Air Pollution Control Officer, and shall give all the information necessary to enable the Air Pollution Control Officer to make the determination on the approvability of the application.~~

Rule 504 Action on Applications. The Air Pollution Control Officer shall act within 180 days after the filing date on a Permit to Operate application and shall notify the applicant in writing of his approval, conditional approval or denial.

Rule 505 Conditional Approval. The Air Pollution Control Officer may issue a Permit to Operate subject to conditions which will insure the compliance of any equipment within the standards of these Rules and Regulations, in which case the conditions shall be specified in writing. Commencing work under an Authority to Construct, or operation under a Permit to Operate, shall be deemed acceptance of all the conditions so specified.

Rule 506 Denial of Application. In the event of denial of a Permit to Operate, The Air Pollution Control Officer shall notify the applicant in writing of the reasons therefore. Service of this notification may be made in person or be mail, and such service may be proved by a written acknowledgement of the persons served or affidavit of the person making the service. The Air Pollution Control Officer shall not accept a further application unless the application has complied with the objections specified by the Air Pollution Control Officer as his reasons for denial of the Permit to Operate.

Rule 507 Responsibility. The fact that a Permit to Operate for an article, machine, equipment, or other contrivance described therein shall have been issued by the Air Pollution Control Officer shall not be an endorsement of such article, machine, equipment, or other contrivance; neither shall it be deemed or construed to be a warranty, guarantee or representation on the part of the Air Pollution Control Officer that emission standards would not be exceeded by such article, machine, equipment, or other contrivance.

B. If air contaminants from two or more source operations are combined emissions cannot be separated according to the requirements of Section A above, the Rules and Regulations shall be applied to combined emissions as if it originated in a single source operation subject to the most stringent limitations and requirements placed by the Rules and Regulations on any of the source operations whose air contaminants are so combined.

RULE 512

Circumvention. A person shall not build, erect, install, or use any article, machine, equipment or other contrivance, the use of which, without resulting in an actual reduction in the total release of air contaminants to the atmosphere, superficially reduces or conceals an emission which would otherwise constitute a violation of Division 26 of the Health and Safety Code of the State of California or of these Rules and Regulations. This Rule shall not apply to cases in which the only violations involved are Section 41700 of the Health and Safety Code, or of Rule 205 of these Rules and Regulations.

RULE 513

Source Recordkeeping. The owner or operator of any stationary source shall, upon notification from the Air Pollution Control Officer, maintains records of the nature and amounts of emissions from such source and/or any other information as may be deemed necessary by the Air Pollution Control Officer to determine whether such source is in compliance with applicable emission limitations or other control measures. The Air Pollution Control Officer may require that such records be certified by a professional engineer registered in the State of California. Such studies shall be made at the expense of the person causing the emissions.

The information recorded shall be summarized and reported to the Air Pollution Control Officer, on forms or formats as required by the Air Pollution Control Officer, and shall be submitted within 45 days after the end of the reporting period. Reporting periods are January 1 - June 30 and July 1 - December 31, or other periods as may be specified by the Air Pollution Control Officer.

Information reported by the owner or operator and copies of the summarizing reports submitted to the Air Pollution Control Officer shall be retained by the owner or operator for two years after the date on which the pertinent report is submitted.

RULE 514

Public Records and Trade Secrets.

- A. All information, analysis, plans, or specification that disclose, the nature, extent, quantity, or degree of air contaminants or other pollution which will be produced by any source which the District requires any applicant to provide before such applicant builds, alters, replaces, operates, sells, rents, or uses such source, are public records.
- B. All air quality or other pollution monitoring data, including data compiled from stationary, sources, are public records.

- C. Except as otherwise provided in Section D below, 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 rate, 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. The owner or operator shall state in writing his justification for claiming material as trade secrets and such justification shall be public record. The Air Pollution Control Officer shall rule on the validity of trade secret claims. Requests from the public for records shall be specific and in sufficient detail to enable the Air Pollution Control Officer to readily identify the information requested.
- D. Notwithstanding any other provisions of the law, all air pollution emission data, including those emission data which constitute trade secrets as defined in Section C above, are public records. Production data used to calculate emission data are not emission data for purposes of this subdivision and data which constitute trade secrets and which are used to calculate emission data are not public records.

RULE 515

~~Provision of Sampling and Testing Facilities. The Air Pollution Control Officer may, upon reasonable written notice, require the owner or operator of any source, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce, or control the issuance of air contaminants, to:~~

- ~~A. Provide to the Air Pollution Control Officer data on process and production rate, and techniques, flow diagrams, descriptions of basic equipment and control equipment, rates of emissions and other information which the Air Pollution Control Officer may require.~~
- ~~B. Provide and maintain such facilities as are necessary for sampling and testing purposes in order to secure information that will disclose the nature, extent, quantity, or degree of air contaminants discharged into the atmosphere from the equipment in question. In the event of such a requirement, the Air Pollution Control Officer shall notify the applicant, in writing, of the required size, number and location of sampling holes, the size, and location of the sampling platform. All utilities shall be constructed in accordance with the general industry safety orders of the State of California.~~
- ~~C. 1. Provide and maintain sampling and monitoring apparatus to measure emissions of air contaminants when the Air Pollution Control Officer has determined that such apparatus is available and should be installed.~~

6/22/81

A. Breakdown Procedure

1. The owner or operator shall notify the Air Pollution Control Officer of any occurrence which constitutes a breakdown condition. Such notification shall identify the time, specific location, equipment involved, and (to the extent known) the cause(s) of the occurrence, and shall be given as soon as reasonably possible, but not later than two (2) hours after its detection during normal District business hours.
2. The Air Pollution Control Officer shall establish written procedures and guidelines, including appropriate forms for logging of initial reports, investigation, and enforcement followup, to ensure that all reported breakdown occurrences are handled uniformly to final disposition.
3. Upon receipt of notification pursuant to subsection A.1. above, the Air Pollution Control Officer shall promptly investigate and determine whether the occurrence constitutes a breakdown condition. If the Air Pollution Control Officer determines that the occurrence does not constitute a breakdown condition, the Air Pollution Control Officer may take appropriate enforcement action, including, but not limited to seeking fines, an abatement order, or an injunction against further operation.

B. Disposition of Short-Term Breakdown Conditions

1. An occurrence which constitutes a breakdown condition, and which persists longer than 48 hours, except for continuous monitoring equipment for which the period shall be 96 hours, shall constitute a violation of any applicable emission limitation or restriction prescribed by these Rules and Regulations; however, the Air Pollution Control Officer may elect to take no enforcement action if the owner demonstrates to his satisfaction that a breakdown condition exists and the following requirements are met:
 - a. The owner or operator submits the notification required by subsection A.1. above; and
 - b. The owner or operator immediately undertakes appropriate corrective measures and comes into compliance, or elects to shut down for corrective

measures within 48 hours, except for continuous monitoring equipment for which the period shall be 96 hours. If the owner or operator elects to shut down rather than come into immediate compliance, he must nonetheless take whatever steps are possible to minimize the impact of the breakdown within the 48 hour period; and

- c. The breakdown does not interfere with the attainment and maintenance of any national ambient air quality standard.
2. An occurrence which constitutes a breakdown condition shall not persist longer than 48 hours, except for continuous monitoring equipment for which the period shall be 96 hours, unless the owner or operator has obtained an emergency variance.

C. Emergency Variance Procedures

1. If the breakdown condition will require more than 48 hours to correct, except for continuous monitoring equipment for which the period shall be 96 hours, the owner or operator may, in lieu of shutdown, request the Air Pollution Control Officer to commence the emergency variance procedure set forth in subsection D.2. below.
2. Upon receipt of a request for an emergency variance, the Air Pollution Control Officer shall contact the chairperson of the Hearing Board, or their designated member(s) of the Hearing Board, who shall conduct deliberations for consideration of the request. The Air Pollution Control Officer shall inform the owner or operator of the source of such deliberation. During consideration of the emergency variance, the Air Pollution Control Officer shall recommend whether any emergency variance should be granted, and the owner or operator of the source shall be entitled to present relevant information or data applicable to the breakdown. The burden shall be on the owner or operator to establish that a breakdown condition exists. Thereafter, the chairperson or other designated member(s) may, without notice or hearing, grant or deny an emergency variance. The chairperson or other designated member(s) shall, within five (5) working days, issue a written order confirming the decision, with appropriate findings.
3. No emergency variance shall be granted unless the chairperson or other designated member(s) determines that:
 - a. The occurrence constitutes a breakdown condition; and
 - b. Continued operation is not likely to create a

~~nuisance, an immediate threat, or hazard to public health or safety; and~~

- ~~c. The requirements for a variance set forth in Health and Safety Code Sections 42352 and 42353 have been met; and~~
- ~~d. The continued operation in a breakdown condition will not interfere with the attainment or maintenance of the national ambient air quality standards.~~

~~4. At any time after an emergency variance has been granted the Air Pollution Control Officer may request that the chairperson or designated member(s) reconsider and revoke, modify, or further condition the variance if the Air Pollution Control Officer has good cause to believe that:~~

- ~~a. Continued operation is likely to create a nuisance, an immediate threat, or hazard to public health or safety; or~~
- ~~b. The owner or operator is not complying with all applicable conditions of the variance; or~~
- ~~c. A breakdown condition no longer exists; or~~
- ~~d. Final compliance is not being accomplished as expeditiously as practicable.~~

~~The procedures set forth in subsection C.2. above shall govern any proceedings conducted under this subsection.~~

~~5. An emergency variance shall remain in effect only for as long as necessary to repair or remedy the breakdown condition, but in no event after a regularly noticed hearing to consider an interim or 90 day variance has been held, or fifteen (15) days from the date of the subject occurrence, whichever is sooner.~~

D. Reporting Requirements. Within one week after a breakdown occurrence has been corrected, the owner or operator shall submit a written report to the Air Pollution Control Officer which includes:

- 1. A statement that the occurrence has been corrected together with the date of correction and proof of compliance; and
- 2. A specific statement of the reason(s) or cause(s) for the occurrence sufficient to enable the Air Pollution Control Officer to determine whether the occurrence was breakdown condition; and

- 3. A description of the corrective measures undertaken and/or to be undertaken to avoid such an occurrence in the future. The Air Pollution Control Officer may, at the request of the owner or operator, for good cause, extend up to 30 days the deadline for submitting the description required by this subsection; and
- 4. An estimate of the quantity of, or detailed description of emissions caused by the occurrence; and
- 5. Pictures of the equipment or control which failed if available.

- E. Burden of Proof. The burden shall be on the owner or operator of the source to provide sufficient information to demonstrate that a breakdown did occur. If the owner or operator fails to provide sufficient information, the Air Pollution Control Officer shall undertake appropriate enforcement action.
- F. Failure to Comply with Reporting Requirements. Any failure to comply, or comply in a timely manner, with the reporting requirement established in subsection B.1. and E. 1. through E.5. of this Rule shall constitute a separate violation of this Rule.
- G. False Claiming of Breakdown Occurrence. It shall constitute a separate violation of this Rule for any person to file with the Air Pollution Control Officer a report which falsely, or without probable cause, claims that an occurrence is a breakdown.
- H. Hearing Board Standards and Guidelines. The Hearing Board shall adopt standards and guidelines consistent with this Rule to assist the chairperson or other designated member(s) of the Hearing Board in determining whether to grant or deny an emergency variance, and to assist the Air Pollution Control Officer in the enforcement of this Rule.

~~Rule 517 Transfer. A Permit to Operate shall not be transferable, whether by operation of law or otherwise, either from one location to another, from one piece of equipment to another, or from one person to another.~~

~~Rule 518 Revocation of a Permit to Operate. If the holder of any Permit to Operate within a reasonable time willfully fails and refuses to furnish to the Air Pollution Control Officer information, analysis, plans, or specifications requested by the Air Pollution Control Officer, the Air Pollution Control Officer may suspend the Permit to Operate. He shall serve notice in writing of such suspension and the reasons therefore on the permittee.~~

~~Rule 519 Appeals. Within ten (10) days after notice by the Air Pollution Control Officer of any of the following: denial of an Authority to Construct, Permit to Operate, or denial of Trade Secret status, or any conditional approval, requirements for sampling and monitoring~~