TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 1:1 Title: These rules and regulations shall be known as the Rules and Regulations of the Tehama County Air Pollution Control District.

5/13/91

TEHAMA COUNTY APCD

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

Abatement Order: An order issued by the Hearing Board to a specific person requiring said person to forthwith cease all specified act or acts, or the specified use of a machine or machines, which specified act (s) or specified use (s) result in violation (s) of these rules.

Afterburner: A device that includes an auxiliary fuel burner and combustion chamber to get rid of combustible air contaminants.

Agricultural Burning: Open outdoor fires used in agricultural operations in the growing of crops or raising of fowls or animals, forest management, range improvement, wildland vegetation management burning, or disease or pest prevention or control. "Agricultural Burning" also means open outdoor fires used in the operation or maintenance of a system for the delivery of water for agricultural operations.

Agricultural Wastes: Unwanted or unsalable materials produced wholly from agricultural operations, other than forest or range management operations, directly related to the growing of crops or animals for the primary purpose of making a profit or for a livelihood.

Air Contaminant: Any smoke, soot, fly ash, dust, cinders, dirt, noxious or obnoxious acids, fumes, oxides, gases, vapors, odors, toxic or radioactive substance, waste, particulate, solid, liquid or gaseous matter, or any other material in the outdoor atmosphere but excluding uncombined water.

Air Monitoring: Sampling for and measuring of pollutants present in the atmosphere.

Air Pollution: The presence in the outdoor atmosphere of one or more air contaminants or combinations thereof in such quantities and of such duration that they are or may tend to be injurious to human, plant, or animal life or property, or that interfere with the comfortable enjoyment of life or property or the conduct of business.

Air Quality Control Region: An area where two or more communities share a common air pollution problem.

Air Quality Standards: The prescribed level of pollutant in the outside air that cannot legally be exceeded during a specified time in a specified geographical area.

Atmosphere: The air that envelops or surrounds the earth. Where air pollutants are emitted into a building not designed specifically as a piece of air pollution control equipment, such emission into the building shall be considered an emission into the atmosphere.

Board: The Air Pollution Control Board of the Tehama County Air Pollution Control District.

Brush Treated: Material to be burned has been felled, crushed or uprooted with mechanical equipment or has been desiccated with herbicides or is dead.

Combustible Refuse: Any solid or liquid combustible waste material containing carbon in a free or combined state.

Combustion Contaminants: Particulate matter discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.

Condensed Fumes: Minute, solid particles generated by the condensation of vapors from solid matter after the volatilization from the molten state, or may be generated by sublimation, distillation, calcination, or chemical reaction, when these processes create air- borne particles.

Control Officer: An Air Pollution Control Officer of the Tehama County Air Pollution Control District.

Designated Agency: Any agency designated by the State Air Resources Board as having authority to issue agricultural burning permits. The U.S. Forest Service and the California Department of Forestry are designated within their respective areas of jurisdiction.

District: The Air Pollution Control District of Tehama County.

Dust: Minute, solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing,

shoveling, conveying, covering, bagging, sweeping, or other similar processes.

Emission Standards: The maximum amount of a pollutant that is permitted to be discharged from a single polluting source.

Forest Management Burning: The use of open fires as part of a forest management practice to remove forest debris. Forest management practices include timber operations, silvicultural practices or forest protection practices.

Fugitive Emissions: Any emissions into the ambient air which is not released through a stack or flue which is caused in whole or in part by man-made activities or processes.

Fumes: See "Condensed Fumes".

Garbage: All putrescilbe wastes and all animal or vegetable refuse or residue that shall result from the preparation care for, or treatment of, foodstuffs intended to be used as food, or shall have resulted from the preparation or handling of food for human consumption, or any decayed or unsound meat, fish, fruit or vegetable.

Hearing Board: The Hearing Board of Tehama County Air Pollution Control District.

Hydrocarbons: Compounds containing carbon and hydrogen in various combinations.

Incinerator: Any furnace or similar enclosed fire-chamber, with or without a draft control, used for burning refuse or other waste material.

Indirect Sources: Shall include, but not be limited to any of the following: residential, commercial, or industrial developments; roadways or any source which in and of itself does not emit significant quantities of air pollutants but, due to its nature and existence, causes the emission of an air pollutant.

Inversion: The phenomenon of a layer of cool air trapped by a layer of warmer air above it so that the bottom layer cannot rise.

Miscellaneous Source: Shall include, but not be limited to the following categories of sources not specified or delineated within the District fee schedule (Rule 2:11), indirect sources, non-traditional sources, and fugitive sources.

Multiple-Chamber Incinerator: Any article, machine, equipment, contrivance, structure or any part of a structure used to dispose of combustible refuse by burning, consisting of three or more refractory lined chambers in series, physically separated by refractory walls, interconnected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned.

Non-Traditional Sources: Shall include, but not be limited to any of the following: unpaved roads, construction or demolition projects, or soil surfaces deprived of their natural vegetative covering by manmade activities.

Odor: The property of an air contaminant that affects the sense of smell.

Open Outdoor Fire: The combustion of any combustible refuse or other material of any type outdoors in the open air not in any enclosure where the products of combustion are not directed through a flue.

Orchard, Citrus Grove or Field Crop Heaters: Any article, machine, equipment or other contrivance burning any type of fuel or material capable of emitting air contaminants used or capable of being used for the purpose of giving protection from frost damage.

Ozone (O_3): a pungent, colorless, toxic gas. As a product of the photochemical process, it is a major air pollutant.

Particulate Matter: Any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.

Persons: Any person, firm, association, organization partnership, business trust, corporation, company, contractor, supplier, installer, user or owner, or any state or local governmental agency or public district or any officer or employee thereof.

Photochemical Process: The chemical changes brought about by the radiant energy of the sun acting upon various polluting substances.

Photochemical Smog: The products resulting from the photochemical process.

Process Weight Per Hour: The total weight of all materials excluding moisture introduced into any specific process which process may cause any

discharge into the atmosphere. Solid fuels discharged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. The Process Weight Per Hour will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.

Range Improvement Burning: Use of open fires to remove vegetation for wildlife, game or livestock habitat or for the initial establishment of an agricultural practice on previously uncultivated soil.

Regulation: One of the subdivisions of the Rules of the Air Pollution Control District of Tehama County.

Residential Rubish: Refuse originating from residential uses including but not limited to wood, paper, cloth, cardboard, tree trimmings, leaves, lawn clippings and dry plants.

Ringelmann Chart: The chart published by the U.S. Bureau of Mines on which are illustrated graduated shades of gray to black for use in estimating the light obscuring capacity of smoke.

Rule: See "Regulation".

Section: A section of the Health & Safety Code of the State of California unless some other statute is specifically mentioned.

Silviculture: The establishment, development, care and reproduction of stands of timber.

Smog: A mixture of fog and smoke; the irritating haze resulting from the sun's effect on certain pollutants in the air.

Smoke: Small gas-borne particles resulting from incomplete combustion consisting predominantly, but not exclusively, of carbon, ash and other combustible material.

Stack or Chimney: Any flue, conduit or duct arranged to conduct an effluent to the open air.

Stack Spray: A nozzle or series of nozzles installed in a stack above the breeching, used to inject wetting agents at high pressure to suppress the discharge of particulate matter from the stack.

Standard Conditions: As used in these regulations standard conditions are a gas temperature of 60 degrees Fahrenheit and a gas pressure of 14.7 pounds per square inch absolute. Results of all analyses and tests shall be calculated or reported at this gas temperature and pressure.

Timber Operations: Cutting or removal of timber or other forest vegetation.

Unit Operation: Methods where raw materials undergo physical change; methods by which raw materials may be altered into different states, such as vapor, liquid or solid without changing into a new substance with different properties and composition.

Vapor: The gaseous form of a substance normally in a liquid or solid state.

Variance: An authorization by the Hearing Board to permit some act contrary to the requirements specified by these rules and regulations.

Volatile Organic Compound (VOC): Is any volatile compound of carbon, excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, carbonates, ammonium carbonate, halogenated hydrocarbons and excluding exempt compounds.

a. Exempt Compounds Is Any Of The Following Compounds: 1,1,1-trichloroethane and trifluoromethane.

Tehama

5/28/79

REGULATION II - PERMIT AND REGISTRATION

Rule 2:1 General Requirements

(a) No person shall cause or permit the construction or modification of any new source without first obtaining an authority to construct or modify from the Air Pollution Control Officer as to the location and design of such new source to comply with applicable rules and regulations and ambient air quality standards.

(b) The Air Pollution Control Officer shall not approve such construction or modification unless the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that the new source can be expected to comply with all applicable state, fede and local regulations.

2:1 (c) (1) The Air Pollution Control Officer will provide permit applicants with a list of information and criteria he deems necessary for proper evaluation of the application. Within 30 days after receiving an application, the Air Pollution Control Officer will advise the applicant whether the application is complete. If deemed incomplete, the applicant will be apprised of the additional information necessary. A new 30 day review period will be established on receipt of the revised application. If no action is taken within either of these 30 day periods, the applicant may deem the application complete.

(2) After determining that an application is complete, the Air Pollutio Control Officer may ask the applicant to clarify, supplement, or expand upon an information required in the list and criteria. However, the Air Pollution Cont Officer may not require information not cited in the list and criteria.

(3) The Air Pollution Control Officer must act on the application withi 180 days after the applicant has been notified that the application is complete or within 180 days after the lead agency has approved the project, whichever is later. If the Air Pollution Control Officer does not take action to approve or disapprove the application during that period of time, the permit may be deemed granted by operation of law.

2/21/72

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Rule 2:2 Permits required

(a) Authority to Construct. Any person building, erecting, altering or replacing any 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, shall first obtain written authorization for such construction from the Air Pollution Control Officer. 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 2:2 (a) 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 2:2 (a), constructed or installed without authorization as required by Rule 2:2 (a), until the information required pursuant to these Rules and Regulations is presented 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 2:5 and elsewhere in these Rules and Regulations.

~~Rule 2:3 Registration or Permit to Operate. (Existing Operations) Registration~~ and/or a Permit to Operate shall be required of all existing equipment, contrivances, or places of business that have burning or ~~send~~ emissions into the atmosphere.

Rule 2:4 Exemptions from Permit and Registration. (New and Existing Operations) An authorization to construct, permit to operate , or registration, 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.~~

2/21/75

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TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT
RULE 2:3C New and Modified Major Sources in the Tuscan Buttes Nonattainment Areas
Adopt 09/01/2015, repealed/adopt 6/9/2020, repealed/adopt 2/28/2023

1 Applicability Procedures

1.1 Preconstruction Review Requirements

1.1.1 The preconstruction review requirements of this rule apply to the proposed construction of any new major stationary source or major modification in the District that is major for a nonattainment pollutant, if the stationary source or modification is located anywhere in the designated nonattainment area, except as provided in Section 9 of this rule.

1.1.2 Sources subject to this rule may also be subject to other District Rules and Regulations. For purposes of the implementation and enforcement of this rule, the provisions and requirements of this rule, including but not limited to the requirements for obtaining an Authority to Construct, application submittal and content, conditional approval, public participation, and granting an Authority to Construct, shall take precedence over any other such provisions and requirements in other District Rules and Regulations. To the extent that other District Rules or Regulations may affect the stringency or applicability of this rule, such other Rules and Regulations shall not apply for purposes of the implementation or enforcement of this rule.

1.2 Authority to Construct Requirement: No new major stationary source or major modification to which the requirements of this rule apply shall begin actual construction without first obtaining an Authority to Construct from the reviewing authority, pursuant to this rule.

1.3 Emission Calculation Requirements to Determine NSR Applicability

1.3.1 New Major Stationary Sources: The definition of Major Stationary Source as incorporated by reference in Section 2 shall be used to determine if a new or modified stationary source is a new major stationary source. Different pollutants, including individual precursors, are not summed to determine applicability of a major stationary source.

1.3.2 Major Modifications: The provisions set out in paragraphs (1.3.2.1) through (1.3.2.5) below shall be used to determine if a proposed project will result in a major modification. Different pollutants, including individual precursors, are not summed to determine applicability of a major modification. These provisions shall not be used to determine the quantity of offsets required for a project subject to the requirements of this rule.

1.3.2.1 Except as otherwise provided in Section 1.4, a project is a major modification for a nonattainment pollutant if it causes two types of emissions increases: a significant emissions increase and a significant net emissions increase. The project is not a major modification if it does not cause a significant emissions increase. If the project causes a significant emissions increase, then the project is a major modification only if it also results in a significant net emissions increase.

1.3.2.2 The procedure for calculating (before beginning actual construction) whether a significant emissions increase will occur depends upon the type of emissions units being added or modified as part of the project, according to paragraphs (1.3.2.3) through (1.3.2.5) of this Section. The procedure for calculating (before beginning actual construction) whether a significant net emissions increase will occur at the major stationary source is contained in the definition of Net Emissions Increase. Regardless of any such preconstruction projections, a major modification results if the project causes a significant emissions increase and a significant net emissions increase.

1.3.2.3 **Actual-to-Projected-Actual Applicability Test for Projects that Only Involve Existing Emissions Units**. A significant emissions increase of a nonattainment pollutant is projected to occur if the sum of the difference between the projected actual emissions and the baseline actual emissions, for each existing emissions unit, equals or exceeds the significant amount for that pollutant.

1.3.2.4 **Actual-to-Potential Test for Projects that Only Involve Construction of a New Emissions Unit(s)**. A significant emissions increase of a nonattainment pollutant is projected to occur if the sum of the difference between the potential to emit from each new emissions unit following completion of the project and the baseline actual emissions of these units before the project equals or exceeds the significant amount for that pollutant.

1.3.2.5 **Hybrid Test for Projects that Involve Multiple Types of Emissions Units**. A significant emissions increase of a nonattainment pollutant is projected to occur if the sum of the emissions increases for each emissions unit, using the method specified in paragraphs (1.3.2.3) or (1.3.2.4) of this Section, as applicable, with respect to each emissions unit, equals or exceeds the significant amount for that pollutant.

1.4 Major Sources with Plant-wide Applicability Limitations (PAL): For any major stationary source with a PAL permit for a nonattainment pollutant, the major stationary source shall comply with the requirements in Section 9 of this rule.

1.5 Projects That Rely On a Projected Actual Emissions Test: Except as otherwise provided in paragraph (1.5.7.3) of this Section, the provisions of this Section shall apply with respect to any nonattainment pollutant that is emitted from projects at existing emissions units located at a major stationary source, other than a source with a PAL permit, when there is a reasonable possibility, within the meaning of paragraph (1.5.7) of this Section, that a project that is not a part of a major modification may result in a significant emissions increase of such pollutant, and the owner or operator elects to use the method specified in paragraphs (B)(1) through (B)(3) of the definition of Projected Actual Emissions to calculate projected actual emissions.

1.5.1 Before beginning actual construction of the project, the owner or operator shall document and maintain a record of the following information:

1.5.1.1 A description of the project;

1.5.1.2 Identification of the emissions unit(s) whose emissions of a regulated NSR pollutant could be affected by the project; and

1.5.1.3 A description of the applicability test used to determine that the project is not a major modification for any regulated NSR pollutant, including the baseline actual emissions, the projected actual emissions, the amount of emissions excluded under paragraph (B)(3) of the definition of Projected Actual Emissions and an explanation for why such amount was excluded, and any netting calculations, if applicable.

1.5.2 If the emissions unit is an existing emissions unit, before beginning actual construction, the owner or operator shall provide a copy of the information set out in paragraph (1.5.1) of this Section to the APCO. Nothing in this paragraph shall be construed to require the owner or operator of such a unit to obtain any determination from the APCO concerning compliance with Rule 2:3c before beginning actual construction. However, such owner or operator may be subject to the requirements of District Regulation II Rule 2:1, or other applicable requirements.

1.5.3 The owner or operator shall monitor the emissions of any regulated NSR pollutant that could increase as a result of the project and that are emitted by any emissions unit

identified in paragraph (1.5.1.2) of this Section; and calculate and maintain a record of the annual emissions, in tpy, on a calendar year basis for a period of five years following resumption of regular operations after the change, or for a period of ten years following resumption of regular operations after the change if the project increases the design capacity or potential to emit that regulated NSR pollutant at such emissions unit.

1.5.4 If the emissions unit is an existing electric utility steam generating unit, the owner or operator shall submit a report to the APCO within sixty days after the end of each calendar year during which records must be generated under paragraph (1.5.3) of this

Section, setting out the unit's annual emissions during the calendar year that preceded submission of the report.

1.5.5 If the emissions unit is an existing emissions unit other than an electric utility steam generating unit, the owner or operator shall submit a report to the APCO if the annual emissions, in tpy, from the project identified in paragraph (1.5.1) of this Section exceed the baseline actual emissions by a significant amount for that regulated NSR pollutant, and if such emissions differ from the projected actual emissions (prior to exclusion of the amount of emissions specified under paragraph (B)(3) of the definition of Projected Actual Emissions) as documented and maintained pursuant to paragraph (1.5.1.3) of this Section. Such report shall be submitted to the APCO within sixty days after the end of such year. The report shall contain the following:

1.5.5.1 The name, address, and telephone number of the major stationary source;

1.5.5.2 The annual emissions, as calculated pursuant to paragraph (1.5.3) of this Section; and

1.5.5.3 Any other information that the owner or operator wishes to include in the report (e.g., an explanation as to why the emissions differ from the preconstruction projection).

1.5.6 The owner or operator of the source shall make the information required to be documented and maintained pursuant to this Section available for review upon a request for inspection by the APCO or the general public pursuant to the requirements contained in 40 CFR 70.4(b)(3)(viii).

1.5.7 A "reasonable possibility" under this Section occurs when the owner or operator calculates the project to result in either:

1.5.7.1 A projected actual emissions increase of at least 50 percent of the amount that is a "significant emissions increase," as defined in this rule (without reference to the amount that is a significant net emissions increase), for the regulated NSR pollutant; or

1.5.7.2 A projected actual emissions increase that, added to the amount of emissions excluded under paragraph (B)(3) of the definition of Projected Actual Emissions, sums to at least 50 percent of the amount that is a "significant emissions increase," as defined in this rule (without reference to the amount that is a significant net emissions increase), for the regulated NSR pollutant.

1.5.7.3 For a project in which a reasonable possibility occurs only within the meaning of paragraph (1.5.7.2), and not also within the meaning of (1.5.7.1), the provisions of paragraphs (1.5.2) through (1.5.5) of this Section do not apply to the project.

1.6 Secondary Emissions: Secondary emissions shall not be considered in determining whether a stationary source would qualify as a major stationary source. If a stationary source is subject to this rule on the basis of direct emissions from the stationary source, the requirements of Section 4 must also be met for secondary emissions.

1.7 Stationary Sources: For purposes of this rule, the term stationary source does not refer to the

source of emissions resulting directly from an internal combustion engine for transportation purposes or from a nonroad engine or nonroad vehicle as defined in section 216 of the Clean Air Act.

1.8 Environmental Protection Agency Determination: Notwithstanding any other requirements of this rule governing the issuance of an Authority to Construct, the APCO shall not issue an Authority to Construct to a new major stationary source or major modification subject to the requirements of this rule if the federal Environmental Protection Agency has determined that the SIP is not being adequately implemented for the nonattainment area in which the proposed source is to be

constructed or modified in accordance with the requirements of Title I, Part D of the Clean Air Act.

2 Definitions: For the purposes of this rule, the definitions provided in paragraphs (2.1), (2.2), (2.3) and (2.4) below apply to the terms used in this rule. In the event of any discrepancy between the definitions specified in paragraphs (2.1), (2.2), (2.3) and (2.4), below, the definition in the paragraph that is listed first below shall control.

2.1 The definitions contained in 40 CFR 51.165(a)(1), shall apply, and are hereby incorporated by reference, with the exception of the definition of "Reviewing authority" at 40 CFR 51.165(a)(1)(xxxviii), which has the meaning specified in paragraph (2.2) below.

2.2 The following definitions shall also apply:

2.2.1 "Air Pollution Control Officer (APCO)" means the Air Pollution Control Officer of the Tehama County Air Pollution Control District.

2.2.2 "Class I area" means any area listed as Class I in 40 CFR Part 81 Subpart D, including Section 81.405, or an area otherwise specified as Class I in the legislation that creates a national monument, a national primitive area, a national preserve, a national recreational area, a national wild and scenic river, a national wildlife refuge, or a national lakeshore or seashore.

2.2.3 "Clean Air Act (CAA)" means the federal Clean Air Act, 42 U.S.C. 7401 et seq., as amended.

2.2.4 "Complete" means, in reference to an application, that the application contains all of the information necessary for processing.

2.2.5 "District" means the Tehama County Air Pollution Control District.

2.2.6 "Emission reduction credit (ERC)" means reductions of actual emissions from emissions units that are certified by a California air district in accordance with applicable district rules and issued by the air district in the form of ERC certificates.

2.2.7 "Internal emission reductions" means emission reductions which have occurred or will occur at the same major stationary source where the proposed emissions increase will occur.

2.2.8 "Nonattainment pollutant" means any regulated NSR pollutant for which the District, or portion of the District, has been designated as nonattainment, as codified in 40 CFR 81.305, as well as any precursor of such regulated NSR pollutant specified in 40 CFR 51.165(a)(1)(xxxvii)(C).

2.2.9 "Permanent" means an emission reduction which is federally enforceable for the life of a corresponding increase in emissions.

2.2.10 "Reviewing authority" means the Air Pollution Control Officer (APCO).

2.2.11 "Shutdown" means the cessation of operation of any air pollution control equipment or process equipment for any purpose.

2.2.12 "Startup" means the setting into operation of any air pollution control equipment or process equipment for any purpose except routine phasing in of process equipment.

2.2.13 "State Implementation Plan (SIP)" means the State Implementation Plan approved or promulgated for the State of California under section 110 or 172 of the Clean Air Act.

2.2.14 "Surplus" means the amount of emission reductions that are, at the time of generation or use of an emission reduction credit (ERC), not otherwise required by federal, state, or local law, not required by any legal settlement or consent decree, and not relied upon to meet any requirement related to the California State Implementation Plan (SIP). However, emission reductions required by a state statute that provides that the subject emission reductions shall be considered surplus may be considered surplus for purposes

of this rule if those reductions meet all other applicable requirements. Examples of federal, state, and local laws, and of SIP-related requirements, include, but are not limited to, the following:

2.2.14.1 The federally-approved California SIP;

2.2.14.2 Other adopted state air quality laws and regulations not in the SIP, including but not limited to, any requirement, regulation, or measure that: (1) the District or the State has included on a legally required and publicly available list of measures that are scheduled for adoption by the District or the State in the future; or (2) is the subject of a public notice distributed by the District or the State regarding an intent to adopt such revision;

2.2.14.3 Any other source or source-category specific regulatory or permitting requirement, including, but not limited to Reasonable Available Control technology (RACT), New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), Best Available Control Measures (BACM), Best Available Control Technology (BACT), and Lowest Achievable Emission Rate (LAER); and

2.2.14.4 Any regulation or supporting documentation that is required by the Federal Clean Air Act, but is not contained or referenced in 40 CFR Part 52, including but not limited to: assumptions used in attainment and maintenance demonstrations (including Reasonable Further Progress demonstrations and milestone demonstrations), including any proposed control measure identified as potentially contributing to an enforceable near-term emission reduction commitment; assumptions used in conformity demonstrations; and assumptions used in emissions inventories.

2.2.15 "Temporary source" means an emission source such as a pilot plant or a portable facility which will be located outside the nonattainment area after less than a cumulative total of 90 days of operation in any 12 continuous months.

2.2.16 "Tons per year (tpy)" means annual emissions in tons.

2.3 The definitions contained in 40 CFR 51.100 shall apply and are hereby incorporated by reference.

2.4 The definitions contained in 40 CFR 51.301 shall apply and are hereby incorporated by reference.

3 Application Requirements

3.1 Application Submittal: The owner or operator of any proposed new major stationary source or major modification required to obtain an Authority to Construct pursuant to this rule shall submit a complete application to obtain an Authority to Construct on forms provided by the APCO and include in the application submittal the information listed in Section 3.2 as well as the demonstrations listed in Sections 3.3-3.6. Designating an application complete for purposes of permit processing does not preclude the APCO from requesting or accepting any additional information.

3.2 Application Content: At a minimum, an application for an Authority to Construct shall contain the following information related to the proposed new major stationary source or major modification:

3.2.1 Identification of the applicant, including contact information.

3.2.2 Identification of address and location of the new or modified source.

3.2.3 An identification and description of all emission points, including information regarding all regulated NSR pollutants emitted by all emissions units included in the new source or modification.

3.2.4 A process description of all activities, including design capacity, which may generate emissions of regulated NSR pollutants in sufficient detail to establish the basis for the applicability of standards and fees.

3.2.5 A projected schedule for commencing construction and operation for all emissions units included in the new source or modification.

3.2.6 A projected operating schedule for each emissions unit included in the new source or modification.

3.2.7 A determination as to whether the new source or modification will result in any secondary emissions.

3.2.8 The emission rates of all regulated NSR pollutants, including fugitive and secondary emission rates, if applicable. The emission rates must be described in tpy and for such shorter term rates as are necessary to establish compliance using the applicable standard reference test method or other methodology specified (i.e., grams/liter, ppmv or ppmw, lbs/MMBtu).

3.2.9 The calculations on which the emission rate information is based, including fuel specifications, if applicable and any other assumptions used in determining the emission rates (e.g., HHV, sulfur content of natural gas).

3.2.10 The calculations, pursuant to Section 1.3, used to determine applicability of this rule, including the emission calculations (increases or decreases) for each project that occurred during the contemporaneous period.

3.2.11 The calculations, pursuant to Section 4.3 (offset), used to determine the quantity of offsets required for the new source or modification.

3.2.12 Identification of existing emission reduction credits or identification of internal emission reductions, including related emission calculations and proposed permit modifications required to ensure emission reductions meet the offset integrity criteria of being real, surplus, quantifiable, permanent and federally enforceable or enforceable as a practical matter.

3.2.13 If applicable, a description of how performance testing will be conducted, including test methods and a general description of testing protocols.

3.3 Lowest Achievable Emission Rate (LAER): The applicant shall submit an analysis demonstrating that LAER has been proposed for each emissions unit included in the new major stationary source or major modification that emits a nonattainment pollutant for which the new stationary source or modification is classified as major.

3.4 Statewide Compliance: The applicant shall submit a certification that each existing major stationary source owned or operated by the applicant (or any entity controlling, controlled by, or under common control with the applicant) in the State is in compliance with all applicable emission limitations and standards under the CAA or is in compliance with an expeditious compliance schedule which is federally enforceable.

3.5 Analysis of Alternatives: The applicant shall submit an analysis of alternative sites, sizes,

production processes, and environmental control techniques for the proposed source that demonstrates the benefits of the proposed source significantly outweigh the environmental and social costs imposed as a result of its location, construction, or modification.

3.6 Sources Impacting Class I Areas: The applicant for a proposed new major source or major modification that may affect visibility of any Mandatory Class I Federal Area shall provide the APCO with an analysis of impairment to visibility that would occur as a result of the source or modification and general commercial, residential, industrial, and other growth associated with the source or modification, as required by 40 CFR Section 51.307(b)(2).

3.7 Application Fees: The applicant shall pay the applicable fees specified in District Rule 2:11, FEES.

4 Emissions Offsets

4.1 Offset Requirements:

4.1.1 The emission increases of a nonattainment pollutant for which the new stationary source or modification is classified as major, shall be offset with federally enforceable ERCs or with internal emission reductions.

4.1.2 ERCs from one or more sources may be used, alone or in combination with internal emission reductions, in order to satisfy offset requirements.

4.1.3 Emissions reductions achieved by shutting down an existing emissions unit or curtailing production or operating hours may only be credited for offsets if such reductions are surplus, permanent, quantifiable, and federally enforceable; and

4.1.4 The shutdown or curtailment occurred after the last day of the base year for the attainment plan for the specific pollutant; or

4.1.5 The projected emissions inventory used to develop the attainment plan explicitly includes the emissions from such previously shutdown or curtailed emissions units. However, in no event may credit be given for shutdowns that occurred before August 7, 1977.

4.2 Timing:

4.2.1 Internal emission reductions used to satisfy an offset requirement must be federally enforceable prior to the issuance of the Authority to Construct, which relies on the emission reductions.

4.2.2 Except as provided by paragraph (4.2.3) of this Section, the decrease in actual emissions used to generate ERCs or internal emission reductions must occur no later than the commencement of operation of the new or modified major stationary source.

4.2.3 Where the new emissions unit is a replacement for an emissions unit that is being shut down in order to provide the necessary offsets, the APCO may allow up to one hundred eighty (180) calendar days for shakedown or commissioning of the new emissions unit before the existing emissions unit is required to cease operation.

4.3 Quantity: The quantity of ERCs or internal emission reductions required to satisfy offset requirements shall be determined in accordance with the following:

4.3.1 The unit of measure for offsets, ERCs, and internal emission reductions shall be tpy. All calculations and transactions shall use emission rate values rounded to the nearest one one-hundredth (0.01) tpy.

4.3.2 The quantity of ERCs or internal emission reductions required shall be calculated as the product of the amount of increased emissions, as determined in accordance with paragraph (4.3.3) of this Section, and the offset ratio, as determined in accordance with paragraph (4.3.4) of this Section.

4.3.3 The amount of increased emissions shall be determined as follows:

4.3.3.1 When the offset requirement is triggered by the construction of a new major stationary source, the amount of increased emissions shall be the sum of the potential to emit of all emissions units.

4.3.3.2 When the offset requirement is triggered by a major modification of an existing major stationary source, the amount of increased emissions shall be the sum of the differences between the allowable emissions after the modification and the actual emissions before the modification for each emissions unit.

4.3.3.3 The amount of increased emissions includes fugitive emissions.

4.3.4 The ratios listed in Table 1 shall be applied based on the area's classification for each pollutant, as applicable. The offset ratio is expressed as a ratio of emissions increases to emission reductions.

Table 1. Federal Offset Ratio Requirements by Area Classification and Pollutant

Area Classification	Pollutant	Offset Ratio
Marginal Ozone Nonattainment Area	NOX or VOC	1:1.1
Moderate Ozone Nonattainment Area	NOX or VOC	1:1.15
Serious Ozone Nonattainment Area	NOX or VOC	1:1.2

4.4 Emission Reduction Requirements

4.4.1 Internal emission reductions or ERCs used to satisfy an offset requirement shall be:

4.4.1.1 Real, surplus, permanent, quantifiable, and federally enforceable; and

4.4.1.2 Surplus at the time of issuance of the Authority to Construct containing the offset requirements.

4.4.2 Permitted sources whose emission reductions are used to satisfy offset requirements must appropriately amend or cancel their Authority to Construct or Permit to Operate to reflect their newly reduced potential to emit, including practicably enforceable conditions to limit their potential to emit.

4.4.3 Emission reductions must be obtained from the same nonattainment area, however, the APCO may allow emission reductions from another nonattainment area if the following conditions are met:

4.4.3.1 The other area has an equal or higher nonattainment classification than the area in which the source is located; and

4.4.3.2 Emissions from such other area contribute to a violation of the national ambient air quality standard in the nonattainment area in which the source is located.

4.4.4 The use of ERCs shall not provide:

4.4.4.1 Authority for, or the recognition of, any pre-existing vested right to emit any regulated NSR pollutant;

4.4.4.2 Authority for, or the recognition of, any rights that would be contrary to applicable law; or

4.4.4.3 An exemption to a stationary source from any emission limitations established in accordance with federal, state, or county laws, rules, and regulations.

4.5 Restrictions on Trading Pollutants

4.5.1 The emission offsets obtained shall be for the same regulated NSR pollutant except as specified below.

4.5.2 In no case, shall the compounds excluded from the definition of Volatile Organic Compounds be used as offsets for Volatile Organic Compounds.

5 Administrative Requirements

5.1 Visibility: The APCO shall provide written notice and conduct any necessary review and consultation with the Federal Land Manager regarding any proposed major stationary source or major modification that may impact visibility in any Mandatory Class I Federal Area, in accordance with the applicable requirements of 40 CFR 51.307. The APCO may require monitoring of visibility in any Federal Class I area near the proposed new stationary source or major modification for such purposes and by such means as the APCO deems necessary and appropriate.

5.2 Ambient Air Quality Standards: The APCO may require the use of an air quality model to estimate the effects of a new or modified stationary source. The analysis shall estimate the effects of the new or modified stationary source and verify that the new or modified stationary source will not prevent or interfere with the attainment or maintenance of any ambient air quality standard. In making this determination, the APCO shall take into account the mitigation of emissions through offsets pursuant to this rule, and the impacts of transported pollutants on downwind pollutant concentrations. The APCO may impose, based on an air quality analysis, offset ratios greater than the requirements of paragraph (4.3.4) of Section 4.3.

5.3 Air Quality Models: All estimates of ambient concentrations required, pursuant to this rule, shall be based on applicable air quality models, databases, and other requirements specified in 40 CFR Part 51, Appendix W ("Guideline on Air Quality Models"). Where an air quality model specified is inappropriate, the model may be modified or another model substituted. Such a modification or substitution of a model may be made on a case-by-case basis or, where appropriate, on a generic basis. Written approval from the EPA must be obtained for any modification or substitution. In addition, use of a modified or substituted model must be subject to public notification and the opportunity for public comment given.

5.4 Stack Height Procedures: The degree of emission limitation required of any source for control of any air pollutant must not be affected by so much of any source's stack height that exceeds good engineering practice or by any other dispersion technique, except as provided in 40 CFR 51.118(b). For the purposes of this Section, the definitions in 40 CFR 51.100 shall apply.

5.4.1 Before the APCO issues an Authority to Construct under this rule to a source with a stack height that exceeds good engineering practice (GEP) stack height, the APCO shall notify the public of the availability of the demonstration study and provide opportunity for a public hearing.

5.4.2 Any field study or fluid model used to demonstrate GEP stack height and any determination concerning excessive concentration must be approved by the EPA and the APCO prior to any emission limit being established.

5.4.3 The provisions of Section 5.4 do not restrict, in any manner, the actual stack height of any stationary source or facility.

6 Authority to Construct – Decision

6.1 Preliminary Decision: Following acceptance of an application as complete, the APCO shall perform the evaluations required to determine if the proposed new major stationary source or major modification will comply with all applicable District, state and federal rules, regulations, or statutes, including but not limited to the requirements under Section 3 of this rule, and shall make a preliminary written decision as to whether an Authority to Construct should be approved, conditionally approved, or denied. The decision shall be supported by a succinct written analysis.

The decision shall be based on the requirements in force on the date the application is deemed complete, except when a new federal requirement, not yet incorporated into this rule, applies to the new or modified source.

6.2 Authority to Construct – Preliminary Decision Requirements:

6.2.1 Prior to issuance of a preliminary written decision to issue an Authority to Construct for a new major stationary source or major modification, the APCO shall determine:

6.2.1.1 That each emissions unit(s) that constitutes the new source or modification will not violate any applicable requirement of the District's portion of the California State Implementation Plan (SIP); and

6.2.1.2 That the emissions from the new or modified stationary source will not interfere with the attainment or maintenance of any applicable national ambient air quality standard; and

6.2.1.3 That the emission limitation for each emissions unit that constitutes the new source or modification specifies LAER for such units.

If the APCO determines that technological or economic limitations on the application of measurement methodology to a particular class of sources would make the imposition of an enforceable numerical emission standard infeasible, the APCO may instead prescribe a design, operational or equipment standard. In such cases, the APCO shall make its best estimate as to the emission rate that will be achieved and must specify that rate in the application review documents. Any Authority to Construct issued without an enforceable numerical emission standard must contain enforceable conditions which assure that the design characteristics or equipment will be properly maintained or that the operational conditions will be properly performed to continuously achieve the assumed degree of control. Such conditions shall be enforceable as emission limitations by private parties under section 304 of the CAA. The term "emission limitation" shall also include such design, operational, or equipment standards; and

6.2.1.4 The quantity of ERCs or internal emission reductions required to offset the new source or modification, pursuant to Section 4.3; and

6.2.1.5 That all ERCs or internal emission reductions required for the new source or modification have been identified and have been made federally enforceable or legally and practicably enforceable; and

6.2.1.6 That the quantity of ERCs or internal emission reductions determined under paragraph (4.3.2) of Section 4.3 will be surrendered prior to commencing operation.

6.2.2 Temporary sources and emissions resulting from the construction phase of a new source are exempt from paragraphs (6.2.1.4), (6.2.1.5) and (6.2.1.6) of this Section.

6.3 Authority to Construct Contents

6.3.1 An Authority to Construct for a new major stationary source or major modification shall contain terms and conditions:

6.3.1.1 which ensure compliance with all applicable requirements and which are enforceable as a legal and practical matter.

6.3.1.2 sufficient to ensure that the major stationary source or major modification will achieve LAER in accordance with paragraphs (6.3.2) and (6.3.3) of this Section.

6.3.2 A new major stationary source shall achieve LAER for each nonattainment pollutant for which the source is classified as major.

6.3.3 A major modification shall achieve LAER for each nonattainment pollutant for which the modification would result in a significant net emissions increase. This requirement applies to each proposed emissions unit at which a net emissions increase in the nonattainment pollutant would occur as a result of a physical change, or change in the method of operation of the emissions unit.

6.4 Authority to Construct – Final Decision

6.4.1 Prior to making a final decision to issue an Authority to Construct for a new major stationary source or major modification, the APCO shall consider all written comments that are submitted within 30 days of public notification and all comments received at any public hearing(s) in making a final determination on the approvability of the application and the appropriate Authority to Construct conditions. The District shall make all

comments available, including the District's response to the comments, for public inspection in the same locations where the District made preconstruction information relating to the proposed source or modification available.

6.4.2 The APCO shall deny any application for an Authority to Construct if she/he finds the new source or modification would not comply with the standards and requirements set forth in District, state, or federal rules or regulations.

6.4.3 The APCO shall make a final decision whether to issue or deny the Authority to Construct after determining that the Authority to Construct will or will not ensure compliance with all applicable emission standards and requirements.

6.4.4 The APCO shall notify the applicant in writing of the final decision and make such notification available for public inspection at the same location where the District made preconstruction information and public comments relating to the source available.

6.5 Permit to Operate: The applicable terms and conditions of an issued Authority to Construct shall be included in any Permit to Operate subsequently issued by the APCO for the same emissions units.

7 Source Obligations

7.1 Enforcement: Any owner or operator who constructs or operates a source or modification not in accordance with the application submitted pursuant to this rule, any changes to the application as required by the APCO, or the terms of its Authority to Construct or Permit to Operate, shall be subject to enforcement action.

7.2 Termination: Approval to construct shall terminate if construction is not commenced within eighteen months after receipt of such approval, if construction is discontinued for a period of eighteen months or more, or if construction is not completed within a reasonable time. The APCO may extend the 18-month period once upon a satisfactory showing of good cause why an extension is justified. This provision does not apply to the time period between construction of the approved phases of a phased construction project; each phase must commence construction within eighteen months of the projected and approved commencement date.

7.3 Compliance: Approval to construct shall not relieve any owner or operator of the responsibility to comply fully with applicable provisions of the SIP and any other requirements under local, state, or federal law.

7.4 Relaxation in Enforceable Limitations: At such time that a particular stationary source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the stationary source or modification to emit a pollutant, then the requirements of this rule shall apply to the stationary source or modification as though construction had not yet commenced on the stationary source or modification.

8 Public Participation: After the APCO has made a preliminary written decision to issue or deny an Authority to Construct for a new major stationary source or major modification, as specified in Sections 6.1 and 6.2, the APCO shall:

8.1 Publish, in at least one newspaper of general circulation in the District, a notice stating the preliminary decision of the APCO, noting how pertinent information can be obtained, including how the public can access the information specified in Section 8.2, and inviting written public comment for a 30-day period following the date of publication. The notice shall include the time and place of any hearing that may be held, including a statement of procedure to request a hearing (unless a hearing has already been scheduled).

8.2 No later than the date the notice of the preliminary written determination is published, make available in at least one location in each region in which the proposed source would be constructed, a copy of all materials the applicant submitted, a copy of the preliminary decision, a copy of the proposed Authority to Construct and a copy or summary of other materials, if any, considered in making the preliminary written decision.

8.3 Send a copy of the notice of public comment to the applicant, EPA Region 9, any persons requesting such notice and any other interested parties such as: any other state or local air pollution control agencies, the chief executives of the city and county where the source would be located; any comprehensive regional land use planning agency, and any state, Federal Land Manager, or Indian governing body whose lands may be affected by emissions from the source or modification.

8.4 Provide opportunity for a public hearing for persons to appear and submit written or oral comments on the air quality impact of the source, alternatives to it, the control technology required, and other appropriate considerations, if in the APCO's judgment such a hearing is warranted. The APCO shall give notice of any public hearing at least 30 days in advance of the hearing.

9 Plant-wide Applicability Limits (PAL): The APCO shall issue a Plant-wide Applicability Limit (PAL) permit according to the provisions contained in 40 CFR 51.165(f)(1) through (14). The provisions of 40 CFR 51.165(f)(1) through (14), are hereby incorporated by reference.

10 Invalidation: If any provision of this rule or the application of such provision to any person or circumstance is held invalid, the remainder of this rule or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

11 Effective Date for Referenced Federal Regulations: All references and citations in this rule to Title 40 of the Code of Federal Regulations (CFR) refer to the referenced federal regulation as in effect on July 1, 2019.

2/21/72

REGULATION II - PERMIT AND REGISTRATION

~~Rule 2:1 General Requirements~~

(a) No person shall cause or permit the construction or modification of any new source without first obtaining an authority to construct or modify from the Air Pollution Control Officer as to the location and design of such new source to comply with applicable rules and regulations and ambient air quality standards.

(b) The Air Pollution Control Officer shall not approve such construction or modification unless the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that the new source can be expected to comply with all applicable state and local regulations.

Rule 2:2 Permits required

(a) Authority to Construct. Any person building, erecting, altering or replacing any 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, shall first obtain written authorization for such construction from the Air Pollution Control Officer. 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 2:2 (a) 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 2:2 (a), constructed or installed without authorization as required by Rule 2:2 (a), until the information required pursuant to these Rules and Regulations is presented 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 2:5 and elsewhere in these Rules and Regulations.

Rule 2:3 Registration or Permit to Operate. (Existing Operations) Registration and/or a Permit to Operate shall be required of all existing equipment, contrivances, or places of business that have burning or send emissions ~~into the atmosphere.~~

Rule 2:4 Exemptions from Permit and Registration. (New and Existing Operations) An authorization to construct, permit to operate , or registration, 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 structure is designed for and used exclusively as a dwelling for not more than two (2) families.

(d) The following equipment:

(1) Comfort air conditioning or comfort ventilating systems which 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 gype 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) Residential incinerators when used for burning of paper or leaves.

(e) Space heaters.

(f) Equipment used in eating establishments for the purpose of preparing food for human consumption.

(g) Fuel burning equipment utilizing natural gas, liquified petroleum gas or both.

(h) Self propelled mobile construction equipment other than pavement burners.

(i) Other sources of minor significance specified by the Air Pollution Control Officer.

(j) Agricultural implements used in agricultural operations.

~~Rule 2:5 Standards for Granting Applications for Permits~~

~~(a) The Air Pollution Control Officer shall deny authorization to construct or permit to operate, except as provided in Rule 2:4, 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~~

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~~(b) Vehicles used to transport passengers or freight.~~

(c) Equipment utilized exclusively in connection with any structure, which structure is designed for and used exclusively as a dwelling for not more than two (2) families.

(d) The following equipment:

(1) Comfort air conditioning or comfort ventilating systems which 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 gype 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) Residential incinerators when used for burning of paper or leaves.

(e) Space heaters.

(f) Equipment used in eating establishments for the purpose of preparing food for human consumption.

(g) Fuel burning equipment utilizing natural gas, liquified petroleum gas or both.

(h) Self propelled mobile construction equipment other than pavement burners.

(i) Other sources of minor significance specified by the Air Pollution Control Officer.

~~(j) Agricultural implements used in agricultural operations.~~

Rule 2:5 Standards for Granting Applications for Permits

(a) The Air Pollution Control Officer shall deny authorization to construct or permit to operate, except as provided in Rule 2:4, 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 causing to be emitted air contaminants in viclation of all applicable state and local regulations.

(b) No authority to construct or modify shall be granted unless the applicant shows to the satisfaction of the Air Pollution Control Officer that the new source, as designed or modified, does not endanger maintenance or attainment of any applicable ambient air quality standard.

(c) Before authorization 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 authorization 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; and the utilities for operating the sampling and testing equipment. The platform and access shall be constructed in accordance with the General Industry Safety Orders of the State of California.

(d) In acting upon a Permit to Operate, if the Air Pollution Control Officer finds that the article, machine, equipment or other contrivance has been constructed not in accordance with the Authorization 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 reconstructed in accordance with the Authorization to Construct.

~~Rule 2:6~~ Conditional Approval

The Air Pollution Control Officer may issue an authorization to construct or a permit to operate, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the standards of Rule 2:5, in which case the conditions shall be specified in writing. Commencing work under such an authorization 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 authorization to construct or a 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 2:5 under the revised conditions.

Tehama 2/25/80

Adopt Rule 2.5A, Standards for Granting Applications, for the Tehema County APCD as follows:

Rule 2.5A Standards for Granting Applications

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

b. In acting upon a Permit to Operate, if the Air Pollution Control Officer finds that the article, machine, equipment or other contrivance has been constructed not in accordance with the Authorization to Construct, he shall deny the Permit to operate. The Air Pollution Control Officer shall not accept

Tehama 2/25/80

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 reconstructed with the Authorization to Construct.

Tehama 2/25/80

Adopt Rule 2.5B, Conditional Approval, for the Tehama County APCD as follows:

Rule 2.5B Conditional Approval

The Air Pollution Control Officer may issue an authorization to construct or a permit to operate, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the permit standards of these regulations, in which case the conditions shall be specified in writing. Commencing work under such an authorization 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 authorization to construct or a 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 permit standards under the revised conditions.

2/21/72

~~equipment that it may be expected to operate without causing to~~ be emitted air contaminants in violation of all applicable state and local regulations.

(b) No authority to construct or modify shall be granted unless the applicant shows to the satisfaction of the Air Pollution Control Officer that the new source, as designed or modified, does not endanger maintenance or attainment of any applicable ambient air quality standard.

(c) Before authorization 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 authorization 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; and the utilities for operating the sampling and testing equipment. The platform and access shall be constructed in accordance with the General Industry Safety Orders of the State of California.

(d) In acting upon a Permit to Operate, if the Air Pollution Control Officer finds that the article, machine, equipment or other contrivance has been constructed not in accordance with the Authorization 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 reconstructed in accordance ~~with the Authorization to Construct.~~

Rule 2:6 Conditional Approval

The Air Pollution Control Officer may issue an authorization to construct or a permit to operate, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the standards of Rule 2:5, in which case the conditions shall be specified in writing. Commencing work under such an authorization 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 authorization to construct or a 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 2:5 under the revised conditions.

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 2:13 Transfers

An Authority to Construct or Permit to Operate shall not be transferable, whether by operation of law or otherwise, either from one location to another, or from one person to another, except on the written approval of the Air Pollution Control Officer.

Rule 2:14 Cancellation of Permits

A permit will expire one year from the date the permit was issued.

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 2:15 Posting of Permit

A person who has been granted a Permit to Operate any equipment is required to display such Permit to Operate or an approved facsimile, or other approved identification, in the main office or principal place of business in such a manner as to be clearly visible and accessible.

Rule 2:16 Defacing

No person shall willfully deface, alter, forge, counterfeit, or falsify a permit to operate any article, machine, equipment, or other contrivance.

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 2:17 Public Records - Trade Secrets

a. All information, analyses, plans or specifications that disclose the nature, extent, quantity, or degree of air contaminants or other pollution which any article, machine, equipment or other contrivance will produce, which any air pollution control district or any other state or local agency or district requires any applicant to provide before such applicant builds, erects, alters, replaces, operates, sells, rents, or uses such article, machine, equipment or other contrivance, are public records.

b. All air or other pollution monitoring data, including data compiled from stationary sources, are public records.

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

d. Not withstanding any other provision of law, all air pollution emission data, including those emission data which constitute trade secrets as defined in Subdivision C, are public records. Data used to calculate emission data are not emission data for the purposes of this subdivision, and data which constitute trade secrets and which are used to calculate emission data are not public records.

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT
Rule 2:20 Emissions Statement
Adopted 3/01/22

1. Purpose: This Rule establishes the requirements for the submittal of an annual emissions statement from stationary sources in accordance with the requirements of the 1990 Clean Air Act [Section 182(a)(3)(B)].

2. Applicability: The requirements of this Rule are applicable to any stationary source which emits or may emit oxides of nitrogen (NOx) or reactive organic compounds (ROCs).

3. Requirements:

   3.1. The owner or operator of any stationary source that is subject to this Rule shall provide the Tehama County Air Pollution District (District) with a written emissions statement showing actual emissions or operational data allowing the District to estimate actual emissions from that source. Emissions calculations shall be based on emission factors approved by the Air Pollution Control Officer (APCO) and the United States Environmental Protection Agency (U.S. EPA).

   3.2. The emissions statement shall be on a form or in a format specified by the APCO and shall contain emissions data for the time period specified by the APCO. Emissions statements shall be submitted annually.

4. Administrative Requirements:

   4.1. The APCO may waive the requirements of Section 3 of this Rule to any class or category of stationary sources which emit less than 25 tons per year of NOx or ROCs if the District provides the California Air Resources Board (CARB) with an emissions inventory of sources emitting less than 25 tons per year of NOx or ROCs, based on the use of emission factors established by or other methods acceptable to the U.S. EPA.

   4.2. All official documents submitted to the District shall contain a certification signed and dated by a responsible official of the company attesting that the information contained in the submitted documents is accurate to the best knowledge of the individual certifying the submission. The requirements of this Section apply to, but are not limited to, the emissions statement required in Section 3 of this Rule.

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Rule 3:1 Definitions

"Open burning in agricultural operations in the growing of crops or raising of fowl or animals" means:

(1) The burning in the open of materials produced wholly from operations in the growing and harvesting of crops or raising of fowl or animals for the primary purpose of making a profit or providing a livelihood, or of conducting agricultural research or instruction by an educational institution.

(2) The following operations qualify under subdivision (1):

(A) The burning of grass and weeds in or adjacent to fields in cultivation or being prepared for cultivation.

(B) The burning of material not produced wholly from such operations, but which are intimately related to the growing or harvesting of crops and which are used in the field, except as prohibited by district regulations. Examples are trays for drying raisins, date palm protection paper, and fertilizer and pesticide sacks or containers, where the sacks or containers are emptied in the field.

b. "State Board" means the State Air Resources Board, or any person authorized to act on its behalf.

c. "Designated agency" means any agency designated by the State Board as having authority to issue agricultural burning permits. The District shall establish a list of proposed agencies as the need arises. These agencies shall be proposed to the State Board for final designation.

~~Rule 3:2 Burning on No-Burn Days~~

a. Except as otherwise authorized by the Air Pollution Control Officer no person shall set, or allow agricultural burning on days within a period prohibited by the California Air Resources Board pursuant to Section 41855 of the Health and Safety Code.

b. The Air Pollution Officer, by special permit, may authorize agricultural burning on days designated by the Board as no-burn days because the denial of such permit would threaten imminent and substantial economic loss. In authorizing such burning the Air Pollution Officer shall limit the amount of acreage which can be burned in any one day. Districts shall consider the impact on downwind areas and follow Basin critieria when issuing such permits.

c. Burning of empty pesticide sacks or container or containers of other toxic substances used in conjuction with agricultural operations may be burned on no-burn days provided said burning is accomplished at the site of application and downwind from any susceptible crops or persons.

Rule 3:3 Exceptions;

a. Open burning in agricultural operations in the growing of crops or raising of fowl or animals or disease or pest prevention, ~~at altitudes above 2,000 feet mean sea level (msl)~~

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Amend Rule 3:1 as follows:

Add the following definitions:

c. "Wildland Vegetation Management Burning" means the use of prescribed burning conducted by a public agency, or through a cooperative agreement or contract involving a public agency, to burn land predominately covered with chaparral (as defined in Title 14, California Administrative Code, Section 1561.1), trees, grass or standing brush.

d. "Prescribed Burning" means the planned application of fire to vegetation on land selected in advance of such application, where any of the purposes of the burning are specified in the definition of agricultural burning as set forth in the Health and Safety Code Section 39011.

e. "Populated Area" means any area delineated as a 'town center' pursuant to the county General Plan.

f. "Sensitive Area" means any Class I area and/or any other area deemed to be sensitive by the agency preparing the burn plan.

~~Amend Rule 3:6 (1) as follows:~~

(1) A minimum of ~~thirty (30)~~ fifteen (15) days for tree stumps and large branches greater than six (6) inches in diameter.

Amend Section a. of Rule 3:11 as follows:

a. During the period of October 1 through November 15 of each year the daily acreage on permissive burn days of open burning in agricultural operations in the growing of crops or raising of fowl or animals shall be restricted to that amount allotted by the Sacramento Valley Air Basin Control Council in guidelines established prior to September 15th of each year. ~~In no case may more than 335 tons of total particulates be emitted per day in the entire basin.~~

Amend Rule 3:12 as follows: Renumber to 3:13

Adopt New Rule 3:12 as follows: Wildland Vegetation Management Burning

Wildland Vegetation Management Burning shall conform to the rules and regulations of the district and shall also conform to the following requirements.

(1) Any burn regardless of size, which will occur below a mean elevation of 1,000 feet, or any burn plan which encompasses a land area greater than 10.0 acres and which occurs at or above a mean elevation of 1,000 feet shall submit the following data to the APCD at least 7 days prior to the burn.

(A) acreage covered by the burn plan
~~(B) location of the burn site~~

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Tehama County APCD

~~Rule 3:1 Definitions~~

"Open burning in agricultural operations in the growing of crops or raising of fowl or animals" means:

(1) The burning in the open of materials produced wholly from operations in the growing and harvesting of crops or raising of fowl or animals for the primary purpose of making a profit or providing a livelihood, or of conducting agricultural research or instruction by an educational institution.

(2) The following operations qualify under subdivision (1):

(A) The burning of grass and weeds in or adjacent to fields in cultivation or being prepared for cultivation.

(B) The burning of material not produced wholly from such operations, but which are intimately related to the growing or harvesting of crops and which are used in the field, except as prohibited by district regulations. Examples are trays for drying raisins, date palm protection paper, and fertilizer and pesticide sacks or containers, where the sacks or containers are emptied in the field.

b. "State Board" means the State Air Resources Board, or any person authorized to act on its behalf.

c. "Designated agency" means any agency designated by the State Board as having authority to issue agricultural burning permits. The District shall establish a list of proposed agencies as the need arises. These agencies shall be proposed to the State Board for ~~final designation.~~

Rule 3:2 Burning on No-Burn Days

a. Except as otherwise authorized by the Air Pollution Control Officer no person shall set, or allow agricultural burning on days within a period prohibited by the California Air Resources Board pursuant to Section 41855 of the Health and Safety Code.

b. The Air Pollution Officer, by special permit, may authorize agricultural burning on days designated by the Board as no-burn days because the denial of such permit would threaten imminent and substantial economic loss. In authorizing such burning the Air Pollution Officer shall limit the amount of acreage which can be burned in any one day. Districts shall consider the impact on downwind areas and follow Basin critieria when issuing such permits.

c. Burning of empty pesticide sacks or container or containers of other toxic substances used in conjuction with agricultural operations may be burned on no-burn days provided said burning is accomplished at the site of application and downwind from any susceptible crops or persons.

~~Rule 3:3 Exceptions:~~

a. Open burning ~~in agricultural operations~~ in the growing of crops or raising of fowl or animals or disease or pest ~~prevention,~~ ~~at altitudes above 2,000 feet mean~~

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:3 Exceptions

1. Open burning in agricultural operations in the growing of crops or raising of fowl or animals or disease or pest prevention, at altitudes above 3,000 feet mean sea level (msl) is exempt from these rules.

2. Burning performed with L.P.G. or natural gas fired burners designed to desiccate seed crops and to kill seedling grass and weeds in orchards, field crops, and ditchbanks when the growth is such that combustion will not continue without the burner is exempt from these rules.

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Rule 3:4 Fire Prevention

A. Nothing in these rules is intended to permit open burning of agricultural wastes on days when such open burning is prohibited by public fire protection agencies for purposes of fire control or prevention.

Rule 3:5 Burning Permits 12-15-80

a. The forms of burning permits shall be jointly prepared by the districts and the designated agencies.

b. The form of the permit shall contain the following words or word of similar import: "This permit is valid only on those days dur which agricultural burning is not prohibited by the State Air Resources Board or by a district pursuant to Section 41855 of th Health and Safety Code".

c. The Air Pollution Officer shall provide the designated agencies with information on State laws and district rules and regulations and other information as appropriate.

d. Permits issued by designated agencies shall be subject to the rules and regulations of the district.

e. Each applicant for a permit shall provide information required by the designated agency for fire protection purposes.

f. Each applicant for a permit shall provide information requested by the district.

g. No person shall knowingly set or allow agricultural burning unless he has a valid permit from a designated agency.

h. Notice of intent to burn; Prior to ignition of any agricultural wastes pursuant to a permit issued in accordance with these rules the permitee shall give notice of intent along with other information such as crop acreage, or tons, that the agency requires.

Rule 3:6 Preparation of Agricultural Wastes 11.25.87

a. Agricultural wastes to be burned shall be free of material that is not produced in an agricultural operation.

b. Agricultural wastes must be arranged so they will burn with a minimum of smoke.

c. Agricultural wastes to be burned shall be reasonably free of dirt, soil and visible moisture.

d. Minimum Drying Period: Except as otherwise authorized by the Air Pollution Control Officer no person shall knowingly set or allow an open outdoor fire to burn agricultural wastes that have not been dried for a minimum periods between cutting, harvesting, or removal, and burning set forth as follows:

(1) A minimum of ~~thirty (30)~~ fifteen (15) days for tree stumps and large branches greater than six (6) inches in diameter.

(2) Rice straw requirements: (Applies only to rice growing counties) All rice harvesting shall employ a mechanice straw spreader to ensure even distribution of the straw with the following exceptions:

(A) Rice straw may be left in rows provided it meets drying time criteria prior to a burn as described in Article (3) below.

(3) Requires no spread rice straw shall be burned prior to a three day drying period.

(A) No rowed rice straw shall be burned prior to a ten day drying period.

(B) Article 3 and (A) above do not apply if the rice straw makes an audible crackle when tested just prior to burning with the testing method described in section (C) of these provisions.

(C) When checking the field for moisture, a composite sample of straw from under the mat, in the center of the mat and from different areas of the field shall be taken to insure a representative sample. A handful of straw from each area will give a good indication. Rice straw is dry enough to burn if a handful of straw selected as described above crackles when it is bent sharply.

(D) After a rain exceeding 0.15 inches (fifteen hundredths of an inch), not withstanding Article 3 and (A) above, rice straw shall not be burned unless the straw makes an audible crackle when tested just prior to burning with the testing method described in (C), above.

(E) Sufficient time for other agricultural waste such as orchard prunings, small branches, other grain stubble, vegetable tops, seed screenings, and other field crops to assure complete combustion with a minimum of smoke.

(F) The Air Pollution Control Officer may by permit authorize burning of agricultural waste in shorter times. if the denial of such permit would threaten imminent and substantial economic loss.

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Rule 3:7 Ignition Methods

1. Rice, barley, oat and wheat straw shall be ignited only by stripfiring into-the-wind or except under a special permit of the district issued when and where extreme fire hazards are declared by a public fire protection agency to exist, or where crops are determined by the Air Pollution Control Officer not to lend themselves to these techniques

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:8 Ignition Devices

1. All agricultural waste burning shall be ignited with ignition devices approved by the Air Pollution Control Officer

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:9 Burning Hours

1. No field crop burning shall commence before 10:00 a.m. nor after 5:00 p.m. of any day.
    a. Burning hours for other crops shall be set by the Air Pollution Control Officer or the fire agencies in the district.

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:10 Restricted Burning Days

If for any reason, it becomes likely that more than 3,000 acres or 5,000 tons of agricultural wastes will be burned within the District on any one day, the Officer shall notify the local agencies designated in Rule 3:6 that a condition of restricted burning exists. On days of restricted burning local agencies shall restrict the acreage of stubble or other wastes to be burned under permit to that acreage or tonnage allocated to the agency by the Control Officer. The Control Officer shall prorate the amounts to be burned to each agency based on the estimated number of acres or tonnage in the geographic area covered by the agency.

TEHAMA COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 3:11 Restricted Burning

1. During the period of October 1 through November 15 of each year the daily acreage on permissive burn days of open burning in agricultural operations in the growing of crops or raising of fowl or animals shall be restricted to that amount allotted by the Sacramento Valley Air Basin Control Council in guidelines established prior to September 15th of each year.
2. No field crop acreage which was harvested prior to September 10 shall be burned during the period October 1 through November 15 of each year, unless written authority is given by the district. In granting such written authority the district shall:

    a. Ensure that the amount of acreage which is be burned shall be included in the district's allotment specified in (a) above.

    b. Require a specific explanation of the cultural practices which require immediate burning.

    c. Require the person to specify the reason why the burning was not conducted prior to October 1.

    d. Require the exception to be valid only on permissive burn days.

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Rule 3:12 Wildland Vegetation Management Burning

Wildland Vegetation Management Burning shall conform to the rules and regulations of the district and shall also conform to the following requirements.

(1) Any burn regardless of size, which will occur below a mean elevation of 1,000 feet, or any burn plan which encompasses a land area greater than 10.0 acres and which occurs at or above a mean elevation of 1,000 feet shall submit the following data to the APCD at least 7 days prior to the burn.

(A) acreage covered by the burn plan
(B) location of the burn site
(C) type of fuel and objectives of burn
(D) direction and distance to populated or sensitive receptor areas
(E) Tentative project burn schedule (ignition to burndown)
(F) fuel condition, combustion, and meteorological prescription elements developed for the project
(G) specifications for monitoring and verifying project parameters
(H) vegetation must be in a condition which will facilitate combustion and minimize the amount of smoke emitted during combustion
(I) procedures for notifying the public and other agencies of the burn

(2) No more than 5,000 acres of wildland vegetation as defined in these rules shall be ignited on any one day within the Tehama APCD.

(3) All vegetative wastes to be open burned shall be ignited only with approved ignition devices and shall be free of tires, rubbish, tar paper, construction debris, and combustible and flammable waste as defined in these regulations.

(4) No burning shall be conducted if meteorological conditions would cause an undue amount of emissions to be transported into populated or sensitive receptor areas. No burning shall be conducted when such burns in conjunction with present or predicted meteorology could cause or contribute to a violation of an ambient air quality standard.

(5) Vegetation shall be in a condition which will facilitate combustion and minimize the amount of smoke emitted during combustion.

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b. ~~No field crop acreage which was harvested prior to September 10~~ shall be burned during the period October 1 through November 15 of each year, unless written authority is given by the district. In granting such written authority the district shall:

(1) Ensure that the amount of acreage which is to be burned shall be included in the district's allotment specified in (a) above.

(2) Require a specific explanation of the cultural practices which require immediate burning.

(3) Require the person to specify the reason why the burning wa not conducted prior to October 1.

(4) Require the exception to be valid only on permissive-burn days.

Rule 3:12 Range Improvement Burning

a. Burning shall only be done on those days declared as burn days by the Air Resources Board unless otherwise authorized by the Air Pollution Control Officer.

b. The Air Pollution Control Officer may designate a period between January 1 and May 31, during which time range improvement burning may be conducted by permit on a no-burn day, provided that more than 50 percent of the land has been brush treated. If the burn is to be done primarily for the improvement of land for wildlife or game habitat, the Department of Fish and Game may specify the amount of brush treatment required.

c. Fires will be ignited with approved ignition devices only.

d. Should it be deemed necessary, for the preservation of acceptable air quality, by the Air Resources Board or the Air Pollution Control Officer, quotas for the acreage of range that may be burned on any given day may be imposed. The following shall apply in this regard:

(1) The permitee shall, prior to burning, establish from the Air Pollution Control Officer that the days' quota will allow the open burning of his proposed acreage of range, and shall receive verbal authorization from the Air Pollution Control Officer for his proposed burn.

(2) Authorization for burning on quota days shall be given on firstcome, first-serve basis.

(3) Any permit issued pursuant to these criteria shall be void on any quota day, unless approval for the proposed burn is given to the permittee by the Air Pollution Control Officer on that said quota day.

e. The burn shall be ignited as rapidly as practicable with applicable fire control restrictions.

f. The wind direction at the time of burn must be away from any populated area.

g. All brush must be treated at least six months prior to the burn if it is economically and technically feasible.

h. All unwanted trees over six inches in diameter shall be dried or felled a minimum of 30 days prior to burning if economically and technically feasible.

i. If the burn is done primarily for improvement of land for wildlife and game habitat, the applicant must file a statement from the Department of Fish and Game certifying that the burn is desirable and proper.

~~Rule 3.13~~ ~~Forest Management Burning~~

a. Forest Management Burning shall be enforced under guidelines established by the designated agencies. Such guidelines shall include the following provisions:

(1) The ignition of fires shall be limited to approved ignition devices.

(2) The total amount of waste that may be burned each day shall be regulated by the designated agency.

(3) Waste shall be ignited as rapidly as practicable within applicable fire control restrictions.

(4) Burning shall be regulated when the wind direction is toward a nearby populated area.

(5) Waste shall be dried for minimum periods to be specified by the designated agency.

(6) Waste shall be free of tires, rubbish, tar paper or construction debris.

(7) Waste to be burned shall be windrowed or piled where possible, unless good silvicultural practice dictates otherwise.

(8) Piled waste shall be prepared so that it will burn with a minimum of smoke.

(9) Piled waste shall be reasonably free of dirt and soil.

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~~(C) type of fuel and objectives of the burn~~
(D) direction and distance to populated or sensitive receptor areas
(E) tentative project burn schedule (ignition to burndown)
(F) fuel condition, combustion, and meteorological prescription elements developed for the project
(G) specifications for monitoring and verifying project parameters
(H) procedures for notifying the public and other agencies of the burn

(2) No more than 5,000 acres of wildland vegetation as defined in these rules shall be ignited on any one day within the Tehama APCD.

(3) All vegetative wastes to be open burned shall be ignited only with approved ignition devices and shall be free of tires, rubbish, tar paper, construction debris, and combustible and flammable waste as defined in these regulations.

(4) No burning shall be conducted if meteorological conditions would cause an undue amount of emissions to be transported into populated or sensitive receptor areas. No burning shall be conducted when such burns in conjunction with present or predicted meteorology could cause or contribute to a violation of an ambient air quality standard.

(5) Vegetation shall be in a condition which will facilitate combustion and minimize the amount of smoke omitted during combustion.

Amend Rule 3:13 as follows: Renumber to 3:14

Add Section j.

j. In no event shall more than 1,000 acres be ignited on any given day.

~~Amend Rule 3:14 as follows: Renumber to 3:15~~

Add ~~(10)~~ In no event shall more than 1,000 acres be ignited on any given day.

Amend Rule 4:3 as follows:

Add Exceptions

Sources above 500 foot elevation constructed prior to 1-1-86 shall be limited to 0.3 grains per cubic foot of gas.

~~Delete Rule 4:19~~

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~~e. The burn shall be ignited as rapidly as practicable with applicable fire control restrictions.~~

f. The wind direction at the time of burn must be away from any populated area.

g. All brush must be treated at least six months prior to the burn if it is economically and technically feasible.

h. All unwanted trees over six inches in diameter shall be dried or felled a minimum of 30 days prior to burning if economically and technically feasible.

~~i. If the burn is done primarily for improvement of land for wildlife and game habitat, the applicant must file a statement from the Department of Fish and Game certifying that the burn is desirable and proper.~~

Rule 3;13 Forest Management Burning

a. Forest Management Burning shall be enforced under guidelines established by the designated agencies. Such guidelines shall include the following provisions:

(1) The ignition of fires shall be limited to approved ignition devices.

(2) The total amount of waste that may be burned each day shall be regulated by the designated agency.

(3) Waste shall be ignited as rapidly as practicable within applicable fire control restrictions.

(4) Burning shall be regulated when the wind direction is toward a nearby populated area.

(5) Waste shall be dried for minimum periods to be specified by the designated agency.

(6) Waste shall be free of tires, rubbish, tar paper or construction debris.

(7) Waste to be burned shall be windrowed or piled where possible, unless good silvicultural practice dictates otherwise.

(8) Piled waste shall be prepared so that it will burn with a minimum of smoke.

(9) Piled waste shall be reasonably free of dirt and soil.

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(C) type of fuel and objectives of the burn
(D) direction and distance to populated or sensitive receptor areas
(E) tentative project burn schedule (ignition to burndown)
(F) fuel condition, combustion, and meteorological prescription elements developed for the project
(G) specifications for monitoring and verifying project parameters
(H) procedures for notifying the public and other agencies of the burn

(2) No more than 5,000 acres of wildland vegetation as defined in these rules shall be ignited on any one day within the Tehama APCD.

(3) All vegetative wastes to be open burned shall be ignited only with approved ignition devices and shall be free of tires, rubbish, tar paper, construction debris, and combustible and flammable waste as defined in these regulations.

(4) No burning shall be conducted if meteorological conditions would cause an undue amount of emissions to be transported into populated or sensitive receptor areas. No burning shall be conducted when such burns in conjunction with present or predicted meteorology could cause or contribute to a violation of an ambient air quality standard.

(5) Vegetation shall be in a condition which will facilitate combustion and minimize the amount of smoke omitted during combustion.

Amend Rule 3:13 as follows: Renumber to 3:14

Add Section j.

j. In no event shall more than 1,000 acres be ignited on any given day.

Amend Rule 3:14 as follows: Renumber to 3:15

Add (10) In no event shall more than 1,000 acres be ignited on any given day.

~~Amend Rule 4:3 as follows:~~

Add Exceptions

Sources above 500 foot elevation constructed prior to 1-1-86 shall be limited to 0.3 grains per cubic foot of gas.

~~Delete Rule 4:19~~

Rule 4:1 Visible Emissions

No person shall discharge into the atmosphere from any source, any air contaminant for a period or periods aggregating more than three (3) minutes in any one hour which is:

a. As dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines, or

b. Of such opacity as to obsure an observer's view to a degree equal to or greater than does smoke described in subsection (a) of this rule.

Exceptions

The above provisions do not apply to:

a. Smoke from fires permitted by any public officer in the performance of his official duty, and such fire is necessary:

(1) for prevention of a fire or health hazard which cannot reasonably be abated by any other means or

(2) for the instruction of public employees in fighting fire.

b. Smoke from fires set pursuant to permit on industrial property for the purpose of instruction of employees in methods of fighting fire.

c. Smoke from open burning for which a permit has been issued by the Air Pollution Control Officer,

d. Smoke from agricultural burning.

e. Smoke from orchard heaters which do not produce unconsumed solid carbonaceous matter at a rate in excess of one (1) gram per minute.

f. The use of other equipment in agricultural operations in growing of crops, or raising of fowls or animals.

g. Emissions which result from equipment breakdown. A responsible person shall initiate and complete appropriate action to correct the breakdown as soon as possible and reduce the frequency of

occurence of such condition. He shall report such breakdown to the Control Officer within 24 hours of such occurence.

h. Smoke or fumes which result from acts of God.

i. Smoke emitted during switch-over from gas to liquid fuel such as required during periods of gas curtailment.

j. Steam or wet plumes.

Where the presence of uncombined water is the only reason for the failure of an emission to meet the limitation of the Ringelmann Chart, that rule shall not apply. The burden of proof which establishes the application of the rule shall be upon the person seeking to come within its provisions.

~~Rule 4:2 Orchard Heaters~~

~~No orchard heater shall be used or sold in the District unless it has been approved by the Air Resources Board or does not produce more than one gram per minute of uncomsumed solid carbonaceous material.~~

~~Rule 4:3 Particulate Matter~~

~~A person shall not discharge into the atmosphere from any source particulate matter in excess of 0.3 grains per cubic foot of gas at standard conditions.~~

Rule 4:4 Nuisance

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.

Exception

The provisions of the above rule do not apply to odors emanating from agricultural operations in the growing of crops or raising of fowls or animals.

Rule 4:5 Reduction of Animal Matter

A person shall not operate or use any article, machine, equipment or other contrivance for the reduction of animal matter unless all gases, vapors and gas-entrained effluents from such an article, machine equipment

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occurence of such condition. He shall report such breakdown to the Control Officer within 24 hours of such occurence.

h. Smoke or fumes which result from acts of God.

i. Smoke emitted during switch-over from gas to liquid fuel such as required during periods of gas curtailment.

j. Steam or wet plumes.

Where the presence of uncombined water is the only reason for the failure of an emission to meet the limitation of the Ringelmann Chart, that rule shall not apply. The burden of proof which establishes the application of the rule shall be upon the person seeking to come within its provisions.

Rule 4:2 Orchard Heaters

No orchard heater shall be used or sold in the District unless it has been approved by the Air Resources Board or does not produce more than one gram per minute of uncomsumed solid carbonaceous material.

Rule 4:3 Particulate Matter

A person shall not discharge into the atmosphere from any source particulate matter in excess of 0.3 grains per cubic foot of gas at standard conditions.

Rule 4:4 Nuisance

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.

Exception

The provisions of the above rule do not apply to odors emanating from agricultural operations in the growing of crops or raising of fowls or animals.

Rule 4:5 Reduction of Animal Matter

A person shall not operate or use any article, machine, equipment or other contrivance for the reduction of animal matter unless all gases, vapors and gas-entrained effluents from such an article, machine equipment

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b. All air or other pollution monitoring data, including data compiled from stationary sources, are public records.

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

d. Not withstanding any other provision of law, all air pollution emission data, including those emission data which constitute trade secrets as defined in subdivision c, are public records. Data used to calculate emission data are not emission data for the purposes of this subdivision, and data which constitute trade secrets and which are used to calculate emission data are not public records.

Adopt Rule 3.18 as follows

not Submitted in SIP

Rule 3.18 Assignment of Fees

All monies collected under the terms of this plan shall be credites to the general fund of the Air Pollution Control District.

Amend Rule 4.3 as follows:

Rule 4:3 Particulate Matter

A person shall not discharge into the atmosphere from any source particulate matter in excess of 0.15 grains per cubic foot of gas at standard conditions.

Amend Rule 4:8 as follows

Rule 4:8 Dust and Condensed Fumes

No person shall discharge in any one hour from any source whatsoever dust or fumes of a weight in excess of the amount calculated using the following formulas:

E = Rate of emission in pounds/hour
P = Process weight rate in ton/hour

Process weights up to 60,000 pounds/hour shall be accomplished by the use of the equation:

$$E = 4.10\ P^{0.67}$$

For all process weights in excess of 60,000 pounds/hour shall be

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~~(C) type of fuel and objectives of the burn~~
(D) direction and distance to populated or sensitive receptor areas
(E) tentative project burn schedule (ignition to burndown)
(F) fuel condition, combustion, and meteorological prescription elements developed for the project
(G) specifications for monitoring and verifying project parameters
(H) procedures for notifying the public and other agencies of the burn

(2) No more than 5,000 acres of wildland vegetation as defined in these rules shall be ignited on any one day within the Tehama APCD.

(3) All vegetative wastes to be open burned shall be ignited only with approved ignition devices and shall be free of tires, rubbish, tar paper, construction debris, and combustible and flammable waste as defined in these regulations.

(4) No burning shall be conducted if meteorological conditions would cause an undue amount of emissions to be transported into populated or sensitive receptor areas. No burning shall be conducted when such burns in conjunction with present or predicted meteorology could cause or contribute to a violation of an ambient air quality standard.

(5) Vegetation shall be in a condition which will facilitate combustion and minimize the amount of smoke omitted during combustion.

Amend Rule 3:13 as follows: Renumber to 3:14

Add Section j.

j. In no event shall more than 1,000 acres be ignited on any given day.

Amend Rule 3:14 as follows: Renumber to 3:15

Add (10) In no event shall more than 1,000 acres be ignited on any given ~~day.~~

Amend Rule 4:3 as follows:

Add Exceptions

Sources above 500 foot elevation constructed prior to 1-1-86 shall be limited to 0.3 grains per cubic foot of gas.

~~Delete Rule 4:19~~

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He shall report such breakdown to the Control Officer within 24 hours of such occurrence.

(h) Smoke or fumes which result from acts of God.

(i) Smoke emitted during swith-over from gas to liquid fuel such as required during periods of gas curtailment.

(j) Steam or wet plumes.

Where the presence of uncombined water is the only reason for the failure of an emission to meet the limitation of the Ringelmann Chart, that rule shall not apply.

The burden of proof which establishes the application of the rule shall be upon the person seeking to come within its provisions.

Rule 4:2 Orchard Heaters.

No new orchard or citrus heater produced or manufactured shall be sold for use against frost damage unless it has been approved by the Air Resources Board.

No person shall use any orchard or citrus heater after January 1, 1975, unless it has been approved by the Air Resources Board or does not produce more than one gram per minute of unconsumed solid carbonaceous material.

Rule 4:3 Particulate Matter.

A person shall not discharge into the atmosphere from any source particulate matter in excess of 0.3 grains per cubic foot of gas at standard conditions.

Rule 4:4 Nuisance.

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property.

Exception

The provisions of the above rule do not apply to odors emanating from agricultural operations in the growing of crops or raising of fowls or animals.

Rule 4:5 Reduction of Animal Matter.

A person shall not operate or use any article, machine, equipment or other contrivance for the reduction of animal matter unless all gases, vapors and gas-entrained effluents from such an article, machine equipment

or other contrivance are:

(a) Incinerated at temperatures of not less than 1200 degrees Fahrenheit for a period of not less than 0.3 second or

(b) Processed in a manner determined by the Air Pollution Control Officer to be equally, or more, effective for the purpose of air pollution control than (a) above.

A person incinerating or processing gases, vapors or gas-entrained effluents pursuant to this rule shall provide, properly install and maintain in calibration, in good working order and in operation devices, as specified in the Authority to Construct or Permit to Operate or as specified by the Air Pollution Control Officer, for indicating temperature, pressure or other operating conditions.

For the purpose of this prohibition, "reduction" is defined as any heated process, including rendering, cooking, drying, dehydrating, digesting, evaporating and protein concentrating.

The provisions of this rule shall not apply to any article, machine, equipment or other contrivance used exclusively for the processing of food for human consumption.

~~Rule 4:6 Open Burning.~~

No person shall burn any refuse or other material in an open fire within the boundaries of the Tehama County Air Pollution Control District. Notwithstanding any other provisions of these rules, the open burning of tires, rubber products, car bodies or parts, wire insulation and plastic materials, and insecticide material containers is prohibited within the district at any time.

Exceptions

(a) When such fire is set or permission for such fire is given in the performance of the official duty of any public officer, and such fire, in the opinion of such officer is necessary:

(1) To prevent a fire, health or safety hazard which cannot be abated by any other means less detrimental to the total environment than burning, or

(2) To instruct public or industrial employees in methods of fire fighting.

(b) Conducting agricultural operations in the growing of crops, or raising of fowls or animals.

(c) When the substance being burned is dry native grass or weeds in place upon any of the following premises:

~~(1) Any ditch or canal or the banks thereof.~~

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~~or other contrivance are:~~

~~a. Incinerated at temperatures of not less than 1200 degrees Fahrenheit for a period of not less than 0.3 second or~~

~~b. Processed in a manner determined by the Air Pollution Control Officer to be equally, or more, effective for the purpose of air pollution control than (a) above.~~

~~A person incinerating or processing gases, vapors or gas-entrained effluents pursuant to this rule shall provide, properly install and maintain in calibration, in good working order and in operation devices, as specified in the Authority to Construct or Permit to Operate or as specified by the Air Pollution Control Officer, for indicating temperature, pressure or other operating conditions.~~

~~For the purpose of this prohibition, "reduction" is defined as any heated process, including rendering, cooking drying, dehydrating, digesting, evaporating and protein concentrating.~~

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Exceptions

a. When such fire is set or permission for such fire is given in the performance of the official duty of any public officer, and such fire, in the opinion of such officer is necessary:

   (1) To prevent a fire, health or safety hazard which cannot be abated by any other means less detrimental to the total environment than burning, or

   (2) to instruct public or industrial employees in methods of fire fighting.

b. Conducting agricultural operations in the growing of crops, or raising of fowls or animals.

c. When the substance being burned is dry native grass or weeds in place upon any of the following premises:

(1) Any ditch or canal or the banks thereof.

(2) The right-of-way or other premises of any public utility or public agency.

(3) Native grass, brush and trees cleared by order of a public agency for the purpose of flood control or public road construction.

Exceptions a,b and c above apply only on those days designated by the Air Resources Board to be burn days pursuant to Section 41855 of the Health and Safety Code.

d. Safety flares for the combustion of waste gases.

e. When such fire is used only for the cooking of food for human consumption or recreational purposes.

f. Burning for the disposal of combustible or flammable solid waste of a single-or two- family dwelling on its premises. This exception does not apply in areas where regular refuse disposal service is available and which have been designated as urban by the Tehama County Air Pollution Control Board.

g. Backfires or other fire control methods used for the purpose of controlling an existing wild fire.

h. Certain wood waste from trees, vines or bushes on property being developed for commercial or residential purposes may be burned on the property where grown when the following conditions are met:

(1) A permit is obtained from the Air Pollution Officer.

(2) The Air Pollution Control Officer has found that such burning is less detrimental to the general public health than disposal by other means.

(3) Such burning shall meet the requirements and restrictions for agricultural wastes as expressed in Rules 3:1, 3:2, 3:3, 3:4, 3:8, 3:11, and 3:12 of the rules and regulations for agricultural burning.

(4) Waste shall be arranged, prepared and dried at least six months prior to burn if economically and technically feasible.

(5) Burning may be regulated or prohibited when wind direction is toward a nearby populated area.

(6) Other conditions which the Air Pollution Control Officer deems reasonable and necessary to assure burning with a minimum of smoke and to maintain suitable air quality standards.

Rule 4:7 Incinerator Burning

Incinerator burning of any type shall be prohibited within the boundaries of the Tehama County Air Pollution Control District except:

a. As provided for by Rule 4:6 (f) above.

b. In a multiple chamber incinerator or in equipment found by the Air Pollution Control Officer to be equally effective for the purpose of air pollution control.

Rule 4:8 Dust and Condensed Fumes

No person shall discharge in any one hour from any source whatsoever dust or fumes of a weight in excess of the amount shown for the corresponding process weight per hour in the following table. Where process weight per hour falls between figures in the left hand column, the exact weight of permitted discharge may be interpolated.

ALLOWABLE RATE OF EMISSION BASED ON PROCESS WEIGHT RATE

Process Weight Rate	Rate of Emission	Process Weight Rate	Rate of Emission
Lb/Hr	Tons/Hr	Lb/Hr	Tons/Hr	Lb/Hr
3,000	1.50	5.38	60,000	30.	40.0
4,000	2.00	6.52	70,000	35.	41.3
5,000	2.50	7.58	80,000	40.	42.5
6,000	3.00	8.56	90,000	45.	43.6
7,000	3.50	9.49	100,000	50.	44.6
8,000	4.00	10.4	120,000	60.	46.3
9,000	4.50	11.2	140,000	70.	47.8
10,000	5.00	12.0	160,000	80.	49.0
12,000	6.00	13.6	1,000,000	500.	69.0
16,000	8.00	16.5	2,000,000	1,000.	77.6
18,000	9.00	17.9	6,000,000	3,000.	92.7
20,000	10.00	19.2			
30,000	15.	25.2			
40,000	20.	30.5			
50,000	25.	35.4			

(6) Other conditions which the Air Pollution Control Officer deems reasonable and necessary to assure burning with a minimum of smoke and to maintain suitable air quality standards.

Rule 4:7 Incinerator Burning

Incinerator burning of any type shall be prohibited within the boundaries of the Tehama County Air Pollution Control District except:

a. As provided for by Rule 4:6 (f) above.

b. In a multiple chamber incinerator or in equipment found by the Air Pollution Control Officer to be equally effective for the purpose of air pollution control.

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ALLOWABLE RATE OF EMISSION BASED ON PROCESS WEIGHT RATE

Process Weight Rate		Rate of Emission	Process Weight Rate		Rate of Emission
Lb/Hr	Tons/Hr	Lb/Hr	Lb/Hr	Tons/Hr	Lb/Hr
3,000	1.50	5.38	60,000	30.	40.0
4,000	2.00	6.52	70,000	35.	41.3
5,000	2.50	7.58	80,000	40.	42.5
6,000	3.00	8.56	90,000	45.	43.6
7,000	3.50	9.49	100,000	50.	44.6
8,000	4.00	10.4	120,000	60.	46.3
9,000	4.50	11.2	140,000	70.	47.8
10,000	5.00	12.0	160,000	80.	49.0
12,000	6.00	13.6	1,000,000	500.	69.0
16,000	8.00	16.5	2,000,000	1,000.	77.6
18,000	9.00	17.9	6,000,000	3,000.	92.7
20,000	10.00	19.2			
30,000	15.	25.2			
40,000	20.	30.5			
50,000	25.	35.4			

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b. All air or other pollution monitoring data, including data compiled from stationary sources, are public records.

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

d. Not withstanding any other provision of law, all air pollution emission data, including those emission data which constitute trade secrets as defined in subdivision c, are public records. Data used to calculate emission data are not emission data for the purposes of this subdivision, and data which constitute trade secrets and which are used to calculate emission data are not public records.

Adopt Rule 2:18 as follows

Not Submitted in SIP

Rule 2:18 Assignment of Fees

All monies collected under the terms of this plan shall be credited to the general fund of the Air Pollution Control District.

Amend Rule 4.3 as follows:

Rule 4:3 Particulate Matter

A person shall not discharge into the atmosphere from any source particulate matter in excess of 0.15 grains per cubic foot of gas at standard conditions.

Amend Rule 4:8 as follows

Rule 4:8 Dust and Condensed Fumes

No person shall discharge in any one hour from any source whatsoever dust or fumes of a weight in excess of the amount calculated using the following formulas:

E = Rate of emission in pounds/hour
P = Process weight rate in ton/hour

Process weights up to 60,000 pounds/hour shall be accomplished by the use of the equation:

$$E = 4.10\ P^{0.67}$$

For all process weights in excess of 60,000 pounds/hour shall be

accomplished by the use of the equation:

$$E = 55.0\ p^{0.11} - 40$$

As an example; if "a" has a process which emits contaminants into the atmosphere and which process takes four (4) hours to complete, you will divide the weight of all materials in the specific process, in this example, 2,400 lbs., by '4' giving a process weight per hour of 600 lbs.

Using the formula:

$$E = 4.10\ p\ 0.67$$
$$E = 4.10\ (.3)0.67$$
$$E = 1.83 \text{ lbs.}$$

~~Amend Section a. and b. of Rule 4:9 as follows~~

a. Sulphur compounds calculated as sulpher dioxide (SO_2) 250 ppm.

b. Combustion comtaminants: 0.15 grains per cubic foot of gas .....

Amend Rule 4:10 as follows:

Rule 4:10 Sulphur Content of Fuels

The use of any liquid or solid fuel with a sulfur content in excess of 0.5% by weight is prohibited.

Repeal Rule 4:13 Fuel Burning Equipment

Amend Rule 4:14 as follows:

Rule 4:14 Fuel Burning Equipment

A person shall not discharge into the atmosphere from any non-mobile fuel burning source, nitrogen oxides (calculated as NO_2) at 3% oxygen) in excess of the limits shown in the following table:

NITROGEN OXIDES - PARTS PER MILLION OF FLUE GAS

FUEL	EFFECTIVE DATE DECEMBER 31,1971	DECEMBER 31,1974
Gas	225	125
Liquid or Solid	325	225

Adopt Rule V - PROCEDURE BEFORE THE HEARING BOARD

Adopt Rule 5:1 as follows:

Rule 5:1 Applicable Section of the Health and Safety Code

~~California Health and Safety Code Sections 40800-40865,~~

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Rule 4:9 Specific Contaminants.

A person shall not discharge into the atmosphere from any single source of emission whatsoever, any one or more of the contaminants, in any state or combination thereof, exceeding in concentration at the point of discharge:

(a) Sulphur compounds calculated as sulphur dioxide (SO_2) 0.2 per cent, by volume.

(b) Combustion contaminants: 0.3 grains per cubic foot of gas calculated to 12 per cent of carbon dioxide (CO_2) at standard conditions, except during the start of an operation or change in energy source, during the time necessary to bring the combustion process up to operating level. In measuring the combustion contaminants from incinerators used to dispose of combustible refuse by burning, the carbon dioxide (CO_2) produced by combustion of any liquid or gaseous fuels shall be excluded from the calculation to 12 per cent of carbon dioxide (CO_2)

~~Rule 4:10 Sulfur Content of Fuels~~

~~The use of any gaseous fuel containing sulfur compounds in excess of 50 grains per 100 cubic feet of gaseous fuel, calculated as hydrogen sulfide at standard conditions, or any liquid fuel or solid fuel having a sulfur content in excess of 0.5 per cent by weight is prohibited.~~

~~The provisions of this prohibition shall not apply to:~~

~~(a) The burning of sulfur, hydrogen sulfide, acid sludge or other sulfur compounds in the manufacturing of sulfur or sulfur compounds.~~

~~(b) The incinerating of waste gases provided that the gross heating value of such gases is less than 300 British thermal units per cubic foot at standard conditions and the fuel used to incinerate such waste gases does not contain sulfur or sulfur compounds in excess of the amount specified in this rule.~~

~~(c) The use of solid fuels in any metallurgical process.~~

~~(d) The use of fuels where the gaseous products of combustion are used as raw materials for other processes.~~

~~(e) The use of liquid or solid fuel to propel or test any vehicle, aircraft, missile, or locomotive.~~

~~(f) The use of liquid fuel whenever the supply of gaseous fuel, the burning of which is permitted by this rule, is not physically available to the user due to accident, act of God, act of war, act of the public enemy, or failure of the supplier.~~

~~(g) The use of liquid fuel during a period for which the supplier of gaseous fuel, the burning of which is not prohibited by this prohibition, interrupts the delivery of gaseous fuel to the user.~~

2/10/86

~~accomplished by the use of the equation:~~

$$E = 55.0\ p^{0.11} - 40$$

As an example; if "a" has a process which emits contaminants into the atmosphere and which process takes four (4) hours to complete, you will divide the weight of all materials in the specific process, in this example, 2,400 lbs., by '4' giving a process weight per hour of 600 lbs.

Using the formula:

$$E = 4.10\ p\ 0.67$$
$$E = 4.10\ (.3)0.67$$
$$E = 1.83 \text{ lbs.}$$

Amend Section a. and b.of Rule 4:9 as follows

a. Sulphur compounds calculated as sulpher dioxide (SO_2) 250 ppm.

b. Combustion comtaminants: 0.15 grains per cubic foot of gas .....

~~Amend Rule 4:10 as follows:~~

Rule 4:10 Sulphur Content of Fuels

The use of any liquid or solid fuel with a sulfur content in excess of 0.5% by weight is prohibited.

Repeal Rule 4:13 Fuel Burning Equipment

Amend Rule 4:14 as follows:

Rule 4:14 Fuel Burning Equipment

A person shall not discharge into the atmosphere from any non-mobile fuel burning source, nitrogen oxides (calculated as NO_2) at 3% oxygen) in excess of the limits shown in the following table:

NITROGEN OXIDES - PARTS PER MILLION OF FLUE GAS

FUEL	EFFECTIVE DATE DECEMBER 31,1971	DECEMBER 31,1974
Gas	225	125
Liquid or Solid	325	225

Adopt Rule V - PROCEDURE BEFORE THE HEARING BOARD

Adopt Rule 5:1 as follows:

Rule 5:1 Applicable Section of the Health and Safety Code

~~California Health and Safety Code Sections 40800-40865,~~

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~~accomplished by the use of the equation:~~

$$E = 55.0\ p^{0.11} - 40$$

As an example; if "a" has a process which emits contaminants into the atmosphere and which process takes four (4) hours to complete, you will divide the weight of all materials in the specific process, in this example, 2,400 lbs., by '4' giving a process weight per hour of 600 lbs.

Using the formula:

$$E = 4.10\ p\ 0.67$$
$$E = 4.10\ (.3)0.67$$
$$E = 1.83 \text{ lbs.}$$

Amend Section a. and b.of Rule 4:9 as follows

a. Sulphur compounds calculated as sulpher dioxide (SO_2) 250 ppm.

~~b. Combustion contaminants: 0.15 grains per cubic foot of gas .....~~

Amend Rule 4:10 as follows:

Rule 4:10 Sulphur Content of Fuels

The use of any liquid or solid fuel with a sulfur content in excess of 0.5% by weight is prohibited.

~~Repeal Rule 4:13 Fuel Burning Equipment~~

Amend Rule 4:14 as follows:

Rule 4:14 Fuel Burning Equipment

A person shall not discharge into the atmosphere from any non-mobile fuel burning source, nitrogen oxides (calculated as NO_2) at 3% oxygen) in excess of the limits shown in the following table:

NITROGEN OXIDES - PARTS PER MILLION OF FLUE GAS

FUEL	EFFECTIVE DATE DECEMBER 31,1971	DECEMBER 31,1974
Gas	225	125
Liquid or Solid	325	225

Adopt Rule V - PROCEDURE BEFORE THE HEARING BOARD

Adopt Rule 5:1 as follows:

Rule 5:1 Applicable Section of the Health and Safety Code

~~California Health and Safety Code Sections 40800-40865,~~

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It shall not be a violation of this prohibition to burn any solid or liquid fuel having a sulfur content in excess of 0.5 per cent by weight for a period of not to exceed three calendar days (and in addition for that period of time necessary for the Hearing Board to render a decision, provided that an application for a variance is promptly filed) when other fuel which complies with this prohibition is not used due to accident, strike, sabotage, or act of God.

Every holder of, and every applicant for a permit to operate fuel-burning equipment under these Rules and Regulations shall notify the Air Pollution Control Officer in the manner and form prescribed by him, of each interruption and resumption of delivery of gaseous fuel to his equipment.

Rule 4:11 Circumvention

A person shall not build, erect, install, or use any article, machine, equipment or other contrivance, the use of which does not result in a reduction in the total release of air contaminants to the atmosphere or conceal an emission which would otherwise constitute a violation.

Rule 4:12 Storage of Petroleum Products

(a) Any person who, after October 1, 1971, loads or permits the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from a tank truck or trailer, except through a permanent submerged fill pipe, unless such tank is a pressure tank, or is equipped with a vapor recovery system, or is equipped with a floating roof or other apparatus of equal efficiency which has been approved by the air pollution control officer, is guilty of a misdemeanor.

(b) Any person who installs any gasoline tank with a capacity of 250 gallons or more which does not meet the requirements of subdivision (a) is guilty of a misdemeanor.

(c) Subdivisions (a) and (b) shall not apply to any stationary tanks installed prior to December 31, 1970 or to any tank used primarily for the fueling of implements of husbandry.

(d) For the purpose of this section, "submerged fill pipe" means any fill pipe which has its discharge opening entirely submerged when the liquid level is 6 inches above the bottom of the tank. "Submerged fill pipe" when applied to a tank which is loaded from the side, means any fill pipe which has its discharge opening entirely submerged when the liquid level is 18 inches above the bottom of the tank.

(e) For the purpose of this section, a "pressure tank" is a tank which maintains working pressure sufficient at all times to prevent hydrocarbon vapor or gas loss to the atmosphere.

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~~It shall not be a violation of this prohibition to burn any solid~~ or liquid fuel having a sulfur content in excess of 0.5 per cent by weight for a period of not to exceed three calendar days ~~(and in addition for that period of time necessary for the Hearing Board to render a decision, provided that an application for a variance is promptly filed)~~ when other fuel which complies with this prohibition is not used due to accident, strike, sabotage, or act of God.

Every holder of, and every applicant for a permit to operate fuel-burning equipment under these Rules and Regulations shall notify the Air Pollution Control Officer in the manner and form prescribed by him, of each interruption and resumption of delivery of gaseous fuel to his equipment.

Rule 4:11 Circumvention

A person shall not build, erect, install, or use any article, machine, equipment or other contrivance, the use of which does not result in a reduction in the total release of air contaminants to the atmosphere ~~or conceal an emission which would otherwise constitute a violation.~~

Rule 4:12 Storage of Petroleum Products

(a) Any person who, after October 1, 1971, loads or permits the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from a tank truck or trailer, except through a permanent submerged fill pipe, unless such tank is a pressure tank, or is equipped with a vapor recovery system, or is equipped with a floating roof or other apparatus of equal efficiency which has been approved by the air pollution control officer, is guilty of a misdemeanor.

(b) Any person who installs any gasoline tank with a capacity of 250 gallons or more which does not meet the requirements of subdivision (a) is guilty of a misdemeanor.

(c) Subdivisions (a) and (b) shall not apply to any stationary tanks installed prior to December 31, 1970 or to any tank used primarily for the fueling of implements of husbandry.

(d) For the purpose of this section, "submerged fill pipe" means any fill pipe which has its discharge opening entirely submerged when the liquid level is 6 inches above the bottom of the tank. "Submerged fill pipe" when applied to a tank which is loaded from the side, means any fill pipe which has its discharge opening entirely submerged when the liquid level is 18 inches above the bottom of the tank.

(e) For the purpose of this section, a "pressure tank" is a tank which maintains working pressure sufficient at all times to prevent hydrocarbon vapor or gas loss to the atmosphere.

(f) For the purpose of this section, a "vapor recovery system" is a vapor gathering system capable of collecting the vapors and gases discharged so as to prevent their emission to the atmosphere.

(g) A "floating roof" consists of a pontoon type or double-deck type roof, resting on the surface of the liquid contents and equipped with a closure seal, or seals, to close the space between the roof edge and tank wall.

~~Rule 4:13 Fuel Burning Equipment (New)~~

A person shall not build, erect, install or expand any non-mobile fuel burning equipment unit unless the discharge into the atmosphere of contaminants will not and does not exceed any one or more of the following rates:

1. 200 pounds per hour of sulfur compounds, calculated as sulfur dioxide (SO_2);

2. 140 pounds per hour of nitrogen oxides, calculated as nitrogen dioxide (NO_2);

3. 10 pounds per hour of combustion contaminants as derived from the fuel.

For the purpose of this prohibition, a fuel burning equipment unit shall be comprised of the minimum number of boilers, furnaces, jet engines or other fuel burning equipment, the simultaneous operations of which are required for the production of useful heat or power.

Fuel burning equipment serving primarily as air pollution control equipment by using a combustion process to destroy air contaminants shall be exempt from the provisions of this prohibition.

Nothing in this rule shall be construed as preventing the maintenance or preventing the alteration or modification of an existing fuel burning equipment unit which will reduce its mass rate of air contaminant emissions.

Rule 4:14 Fuel Burning Equipment -(Operational)

A person shall not discharge into the atmosphere from any non-mobile fuel burning article, machine, equipment or other contrivance, having a maximum heat input rate of more than 1775 million British Thermal Units (BTU) per hour (gross), flue gas having a concentration of nitrogen oxides, calculated as nitrogen dioxide (NO_2) at 3 per cent oxygen, in excess of that shown in the following table:

NITROGEN OXIDES - PARTS PER MILLION PARTS OF FLUE GAS

	EFFECTIVE DATE	
FUEL	DECEMBER 31, 1971	DECEMBER 31, 1974
Gas	225	125
~~Liquid or Solid~~	~~325~~	~~225~~

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Rule 4:14 Fuel Burning Equipment

A. Purpose: The purpose of this rule is to limit emissions of oxides of nitrogen (NOx) from non-mobile fuel burning equipment.

B. Applicability:

1. This rule applies to new and existing non-mobile fuel burning equipment which has a maximum heat input rating of 50 million British Thermal Units (Btu) per hour (gross) or more.

C. Definitions:

1. For the purpose of this rule the following definitions shall apply:

a. Air Contaminant: Any discharge, release, or other propagation into the atmosphere directly or indirectly caused by man and includes, but is not limited to, smoke, charred paper, dust, soot grime, carbon, fumes, gases, odors, particulate matter, acids or any combination thereof.

b. California Air Resources Board (CARB): The California State Air Resources Board the powers and duties of which are described in Part 2 of Division 26 of the California Health & Safety Code (commencing with §39500).

c. Fuel Burning Equipment: Any article, machine, equipment or contrivance which combusts any fuel. If the simultaneous operations of more than one such article, machine, equipment or contrivance are required for the production of useful heat or power, then the minimum number necessary shall be considered as one piece of fuel burning equipment.

d. Heat Input: The chemical heat released due to fuel combustion in a piece of fuel burning equipment, using the higher heating value of the fuel. This does not include the sensible heat of incoming combustion air.

e. Mobile: Describes a device by which any person or property may be propelled, moved, or drawn upon the surface, waterways, or through the atmosphere, and which emits air contaminants. For

Amended 11/3/98

the purpose of this rule, the description "Mobile" includes registered motor vehicles which are licensed and/or driven on the public roadways of the state of California.

f. Particulate Matter: Any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.

g. Rated Heat Input: The heat input capacity in MMBtu per hour specified on the nameplate(s) of the fuel burning equipment, unless the fuel burning equipment is operated, consistent with the permit to operate above the heat input capacity specified on the nameplate(s), in which case the maximum operated rate(s) shall be used as the Rated Heat Input.

h. Start-up Period: The one hour time frame immediately following the start-up of the fuel burning equipment.

i. Shut-down Period: The one hour time frame immediately preceding the shut-down of the fuel burning equipment.

j. United States Environmental Protection Agency (US EPA): Refers to the administrator or the appropriate designee of the United States Environmental Protection Agency.

D. Requirements

1. Fuel burning equipment shall not emit NOx, referenced at dry stack-gas conditions, and 3 percent by volume stack-gas oxygen (O_2) in excess of:

a. 125 parts per million by volume (ppmv), when operated on gaseous fuel; and

b. 225 ppmv, when operated on liquid and/or solid fuels; and

c. The heat input weighted average of the limits specified in D.1.a. and D.1.b. above, when operated on combinations of both gaseous and liquid and/or solid fuels.

d. Emissions concentrations shall be corrected to 3 percent oxygen (O_2) as follows:

$$[\text{ppm } No_x]_{corrected} = \frac{20.95\% - 3\%}{20.95\% - [\%O_2]_{measured}} \times [\text{ppm } No_x]_{measured}$$

Amended 11/3/98

E. Exemption

1. The provisions of this rule shall not apply to any fuel burning equipment which is subject to NOx emission limits as specified in District Rule 4:31 Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters Oxides of Nitrogen Control Measure, Rule 4:34 Stationary Internal Combustion Engines, and Rule 4:37 Determination Of Reasonably Available Control Technology For The Control Of Oxides Of Nitrogen From Stationary Gas Turbines.

F. Monitoring and Recordkeeping Provisions

1. Any owner or operator of fuel burning equipment subject to this section shall maintain all records necessary to demonstrate compliance with this section for a period of two (2) calendar years at the facility where the subject equipment is located. The owner or operator shall maintain records of the following information for each day the equipment is operated:

   a. Identification and location of equipment subject to the requirements of this section; and

   b. Calendar date of record; and

   c. The number of hours the equipment is operated during each day; and

   d. Unit load, fuel type, actual time of start-ups and shut-downs, breakdown periods, and the type and duration of maintenance and repairs; and

   e. The results of all compliance tests and monitored stack gas oxygen (O_2) concentrations; and

   f. If a flue gas recirculation system is used a record of the percentage of the flue gas that is recirculated to the combustion chamber shall be maintained.

   g. If continuous emission monitoring (CEM) is used the following procedures shall be followed and recorded:

      1) NOx emission concentrations shall be measured and corrected to 3 percent volume stack gas O_2, on a dry basis;

Amended 11/3/98

NOx emission concentrations shall be averaged over a period of 15 consecutive minutes.

2) Identify all time periods during which NOx standards were exceeded, the reason that standards were exceeded, the action taken to correct the excedance(s), and how the owner or operator will prevent any similar future exceedance(s).

3) Identify all time periods for which operating conditions and pollutant data were not obtained, including reasons for not obtaining sufficient data, and a description of all corrective actions taken.

h. Any owner or operator that uses an alternate fuel other than the designated standard fuel in any fuel burning equipment shall maintain daily records of each occurrence. Each record shall specify the reason why an alternate fuel was used in fuel burning equipment and shall include the type of fuel, quantity of fuel, and the hours of operation during which an alternate fuel was used. Each record shall be summarized for each calendar year. If non-gaseous fuel is used during a natural gas curtailment, the owner or operator shall obtain information from the natural gas supplier to verify the time period of curtailment.

i. Record the heat input weighted average of the limits specified in Section D.1.a. and D.1.b. when operated on combinations of both gaseous and liquid fuels and/or solid fuels.

G. Compliance Source Testing

1. Frequency

All fuel burning equipment covered under Section D. 1. shall demonstrate compliance through compliance source testing not less than once every two calendar years, or 8760 hours, whichever occurs first. Determination of hours of operation shall be by a non-resetting hour meter that shall be automatically activated whenever the fuel burning equipment is in operation.

H. Test Methods

1. Compliance with NOx emission limits in Section D. 1. shall be determined using one of the following test methods, as appropriate:

Amended 11/3/98

a. US EPA Method 7, 7A, 7C, 7E, or CARB Method 7 or 100.

2. Determination of percent by volume stack-gas oxygen shall be determined using US EPA Method 3 or 3A, or CARB Method 3 or 100.

3. A source test protocol shall be submitted and approved in writing by the Air Pollution Control Officer prior to conducting source testing.

4. Alternative test methods may be used upon obtaining the approval of the Air Pollution Control Officer.

Amended 11/3/98

2/21/72

Rule 4:15 Separation of Emissions

If air contaminants from a single source operation are emitted through two or more emission points, the total emitted quantity of any air contaminant, limited in this Regulation cannot exceed the quantity which would be the allowable emission through a single emission point; and the total emitted quantity of any such air contaminant shall be taken as the product of the highest concentration measured in any of the emission points and the exhaust gas volume through all emission points, unless the person responsible for the source operation establishes the correct total emitted quantity.

~~**Rule 4:16** Combination of Emissions~~

(a) If air contaminants from two or more source operations are combined prior to emission and there are adequate and reliable means reasonabl susceptible to confirmation and use by the control officer for establishing a separation of the components of the combined emission to indicate the nature, extent, quantity and degree of emission arising from each such source operation, this Regulation shall apply to each such source operation separately.

(b) If air contaminants from two or more source operations are combined prior to emission, and the combined emissions cannot be separated according to the requirements of Rule 4:16 (a), this regulation shall be applied to the combined emission as if it originated in a single source operation subject to the most stringent limitations and requirements placed by this regulation on any of the source operations whose air contaminants are so combined.

REGULATION V - PROCEDURE BEFORE THE HEARING BOARD

Rule 5:1 Applicable Articles of the Health & Safety Code

The provisions of Article 5 and Article 6, Chapter 2, Division 20 of the State of California Health and Safety Code, as amended, respectively entitled "Variances and Procedure," are incorporated ~~herein by this reference.~~

2/21/72

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Rule 4:17 Upset or Breakdown Conditions

Emissions exceeding limits established by these regulations which are a direct result of unavoidable upset conditions or unforseeable breakdown of equipment or control apparatus shall not be deemed in violation provided the following conditions are met:

(a) The upset or breakdown is reported to the Air Pollution Control Office within 24 hours of the discovery of the unlawful emissions.

(b) It is demonstrated to the satisfaction of the air pollution control officer that all reasonable preventive measures had been taken and ~~lawful emission levels are being restored as rapidly as possible.~~

Rule 4:18 Disclosure of Data

The Air Pollution Control Officer shall, when requested, make available to the public for examination all information and data compiled by or submitted to him in the performance of his duties except data deemed to be "trade secrets" by application of Section 6254.7 (d) of the Government Code.

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Adopt Rule 4:22 as follows:

Rule 4:22 Industrial Use of Organic Solvents:

a. A person shall not discharge more than 15 pounds of organic solvents 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 heatpolymerized, in the presence of oxygen at temperatures above 400° F., unless all organic solvents discharged from such article, machine, equipment, or other contrivance have been reduced by at least 85 percent over-all or to not more than 15 pounds in any one day.

b. A person shall not discharge more than 40 pounds of photochemically reactive solvents into the atmoshpere in any one day from any article, machine, equipment, or other contrivance used under conditions other than described in section a, for employing, applying, evaporating or drying any photochemically reactive solvent, as defined in Rule 1:2, or material containing such solvent, unless all photochemically reactive solvents discharged from such article, machine, equipment, or other contrivance have been reduced either by at least 85 percent over-all or to not more than 40 pounds in any one day.

The provisions of this rule shall not apply to:

1. The spraying or other employment of insecticides, pesticides, or herbicides.

2. The employment, application, evaporation, or drying of saturated halogenated hydrocarbons or perchloroethylene.

3. The employment or application of polyester resins or acetone used in a fiberglass reinforced plastics operation.

Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical groups, that is, the groups having the least allowable percent of the total of solvents.

c. No person shall discharge from any device, contrivance, or machine more than forty (40) pounds per day of any photochemically reactive substance other than those described in a and b above unless such discharge is controlled to reduce emissions by 85%.

d. 1. No person shall discharge any photochemically reactive substance from an entire operation, in amounts greater than those designated in Table I of this rule by the employment or application of polyester resins used in a fiberglass reinforced plastic operation. However, in no event shall more than 450 pounds per day be discharged into the atmosphere.

TABLE I

Emission Source	Maximum Percent Loss[1]
	September 1, 1987
Gel Coat	25.0
Laminating Resin	10.0

1 Percent by weight. Emission to be measured by methods approved by the Tehama County Air Pollution Control Officer.

2. Hourly emissions limitions, limitations for nonphotochemically reactive solvents, limitations for cleaning equipment with organic solvents, limitation in the use of architectural coatings containing organic solvents, limitations on the evaporation and disposal of solvents, and other provisions contained in 40 CFR, Part 52.254, Nov. 12, 1973, Vol. 38, No. 217, are incorporated herein by reference.

~~Adopt Rule 4:23 as follows:~~

Rule 4:23 Petroleum Solvent Dry Cleaners

a. ~~E~~ffective September 1, 1987, a person shall not operate any dry cleaning equipment in the Tehama County Air Pollution Control District which uses petroleum-based solvent unless:

1. There are no leaks from any portion of the equipment.

2. Solvents are stored in closed containers, which may be equipped with vents approved by the Air Pollution Control Officer.

3. All washer lint traps, button traps, access doors, and other parts of the equipment, where solvent may be exposed to the atmosphere, are kept closed at all times ~~except as required for proper operation or maintenance.~~

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~~4. The still residue is stored in sealed containers or underground tanks and is disposed of at a Class I dump or disposed of by other procedures approved by the Air Pollution Control Officer.~~

~~5. The used filtering material is put into a sealed container immediately after removal; from the filter and; is disposed of at a Class I dump, unless the dry cleaning system is equipped with one of the following filter systems:~~

~~(a) Cartridge filters containing paper or carbon or a combination thereof, which are fully drained in the filter housing for at least 12 hours before removal.~~

~~(b) Diatomaceous earth filtering system, connected to a centrifugal solvent extractor or other device capable of removing sufficient solvent, so that the remaining diatomaceous earth and soil does not contain more than 0.4 kilogram of solvent per kilogram of filter powder and soil removed.~~

~~(c) Any other type of filtering system or process found by the Air Pollution Control Officer to emit into the atmosphere 1 kilogram or less of solvent in the discarded soil, lint, and filtering material per 100 kilograms of articles cleaned.~~

Adopt Rule 4:24 as follows:

Rule 4:24 Fugitive, Indirect, or Non-Traditional Sources

The Control Officer may place reasonable conditions upon any source, as delineated below, which will mitigate the emissions from such sources to below a level of significance or to a point that such emissions no longer constitute a violation of California Health and Safety Code Sections 41700 and/or 41701:

a. fugitive sources

b. indirect sources

c. non-traditional sources

Rule 4:31 Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters Oxides of Nitrogen Control Measure.

A. Purpose: To reduce Oxides of Nitrogen emissions during the operations of Industrial, Institutional, and Commercial Boilers, Steam Generators, and Process Heaters.

B. Applicability: With the exception of utility boilers, this rule applies to all boilers, steam generators, and process heaters used in industrial, institutional, and commercial operations that exist within the boundaries of the Tehama County Air Pollution Control District on the date of adoption of this Rule.

C. Exemptions:

1. The requirements of Section E. shall not apply to the units which are willing to accept a permit condition that restricts operation to an annual capacity factor of 15% or less.

2. To continue to qualify for the exemption provided in Section C.1. the owner or operator of any applicable unit(s) shall submit to the Air Pollution Control Officer annual fuel use data that demonstrates that the unit(s) operated at or below the allowable 15% annual capacity factor(s). For the purposes of this Section, the annual capacity factor for multiple units may be calculated based on the total fuel input to multiple like units.

3. Following adoption of this rule, an exemption granted for any unit will become null and void if that unit operates for more than 1 calendar year at an annual capacity factor greater than 15%.

4. The requirements of Section E. shall not apply to units with a rated heat input capacity less than one (1) million BTU's per hour.

D. Definitions: For the purposes of this Section, the following definitions shall apply.

1. Annual Capacity Factor: The ratio of the amount of fuel burned by a boiler in a calendar year to the amount of fuel it could have burned if it had operated at the rated heat input capacity for 100 percent of the time during the calendar year.

2. Boiler or Steam Generator: An individual piece of combustion equipment fired with liquid, gaseous, or solid fuel with the primary purpose of producing steam. Boiler or steam generator does not include water heaters, any waste heat recovery boiler that is used to recover sensible heat from the exhaust of a combustion turbine, nor does it include equipment associated with a chemical recovery cycle.

3. BTU: British thermal unit.

4. Gas-Fired: Using natural gas, propane, or any other gaseous fuel for firing the boiler or steam generator.

5. Heat Input: The chemical heat released due to fuel combustion in a boiler, using the higher heating value of the fuel. This does not include the sensible heat of incoming combustion air.

6. Higher Heating Value: The heat liberated per mass of fuel burned (BTU) per pound, when fuel and dry air at standard conditions (68 degrees F and one atmosphere pressure) undergo complete combustion and all resultant products are brought to their standard states at standard conditions.

7. Oxides of Nitrogen Emissions: The sum of nitric oxide (NO) and nitrogen dioxide (NO_2) in the flue gas, collectively expressed as nitrogen dioxide.

8. Process Heater: Any combustion equipment fired with liquid, gaseous, or solid fuel and which transfers heat from combustion gases to water or process streams. A process heater does not include any kiln, furnace, recovery furnace, or oven used for drying, baking, heat treating, cooking, calcining, vitrifying or chemical reduction.

9. Rated Heat Input Capacity: The heat input capacity specified on the nameplate of the combustion unit. If the unit has been permanently altered or modified such that the maximum heat input is different than the input capacity specified on the nameplate and this alteration or modification has been approved in writing by the Air Pollution Control Officer (APCO), then the new maximum heat input shall be considered as the rated heat input capacity.

10. Reasonably Available Control Technology (RACT): 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.

11. Unit: Any boiler, steam generator or process heater as defined in this definition Section.

E. Requirements:

1. No later than one year following District adoption of this Rule, all existing units with a rated heat input capacity greater than or equal to 5 million BTU per hour shall demonstrate final compliance with the following Reasonably Available Control Technology (RACT) emission limitations dependent upon the specific fuel fired in the unit and based upon a three-hour averaging period. All new units shall comply with the requirements of District Rule 2:3A - New Source Review.

EMISSION LIMITS FOR OXIDES OF NITROGEN (AS NO2)

Gaseous only fuel firing	Gaseous & Non-gaseous fuel co-firing firing	Liquid or Solid fuel
0.084 lbs/MMBTU or 70 ppmv	Heat input weighted average fuel limits	0.15 lbs/MMBTU or 115 ppmv

2. The owner or operator of any unit(s) with a rated heat input capacity less than 5 million BTU per hour shall submit for the approval of the Air Pollution Control Officer a list of all units operating within the District boundaries and a selection of one of the following four options to be added as a permit condition to the Permit to Operate for each such unit in order to achieve compliance with this rule:

   a. Operate in a manner that maintains stack gas oxygen concentrations at less than or equal to 3% by volume on a dry basis for any 15 consecutive minute averaging period; or

   b. Operate with a stack gas oxygen trim system set at 3% by volume oxygen. The operational tolerance of the setting shall be within the range of 2.85% to 3.15%; or

   c. Tune the unit at least once per year by a technician that is qualified to the satisfaction of the Air Pollution Control Officer to perform a tune-up in accordance with the procedure described in Attachment 1; Note: The owner/operator of any unit(s) is required to submit an annual report verifying that the tune-up has been performed. The report shall contain any other information or documentation that the Air Pollution Control Officer determines to be necessary, or

   d. Operate in compliance with the emission limits specified in Section E.1. of this rule.

3. Emissions from units subject to this rule shall not exceed a carbon monoxide concentration of 400 parts per million by volume when using only gaseous or a combination of gaseous and liquid fuels. Solid fuel-fired units shall not exceed carbon monoxide limits expressed in permit to operate conditions.

4. No person shall allow the discharge into the atmosphere from any emission control device installed and operated pursuant to the requirements of Section E. of this Rule, ammonia (NH_3) emissions in excess of 20 ppm by volume at dry stack conditions adjusted to 3% oxygen unless compliance with this requirement is deemed to be technically or economically infeasible by the APCO due to fuel type, boiler configuration, or any other design characteristic of the unit.

F. Compliance Determination:

1. An owner or operator of any unit(s) shall have the option of complying with either the pounds-per-million-BTU emission rates or parts-per-million-by-volume emission limits specified in Section E.1. of this Rule. Periodic demonstration of compliance with this Rule with respect to emission limitations shall be once every two (2) years or 8,760 hours of actual operation, whichever occurs more frequent.

   a. Test methods pursuant to Section G.1. of this Rule shall not be required if a continuous emissions monitoring system (CEMS) is used to determine compliance with the parts-per-million-by-volume requirements of Section E.1. of this Rule. A Relative Accuracy Test Audit (RATA) shall be performed annually on the CEMS pursuant to Title 40 Code of Federal Regulations (40 CFR) Part 60 Appendix B-Performance Specifications 2. and 3.

2. All emission determinations shall be made in the as found operating condition at the maximum firing rate allowed by the district permit, and no compliance determination shall be established within two hours after a continuous period in which fuel flow to the unit is zero, or shut off, for 15 minutes or longer.

3. All ppmv emission limits specified in Section E. of this rule are referenced at dry stack-gas conditions and corrected to 3% by volume stack gas oxygen.

   Emission concentrations shall be corrected to 3% oxygen as follows:

$$[ppm]_{corrected} = \frac{20.95\% - 3.00\%}{20.95\% - [\%O2]_{measured}} * [ppm]_{measured}$$

4. All emission concentrations and emission rates shall be calculated or obtained from continuous emission monitoring data, or obtained by utilizing the test methods specified in Section G. Test Methods of this Rule.

G. Test Methods:

1. Compliance with the emission requirements in Section E.1. shall be determined using the following test methods:

   a. Oxides of Nitrogen - EPA Method 7E or ARB Method 100

   b. Carbon Monoxide - EPA Method 10 or ARB Method 100

   c. Stack Gas Oxygen - EPA Method 3A or ARB Method 100

d. NOx Emission Rate (Heat Input Basis) - EPA Method 19

e. If certification of the higher heating value (HHV) of the fuel is not provided by a third party fuel supplier, it shall be determined by EPA Method 19.

2. For determination of the NH_3 concentrations in stack gases, Bay Area Air Quality Management District (BAAQMD) Source Test Procedure ST-1B, "Ammonia, Integrated Sampling" shall be utilized for stack sampling and EPA Method 350.3, "Ion Specific Electrode," shall be utilized as the analysis method(Reference EPA 600/4-79-020).

a. Alternate methods may not be used without prior approval of the Air Pollution Control Officer and, the California Air Resources Board and United States Environmental Protection Agency.

H. Recordkeeping Requirements:

1. Any persons subject to the provisions of Subsection E.1. of this rule shall install no later than one year following District adoption of this rule a totalizing fuel meter for each applicable unit that fires gaseous and/or liquid fuel. The meter shall be used to demonstrate that each unit operates at or below the applicable emission limitation.

2. Meters shall be accurate to ± one (1) percent, as certified by the manufacturer in writing. Meter readings shall be recorded at the end of each operating day in units of either cubic feet per day or gallons per day. At the end of each month, daily records shall be compiled into a monthly report. Both, monthly reports and daily records shall be maintained for a period of four (4) years and shall be made available for inspection by the Air Pollution Control Officer upon request.

3. Any person subject to the provisions of Subsection E.1. of this rule who fires a solid fuel in an applicable unit shall provide a means of calculating or verifying fuel input to the unit in lbs/hr that is acceptable to the Air Pollution Control Officer for purposes of documenting compliance with the specified emission limit.

Attachment 1

Tuning Procedure[1]

A. Nothing in this Tuning Procedure shall be construed to require any act or omission that would result in unsafe conditions that would be in violation of any regulation or requirement established by Factory Manual, Industrial Risk Insurors, National Fire Prevention Association, the California Department of Industrial Relations (Occupational Safety and Health Division), the Federal Occupational Safety and Health Administration, or other relevant regulations and requirements.

1. Operate the unit at the firing rate most typical of normal operation. If the unit experiences significant load variations during normal operation, operate it at its average firing rate.

2. At this firing rate, record stack gas temperature, oxygen concentration, and CO concentration (for gaseous fuels) or smoke-spot number[2] (for liquid fuels), and observe flame conditions after unit operation stabilizes at the firing rate selected. If the excess oxygen in the stack gas is at the lower end of the range of typical minimum values[3], and if CO emissions are low and there is no smoke, the unit is probably operating at near optimum efficiency -- at this particular firing rate. However, complete the remaining portion of this procedure to determine whether still lower oxygen levels are practical.

3. Increase combustion air flow to the unit until stack gas oxygen levels increase by one to two percent over the level measured in Step 2. As in Step 2, record the stack gas temperature, CO concentration (for gaseous fuels) or smoke-spot number (for liquid fuels), and observe flame conditions for these higher oxygen levels after boiler operation stabilizes.

4. Decrease combustion air flow until the stack gas oxygen concentration is at the level measured in Step 2. From this level gradually reduce the combustion air flow, in small increments. After each increment, record the stack gas temperature, oxygen concentration, CO concentration (for gaseous fuels) and smoke-spot number (for liquid fuels). Also, observe the flame and record any changes in its condition.

5. Continue to reduce combustion air flow stepwise, until one of these limits is reached:

   a. Unacceptable flame conditions -- such as flame impingement on furnace walls or burner parts, excessive flame carryover, or flame instability.

   b. Stack gas CO concentrations greater than 400 ppm.

   c. Smoke at the stack.

---

[1] **This tuning procedure is based on a tune-up procedure developed by KVB, Inc. for EPA.**

[2] **The smoke-spot number can be determined with the ASTM Test Method D-2156 or with the Bacharach methods. The Bacharach method is included in a tune-up kit that can be purchased from the Bacharach Company.**

[3] **Typical minimum oxygen levels for boilers at high firing rates are:**

1) For natural gas: 0.5 - 3%
2) For liquid fuels: 2 - 4%

d. Equipment-related limitations – such as low windbox/unit pressure differential, built in air-flow limits, etc.

6. Develop an O_2/CO curve (for gaseous fuels) or O_2/smoke curve (for liquid fuels) similar to those shown in Figures 1 and 2 using the excess oxygen and CO or smoke-spot number data obtained at each combustion air flow setting.

7. From the curves prepared in Step 6, find the stack gas oxygen levels where the CO emissions or smoke-spot number equal the following values:

FUEL	MEASUREMENT	VALUE
Gaseous	CO emissions	400 ppm
#1 and #2 Oils	Smoke-spot number	number 1
#4 Oil	Smoke-spot number	number 2
#5 Oil	Smoke-spot number	number 3
Other Oils	Smoke-spot number	number 4

a. The above conditions are referred to as the CO or smoke thresholds, or as the minimum excess oxygen levels.

b. Compare this minimum value of excess oxygen to the expected value provided by the combustion unit manufacturer. If the minimum level found is substantially higher than the value provided by the combustion unit manufacturer, burner adjustments can probably be made to improve fuel and air mix, thereby allowing operations with less air.

8. Add 0.5 to 2.0 percent to the minimum excess oxygen level found in Step A.7. and reset burner controls to operate automatically at this higher stack gas oxygen level. This margin above the minimum oxygen level accounts for fuel variations, variations in atmospheric conditions, load changes, and nonrepeatability or play in automatic controls.

9. If the load of the combustion unit varies significantly during normal operation, repeat Steps 1-8 for firing rates that represent the upper and lower limits of the range of the load. Because control adjustments at one firing rate may affect conditions at other firing rates, it may not be possible to establish the optimum excess oxygen level at all firing rates. If this is the case, choose the burner control settings that give best performance of firing rates. If one firing rate predominates, settings should optimize conditions at that rate.

10. Verify that the new settings can accommodate the sudden changes that may occur in daily operation without adverse effects. Do this by increasing and decreasing load rapidly while observing the flame and stack. If any of the conditions in Step A.5. result, of excess oxygen at the affect firing rates. Next, verify these new settings in a similar fashion. Then make sure that the final control settings are recorded at steady-state operating conditions for future reference (Refer to Figure 1 and Figure 2).

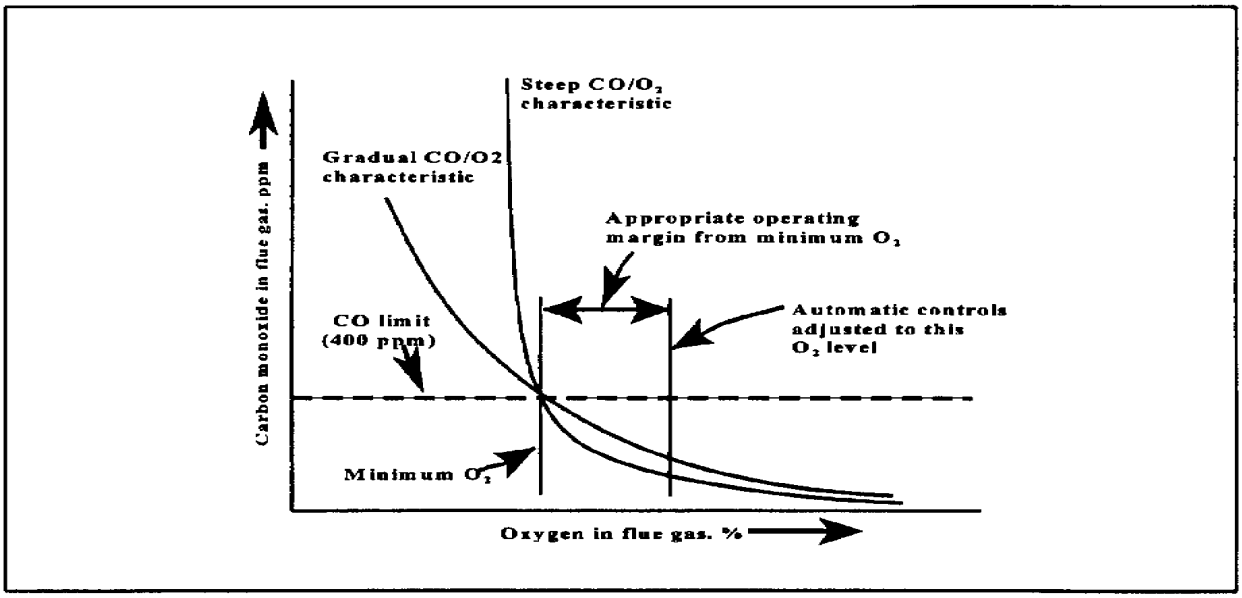

Figure 1: Oxygen/CO Characteristic Curve

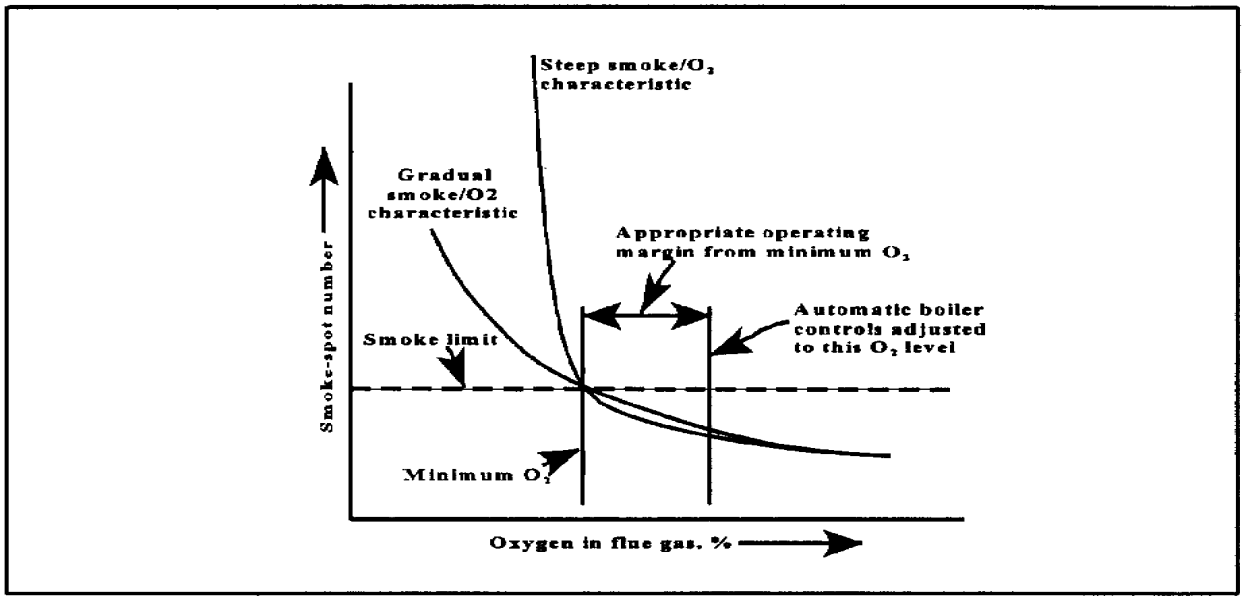

Figure 2: Oxygen/Smoke Characteristic Curve

5/13-99 Tehama Adopted 6/3/97

Rule 4:34 Stationary Internal Combustion Engines

A. Purpose: To limit emissions of nitrogen oxides (NOx) and carbon monoxide (CO) from stationary internal combustion engines.

B. Applicability: The provisions of this rule apply to any gaseous, diesel, or any other liquid-fueled stationary internal combustion engine within the boundaries of the District.

C. Exemptions: Except for the administrative requirements of Section F. 3. the provisions of this rule shall not apply to the following engines:

1. Engines operated directly and exclusively for agricultural operations in the growing of crops or raising of fowl or animals if maintained to manufacturers specifications;

2. Non-emergency engines operating less than 200 hours per calendar year for non-emergency purposes as determined by a non-resetting hour meter, or any emergency standby engine as approved by the Air Pollution Control Officer (APCO);

3. Any engine rated by the manufacturer $\leq$ 50 brake horsepower (bhp) if maintained to manufacturers specifications;

4. Gas turbine engines;

5. Engines operated exclusively for fire fighting or flood control;

6. Laboratory engines operated in research and testing;

7. Existing internal combustion engines to be permanently replaced with electric motors or removed from service by July 1, 1999 based upon a permit condition, contract, or binding agreement with the District;

8. Portable internal combustion engines which have been registered and certified under the state portable equipment regulation contained in California Health & Safety Code Sections 41750 through 41755;

9. Diesel internal combustion engines manufactured prior to 1950 and operated less than 500 hours per year.

D. Definitions:

Tehama adopted 6/3/97

1. Emergency: Any situation arising from sudden and reasonably unforeseeable natural disaster such as earthquake, flood, wildfire, or other act of God, or events beyond the control of the operator, employees, or contractors, or accidents which require the operation of internal combustion engine(s) to provide primary mechanical or electrical power in its abatement or control.

2. Emergency Standby Engine: An internal combustion engine operated only during emergencies and for testing and maintenance purposes. Testing and maintenance shall be limited to no more than 100 hours per year.

3. Non-Emergency Engine: An internal combustion engine that is not used for electric power generation or any other engine as approved by the APCO that is not used in conjunction with any utility voluntary demand reduction program.

4. Lean-Burn Engine: Any spark or compression ignited internal combustion engine that is operated with an exhaust gas stream oxygen concentration of four percent (4%) by volume, or greater. The exhaust gas oxygen content shall be determined from the uncontrolled exhaust gas stream.

5. Rated Brake Horsepower: The maximum rated brake horsepower specified for the engine by the manufacturer and listed on the nameplate for the unit, regardless of any derating, unless limited by the engine's Permit to Operate (PTO).

6. Rich-Burn Engine: Any spark or compression ignited internal combustion engine that is operated with an exhaust gas stream oxygen concentration of less than four percent (4%) by volume. The exhaust gas oxygen content shall be determined from the uncontrolled exhaust gas stream.

7. Stationary Internal Combustion Engine: Any spark or compression ignited internal combustion engine, excluding emergency equipment, that is attached to a foundation, frame, or other support and is stationary while in operation, or is operated at a site for more than six (6) consecutive months:

    a. Any engine, such as a back-up or standby engine, that replaces an engine at a location and is intended to perform the same function as the unit being replaced will be included in calculating the consecutive time period. In that case, the cumulative time of both emissions units, including the time between removal of the original unit and the installation of the replacement unit, would be counted toward the consecutive residence time period; or

b. The engine remains or will remain at a location for less than six (6) consecutive months where such a period represents the full length of normal operations at the stationary source, such as a seasonal source; or

c. The engine is removed from one location for a period and then returned to the same location in an attempt to circumvent the residence time requirements of six (6) months.

(1) The period during which the emissions unit is maintained at a storage facility shall be excluded from determining the above residency requirement.

E. Requirements:

1. Emission Limitations: Any stationary internal combustion engine, other than those engines specified in Section C., rated at > 50 bhp but < 300 bhp shall not be operated in a manner that results in emissions exceeding the limits listed below:

Engine Type	NOx (ppmv)	CO (ppmv)
Rich Burn	640	4500
Lean Burn	740	4500
Diesel & all liquid fired	600	4500

ppmv = parts per million by volume corrected to 15% oxygen, dry basis
NOx = oxides of nitrogen, calculated as equivalent NO_2
CO = carbon monoxide

2. Emission Limitations: Any stationary internal combustion engine, other than those engines specified in Section C., rated at ≥ 300 bhp shall not be operated in a manner that results in emissions exceeding the limits listed below:

Engine Type	NOx (ppmv)	CO (ppmv)
Rich Burn	90	4500
Lean Burn	150	4500
Diesel & all liquid fired	600	4500

ppmv = parts per million by volume corrected to 15% oxygen, dry basis
NOx = oxides of nitrogen, calculated as equivalent NO_2

CO = carbon monoxide

3. Emission Limitations: Except for visible emissions from diesel pile-driving hammers and any diesel auxiliary engine or generator used exclusively to operate a drinking water system, no air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one hour which is as dark or darker than Ringelmann 1 or equivalent 20% opacity as determined by EPA Method 9. Diesel pile-driven hammers shall comply with the applicable provisions of Section 41701.5 of the California Health and Safety Code. Diesel auxiliary engines or generators used exclusively to operate a drinking water system shall comply with the applicable provisions of Section 41701.6 of the California Health and Safety Code.

F. Administrative Requirements:

1. Information Required: No later than September 1, 1997 the owner or operator of any existing engine subject to the provisions of this rule shall provide the following:

   a. Permit to Operate number;
   b. Engine manufacturer;
   c. Model designation;
   d. Rated brake horsepower;
   e. Type of fuel and type of ignition;
   f. Combustion type: rich-burn or lean-burn;
   g. Two (2) or four (4) cycle;
   h. Any installed emission control equipment.

2. Record Keeping: The owner or operator of any stationary internal combustion engine subject to the provisions of this rule shall maintain an engine operating log for each month or any part of a month that the device is operated that includes the following:

   a. Total recorded hours of operation, calculated hours of operation based upon fuel usage, or other calculation procedure to determine hours of operation based upon a method authorized by the Air Pollution Control Officer;

   b. Type of fuel combusted, measured quantity of fuel used, or calculated fuel usage based upon a method authorized by the Air Pollution Control Officer;

   c. Date(s) and type of maintenance performed.

d. Annual emission test results using portable analyzer as specified in Section G.1.b of this Rule.

e. This information shall be maintained for a period of two years and shall be submitted to the APCO upon request.

3. Exempt engines: Any owner or operator claiming an exemption under Section C.2 through C.9 shall:

a. Submit support documentation identifying reasons for the exemption no later than September 1, 1997. Documentation shall be submitted for each exemption applied for and shall contain a list that provides the following if applicable:

(1) Engine manufacturer;
(2) Model designation;
(3) Rated brake horsepower;
(4) Type of fuel and type of ignition;
(5) Combustion type: rich-burn or lean-burn;
(6) Two (2) or four (4) cycle;
(7) Gas turbine;
(8) Portable equipment registration or certificate number;
(9) Removal or electrification schedule.

b. Maintain annual operating records and/or support documentation necessary to claim exemption. This information shall be maintained for two years and shall be submitted to the APCO upon request.

G. Compliance Testing:

1. Testing Schedule:

a. The owner or operator of any stationary internal combustion engine subject to the provisions of this rule, except those engines utilizing Continuous Emission Monitoring (CEM), or are exempt under Section C, shall demonstrate compliance with the requirements of Section E.1 or E.2 by conducting an initial emission test in accordance with methods specified in Section G.2 of this Rule.

b. Upon successful demonstration of initial compliance, annual testing of emissions with a portable analyzer as specified in Section G.2 shall be completed by the owner or operator as an inspection and maintenance program. If any emission values are found to be greater

than the limits specified in Section E.1or E.2, immediate corrective action shall be taken and the District shall be advised of the condition of excessive emissions. Record keeping of all results of this inspection and maintenance program shall be required as specified in Section F.2 of this Rule.

c. The testing of emissions required in Section G.1.b above shall be demonstrated in the presence of District staff for compliance demonstration purposes upon request by the District.

d. Testing of emissions pursuant to SectionG.2 may be required at any time for enforcement purposes.

2. Test Methods: Compliance with the requirements of Section E.1 orE.2 shall be determined at the manufacturers recommended maximum horsepower for continuous operation, normal operating level, or consistent with limitations listed in the Permit to Operate, in accordance with the following test procedures as approved by the APCO:

a. Oxides of Nitrogen shall be determined by EPA Method 7E, or ARB Method 100, or a method approved in writing by the APCO using a portable analyzer*.

b. Carbon Monoxide shall be determined by EPA Method 10, or ARB Method 100, or a method approved in writing by the APCO using a portable analyzer*.

c. Oxygen Content shall be determined by EPA Method 3, 3A, or ARB Method 100, or a method approved in writing by the APCO using a portable analyzer*.

d. NOx emission limitations specified in Section E. 1. and E. 2. shall be expressed as nitrogen dioxide (NO_2). All ppmv emission limitations are referenced at fifteen percent (15%) volume stack gas oxygen on a dry basis. Source test data point intervals shall be no greater than five (5) minutes and data points shall be averaged over no less than 15 minutes of engine operation.

Note: The APCO may authorize use of specific portable analyzers for the measurement of oxides of nitrogen, carbon monoxide, and oxygen which do not meet the requirements of the test methods specified in Sections G.2.a, G.2.b and G.2.c provided that evidence accompanies each test report that instrument operation conformed to manufacturer's recommendations and

that the instrument(s) used responded appropriately to calibration gases both before and after testing, and provided that measurements made by the methods specified in Sections G.2.a, G.2.b and G.2.c shall be recognized as more reliable in any dispute involving measurements made by different methods. Evidence of instrument response stability shall be provided if calibration checks are not performed at the test site immediately before and after testing.

H. Initial Compliance Schedule: Owners or operators of engines subject to the requirements of SectionE.1 and/orE.2 shall comply with the requirements of this rule by the following schedule:

1. No later than January 1, 1998 submit a complete application for Authority to Construct for all modifications to each engine required to comply with Section E.1 orE.2 of this rule, or shall provide support documentation sufficient to demonstrate that each engine is in compliance with the emission limits of this rule.

2. No later than January 1, 1999 complete all modifications to each engine and demonstrate full compliance with all provisions of this rule.

Rule 4: 37 Determination of Reasonably Available Control Technology For The Control of Oxides of Nitrogen From Stationary Gas Turbines

A. Purpose: To limit the emissions of nitrogen oxides (NOx) to the atmosphere from the operation of stationary gas turbines.

B. Applicability: Except as provided in Section D., this determination shall apply to all existing stationary gas turbines rated by the manufacturer as 0.3 megawatt (MW) power output and larger.

C. Definitions:

1. Aggregate Emissions: A facility-wide sum of actual emissions, on an emissions category specific basis, from turbines subject to this rule operated at a single facility. Such "aggregating" of emissions will include all regulated emissions categories subject to this rule, except those subject to more stringent requirements including, but not limited to, Best Available Control Technology.

2. Baseline Emission Rate: Emissions under normal operating conditions, prior to control, determined by an emissions compliance test conducted in accordance with the requirements specified in Section G.2. The baseline emissions shall be adjusted to reflect any operational limit or control equipment installed.

3. Control System Operating Parameters: The operating parameters that the APCO deems necessary to analyze when determining compliance, such as, but not limited to, ammonia and exhaust gas flow rates, exhaust gas temperature, water or steam injection rate, exhaust gas flow rate, and combustion temperature for water or steam injection.

4. Emergency: Any situation arising from sudden and reasonably unforeseeable natural disaster such as earthquake, flood, wildfire, or other act of God, or events beyond the reasonable control of the operator, employees, or contractors, or accidents which require the operation of stationary gas turbine(s) to provide primary mechanical or electrical power in its abatement or control, or to provide essential services for public safety.

5. Emergency Standby Unit: A stationary gas turbine that operates only as a mechanical or electrical power source for a facility when the primary power source has been rendered inoperable due to failure beyond the reasonable control of the operator, except due to power interruption pursuant to a voluntary interruptable power supply agreement. Electricity generated by such unit can not be sold.

6. Emission Control Plan: A document which outlines how an existing facility will comply with the requirements of this rule.

7. Emission Limit: The maximum allowable concentration of NOx in the exhaust stream from the gas turbine expressed as parts per million by volume (ppmv) corrected to 15 percent oxygen (O_2) on a dry basis.

8. Exemption Loss Date: The date on which the APCO informs the owner/operator, in writing, that any exemption provided in Section D. of this rule no longer applies.

9. Measured NOx Emissions Concentration: The emissions of NOx in terms of part per million by volume at dry standard conditions corrected to 15% oxygen with the unit operating within 10% of the unit's maximum design capacity, or within 10% of the maximum permitted power output.

10. Power Augmentation: An increase in the gas turbine shaft output and/or the decrease in gas turbine fuel consumption by the addition of energy recovered from exhaust heat.

11. Public Service Unit: A gas turbine used to generate electricity for sale or for use in serving the public.

12. Rating: The continuous megawatt (MW) design rating or mechanical equivalent by a manufacturer for gas turbine(s) without power augmentation.

13. Reasonably Available Control Technology (RACT): The lowest emission limitation that a unit is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility.

14. Stationary Gas Turbine or Unit: Any gas turbine system that is gas and/or liquid fueled with or without power augmentation. This unit is either attached to a foundation at a facility or is portable equipment operated at a specific facility for more than 90 days in any 6-month period.

15. Thermal Stabilization Period: The start up time necessary to bring the heat recovery steam generator to the proper temperature, not to exceed two hours.

D. Exemptions:

1. The provisions of this rule, with the exception of Section F.2.b., shall not apply to the operation of gas turbines used under the following conditions:

   a. Laboratory units used in research and testing for the advancement of gas turbine technology.

   b. Units operated exclusively for firefighting and/or flood control.

2. The provisions of this rule, with the exception of Section F.1.f. and F.2.a. shall not apply to the operation of gas turbines used under the following conditions:

   a. Emergency standby units demonstrated to operate less than 200 hours per calendar year,

   b. Units with a power output rating of less than 4 MW operating less than 877 hours per year.

E. Standards:

1. Unless opting for the alternative compliance strategy, the owner or operator of any stationary gas turbine unit subject to the provisions of this rule shall not operate such unit under load conditions, excluding the thermal stabilization period, which results in the measured NOx emissions concentration exceeding the emissions limit listed below averaged over three (3) hours.

Unit Size Megawatt Rating (MW)	Emissions Limit NOx, ppmv at 15% O_2 on a dry basis	
	Gas[a]	Oil[b]
0.3 MW and Greater	42	65

[a] Gas includes natural, digester and landfill.
[b] Oil includes kerosene, jet fuel, and distillate. The sulfur content of the oil shall be less then 0.05% by weight.

2. Alternative Compliance Strategy

a. The alternative strategy is a percent reduction in emissions of NOx from the baseline emissions rate. Turbines subject to this rule, opting for the alternative compliance strategy, shall achieve at minimum the reduction expected by implementation of the emissions standards listed in Section E.1. The applicant shall demonstrate that the alternative strategy's emissions limits, or emissions reductions, are equal to or more effective than the emissions reductions gained by applying the emission limits specified in E.1. The emissions limits, or emissions reductions, shall be averaged over three (3) hours under all plausible operating conditions.

b. Following the baseline emission rate determination for each turbine subject to this rule, the choice of which emission compliance standards shall apply shall be made on a case-by-case basis by the District in consultation with the permittee. When such a determination is made, the Authority to Construct/Permit to Operate shall thereafter contain specific enforceable operation conditions which will ensure compliance with the selected standard/limit.

c. The percent reduction as measured across the control device or relative to the baseline emission rate of each permit unit shall be determined on an emission rate basis. A permittee may petition the District to be allowed to "aggregate" the turbine emissions facility-wide by submitting an Emission Control Plan. The District may approve the facility's Emission Control Plan on a case-by-case basis.

1) The Emission Control Plan shall be submitted to the APCO for approval by (two years after adoption date).

F. Administrative:

1. Monitoring and Record Keeping Requirements: The owner or operator of any stationary gas turbine subject to the provisions of this rule shall perform the following actions:

a. Install, operate and maintain in calibration, equipment, as approved by the APCO, that continuously measures and records the following:

1) Control System Operating Parameters, and

2) Elapsed time of operation.

b. All records shall be properly maintained for a period of five years and made available for inspection upon request.

c. Submit to the APCO before issuance of the Permit to Operate information correlating the Control System Operating Parameters to the associated measured NOx output. This information may be used by the APCO to determine compliance when there is no continuous emission monitoring system for NOx available or when the continuous emission monitoring system is not operating properly.

d. Provide source test information as required by the District regarding the exhaust gas NOx concentration corrected to 15 percent oxygen on a dry basis

e. Maintain a gas turbine operating log that includes, on a daily basis, the actual Pacific Standard Time start-up and stop time, total hours of operation, type and quantity of fuel

used (liquid/gas). This information shall be available for inspection at any time for five years from the date of entry.

f. Maintain a gas turbine operating log for units exempt under Section D.2. that includes, on a daily basis, the actual Pacific Standard Time start-up and stop time, total hours of operation, and cumulative hours of operation to date for the calendar year. This information shall be available for inspection at any time for five years from the date of entry and submitted to the APCO at the end of each calendar year in a manner and form approved by the APCO.

2. Exempt Units And Emergency Standby Units:

a. Exempt units and emergency standby units must comply with the following:

1) The owner or operator of any unit listed below must notify the APCO within seven days if the hour-per-year limit is exceeded. A public service unit operating during a state of emergency shall be excluded from the hour-per-year limit. If the hour per year limit is exceeded, a written explanation of the cause of such exceedance shall be provided to the APCO. If the APCO determines that there is a likelihood of continued exceedances the owner or operator would lose their exemption and would be subject to the time lines specified in Section H.1.c.

a) Emergency standby unit exempt under Section D.2.a.

b) Any unit smaller than 4 MW exempt under Section D.2.b.

b. The owner or operator shall provide support documentation for any unit exempt under Section D.1.

G. Compliance Testing:

1. Testing Schedule:

a. The owner or operator of any stationary gas turbine subject to the provisions of this rule shall demonstrate compliance with the requirements of Section E. by conducting an emissions source test annually, or more frequently as required by APCO. The source test shall be conducted in accordance with methods specified in Section G.2. of this Rule.

b. An annual source test shall not be required if a continuous emissions monitoring system is used to determine compliance with the requirements of Section E. and a Relative Accuracy Test Audit (RATA) is performed annually on this system.

2. Test Methods:

a. Oxides of nitrogen emissions shall be determined by using ARB Method 20, or EPA Method 20.

b. Oxygen content of the exhaust gas shall be determined by using ARB Method 20 or 100, or EPA Method 3, 3A, or 20.

H. Compliance Schedule:

1. Owners or operators of all applicable gas turbine units shall comply with the applicable provisions of Section E. in accordance with the following schedule.

   a. By (two years after adoption date), submit to the APCO for approval an Authority to Construct application which shall contain at a minimum a list that provides the following for each gas turbine:

      1) Permit or identification number,
      2) Name of gas turbine manufacturer,
      3) Model designation,
      4) Rated shaft power output (MW),
      5) Type of liquid fuel and/or type of gaseous fuel,
      6) Fuel consumption (cubic feet of gas or gallons of liquid) for the previous one-year period,
      7) Hours of operation in the previous one-year period.
      8) A list of all gas turbines required to be controlled, identifying the type of emission control to be applied to each gas turbine along with documentation showing existing emissions of oxides of nitrogen.

   b. By (four years after district rule adoption date), demonstrate final compliance.

   c. For those turbines which are exempt from the emission limits of this rule and subsequently lose this exemption after (one year after rule adoption date),

      1) By (one year after exemption loss date), submit to the APCO for approval an Authority to Construct application providing the information specified in Section H.1.a.

      2) By (three years after exemption loss date), demonstrate final compliance.