

CHAPTER IV – PROHIBITIONS

RULE 1-400 - GENERAL LIMITATIONS

(a) Public Nuisance

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or that endanger the comfort, repose, health or safety of any such persons or the public or that cause or have a natural tendency to cause injury or damage to business or property, (Health and Safety Code, Section 41700).

The limitations of Rule 1-400(a) do not apply to odors emanating from agricultural operations necessary for the commercial growing of crops or the raising of fowl or animals, as may be exempted in California Health and Safety Code, Section 41705.

[Amended 5/6/03]

(b) Circumvention

A person shall not construct, erect, modify, operate or use any equipment that conceals or tends to conceal an air contaminant emission that would be subject to the rules and regulations of the Mendocino County Air Quality Management District or to state law regarding air pollution, or that prevents the determination of compliance with the District's rules and regulations or with applicable state law, unless the operation or use of such equipment results in a verifiable and enforceable significant reduction in the emission of air contaminants that are or would be concealed or determination of whose compliance would be prevented. A person shall not discharge air contaminants into the atmosphere from any source whatsoever except in such fashion as to permit determination of compliance with applicable rules and regulations of the Mendocino County Air Quality Management District and with applicable provisions of state law.

[Amended April 6, 1993]

RULE 1-410 - VISIBLE EMISSIONS

(a) A person shall not discharge into the atmosphere from any source whatsoever any air contaminant for a period or periods aggregating more than three (3) minutes in any one hour that is as dark or darker in shade as that designated as No. 1 on the Ringlemann Chart, as published by the United States Bureau of Mines; or of such opacity as to obscure an observer's view to a degree equal to or greater than Ringlemann 1 or twenty (20) percent opacity.

(b) The provisions of Rule 1-410(a) do not apply to excessive visible emissions caused by:

- (1) Failure of the emission to meet the requirements solely because of the presence of uncombined water.
- (2) Smoke from fires set pursuant to Regulation 2 of the Mendocino County Air Quality Management District.

- (3) Smoke from fires set or permitted by any public officer in the performance of his official duty for the improvement of watershed, range or pasture. (Health and Safety Code, Section 41704(c))
- (4) Use of any aircraft to distribute seed, fertilizer, insecticides, or other agricultural aids over lands devoted to the growing of crops or the raising of fowl or animals. (Health and Safety Code, Section 41704(d))
- (5) Open outdoor fires used only for cooking of food for human beings or for recreational purposes. (Health and Safety Code, Section 41704(e))

RULE 1-420 - PARTICULATE MATTER

(a) General Combustion Sources

A person shall not discharge particulate matter into the atmosphere from any combustion source in excess of 0.46 grams per standard cubic meter (0.20 grains per standard cubic foot) of exhaust gas, calculated to 12 percent carbon dioxide; or in excess of the limitations of NSPS, Rule 1-490, as applicable.

(b) Steam Generating Units

A person shall not discharge particulate matter into the atmosphere from any steam generating unit, installed or modified after July 1, 1976, in excess of 0.23 grams per standard cubic meter (0.10 grains per standard cubic foot) of exhaust gas, calculated to 12 percent carbon dioxide; or in excess of the limitations of NSPS Rule 1-490.

(c) Non-Combustion Sources

A person shall not discharge particulate matter into the atmosphere from any non-combustion source in excess of 0.46 grams per actual cubic meter (0.20 grains per cubic foot) of exhaust gas or in total quantities in excess of the amount shown in Table I, whichever is the more restrictive condition.

**TABLE I
ALLOWABLE RATE OF EMISSION BASED ON
PROCESS WEIGHT RATE**

Process Weight Rate		Rate of Emission		Process Weight Rate		Rate of Emission	
Lbs/Hr	Kg/Hr	Lbs/Hr	Lbs/Hr	Kg/Hr	Lbs/Hr		
100	45	0.55	6,000	2,720	8.6		
200	92	0.88	7,000	3,380	9.5		
400	183	1.40	8,000	3,680	10.4		
600	275	1.83	9,000	4,134	11.2		
800	377	2.22	10,000	4,540	12.0		
1,000	454	2.58	12,000	5,460	13.6		
1,500	681	3.38	16,000	7,260	16.5		
2,000	920	4.10	18,000	8,220	17.9		
2,500	1,147	4.76	20,000	9,070	19.2		
3,000	1,362	5.38	30,000	13,600	25.2		
3,500	1,690	5.96	40,000	18,100	30.5		
4,000	1,840	6.52	50,000	22,700	35.4		
5,000	2,300	7.58	60,000	27,200	40.0		

or more

Where the process weight per hour is between two listed figures, such process weight and maximum allowable particulate emission per hour shall be interpolated linearly. The total process weight of all similar process operations located at a single plant or of similar multiple plants located on a single premise, shall be used for determining the maximum allowable particulate emission from the combination of such operations.

(d) Geothermal Well Drilling

Notwithstanding the provisions of Rule 1-420(d), a person shall not discharge particulate into the atmosphere from any geothermal steam source in excess of the quantity established by the following formula:

$$y = .00069X + 1.4$$

where y is the particulate emission rate limitation in kilograms per hour (averaged over one hour) and X is the steam rate in kilograms per hour passing through a geothermal well drilling operation or any geothermal well being vented for clean out.

RULE 1-430 - FUGITIVE DUST EMISSIONS

This Rule prohibits the handling, transportation, or open storage of materials, or the conduct of other activities in such a manner that allows or may allow unnecessary amounts of particulate matter to become airborne except under the following circumstances:

- (a) Reasonable precautions shall be taken to prevent particulate matter from becoming airborne, including, but not limited to, the following provisions:
 - (1) Covering open bodied trucks when used for transporting materials likely to give rise to airborne dust.
 - (2) Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials.
 - (3) The screening of all open-outdoor sandblasting and similar operations.
 - (4) The use of water or chemicals for the control of dust during the demolition of existing buildings or structures.
- (b) The following airborne dust control measures shall be required during all construction operations, the grading of roads, or the clearing of land
 - (1) All visibly dry disturbed soil road surfaces shall be watered to minimize fugitive dust emissions.
 - (2) All unpaved surfaces, unless otherwise treated with suitable chemicals or oils, shall have a posted speed limit of 10 miles per hour.
 - (3) Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets shall be promptly removed.
 - (4) Asphalt, oil, water or suitable chemicals shall be applied on materials stockpiles, and other surfaces that can give rise to airborne dusts.
 - (5) All earthmoving activities shall cease when sustained winds exceed 15 miles per hour.
 - (6) The operator shall take reasonable precautions to prevent the entry of unauthorized vehicles onto the site during non-work hours.
 - (7) The operator shall keep a daily log of activities to control fugitive dust.
- (c) During recreational activities adequate dust control shall be maintained to prevent dust from migrating off the property where the activity is occurring.

[Amended 5/6/03]

RULE 1-440 - SULFUR OXIDE EMISSIONS

A person shall not discharge into the atmosphere from any single source of emissions whatsoever sulfur oxides, calculated as sulfur dioxide (SO₂) in excess of 1,000 ppm; or in excess of the specific source emissions limitations of New Source Performance Standards Rule 1-490 (NSPS) of the Mendocino County Air Quality Management District, as applicable.

RULE 1-455 - GEOTHERMAL EMISSION STANDARDS

- (a) No person shall discharge into the atmosphere from any geothermal operation sulfur compounds, calculated as sulfur dioxide (SO₂), in excess of 1,000ppm(v).
- (1) Notwithstanding Rule 1-400(b) and Rule 1-455(a) geothermal wells on standby bleed shall be authorized in writing by the Air Pollution Control Officer to exceed 1000 ppm(v) (as measured in the bleeding steam) provided all the following conditions, which shall be annually verified, are met:
 - (A) The geothermal well on standby bleed will emit less H₂S in pounds hour than if operated at or below 1000 ppm(v).
 - (B) An air aspirator or other device(s) approved by the Air Pollution Control Officer is used to lower the emissions level to below 1000 ppm(v) at the point of emissions exit.
 - (C) All other applicable emissions limitations in Regulation 1 are not exceeded.
 - (D) The geothermal well on standby bleed, singularly or when combined with sources on the same well pad site or from adjacent well pad sites (within 33 meters), will not create a public nuisance as defined in Rule 1-400(a).
- (b) No person shall discharge hydrogen sulfide (H₂S) into the atmosphere at a rate that exceeds 50 grams per hour per Gross Megawatt.
- (1) Gross Megawatt refers to the source's full load gross generating capacity of the turbine generator as guaranteed by the turbine generator manufacturer.
 - (2) Compliance shall be verified by the source testing or protocol method approved by the District for the applicable emission source(s).
- (c) In no case shall the hydrogen sulfide emissions from a geothermal power generating facility exceed 1 kg/hr.
- (d) The 1 kg per hour limit shall not apply to geothermal power generating facilities of 20 megawatt electrical generating capacity or less provided:
- (1) No more than one such facility is within a 1.0 km radius area from any existing power plant facility (as of Jan. 1, 1985), and no more than one such facility is within a 0.5 km radius area of another, or

- (2) The facility can provide a significant net annual H₂S emissions reduction.
- (e) Each geothermal facility may be allowed to establish a protocol acceptable to the District that specifies the manner in which the facility will be operated to meet the emissions limitations set forth in sections (b) and (c) above. Each protocol shall specify if applicable:
- (1) the frequency and method of sampling the incoming steam quality and flow rates;
 - (2) the frequency and method of adjusting chemical feed rate settings;
 - (3) the frequency and method of instrument and testing equipment calibration;
 - (4) the predicted relationship between incoming steam quality and flow rates, chemical feed rates, and H₂S emissions;
 - (5) the frequency and method of emissions source testing;
 - (6) data logging requirements;
 - (7) the locations of all logs and source test records; and
 - (8) the requirement that periodic source tests be performed.

Each operating protocol can be modified by mutual agreement between the District and the operator. Changes in operating protocol(s) shall not take effect until copies of the revised protocol(s) are filed at the District office and the facility. Compliance with the operating protocol approved by the Air Pollution Control Officer shall be deemed compliance with the H₂S emissions limitations of this rule.

The major purpose of the protocol method is to provide a practical means of compliance with the specified emissions limitations given variations in incoming steam quality, chemical abatement system performance, and emission source test accuracy. A form of transferable emissions credits or allocation (pound for pound) among specified power plants shall be allowed in the protocol(s) as long as in the opinion of the Air Pollution Control Officer that enforceability can be reasonably achieved and ambient air quality would not be substantially degraded.

- (f) Any geothermal power plant and associated steam transmission line, for which applications are submitted for Authority to Construct processing shall employ Best Available Control Technology for stacking event avoidance.
- (g) A summary of the data required to determine compliance with applicable provisions of this rule shall be submitted to the Air Pollution Control Officer. This summary shall be presented in the manner, frequency and form as prescribed by the Air Pollution Control Officer.

RULE 1-470 - 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 that contain odorous material 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 such 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.
 - (1) A person incinerating or processing gases, vapors, or gas entrained effluents pursuant to this rule shall provide, install, maintain in calibration, and continuously operate instruments and monitoring devices, 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.

RULE 1-480 - ORCHARD, VINEYARD, AND CITRUS GROVE HEATERS

- (a) No new orchard, vineyard or citrus grove heater produced or manufactured shall be sold for use against frost damage unless the California Air Resources Board has approved it. (Health and Safety Code, Section 41860)
- (b) No person shall use any orchard, vineyard or citrus grove heater unless of a type from an approved listing by the California Air Resources Board which does not produce more than one gram per minute of unconsumed solid carbonaceous material. (Health and Safety Code, Section 41860)

RULE 1-482 - PETROLEUM LOADING AND STORAGE

- (a) All petroleum storage tanks in excess of 40,000 gallons capacity shall conform to the requirements of Rule 1-490.
- (b) No person shall install or maintain any stationary gasoline tank with a capacity of 250 gallons or more that is not equipped for loading through a permanent submerged fill pipe. (Health and Safety Code, Section 41950)
 - (1) For the purpose of Rule 1-482(b) "gasoline" means any petroleum distillate having a Reid vapor pressure of four pounds or greater.
 - (2) For the purpose of Rule 1-482(b) "submerged fill pipe", means any fill pipe that has its discharge opening entirely submerged when the liquid level is six inches above the bottom of the tank. "Submerged fill pipe" when applied to a tank that is loaded from the side, means any fill pipe that has its discharge opening entirely submerged when the liquid level is 18 inches above the bottom of the tank.

(c) The requirements of Rule 1-482(b) shall not apply:

- (1) To any stationary tanks installed prior to December 31, 1970.
- (2) To any stationary tank that is used primarily for the fueling of implements used in agricultural operations.
- (3) To any "pressure tank" that maintains working pressure sufficient at all times to prevent hydrocarbon vapor or gas loss to the atmosphere.
- (4) To any tank equipped with a "vapor recovery system" consisting of a vapor gathering system capable of collecting the hydrocarbon vapors and gases discharged and a vapor disposal system capable of processing such vapors and gases so as to prevent their emission into the atmosphere, with all tank gauging and sampling devices gastight except when gauging or sampling is taking place.
- (5) To any tank equipped with a "floating roof" that 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. A floating roof tank shall not be used if the gasoline or petroleum distillate has a vapor pressure of 570 millimeters of mercury absolute (11.0 pounds per square inch absolute) or greater, under actual storage conditions. All tank gauging and sampling devices shall be gastight except when gauging or sampling is taking place.

RULE 1-490 - FEDERAL NEW SOURCE PERFORMANCE STANDARDS (NSPS)

(a) The provisions of Part 60, Chapter 1, Title 40 of the Code of Federal Regulations (40 CFR Part 60), Standards of Performance for New Stationary Sources, that are in effect at the time of reading are incorporated herein as a part of the Rules and Regulations of the Mendocino County Air Quality Management District. All new sources of air contaminants or modifications to existing sources shall comply with the rules, standards, criteria and requirements set forth in those provisions. For the purpose of this rule, the word "Administrator" as used in the federal new source performance standards shall mean the Air Pollution Control Officer of the District, except that the Air Pollution Control Officer shall not be empowered to approve alternate or equivalent test methods nor alternative standards or work practices. Other deviations from these federal standards as presented in the Code of Federal Regulations and that were ordered by the District Board to suit the needs of the District shall be noted in the affected Subpart. As of May 6, 2003 there are no deviations.

[Amended 4/6/93; 5/6/03]

(b) Whenever any source is subject to more than one rule, regulation, provision, or requirement relating to the control of any air contaminant, in cases of conflict or duplication, the most stringent rule, regulation provision, or requirement shall apply.

(c) For the purpose of Federal enforcement:

Notes:

- (1) The emissions averaging periods specified in the federal standard are deleted and replaced with 24-hour maximum emissions averaging periods for affected facilities in the District.
- (2) The observation of a leak in excess of the requirements of the rule constitutes a violation of the rule.
- (3) California Air Resources Board (CARB) Certification and Test Procedures for Vapor Recovery Systems of Gasoline Delivery Tanks shall be followed in lieu of the federal procedure as shown in the CFR. Documentation and record keeping requirements shall record results of CARB Certification Tests.

RULE 1-492 - NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAPs)

The provisions of Part 61, Chapter 1, Title 40 of the Code of Federal Regulations (40 CFR, Part 61) National Emission Standards for Hazardous Air Pollutants are incorporated herein as a part of the Rules and Regulations of the Mendocino County Air Quality Management District. For the purpose of this rule, the word "Administrator" as used in these national emission standards for hazardous air pollutants shall mean the Air Pollution Control Officer of the District, except that the Air Pollution Control Officer shall not be empowered to approve alternate or equivalent test methods nor alternative standards/work practices. Other deviations from these federal standards as presented in the CFR and that were ordered by the Mendocino County Air Quality Management District Board to suit the needs of the District shall be noted in the affected Subpart. As of May 6, 2003 there are no deviations. Whenever any source is subject to more than one rule, regulation, provision, or requirement relating to the control of any air contaminant, in cases of conflict or duplication, the most stringent rule, regulation, provision, or requirement shall apply.

[Amended 5/6/03]

RULE 1-494 - POTENTIAL TO EMIT LIMITATIONS

Adopted 2/15/11]

RULE 1-494.1 - APPLICABILITY

(a) General Applicability

This rule shall apply to any stationary source that would, if it did not comply with the limitations set forth in this rule, have the potential to emit air contaminants equal to or in excess of the threshold for a major source of regulated air pollutants or a major source of hazardous air pollutants (HAPs) and that meets one of the following conditions:

- (1) In every 12-month period, the actual emissions of the stationary source are less than or equal to the emission limitations specified in Rule 1-494.3 (a) below; or

- (2) In every 12-month period, at least 90 percent of the emissions from the stationary source are associated with an operation limited by any one of the alternative operational limits specified in Rule 1-494.6 (b) below.

(b) Stationary Source with De Minimis Emissions

The recordkeeping and reporting provisions in Rule 1-494.4, Rule 1-494.5 and Rule 1-494.6 below shall not apply to a stationary source with de minimis emissions or operations as specified in either Section (1) or (2) below:

- (1) In every 12-month period, the stationary source emits less than or equal to the following quantities of emissions:
 - (A) 5 tons per year of a regulated air pollutant (excluding HAPs),
 - (B) 2 tons per year of a single HAP,
 - (C) 5 tons per year of any combination of HAPs, and
 - (D) 20 percent of any lesser threshold for a single HAP that the United States Environmental Protection Agency (U.S. EPA) may establish by rule.
- (2) In every 12-month period, at least 90 percent of the stationary source's emissions are associated with an operation for which the throughput is less than or equal to one of the quantities specified in subsections (A) through (H) below:
 - (A) 1,400 gallons of any combination of solvent-containing materials but no more than 550 gallons of any one solvent-containing material, provided that the materials do not contain the following: methyl chloroform (1,1,1-trichloroethane), methylene chloride (dichloromethane), tetrachloroethylene (perchloroethylene), or trichloroethylene;
 - (B) 750 gallons of any combination of solvent-containing materials where the materials contain the following: methyl chloroform (1,1,1-trichloroethane), methylene chloride (dichloromethane), tetrachloroethylene (perchloroethylene), or trichloroethylene, but not more than 300 gallons of any one solvent-containing material;
 - (C) 1400 gallons of solvent-containing (or volatile organic compound containing) material used at a paint spray unit(s);
 - (D) 4,400,000 gallons of gasoline dispensed from equipment with Phase I and II vapor recovery systems;
 - (E) 470,000 gallons of gasoline dispensed from equipment without Phase I and II vapor recovery systems;
 - (F) 1,400 gallons of gasoline combusted;

- (G) 16,600 gallons of diesel fuel combusted;
- (H) 500,000 gallons of distillate oil combusted, or
- (I) 71,400,000 cubic feet of natural gas combusted.

- (3) Within 30 days of a written request by the District or the U.S. EPA, the owner or operator of a stationary source not maintaining records pursuant to Rule 1-494.4 or Rule 1-494.6 shall demonstrate that the stationary source's emissions or throughput are not in excess of the applicable quantities set forth in Section (1) or (2) above.

(c) Provision for Air Pollution Control Equipment:

The owner or operator of a stationary source may take into account the operation of air pollution control equipment on the capacity of the source to emit an air contaminant if the equipment is required by Federal, State, or District rules and regulations or permit terms and conditions. The owner or operator of the stationary source shall maintain and operate such air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. This provision shall not apply after January 1, 1999 unless such operational limitation is federally enforceable or unless the District Board specifically extends this provision and it is submitted to the U.S. EPA. Such extension shall be valid unless, and until, the U.S. EPA disapproves the extension of this provision.

(d) Exemption - Stationary Source Subject to Regulation 5:

This rule shall not apply to the following stationary sources:

- (1) Any stationary source whose actual emissions, throughput, or operation, at any time after the effective date of this rule, is greater than the quantities specified in Rule 1-494.3 (a) or Rule 1-494.6 (b) below and which meets both of the following conditions:
 - (A) The owner or operator has notified the District at least 30 days prior to any exceedance that s/he will submit an application for a Part 70 permit, or otherwise obtain federally-enforceable permit limits, and
 - (B) A complete Part 70 permit application is received by the District, or the permit action to otherwise obtain federally-enforceable limits is completed within 12 months of the date of notification.

However, the stationary source may be immediately subject to applicable federal requirements, including but not limited to, a maximum achievable control technology (MACT) standard.

- (2) Any stationary source that has applied for a Part 70 permit in a timely manner and in conformance with Regulation 5 and is awaiting final action by the District and U.S. EPA.
- (3) Any stationary source required to obtain an operating permit under Regulation 5 for any reason other than being a major source.

- (4) Any stationary source with a valid Part 70 permit.
- (5) Notwithstanding Rule 1-494 (d)(1)(B) and (D) above, nothing in this section shall prevent any stationary source that has had a Part 70 permit from qualifying to comply with this rule in the future in lieu of maintaining an application for a Part 70 permit or upon rescission of a Part 70 permit if the owner or operator demonstrates that the stationary source is in compliance with the emissions limitations in Rule 1-494.3 (a) below or an applicable alternative operational limit in section Rule 1-494.6 (b) below.
 - (A) Exemption, Stationary Source with a Limitation on Potential to Emit:
 - (1) This rule shall not apply to any stationary source that has a valid operating permit with federally-enforceable conditions or other federally-enforceable limits limiting its potential to emit to below the applicable thresholds for a major source as defined in Rule 1-494.2 (m1) and (m2) below.
 - (B) Within three years of the effective date of Regulation 5, the District shall maintain and make available to the public upon request, for each stationary source subject to this rule, information identifying the provisions of this rule applicable to the source.
 - (C) This rule shall not relieve any stationary source from complying with requirements pertaining to any otherwise applicable preconstruction permit, or to replace a condition or term of any preconstruction permit, or any provision of a preconstruction permitting program. This does not preclude issuance of any preconstruction permit with conditions or terms necessary to ensure compliance with this rule.

RULE 1-494.2 - DEFINITIONS

All terms shall retain the definitions provided under District Regulation 5 unless otherwise defined herein.

(a1) 12-month period:

A period of twelve consecutive months determined on a rolling basis with a new 12-month period beginning on the first day of each calendar month.

(a2) Actual Emissions:

The emissions of a regulated air pollutant from a stationary source for every 12-month period.

- (1) Valid continuous emission monitoring data or source test data shall be preferentially used to determine actual emissions.

- (2) In the absence of valid continuous emissions monitoring data or source test data, the basis for determining actual emissions shall be: throughputs of process materials; throughputs of materials stored; usage of materials; data provided in manufacturer's product specifications, material volatile organic compound (VOC) content reports or laboratory analyses; other information required by this rule and applicable District, State and Federal regulations; or information requested in writing by the District.
- (3) All calculations of actual emissions shall use U.S. EPA, California Air Resources Board (CARB) or District approved methods, including emission factors and assumptions.

(a3) Alternative Operational Limit:

A limit on a measurable parameter, such as hours of operation, throughput of materials, use of materials, or quantity of product, as specified in Rule 1-494.6, Alternative Operational Limit and Requirements.

(e1) Emission Unit:

Any article, machine, equipment, operation, contrivance or related groupings of such that may produce and/or emit any regulated air pollutant or hazardous air pollutant.

(f1) Federal Clean Air Act:

The federal Clean Air Act (CAA) as amended in 1990 and as amended at the time of application (42 U.S.C. Section 7401 et seq.) and its' implementing regulations.

(h1) Hazardous Air Pollutant:

Any air pollutant listed pursuant to Section 112(b) of the federal Clean Air Act.

(m1) Major Source of Regulated Air Pollutants (excluding HAPs):

A stationary source that emits or has the potential to emit a regulated air pollutant (excluding HAPs) in quantities equal to or exceeding the lesser of any of the following thresholds:

- (1) 100 tons per year (tpy) of any regulated air pollutant;
- (2) 50 tpy of volatile organic compounds or oxides of nitrogen for a federal ozone nonattainment area classified as serious, 25 tpy for an area classified as severe, or 10 tpy for an area classified as extreme; and
- (3) 70 tpy of PM₁₀ for a federal PM₁₀ nonattainment area classified as serious.

Fugitive emissions of these pollutants shall be considered in calculating total emissions for stationary sources in accordance with 40 CFR, Part 70.2 "Definitions- Major source (2)."

(m2) Major Source of Hazardous Air Pollutants:

A stationary source that emits or has the potential to emit 10 tons per year or more of a single HAP listed in Section 112(b) of the CAA, 25 tons per year or more of any combination of HAPs, or such lesser quantity as the U.S. EPA may establish by rule. Fugitive emissions of HAPs shall be considered in calculating emissions for all stationary sources. The definition of a major source of radionuclides shall be specified by rule by the U.S. EPA.

(p1) Part 70 Permit:

An operating permit issued to a stationary source pursuant to an interim, partial or final Title V program approved by the U.S. EPA.

(p2) Potential to Emit:

The maximum capacity of a stationary source to emit a regulated air pollutant based on its physical and operational design. Any physical or operational limitation on the capacity of the stationary source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation is federally enforceable.

(p3) Process Statement:

An annual report on permitted emission units from an owner or operator of a stationary source certifying under penalty of perjury the following: throughputs of process materials; throughputs of materials stored; usage of materials; fuel usage; any available continuous emissions monitoring data; hours of operation; and any other information required by this rule or requested in writing by the District.

(r1) Regulated Air Pollutant:

The following air pollutants are regulated:

- (1) Oxides of nitrogen and volatile organic compounds;
- (2) Any pollutant for which a national ambient air quality standard has been promulgated;
- (3) Any Class I or Class II ozone depleting substance subject to a standard promulgated under Title VI of the federal Clean Air Act;
- (4) Any pollutant that is subject to any standard promulgated under Section 111 of the federal Clean Air Act; and
- (5) Any pollutant subject to a standard or requirement promulgated pursuant to Section 112 of the federal Clean Air Act, including:
 - (A) Any pollutant listed pursuant to Section 112(r) (Prevention of Accidental Releases) shall be considered a regulated air pollutant upon promulgation of the list.

(B) Any HAP subject to a standard or other requirement promulgated by the U.S. EPA pursuant to Section 112(d) or adopted by the District pursuant to Section 112(g) and (j) shall be considered a regulated air pollutant for all sources or categories of sources:

(1) Upon promulgation of the standard or requirement, or

(2) 18 months after the standard or requirement was scheduled to be promulgated pursuant to Section 112(e)(3).

(C) Any HAP subject to a District case-by-case emissions limitation determination for a new or modified source, prior to the U.S. EPA promulgation or scheduled promulgation of an emissions limitation shall be considered a regulated air pollutant when the determination is made pursuant to Section 112(g)(2). In case-by-case emissions limitation determinations, the HAP shall be considered a regulated air pollutant only for the individual source for which the emissions limitation determination was made.

RULE 1-494.3 - EMISSION LIMITATIONS

(a) Unless the owner or operator has chosen to operate the stationary source under an alternative operational limit specified in Rule 1-494.6 (b) below, no stationary source subject to this rule shall emit in every 12-month period more than the following quantities of emissions:

(1) 50 percent of the major source thresholds for regulated air pollutants (excluding HAPs),

(2) 5 tons per year of a single HAP,

(3) 12.5 tons per year of any combination of HAPs, and

(4) 50 percent of any lesser threshold for a single HAP as the U.S. EPA may establish by rule.

(b) The APCO shall evaluate a stationary source's compliance with the emission limitations in Rule 1-494.3 (a) above as part of the District's annual permit renewal process required by Health & Safety Code, Section 42301(e). In performing the evaluation, the APCO shall consider any annual process statement submitted pursuant to Rule 1-494.5, Reporting Requirements. In the absence of valid continuous emission monitoring data or source test data, actual emissions shall be calculated using emissions factors approved by the U.S. EPA, CARB, or the APCO.

(c) Unless the owner or operator has chosen to operate the stationary source under an alternative operational limit specified in Rule 1-494.6 below, the owner or operator of a stationary source subject to this rule shall obtain any necessary permits prior to commencing any physical or operational change or activity which will result in actual emissions that exceed the limits specified in Rule 1-494.3 (a) above.

RULE 1-494.4 - RECORDKEEPING REQUIREMENTS

- (a)** Immediately after adoption of this rule, the owner or operator of a stationary source subject to this rule shall comply with any applicable recordkeeping requirements in this section.
 - (1)** However, for a stationary source operating under an alternative operational limit, the owner or operator shall instead comply with the applicable recordkeeping and reporting requirements specified in Rule 1-494.6, Alternative Operational Limit and Requirements.
 - (2)** The recordkeeping requirements of this rule shall not replace any recordkeeping requirement contained in an operating permit or in a District, State, or Federal rule or regulation.
- (b)** A stationary source previously covered by the provisions in Rule 1-494.1 (b) above shall comply with the applicable provisions of Rule 1-494.4 above and Rule 1-494.5 and Rule 1-494.6 below if the stationary source exceeds the quantities specified in Rule 1-494.1 (b)(1) above.
- (c)** The owner or operator of a stationary source subject to this rule shall keep and maintain records for each permitted emission unit or groups of permitted emission units sufficient to determine actual emissions. Such information shall be summarized in a monthly log, maintained on site for five years, and be made available to District, CARB, or U.S. EPA staff upon request.

(1) Coating/Solvent Emission Unit

- (A)** The owner or operator of a stationary source subject to this rule that contains a coating/solvent emission unit or uses a coating, solvent, ink or adhesive shall keep and maintain the following records:
 - (1)** A current list of all coatings, solvents, inks and adhesives in use. This list shall include: information on the manufacturer, brand, product name or code, VOC content in grams per liter or pounds per gallon, HAPS content in grams per liter or pounds per gallon, or manufacturer's product specifications, material VOC content reports or laboratory analyses providing this information;
 - (2)** A description of any equipment used during and after coating/solvent application, including type, make and model; maximum design process rate or throughput; control device(s) type and description (if any); and a description of the coating/solvent application/drying method(s) employed;
 - (3)** A monthly log of the consumption of each solvent (including solvents used in clean-up and surface preparation), coating, ink and adhesive used; and
 - (4)** All purchase orders, invoices, and other documents to support information in the monthly log.

(2) Organic Liquid Storage Unit

- (A) The owner or operator of a stationary source subject to this rule that contains a permitted organic liquid storage unit shall keep and maintain the following records:
- (1) A monthly log identifying the liquid stored and monthly throughput; and
 - (2) Information on the tank design and specifications including control equipment.

(3) Combustion Emission Unit

- (A) The owner or operator of a stationary source subject to this rule that contains a combustion emission unit shall keep and maintain the following records:
- (1) Information on equipment type, make and model, maximum design process rate or maximum power input/output, minimum operating temperature (for thermal oxidizers) and capacity, control device type and description (if any) and all source test information; and
 - (2) A monthly log of hours of operation, fuel type, fuel usage, fuel heating value (for non-fossil fuels; in terms of BTU/lb or BTU/gal), percent sulfur for fuel oil and coal, and percent nitrogen for coal.

(4) Emission Control Unit

- (A) The owner or operator of a stationary source subject to this rule that contains an emission control unit shall keep and maintain the following records:
- (1) Information on equipment type and description, make and model, and emission units served by the control unit;
 - (2) Information on equipment design including where applicable: pollutants controlled; control effectiveness; maximum design or rated capacity; inlet and outlet temperatures, and concentrations for each pollutant controlled; catalyst data (type, material, life, volume, space velocity, ammonia injection rate and temperature); baghouse data (design, cleaning method, fabric material, flow rate, air/cloth ratio); electrostatic precipitator data (number of fields, cleaning method, and power input); scrubber data (type, design, sorbent type, pressure drop); other design data as appropriate; all source test information; and
 - (3) A monthly log of hours of operation including notation of any control equipment breakdowns, upsets, repairs, maintenance and any other deviations from design parameters.

(5) General Emission Unit

- (A)** The owner or operator of a stationary source subject to this rule that contains an emission unit not included in Rule 1-494.4 (1), (2), or (3) above shall keep and maintain the following records:
- (1)** Information on the process and equipment including the following:
equipment type, description, make and model; maximum design process rate or throughput; control device(s) type and description (if any);
 - (2)** Any additional information requested in writing by the APCO;
 - (3)** A monthly log of operating hours, each raw material used and its amount, each product produced and its production rate; and
 - (4)** Purchase orders, invoices, and other documents to support information in the monthly log.

RULE 1-494.5 - REPORTING REQUIREMENTS

- (a)** At the time of annual renewal of a Permit to Operate under Rule 1-240, Permit to Operate, each owner or operator of a stationary source subject to this rule shall submit to the District a process statement. The statement shall be signed by the owner or operator and certify that the information provided is accurate and true.
- (b)** For the purpose of determining compliance with this rule, this requirement shall not apply to stationary sources which emit in every 12-month period less than or equal to the following quantities:
- (1)** For any regulated air pollutant (excluding HAPs),
 - (A)** 25 tons per year including a regulated air pollutant for which the District has a federal area designation of attainment, unclassified, transitional, or moderate nonattainment,
 - (B)** 15 tons per year for a regulated air pollutant for which the District has a federal area designation of serious nonattainment,
 - (C)** 6.25 tons per year for a regulated air pollutant for which the District has a federal area designation of severe nonattainment,
 - (2)** 2.5 tons per year of a single HAP,
 - (3)** 6.25 tons per year of any combination of HAPs, and
 - (4)** 25 percent of any lesser threshold for a single HAP as the U.S. EPA may establish by rule.

- (c) A stationary source previously covered by provisions in Rule 1-494.5 (b) above shall comply with the provisions of Rule 1-494.5 (a) above if the stationary source exceeds the quantities specified in Rule 1-494.5 (b).
- (d) Any additional information requested by the APCO under Rule 1-494.5 (a) above shall be submitted to the APCO within 30 days of the date of request.

RULE 1-494.6 - ALTERNATIVE OPERATIONAL LIMITS AND REQUIREMENTS

- (a) The owner or operator may operate the permitted emission units at a stationary source subject to this rule under any one alternative operational limit, provided that at least 90 percent of the stationary source's emissions in every 12-month period are associated with the operation(s) limited by the alternative operational limit.
- (b) Upon choosing to operate a stationary source subject to this rule under any one alternative operational limit, the owner or operator shall operate the stationary source in compliance with the alternative operational limit and comply with the specified recordkeeping and reporting requirements.
 - (1) The owner or operator shall report within 24 hours to the APCO any exceedance of the alternative operational limit.
 - (2) The owner or operator shall maintain all purchase orders, invoices, and other documents to support information required to be maintained in a monthly log. Records required under this section shall be maintained on site for five years and be made available to District or U.S. EPA staff upon request.
 - (3) **Gasoline Dispensing Facility Equipment with Phase I and Phase II Vapor Recovery Systems:**
 - (A) The owner or operator shall operate the gasoline dispensing equipment in compliance with the following requirements:
 - (1) No more than 7,000,000 gallons of gasoline shall be dispensed in every 12-month period.
 - (2) A monthly log of gallons of gasoline dispensed in the preceding month with a monthly calculation of the total gallons dispensed in the previous 12 months shall be kept on site.
 - (3) A copy of the monthly log shall be submitted to the APCO at the time of annual permit renewal. The owner or operator shall certify that the log is accurate and true.
 - (4) **Degreasing or Solvent-Using Unit:**
 - (A) The owner or operator shall operate the degreasing or solvent-using unit(s) in compliance with the following requirements:

- (1) If the solvents do not include methyl chloroform (1,1,1-trichloroethane), methylene chloride (dichloromethane), tetrachloroethylene (perchloroethylene), or trichloroethylene, no more than 5,400 gallons of any combination of solvent-containing materials and no more than 2,200 gallons of any one solvent-containing material shall be used in every 12-month period.
 - (2) If the solvents include methyl chloroform (1,1,1-trichloroethane), methylene chloride (dichloromethane), tetrachloroethylene (perchloroethylene), or trichloroethylene, no more than 2,900 gallons of any combination of solvent-containing materials and no more than 1,200 gallons of any one solvent-containing material shall be used in every 12-month period.
- (B) A monthly log of amount and type of solvent used in the preceding month with a monthly calculation of the total gallons used in the previous 12 months shall be kept on site.
- (C) A copy of the monthly log shall be submitted to the APCO at the time of annual permit renewal. The owner or operator shall certify that the log is accurate and true.

(5) Paint Spraying Unit

- (A) The owner or operator shall operate the paint spraying unit(s) in compliance with the following requirements:
- (1) The total usage rate of all VOC-containing materials, including but not limited to, coatings, thinners, reducers, and cleanup solution shall not exceed 4,200 gallons in every 12-month period.
 - (2) A monthly log of the gallons of VOC-containing materials used in the preceding month with a monthly calculation of the total gallons used in the previous 12 months shall be kept on site.
 - (3) A copy of the monthly log shall be submitted to the APCO at the time of annual permit renewal. The owner or operator shall certify that the log is accurate and true.

(6) Diesel-Fueled Emergency Standby Engines with Output Less Than 1,000 Brake Horsepower.

- (A) The owner or operator shall operate the emergency standby engines in compliance with the following requirements:
- (1) For a federal ozone area designation of attainment, unclassified, transitional, or moderate nonattainment, the emergency standby engine(s) shall not operate more than 5,200 hours in every 12-month period and shall not use more than 265,000 gallons of diesel fuel in every 12-month period.

- (2) A monthly log of hours of operation, gallons of fuel used, and a monthly calculation of the total hours operated and gallons of fuel used in the previous 12 months shall be kept on site.
 - (3) A copy of the monthly log shall be submitted to the APCO at the time of annual permit renewal. The owner or operator shall certify that the log is accurate and true.
- (c) The owner or operator of a stationary source subject to this rule shall obtain any necessary permits prior to commencing any physical or operational change or activity which will result in an exceedance of an applicable operational limit specified in Rule 1-494.6 (b) above.

RULE 1-494.7 - VIOLATIONS

- (a) Failure to comply with any of the applicable provisions of this rule shall constitute a violation of this rule. Each day during which a violation of this rule occurs is a separate offense.
- (b) A stationary source subject to this rule shall be subject to applicable federal requirements for a major source, including Regulation 5, when the conditions specified in either subsection (1) or (2) below, occur:
 - (1) Commencing on the first day following every 12-month period in which the stationary source exceeds a limit specified in Rule 1-494.3 (a) above and any applicable alternative operational limit specified in Rule 1-494.6 (b), above, or
 - (2) Commencing on the first day following every 12-month period in which the owner or operator can not demonstrate that the stationary source is in compliance with the limits in Rule 1-494.3 (a) above or any applicable alternative operational limit specified in Rule 1-494.6 (b) above.