RULE 102. DEFINITIONS

(Adopted 10/18/1971, revised 1/12/1976, readopted 10/23/1978, revised 7/11/1989, 7/10/1990, 7/30/1991, 7/18/1996, 4/17/1997, 1/21/1999, 5/20/1999, 6/19/2003, 1/20/2005, 6/19/2008, 1/15/2009, 9/20/2010, 1/20/2011, 3/17/2011, 6/21/2012, and 8/25/2016)

These definitions apply to the entire rulebook. Definitions specific to a given rule are defined in that rule or in the first rule of the relevant regulation. Except as otherwise specifically provided in these Rules where the context otherwise indicates, words used in these Rules are used in exactly the same sense as the same words are used in Division 26 of the Health and Safety Code.

"Actual Emission Reductions" means a reduction of actual emissions from the stationary source selected for emission offsets, from a baseline which is representative of normal operations approved by the Air Pollution Control Officer. This baseline shall be determined in accordance with Rule 804.E.

"Aerosol Product" means a hand-held, non-refillable container that expels pressurized product by means of a propellant-induced force.

"Affected Pollutants" means all pollutants for which an ambient air quality standard has been established by the Environmental Protection Agency or the Air Resources Board and the precursors to such pollutants, all pollutants regulated by the Environmental Protection Agency under the Clean Air Act or by the Air Resources Board under the Health and Safety Code, including but not limited to: reactive organic compounds, nitrogen oxides, sulfur oxides, PM_{10}, $PM_{2.5}$, carbon monoxide, total suspended particulates, ethylene, lead, asbestos, beryllium, mercury, vinyl chloride, fluorides, sulfuric acid mist, hydrogen sulfide, total reduced sulfur, and reduced sulfur compounds. Also, all of the pollutants which the Environmental Protection Agency after notice and opportunity for public comment, or the Air Resources Board, or the District after public hearing, determine may have a significant adverse effect on the environment, the public health, or the public welfare.

"Agricultural Burning" means "agricultural burning" as defined in Health and Safety Code Section 39011.

"Agricultural Operations" means the growing and harvesting of crops or raising of fowl or animals for the primary purpose of making a profit, providing a livelihood, or conducting agricultural research or instruction by an educational institution. Agricultural operations do not include the processing or distribution of crops or fowl.

"Air Contaminant" includes, but is not limited to, smoke, charred paper, dust soot, grime, carbon, noxious acids, fumes, gases, odors, or particulate matter, or any combination thereof.

"Air Pollutant" means "Affected Pollutant" as defined in this rule.

"Air Quality Impact Analysis" means the use of an air quality simulation model, based on specified assumptions and data, to predict the maximum impact of the pollutant in areas over land and water accessible to the public.

"Air Quality Increment" means an increment of allowable air quality degradation, beyond the baseline air quality level.

"Air Quality Related Value" means a feature or property of an area that is affected in some way by the air pollution in issue. Identified values are visibility, odor, flora, fauna, soil, water, geologic features and cultural resources.

"Alternative Diesel Fuel" means any fuel used in a compression ignition engine that is not commonly or commercially known, sold, or represented by the supplier as diesel fuel No. 1-D or No. 2-D, pursuant to the specifications in ASTM D 975, "Standard Specification for Diesel Fuel Oils," ASTM International, or an alternative fuel, and does not require engine or fuel system modifications for the engine to operate, although

minor modifications (e.g., recalibration of the engine fuel control) may enhance performance. Examples of alternative diesel fuels include, but are not limited to, biodiesel; Fischer-Tropsch fuels; emulsions of water in diesel fuel; and fuels with a fuel additive, unless:

1. the additive is supplied to the engine fuel by an on-board dosing mechanism, or
2. the additive is directly mixed into the base fuel inside the fuel tank of the engine, or
3. the additive and base fuel are not mixed until engine fueling commences, and no more additive plus base fuel combination is mixed than required for a single fueling of a single engine.

"Ambient Air Quality Standards" means those standards set by the State or Federal governments. For the purpose of rules submitted to the Environmental Protection Agency for inclusion in the State Implementation Plan, all references to "ambient air quality standards" shall be interpreted as national ambient air quality standards.

"Application Equipment" means a device or equipment used to apply solvent, sealant, adhesive, coating, ink, or polyester resin materials.

"ASTM" means American Society for Testing and Materials. In 2001, the American Society for Testing and Materials officially changed its name to "ASTM International."

"Atmosphere" means the air that envelopes 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.

"Attainment Pollutant" means any affected pollutant which is not a nonattainment pollutant. For the purposes of this definition, greenhouse gases are not attainment pollutants.

"Authority to Construct" means a permit issued by the Control Officer for activities described in Rule 201.A.

"Avionic Equipment" means any electronic system used on any aircraft, aerospace vehicle, satellite, or space vehicle.

"Best Available Control Technology" means, for nonattainment pollutants, "Best Available Control Technology" as it is described in Section D.2 of Rule 802. For attainment pollutants, "Best Available Control Technology" is as described in Section D.3 of Rule 802, New Source Review.

"Best Available Retrofit Control Technology" means "Best Available Retrofit Control Technology" as defined in Health and Safety Code Section 40406.

"Board" means the Air Pollution Control Board of the Air Pollution Control District of Santa Barbara County.

"Boundary Line" means, for source emission purposes, a separation such as a fence, abutment or device that restricts public entry to any given area containing a source of emissions by locked gate or attendant. If no boundary restriction exists, or if such boundary restriction includes habitations occupied or regularly used by humans, the boundary line shall be deemed to be such distance from a source of emissions as the evaluating officer deems appropriate for measurements to be best taken, but not closer than 100 feet from such source.

"Burn Day" A "No Burn Day" means any day on which agricultural burning is prohibited by the Air Resources Board or the District. A "Permissive Burn Day" means any day on which agricultural burning is not prohibited by the Air Resources Board. The District may declare any Permissive Burn Day designated by the State Air Resources Board to be a No Burn Day if necessary to maintain suitable air quality.

"California Coastal Waters" means that area between the California coastline and a line starting at the California-Oregon border at the Pacific Ocean,

thence to 42.0 N 125.5 W
thence to 41.0 N 125.5 W
thence to 40.0 N 125.5 W
thence to 39.0 N 125.0 W
thence to 38.0 N 124.5 W
thence to 37.0 N 123.5 W
thence to 36.0 N 122.5 W
thence to 35.0 N 121.5 W
thence to 34.0 N 120.5 W
thence to 33.0 N 119.5 W
thence to 32.5 N 118.5 W
and ending at the California-Mexico border at the Pacific Ocean.

"Capture Efficiency" means the percentage by weight of affected pollutants delivered to a control device divided by the weight of total affected pollutants generated by the source.

"Carbon Adsorber" means a bed of activated carbon into which an air-solvent gas-vapor stream is routed and which adsorbs the solvent on the carbon.

"Catalytic Incinerator" means any device that burns reactive organic compounds or toxic air contaminants in air using a material that increases the rate of combustion without itself undergoing a net chemical change in the process. Common catalyst materials include but are not limited to, platinum alloys, chromium, copper oxide, and cobalt.

"CFR" means the Code of Federal Regulations, an official compilation of federal regulations generated by federal administrative agencies.

"Class I Area" means any area having air quality or air quality related values requiring special protection, and which has been designated Class I by a federal or state authority empowered to make such designation.

"Class I Impact Area" means all lands outside of a Class I area but within a 10 kilometer (6.2 miles) distance beyond the boundary of a Class I area, or other areas established by the Control Officer based on standard meteorological techniques such as hourly wind roses, frequency distribution of atmospheric wind classes, morning and afternoon mixing depths and any other meteorological or geographical considerations needed to establish the Class I impact area.

"Class II Area" means any area not designated as a Class I or Class III Area pursuant to 40 CFR 51.166(e)

"Clean Air Act" means, unless otherwise indicated, the federal Clean Air Act as amended, 42 United States Code 7401, *et seq*.

"Coating" means a material applied onto or impregnated into a substrate for protective, decorative, or functional purposes. Such materials include, but are not limited to, paints, varnishes, sealers, and stains.

"Combustible Refuse" is any solid or liquid combustible waste material containing carbon in a free or combined state.

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

"Compression Ignition Engine" means a type of reciprocating, internal combustion engine that is not a spark ignition engine.

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

"Construction" means any physical change or change in the method of operation (including fabrication, erection, installation, or modification of an emission unit) which would result in a change in actual emissions or the source's potential to emit.

"Contiguous Property" means two or more parcels of land with a common boundary or point or separated solely by a public roadway or other public right of way.

"Control Device" means any destruction and/or recovery equipment used to destroy or recover affected pollutant emissions generated by a regulated operation.

"Control Device Efficiency" means the percentage of affected pollutants entering a control device that is not present in the exhaust to the atmosphere of that control device.

"Control Officer" means the Air Pollution Control Officer of the Air Pollution Control District of Santa Barbara County.

"Cured Adhesive, Cured Coating, or Cured Ink" means an adhesive, coating, or ink that is dry to the touch.

"Days" means calendar days unless otherwise stated. Where any deadline prescribed by these Rules and Regulations falls on a weekend or state or federal holiday, the deadline shall be the first business day after the weekend or holiday.

"Degreaser" means a "Solvent Cleaning Machine" as defined in this rule.

"Derated" means any physical change to an emission unit to physically limit and restrict the equipment's power rating from the power rating specified by the manufacturer on the date of initial manufacture of the equipment.

"Diesel Engine" means a type of internal combustion engine that uses low-volatility petroleum fuel and fuel injectors and initiates combustion using compression ignition (as opposed to spark ignition that is used with gasoline engines).

"District" means the Santa Barbara County Air Pollution Control District unless otherwise specifically indicated.

"Dual-Fuel Engine" means any compression ignition engine that is engineered and designed to operate on a combination of alternative fuels, such as compressed natural gas (CNG) or liquefied petroleum gas (LPG) and diesel fuel or an alternative diesel fuel. These engines have two separate fuel systems, which inject both fuels simultaneously into the engine combustion chamber.

"Dusts" are minute solid particles released into the air by natural forces or by mechanical process such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, etc.

"Effective Stack Height" means the height equal to the lesser of 1) 30 meters, or 2) H + 1.5 L, where H is the height of, and L is the lesser dimension (height or width) of, the source, or nearby structure, or, 3) such other height as is demonstrated to ensure that emissions do not result in excessive pollutant concentrations in the immediate vicinity of the source as a result of atmospheric downwash, eddies, or wakes which may be created by the source, nearby structures or terrain.

"Electronic Components" means the portions of an assembly, including, but not limited to: circuit card assemblies, printed wire assemblies, printed circuit boards, soldered joints, ground wires, bus bars, magnetic tapes and tape drive mechanisms, discs and disc drive mechanisms, electro-optical devices (e.g., optical filters, sensor assemblies, infrared sensors, charged coupled devices, thermal electric coolers, and vacuum assemblies), solid state components, semiconductors (e.g., diodes, zeners, stacks, rectifiers, integrated

microcircuits, transistors, solar cells, light sensing devices, and light-emitting devices), and other electrical fixtures, except for the actual cabinet in which the components are housed.

"Electrostatic Spray" means any method of applying a spray coating in which an electrical charge is applied to the coating and the substrate is grounded. The coating is attracted to the substrate by the electrostatic potential between them.

"Emission Reduction Credit" means an actual emission reduction of specific type and quantity that is registered with the District in accordance with Rule 806, Emission Reduction Credits.

"Emission Reduction Credit Certificate" means a document that represents emission reduction credits registered in the Source Register, is transferable, is initially issued by the District to a source that qualifies its actual emission reductions for registration in the Source Register by meeting the requirements of Rule 806, Emission Reduction Credits.

"Emission Unit" means any identifiable piece of equipment or activity that is part of a stationary source which emits or would have the potential to emit any affected pollutant.

"Enclosed Cleaning System" means any application equipment cleaner (e.g., an enclosed gun washer) that totally encloses spray guns, cups, nozzles, bowls, and other parts during solvent washing, rinsing, and draining procedures. An enclosed cleaning system for cleaning application equipment is not a solvent cleaning machine.

"Exempt Compound" means any compound listed as an exempt compound in the definition of "Reactive Organic Compound." Tertiary-butyl acetate (also known as t-butyl acetate or tBAc) shall be considered exempt as a reactive organic compound only for purposes of reactive organic compound emissions limitations or reactive organic compound content requirements and shall be considered a reactive organic compound for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling, and inventory requirements which apply to reactive organic compounds.

"Federally Enforceable" means all limitations and conditions which are enforceable by the Administrator of the Environmental Protection Agency.

"Flexographic Printing" means any printing method in which the image area is raised relative to the non-image area and utilizes flexible rubber or other elastomeric plate and rapid drying liquid inks.

"Fluid System" means a power transmission system that uses the force of flowing liquids and gases to transmit power. Fluid systems include hydraulic systems and pneumatic systems.

"Fluorinated Gases" means a compound that contains fluorine and exists in a gaseous state at 25 degrees Celsius and 1 atmosphere of pressure. Fluorinated gases include, but are not limited to:

1. hexafluoroethane (C_2F_6), (CFC-116),
2. octafluoropropane (C_3F_8), (PFC 218),
3. octafluorocyclopentene (C_5F_8), (PFC C-1418),
4. tetrafluoromethane (CF_4), (CFC-14),
5. trifluoromethane (CHF_3), (HFC-23),
6. difluoromethane (CH_2F_2), (HFC-32),
7. octafluorocyclobutane (c-C_4F_8), (RC 318),
8. octafluorotetrahydrofuran (C_4F_8O),
9. hexafluoro-1,3-butadiene (C_4F_6),
10. carbon fluoride oxide (COF_2),
11. nitrogen trifluoride (NF_3), and
12. sulfur hexafluoride (SF_6).

"Forest Management Burning" means the use of open fires, as part of forest management practice, to remove forest debris. Forest management practices include timber operations, silvicultural practices and forest protection practices.

"Fuel" means any substance that is burned, combusted, or incinerated in an engine, boiler, heater, burner, steam generator, process heater, flare, thermal oxidizer, or any other combustion unit, and which includes, but is not limited to, gasoline, natural gas, field gas, produced gas, waste gas, methane, digester gas, landfill gas, contaminated soil/water cleanup gaseous effluent, ethane, propane, butane, liquefied petroleum gas (LPG), jet propellants, diesel fuels, and distillate fuels.

"Fuel Additive" means any substance designed to be added to fuel or fuel systems or other engine-related engine systems such that it is present in-cylinder during combustion and has any of the following effects: decreased emissions, improved fuel economy, increased performance of the engine; or assists diesel emission control strategies in decreasing emissions, or improving fuel economy or increasing performance of the engine.

"Fugitive Emission" means an emission which could not reasonably pass into the atmosphere through a stack, chimney, vent or other functionally equivalent opening.

"Gasoline" means any organic liquid (including petroleum distillates and methanol) having a Reid vapor pressure, as measured using California Code of Regulations, Title 13, Division 3, Chapter 5, Article 4, section 2297, "Test Method for the Determination of the Reid Vapor Pressure Equivalent Using an Automated Vapor Pressure Test Instrument," of 4.0 pounds per square inch or greater and used as a motor vehicle fuel or any fuel which is commonly or commercially known or sold as gasoline, including aviation gasoline.

"Grams of Reactive Organic Compound Per Liter of Material" means the weight of reactive organic compound per volume of material and can be calculated by the following equation:

$$\textit{Grams of reactive organic compounds per liter of material} = \frac{W_s - W_w - W_e}{V_m}$$

Where:

W_s = Weight of volatile compounds in grams
W_w = Weight of water in grams
W_e = Weight of exempt compounds in grams
V_m = Volume of material in liters

"Greenhouse Gas" or **"Greenhouse Gases"** means **"Greenhouse gas"** or **"greenhouse gases"** as defined in Health and Safety Code Section 38505(g).

"Hazardous Air Pollutant" means any substance listed in or pursuant to Section 112(b) of the Clean Air Act.

"Hearing Board" means the Hearing Board provided for in Section 40801 of the Health and Safety Code as appointed by the Air Pollution Control Board of Santa Barbara County.

"High-Precision Optics" means any optical element used in an electro-optical device that is designed to sense, detect, or transmit light energy, including specific wavelengths of light energy and changes in light energy levels.

"Higher Heating Value" means the total heat liberated per mass of fuel burned (British thermal unit per pound), when fuel and dry air at standard conditions undergo complete combustion and all resulting products are brought to their standard states at standard conditions. "Gross heating value" shall have the same meaning as "higher heating value."

"Internal Combustion Engine" means an engine in which both the heat energy and the ensuing mechanical energy are produced inside the engine. Internal combustion engines include gas turbines, spark ignition, and compression ignition engines.

"Janitorial Cleaning" means the cleaning of building or facility components including, but not limited to, floors, ceilings, walls, windows, doors, stairs, bathrooms, furnishings, and exterior surfaces of office equipment; excluding the cleaning of work areas associated with:

1. research and development, manufacturing, and repair activities; and

2. laboratory tests and analyses (including quality assurance and quality control activities) and bench scale projects.

"Large Source" means any stationary source that does not meet the criteria of a Small Source or a Medium Source as determined by the Control Officer:

"Major Modified Stationary Source" means a modification at an existing major source which:

1. will have emission increases greater than significance levels promulgated in 40 CFR 51.165 and 40 CFR 52.21, or
2. is located within 10 kilometers of a Class I area and the modification causes an impact greater than or equal to 1 microgram per cubic meter on that Class I area .

"Major Stationary Source" means a stationary source of air pollutants which emits or has the potential to emit one hundred tons per year or more of any pollutant.

"Medium Source" means any stationary source that is not a Small Source and where:

1. The Permitted Emissions for the stationary source will be less than all of the values listed below:

Reactive Organic Compounds	10.0 tons/year,
Oxides of Nitrogen (as NO_2)	10.0 tons/year,
Particulate Matter less than 10 microns	10.0 tons/year
Total Suspended Particulate Matter	10.0 tons/year
Sulfur Oxides (as SO_2)	10.0 tons/year,
Carbon Monoxide	25.0 tons/year

and

2. The proposed source does not trigger any toxics review requirements, Negative Declaration or Environmental Impact Report where the District is the lead agency pursuant to CEQA, federal NSPS or NESHAPS, federal operating permit program requirements (with the exception of General Permits) and is not located within 1,000 feet of the outer boundary of a school site.

"Modification" means any physical change in, or any change in method of operation of, or addition to an existing stationary source or any change in hours of operation or production rate which would necessitate a change in permit conditions, except that routine maintenance or repair shall not be considered a physical change. Unless previously limited by federally enforceable permit condition, the following shall not be considered changes in method of operation:

1. An increase in the production rate or hours of operation if such increase does not exceed the operating design capacity or the actual demonstrated capacity of the stationary source as approved by the Control Officer.
2. A change in operator or ownership of a source.
3. Use of an alternate fuel or raw material, provided that such use is expressly authorized on the Permit to Operate.

A reconstructed source shall be treated as a new stationary source.

"Multiple-Chamber Incinerator" is any article, machine, equipment, contrivance, structure or part of a structure, used to dispose of combustible refuse by burning, consisting of three or more refractory lined combustion furnaces 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. The refractories shall have a Pyrometric Cone equivalent of at least 17, tested according to the method described in the American Society for Testing Materials, Method C-24.

"Natural Draft Opening" means any opening in a room, building, or total enclosure that remains open during operation of the facility and that is not connected to a duct in which a fan is installed. The rate and direction of the natural draft through such an opening is a consequence of the difference in pressures on either side of the wall containing the opening.

"Natural Gas" means gas which meets General Order 58-A of the Public Utilities Commission.

"New Source" means any stationary source, which will emit any air contaminant not previously emitted at that location.

"Nonattainment Pollutant" means any pollutant as well as precursors of such pollutants that have been designated "nonattainment" by the U.S. Environmental Protection Agency or that have been designated "nonattainment" by the California Air Resources Board for Santa Barbara County.

"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 of livelihood, or of conducting agricultural research or instruction by an educational institution and
2. In connection with operations qualifying under Subdivision 1:
    a. The burning of grass and weeds in or adjacent to fields in cultivation or being prepared for cultivation; and
    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, such as fertilizer and pesticide sacks or containers, where the sacks or containers are emptied and burned in the field.

"Operating Parameter Value" means any minimum or maximum value established for a control equipment or process parameter which, if achieved by itself or in combination with one or more other operating parameter values, determines that an owner or operator has continued to comply with an applicable emission limitation.

"Organic Materials" are defined as chemical compounds of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, metallic carbonates and ammonium carbonate.

"Organic Solvents" means organic materials, including diluents and thinners which are liquid at standard conditions and which are used as, dissolvers, viscosity reducers or cleaning agents, except that such materials which exhibit a boiling point, as measured using ASTM D 1078-05, "Standard Test Method for Distillation Range of Volatile Organic Liquids," ASTM International, higher than 220°F at 0.5 millimeter mercury absolute pressure or having an equivalent vapor pressure shall not be considered to be organic solvents unless exposed to temperatures exceeding 220°F.

"Outer Continental Shelf Source" means "Outer Continental Shelf Source" as defined by Section 2 of the Outer Continental Shelf Lands (43 U.S.C. Section 1331, *et seq*).

"Overall Efficiency" means the emission reduction, expressed as a percentage that results from the combined effect of capture and control of affected pollutants (capture efficiency multiplied by control efficiency).

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

"Permit to Operate" means the written permission, with any specified conditions required, that must be obtained from the Control Officer before any article, machine, equipment or other contrivance, the use of which may cause, increase, eliminate, reduce, or control the issuance of air contaminants before it may be operated or used.

"Person" means any person, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, user, or owner, or any federal, state or local governmental agency, or public district or any officer or employee thereof.

"PM_{10}" means Particulate Matter with aerodynamic diameter smaller than or equal to 10 microns. Gaseous emissions which condense to form PM_{10} shall also be counted as PM_{10}.

"$PM_{2.5}$" means Particulate Matter with aerodynamic diameter smaller than or equal to 2.5 microns. Gaseous emissions which condense to form $PM_{2.5}$ shall also be counted as $PM_{2.5}$.

"Photochemically Reactive Solvent" means any organic solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, referred to the total volume of organic solvent;

1. combination of hydrocarbons, alcohols, aldehydes, esters, ethers or ketones, having an olefinic or cyclolefinic type of unsaturation: 5 percent, or
2. combination of aromatic compounds with 8 or more carbon atoms to the molecule, except ethylbenzene: 8 percent, or
3. combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 percent.

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 group, i.e., that group having the least allowable percent of the total volume of organic solvents.

"Photoresist Coating" means any coating applied directly to a substrate to protect surface areas when chemical milling, etching, or other chemical surface operations are performed on the substrate.

"Pollutant" means "Affected Pollutant" as defined in this rule.

"Portable Internal Combustion Engine" means any internal combustion engine that is portable, meaning it is carried or moved from one location to another in the normal course of business. Indicia of portability shall include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, vessel, or platform. "Portable internal combustion engine" does not include an engine used to propel nonroad equipment or a motor vehicle of any kind, including, but not limited to, a heavy duty vehicle. The engine is not portable if:

1. the engine or its replacement is attached to a foundation, or if not so attached, will reside at the same location for more than 12 consecutive months. The period during which the engine is maintained at a storage facility shall be excluded from the residency time determination. Any engine, such as a back-up or stand-by engine, that replace engine(s) at a location, and is intended to perform the same or similar function as the engine(s) being replaced, will be included in calculating the consecutive time period. In that case, the cumulative time of all engine(s), including the time between the removal of the original engine(s) and installation of the replacement engine(s), will be counted toward the consecutive time period; or

2. the engine remains or will reside at a location for less than 12 consecutive months if the engine is located at a seasonal source and operates during the full annual operating period of the seasonal source, where a seasonal source is a stationary source that remains in a single location on a permanent basis (at least two years) and that operates at that single location at least three months each year; or

3. the engine is moved from one location to another in an attempt to circumvent the portable residence time requirements.

"Potential to Emit" means the maximum capacity of the stationary source to emit a pollutant, including fugitive emissions, under its physical and operational design. Any physical or operational limitation on the capacity of the 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 legally and practically enforceable. Secondary emissions do not count in determining the potential to emit.

"Precursor" means any directly emitted pollutant that, when released into the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which an ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more ambient air quality standards. The following precursor/pollutant relationships shall be used for purposes of these Rules and Regulations:

Precursor	Secondary Pollutant
Reactive Organic Compounds	Ozone The organic fraction of PM_{10}
Oxides of Nitrogen	Ozone Nitrogen Dioxide The nitrate fraction of PM_{10} and $PM_{2.5}$
Oxides of Sulfur	Sulfates Sulfur Dioxide The sulfate fraction of PM_{10} and $PM_{2.5}$

"Process Weight Per Hour" means the total Process Weight divided 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. "Process Weight" is the total weight of all materials introduced into any specific process which may cause any discharge into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not.

"Quarterly" means, unless otherwise indicated, January through March, April through June, July through September, and October through December.

"Range Improvement Burning" means the use of open fires to remove vegetation for a wildlife, game or livestock habitat or for the initial establishment of an agricultural practice on previously uncultivated land.

"**Rated Brake Horsepower**" means the continuous brake horsepower rating specified for the engine by the manufacturer or listed on the original nameplate of the unit, unless otherwise physically limited and specified by a condition on the engine's Permit to Operate.

"**Reactive Organic Compound**" means any compound containing at least one (1) atom of carbon, except for the following exempt compounds:

1. acetone
2. ammonium carbonate

3. carbon dioxide
4. carbon monoxide
5. carbonic acid
6. dimethyl carbonate
7. ethane
8. metallic carbides or carbonates
9. methane
10. methyl acetate
11. methyl chloroform (1,1,1-trichloroethane)
12. methyl formate; $HCOOCH_3$
13. cyclic, branched, or linear completely methylated siloxane compounds
14. methylene chloride
15. parachlorobenzotrifluoride
16. perchloroethylene (tetrachloroethylene)
17. the following four classes of perfluorocarbon (PFC) compounds:
    a. cyclic, branched, or linear, completely fluorinated alkanes,
    b. cyclic, branched, or linear, completely fluorinated ethers with no unsaturations,
    c. cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations, and
    d. sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.
18. propylene carbonate
19. tertiary-butyl acetate; $C_6H_{12}O_2$ ("acetic acid, 1,1-dimethylethyl ester")

    Tertiary-butyl acetate (also known as t-butyl acetate or tBAc) shall be considered exempt as a reactive organic compound only for purposes of reactive organic compound emissions limitations or reactive organic compound content requirements and shall be considered a reactive organic compound for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling, and inventory requirements which apply to reactive organic compounds.
20. CFC-11 (trichlorofluoromethane)
21. CFC-12 (dichlorodifluoromethane)
22. CFC-113 (1,1,2-trichloro-1,2,2-trifluoroethane)
23. CFC-114 (1,2-dichloro 1,1,2,2-tetrafluoroethane)
24. CFC-115 (chloropentafluoroethane)
25. HCFC-22 (chlorodifluoromethane)
26. HCFC-31 (chlorofluoromethane)
27. HCFC-123 (1,1,1-trifluoro 2,2-dichloroethane)
28. HCFC-123a (1,2-dichloro-1,1,2-trifluoroethane)
29. HCFC-124 (2-chloro-1,1,1,2-tetrafluoroethane)
30. HCFC-141b (1,1-dichloro 1-fluoroethane)
31. HCFC-142b (1-chloro-1,1 difluoroethane)
32. HCFC-151a (1-chloro-1-fluoroethane)
33. HCFC-225ca (3,3-dichloro-1,1,1,2,2-pentafluoropropane)
34. HCFC-225cb (1,3-dichloro-1,1,2,2,3-pentafluoropropane)
35. HFC-23 (trifluoromethane)
36. HFC-32 (difluoromethane)
37. HFC-43-10mee (1,1,1,2,3,4,4,5,5,5-decafluoropentane)
38. HFC-125 (pentafluoroethane)
39. HFC-134 (1,1,2,2-tetrafluoroethane)

40. HFC-134a (1,1,1,2-tetrafluoroethane)
41. HFC-143a (1,1,1-trifluoroethane)
42. HFC-152a (1,1-difluoroethane)
43. HFC-161 (ethylfluoride)
44. HFC-227ea (1,1,1,2,3,3,3-heptafluoropropane)
45. HFC-236ea (1,1,1,2,3,3-hexafluoropropane)
46. HFC-236fa (1,1,1,3,3,3-hexafluoropropane)
47. HFC-245ca (1,1,2,2,3-pentafluoropropane)
48. HFC-245ea (1,1,2,3,3-pentafluoropropane)
49. HFC-245eb (1,1,1,2,3-pentafluoropropane)
50. HFC-245fa (1,1,1,3,3-pentafluoropropane)
51. HFC-365mfc (1,1,1,3,3-pentafluorobutane)
52. HFE-7000; n-$C_3F_7OCH_3$; (1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane)
53. HFE-7100; $(CF_3)_2CFCF_2OCH_3$; (2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane) or $C_4F_9OCH_3$; (1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane)
54. HFE-7200; $(CF_3)_2CFCF_2OC_2H_5$; (2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane) or $C_4F_9OC_2H_5$; (1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane)
55. HFE-7300; (1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy- 4-trifluoromethyl-pentane)
56. HFE-7500; (3-ethoxy- 1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2- (trifluoromethyl) hexane)

Rule 202.D.10.l.1 requires an Authority to Construct and Permit to Operate when using more than one gallon per year per stationary source of any one of the following exempt compounds:

(6)	dimethyl carbonate,	(37)	HFC-43-10mee,
(12)	methyl formate,	(50)	HFC-245fa,
(33)	HCFC-225ca,	(51)	HFC-365mfc, or
(34)	HCFC-225cb,	(53)	HFE-7100 [$(CF_3)_2CFCF_2OCH_3$ or $C_4F_9OC_2H_5$]

Rule 202.D.10.l.2 requires an Authority to Construct and Permit to Operate when using more than one gallon per year per stationary source of: (19) tertiary-butyl acetate.

The one gallon per year per stationary source limit is a per compound limit for each compound in aggregate for the entire stationary source and includes any amounts of the compound used in mixed or diluted product.

"Reactive Organic Compound Composite Partial Pressure" means the sum of the partial pressures of compounds defined as reactive organic compounds. Reactive organic compound composite pressure shall be calculated as follows:

$$PP_c = \frac{\sum_{i=1}^{n} (W_i)(VP_i) / MW_i}{W_w / MW_w + \sum_{e=1}^{n} W_e / MW_e + \sum_{i=1}^{n} W_i / MW_i}$$

Where:
- W_i = Weight of the "i"th reactive organic compound, in grams
- W_w = Weight of water, in grams
- W_e = Weight of the "e"th exempt compound, in grams
- MW_i = Molecular weight of the "i"th reactive organic compound, in grams per grams-mole
- MW_w = Molecular weight of water, in grams per grams-mole
- MW_e = Molecular weight of the "e"th exempt compound, in grams per grams-mole
- PP_c = Reactive organic compound composite partial pressure at 20 degrees Celsius, in millimeters of mercury
- VP_i = Vapor pressure of the "i"th reactive organic compound at 20 degrees Celsius, in millimeters of mercury

"Reasonable Further Progress" means annual incremental reductions in emissions of the relevant air pollutant and its precursors required to ensure attainment of the applicable air quality standard by the applicable date.

"Reconstructed Source" means any source undergoing reconstruction where fixed capital costs of the new components exceeds fifty percent (50%) of the fixed capital cost of a comparable entirely new source. Fixed capital cost means the capital needed to provide all depreciable components.

"Regulation" means one of the major subdivisions of the Rules of the Air Pollution Control District of Santa Barbara County.

"Rotogravure Printing" means any printing process where the image area is etched or engraved relative to the surface of the image cylinder. Ink is transferred from minute etched wells on a plate cylinder to a substrate, which is supported by an impression roller, with excess ink removed by a doctor blade. The substrate is fed through the printing press in continuous rolls.

"Rule" means a rule of the Air Pollution Control District of Santa Barbara County.

"Scientific Instrument" means an instrument, including the components, assemblies, and subassemblies used in their manufacture, and associated accessories and reagents, that is used for the detection, measurement, analysis, separation, synthesis, or sequencing of various compounds.

"Section" means section of the Health and Safety Code of the State of California unless some other statute is specifically mentioned.

"Secondary Emissions" means emissions which would occur as a result of the construction or operation of a stationary source or modification, impact the same general area, but do not come from the source itself. Secondary emissions include emissions from any offsite support facility which would not be constructed or increase its emissions except as a result of the construction or operation of the source or modification. Secondary emissions do not include any emissions which come directly from a mobile source such as emissions from the tailpipe of a motor vehicle, from a train, or from a vessel.

"Small Source" means a stationary source that meets the following criteria as determined by the Control Officer:

1. The Permitted Emissions from the stationary source will be less than each of the values listed below:

Reactive Organic Compounds	5.0 tons/year,
Oxides of Nitrogen (as NO_2)	5.0 tons/year,
Particulate Matter less than 10 microns	5.0 tons/year
Total Suspended Particulate Matter	5.0 tons/year
Sulfur Oxides (as SO_2)	5.0 tons/year,
Carbon Monoxide	25.0 tons/year

and

2. The proposed source does not trigger any toxics review requirements, Negative Declaration or Environmental Impact Report where the District is the lead agency pursuant to CEQA, federal NSPS or NESHAPS, federal operating permit program requirements (with the exception of General Permits) and is not located within 1,000 feet of the outer boundary of a school site, and
3. The permit application must deal exclusively with equipment that is listed by the Control Officer as certified and must not require a source test to demonstrate compliance, and
4. The applicant must be willing to accept standard permit conditions as established by the Control Officer.

"Solvent" means "Organic Solvent" as defined in this rule.

"Solvent Cleaning" means any activity, operation, or process (including, but not limited to, surface preparation, cleanup, or wipe cleaning) performed outside of a solvent cleaning machine, that uses solvent to remove uncured adhesives, uncured coatings, uncured inks, uncured polyester resin material, uncured sealant, or other contaminants, including, but not limited to, dirt, soil, oil, lubricants, coolants, moisture, fingerprints, and grease, from parts, products, tools, machinery, application equipment, and general work areas. Cleaning spray equipment used for the application of coating, adhesive, ink, polyester resin material, or sealant is also considered to be solvent cleaning irrespective of the spray material being cured.

"Solvent Cleaning Machine" means any device or piece of equipment that uses solvent liquid or vapor to remove soils, moisture, or other contaminants from the surfaces of materials. Types of solvent cleaning machines include, but are not limited to, batch cold, batch vapor, in-line cold, in-line vapor, remote reservoir, and gas-path solvent cleaners, as defined in Rule 321, Solvent Cleaning Machines and Solvent Cleaning. Buckets, pails, and beakers with capacities of 3.785 liters (1.00 gallon) or less are not considered solvent cleaning machines. However, the use of such a container or similar containers (e.g., hand-held spray bottles) with a solvent for cleaning is considered to be solvent cleaning. Any device or piece of equipment used exclusively for stripping shall not be considered to be a solvent cleaning machine.

"South Coast Air Quality Management District Method 303-91, "Determination of Exempt Compounds," August 1996," means the test method adopted by and in effect by the South Coast Air Quality Management District on June 21, 2012.

"South Coast Air Quality Management District Method 313-91, "Determination of Volatile Organic Compounds by Gas Chromatography-Mass Spectrometry," June 1993," means the test method adopted by and in effect by the South Coast Air Quality Management District on June 21, 2012.

"Space Vehicle" means any man-made device, either manned or unmanned, designed for operation beyond earth's atmosphere. This definition includes integral equipment such as models, mock-ups, prototypes, molds, jigs, tooling, hardware jackets, and test coupons. Also included is auxiliary equipment associated with test, transport, and storage, which through contamination can compromise the space vehicle performance.

"Spark Ignition Engine" means a gasoline-fueled engine or other engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation.

"Specialty Equipment" means portable engines used to power equipment located in the Outer Continental Shelf or State Territorial Waters that satisfy all of the following conditions:

1. The portable engine is ineligible for registration in the State Portable Equipment Registration Program; and

2. A similar portable engine or equipment unit capable of performing the specialty work is not registered in the State Portable Equipment Registration Program or, if registered is not available for use; and

3. The portable engine/equipment unit performs a unique function or activity outside the normal scope of drilling or construction activities; and

4. The equipment will be used for less than 500 hours per stationary source in any calendar year and emit not more than 10 tons per stationary source of oxides of nitrogen, oxides of sulfur, reactive organic compounds, or particulate matter in any calendar year; and

5. Use of the equipment is not recurrent from year to year.

"Specialty Equipment Emergency Use" means that conditions giving rise to the use of the specialty equipment were due to 1) conditions beyond the reasonable control of the stationary source, including but not

limited to the breakdown of essential drilling or construction equipment, and 2) the use of the specialty equipment is necessary to complete essential short-term projects.

"Standard Conditions" for gases means a temperature of 60 degrees Fahrenheit (15.6 degrees Celsius) and a pressure of 14.7 pounds per square inch absolute (760 mm of Mercury). Results of all analyses and tests shall be calculated and reported at this temperature and pressure.

"Stationary Source" means any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. "Fugitive emissions" means those emissions of pollutants which could not reasonably pass through a stack, chimney, vent or other functionally equivalent opening.

"Installation" includes any operation, article, machine, equipment, contrivance, or grouping of equipment belonging to the same two-digit standard industrial classification code, which emits or may emit any affected pollutant, and located on one or more contiguous properties and under common control.

"Building, structure, or facility" includes all pollutant-emitting activities including those located in California coastal waters adjacent to the District boundaries and those areas of Outer Continental Shelf waters for which the District is the corresponding onshore area which:

a) belong to the same industrial grouping

b) are located on one or more contiguous or adjacent properties (except for activities located in California coastal waters or are on the Outer Continental Shelf), and

c) are under the same or common ownership, operation, or control or which are owned or operated by entities which are under common control.

Pollutant emitting activities shall be considered as part of the same industrial grouping if they are part of a common production process. (Common production process includes industrial processes, manufacturing processes, and any connected processes involving a common raw material.)

"Common operations" includes operations which are related through dependent processes, storage or transportation of the same or similar products or raw material. Emissions from all marine vessels, including cargo carriers, servicing or associated with a stationary source shall be considered emissions from the stationary source while operating within:

a) the District, including California Coastal Waters adjacent to the District (Figure 102);

b) the Outer Continental Shelf for which the District is the corresponding onshore area; and

c) 25 miles of an Outer Continental Shelf source for which the District is the corresponding onshore area.

The emissions from marine vessels, including cargo carriers, shall include reactive organic compound vapors that are displaced into the atmosphere; fugitive emissions; combustion emissions in the waters described above; and emissions from the loading and unloading of cargo. The term "Cargo Carrier" shall not include trains or vehicles.

As applied to an attainment pollutant, "stationary source" shall be interpreted to mean facility wide. The term "installation" shall have the same meaning as "building, structure, or facility."

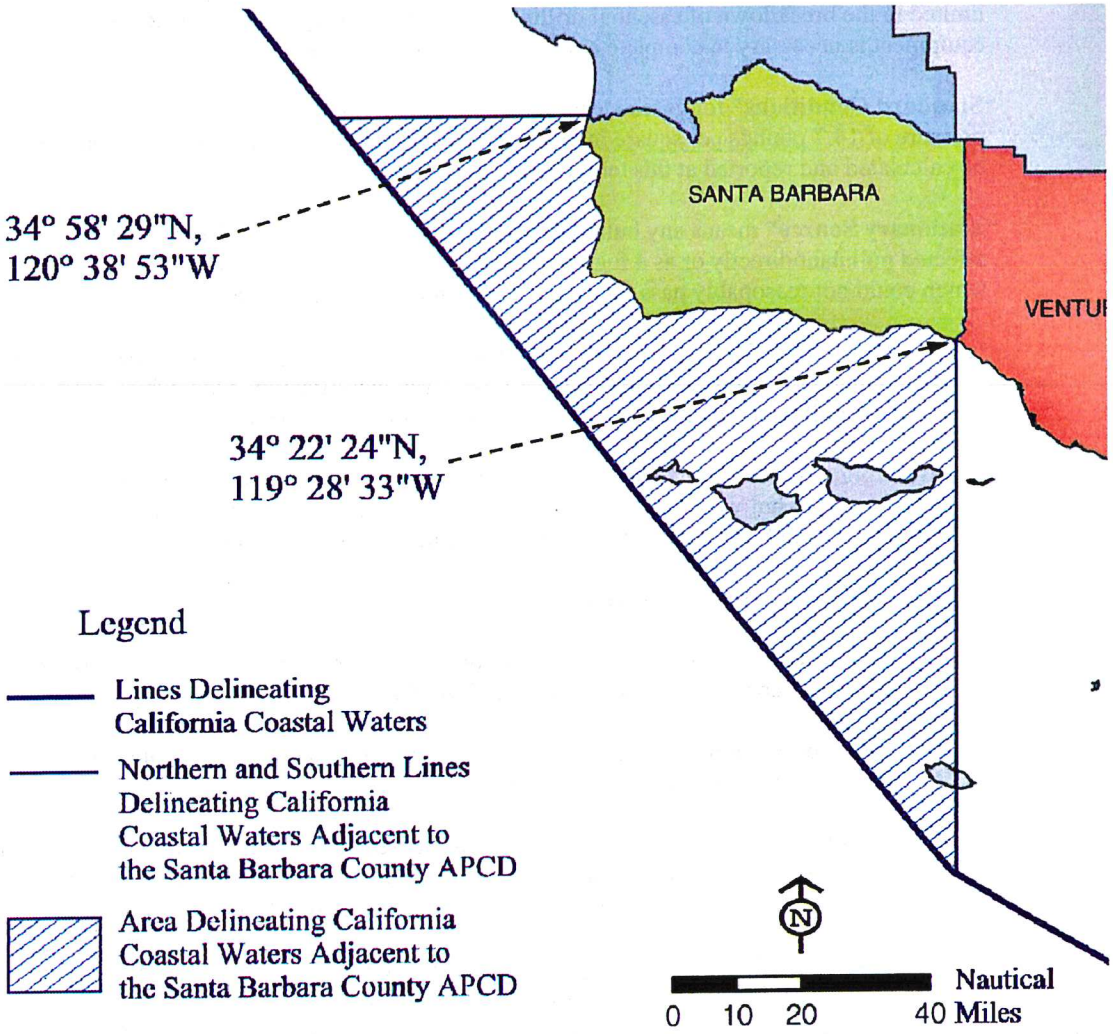

Figure 102. MAP DEPICTING THE CALIFORNIA COASTAL WATERS ADJACENT TO THE SANTA BARBARA COUNTY AIR POLLUTION CONTROL DISTRICT

"Stripping" means the use of solvent to remove materials such as cured adhesives, cured inks, cured sealants, cured or dried paints, cured or dried paint residues, or temporary protective coatings.

"Surface Preparation" means the removal of contaminants such as dust, soil, oil, grease, moisture, etc., prior to application of an adhesive, coating, ink, polyester resin material, or sealant.

"Temporary Total Enclosure" means any total enclosure that is constructed for the sole purpose of measuring the emissions from an affected source that are not delivered to an emission control device. A temporary total enclosure must be constructed and ventilated (through stacks suitable for testing) so that it has minimal impact on the performance of the permanent emission capture system. A temporary total enclosure will be assumed to achieve total capture of fugitive emissions if it meets the requirements found in 40 CFR Section 63.750(g)(4) and if all natural draft openings are at least four duct or hood equivalent diameters away from each exhaust duct or hood. Alternatively, the owner or operator may apply to the Control Officer for approval of a temporary enclosure on a case-by-case basis.

"Thermal Incinerator" means any device that burns reactive organic compounds or toxic air contaminants in air by direct application of heat. Thermal incinerators are usually equipped with burners, refractory lined chambers, heat recovery equipment, and process controllers.

"Total Enclosure" means any permanent structure that is constructed around a gaseous emission source so that all gaseous pollutants emitted from the source are collected and ducted through a control device, such that 100 percent capture efficiency is achieved. There are no fugitive emissions from a total enclosure. The only openings in a total enclosure are forced makeup air and exhaust ducts and any natural draft openings such as those that allow raw materials to enter and exit the enclosure for processing. All access doors or windows are closed during routine operation of the enclosed source. Brief, occasional openings of such doors or windows to accommodate process equipment adjustments are acceptable, but if such openings are routine or if an access door remains open during the entire operation, the access door must be considered a natural draft opening. The average inward face velocity across the natural draft openings of the enclosure shall be calculated including the area of such access doors. The drying oven itself may be part of the total enclosure. An enclosure that meets the requirements found in 40 CFR Section 63.750(g)(4) is a permanent total enclosure.

"Total Suspended Particulates" means "Particulate Matter" as defined in this rule.

"Toxic Air Contaminant" means "Toxic Air Contaminant" as defined in Health and Safety Code Section 39655.

"Transfer Efficiency" means the ratio of the weight of coating solids adhering to the object being coated to the weight of coating solids used in the application process, expressed as a percentage.

"Waste Solvent Residue" means sludge that may contain dirt, oil, metal particles, and/or other undesirable waste products concentrated after heat distillation of solvent either in a solvent cleaning machine itself or after distillation in a separate still.

"Wipe Cleaning" means a solvent cleaning activity performed by hand rubbing an absorbent material such as a rag, paper, sponge, brush, or cotton swab containing solvent.

"Zones of Santa Barbara County"

1. The Northern Zone of Santa Barbara County is defined as that portion of Santa Barbara County described in Section 60103(b) of Title 17 of the California Administrative Code as written on December 21, 1968 (Register 68, No. 48), State waters located offshore of that portion of Santa Barbara County lying north of the latitude of the mouth of Jalama Creek and those areas of the Outer Continental Shelf waters for which the District has been designated the corresponding onshore area by the Environmental Protection Agency.

2. The Southern Zone of Santa Barbara County is defined as that portion of Santa Barbara County described in Section 60104(c) of Title 17 of the California Administrative Code as written on December 21, 1968 (Register 68, No. 48), State waters located offshore of that portion of Santa Barbara County lying south of the latitude of the mouth of Jalama Creek and those areas of the Outer Continental Shelf waters for which the District has been designated the corresponding onshore area by the Environmental Protection Agency.

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
Santa Barbara County Counsel

By William M. Dillon
Deputy

RULE 105. APPLICABILITY
(Adopted 7/30/1991, revised 8/25/2016)

These Rules and Regulations shall apply to all sources within the County of Santa Barbara. These Rules and Regulations shall also apply to sources located on the Outer Continental Shelf, offshore of Santa Barbara County, for which the District is the corresponding onshore area, as authorized in Title VIII, Section 801, of the 1990 Federal Clean Air Act Amendments.

Unless otherwise stated, any District rule that references sections of the California Health and Safety Code, California Government Code, California Public Resources Code, California Vehicle Code, or the California Code of Regulations shall incorporate the referenced sections as they exist on the date of adoption or most recent amendment of the aforementioned District rule.

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
Santa Barbara County Counsel

By William M. Dillon
Deputy

RULE 202. EXEMPTIONS TO RULE 201

(Adopted 10/18/1971, revised 5/1/1972 and 6/27/1977, readopted 10/23/1978, revised 12/7/1987, 1/11/1988, 1/17/1989, 7/10/1990, 7/30/1991, 11/05/1991, 3/10/1992, 5/10/1994, 6/28/1994, 4/17/1997, 3/17/2005, 1/17/2008, 6/19/2008, 9/20/2010, 1/20/2011, 3/17/2011, 6/21/2012, and 8/25/2016)

A. Applicability

An Authority to Construct or Permit to Operate shall not be required for equipment, operations and activities described herein.

B. Exceptions

Notwithstanding any exemption created by this rule, any:

1. Equipment, activity or operations proposed by an applicant for use as an Emission Reduction Credit is not exempt.

2. Emission unit that functions for distributed electrical generation and is not certified under the regulations of the Air Resources Board is not exempt.

C. Definitions

See Rule 102, Definitions, for definitions.

D. General Provisions

1. The owner or operator shall maintain records which clearly demonstrate that the exemption threshold has not been exceeded. These records shall be made available to the District upon request and shall be maintained for a minimum of three calendar years. Failure to maintain records which meet the above requirements or exceedance of the emission exemption threshold or violation of any District rule may result in the immediate loss of the permit exemption. By accepting the terms of the exemption the owner or operator agrees to allow District personnel access to any records or facilities for inspection per Sections 42303 and 41510 of the California Health and Safety Code and Section 114 of the Clean Air Act.

2. For the purposes of demonstrating that the emissions exempted do not exceed the aggregate exemption limit specified in Sections G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, or V of this Rule the owner or operator may base the demonstration on actual emissions provided the owner or operator keeps material use records in a manner approved by the Control Officer. Otherwise the owner or operator must maintain records that demonstrate that the potential to emit of the equipment will not exceed the applicable aggregate exemption emission limit. When calculating the actual emissions for determining whether the aggregate emission limit in this Rule is exceeded, greenhouse gases shall not be included.

3. A permit shall not be required for an agricultural operation at a stationary source that, in aggregate, produces actual emissions less than all of the following:

   a. 50 percent of any applicable emission threshold for a major source in the District,
   b. 5 tons per year of any single Hazardous Air Pollutant, and
   c. 12.5 tons per year of combined Hazardous Air Pollutants.

   For the purposes of determining permitting applicability, fugitive emissions, except fugitive dust emissions, are included in determining aggregate emissions. This exemption shall not apply to an agricultural source required to obtain a Title V permit.

4. Trains and aircraft used to transport passengers or freight are exempt from permit requirements.

5. Temporary Equipment

A permit shall not be required for temporary equipment where the projected actual aggregate emissions of all affected pollutants do not exceed 1 ton (except carbon monoxide, which shall not exceed 5 tons) and the use of each individual piece of equipment does not exceed one 60 day period in any consecutive 12 month period. Such equipment shall also meet one of the following requirements:

a. the temporary equipment is not part of an existing operating process of a stationary source; or

b. the temporary equipment replaces equipment that has qualified for a breakdown pursuant to Rule 505, Breakdown Conditions.

To qualify for this exemption, the owner or operator shall submit a written request to the Control Officer, who shall make a determination in writing approving or denying the request. This request shall identify the temporary equipment, its location, any equipment being replaced, and shall include the emission calculations and assumptions that demonstrate that the equipment meets the exemption criteria. The temporary project may commence as soon as the written request has been made, however, project commencement with equipment that is later found ineligible for the exemption shall constitute a violation of the District's Rules and Regulations. This exemption shall not apply to equipment used for the specific purpose to control emissions of Toxic Air Contaminants. The owner or operator shall pay any applicable fee pursuant to Rule 210, Fees.

6. *De minimis* Exemption

Any physical change in an existing stationary source that meets all of the requirements below is exempt. Emission increases shall be based on the uncontrolled potential to emit, less emission reductions achieved through Rule 331, Fugitive Emissions Inspection and Maintenance, and shall not be reduced (netted out) by emission reductions achieved through the removal or control of any component.

a. The emission increase for any one emission unit shall not exceed 2.40 pounds per day of any affected pollutant, except carbon monoxide, which shall not exceed 19.20 pounds per day.

b. The aggregate emissions increase at the stationary source due to all de minimis physical changes at the stationary source shall not exceed 24.00 pounds per day, except carbon monoxide, which shall not exceed 60.00 pounds per day. Any increase shall be reduced to the extent it is included in the source's potential to emit.

c. The physical change does not require a change to any article, machine, equipment or contrivance used to eliminate or reduce or control the issuance of air contaminants.

d. The article, machine, equipment or contrivance is not subject to an Airborne Toxic Control Measure adopted by the Air Resources Board.

e. The article, machine, equipment or contrivance is not subject to New Source Performance Standards or National Emission Standards for Hazardous Air Pollutants promulgated by the Environmental Protection Agency; or Hazardous Air Pollutant requirements under Section 112 of the Clean Air Act.

f. The owner or operator shall maintain a record of each *de minimis* change, which shall include emission calculations demonstrating that each physical change meets the criteria listed in (a) and (b), above. Such records shall be made available to the District upon request.

7. Stationary Source Permit Exemption

A permit shall not be required for any new, modified or existing stationary source if the uncontrolled actual emissions of each individual affected pollutant from the entire stationary source are below 1.00 ton per calendar year, unless:

a. the source is subject to EPA promulgated New Source Performance Standards or National Emission Standards for Hazardous Air Pollutants, or the federal operating permit program (40 CFR Part 70), or Hazardous Air Pollutant requirements of Section 112 of the federal Clean Air Act, or

b. the source is subject to a California Air Resources Board Airborne Toxic Control Measure; or

c. the source is subject to Public Notification or Risk Reduction under the requirements of California Health and Safety Code Section 44300 et seq.; or

d. the Control Officer makes a determination that a permit is necessary to ensure that emissions remain below one ton per year; or

e. the source is a new or modified source which emits hazardous air emissions and is located within 1,000 feet from the outer boundary of a school site (Health and Safety Code Section 42301.6, et *seq.*); or

f. the source is listed below and subject to the California Code of Regulations, Title 17, Division 3, Subchapter 10, Article 4, Regulations to Achieve Greenhouse Gas Emission Reductions:

Subarticle 2, Semiconductors and Related Devices (Section 95320 *et seq.*) in effect March 17, 2011.

Each owner or operator seeking this exemption shall submit a written request to the Control Officer, who shall make a determination in writing approving or denying the request. The owner or operator shall pay any applicable fee pursuant to Rule 210, Fees.

8. A permit shall not be required for routine repair or maintenance of permitted equipment, not involving structural changes. As used in this paragraph, maintenance does not include operation.

9. A permit shall not be required for equivalent routine replacement in whole or in part of any article, machine, equipment or other contrivance where a Permit to Operate had previously been granted under Rule 201, Permits Required, providing emissions are not increased and there is no potential for violating any ambient air quality standard. An equivalent piece of equipment has a Potential to Emit, operating design capacity or actual demonstrated capacity less than or equal to that of the original piece of equipment, and is subject to the same limitations and permit conditions as the equipment being replaced. The owner or operator shall notify the District within 30 days of an equivalent routine replacement, unless the replacement equipment is identical as to make and model, and routine in which case notification is not required. This provision shall not grant any exemption from New Source Performance Standards.

10. Notwithstanding any exemption defined in this rule, no new or modified stationary source that has the potential to emit air contaminants in excess of the amounts specified shall be exempt from permit requirements:

a. 3.28 pounds per day of lead
b. 0.04 pounds per day of asbestos
c. 0.0022 pounds per day of beryllium
d. 0.55 pounds per day of mercury
e. 5.48 pounds per day of vinyl chloride
f. 16.44 pounds per day of fluorides
g. 38.45 pounds per day of sulfuric acid mist, or
h. 54.79 pounds per day of total reduced sulfur or reduced sulfur compounds.
i. 0.0000035 tons per year municipal waste combustor organics.
j. 15 tons per year municipal waste combustor metals.
k. 40 tons per year municipal waste combustor acid gases.
l. In addition, notwithstanding any exemption defined in this rule, no stationary source that has the potential to emit any air contaminants in excess of the amounts specified shall be exempt from permit requirements:

1) more than one gallon per year of any one of the exempt compounds listed below. The one gallon per year per stationary source limit is a per compound limit for each compound in aggregate for the entire stationary source and includes any amounts of the compound used in mixed or diluted product.

a) dimethyl carbonate; or
b) methyl formate; $HCOOCH_3$; or
c) HCFC-225ca (3,3-dichloro-1,1,1,2,2-pentafluoropropane); or
d) HCFC-225cb (1,3-dichloro-1,1,2,2,3-pentafluoropropane); or
e) HFC-43-10mee (1,1,1,2,3,4,4,5,5,5-decafluoropentane); or
f) HFC-245fa (1,1,1,3,3-pentafluoropropane); or
g) HFC-365mfc (1,1,1,3,3-pentafluorobutane); or
h) HFE-7100; $(CF_3)_2CFCF_2OCH_3$; (2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane); or
i) HFE-7100; $C_4F_9OCH_3$; (1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane); or

2) more than one gallon per year of tertiary-butyl acetate; $C_6H_{12}O_2$ ("acetic acid, 1,1-dimethylethyl ester"). Tertiary-butyl acetate (also known as t-butyl acetate or tBAc) shall be considered exempt as a reactive organic compound only for purposes of reactive organic compound emissions limitations or reactive organic compound content requirements and shall be considered a reactive organic compound for purposes of all recordkeeping, emissions reporting, photochemical dispersion modeling, and inventory requirements which apply to reactive organic compounds. The one gallon per year per stationary source limit for tertiary-butyl acetate is an aggregate limit for the entire stationary source and includes any amounts of the compound used in mixed or diluted product.

11. Where an exemption is described in this rule for a general category of equipment, the exemption shall not apply to any component which otherwise would require a permit under the provisions of these Rules and Regulations.

12. Emission control equipment, directly attached to equipment which is exempt from permit by provisions of this Rule, is exempt.

13. A change in location of an emission unit within the boundaries of a stationary source shall not require a permit modification unless the location of the equipment is prescribed in the source's permit and a specific location was assumed in an Air Quality Impact Analysis or a Health Risk Assessment that formed the basis of the issuance of the permit.

14. Application of architectural coating in the repair and maintenance of a stationary structure is exempt from permit requirements.

15. For the purposes of the exemptions set forth in F.1.e, F.1.f, F.1.g, and G.1, the ratings of all engines or combustion equipment used in the same process shall be accumulated to determine whether these exemptions apply.

16. Notwithstanding any exemption in these rules and regulations, if the combined emissions from all construction equipment used to construct a stationary source which requires an Authority to Construct have a projected actual in excess of 25 tons of any pollutant, except carbon monoxide, in a 12 month period, the owner of the stationary source shall provide offsets as required under the provisions of Rule 804, Offsets, and shall demonstrate that no ambient air quality standard would be violated.

17. No additional permit shall be required at a stationary source in the District for equipment permitted by the District for various location uses provided the following conditions are met:

    a. The owner or operator of the equipment has a valid Permit to Operate issued by the District that specifically denotes the equipment as being usable at various locations within the District and that the terms and conditions of the Permit to Operate are fully complied with.

    b. The equipment is not used to replace equipment which is part of an existing process at the stationary source.

    c. The equipment is used for repair and maintenance related purposes only.

    d. The stationary source reports all uses (including the start and end dates) and associated emissions for each use under this exemption to the District in their next annual report (or semi-annual report for Part 70 sources).

18. Any structure designed for and used exclusively as a dwelling for not more than four families and any incinerator used exclusively in connection with such structure.

E. Compliance with Rule Changes

The provisions of this section shall apply when an exemption for existing equipment is removed by revision of this Rule. The equipment owner shall file a complete application for a permit required by the exemption change within ninety (90) days after adoption of the revised rule; or for sources on the Outer Continental Shelf, within 90 days after the date the revision to this Rule is added to the Outer Continental Shelf Air Regulations (40 CFR Part 55). If no application is filed within the ninety (90) day period, the application filing fee prescribed in Rule 210, Fees, shall be doubled and the equipment owner shall be subject to a Notice of Violation and to the penalty provisions set forth in California Health and Safety Code Sections 42400 et seq.

If an application is filed within the ninety (90) day filing period after adoption of the revised rule but the application is deemed incomplete by the District, the applicant shall be notified by the District that a complete application must be filed within thirty (30) days of the notification. If a complete application is not received within thirty (30) days after the notification, the prescribed filing fee shall be doubled and the owner of the equipment shall be subject to the penalty provisions set forth in California Health and Safety Code Sections 42400 et seq.

F. Internal Combustion Engines

1. A permit shall not be required for internal combustion engines if any of the following conditions is satisfied:

   a. Engines used in aircraft and in locomotives;

   b. Engines used to propel marine vessels, except vessels associated with a stationary source which shall be regulated as specified under the provisions of Regulation VIII.

   c. Engines used to propel vehicles, as defined in Section 670 of the California Vehicle Code, but not including any engine mounted on such vehicles that would otherwise require a permit under the provisions of these Rules and Regulations.

   d. Spark ignition piston-type internal combustion engines used exclusively for emergency electrical power generation or emergency pumping of water for flood control or firefighting if the engine operates no more than 200 hours per calendar year, and where a record is maintained and is available to the District upon request; the record shall list the identification number of the equipment, the number of operating hours on each day the engine is operated and the cumulative total hours.

   e. Compression ignition engines with a rated brake horsepower of less than 50. No compression ignition engine otherwise subject to permit shall be exempt because it has been derated.

   f. Spark ignition piston-type internal combustion engines with a rated brake horsepower of less than 50. Notwithstanding the previous sentence, none of the individual engines in the range of less than 50 but greater than 20 rated brake horsepower are exempt if such engines at a stationary source have a total rated brake horsepower rating of 400 or greater.

      No spark ignition piston-type internal combustion engine otherwise subject to permit shall be exempt because it has been derated. Spark ignition piston-type internal combustion engines exempt under other provisions of Section F and permitted spark ignition piston-type internal combustion engines shall not count toward the 400 rated brake horsepower aggregate limit.

   g. Gas turbine engines with a maximum heat input rating of 3 million British thermal units per hour or less at standard conditions. No gas turbine engine otherwise subject to permit shall be exempt because it has been derated. For the purposes of this section, power generating microturbines fired on natural gas which meets General Order 58-A of the Public Utility Commission that have been certified by the Air Resources Board to meet the applicable distributed generation standards certified by a current Air Resources Board Executive Order are not subject to the provisions of Section D.15 if the potential annual emissions of each affected pollutant does not exceed 1 ton (except carbon monoxide, which shall not exceed 5 tons).

2. A permit shall not be required for portable engines registered in the Statewide Registration Program, pursuant to California Code of Regulations, title 13, section 2451 *et seq.* and Health and Safety Code Section 41753 *et seq.* Notwithstanding this provision, the requirements of Section D.16 shall apply to such portable engines. All operators using this permit exemption shall comply with the State Portable Equipment Registration Program and Air Resources Board-issued registration.

3. A permit shall not be required for engines used for aircraft shows or to power amusement rides at seasonal or special occasion shows, fairs, expositions, circuses or carnival events, provided that the duration of such event is less than 18 days in any calendar year.

4. A permit shall not be required for engines with a rated brake horsepower of less than 50 used:

   a. for military tactical support operations including maintenance and training for such operations;

   b. to power temperature and humidity control systems on cargo trailers used to transport satellites and space launch equipment;

   c. exclusively for space launch facility support and which power hoists, jacks, pulleys, and other cargo handling equipment permanently affixed to motor vehicles or trailers pulled by motor vehicles.

5. A permit shall not be required for specialty equipment. To qualify for this exemption, the owner or operator of the stationary source shall submit a written request to the Control Officer, who shall make a determination in writing approving or denying the request. The owner or operator shall pay any applicable fee pursuant to Rule 210, Fees. For specialty equipment emergency use, operations may commence as soon as the written request has been made; however, operation of equipment which is later found ineligible for the exemption shall constitute a violation of the District's Rules and Regulations.

6. An internal combustion engine which powers an item of equipment identified as exempt in any other part of this rule is not exempt unless the engine qualifies for an exemption pursuant to this rule.

7. A permit shall not be required for equipment, including associated marine vessels, used for pile driving adjacent to or in waterways, or cable and pipe-laying vessels/barges or derrick barges if the potential to emit of such equipment per stationary source is less than 25 tons per year of any affected pollutant during any consecutive 12 month period. The Control Officer shall not require Best Available Control Technology for such sources if federal law preempts this requirement. To qualify for this exemption, the owner or operator of the stationary source shall submit a written request for exemption to the Control Officer, who shall make a determination in writing approving or denying the request. The request shall identify the equipment, its location, and shall include the emission calculations and assumptions that demonstrate that the equipment meets the exemption criteria. The owner or operator shall pay any applicable fee pursuant to Rule 210, Fees. Alternatively, an owner or operator of the stationary source may qualify for an exemption from the New Source Review provisions of Regulation VIII by obtaining an Authority to Construct and Permit to Operate which limits the potential to emit of such equipment to less than 25 tons per year of any affected pollutant during any consecutive 12 month period.

8. For purposes of Regulation VIII, the following shall not be subject to New Source Review: Marine vessel engines (propulsion engines, auxiliary engines and permanently affixed support engines) associated with construction, maintenance, repair and/or demolition activities at a stationary source provided the duration of the activities do not exceed 12 consecutive months and the potential to emit of such engines per stationary source is less than 10 tons per stationary source of oxides of nitrogen, oxides of sulfur, reactive organic compounds or particulate matter. To qualify for this exemption, the owner or operator of the stationary source shall submit a written request for exemption to the Control Officer, who shall make a determination in writing approving or denying the request. The request shall identify the marine vessels, project activities, duration, and shall include the emission calculations and assumptions demonstrating that the engines meet the exemption criteria. The owner or operator shall pay any applicable fee pursuant to Rule 210, Fees. Alternatively, an owner or operator of the stationary source may qualify for an exemption by obtaining an Authority to Construct and Permit to Operate which limits the potential to emit of such equipment to less than 10 tons per year. Such Authority to Construct/Permit to Operate shall be exempt from Regulation VIII.

G. Combustion Equipment (Other than Internal Combustion Engines)

Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 25 tons per calendar year of any affected pollutant is not exempt.

1. Combustion equipment with a maximum heat input of less than or equal to two (2) million British thermal units per hour is exempt from permit requirements if fired exclusively with one of the following:

   a. Natural or produced gas which meets General Order 58-A of the Public Utility Commission,

   b. Liquefied petroleum gas, which meets Gas Processors Association Standards,

   c. A combination of natural or produced and liquefied petroleum gas, meeting the requirements of subdivisions (a) and (b) above.

   Combustion equipment with a maximum heat input rate of 1 million British thermal units per hour or less is exempt and does not count towards the 25 tons per calendar year stationary source exemption threshold listed above, provided the equipment is fired exclusively with fuel listed above in a, b, or c. No combustion equipment otherwise subject to permit shall be exempt because it has been derated.

2. Combustion equipment (other than internal combustion engines) which provides heat energy to any item of equipment identified as exempt in any other part of this rule, is not exempt unless the combustion equipment is exempt as specified in G.1.

3. Combustion equipment (other than internal combustion engines) identified as exempt in any other section of this rule does not count toward the 25 ton per year aggregate emission limit.

H. Abrasive Blast Equipment

The following listed abrasive blast equipment is exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt.

1. Abrasive blast cabinet-dust filter integral combination units where the total internal volume of the blast section is 50 cubic feet or less.

2. Blast cleaning equipment using a suspension of abrasive in water.

3. All portable abrasive blast equipment, excluding any internal combustion engine associated with such equipment which must comply with the requirements of Section F. of this rule.

I. Coatings Applications Equipment and Operations

The following listed coating applications equipment and operations is exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt.

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

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

3. Equipment used in surface coating operations provided that the total amount of coatings and solvents used does not exceed 55 gallons per year. Solvents meeting the criteria of Section U.2.b or Section U.2.c or that have a reactive organic compound content of 50 grams per liter or less, as determined by the South Coast Air Quality Management District Method 313-91, "Determination of Volatile Organic Compounds by Gas Chromatography-Mass Spectrometry," June 1993, or any other test methods approved by the Environmental Protection Agency, the Air Resources Board, and the Control Officer, do not contribute to the 55 gallons per year per stationary source limitation. However, such sources need not obtain permits for air pollution control equipment (i.e., spray booths, carbon adsorbers, incinerators, thermal oxidizers, dust collectors, etc.) unless control equipment is required by District prohibitory rules. For equipment owned or operated by a stationary source owner or operator and used as part of the stationary source operations, the 55 gallon per year exemption shall be based on the total coatings and solvents usage of all such equipment at the stationary source.

   To qualify for this exemption, the owner or operator shall maintain records of the amount of coating and/or solvents used for each calendar year. These records shall be kept for a minimum of 3 years and be made available to the District on request.

4. Air brushing operations.

5. Powder coating operations, provided the powder coating material reactive organic compound content is equal to or less than five percent, by weight.

6. Unheated non-conveyorized coating dip tanks of 100 gallons or less capacity.

J. Drycleaning and Fabric Related Equipment and Operations

The following listed drycleaning and fabric related equipment and operations is exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt.

1. Equipment used exclusively for the dyeing or stripping (bleaching) of textiles where no organic solvents, diluents or thinners are used.

2. Lint traps used exclusively in conjunction with dry cleaning tumblers.

3. Laundry dryers, extractors or tumblers used for fabrics cleaned only with water solutions of bleach or detergents.

K. Food Processing and Preparation Equipment

The following listed food processing and preparation equipment is exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt.

1. Equipment used in eating establishments for the purpose of preparing food for human consumption.

2. Smokehouses in which the maximum horizontal inside cross-sectional area does not exceed 20 square feet

3. Ovens, mixers and blenders used in bakeries where the products are edible and intended for human consumption.

4. Confection cookers where the products are edible and intended for human consumption.

5. Equipment used exclusively to grind, blend or package tea, cocoa, spices or roasted coffee.

6. Barbecue Equipment.

7. Fermentation, aging, and bottling process operations conducted at wineries, breweries, distilleries and similar facilities, provided the projected actual emissions from such operations for each individual affected pollutant from the entire stationary source are below 1.00 ton per calendar year. To qualify for this exemption, the owner or operator shall submit a written request to the Control Officer, who shall make a determination in writing approving or denying the request. The owner or operator shall pay any applicable fee pursuant to Rule 210, Fees.

L. General Utility Equipment and Operations

The following listed general utility equipment and operations is exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt.

1. Heat exchangers.

2. Comfort air conditioning or comfort ventilating systems which are not designed to remove air contaminants generated by or released from specific units or equipment.

3. Refrigeration units except those used as, or in conjunction with, air pollution control equipment.

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. Equipment used exclusively for space heating.

7. Compressors of, and holding tanks for, dry natural gas.

8. Natural draft hoods, natural draft stacks or natural draft ventilators where natural draft means the flow of gases is not augmented by mechanical means.

9. Vacuum cleaning systems used exclusively for industrial, commercial or residential housekeeping purposes.

10. Rail cleaning operations.

11. Aerobic wastewater treatment equipment, including primary/secondary settling, trickling filter, and sludge drying beds.

12. Ozone generators used for water treatment, provided that the ozone is not released to the atmosphere.

13. Water well, water filtration systems, reverse osmosis units.

14. Fuel Cells, and any associated fuel input conditioning exclusively servicing such fuel cell, in which electro-chemically reactive materials are supplied to a cell and consumed to produce electricity.

15. Notwithstanding G.2 of this rule, portable steam cleaning/pressure washing equipment with maximum heat input rating less than 1 million British thermal units per hour fired exclusively on diesel fuel.

16. Notwithstanding G.2 of this rule, portable water heaters used exclusively for underwater diving activities with a maximum heat input rating less than 1 million British thermal units per hour fired exclusively on diesel fuel.

M. Glass, Ceramic, Metallurgical Processing and Fabrication Equipment and Operations

The following glass, ceramic, metallurgical processing and fabrication equipment and operations is exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt.

1. Porcelain enameling furnaces, porcelain enameling drying ovens, vitreous enameling furnaces or vitreous enameling ovens.

2. Crucible type or pot type furnaces, except those specified in M.8, with a brimful capacity of less than 463 cubic inches of any molten metal.

3. Kilns used for firing ceramic ware.

4. Equipment used exclusively for forging, pressing, rolling or drawing of metals or for heating metals immediately prior to forging, pressing, rolling or drawing.

5. Equipment used exclusively for the sintering of glass or metals.

6. Equipment used for washing or drying products fabricated from metal or glass, provided that no volatile organic materials are used in the process and that no oil or solid fuel is burned.

7. Equipment used exclusively for heat treating glass or metals, or used exclusively for case hardening, carburizing, cyaniding, nitriding, carbonitriding, siliconizing, or diffusion treating of metal objects.

8. Crucible furnaces, pot furnaces or induction furnaces, with a capacity of 1000 pounds or less each, in which no sweating or distilling is conducted and from which only the following metals are poured or in which only the following metals are held in a molten state:

   a. Aluminum or any alloy containing over 50 percent aluminum.
   b. Magnesium or any alloy containing over 50 percent magnesium.
   c. Lead or any alloy containing over 50 percent lead.
   d. Tin or any alloy containing over 50 percent tin.
   e. Zinc or any alloy containing over 50 percent zinc.
   f. Copper or any alloy containing over 50 percent copper.
   g. Precious metals.

9. Tumblers used for the cleaning or deburring of metal products without abrasive blasting.

10. Shell core and shell-mold manufacturing machines.

11. Molds used for the casting of metals.

12. Equipment used for inspection of metal products.

13. Die casting machines.

14. Atmosphere generators used in connection with metal heat treating processes.

15. Brazing, soldering or welding equipment.

16. Foundry sand mold forming equipment to which no heat is applied.

17. Equipment using aqueous solutions for the surface preparation, cleaning, stripping or etching (does not include chemical milling) of the following base metals: brass, bronze, copper, iron, lead, nickel, tin, zinc or precious metals provided that volatile organic materials used in the aqueous solutions do not exceed one percent by volume.

N. Laboratory Equipment and Operations

The following laboratory equipment and operations is exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt.

1. Laboratory equipment used exclusively for chemical or physical analyses and bench scale laboratory equipment.

2. Vacuum producing devices used in laboratory operations.

O. Material Working and Handling Equipment and Operations

The following material working and handling equipment and operations is exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt.

1. Presses used exclusively for extruding metals, minerals, plastics or wood.

2. Equipment used exclusively to mill or grind coating and molding compounds where all materials charged are in a paste form.

3. Equipment used for buffing (except automatic or semi-automatic tire buffers) or polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding, or turning of ceramic artwork, ceramic precision parts, leather, metals, plastics, rubber, fiberboard, masonry, carbon or graphite.

4. Equipment used for carving, cutting, drilling, surface grinding, planing, routing, sanding, sawing, shredding or turning of wood, or the pressing or storing of sawdust, wood chips or wood shavings.

P. Miscellaneous Equipment and Operations

The following miscellaneous equipment and operations is exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt.

1. Transporting materials on streets and highways.

2. Equipment used exclusively for the melting or applying of wax where no organic solvents, diluents or thinners are used.

3. Equipment used for hydraulic or hydrostatic testing.

4. Equipment used exclusively for binding lining to brake shoes.

5. Equipment used exclusively for the manufacture of water emulsions of asphalt, greases, oils or waxes.

6. Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water based adhesives.

7. Equipment used to liquefy or separate oxygen, nitrogen or the rare gases from the air.

8. Paving activities except scarification, "cutback" asphalt or batch plant operations at paving sites.

9. Equipment used for bioremediation of diesel and crude oil contaminated soil.

10. Safety flares used for emergencies or for search and rescue operations.

11. Fire training facilities necessary for the instruction of public or industrial employees in the methods of fire fighting.

12. Flares used to combust gaseous hydrogen during rocket fueling operations.

13. Explosive ordnance detonation.

14. For purposes of Regulation VIII, the following shall not be subject to New Source Review: Marine vessel engines (propulsion engines, auxiliary engines and permanently affixed support engines) associated with launch vehicle recovery operations for the Missile Defense Agency's Airborne Laser program provided the potential to emit is less than 5 tons per year of oxides of nitrogen, oxides of sulfur, reactive organic compounds or particulate matter. To qualify for this exemption, the owner or operator of the stationary source shall submit a written request for exemption to the Control Officer, who shall make a determination in writing approving or denying the request. The request shall identify the marine vessels, project activities, duration, and shall include the emission calculations and assumptions demonstrating that the engines meet the exemption criteria. The owner or operator shall pay any applicable fee pursuant to Rule 210, Fees. Alternatively, an owner or operator of the stationary source may qualify for an exemption by obtaining an Authority to Construct and Permit to Operate which limits the potential to emit of such equipment to less than 5 tons per year. Such Authority to Construct/Permit to Operate shall be exempt from Regulation VIII.

Q. Mixing, Blending and Packaging Equipment and Operations

The following mixing, blending, and packaging equipment and operations is exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt.

1. Batch mixers of 5 cubic feet rated working capacity or less.

2. Equipment used exclusively for the packaging of lubricants or greases.

3. Equipment used exclusively to package pharmaceuticals and cosmetics or to coat pharmaceutical tablets.

R. Plastics, Composite and Rubber Processing Equipment and Operations

The following plastics, composite and rubber processing equipment and operations is exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt.

1. Ovens used exclusively for the curing of plastics which are concurrently being vacuum held to mold or for the softening or annealing of plastics.

2. Ovens used exclusively for the curing of vinyl plastisols by the closed mold curing process.

3. Ovens used exclusively for curing potting materials or casting made with epoxy resins.

4. Presses used for the curing of rubber products and plastic products.

5. Equipment used exclusively for conveying and storing plastic pellets.

6. Equipment used for compression molding and injection molding of plastics.

7. Mixers for rubber or plastics where no material in powder form is added and no organic diluents or thinners are emitted.

8. Roll mills or calendars for rubber or plastics where no organic diluents or thinners are emitted.

S. Printing and Reproduction Equipment and Operations

The following printing and reproduction equipment and operations is exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt.

1. All sheet-fed printing presses, and all other printing presses without dryers, excluding rotogravure and flexographic printing presses.

2. Platen presses used for laminating.

3. Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy.

4. Stenciling and dyeing operations.

T. Semiconductor and Electronics Manufacturing Equipment and Operations

The following semiconductor and electronics manufacturing equipment and operations is exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of one ton per calendar year of any affected pollutant is not exempt. Notwithstanding the listed exemptions, any article, machine, equipment or other contrivance that utilizes or creates fluorinated gas(es) or uses fluorinated heat transfer fluids is not exempt.

1. Vacuum deposition.

2. Ion implantation.

3. Sputtering.

4. Ozone/plasma/ion etching or ashing.

5. Vacuum bake systems.

6. Furnaces used for crystal growth, liquid phase epitaxial, compounding and/or refining, and carbon coating.

7. Automated epoxy adhesive, potting compound, conformal coating dispensing machines and associated equipment used for mixing, injection and curing.

8. Ovens used exclusively for curing epoxies and adhesives. Ovens used exclusively for curing permitted paint application processes.

9. Ovens for drying parts cleaned with water.

U. Solvent Application Equipment and Operations

The following solvent cleaning, solvent cleaning machines and their operations are exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt.

1. Unheated nonconveyorized solvent rinsing containers of 1.00 gallon or less capacity provided that solvent cleaning performed in association with such containers complies with the requirements in Rule 321, Solvent Cleaning Machines and Solvent Cleaning.

2. Single solvent cleaning machines, which use unheated solvent, and which:

   a. have a liquid surface area (i.e., the area of the drain for remote reservoir cleaning machines or the solvent/air interface area for other solvent cleaning machines) of less than 929 square centimeters (1.0 square foot), unless the aggregate liquid surface area of all solvent cleaning machines at a stationary source, covered by this exemption is greater than 0.929 square meter (10 square feet), or

   b. use only solvents with an initial boiling point of 150 degrees Celsius (302 degrees Fahrenheit) or greater as determined by ASTM D-1078-05, "Standard Test Method for Distillation Range of Volatile Organic Liquids," ASTM International, or

   c. use solvents with a reactive organic compound content of two percent or less by weight as determined by the South Coast Air Quality Management District Method 313-91, "Determination of Volatile Organic Compounds by Gas Chromatography-Mass Spectrometry," June 1993, or any other test methods approved by the Environmental Protection Agency, the Air Resources Board, and the Control Officer.

   d. The liquid surface area of any solvent cleaning machine using the following solvent shall not be counted towards the 0.929 square meter (10 square feet) aggregate limit in subsection a. above:

      1) any solvent that has a reactive organic compound content of 50 grams per liter or less, as determined by the South Coast Air Quality Management District Method 313-91, "Determination of Volatile Organic Compounds by Gas Chromatography-Mass Spectrometry," June 1993, or any other test methods approved by the Environmental Protection Agency, the Air Resources Board, and the Control Officer; or

      2) any solvent exempt pursuant to subsection b. or subsection c. above.

3. Wipe cleaning operations, provided that the solvents used do not exceed 55 gallons per year per stationary source and that the solvent cleaning complies with the requirements in Rule 321, Solvent Cleaning Machines and Solvent Cleaning.

   To qualify for this exemption, the owner or operator shall maintain records of the amount (gallons per year) of solvents used for wipe cleaning at the stationary source for each calendar year. These records shall be maintained on site for at least 3 years and be made available to the District on request. Thereafter, the records shall be maintained either on site or readily available for expeditious inspection and review for an additional 2 years.

   Solvents meeting the criteria of 2.b. or c. above or that have a reactive organic compound content of 50 grams per liter or less, as determined by the South Coast Air Quality Management District Method 313-91, "Determination of Volatile Organic Compounds by Gas Chromatography-Mass Spectrometry," June 1993, or any other test methods approved by the Environmental Protection Agency, the Air Resources Board, and the Control Officer, do not contribute to the 55 gallons per year per stationary source limitation.

4. Notwithstanding the Section U.3 exemption above, solvent cleaning to disinfect and decontaminate surfaces and equipment in hospitals, clinics, medical facilities, dentistry facilities, and other health care facilities, including but not limited to, sanatoriums, convalescent hospitals, convalescent homes, skilled nursing facilities, nursing homes, blood banks, and bloodmobiles.

5. Notwithstanding the Section U.3 exemption above, solvent cleaning associated with janitorial cleaning, including graffiti removal.

V. Storage and Transfer Equipment and Operations

The following storage and transfer equipment and operations are exempt from permit requirements. Notwithstanding the listed exemptions, any collection of articles, machines, equipment or other contrivances within each listed equipment category at a stationary source that has aggregate emissions in excess of 10 tons per calendar year of any affected pollutant is not exempt. Containers, reservoirs, tanks, sumps or ponds with a capacity of 55 gallons or less are exempt and do not count towards the 10 ton per year aggregation threshold.

1. Unheated storage of liquid organic materials, except refined fuel oils, with an initial boiling point of 300°F or greater at one atmosphere pressure.

2. Storage of refined fuel oils with an American Petroleum Institute gravity of 40 degrees or lower as determined by ASTM D-4057-06, "Standard Practice for Manual Sampling of Petroleum and Petroleum Products," ASTM International.

3. Storage of lubricating oils.

4. Storage of organic liquids except gasoline, normally used as solvents, diluents or thinners, inks, colorants, paints, lacquers, enamels, varnishes, liquid resins or other surface coatings, and having a capacity of 1,500 gallons or less.

5. Storage of liquid soaps, liquid detergents, vegetable oils, waxes or wax emulsions.

6. Storage of asphalt.

7. The storage of gasoline (defined as any petroleum distillate having a Reid vapor pressure of 4.0 pounds per square inch or greater) having a capacity of less than 250 gallons.

8. Storage of liquefied or compressed gases which do not exceed Gas Processors Association specifications for maximum volatile sulfur content of commercial grade liquefied petroleum gas.

9. Tanks, vessels and pumping equipment used exclusively for the storage or dispensing of fresh commercial or purer grades of:

   a. Sulfuric acid with an acid strength of 99 percent or less by weight.

   b. Phosphoric acid with an acid strength of 99 percent or less by weight.

   c. Nitric acid with an acid strength of 70 percent or less by weight.

10. Closed loop transfer of rocket propellant from a tanker truck, cylindrical tank, or drum, to a satellite, satellite placement system, nutation control system, apogee kick motor, or any other non-booster segment of a space launch vehicle, provided there is no venting of vapors to the atmosphere during the propellant transfer.

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
Santa Barbara County Counsel

By William M. Dillon
Deputy

RULE 204. APPLICATIONS

(Adopted 10/18/1971, revised 5/1/1972, readopted 10/23/1978, revised 7/1979, 8/8/1988, 4/17/1997, and 8/25/2016)

A. Applicability

This rule shall apply to any person applying for an Authority to Construct or a Permit to Operate.

B. Exemptions

None.

C. Definitions

See Rule 102, Definitions, for definitions.

D. Requirement – Permit Application Completeness

Every application for an Authority to Construct or Permit to Operate required under Rule 201, Permits Required, shall be filed in the manner and form prescribed by the Control Officer, and shall give all the information necessary to make the determination required for the issuance of a permit. This information includes, but is not limited to, analyses, plans, or specifications which will disclose the nature, extent, quantity or degree of air contaminants which are, or may be, discharged by the source for which the permit was applied. The Control Officer may, during the processing of the application request an applicant to clarify, amplify, correct, or otherwise supplement the information submitted in the application. The application shall be submitted and all information therein shall be attested to be accurate to the best knowledge of the applicant.

E. Requirements – Information Required

1. General Information

a. This section outlines information required of applicants seeking permits to construct or modify pollution sources or control devices and specifies time frame for processing required of the District. All information required pursuant to District Rules and Regulations, and specified by the Control Officer on a list(s) maintained pursuant to Government Code Section 65940 shall be submitted before an application can be considered to be complete.

b. The information requirements are divided into five parts. Section E.2 of this rule identifies the information required of all applicants seeking permits. Section E.3 of this rule identifies additional information required for applications where Best Available Control Technology, but not Air Quality Impact Analysis, is mandatory. Section E.4 of this rule identifies further information required for applications where Air Quality Impact Analysis is mandatory. Where a modified source is subject to Best Available Control Technology or Air Quality Impact Analysis, some of the information required in this rule may also be required for the existing portion of the facility. Section E.5 of this rule identifies emission offset information requirements and Section E.6 of this rule identifies health risk assessment information requirements.

c. The District urges all applicants to discuss their projects with our staff prior to the filing of applications. If ambient monitoring data is needed, these discussions should take place more than a year prior to application. For some projects, it may not be necessary to submit all the information listed to have an application deemed complete. Consultation

with District staff will expedite the process by identifying the specific information that will be required of an applicant.

d. Prior to filing an application with the District, when applicable, all applicants are urged to participate fully in the early stages of the environmental review process being undertaken by the lead agency for the applicant's project in order: (1) to be apprised of the applicable air quality and other environmental constraints, and (2) to make such project modifications as may be necessary to satisfy those constraints.

e. Results of all analyses and tests submitted to the District shall be calculated and reported at standard conditions. Such results shall contain sample calculations that verify standard conditions.

f. An applicant seeking an exemption provided for in any rule or regulation of the District must supply the Control Officer with all information necessary, including applicable emission calculation sheets, to determine whether such an exemption applies.

g. Where offsets are required and the applicant proposes to obtain them from the Source Register, the applicant shall obtain them prior to Authority to Construct approval in accordance with Regulation VIII and Section E.5 of this rule.

2. Information Required – Applications

All applications for an Authority to Construct shall be accompanied by information sufficient to make a completeness determination. The Control Officer shall maintain a list(s) pursuant to Government Code Section 65940 specifying information required of an applicant for a permit. The District will provide the applicant with one or more lists which specify in detail the information required and will indicate the criteria which the District will apply in order to determine application completeness.

3. Information Required – Best Available Control Technology

All applicants for an Authority to Construct which require Best Available Control Technology shall submit the following:

a. Best Available Control Technology – Nonattainment Review

1) Individual Best Available Control Technology determinations pursuant to Rule 802, New Source Review, must address air pollution controls for each pollutant subject to review at a stationary source. It is the applicant's responsibility to submit a Best Available Control Technology proposal for evaluation by the District.

2) Justification of selected control technology as Best Available Control Technology.

3) Documentation of technical infeasibility which would preclude the use of a more effective control technology.

4) Operating conditions at which the maximum daily and hourly emissions will be generated (baseline parameters).

5) Maximum daily and hourly emissions at the conditions, described in (4) above, for each potential control technology and the basis of how the emission rates were estimated.

6) Calculations, emission data, and/or other information to determine control effectiveness (percent pollutant removed) of each potential control technology.

7) Emission limits shall be expressed both in terms of an emissions cap (e.g. pounds per day) and in terms which ensure compliance at any operating capacity (e.g., pounds per million British thermal units, or parts per million by volume). Where appropriate, on a case-by-case basis, emission limits may be expressed in alternate terms for determining compliance with the Best Available Control Technology standards. The source must comply with both limits to demonstrate compliance.

8) Applicants shall describe how the selected Best Available Control Technology is to be monitored for its emission reduction effectiveness.

b. Best Available Control Technology Information – Prevention of Significant Deterioration Requirements

In addition to the requirements of Section E.3.a of this rule, sources which trigger an attainment pollutant Best Available Control Technology requirement pursuant to Rule 802, New Source Review, shall submit the following information. The District shall consider technical feasibility and energy, environmental (cross-media) and economic impacts in evaluating an applicant's Best Available Control Technology proposal:

1) A comprehensive list of potential control technologies.

2) A ranking of potential control technologies by control effectiveness (percent pollutant removed) in accordance with the Environmental Protection Agency's Top-Down procedure.

3) Itemized capital cost, including installation and/or modification cost for each proposed control technology.

4) Itemized annual operating cost, including fuel cost for each proposed control technology.

5) Energy impacts of each proposed control technology (British thermal units, kilowatt hours).

6) Estimated equipment life and its salvage value.

4. Information Required – Air Quality Impact Analysis

a. All applicants for an Authority to Construct new or modified sources which require an Air Quality Impact Analysis shall submit the following:

1) A description of any monitoring stations that may be installed by applicant.

2) Sufficient data, approved by the Control Officer consistent with the Air Quality and Meteorological Monitoring Protocol for Santa Barbara County, California, to perform an air quality impact analysis from all emission release points including fugitive emissions. The data shall include:

a) At least one full calendar year (twelve consecutive months) of meteorological data consistent with Appendix W of 40 CFR 51 Guideline on Air Quality Models.

b) Topographical data including receptor points by Universal Transverse Mercator coordinates and map of receptor points and source.

c) At least one full calendar year (twelve consecutive months) of recent air quality background data from the last 3 years prior to application completeness.

d) Computer modeling data:

(1) Mass emission rate and stack concentration of air pollutants.
(2) Stack diameter.
(3) Stack location in Universal Transverse Mercator coordinates.
(4) Stack height above ground level.
(5) Exhaust temperature.
(6) Exhaust velocity.
(7) Exhaust flow rate (volumetric).
(8) Buildings whose wakes may affect the plume of the stack, including Universal Transverse Mercator coordinates of building.
(9) Dimensions (length, width, height) of the buildings identified above.
(10) Maximum modeled concentration of air pollutants for all averaging times of concern and all applicable receptors of concern.
(11) Model used to perform air quality impact analysis.
(12) Model input and output files on computer diskette and hardcopy.
(13) Name, address, telephone number, and qualifications of company and/or person who performed air quality impact analysis.
(14) Terrain description and effects.

3) Identify all facilities within the air basin that are owned or operated by the applicant and the compliance status of each.

4) Power Consumption of Facility (for PSD permits only)

a) Total amount of electrical power to be consumed by the new facility or the increase in the amount of electrical power to be consumed due to the modification.

b) Percentage of electrical power provided by off-site generating facilities; identify the source of power.

5) Cargo Carriers

List the frequency of visits, describe types and sizes of all cargo carriers (other than motor vehicles), identify nature of cargo, and conditions under which the cargo is transferred.

6) For major stationary sources, provide an analysis of alternative sites, sizes, production processes, and environmental control techniques for the proposed source that compares the benefits of the proposed source to its environmental and social costs.

5. **Information Required – Description of Emission Reduction Credits to be used as Offsets**

If offsets are required for the project, then information sufficient to determine the adequacy of Emission Reduction Credits must be submitted before an Authority to Construct application will be deemed complete. In addition, Emission Reduction Credits proposed for use must be documented in the following ways:

a. If a source is proposed as an offset, the date of issue and number of the existing Permit to Operate and the complete application for the Emission Reduction Credits.

b. If the Emission Reduction Credits proposed for use have been registered by the District, the Emission Reduction Credit certificates identifying numbers and date of issue shall be included in the Authority to Construct application. Pursuant to Health and Safety Code Section 40709.5(e), the applicant shall specify the year in which the applicant obtained the Emission Reduction Credit, price paid per ton per pollutant, and the total cost per pollutant.

c. If the Emission Reduction Credits proposed for use are not owned by the applicant, a letter from the owner of the Emission Reduction Credit certificates stating that the Emission Reduction Credits will be available at least two weeks before the Authority to Construct is issued. Alternatively, an applicant may provide a copy of the contract to obtain Emission Reduction Credits that is signed by the Emission Reduction Credit provider and by the applicant and which names the District as a third party beneficiary. Pursuant to Health and Safety Code Section 40709.5(e), the applicant shall specify the year in which the applicant obtained the Emission Reduction Credit, the price paid per ton per pollutant, and the total cost per pollutant.

d. List proposed mitigating measures:

1) Air pollution control equipment proposed.

2) Process changes or operations utilized to reduce emissions.

3) Other.

e. Identify any air quality impacts from any precursor-secondary pollutant relationships.

6. **Information Required – Health Risk Assessment**

The Health Risk Assessment shall be consistent with methodology approved by the California Air Pollution Control Officers Association Air Toxics "Hot Spots" Program Revised 1992 Risk Assessment Guidelines, prepared by the Toxics Committee of the California Air Pollution Control Officers Association, October, 1993, or most recent version, and shall address the following:

a. Unit risk factors used in determining lifetime cancer risk.

b. Population characterization (e.g., numbers, location, sensitive receptors).

c. Exposure assessment (e.g., working hours, family relocation).

d. Risk estimates for all parameters of concern, including multi-pathway analysis.

e. Analysis of potential health effects of non-carcinogenic air pollutants.

f. Map showing the receptor areas of concern drawn to scale with the sensitive receptors clearly marked. All applicants are encouraged to consult with the District staff as to an appropriate distance for health risk assessment.

g. Name, address, telephone number, and qualifications of company and/or person who performed health risk assessment.

h. Input and output computer files.

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
Santa Barbara County Counsel

By _____
Deputy

RULE 801. NEW SOURCE REVIEW – DEFINITIONS AND GENERAL REQUIREMENTS

(Adopted 4/17/1997, revised 8/25/2016)

A. Applicability

This rule and this Regulation shall apply to any applicant for a new or modified stationary source which emits or may emit any affected pollutant.

B. Exemptions

None

C. Definitions

See Rule 102, Definitions, for definitions not limited to this regulation. For the purposes of Regulation VIII, the following definitions shall apply:

"Enforceable" means the emission reductions are capable of being legally and practically enforced by the District, including through either the SIP or inclusion of conditions on an Authority to Construct, Permit to Operate, Determination of Issuance, or Emission Reduction Credit certificate, or a legally binding written contract executed with the District.

"Federal Land Manager" means, with respect to any lands in the United States, the Secretary of the department with authority over such lands.

"Net Air Quality Benefit" means a net improvement in air quality resulting from actual emission reductions impacting the same general area affected by the new or modified source and which will be consistent with reasonable further progress.

"Permanent" means reductions that will endure and are otherwise creditable for the entire term of the proposed use of the emission reduction credit. Permanence is generally assured by requiring federally enforceable changes in federally enforceable permits, regulations in the applicable State Implementation Plan, or some other federally enforceable instrument.

"Project" means any article, machine, equipment or contrivance belonging to the same emission unit at a stationary source and applied for in one or more applications for an Authority to Construct permit. Project shall not include any article, machine, equipment or contrivance described in any application for an Authority to Construct permit submitted more than 12 months after issuance of the Permit to Operate. Notwithstanding the above, Project shall include any application to increase permitted emissions due primarily to an increase in throughput or usage not associated with any new or modified article, machine, equipment or contrivance, regardless of the time between permit applications.

"Quantifiable" means emission reductions (and increases) for which both the amount and the character can be determined. Quantification may be based on emission factors, stack tests, monitored values, operating rates and averaging times, process or production inputs, modeling, or other reasonable measurement practices. The quantification methods "shall be credible, workable, and replicable." "Replicable" refers to "methods which are sufficiently unambiguous such that the same or equivalent results would be obtained by the application of the method by difference users." The same method for calculating emissions should be used to measure the emissions both before and after the changes in emission levels, both at the generator and at the user of the Emission Reduction Credits. Quantification must be based on the actual emissions from the source prior to the reduction.

"Real" means an emission reduction where actual air emissions are reduced and not artificially devised.

"Surplus" means emission reductions not required by current regulations in the State Implementation Plan, not already relied upon for State Implementation Plan planning purposes; and not used by the source to meet any other regulatory requirement, including, at the Emission Reduction Credits time of use, Reasonable Available Control Technology, Best Available Retrofit Control Technology, Reasonable Further Progress or milestones therefor, or demonstration of attainment.

D. Requirements – General

1. Regulations in Force Govern

The granting or denial of an Authority to Construct shall be governed by the requirements of this regulation in force on the date the application is deemed complete. In addition, the Air Pollution Control Officer shall deny any Authority to Construct for any new stationary source or modification, or any portion thereof, unless:

a. The new source or modification, or applicable portion thereof, complies with the provisions of this rule and all other applicable District rules and regulations; and

b. The applicant for the proposed new or modified source has demonstrated that all major stationary sources owned or operated by such person, or by any entity controlling, controlled by, or under common control with such person, in California and all stationary sources in the air basin which are subject to emission limitations are in compliance, or on a schedule for compliance with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 *et seq.*) and all applicable emission limitations and standards which are part of the State Implementation Plan approved by the Environmental Protection Agency.

2. Denial, Failure to Meet Standards

The Control Officer shall deny any Authority to Construct or Permit to Operate if the Control Officer finds that the subject of the application would not comply with the standards set forth in this Regulation.

3. Certification Statement

Any application for an Authority to Construct any new stationary source or modification, or portion thereof, shall certify, at the time of application, that all major stationary sources in the State and all stationary sources in the air basin which are owned or operated by the applicant, or by an entity controlling, controlled by, or under common control with the applicant, are in compliance, or are on approved schedule for compliance, with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 *et seq.*) and all applicable emission limitations and standards which are part of the State Implementation Plan approved by the Environmental Protection Agency. The Control Officer may request any necessary information from the applicant to make this determination.

4. State Ambient Air Quality Standards

All references in this Regulation to national ambient air quality standards shall be interpreted to include State ambient air quality standards. While State standards are to be considered in the application evaluation mentioned, they are not meant to be part of the State Implementation Plan.

E. Requirements – Conditions of Granting Permits

1. The Control Officer shall deny an Authority to Construct or Permit to Operate unless the applicant demonstrates that the source will be operated consistent with the application, the supplements and clarifications provided by the applicant, and the engineering evaluation used in making the analysis for compliance with the Rules and Regulations.

2. The Control Officer shall not issue a Permit to Operate unless it is determined that:

   a. The new or modified stationary source will operate without emitting pollutants in violation of any applicable state, federal or local emission limitations or these Rules and Regulations; and

   b. The emissions of any pollutants from the new or modified stationary source are less than or equal to the emissions contained in the application, the supplements and clarifications provided by the applicant, and the engineering evaluation used by the Control Officer in granting an Authority to Construct; and

   c. The offsets required as a condition of the Authority to Construct will commence at the time or prior to initial operations of the new source or modification, and that the offsets will be maintained throughout the operation of the new or modified source. In the case of a new or modified source which will be, in whole or in part, a replacement for an existing source on the same property, the Control Officer may allow a maximum of ninety (90) days as a start-up period for simultaneous operation of the existing source and the new source or replacement; and

   d. All conditions specified in the Authority to Construct have been or will be complied with by any dates specified.

F. Requirements – Compliance with All Regulatory Requirements

Issuance of any Authority to Construct or Permit to Operate under this regulation does not relieve the applicant from complying with any applicable local, state or federal regulation.

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
Santa Barbara County Counsel

By William M. Dillon
Deputy

RULE 802. NEW SOURCE REVIEW
(Adopted 4/17/1997, revised 8/25/2016)

A. Applicability

The purpose of New Source Review is to provide for the review of new and modified stationary sources of air pollution and provide mechanisms by which Authorities to Construct for such sources may be granted without interfering with the attainment or maintenance of any ambient air quality standard, preventing reasonable further progress towards the attainment or maintenance of any ambient air quality standard and without interfering with the protection of areas designated attainment or unclassifiable. This rule shall apply to any applicant for a new or modified stationary source which emits or may emit any affected pollutant.

B. Exemptions

1. The provisions of this rule shall not apply to any existing stationary source which was previously exempt from the permit provision of these Rules and Regulations and a Permit to Operate is required solely because of a change in permit exemptions.

2. The Control Officer may exempt any equipment replacement from the offset requirements of Section E of this rule if:

    a. The replacement is functionally equivalent,

    b. There is no increase in the potential to emit of any air contaminant,

    c. The applicant applies Best Available Control Technology, and

    d. The replacement does not debottleneck the process (e.g., increase the system's production rate).

3. Projects that meet the requirements of Health and Safety Code sections 42301.2 or 42301.13 are exempt from the offset requirements of Section E of this rule. If such emission increases are later reduced or eliminated, the emission reduction shall not be considered surplus for the purpose of emission reduction credits.

4. Emergency standby generator, flood control, and firewater pump piston-type internal combustion engines are exempt from the offset requirements of Section E of this rule.

C. Definitions

See Rule 102, Definitions, and Rule 801, New Source Review – Definitions and General Requirements, for definitions.

D. Requirements – Best Available Control Technology

1. An applicant shall apply Best Available Control Technology to a new or modified stationary source which has a potential to emit any nonattainment pollutant or its precursors which meets or exceeds any threshold specified in Table 1 or has a potential to emit any attainment pollutant or its precursors which meets or exceeds any threshold specified in Table 2. For the purposes of this section, "potential to emit" for modified stationary sources means the potential to emit from the project.

Table 1: Nonattainment Pollutant
Best Available Control Technology Thresholds

Pollutant	Pounds/day
Any nonattainment pollutant or its precursors (except carbon monoxide)	25
Carbon Monoxide – if designated nonattainment	150

Table 2: Attainment Pollutant
Best Available Control Technology Thresholds

Pollutant	Pounds/day	Tons/year
Particulate Matter	120	--
PM_{10}	80	--
$PM_{2.5}$	55	--
Carbon Monoxide	500	--
Nitrogen Oxides (as Nitrogen Dioxide)	120	--
Sulfur Oxides (as Sulfur Dioxide)	120	--
Reactive Organic Compounds (ROCs)	120	--
Lead	3.28	--
Asbestos	0.04	--
Beryllium	0.0022	--
Mercury	0.55	--
Vinyl Chloride	5.48	--
Fluorides	16.4	--
Sulfuric Acid Mist	38.4	--
Total Reduced Sulfur (including H_2S)	54.8	--
Reduced sulfur compounds	54.8	--
Municipal waste combustor organics	--	0.0000035
Municipal waste combustor metals	--	15
Municipal waste combustor acid gases	--	40
All other attainment pollutants or precursors	120	--

2. For any stationary source subject to a nonattainment pollutant Best Available Control Technology requirement, Best Available Control Technology shall be the more stringent of:

   a. The most effective emission control device, emission limit, or technique which has been achieved in practice for the type of equipment comprising such stationary source; or

   b. The most stringent limitation contained in any State Implementation Plan; or

   c. Any other emission control device or technique determined after public hearing to be technologically feasible and cost-effective by the Control Officer.

3. For any stationary source subject to an attainment pollutant Best Available Control Technology requirement, Best Available Control Technology shall be an emission limitation based on the maximum degree of reduction achievable for each pollutant. Best Available Control Technology shall be determined on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs. Best Available Control Technology may consist of any of the following: application of alternative production processes, fuel cleaning or treatment, innovative fuel combustion techniques, or any other technique for control of each pollutant. In no event shall application of Best Available Control Technology result in emissions which would exceed the emissions allowed under the applicable New Source Performance Standards.

4. An applicant shall apply attainment pollutant Best Available Control Technology to a new source or modification of an existing major stationary source, for any emissions increase which would construct within 10 kilometers of a Class I area and which would have an impact on such area equal to or greater than 1 microgram per cubic meter (24-hour average).

E. Requirements – Offsets Thresholds

The applicant for a new or modified stationary source with a potential to emit of any affected pollutant or its precursors which is equal to or greater than any threshold shown in Table 3 shall mitigate the project's potential to emit by providing Emission Reduction Credits as qualified under Rule 806, Emission Reduction Credits. The applicant subject to offsets shall comply with the requirements in Rule 804, Offsets.

Table 3: Offset Thresholds

Pollutant	Pounds/day	Tons/year
Carbon Monoxide – if designated nonattainment	150	25
Nonattainment pollutants and precursors (except carbon monoxide and $PM_{2.5}$)	--	25
Attainment pollutants and precursors (except carbon monoxide and $PM_{2.5}$)	240	--

F. Requirements – Air Quality Impact Analysis Thresholds

1. The applicant for any new or modified stationary source with a potential to emit of any pollutant or its precursors which is equal to or greater than any threshold shown in Table 4 shall submit an Air Quality Impact Analysis with their application. The Air Quality Impact Analysis shall be conducted pursuant to Rule 805, Air Quality Impact Analysis, Modeling, Monitoring, and Air Quality Increment Consumption, and shall demonstrate to the satisfaction of the Control Officer that the emissions will not cause a violation or interfere with the expeditious attainment or maintenance of any ambient air quality standard or prevent reasonable progress towards the expeditious attainment or maintenance of any ambient air quality standard or cause any ambient air quality increment to be exceeded. For the purposes of this section, "potential to emit" for modified stationary sources means the potential to emit from the project. In addition, the Control Officer may require an Air Quality Impact Analysis for any new or modified stationary source that the Control Officer has determined has the potential to cause or contribute to a violation of any ambient air quality standard or increment. This paragraph shall not require an Air Quality Impact Analysis for the assessment of the effects of ozone precursor emissions on ozone.

Table 4: Air Quality Impact Analysis Thresholds

Pollutant	Pounds/day	Tons/year
Particulate Matter	120	--
PM_{10}	80	--
$PM_{2.5}$	55	--
Carbon Monoxide	500	--
Nitrogen Oxides (as Nitrogen Dioxide)	120	--
Sulfur Oxides (as Sulfur Dioxide)	120	--
Reactive Organic Compounds (ROCs)	120	--
Lead	3.28	--
Asbestos	0.04	--
Beryllium	0.0022	--
Mercury	0.55	--
Vinyl Chloride	5.48	--
Fluorides	16.4	--
Sulfuric Acid Mist	38.4	--
Total Reduced Sulfur (including H_2S)	54.8	--
Reduced sulfur compounds	54.8	--
Municipal waste combustor organics	--	0.0000035
Municipal waste combustor metals	--	15
Municipal waste combustor acid gases	--	40
All other attainment or nonattainment pollutants or precursors	120	--

2. The applicant for a new or modified stationary source which has the potential to emit more than 20 pounds per hour of any attainment pollutant or total suspended particulates shall demonstrate to the satisfaction of the Control Officer through use of air quality models meeting the requirements of Rule 805, Section D.1 (Air Quality Models) and Rule 805, Section F (Requirements – Ambient Air Quality Standards and Air Quality Increments), that their emissions will not cause an ambient air quality standard or increment to be exceeded.

G. Requirements – Air Quality Impact Analysis: Pre and Post-Construction Monitoring

1. The applicant for a new or modified stationary source which will have a potential to emit any attainment pollutant greater than a threshold shown in Table 5 shall conduct ambient air quality monitoring for at least one year before commencing construction.

   The Control Officer may exempt new non-major stationary sources or modifications from this requirement if there is sufficient data to determine the effects that the emissions from the stationary source or modification may have on air quality in the area.

Table 5: Attainment Pollutant Monitoring Thresholds

Pollutant	Pounds/day
Particulate Matter	120
PM_{10}	80
$PM_{2.5}$	55
All other attainment pollutants	240

2. The applicant shall conduct post-construction monitoring until the Control Officer determines the effects of emissions from the stationary source or modification.

3. All monitoring shall comply with Environmental Protection Agency guidelines (see 40 CFR 58) and other instructions of the Control Officer.

4. Protection of Class I Areas

The applicant for any new or modified stationary source shall conduct post-construction monitoring if all the following conditions are met:

a. The source will be within a Class I or Class I impact area,

b. The source will increase ambient pollutant concentration within the Class I area by one microgram per cubic meter (24 hour average), and

c. The source has the potential to emit over 100 tons per year of any attainment pollutant.

H. Requirements – Visibility, Soils, and Vegetation Analysis

For a new or modified stationary source with a potential to emit any attainment pollutant over any threshold shown in Table 5, the applicant shall provide the Control Officer with an analysis of the impairment to visibility, soils, and vegetation that would occur as a result of the source or modification and of general commercial, industrial, and other growth associated with the source or modification.

I. Requirements – Administration

1. Analysis, Notice and Reporting

The Control Officer shall comply with the following requirements for any new or modified stationary source with an emission increase of any air pollutant (or its precursors) which is equal to or greater than any threshold shown in Tables 3 and 4 of this rule.

a. Make available for public inspection at the District's office the analysis of the effect of the source on air quality and the preliminary decision to grant or deny the Authority to Construct.

b. Publish a notice once by advertisement in at least one newspaper of general circulation in the District, stating where the public may inspect the information on the preliminary decision to grant an Authority to Construct. The notice shall provide 30 days for the public to submit comments on the application, beginning on the date of publication.

c. Notify the applicant, Air Resources Board, and adjoining air pollution control districts of the District's preliminary decision to grant the Authority to Construct. The notice will be provided in writing at the time of public notice. The Air Resources Board shall be provided an analysis support package for the determination.

d. Consider all comments submitted. If within the 30-day notice period the Control Officer receives a written request from the Air Resources Board to defer his or her decision pending that agency's review of the application, the Control Officer shall defer any decision for a period of 30 days from the date of such request. The Control Officer shall take final action on the application after considering all written comments.

e. The public notice will include notification of the opportunity for a public hearing and will indicate the anticipated degree of increment consumption. A public hearing may be called if sufficient interest is generated or if any aggrieved party so requests in writing within the 30-day comment period. All public hearings shall have a public notice issued at least 30 days prior to the hearing. After considering all comments, including those presented at any hearings held, the Control Officer will reach a decision and notify the applicant, Air

Resources Board, adjoining air pollution control districts, and any person who has made a written request to be notified of the final decision. The Control Officer's notification of the final decision may be made electronically.

2. Conditional Requirements for Authority to Construct

The Control Officer shall, as a condition for the issuance of an Authority to Construct for a new stationary source or modification and with the prior written consent of the applicant for any source which provides offsets:

a. Require that the new source or modification and any sources which provide offsets be operated in the manner assumed in making the analysis. The permit shall, if applicable, include an emissions limitation which corresponds with the application of Best Available Control Technology or innovative control technology.

b. Modify, or require modification of, the Authority to Construct and Permit to Operate for any source used to provide offsets to ensure that emission reductions at that source which provide offsets will be enforceable and maintained throughout the operation of the new or modified source which is the beneficiary of the offsets.

c. Permit any enforceable methods, other than those described in sub-section b), which will assure that all required offsets are achieved and meet the requirements of Rule 804, Offsets.

3. Issuance of Permit to Operate

a. The Control Officer shall issue a Permit to Operate if it is determined that:

1) The new or modified stationary source will operate without emitting pollutants in violation of any applicable state, federal or local emission limitation or these Rules and Regulations; and

2) The emissions of any pollutants from the new or modified stationary source are less than or equal to the emissions used by the Control Officer in granting an Authority to Construct; and

3) The offsets required as a condition of the Authority to Construct will commence at the time of or prior to initial operations of the new source or modification, will be maintained throughout the operation of the new or modified source, and are enforceable. In the case of a new or modified source which will be, in whole or in part, a replacement for an existing source on the same property, the Control Officer may allow a maximum of ninety (90) days as a start-up period for simultaneous operation of the existing source and the new source or replacement; and

4) All conditions specified in the Authority to Construct have been or will be complied with by any dates specified.

4. Denial of Authority to Construct

The Control Officer shall deny an Authority to Construct for any new stationary source or modification, or any portion thereof unless the new source or modification, or applicable portion thereof, complies with the provisions of this rule and all other applicable District Rules and Regulations.

5. Offset Exemption Tracking

The Control Officer shall prepare an annual report that lists all equipment units that have been exempted from offset requirements under the equipment replacement provisions in Section B.2. The report shall include a comparison of the emissions of the new equipment and the emissions of the replaced equipment. This report shall be made available to the public and the Air Resources Board.

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
Santa Barbara County Counsel

By William M. Dillon
Deputy

RULE 803. PREVENTION OF SIGNIFICANT DETERIORATION
(Adopted 4/17/1997 and repealed 8/25/2016)

Repealed by the Santa Barbara County Air Pollution Control District Board on August 25, 2016.

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
Santa Barbara County Counsel

By William M. Dillon
Deputy

RULE 804. OFFSETS
(Adopted 4/17/1997, revised 8/25/2016)

A. Applicability

This rule shall apply to any applicant required to obtain offsets under Rule 802, New Source Review, and to any applicant who creates emission reduction credits under Rule 806, Emission Reduction Credits.

B. Exemptions

None.

C. Definitions

See Rule 102, Definitions, and Rule 801, New Source Review – Definitions and General Requirements, for definitions.

D. Requirements – General

1. Emission reductions shall be actual average annual reductions of emissions from existing sources that are enforceable, are sufficient to offset the annual potential to emit of the project and which will result in a net air quality benefit using the offset ratios listed in Sections D.8, D.9 and D.10 below.

2. No emission reduction shall be eligible as an emission offset unless the Control Officer finds that the emission reduction is real, surplus, permanent, quantifiable, and enforceable and has complied with Rule 806, Emission Reduction Credits. Emission reductions resulting from any permits, agreements or orders, or from requirements of federal, State, or District laws, rules and regulations or required by the District-approved federal or State attainment or maintenance plan shall not be available for offsets.

3. In no case shall halogenated hydrocarbons be used as offsets for reactive organic compounds. Also, in no case shall exempt compounds or the other compounds excluded from the definition of reactive organic compounds be used as offsets for reactive organic compounds.

4. In no case shall the following be allowed as offsets:

    a. Emission reductions achieved through a shift-in-load; or

    b. Emission reductions from gas stations, dry cleaners, body shops, and other businesses characterized by inelastic demand.

5. Inter-pollutant offsets may be allowed between precursor contaminants. Such offsets shall be approved by the District (using Environmental Protection Agency guidelines) on a case-by-case basis, provided that the applicant demonstrates, on the basis of the Environmental Protection Agency-approved methods (where possible), that the emission increases from the new or modified source will not cause or contribute to a violation of an ambient air quality standard. In such cases, the Control Officer shall, based on air quality analyses, impose offset ratios equal to or greater than those specified by this rule.

    a. Inter-pollutant offsets between PM_{10} and PM_{10} precursors may only be allowed if PM_{10} precursors contribute significantly to PM_{10} levels that exceed the PM_{10} ambient standards.

6. In order to verify that emission sources used as offsets will be maintained throughout the operation of the new or modified source:

   a. Permitted sources which provide emission reductions as offsets will have their Authority to Construct and Permit to Operate revised or canceled.

   b. Statutorily exempt sources used as emissions offsets will require a written contract between the applicant and the non-permitted source which shall be agreeable to and enforceable by the Control Officer and names the District as third party beneficiary. Notwithstanding any exemption from permit authorized by these Rules and Regulations, any source exempt from permit that provides emission reductions as Emission Reduction Credits shall, as a condition of being allowed to obtain an Emission Reduction Credit, obtain an Authority to Construct and Permit to Operate as required by this rule. A violation of the emission limitation provisions of any such contract shall be chargeable to the applicant.

   c. The operation of any source which provides offsets shall be subject to enforceable permit conditions, containing specific emission limitations, to ensure that the emission reductions will be provided in accordance with the provisions of this Rule and shall continue for the reasonably expected life of the proposed new or modified source using the offsets.

7. Except as otherwise provided in Rule 802, Section I.3.a.3, all emission reductions used as offsets shall occur at the same time as, or before, the emission increases from the project.

8. Emission reductions occurring at the same stationary source as an emission increase shall be provided at an offset ratio of 1.1 to 1.

9. Emission reductions that do not occur at the same stationary source as an emission increase shall be provided at an offset ratio of 1.3 to 1, except as provided in Section D.10.

10. Pursuant to California Health and Safety Code Section 40709.6, emission reductions located in Ventura County and San Luis Obispo County may be considered for use at stationary sources in the District. A minimum offset ratio of 1.5 to 1 shall apply to these reductions. A higher offset ratio may be established on a case-by-case determination by the District.

E. Requirements – Baseline Calculations for Affected Pollutants

The emissions from an existing source to be used as an offset shall be based upon the actual operating conditions of the existing source averaged over the three consecutive years immediately preceding the date of application, or such shorter period as may be applicable in cases where the existing source has not been in operation for three consecutive years. The Control Officer may approve any other time period of at least three years within five years prior to the date of application that is more representative of normal source operation. If a violation of laws, rules, regulations, permit conditions or orders of the District, the Air Resources Board or the Environmental Protection Agency occurred during the period used to determine the operating conditions, an adjustment shall be made to determine the emissions the existing source would have caused without such violation.

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
Santa Barbara County Counsel

By William M. Dillon
Deputy

RULE 805. AIR QUALITY IMPACT ANALYSIS, MODELING, MONITORING, AND AIR QUALITY INCREMENT CONSUMPTION

(Adopted 4/17/1997, revised 8/25/2016)

A. Applicability

This rule shall apply to any new or modified stationary source that requires an air quality impact analysis, modeling, monitoring, or air quality increment analysis. Projects subject to Federal Prevention of Significant Deterioration shall also comply with the requirements of Rule 810, Federal Prevention of Significant Deterioration.

B. Exemptions

None.

C. Definitions

See Rule 102, Definitions, and Rule 801, New Source Review – Definitions and General Requirements, for definitions.

D. Requirements – General

1. Air Quality Models

   All air quality models shall be consistent with the requirements provided in the most recent "Guideline on Air Quality Models" prepared by the Environmental Protection Agency (Appendix W to 40 CFR Part 51) unless the Control Officer finds that such a model is inappropriate for use. After making such finding, the Control Officer may designate an alternate model only after allowing for public comment and only with concurrence of the California Air Resources Board and the Environmental Protection Agency.

2. Effective Stack Height

   For the purposes of determining effective stack height, the influence of a nearby structure is limited to five times its height or width, whichever is less, downwind. In meeting the requirements of this rule pertaining to compliance with applicable ambient air quality standards or increments, the degree of emission limitation required shall not be affected by:

   a. so much of the stack height of any source as exceeds good engineering practice, or

   b. any other dispersion technique.

E. Requirements – Air Quality Impact Analysis: Class I Area

If a new or modified source will impact a Class I Area, the applicant shall analyze the stationary source's impact on air quality related values for those values which the Federal Land Manager has identified.

F. Requirements – Ambient Air Quality Standards and Air Quality Increments

1. In no case shall the emissions from the new or modified stationary source cause the violation of an ambient air quality standard or lead to the violation of any air quality increment.

2. Baseline air quality shall be the ambient concentration level reflecting actual air quality as monitored by District monitoring equipment or by applicant pre-construction monitors installed

pursuant to Rule 802.G, Requirements – Air Quality Impact Analysis: Pre and Post-Construction Monitoring.

3. The applicant may consume the full increment range, where provided in Table 1, if the applicant provides alternative mitigation as required herein. The cost of such mitigation shall not exceed $333 per year per microgram/m^3 over the lower level of the increment range for the pollutant. The maximum cost of mitigation for the first year shall be based on the maximum modeled concentration of the projected peak emissions year, thereafter depreciating this amount by 10 percent per year over 10 years or the life of the project, whichever is less. Cost of mitigation during the final year of the project shall be prorated to reflect the portion of the year during which the facility is in operation.

Table 1: Air Quality Standards and Increments [1]

Pollutant: Averaging Period	**Maximum Allowable Increase – Increments** (ug/m^3) **Class I**	**Class II**	**Air Quality Standard [2]** (ug/m^3)
Total Suspended Particulates:			
Annual Geometric Mean	5	19	--
24-Hour Maximum	10	37	--
Sulfur Dioxide:			
Annual Arithmetic Mean	2	20	80
24-Hour Maximum	5	91	105
3-Hour Maximum	25	512	1,300
1-Hour Maximum	--	--	196
Nitrogen Dioxide:			
Annual Arithmetic Mean	2.5	25	57
1-Hour Maximum[3]	10	100-188	188
Carbon Monoxide:			
8-Hour Maximum	200	2,500	10,000
1-Hour Maximum	800	10,000	23,000
Reactive Organic Compounds:			
3-Hour Maximum[3]	3	40-160	--
Particulate Matter (<10 μm):			
Annual Arithmetic Mean	4	17	20
24-Hour Maximum[3]	8	12-30	50
Particulate Matter (<2.5 μm):			
Annual Arithmetic Mean	1	4	12
24-Hour Maximum	2	9	35

[1] Also see Rule 809 and Rule 810 for projects subject to Federal review.
[2] Air Quality Standards represent the most stringent of State and Federal standards.
[3] The applicant may consume the full increment range pursuant to the requirements of Section F.3.

G. Requirements – Calculations for an Air Quality Impact Analysis and/or Modeling

1. The maximum design capacity (potential to emit) of a new stationary source or modification shall be used to determine the emissions from the new source or modification. However, the applicant may agree to enforceable limitations on the operation of the new source or modification. If those limitations are included in both Authorities to Construct and Permits to Operate issued according to the rule, then those limitations shall be used to establish the emissions from the new source or modifications.

2. The emissions from an existing source shall be based on the actual operating conditions of the existing source averaged over the three consecutive years immediately preceding the date of application, or such shorter period as may be applicable in cases where the existing source has not been in operation for three consecutive years. The Control Officer may approve any other time period of at least three years within five years prior to the date of application that is more representative of normal source operation. If violation of laws, rules, regulations, permit conditions, or orders of the District, the Air Resources Board, or the Environmental Protection Agency occurred during the period used to determine the operating conditions, then an adjustment shall be made to determine the emissions the existing source would have caused without such violations.

H. Requirements – Air Quality Increment Analysis

The Control Officer shall evaluate the impact on the air quality increment of the emissions from the proposed source. Any emissions from secondary emissions associated with the source shall be included in the determination of increment consumption.

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
Santa Barbara County Counsel

By _____
Deputy

RULE 806. EMISSION REDUCTION CREDITS
(Adopted 4/17/1997, revised 8/25/2016)

A. Applicability

This rule shall apply to any person seeking to register emission reductions of affected pollutants as Emission Reduction Credits for use as offsets pursuant to Rule 804, Offsets.

B. Exemptions

None.

C. Definitions

See Rules 102, Definitions, and Rule 801, New Source Review – Definitions and General Requirements, for definitions.

D. Requirements – Eligibility of Emission Reductions

1. Emission Reduction Credits shall be allowed for actual emission reductions which have been demonstrated to the satisfaction of the Control Officer to be real, surplus, permanent, quantifiable, and enforceable and which meet the requirements of these Rules and Regulations.

2. Emission reductions shall meet all requirements specified in Rule 804.D for sources which provide emission offsets and all requirements of this rule to be eligible for registration as offsets. Emission Reduction Credits shall not be allowed for emission reductions occurring in another district or for Outer Continental Shelf Sources for which the District is not the corresponding onshore area.

3. Emission reductions which occur prior to the Control Officer's determination that the application for the Emission Reduction Credit is complete shall not be eligible as Emission Reduction Credits.

4. Emission reductions for Toxic Air Contaminants shall be eligible for Emission Reduction Credits only as the appropriate criteria pollutant.

5. Emission Reduction Credits shall be subject to all requirements of the Environmental Protection Agency prior to use.

6. Withdrawal of an application by an applicant shall result in the cancellation of the application. Any resubmittal shall be evaluated using a baseline calculated as of the date of application completeness.

7. **Department of Defense Credits:** Emission reduction credits recognized though a memorandum of agreement between the Board and the Department of Defense shall be registered pursuant to this rule in order to be used as Emission Reduction Credits.

    a. The applicant shall be subject to and comply with the requirements of Section F (Application Procedures), G (Source Register), H.1 (Certificates), J (Use), K (Moratoriums) and L (Fees) of this rule. The applicant shall file an application to register such Emission Reduction Credits pursuant to Section F.1 within 90 days after the date of adoption of this rule.

    b. Notwithstanding any other provisions of these Rules, Emission Reduction Credits held by the Department of Defense that were created pursuant to a memorandum of agreement between the Board and the Department of Defense shall:

1) Be used solely for a single stationary source whose activities have a standard industrial classification code for national defense or space research and technology;

2) Not be transferable;

3) Not be subject to Reasonably Available Control Technology discounting upon use; and

4) After use, may be re-registered for the full original value, as Emission Reduction Credits pursuant to Section G and be used in accordance with this rule.

E. Requirements – Emission Reduction Discounts

Emission reductions that result from a shutdown or a reduction in throughput shall be discounted by the greater of the following:

1. The amount of the emission reductions that could be controlled by the application of the best available control technology applicable on the date the application to register emission reduction credits is deemed complete if:

   a. The actual emission reductions are greater than 25 pounds per day, and

   b. There is no reasonably available control technology for the emission unit.

2. Twenty (20) percent.

F. Requirements – Emission Reduction Credit Application Procedures

1. **Application Form and Completeness:** The Application Form and Completeness procedures of Rule 208, Action on Applications – Time Limits, shall apply to the submission of applications for Emission Reduction Credits. An application for an Emission Reduction Credit shall include an application for an Authority to Construct or to cancel or revise the Permit to Operate for the source providing the emission reduction. For purposes of processing, the application for the Emission Reduction Credit and the application for the modification to the Authority to Construct or cancellation or revision of the Permit to Operate shall be considered one application.

2. **Source Tests:** The Control Officer may require source test results, continuous emission monitoring, production records, fuel use records and any other information necessary to evaluate an application. All source testing shall be conducted in accordance with District-approved protocols.

3. **Preliminary Decision:** After an application has been deemed complete, the Control Officer shall analyze the application based on applicable federal, state, and local control strategies and the requirements of these Rules and Regulations. Such analysis shall be completed within 120 days after a determination that the application is complete.

4. **Publication and Public Comment:** Within 10 days of any preliminary decision pursuant to F.3, above, which proposes to allow the registration of emissions which exceed the emission reduction thresholds specified in Table 1, below, the Control Officer shall publish in at least one newspaper of general circulation throughout the District a public notice stating the preliminary decision of the Control Officer, noting how pertinent information can be obtained, and inviting written public comment for a 30-day period following the date of publication. The notice shall identify the applicant and the quantity of emission reductions requested as Emission Reduction Credits.

Table 1: Public Notice Thresholds for Emission Reduction Credit Approvals

Pollutant	Proposed Emission Reduction Credit (Tons per Year)
PM_{10}	15
Carbon Monoxide	25
All Nonattainment pollutants (except CO and PM_{10})	10
All Attainment pollutants (except CO and PM_{10})	20

5. **Decision**

Within 180 days after the applicant submits a complete application pursuant to F.1, above, and after considering all comments received pursuant to F.4, above, the Control Officer shall reach a decision and notify the applicant. If the Control Officer approves the application for Emission Reduction Credits, the Control Officer shall:

a. Approve a Decision of Issuance that approves the emission reduction credits subject to appropriate conditions;

b. Issue an Authority to Construct permit or, for sources which are providing emission reductions due to being shutdown, the Control Officer shall cancel the Permit to Operate; and

c. Publish a notice of that decision in accord with the provisions of F.4, above, if the amount of the approved Emission Reduction Credit exceeds any threshold set forth in Table 1.

6. **Appeals**

a. The applicant may appeal the Control Officer's decision to the Hearing Board within 30 days after receipt of the Control Officer's decision.

b. Within 30 days of any decision to issue an Emission Reduction Credit, any aggrieved person who, in person or through a representative, appeared, submitted written testimony, or otherwise participated in the action before the District, may request the Hearing Board to hold a public hearing to determine whether the Emission Reduction Credit application was properly issued.

c. Any appeal shall follow the procedures for filing petitions set forth in Regulation V, Hearing Board, and pay fees set forth in Schedule F.12 of Rule 210, Fees, that apply to appeals of permit decisions.

7. **Modification/Cancellation of Permit to Operate**

Prior to the issuance of any Certificate or entry in the Source Register of any Emission Reduction Credit, the applicant shall modify the Permit to Operate or, for emission reduction due to shutdowns, the Permit to Operate shall be cancelled or revised, for the source providing the emission reduction.

G. Requirements – Source Register

Upon the Control Officer's determination to approve an Emission Reduction Credit and the issuance or cancellation of the Permit to Operate for the source providing the emission reduction, the Control Officer shall register such Emission Reduction Credit in the Source Register. The Source Register shall provide the name of the owner(s), amount and type of pollutant qualified as Emission Reduction Credits, the date of registration, the location of the source supplying the emission reduction, and any other information deemed necessary by the Control Officer. The Emission Reduction Credits shall be registered until cancelled or nullified by operation of law.

H. Requirements – Emission Reduction Certificates

1. Upon registration in the Source Register, the Control Officer shall issue a Certificate evidencing all approved reductions of emissions of pollutants to the owner or owners of the emissions source. Certificates evidencing ownership of approved reductions shall not constitute instruments, securities or any other form of property.

2. Emission Reduction Credits shall be valid for a period of 5 years from the date of registration. Such credits may be renewed if all requirements of these Rules and Regulations are met and an application for renewal is submitted to the District prior to expiration. The application shall be on a form approved by the Control Officer and shall be accompanied by a filing fee pursuant to item 1 of Schedule F of Rule 210, Fees. Failure to timely file an application for renewal may result in the termination of the Emission Reduction Credit.

I. Requirements – Transfers

1. Transfer of all or any portion of an Emission Reduction Credit shall be in writing and signed by the transferor in a form authorized by law. Involuntary transfers shall conform to the requirements of Health and Safety Code section 40711. The instrument shall be filed with the District within 30 days of signing and shall specify or be accompanied by the following:

    a. The amount and type of Emission Reduction Credits transferred;

    b. A copy of the current Emission Reduction Credit Certificate which is to be cancelled or modified and reissued by the District;

    c. An application on a form prescribed by the Control Officer requesting the issuance of a new Emission Reduction Credit Certificate; and

    d. The cost, in dollars per ton of each pollutant, paid for the purchase of the Emission Reduction Credit.

2. A filing fee as specified in item 1 of Schedule F of Rule 210, Fees, shall accompany any application for transfer an Emission Reduction Credit.

3. No transfer shall be effective until the required written notice, fee for transfer, and any other delinquent fees due to the District are paid.

4. Upon filing a copy of the instrument of transfer, application and fee for transfer, and all delinquent fees with the District, the transfer shall be complete and the title so transferred shall vest in the transferee. A new Certificate shall be issued to the transferee and the last previous original Certificate shall be cancelled or modified as necessary. The new Certificate and cancelled or modified Certificate shall be recorded in the Source Register.

J. Requirements – Use of Emission Reduction Credits

An Emission Reduction Credit may be used by the owner to provide offsets required by these Rules and Regulations to the extent allowed by state and federal law. An Emission Reduction Credit shall qualify as an offset upon surrender of the Certificate to the District subject to the requirements of these Rules and Regulations. Such Emission Reduction Credit shall be used in a manner consistent with the Certificate and in accordance with all other requirements of these Rules and Regulations at the time of use, including the applicable offset ratio.

K. Requirements – Moratorium on Registered Emission Reduction Credits

If the Control Officer determines that additional mandatory emission reductions will be necessary to attain an ambient air quality standard, the Control Officer may declare a full or partial moratorium on the use of emission reduction credits, after opportunity for public comment which complies with the notice requirements of Section F.4. Such a moratorium shall be lifted after the Control Officer determines that the District's air quality attainment plan demonstrates attainment of such standards.

L. Requirements – Fees

Processing of applications for Emission Reduction Credits shall be subject to the Cost Reimbursement provisions of Rule 210, Fees.

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
Santa Barbara County Counsel

By _____
Deputy

RULE 809. FEDERAL MINOR SOURCE NEW SOURCE REVIEW
(Adopted 8/25/2016)

A. Applicability

This rule applies to any new or modified stationary source that emits an air pollutant (or its precursors) subject to any national ambient air quality standard, and the source is not a new major stationary source or a major modified stationary source.

B. Exemptions

Equipment that qualifies as exempt under Rule 202, Exemptions to Rule 201, is exempt from this rule.

C. Definitions

See Rule 102, Definitions, for definitions not limited to this rule. For the purposes of this rule, the following definitions shall apply:

"National Ambient Air Quality Standard" means any federal ambient air quality standard promulgated by the Environmental Protection Agency.

"Project" means any article, machine, equipment or contrivance belonging to the same emission unit at a stationary source and applied for in one or more applications for an Authority to Construct permit. Project shall not include any article, machine, equipment or contrivance described in any application for an Authority to Construct permit submitted more than 12 months after issuance of the Permit to Operate. Notwithstanding the above, Project shall include any application to increase permitted emissions due primarily to an increase in throughput or usage not associated with any new or modified article, machine, equipment or contrivance, regardless of the time between permit applications.

D. Requirements – Authority to Construct and Permit to Operate

Any person building, erecting, altering, replacing, or using any article, machine, equipment or other contrivance, the use of which may cause the issuance of any air pollutant (or its precursors) subject to any national ambient air quality standard or the use of which may eliminate or reduce or control the issuance of such pollutant (or its precursors), shall first obtain an Authority to Construct for such construction and a Permit to Operate for the subsequent operation from the Control Officer. An Authority to Construct issued to a source shall remain in effect until the Permit to Operate for the project for which the application was filed is granted or denied or the application expires. Interim operations may be allowed under the provisions of the Authority to Construct permit.

E. Requirements – Air Quality Impact Analysis

1. Thresholds

The applicant for any new or modified stationary source with a potential to emit of any air pollutant (or its precursors) which is equal to or greater than any threshold shown in Table 1 shall submit an Air Quality Impact Analysis (AQIA) with their application. The Air Quality Impact Analysis shall be conducted pursuant to Subsection E.2 and must demonstrate to the satisfaction of the Control Officer that the emissions will not cause a violation or interfere with the expeditious attainment or maintenance of any national ambient air quality standard or prevent reasonable progress towards the expeditious attainment or maintenance of any national ambient air quality standard. For the purposes of this section, "potential to emit" for modified stationary sources means the potential to emit from the project. In addition, the Control Officer may require an Air Quality Impact Analysis for any new or modified stationary source that the Control Officer has determined has the potential to cause or contribute to a violation of any national ambient air

quality standard. This paragraph shall not require an Air Quality Impact Analysis for the assessment of the effects of ozone precursor emissions on ozone.

Table 1 – Air Quality Impact Analysis Thresholds

Pollutant	Pounds/day
Nitrogen Oxides (as Nitrogen Dioxide)	120
Sulfur Oxides (as Sulfur Dioxide)	120
PM_{10}	80
$PM_{2.5}$	55
Carbon Monoxide	500
Lead	3.28

2. Air Quality Models

All air quality models shall be consistent with the requirements provided in the most recent "Guideline on Air Quality Models" prepared by the Environmental Protection Agency (Appendix W to 40 CFR Part 51) unless the Control Officer finds that such a model is inappropriate for use. After making such finding, the Control Officer may designate an alternate model only after allowing for public comment and only with concurrence of the California Air Resources Board and the Environmental Protection Agency.

3. Requirements – Effective Stack Height

For the purposes of determining effective stack height, the influence of a nearby structure is limited to five times its height or width, whichever is less, downwind. In meeting the requirements of this rule pertaining to compliance with applicable ambient air quality standards or increments, the degree of emission limitation required shall not be affected by:

a. So much of the stack height of any source as exceeds good engineering practice, or

b. Any other dispersion technique.

F. Requirements – Standards for Granting Applications

1. No Authority to Construct or Permit to Operate shall be issued for any project subject to this rule unless the Control Officer has made a determination that the project will comply with all applicable State Implementation Plan (SIP) requirements.

2. No Authority to Construct or Permit to Operate shall be issued for any project subject to this rule unless the Control Officer has made a determination that the new or modified stationary source will not interfere with the District's ability (or any neighboring district's or state's ability) to attain or maintain all national ambient air quality standards.

3. Before an Authority to Construct or a Permit to Operate is granted, the 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 pollutants discharged into the atmosphere from the article, machine, equipment or other contrivance described in the Authority to Construct or Permit to Operate. The platform and access for sampling shall be constructed in accordance with the General Industry Safety Orders of the State of California.

4. The Control Officer may issue an Authority to Construct or Permit to Operate to any new or modified stationary source for which a permit is required, subject to specified written conditions. Such conditions are for the purpose of ensuring that construction and operation of the source complies with all applicable local, state, and federal air quality laws, rules, and regulations.

Commencing construction or operation under such an Authority to Construct or Permit to Operate shall be deemed acceptance of all the specified conditions. Failure to comply with any condition specified pursuant to the provisions of this rule shall be a violation of this rule.

5. The Control Officer may issue a new Permit to Operate with revised conditions upon receipt of an application which modifies the project in such a manner to ensure that the source can operate in compliance with all applicable local, state, and federal air quality laws, rules and regulations.

6. No Authority to Construct or Permit to Operate shall be issued for any project subject to this rule unless the Control Officer has complied with the Public Notice Requirements specified in Section G of this rule.

G. Requirements – Analysis and Public Notice

The Control Officer shall comply with the following requirements for any new or modified stationary source with an emission increase of any air pollutant (or its precursors) which is equal to or greater than any threshold shown in Table 1.

1. Make available for public inspection at the District's office the analysis of the effect of the source on air quality and the preliminary decision to grant or deny the Authority to Construct.

2. Publish a notice once by advertisement in at least one newspaper of general circulation in the District, stating where the public may inspect the information on the preliminary decision to grant an Authority to Construct. The notice shall provide 30 days for the public to submit comments on the application, beginning on the date of publication.

3. Notify the applicant, Environmental Protection Agency, Air Resources Board, and adjoining air pollution control districts of the District's preliminary decision to grant the Authority to Construct. The notice will be provided in writing at the time of public notice. The Environmental Protection Agency and the Air Resources Board shall be provided an analysis support package for the determination.

4. Consider all comments submitted. If within the 30-day notice period the Control Officer receives a written request from the Environmental Protection Agency or the Air Resources Board to defer his or her decision pending the requesting agency's review of the application, the Control Officer shall defer any decision for a period of 30 days from the date of such request. The Control Officer shall take final action on the application after considering all written comments.

5. The public notice will include notification of the opportunity for a public hearing. A public hearing may be called if sufficient interest is generated within the 30-day comment period. All public hearings shall have a public notice issued at least 30 days prior to the hearing. After considering all comments, including those presented at any hearings held, the Control Officer will reach a decision and notify the applicant, Environmental Protection Agency, Air Resources Board, adjoining air pollution control districts, and any person who provided comments or has made a written request to be notified of the final decision. The Control Officer's notification of the final decision may be made electronically.

H. Denial of Permit

The Control Officer shall notify the applicant in writing if the Authority to Construct or Permit to Operate is denied. This notification shall include the reasons why the application was denied.

I. Requirements – Records

All owners or operators subject to this rule shall maintain records that are required by the District to verify compliance. The required records shall be specified in the Authority to Construct and Permit to Operate. Such records shall be retained for a period of 3 years from the date of entry.

J. Requirements – Compliance with All Regulatory Requirements

Issuance of any Authority to Construct or Permit to Operate under this rule does not relieve the applicant from complying with any applicable local, state or federal regulation.

If an existing previously permitted stationary source will become a major stationary source solely due to a relaxation of a permit limitation on the capacity of the stationary source to emit an air contaminant, such as a limit on emissions, hours of operation, process rates or fuel use, the stationary source shall be considered a new major stationary source and the requirements of Rule 810, Federal Prevention of Significant Deterioration (PSD), shall apply as if construction of the stationary source had not yet commenced.

K. Expiration of Authority to Construct

If unused, an Authority to Construct shall automatically expire one year from the date of issuance.

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
Santa Barbara County Counsel

By William M. Dillon
Deputy

RULE 1301. PART 70 OPERATING PERMITS – GENERAL INFORMATION

(Adopted 11/09/1993, revised 8/15/1996, 4/17/1997, 9/18/1997, 1/18/2001, 6/19/2003, 1/20/2011, and 8/25/2016)

A. Applicability

The provisions of this rule and of Rules 1302 through 1305 shall apply to any source that qualifies as a **"Part 70 source"** as defined in Section C below.

B. Exemptions

The requirement to obtain a Part 70 operating permit under this rule shall not apply to:

1. Any stationary source required to obtain a Part 70 permit solely because such source is subject to the provisions of 40 CFR 60, Subpart AAA, Standards of Performance for New Residential Wood Heaters; or

2. Any stationary source or operation required to obtain a Part 70 permit solely because such source is subject to the provisions of 40 CFR 61, Subpart M, National Emission Standard for Hazardous Air Pollutants for Asbestos, Section 61.145, Standard for Demolition and Renovation; or

3. Any stationary source, including an area source, required to obtain a Part 70 permit solely because such source is subject to regulations or requirements pursuant to Section 112(r) of the Clean Air Act (CAA).

C. Definitions

See Rule 102, Definitions, for definitions not limited to this regulation. For the purposes of Regulation XIII, the following definitions shall apply:

"Acid Rain Source" means any stationary source that includes one or more emission units that are subject to emission reduction requirements or limitations pursuant to Title IV (Acid Rain) of the CAA Amendments of 1990.

"Administrative Permit Amendment" means a modification to a Part 70 permit that is being made solely for the purpose of accomplishing one or more of the following objectives:

1. To correct typographical errors.

2. To make an administrative change at the source such as the name, address or phone number of a person named in the permit.

3. To require more frequent monitoring or reporting by the permittee.

4. To allow the transfer of ownership or operational control of a stationary source where the District has determined that no other change in the permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittee has been submitted to the District.

5. To incorporate into the Part 70 permit the terms and conditions of USEPA's preconstruction review permit or the District Authority to Construct permit issued under a program approved by USEPA as meeting procedural requirements substantially equivalent to the procedural requirements of 40 CFR 70.7 and 70.8 and the compliance requirements of 40 CFR 70.6.

Significant or minor permit modifications defined elsewhere within this rule shall not be deemed as administrative amendments.

"Air Pollutant (also Air Contaminant)" means **"Regulated Air Pollutant."**

"Affected States" means states that are contiguous to California whose air quality may be affected by emissions resulting from issuance, renewal or modification of a permit to a Part 70 source.

"Applicable Requirement" means any federal, state, or District requirement including any federally approved State Implementation Plan requirement for Santa Barbara County, and any **"federally enforceable requirement."**

"CFR" means the Code of Federal Regulations, an official compilation of federal Regulations generated by federal administrative agencies.

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

"Day or Days" means calendar day or days unless otherwise stated.

"District" means the Santa Barbara County Air Pollution Control District.

"Emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of a permittee, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the stationary source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.

"Emissions Allowable Under the Federally Enforceable Permit" means a federally enforceable permit term or condition determined by the District or the USEPA as required under a federally enforceable requirement. The term or condition establishes an emissions limit (including a work practice standard) or a federally enforceable emission cap that the source has assumed to avoid a federally enforceable requirement to which the source would otherwise be subject.

"Emissions Unit" means any part or activity of a stationary source that emits or has the potential to emit any regulated air pollutant or any substance listed pursuant to Section 112(b) of the CAA and its implementing regulations.

"Environmental Protection Agency (USEPA) or the Administrator" means the U.S. Environmental Protection Agency or its administrator or the administrator's designee.

"Federally Enforceable Requirement" means any requirement set forth in, or authorized by the CAA and its implementing regulations or USEPA regulations. Federally enforceable requirements include requirements that have been promulgated or approved by USEPA through rulemaking at the time of issuance of a Part 70 permit but have future effective dates. Federally enforceable requirements include:

1. Title I requirements of the CAA and its implementing regulations, including:

    a. District Regulation VIII requirements in the state implementation plan approved by the USEPA and the terms and conditions of a preconstruction permit issued pursuant to such rule.

    b. New Source Review (NSR) consisting of Nonattainment Area Review (NAR) and Prevention of Significant Deterioration (PSD) review requirements and the terms and conditions of the NAR/PSD permits (40 CFR Parts 51 and 52).

c. New Source Performance Standards (40 CFR Part 60).

d. National Ambient Air Quality Standards, increment, or visibility requirements, but only as they would apply to sources permitted pursuant to Section 504(e) of the CAA and its implementing regulations.

e. National Emissions Standards for Hazardous Air Pollutants (40 CFR Part 61).

f. Any standards, determinations or other requirements under Section 112 of the CAA and its implementing regulations, including MACT and GACT Standards and MACT and GACT determinations made pursuant to CAA, Sections 112(g) and 112(j).

g. Solid Waste Incineration requirements (Section 129 of the CAA and its implementing regulations).

h. Consumer and Commercial Product requirements (Section 183 of the CAA and its implementing regulations).

i. Tank Vessel requirements (Section 183 of the CAA and its implementing regulations).

j. District rules that are approved into the state implementation plan.

k. Federal Implementation Plan requirements.

l. Enhanced Monitoring and Compliance Certification requirements (Section 114(a)(3) of the CAA and its implementing regulations).

2. Title III, Section 328 (Outer Continental Shelf or OCS) requirements of the CAA (40 CFR Part 55), upon delegation by USEPA of the OCS program to the District.

3. Title III, Section 112 (Hazardous Air Pollutant) requirements of the CAA and its implementing regulations.

4. Title IV (Acid Deposition Control) requirements of the CAA (40 CFR Parts 72, 73, 75, 76, 77, 78).

5. Title VI (Stratospheric Ozone Protection) requirements of the CAA (40 CFR Part 82).

6. Monitoring and Analysis requirements (Section 504(b) of the CAA and 40 CFR 64).

Terms and conditions of Part 70 permits are federally enforceable, unless they have been specifically designated as non-federally enforceable.

"Final Operating Permit" means a permit with District and federally enforceable conditions, which has completed all review procedures required by Rule 1304, Part 70 Operating Permits – Issuance, Renewal, Modification and Reopening, has not been disapproved by the Environmental Protection Agency and has been issued by the District.

"Fugitive Emissions" means those emissions which could not reasonably pass through a stack, chimney, vent or other functionally equivalent opening. Fugitive emissions from a Part 70 source shall be included in the permit application and the Part 70 permit in the same manner as stack emissions.

"General Permit" means a federally enforceable operating permit that meets the requirements of 40 CFR 70.6(d).

"Generally Available Control Technology (GACT)" means a generally available control technology standard or management practice promulgated pursuant to Section 112(d) of the CAA (40 CFR 63).

"Hazardous Air Pollutant (HAP)" means any hazardous air pollutant listed in Section 112(b) of the CAA and its implementing regulations.

"Insignificant Activities" mean activities whose emissions do not exceed insignificant emission levels. Activities exempted because of size, emissions levels, or production rate shall be listed in the permit application. Also, all information needed to determine the applicability of, or to impose, any applicable requirement, or to evaluate any applicable permit fees must be provided for each of the insignificant activities listed in the permit application

"Insignificant Emissions Levels" mean the emissions levels from any emission unit, that for regulated air pollutants excluding HAPs, are less than 2 tons per year potential to emit and do not exceed 0.5 tons per year potential to emit of any HAPs regulated under Section 112(g) of the Clean Air Act.

"Maximum Achievable Control Technology (MACT)" means any maximum achievable control technology emission limit or other requirement promulgated pursuant to CAA, Section 112(d) as set forth in 40 CFR 63.

"Minor Permit Modification" means a modification to a Part 70 permit that meets all of the following criteria:

1. The modification is not a Title I modification.

2. The modification does not violate any applicable requirements.

3. The modification does not require or change a case-by-case determination of an emission limitation or other standard.

4. The modification does not involve any relaxation of any existing monitoring, reporting or recordkeeping requirements in the permit, or any significant changes to existing monitoring requirements in the permit.

5. The modification does not seek to establish or change a permit condition that established a federally enforceable emissions cap assumed to avoid an otherwise federally enforceable requirement.

6. The modification does not cause a net emissions increase which triggers a significant permit modification.

"Modification" means any physical change, change in the method of operation of, or addition to an existing Part 70 source that would result in a net emissions increase of any regulated pollutant at that source. In this context, a physical change does not include routine maintenance or repair. Also, unless previously limited by a federally enforceable permit condition, the following shall not be considered changes in the method of operation:

1. An increase in the production rate if such increase does not exceed the operating design capacity or the demonstrated actual maximum capacity of the equipment;

2. A change in ownership;

3. Use of an alternate fuel or raw material, provided that such use is expressly authorized on the permit;

4. A replacement of a piece of equipment with an equivalent piece of equipment with the operating design capacity or the demonstrated actual maximum capacity less than or equal to those of the original piece of equipment. However, this exemption shall not apply to equipment used in a source category which is subject to the New Source Performance Standards stipulated by Section 111 or to the Emission Standards for Hazardous Air Pollutants mandated under Section 112 of the CAA and its implementing regulations.

A modification shall be considered **"Title I (or Major) Modification"** for a Part 70 source if the net emissions increase of any regulated pollutant equals or exceeds the levels stipulated as a **"Title I Modification."**

For Part 70 sources subject to New Source Performance Standards (NSPS), modification means any physical change, or change in the method of operation of, an existing equipment (to which NSPS can apply when newly constructed or modified) which increases the amount of any air pollutant (to which a standard applies) emitted into the air by that equipment or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted. For Part 70 sources subject to Emission Standards for Hazardous Pollutants mandated under Section 112 of the CAA, modification means any physical change, or change in the method of operation of the source which increases the actual emissions of any hazardous air pollutant (HAP) emitted by such source by more than a de minimis amount or which results in the emission of any hazardous pollutant not previously emitted by more than a de minimis amount. The de minimis amounts mentioned above shall correspond to the levels listed by the USEPA in the federal register promulgations of the HAP standards under Section 112 of the CAA.

"National Ambient Air Quality Standards (NAAQS)" means air quality standards promulgated pursuant to Section 109 of the CAA and its implementing regulations to protect public health and welfare, and consisting of primary and secondary standards. Primary standards are aimed at protecting the public health, while secondary standards are intended to safeguard the public welfare.

"Non-Federal Minor Permit Change" means a change to a non-federally enforceable term or condition of a Part 70 permit that meets all of the following criteria:

1. The change is not addressed or prohibited by the federally enforceable portion of the Part 70 permit.

2. The change is not a Title I modification.

3. The change does not violate any applicable requirements nor any existing permit terms or conditions.

4. The change does not cause a net emissions increase which triggers a significant permit modification.

5. The change is not subject to any requirements under Title IV (Acid Rain) of the CAA and its implementing regulations.

A non-federal minor permit change requires approval through the District's NSR process and incorporation into the facility operating permit prior to its implementation.

"Outer Continental Shelf (OCS) source" includes any equipment, activity, or facility which:

1. emits or has the potential to emit any air pollutant,

2. is regulated or authorized under the Outer Continental Shelf Lands Act, and

3. is located on the OCS or in or on waters above the OCS.

Such activities include, but are not limited to, platform and drill ship exploration, construction, development, production, processing and transportation. For purposes of this subsection, emissions from any vessel servicing or associated with an OCS source, including emissions while at the OCS source or en route to or from the OCS source within 25 miles of the OCS source, shall be considered direct emissions from the OCS source. Such emissions shall be included in the **"potential to emit"** for an OCS source.

"Part 70 Permit" means that portion of any permit (or group of permits) covering a Part 70 source that is issued, renewed, amended or revised pursuant to Rules 1301 through 1305.

"Part 70 Source" means stationary sources included in the following source categories:

1. A stationary source with the potential to emit a regulated air pollutant or a hazardous air pollutant in quantities equal to or exceeding any of the following thresholds:

    a. 100 tons per year of any regulated air pollutant except greenhouse gases.

    b. Greenhouse gases that are "subject to regulation," as defined in 40 CFR 70.2 in effect August 2, 2010.

    c. 10 tons per year of any individual hazardous air pollutant or 25 tons per year of a combination of hazardous air pollutants, or any lesser quantity thresholds for any hazardous air pollutant established by Environmental Protection Agency rulemaking. Fugitive emissions of hazardous air pollutants must be counted for the purposes of determining applicability. However, emissions from any oil or gas exploration or production well (with its associated equipment) and emissions from any pipeline compressor or pump station shall not be aggregated with emissions from other similar units, whether or not such units are in a contiguous area or under common control, to determine whether such units are Part 70 sources.

    d. Any lesser quantity thresholds established by Environmental Protection Agency rulemaking.

2. Any stationary source defined by the Environmental Protection Agency as major for the District under Title I, Part D (Plans for Nonattainment Areas) of the Clean Air Act and its implementing regulations including:

    a. For ozone nonattainment areas, sources with the potential to emit 100 tons per year or more of volatile organic compounds or oxides of nitrogen in areas classified as "marginal" or "moderate," 50 tons per year or more in areas classified as "serious," 25 tons per year or more in areas classified as "severe," and 10 tons per year or more in areas classified as "extreme."

3. Acid rain sources included under the provisions of Title IV of the Clean Air Act and its implementing regulations.

4. Any source required to have a preconstruction review permit pursuant to the requirements of the New Source Review or Prevention of Significant Deterioration program under Title I, Parts C and D of the Clean Air Act and its implementing regulations.

5. Any solid waste incineration unit required to obtain a Part 70 permit pursuant to Section 129(e) of the Clean Air Act and its implementing regulations.

6. Any stationary source required to obtain a Part 70 permit pursuant to regulations promulgated by the Environmental Protection Agency Administrator.

"Potential to Emit" means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on the hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitations are set forth in permit conditions or in rules or regulations that are legally and practically enforceable by the USEPA and citizens or by the District. Secondary emissions do not count in determining the potential to emit of a stationary source. Secondary emissions are defined in 40 CFR 52.21(b)(18). The fugitive emissions of a stationary source shall be included in the potential to emit for the stationary source if such source category is specified by the USEPA as qualified to include fugitive emissions, e.g., source categories listed under 40 CFR 70.2 or fugitive HAP emissions from HAP sources.

"Proposed Operating Permit" means a permit with District and federally enforceable conditions proposed for issuance by the District and forwarded to the USEPA for review in compliance with Rule 1304, Part 70 Operating Permits – Issuance, Renewal, Modification and Reopening.

"Regulation XIII" means District Regulation XIII, District Rules 1301, 1302, 1303, 1304 and 1305.

"Regulated Air Pollutant" means any air pollutant (a) which is emitted into or otherwise enters the ambient air, as defined in 40 CFR 50.1 in effect August 2, 2010, and (b) for which the Environmental Protection Agency has adopted an emission limit, standard or other requirement. Regulated air pollutants include:

1. Oxides of nitrogen and volatile organic compounds as defined in 40 CFR 51.166 in effect August 2, 2010;

2. Any pollutant for which a national ambient air quality standard has been promulgated pursuant to Section 109 of the Clean Air Act and its implementing regulations;

3. Any pollutant subject to any standard promulgated under Section 111 (New Source Performance Standards) of the Clean Air Act and its implementing regulations;

4. Any ozone-depleting substance specified as class I or II substance pursuant to Title VI of the Clean Air Act and its implementing regulations;

5. Any pollutant subject to a standard promulgated under Section 112 (Hazardous Air Pollutants) of the Clean Air Act and its implementing regulations, including:

    a. Any pollutant listed pursuant to Section 112(r) of the Clean Air Act shall be considered a regulated air pollutant upon promulgation of the list.

    b. Any hazardous air pollutant subject to a standard or other requirement promulgated by the Environmental Protection Agency pursuant to Section 112(d) of the Clean Air Act or adopted by the District pursuant to Sections 112(g) and 112(j) of the Clean Air Act shall be considered a regulated air pollutant for all sources or source categories: (a) upon promulgation of the standard or requirement, or (b) 18 months after the standard or requirement was scheduled to be promulgated pursuant to Section 112(e)(3) of the Clean Air Act.

    c. Any hazardous air pollutant subject to a District case-by-case emissions limitation determination for a new or modified source, prior to Environmental Protection Agency 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) of the Clean Air Act. In case-by-case emissions limitation determinations, the hazardous air pollutant shall be considered a regulated air pollutant only for the individual source for which the emission limitation determination was made.

6. Greenhouse gases that are "subject to regulation" as defined in 40 CFR 70.2 in effect August 2, 2010.

"Responsible Official" means one of the following:

1. For a corporation: a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a Part 70 permit and either:

    a. The facilities employ more that 250 persons or have gross annual sales or expenditures exceeding $25,000,000 (in second quarter 1980 dollars); or

    b. The delegation of authority to such representatives is approved in advance by the District.

2. For a partnership or sole proprietorship: a general partner or the proprietor, respectively.

3. For a municipality, state, federal or other public agency: either a principal executive officer or ranking elected official. For the purposes of this rule, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

4. For acid rain sources:

    a. The designated representative in so far as actions, standards, requirements, or prohibitions under Title IV of the federal CAA or 40 CFR 72 are concerned; or

    b. The designated representative for any other purposes under Rules 1301 through 1305.

"Significant Part 70 Permit Action" means the:

1. Issuance of an initial Part 70 permit, or

2. Renewal of a Part 70 permit, or

3. Reissuance of a Part 70 permit after reopening and modification/revocation of the permit, or

4. Modification of a Part 70 permit, except an administrative permit amendment, a minor permit modification or a non-federal minor permit change.

"Significant Part 70 Permit Modification" means any of the following:

1. Any modification to a Part 70 permit that is not an administrative amendment, a minor permit modification or a non-federal minor permit change as these terms are defined herein;

2. A Part 70 permit modification that equals or exceeds any of the threshold limits triggering public review listed in the District's NSR Rules.

3. A Part 70 permit modification allowing a net emissions increase of any other regulated air pollutant from any Part 70 source that equals or exceeds the significance (or de minimis) level for the pollutant listed by the USEPA, e.g., 40 CFR 52.21 or Federal Register rulemaking promulgation pursuant to Section 112(g) of the CAA.

4. Any significant changes in existing monitoring permit terms or conditions;

5. Any relaxation of recordkeeping or reporting permit terms and conditions; and

6. Any equivalent or identical replacement of an emissions unit that is subject to standards promulgated under CAA, Sections 111 or 112.

7. Any modifications under part 60.

"State Implementation Plan (SIP)" means the USEPA-approved plan submitted by each State under 42 U.S. C., Section 7401, *et seq.* (federal CAA and its implementing regulations) to achieve and maintain federal ambient air quality standards (NAAQS).

"Stationary Source" means any building, structure, facility, or installation which emits or may emit any regulated air pollutant or any pollutant listed pursuant to Section 112 (b) of the Act.

1. Department of Defense Facilities. Department of Defense stationary sources shall be subject to the following, as applicable:

   a. Stationary Source Designations. For air pollutants regulated under Title I of the Act, a Department of Defense stationary source shall be designated as set forth below if the responsible official submits a plan to the Control Officer that meets the requirements set forth in paragraph (1)(b), below.

      1. Stationary Source Designation. Each of the following shall be a separate stationary source:

         Air Force primary mission
         Remediation
         NASA
         Flight Line
         Navy
         Range Group
         Amenities Group
         Hospital Services
         Commercial Space

      2. Exclusion of Sources. No stationary source at a Department of Defense facility shall include the following activities: military tactical support equipment, infrastructure maintenance equipment, or building maintenance equipment

   b. Emission Reductions; Plan – Requirements.

      1. Plan Submittal and Requirements. The responsible official shall submit a plan to the Control Officer which shall provide that:

         (a) By April 30, 1999, thirty percent of the candidate boilers identified in the plan shall be retrofitted or under construction;

         (b) By April 30, 2000, two tons per year of ozone precursor emission reductions shall be achieved;

         (c) By April 30, 2001, seventy percent of the candidate boilers identified in the plan shall be retrofitted or under construction; and

(d) By November 30, 2002, ten or more tons per year of ozone precursor emission reductions shall be achieved.

These milestones shall be based on actual emissions established pursuant to baseline protocols submitted as part of the plan by the responsible official and approved by the Control Officer. Failure to achieve a milestone shall result in expiration pursuant to paragraph (2)(b), below; however, such failure shall not constitute a violation of District Rules and Regulations. Achieved emission reductions shall be enforceable pursuant to paragraph (1)(b)(3), below.

2. Plan Approval. The Control Officer shall approve a plan submitted pursuant to (1)(b)(1), above, if the conditions in (1)(b)(1) are met and the Control Officer finds that the emission reductions are real, quantifiable, surplus, and enforceable. The Control Officer shall submit the approved plan to the USEPA for inclusion in the State Implementation Plan. The plan shall become federally enforceable upon the USEPA Administrator's approval into the state implementation plan. USEPA will include the plan in the state implementation plan within one year after submittal by the District if finds that the emission reductions are real, quantifiable, surplus and enforceable. The Control Officer may extend that time for good cause.

3. Final Project Agreement. The responsible official shall enter into a Final Project Agreement with the Control Officer and the USEPA which commits the Department of Defense to the emission reductions specified in paragraph (1)(b)(1) **"Emission Reductions; Plan Submittal And Requirements,"** above.

2. Department of Defense Facilities – Expiration. The provisions of paragraph (1) **"Department of Defense Facilities,"** above, shall expire if any of the following conditions occur:

a. The stationary source becomes subject to permit under this Regulation.

b. The stationary source does not achieve the emissions reductions required by this Regulation pursuant to a schedule of milestones included in the Plan approved by the Control Officer pursuant to paragraph (1)(b), above.

c. US does not approve the plan for inclusion in the state implementation plan within one year of approval of the plan by the Control Officer. The Control Officer may extend this period for up to one year or until such time as USEPA takes action on the plan, whichever occurs earlier.

3. Department of Defense Facilities - Applicable Requirements After Expiration.

a. Stationary Source Designations. Upon expiration of paragraph (1) **"Department of Defense Facilities,"** the stationary source shall include all applicable activities and sources consistent with federal and state law and these Rules and Regulations. If such inclusion subjects the stationary source to the permitting requirements of this Regulation, the responsible official shall apply for and obtain a permit in accordance with this Regulation and applicable federal regulations.

b. Achieved Emission Reductions Remain Enforceable. Notwithstanding any other provision in this Regulation, any achieved emission reductions shall remain in place and shall be enforceable. Achieved emission reductions shall be emission reductions required in an approved plan that have been implemented or are being retrofitted at the time of expiration. Failure to maintain any achieved and verified reductions obtained through execution of the plan shall constitute a violation of District Rules and Regulations.

4. This definition (**"Department of Defense Facilities," "Expiration",** and **"Applicable Requirements After Expiration"**) shall remain in effect only until January 1, 1998, and as of such date is repealed, unless a later enacted rule, which is adopted before January 1, 1998, deletes or extends such date or unless a plan is filed with the Control Officer by that date and later approved by the Control Officer.

"Building, structure or facility" as referred to in the stationary source definition includes all pollutant emitting activities, including activities located in California coastal waters adjacent to the District boundaries and those areas of Outer Continental Shelf waters for which the District is the corresponding onshore area which:

1. belong to the same industrial grouping, and

2. are located on one or more contiguous or adjacent properties (except for activities located in California coastal waters or are on the Outer Continental Shelf), and

3. are under the same or common ownership, operation, or control or which are owned or operated by entities which are under common control.

Pollutant emitting activities shall be considered as part of the same industrial grouping if they are part of a common production process. (Common production process includes industrial processes, manufacturing processes, and any connected processes involving a common raw material.)

"Common operations" include operations which are related through dependent processes, storage or transportation of the same or similar products or raw material. Emissions from all marine vessels, including cargo carriers, servicing or associated with a stationary source shall be considered emissions from the stationary source while operating within:

1. the District, including California Coastal Waters adjacent to the District (Figure 1301);

2. the Outer Continental Shelf for which the District is the corresponding onshore area; and

3. 25 miles of an Outer Continental Shelf source for which the District is the corresponding onshore area.

The emissions from marine vessels, including cargo carriers, shall include reactive organic compound vapors that are displaced into the atmosphere; fugitive emissions; combustion emissions in the waters described above; and emissions from the loading and unloading of cargo. The term "Cargo Carrier" shall not include trains or vehicles.

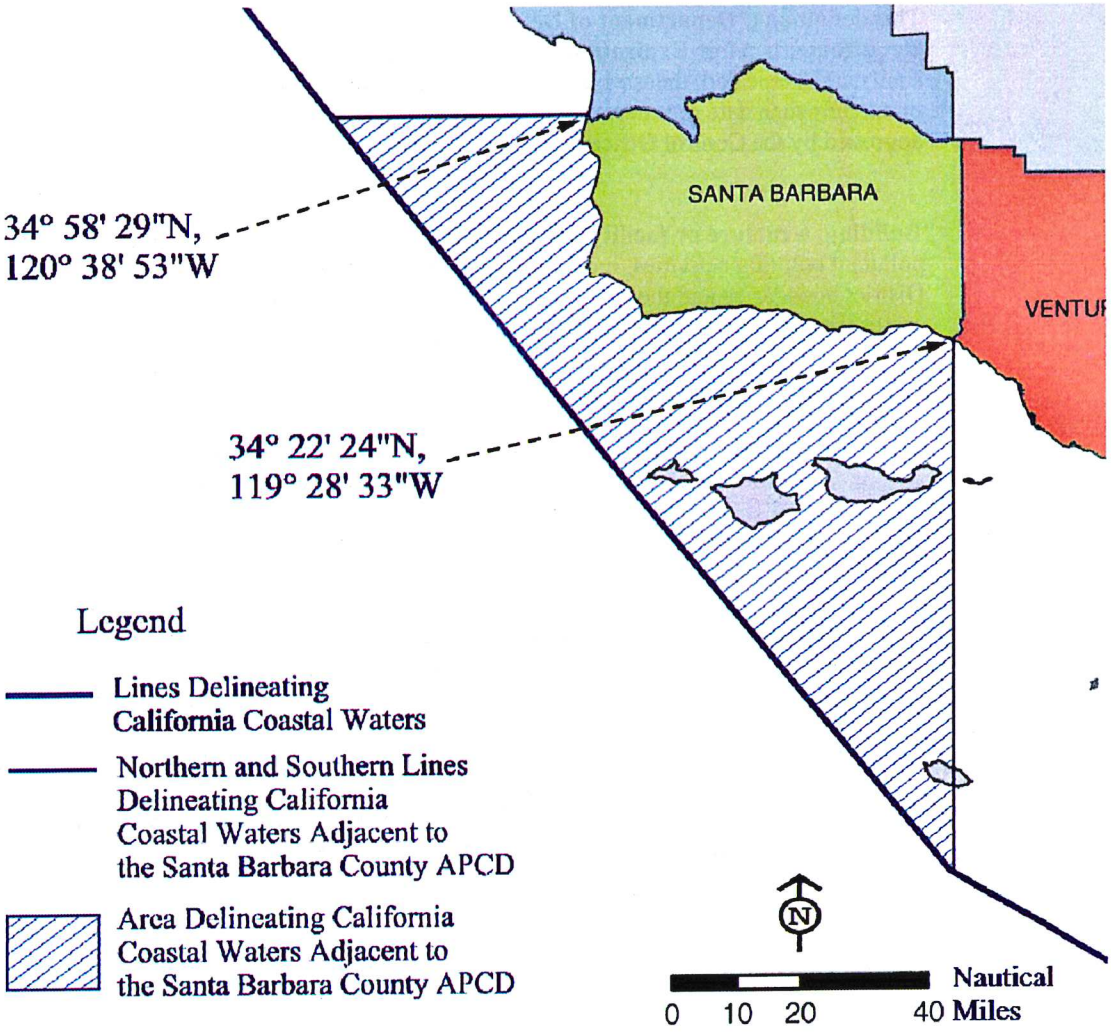

Figure 1301. MAP DEPICTING THE CALIFORNIA COASTAL WATERS ADJACENT TO THE SANTA BARBARA COUNTY AIR POLLUTION CONTROL DISTRICT

"Building Maintenance Equipment" as referred to in the stationary source definition means internal combustion engines used exclusively at a Department of Defense facility for the maintenance of buildings that meet the definition of **"nonroad engine,"** and are exempt from permit under Regulation II.

"Infrastructure Maintenance Equipment" as referred to in the stationary source definition means internal combustion engines used exclusively at a Department of Defense facility to maintain roads and public service utilities that meet the definition of **"nonroad engine"** and are exempt from permit under Regulation II.

"Installation" as referred to in the stationary source definition includes any operation, article, machine, equipment, contrivance or grouping of equipment belonging to the same two-digit standard industrial classification code, which emits or may emit any regulated pollutant or HAP, and are located on one or more contiguous properties and under common control.

"Internal Combustion Engine" shall mean a reciprocating internal combustion engine.

"Military Tactical Support Equipment" as referred to in the stationary source definition means a portable internal combustion engine that meets the definition of **"nonroad engine"** that is built to military specifications, owned by the U.S. Department of Defense, and/or the U.S. military services, and is used in combat, combat support, combat service support, tactical or relief operations, or training for such operations. Examples include, but are not limited to, engines associated with portable generators, aircraft start carts, heaters, and lighting carts.

"Nonroad Engines" as used in the definitions of **"Building Maintenance Equipment," "Infrastructure Maintenance Equipment"** and **"Military Tactical Support Equipment,"** mean any internal combustion engine:

1. in or on a piece of equipment that is self propelled or serves a dual purpose by both propelling itself and performing another function; or

2. in or on a piece of equipment that is intended to be propelled while performing its function (such as lawn mowers), or

3. that, by itself or in or on a piece of equipment, is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indications of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.

An internal combustion engine is not a nonroad engine if:

1. the engine is regulated by a federal New Source Performance Standard promulgated under Section 111 of the federal Clean Air Act, or

2. the engine otherwise included in paragraph 3 above and remains or will remain at a location for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine (or engines) that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive time period. An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (that is, at least two years) and that operates at that single location approximately three months (or more) each year. This paragraph does not apply to an engine after the engine is removed from the location.

As applied to an attainment pollutant, **"stationary source"** shall be interpreted to mean facility-wide. The term **"installation"** shall have the same meaning as **"building, structure, or facility."**

"Title I (or Major) Modification" means a modification that meets any of the following criteria:

1. The potential to emit from any new or modified emissions unit(s) at the major stationary source which are covered by the application(s) for such permit modification(s) plus all other net emissions increases at the source which occurred during the specified contemporaneous evaluation period listed below, are equal to or greater than the limits in Table 1301-A.

Table 1301-A

Pollutant	Threshold
Carbon Monoxide	100.0 tons/yr
Volatile Organic Compounds (VOC)	40.0 tons/yr
Nitrogen Oxides (NOx)	40.0 tons/yr
Sulfur Oxides (SOx)	40.0 tons/yr
Particulate Matter (PM_{10})	15.0 tons/yr
Particulate Matter ($PM_{2.5}$)	10.0 tons/yr direct $PM_{2.5}$ emissions, or 40.0 tons/yr NOx emissions, or 40.0 tons/yr SOx emissions
Lead	0.6 tons/yr

2. The potential to emit any regulated hazardous air pollutant (HAP) from any new or modified emission unit(s) at the Part 70 source which are covered by the application(s) for such permit modification(s) plus all other net emissions increase at the source which occurred during the specified contemporaneous period would be equal to or greater than the de minimis level for such regulated HAP specified by USEPA rulemaking pursuant to Section 112(g) of the federal CAA.

3. For the purpose of defining Title I modification, the specified contemporaneous evaluation period to compute emissions increase shall consist of a period of five (5) consecutive calendar years, ending with the calendar year during which the complete application for such proposed change is submitted to the District. For computing Title I emission decreases, the period shall expand and extend further to the date on which operation begins for the proposed modified emissions unit.

4. Title I modifications include all modifications under part 60.

D. Requirements

All Part 70 source permits and permit applications for issuance, amendments, modifications and renewals shall be drafted based on the definitions listed in this rule along with the provisions listed in Regulation XIII.

A person shall operate all equipment and emission units located at a Part 70 source in compliance with all terms, applicable requirements and conditions specified in the Part 70 permit at all times. Any noncompliance with a Part 70 permit term, requirement or condition is a violation of Regulation XIII. Additionally, any noncompliance with a federally enforceable requirement or resultant permit term or condition constitutes a violation of the federal CAA and its implementing regulations. Each day during any portion of which a violation occurs is a separate offense. Any Part 70 permit noncompliance shall be grounds for appropriate enforcement action under the California Health & Safety Code and/or the federal CAA and its implementing regulations.

E. Compliance Schedule

Provisions of this rule become effective on the date this rule is approved by the USEPA. All Part 70 sources subject to this rule, except the outer continental shelf (OCS) sources, shall comply with this rule effective that date. All OCS sources shall comply with this rule either on the USEPA's approval date for this rule or on the date USEPA delegates the OCS program to the District, whichever is later.

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
Santa Barbara County Counsel

By _____
Deputy