

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

REGULATION NO. 1 - DEFINITIONS

RULE 1 - DEFINITIONS

Except as otherwise specifically provided in these Rules and Regulations, and except where the context indicates otherwise, words used in these Rules and Regulations are used in exactly the same sense as the same words are used in the Health and Safety Code of the State of California.

(a) AGRICULTURAL OPERATIONS: The growing and harvesting of crops, or the raising of fowls, animals or bees as a gainful occupation, or forest management, or range improvement or in the improvement of land for wildlife and game habit.

(b) AIR CONTAMINANT: Includes smoke, dust, charred paper, soot grime, carbon, noxious acids, fumes, gases, odors, or particulate matter, or any combination thereof.

(c) ALTERATION: Any addition to or enlargement or replacement of, or any major modification or change of the design, capacity, process, or arrangement, or any increase in the connected loading of, equipment or control apparatus which will significantly increase or effect the kind or amount of air contaminant emitted.

(d) ATMOSPHERE: The air that envelopes or surrounds the earth.

✓ (e) BOARD: The Air Pollution Control Board of the Northern Sonoma County Air Pollution Control District.

(f) COMBUSTIBLE OR FLAMMABLE SOLID WASTE: Any garbage, rubbish, trash, rags, paper, boxes, crates, excelsior, ashes, offal, carcass of a dead animal, or any other combustible or flammable refuse matter which is in solid form.

(g) COMBUSTION CONTAMINANTS: Matter discharged into the atmosphere from the burning of any kind of material, excluding carbon dioxide and water.

(h) CONDENSED FUMES: Particulate matter generated by the condensation of vapors evolved after volatilization from the molten or liquid

RULE 1 (Cont.)

state, or may be generated by sublimation, distillation, calcination or chemical reaction, when these processes create airborne particles.

(i) CONTROL OFFICER: The Air Pollution Control Officer of the Northern Sonoma County Air Pollution Control District.

(j) DUST: Minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, etc.

(k) EMISSION: The act of passing into the atmosphere an air contaminant or gas stream which contains an air contaminant, or the air contaminant so passed into the atmosphere.

(l) EMISSION POINT: The place, located in a horizontal plane and vertical elevation at which an emission enters the atmosphere.

(m) FLUE: Means any duct or passage for air, gases or the like, such as a stack or chimney.

(n) HEARING BOARD: The appellate review board of the Northern Sonoma County Air Pollution Control District as provided for in the Health and Safety Code of the State of California.

(o) HOUSEHOLD RUBBISH: Means waste material and trash, including garden trash and prunings, normally accumulated by a family in a residence in the course of ordinary day-to-day living.

(p) GASOLINE: Any petroleum distillate having a Reid vapor pressure of 4 pounds or greater.

(q) INSTALLATION: The placement, assemblage or construction of equipment or control apparatus at the premises where the equipment or control apparatus will be used, and includes all preparatory work at such premises.

(r) OPEN OUTDOOR FIRE: Any combustion of solid or liquid waste outdoors in the open, where the products of combustion are not directed through a flue.

(s) OPERATION: Any physical action resulting in a change in the location, form or physical properties of a material, or any chemical

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action resulting in a change in the chemical composition or the chemical or physical properties of a material.

(t) ORCHARD, VINEYARD, OR CITRUS GROVE HEATER: Any article, machine, equipment or other contrivance, burning any type of fuel or material capable of emitting air contaminants, used or capable of being used for the purpose of giving protection from frost damage.

(u) OWNER: Includes but is not limited to any person who leases, supervises or operates equipment, in addition to the normal meaning of ownership.

(v) PARTICULATE MATTER: Discrete atmospheric particles of liquid, other than uncombined water, or solids, as distinguished from a gas or vapor.

(w) PERSON OR PERSONS: An individual, public or private corporation, political subdivision, agency, board, department or bureau of the state, municipality, partnership, co-partnership, firm, association, trust or estate, or any other legal entity whatsoever which is recognized in law as the subject of rights and duties.

(x) PPM: Parts per million by volume expressed on a dry gas basis.

(y) PROCESS WEIGHT PER HOUR: The total weight, including contained moisture, of all materials introduced into any specific process which process 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. The "process weight per hour" will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.

(z) SECTION: Refers to a section of the Health and Safety Code of the State of California unless some other statute is specifically mentioned.

(aa) STANDARD CONDITIONS: As used in these regulations, refers to a gas temperature of sixty (60) degrees Fahrenheit and a gas pressure of

RULE 1 (Cont.)

fourteen and seven-tenths (14.7) pounds per square inch absolute.

(bb) STANDARD CUBIC FOOT OF GAS: The amount of gas that would occupy a volume of one (1) cubic foot, if free of combined water, at standard conditions.

(cc) MULTIPLE-CHAMBER INCINERATOR: "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 parts or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned. The refractories shall have a pyrometric core equivalent to at least 17, tested according to the method described in the American Society for Testing Materials, Method C-24.

(dd) TOTAL REDUCED SULFUR (TRS): "TRS" means total reduced sulfur contained in hydrogen sulfide, mercaptans, dimethyl sulfide, dimethyl disulfide or other organic sulfide compounds, all expressed as hydrogen sulfide. Sulfur dioxide, sulfur trioxide, or sulfuric acid mist, or naturally occurring hydrogen sulfide released as a result of geothermal operations, are not to be included in the determination of TRS.

(ee) NON-CONDENSIBLES: "Non-Condensibles" means the TRS portion of any gases and vapors released in a kraft pulp mill from the digester flash steam condensers, blow tanks, multiple effect evaporator vacuum seal tanks and multiple effect evaporator condensers.

(ff) SUNSET: Means the time of civil sunset at San Francisco.

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~~RULE 55 - SULFUR COMPOUNDS - CONCENTRATION~~

~~A person shall not discharge into the atmosphere sulfur compounds, which would exist as a liquid or gas at standard conditions, exceeding in concentration at the point of discharge: 1000 PPM by volume calculated as sulfur dioxide (SO₂).~~

RULE 55.1 - SULFUR RECOVERY UNITS

A person shall not discharge into the atmosphere from any sulfur recovery unit producing elemental sulfur, effluent process gas containing more than:

1. 300 parts per million by volume of sulfur compounds calculated as sulfur dioxide.
2. 10 parts per million by volume of hydrogen sulfide.
3. 200 pounds per hour of sulfur compounds calculated as sulfur dioxide.

Any sulfur recovery unit having an effluent process gas discharge containing less than 10 pounds per hour of sulfur compounds calculated as sulfur dioxide may dilute to meet the provision of number (1) above.

~~RULE 55.2 - SULFURIC ACID UNITS~~

~~A person shall not discharge into the atmosphere from any sulfuric acid unit, effluent process gas containing more than:~~

- ~~1. 300 parts per million by volume of sulfur compounds calculated as sulfur dioxide.~~
- ~~2. 200 pounds per hour of sulfur compounds calculated as sulfur dioxide.~~

RULE 56 - SULFIDE EMISSION STANDARD

(a) A person shall not discharge total reduced sulfur (TRS), as defined in Rule 1 (dd), into the atmosphere from any single emission point in excess of the total daily weight calculated by the formula:

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

where H_g is the height in feet of the emission point above Mean Ground

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~~(a) A person shall not discharge total reduced sulfur (TRS), as defined in Rule 1 (dd), into the atmosphere from any single emission point in excess of the total daily weight calculated by the formula:~~

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

~~where H_g is the height in feet of the emission point above Mean Ground~~

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RULE 58 - DISPOSAL OF SOLID AND LIQUID WASTES

a. A person shall not burn any combustible refuse in any incinerator except in a multiple-chamber incinerator as described in Rule 1 (cc), or in equipment found by the Air Pollution Control Officer in advance of such use to be equally effective for the purpose of air pollution control as an approved multiple-chamber incinerator.

b. A person shall not discharge into the atmosphere from any incinerator or other equipment used to dispose of combustible refuse by burning, having design burning rates greater than 100 pounds per hour, except as provided in subsection (d) of this rule, particulate matter in excess of 0.1 grain per cubic foot of gas calculated to 12 per cent of carbon dioxide (CO₂) at standard conditions. Any carbon dioxide (CO₂) produced by combustion of any liquid or gaseous fuels shall be excluded from the calculation to 12 per cent of carbon dioxide (CO₂).

c. A person shall not discharge into the atmosphere from any equipment whatsoever, used to process combustible refuse, except as provided in subsection (d) of this rule, particulate matter in excess of 0.1 grain per cubic foot of gas calculated to 12 per cent of carbon dioxide (CO₂) at standard conditions. Any carbon dioxide (CO₂) produced by combustion of any liquid or gaseous fuels shall be excluded from the calculation to 12 per cent of carbon dioxide (CO₂).

d. A person shall not discharge into the atmosphere from any incinerator or other equipment used to dispose of combustible refuse by burning, having design burning rates of 100 pounds per hour or less, particulate matter in excess of 0.2 grain per cubic foot of gas calculated to 12 per cent of carbon dioxide (CO₂) at standard conditions and shall not discharge particles which are individually large enough to be visible while suspended in the atmosphere. Any carbon dioxide (CO₂) produced by combustion of any liquid or gaseous fuels shall be excluded from the calculation to 12 per cent of carbon dioxide (CO₂).

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RULE 61 - ORGANIC LIQUID LOADING

A person shall not load organic liquids having a vapor pressure of 1.5 psia or greater under actual loading conditions into any tank truck, trailer, or railroad tank car from any loading facility unless the loading facility is equipped with a vapor collection and disposal system or its equivalent approved by the Air Pollution Control Officer.

Loading shall be accomplished in such a manner that all displaced vapor and air will be vented only to the vapor collection system. Measures shall be taken to prevent liquid drainage from the loading device when it is not in use or to accomplish complete drainage before the loading device is disconnected.

The vapor disposal portion of the vapor collection and disposal system shall consist of one of the following:

- a. An absorber system or condensation system which processes all vapors and recovers at least 90 per cent by weight of the organic vapors and gases from the equipment being controlled.
- b. A vapor handling system which directs all vapors to a fuel gas system.
- c. Other equipment of an efficiency equal to or greater than a or b if approved by the Air Pollution Control Officer.

This rule shall apply only to the loading of organic liquids having a vapor pressure of 1.5 psia or greater under actual loading conditions at a facility from which at least 20,000 gallons of such organic liquids are loaded in any one day.

"Loading facility", for the purpose of this rule, shall mean any aggregation or combination of organic liquid loading equipment which is both (1) possessed by one person, and (2) located so that all the organic liquid loading outlets for such aggregation or combination of loading equipment can be encompassed within any circle of 300 feet in diameter.

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RULE 65 - FUEL BURNING EQUIPMENT

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

1. 200 pounds per hour of sulfur compounds, calculated as sulfur dioxide (SO₂);
2. 140 pounds per hour of nitrogen oxides, calculated as nitrogen dioxide (NO₂);
3. 10 pounds per hour of combustion contaminants as defined in Rule 1 (g) and derived from the fuel.

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

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

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

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RULE 66 - FUEL BURNING EQUIPMENT - COMBUSTION CONTAMINANTS

A person shall not discharge into the atmosphere combustion contaminants exceeding in concentration at the point of discharge, 0.1 grain per cubic foot of gas calculated to 12 per cent of carbon dioxide (CO₂) at standard conditions.

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RULE 68 - EMISSION CONTROL FOR USED MOTOR VEHICLES

Every 1955 through 1962 model year motor vehicle subject to registration in this State shall be required to be equipped with a device certified by the State Air Resources Board to control the emissions of pollutants from the crankcase at the time of transfer of ownership.

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REGULATION NO. 7

EPISODE PROCEDURES

RULE NO. 102 -

This regulation is designed to prevent the excessive buildup of air contaminants during air pollution episodes and to avoid any possibility of a catastrophe caused by toxic concentrations of air contaminants. Past history indicates that the possibility of such a catastrophe is extremely remote.

The Air Pollution Control Board deems it desirable to have ready an adequate plan to prevent such an occurrence, and in case of the happening of this unforeseen event, to provide for adequate actions to protect the health of the citizens in the Air Pollution Control District.

In the event of atmospheric conditions causing a dangerous or potentially hazardous concentration of air contaminants, the Air Pollution Control Officer shall take immediate action in curtailing those emissions known to be contributing to a possible catastrophic air pollution situation.

11/10/76

CHAPTER I - GENERAL PROVISIONS

RULE 100 - TITLE

These Rules and Regulations are adopted pursuant to the provisions of Division 26 of the Health and Safety Code of the State of California and shall be known as the Rules and Regulations of the California North Coast Air Basin.

The North Coast Air Basin is comprised of the counties of Del Norte, Trinity, Humboldt, Mendocino, and that region of Sonoma County designated as the Northern Sonoma County Air Pollution Control District. The boundaries of each Air Pollution Control District shall be coterminous with existing county boundaries, except for the southern boundary in Sonoma County which shall lie along a line described as follows:

Beginning at the southeasterly corner of the Rancho Estero Americano, being on the boundary line between Marin and Sonoma Counties, California; thence running northerly along the easterly boundary line of said Rancho Estero Americano to the northeasterly corner thereof, being an angle corner in the westerly boundary line of Rancho Canada de Jonive; thence running along said boundary of Rancho Canada de Jonive westerly, northerly and easterly to its intersection with the easterly line of Graton Road; thence running along the easterly and southerly line of Graton Road, northerly and easterly to its intersection with the easterly line of Sullivan Road; thence running northerly along said easterly line of Sullivan Road to the southerly line of Green Valley Road; thence running easterly along the said southerly line of Green Valley Road and easterly along the southerly line of State Highway 116, to the westerly line of Vine Hill Road; thence running along the westerly and northerly line of Vine Hill Road, northerly and easterly to its intersection with the westerly line of Laguna Road; thence running northerly along the westerly line of Laguna Road and the northerly projection thereof to the northerly line of Trenton Road; thence running westerly along the northerly line of said Trenton Road to the easterly line of Trenton-Healdsburg Road; thence running northerly along said easterly line of Trenton-Healdsburg Road to the easterly line of Eastside Road; thence running northerly along said easterly line of Eastside Road to its intersection with the southerly line of Rancho Sotoyome; thence running easterly along said southerly line of Rancho Sotoyome to its intersection with the Township line common to Townships 8 and 9 North, M.D.M.; thence running easterly along said township line to its intersection with the boundary line between Sonoma and Napa Counties, State of California.

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CHAPTER I - GENERAL PROVISIONS

REVISIONS
R.100
ADD PHRASE
AND SENTENCES

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Northern Sonoma boundary . . . description

The Counties of Del Norte, Humboldt and Trinity operate as a single unified special district agency entitled the North Coast Unified Air Quality Management District.

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 110 - PURPOSE

These rules and regulations are set forth to achieve and maintain such levels of air quality as will protect human health and safety; prevent injury to plant and animal life; avoid damage to property; and preserve the comfort, convenience and enjoyment of the natural attractions of the California North Coast Air Basin.

It is the intent of all air pollution control districts and air quality management districts in the California North Coast Air Basin to adopt and enforce rules and regulations which assure that reasonable provision is made to achieve and maintain state and federal ambient air quality standards for the area under their jurisdiction and to enforce all applicable provisions of State law.

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 120 - ADMINISTRATION

The procedures and restrictions set forth in these rules and regulations shall be administered by each individual air pollution control district or air quality management district within its area of jurisdiction as authorized by Section 40002 of the Health and Safety Code; Chapter 3, Part 3, Division 26 of said code; or by contractual agreements between districts in accordance with the provisions of Section 40701 of said code, and further described in Section 90120 of Title 17 of the California Administrative Code.

RULE 130 - DEFINITIONS

General Provisions

Except as provided or defined below, the definitions of 40 CFR 52.21 (b), in effect on November 14, 2014, excluding the definition provided in 40 CFR 52.21(b)(33), are incorporated herein by reference and made part of this Rule.

- (i) The following incorporated provisions of 40 CFR Part 52.21 are revised as follows:
 - a. The term "administrator" shall read as follows:
 - 1) "EPA administrator" in 40 CFR 52.21(b)(17), (b)(37)(i), (b)(43), (b)(48)(ii)(c), (b)(50)(i), (b)(51), (l)(2) and (p)(2); and
 - 2) "Air Pollution Control Officer" elsewhere, as defined in Rule 130(a)(5).
 - b. The phrase "paragraph (q) of this section" in 40 CFR 52.21(l)(2) and (p)(1) and shall read as follows: the public notice and comment provisions of Rule 220 (b)(5) through (10).

Definitions

(a1) ACTUAL EMISSIONS: The definition of "actual emissions" contained in 40 CFR 52.21(b)(21), which is otherwise incorporated by reference, is revised to read as set forth below whenever reference is made to that term or 40 CFR 52.21(b)(21):

- (i) Actual emissions means the actual rate of emissions of a pollutant from an emissions unit, as determined in accordance with paragraphs (a1)(ii)-(iv) of this rule.
- (ii) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. The APCO shall allow the use of a different time period upon a determination that it is more representative of normal source operation.
- (iii) Actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

- (iv) The APCO may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the unit.
- (v) For any emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.

(a2) AGRICULTURAL OPERATION: The growing and harvesting of crops, or the raising of fowl, animals or bees as a gainful occupation, or forest management, or range improvement or in the improvement of land for wildlife and game habitat, or disease or pest prevention.

(a3) AIR CONTAMINANT: Any discharge, release, or other propagation into the atmosphere directly, or indirectly, caused by man and includes, but is not limited to, smoke, charred paper, dust, soot, grime, carbon, fumes, gases, odors, particulate matter, acid, or any combination thereof.

(a4) AIR POLLUTION ABATEMENT OPERATION: Any operation which has as its essential purpose a significant reduction in the emission of air contaminants or the effect of such emission.

(a5) AIR POLLUTION CONTROL OFFICER (APCO, or Control Officer): The executive officer appointed by the Board of Directors of the District pursuant to Chapter 7 of Part 3 of Division 26 of the California Health and Safety Code (HSC) in effect on November 14, 2014, to carry out the following duties:(i) Appoint District personnel, pursuant to HSC Section 40751 and subject to the direction of the District Board, including any deputies necessary for the prompt and faithful discharge of the Air Pollution Control Officer's duties.(ii) Observe and enforce, pursuant to HSC Section 40752, all of the following:

- (A) Part 3 and Part 4 of Division 26 of the HSC(commencing with Section 41500).
- (B) All orders, regulations, and rules prescribed by the District Board.
- (C) All variances and standards which the District Hearing Board has prescribed.
- (D) All permit conditions imposed pursuant to Section 42301 and 42301.10.

- (iii) Observe and enforce, pursuant to HSC Section 40753, all provisions of Division 12 (commencing with Section 24000) of the Vehicle Code relating to the emission or control of air contaminants, except Sections 27157, 27157.5, 27158, and 27158.5.

- (iv) Observe and enforce all rules, regulations, and requirements as approved or delegated by the EPA Administrator.

(a6) ALLOWABLE EMISSIONS: The definition of "allowable emissions" contained in 40 CFR 52.21(b)(16), which is otherwise incorporated by reference, is revised to read as set forth below whenever reference is made to that term or 40 CFR 52.21(b)(16):

- (i) The phrase "unless the source is subject to federally enforceable limits which restrict the operating rate, or hours of operation, or both" shall read, "unless the source is subject to enforceable limits that restrict the operating rate, or hours of operation, or both."
- (ii) Paragraph (iii) shall read as follows: "The emissions rate specified as an enforceable permit condition, including those with a future compliance date."

(a7) AMBIENT AIR QUALITY STANDARD: The specific concentrations and durations of air pollutants which reflect the relationship between intensity and composition of pollution to undesirable effects.

(a8) APPROVED COMBUSTIBLES: Paper, cardboard, brush, trees, native vegetation or other materials as approved by the Control Officer.

(a9) AREA CLASSIFICATIONS: The classification of an areas pursuant to the criteria of 40 CFR 52.21(e) and (f). Such classified areas near the Northern Sonoma County Air Pollution Control District are as follows:

- (i) Class I Areas: All areas designated as a Class I area pursuant to 40 CFR 51.21(e). The only Class I area within 300km of the District is all lands encompassed within the Point Reyes National Seashore.
- (ii) Class II Areas: All areas not designated as a Class I area.

(b1) BASELINE ACTUAL EMISSIONS: The definition of "baseline actual emissions" contained in 40 CFR 52.21(b)(48), which is otherwise incorporated by reference, is revised to read as set forth below whenever reference is made to that term or 40 CFR 52.21(b)(48):

- (i) Baseline actual emissions means the actual rate of emissions of a pollutant from an emissions unit, as determined in accordance with paragraphs (b1)(ii) - (iv) of this rule.

- (ii) In general, baseline actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a 24 month period which precedes the particular date and which is representative of normal source operation. The APCO shall allow the use of a different time period upon a determination that it is more representative of normal source operation. Baseline actual emissions shall be calculated using the unit's actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.
- (iii) The APCO may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the unit.
- (iv) For any emissions unit which has not begun normal operations on the particular date, baseline actual emissions shall equal the potential to emit of the unit on that date.

(b2) BASELINE CONCENTRATION: That ambient concentration level which exists in the baseline area at the time of the establishment of the applicable minor source baseline date.

(Ref: 52.21(b)(13))

- (i) A baseline concentration is determined for each pollutant for which a minor source baseline date is established and shall include:
 - (a) The actual emissions, representative of sources in existence on the applicable minor source baseline date, except as provided in paragraph (ii) below; and
 - (b) The allowable emissions of major stationary sources that commenced construction before the major source baseline date, but were not in operation by the applicable minor source baseline date.
- (ii) The following will not be included in the baseline concentration and will affect the applicable maximum allowable increase(s):
 - (a) Actual emissions, from any major stationary source on which construction commenced after the major source baseline date; and
 - (b) Actual emissions increases and decreases, at any stationary source occurring after the minor source baseline date.

(b3) BASE UNIT: Any major emitting device, process line, or other equipment or grouping thereof, that emits, or has the

potential to emit, regulated air pollutants; for the purposes of this rule, the term base unit shall include, but shall not be limited to, any of the following:

- 1) any major emitting device or process line, or
- 2) any aggregate production line, including a primary crusher and associated crushers, screens, conveyors, stackers, and piles, or
- 3) any cement batch plant, or
- 4) any asphalt hot mix plant, or
- 5) any debarker and head rig, or
- 6) any rip and gangsaw line, or
- 7) any planing operation, or
- 8) any cooling tower, or
- 9) any vent gas treatment system, or
- 10) any burner/scrubber system, or
- 11) any stretford system, or
- 12) any geothermal production, injection, observation, or idle steam well and geothermal steam transmission system, or aggregation thereof, that provide steam to - or are included in the steamfield of a single or dual-unit geothermal electrical power generation plant, or
- 13) any onsite combustion device used for power or process heat generation, except for emergency standby generators or any device that is covered under another base unit definition in this rule.
- 14) any geothermal well drilling operation, or aggregation thereof, conducted on a company's leasehold.

(b4) BEST AVAILABLE CONTROL TECHNOLOGY (BACT): An emission limitation based on the maximum degree of reduction of each air contaminant subject to regulation under the Clean Air Act emitted from or which results from any stationary source or modification, which the Control Officer, on a case by case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such stationary source through application of production processes and available methods, systems, and techniques for control of such air contaminants. Said BACT determinations may include a design standard, operational equipment specifications, fuel restrictions, work practice or combination thereof. In no event shall application of BACT result in emissions of any pollutants which will exceed the emissions allowed under Rules 490 and 492 of this regulation. If the District determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would

make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard or combination thereof, may be prescribed instead to satisfy the requirements for the application of BACT. (Ref: 52.21(b)(12))

(c1) COMBUSTION CONTAMINANTS: Matter discharged into the atmosphere from the burning of any kind of material, excluding carbon dioxide and water.

(c2) CONTROL STRATEGY: A combination of measures designed to reduce air contaminant emissions in accordance with the State Implementation Plan for the California North Coast Air Basin.

(d1) DISTRICT: The County Air Pollution Control District as required by Section 40002 of the California Health and Safety Code or a multi-county unified district authorized by Chapter 3, Part 3, Division 26 of said code.

(d2) DUST: Minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, bagging, sweeping, etc

(e1) EMISSION: The act of passing into the atmosphere an air contaminant or gas stream which contains an air contaminant, or the air contaminant so passed into the atmosphere.

(e2) EPISODE ALERT: A condition in an air basin whenever the concentration of any air contaminant in that air basin has been verified to have reached a predetermined level which threatens the ambient air quality standard as defined in Rule 160 depending upon the particular topography and meteorology of the air basin. "Verified" means the pertinent measuring instrument has been checked over the following fifteen-minute period and found to be operating correctly.

(g1) GEOTHERMAL OPERATIONS: Those activities related to the extraction, transmission, and utilization of geothermal steam which may directly, or indirectly, result in air contaminant emissions.

(g2) GREENHOUSE GASES (GHGs): A gas that has the capacity to create a warming effect in the earth's atmosphere; for the purposes of this rule: carbon dioxide (CO₂), nitrous oxide (N₂O), methane (CH₄), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆).

(h1) HEARING BOARD: The appellate review board of the District as provided for by Section 40800 of the California Health and Safety Code.

(i1) INDIRECT SOURCE: A facility, building, structure or installation, or combination thereof, which indirectly results in emissions of an air contaminant as a result of traffic greater than 20,000 or more vehicles per day within 10 years of construction; any new or modified facility which provides in excess of 1,000 new parking spaces; or any new or modified airport with more than 50,000 operations per year by regularly scheduled air carriers, or used by 1,600,000 or more passengers per year.

(i2) INSTALLATION: The placement, assemblage or construction of equipment or control apparatus at the premises where the equipment or control apparatus will be used, and includes all preparatory work at such premises

(k1) KRAFT PULP MILL: Any industrial operation which uses for a cooking liquor an alkaline sulfide solution containing sodium sulfide in its pulping process.

(k2) KRAFT PULP-MILL NON-CONDENSIBLES: The TRS portion of any gases and vapors released in a kraft pulp mill from the digester flash steam condensers, blow tanks, multiple effect evaporator vacuum seal tanks, multiple effect evaporator condensers, and condensate strippers.

(k3) KRAFT PULP MILL PRODUCTION: Tons of air-dried unbleached kraft pulp produced by a kraft pulp mill, or equivalent. A value equal to 50 percent of the weight of dry wood charged into the kraft cooking process may be substituted for those mills where a value of air-dried unbleached kraft pulp is not readily obtainable.

(k4) KRAFT RECOVERY FURNACE: The combustion device in which pulping chemicals are converted to a molten smelt and wood solids are incinerated. For these regulations, and where present, this term shall include the direct contact evaporator.

(l1) LIME KILN: Any production device in which calcium carbonate is thermally converted to calcium oxide.

(m1) MAJOR MODIFICATION: The definition of the term "Major Modification" as defined in 40 CFR 52.21(b)(2), which is

otherwise incorporated by reference for the purpose of Rules 200 and 220, shall be revised to read as: any physical change in or change in the method of operation that would result in increase of a regulated pollutant which exceeds the significant emission rates specified in Rule 130(s2).

(m2) MAJOR STATIONARY SOURCE: The definition of the term "Major stationary source" as defined in 40 CFR 52.21(b)(1), which is otherwise incorporated by reference for the purpose of Rules 200 and 220, shall be revised to read as: Any stationary source which emits, or has the potential to emit, a regulated pollutant above which exceeds the significant emission rates specified in Rule 130(s2).

(m3) MODELING: A procedure for estimating the ambient air concentration of air contaminants based upon emission profiles, dispersion simulations or other techniques approved by the Environmental Protection Agency, California Air Resources Board and the Control Officer. (Ref: 52.21(1))

(m4) MODIFICATION: Any physical change in, or in the method of operation of any stationary source which increases the amount of any air contaminant emitted into the atmosphere by that source.

(n1) NET EMISSIONS INCREASE: The definition of "net emissions increase" contained in 40 CFR 52.21(b)(3) is revised to read as set forth below whenever reference is made to that term or 40 CFR 52.21(b)(3):

- (i) Net emissions increase means the amount by which the sum of the following exceeds zero:
 - a. Any increase in actual emissions from a particular physical change or change in method of operation at a stationary source; and
 - b. Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.
- (ii) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between:
 - a. The date five years before construction on the particular change commences; and
 - b. The date that the increase from the particular change occurs.
- (iii) An increase or decrease in actual emissions is creditable only if the Administrator has not relied on it in issuing a permit for the source under this section, which permit is in effect when the increase in

actual emissions from the particular change occurs. An increase or decrease in actual emissions of sulfur dioxide, particulate matter, or nitrogen oxide, which occurs before the applicable minor source baseline date is creditable only if it is required to be considered in calculating the amount of maximum allowable increases remaining available. With respect to particulate matter, only PM10 emissions can be used to evaluate the net emissions increase for PM10.

- (iv) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.
- (v) A decrease in actual emissions is creditable only to the extent that:
 - a. The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;
 - b. It is federally enforceable at and after the time that actual construction on the particular change begins; and
 - c. It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.
- (vi) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

(o1) OPERATION: Any physical action resulting in a change in the location, form or physical properties of a material, or any chemical action resulting in a change in the chemical composition or the chemical or physical properties of a material.

(o2) ORCHARD, VINEYARD, OR CITRUS GROVE HEATER: Any article, machine, equipment or other contrivance, burning any type of fuel or material capable of emitting air contaminants, used or capable of being used for the purpose of giving protection from frost damage.

(o3) ORGANIC GAS: Any gas containing carbon and hydrogen, or carbon and hydrogen in combination with any other element.

(o4) OTHER KRAFT MILL SOURCES: Sources of TRS emissions in a kraft mill other than recovery furnaces and lime kilns, including but not limited to: vents from knotters, brown stock washers, smelt tanks, black liquor oxidation systems, tall oil recovery operations, and any other vent which contributes over 1 percent of the total kraft mill TRS emissions.

(o5) OWNER: Includes, but is not limited to, any person who leases, supervises or operates equipment, in addition to the normal meaning of ownership.

(p1) PARTICULATE MATTER: Any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions. Specific size fractions of particulate matter are defined as follows:

- (i) PM_{2.5} means particulate matter, both filterable and condensable, with an aerodynamic diameter less than or equal to a nominal two and one half (2.5) micrometers.
- (ii) PM₁₀ means particulate matter, both filterable and condensable, with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers.

(p2) PERMIT: Refers to either an authority to construct, temporary permit to operate or permit to operate, whichever is legally in effect. For purposes of prevention of significant deterioration enforceability, the permit to operate will be considered a modified authority to construct.

(p3) PERSON OR PERSONS: An individual, public or private corporation, political subdivision, agency, board, department or bureau of the state, municipality, partnership, copartnership, firm, association, trust or estate, or any other legal entity whatsoever which is recognized in law as the subject of rights and duties.

(p4) POTENTIAL TO EMIT: The maximum capacity of a stationary source to emit an air contaminant under its physical and operational design, after considering physical and operational limitations that are enforceable by conditions imposed by the district in both the Authority to Construct and Permit to Operate. (Ref: 52.21(b)(4))

(p5) PPM: Parts per million by volume expressed on a dry gas basis.

(p6) PRECURSOR: A substance that, when released to the atmosphere, forms or causes to be formed or contributes to the

formation of another or secondary air pollutant for which a national ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more national ambient air quality standards. Presently identified precursors and secondary pollutants are:

PRECURSORS	SECONDARY POLLUTANTS
Volatile Organic Compounds	Photochemical oxidants (Ozone) Organic fraction of PM10
Nitrogen Oxides (NOx)	Photochemical oxidants (Ozone) Nitrogen dioxide (NO2) Nitrate fraction of PM10 Nitrate fraction of PM2.5
Sulfur Oxides (SOx)	Sulfur dioxide (SO2) Sulfates (SO4) Sulfate fraction of PM10 Sulfate fraction of PM2.5

(p7) PREVENTION OF SIGNIFICANT DETERIORATION (PSD) INCREMENT:

The maximum allowable increase of ambient air quality above baseline concentration in the three classified areas.

**ALLOWABLE PSD INCREMENTS
micrograms per cubic meter**

	Class I	Class II	Class III
Sulfur Dioxide			
annual arithmetic mean	2	20	40
24-hour maximum*	5	91	182
3-hour maximum*	25	512	700
Particulate Matter (PM10)			
annual arithmetic mean	4	17	34
24-hour maximum*	8	30	60
Particulate Matter (PM2.5)			
annual arithmetic mean	1	4	8
24-hour maximum*	2	9	18
Nitrogen Dioxide			
Annual arithmetic mean	2.5	25	50

* Not to be exceeded more than once a year, in any one location.

(p8) PROCESS WEIGHT PER HOUR: The total weight, including contained moisture of all materials introduced into any specific process which process 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. The "process weight per hour" will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle. For continuous processes, the average hourly total weight of materials introduced into the process will be used in calculations.

(s1) SECTION: Refers to a section of the Health and Safety Code of the State of California unless some other statute is specifically mentioned.

(s2) SIGNIFICANT: The potential of a new or modified stationary source to emit air contaminants that would equal or exceed any of the following rates: (Ref: 52.21(b)(23)(i))

Air Contaminant:	Significant Emission Rate
Carbon monoxide:	100 tons per year (tpy)
Nitrogen oxide:	40 tpy
Sulfur dioxide:	40 tpy
Particulate matter:	25 tpy
PM10	15 tpy
PM2.5	10 tpy of direct PM2.5 emissions;
	40 tpy of sulfur dioxide emissions;
	40 tpy of nitrogen oxide emissions.
Ozone:	40 tpy of volatile organic compounds or nitrogen oxides
Lead:	0.6 tpy
Fluorides:	3 tpy
Sulfuric acid mist:	7 tpy
Hydrogen sulfide (H ₂ S):	10 tpy
Total reduced sulfur (including H ₂ S):	10 tpy

Reduced sulfur compounds
(including H₂S): 10 tpy

Municipal waste combustors:
Organic emissions: 3.2 × 10⁻⁶ megagrams per year
(3.5 × 10⁻⁶ tons per year)
(measured as total tetra-
through octa-chlorinated
dibenzo-p-dioxins and
dibenzofurans)

Metals emissions: 14 megagrams per year (15
tons per year) (measured as
particulate matter)

Acid gas emissions: 36 megagrams per year (40
tons per year) (measured as
sulfur dioxide and hydrogen
chloride)

Municipal solid waste landfills:
Nonmethane organic compounds: 45 megagrams per year (50
tons per year)

Greenhouse Gases:
For the purpose of Rule 220 only, and not for
incorporation into the SIP:
as specified in Rule 221.4.1
or 221.4.3

For the purpose of Regulation 5 only, and not for
incorporation into the SIP:
as specified in Rule 221.4.2

Other pollutants regulated under the Clean Air Act: any
emissions rate whatsoever (Ref: 52.21(b)(23)(ii)).

Notwithstanding the above significant emission rates for various
air contaminants, significant also means any net emission
increase from any new or modified stationary source which would
be constructed within 10 kilometers of a Class I area and have
an air quality impact on such area equal to or greater than 1
microgram per cubic meter (24 hour average). (Ref:
52.21(b)(23)(iii))

(s3) SMALL BUSINESS:

(1) Any business activity in agriculture, general construction,
special trade construction, retail trade, wholesale trade,
services, transportation and warehousing, manufacturing,
generation and transmission of electric power, or a health care
facility, unless excluded in paragraph (2), that is both of the
following:

- A. Independently owned and operated, and
- B. Not dominant in its field of operation.

(2) "Small business" does not include the following professional business activities:

- A. A financial institution or bank, a trust, a savings and loan association, a thrift institution, a consumer finance company, a commercial finance company, an industrial finance company, a credit union, a mortgage and investment banker, a securities broker-dealer, or an investment adviser.
- B. An insurance company, either stock or mutual.
- C. A mineral, oil, or gas broker; a subdivider or developer.
- D. A landscape architect, an architect, or a building designer.
- E. An entity organized as a nonprofit institution.
- F. An entertainment activity or production, including a motion picture, a stage performance, a television or radio station, or a production company.
- G. A utility, a water company, or a power transmission company generating and transmitting more than 4.5 million kilowatt hours annually.
- H. A petroleum producer, a natural gas producer, a refiner, or a pipeline.
- I. A business activity exceeding the following annual gross receipts in the categories of:
 - (i) Agriculture, one million dollars (\$1,000,000).
 - (ii) General construction, nine million five hundred thousand dollars (\$9,500,000).
 - (iii) Special trade construction, five million dollars (\$5,000,000).
 - (iv) Retail trade, two million dollars (\$2,000,000).
 - (v) Wholesale trade, nine million five hundred thousand dollars (\$9,500,000).
 - (vi) Services, two million dollars (\$2,000,000).
 - (vii) Transportation and warehousing, one million five hundred thousand dollars (\$1,500,000).
- J. A manufacturing enterprise exceeding 250 employees.
- K. A health care facility exceeding 150 beds or one million five hundred thousand dollars (\$1,500,000) in annual gross receipts.

Ref: State Government Code § 11342(h)

(s4) SMELT DISSOLVING TANK: A vessel used for dissolving the molten salts (smelt) recovered from the kraft recovery furnace.

(s5) STACKING: The venting of geothermal steam from associated unit steam supply transmission line into the atmosphere during

associated power plant shutdowns (outages), startups or load curtailments.

(s6) STANDARD CONDITIONS: As used in these regulations, refers to a gas temperature of 20 degrees Centigrade (68 degrees Fahrenheit) and a gas pressure of 760 millimeters of mercury absolute (14.7 pounds per square inch absolute).

(s7) STANDARD CUBIC METER OF GAS (STANDARD CUBIC FOOT OF GAS): The amount of gas that would occupy the specified cubic measure, if free of combined water, at standard conditions.

(s8) STATIONARY SOURCE: All units of air contaminant emitting articles, machines, equipment or other contrivances, which are located on adjacent or contiguous properties under the control of the same person (or persons under common control) and all of which are determined by the Control Officer to be related to one another through a similar product, raw material or function and are included in the same standard industrial classification.

(s9) STEAM GENERATING UNIT: Any furnace or boiler used in the process of burning fuel for the purpose of producing steam by heat transfer.

(s10) SUBJECT TO REGULATION: Paragraph (ii)(a) of the definition of the term "Subject to regulation" as defined in 40 CFR 52.21(b)(49), which is otherwise incorporated by reference, shall be revised to read as: "Multiplying the mass amount of emissions (tpy), for each of the six greenhouse gases in the pollutant GHGs, by the gas's associated global warming potential published at Table A-1 to subpart A of part 98 of this chapter—Global Warming Potentials." Paragraph (v) of the definition of the term "Subject to regulation" as defined in 40 CFR 52.21(b)(49), which is otherwise incorporated by reference, shall be deleted in its entirety.

(t1) TOTAL REDUCED SULFUR (TRS): "TRS" means total reduced sulfur contained in hydrogen sulfide, mercaptans, dimethyl sulfide, dimethyl disulfide or other organic sulfide compounds, all expressed as hydrogen sulfide. Sulfur dioxide, sulfur trioxide, or sulfuric acid mist, are not to be included in the determination of TRS.

(t2) TOXIC AIR CONTAMINANT (TAC): A toxic air contaminant (TAC) is any substance identified by the Air Resources Board as a toxic air contaminant pursuant to California Health and Safety Code Section 39650 et. seq.

(t3) TRADE SECRETS: As used in these rules and regulations, Trade Secrets include, but are not limited to, any formula, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or to perform a service having commercial value, and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 150 - PUBLIC RECORDS

In accordance with the provisions of Government Code Section 6254.7, all air pollution monitoring and emission data in the possession of the District are public records. All information, analyses, plans or specifications that disclose the nature, extent, quantity, or degree of air contaminants or other pollution which any article, machine, equipment or other contrivance will produce, which are in possession of the District, are public records, with the exception of certified "trade secrets". Trade secrets may only be certified upon written request by the owner of said secrets and concurrence of the Control Officer. Within 10 days of receipt of any documents containing trade secrets, so designated by the owner, the Control Officer shall:

- a. Concur in the certification of said trade secrets and notify the owner that the documents will be placed in a locked file to be made accessible only to the staff of the District or to the public following a court order.
- b. Return to the owner all documents which have been designated as trade secrets, following a determination by the Control Officer that they are not necessary in conducting the activities of the District.
- c. Notify the owner that said trade secrets do not meet the criteria established and place the documents in a locked file. All such documents will be considered as public records and will be so designated at the end of a 30 day period, unless the owner files an appeal with the Air Pollution Control Board.

Upon request, any specific public records in the possession of the District will be made available to the public within 10 days. Such requests shall be in writing and a reasonable fee may be charged, not to exceed the actual cost of providing the requested information.

11-10-74

Rule 160

AMBIENT AIR QUALITY STANDARDS

Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3, 5}	Secondary ^{3, 6}	Method ⁷
Oxidant (Ozone)	1 hour	0.10 ppm (200 ug/m ³)	Ultraviolet Photometry	160 ug/m ³ (0.08 ppm)	Same as Primary Std.	Chemiluminescent Method
Carbon Monoxide	12 hour	10 ppm (11 mg/m ³)	Non-Dispersive Infrared Spectroscopy	—	Same as Primary Standards	Non-Dispersive Infrared Spectroscopy
	8 hour	—		10 mg/m ³ (9 ppm)		
	1 hour	40 ppm (46 mg/m ³)		40 mg/m ³ (35 ppm)		
Nitrogen Dioxide	Annual Average	—	Saltzman Method	100 ug/m ³ (0.05 ppm)	Same as Primary Standards	Proposed: Modified J-H Saltzman (O ₂ corr.) Chemiluminescent
	1 hour	0.25 ppm (470 ug/m ³)		—		
Sulfur Dioxide	Annual Average	—	Conductimetric Method	80 ug/m ³ (0.03 ppm)	—	Pararosaniline Method
	24 hour	0.04 ppm (105 ug/m ³)		365 ug/m ³ (0.14 ppm)	—	
	3 hour	—		—	1300 ug/m ³ (0.5 ppm)	
	1 hour	0.5 ppm (1310 ug/m ³)		—	—	
Suspended Particulate Matter	Annual Geometric Mean	60 ug/m ³	High Volume Sampling	75 ug/m ³	60 ug/m ³	High Volume Sampling
	24 hour	100 ug/m ³		260 ug/m ³	150 ug/m ³	
Hydrocarbons (Corrected for Methane)	3 hour (6-9 a.m.)	—	—	160 ug/m ³ (0.24 ppm)	Same as Primary Standards	Flame Ionization Detection Using Gas Chromatography

NOTES:

- California standards are values that are not to be equaled or exceeded.
- National standards, other than those based on annual averages or annual geometric means, are not to be exceeded more than once per year.
- Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 mm of mercury. All measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 mm of Hg (1,013.2 mbars). ppm in this table refers to ppm by volume, or micrograms of pollutant per mole of gas.
- Any equivalent procedure which can be shown to the satisfaction of the Air Resources Board to give equivalent results at or near the level of the air quality standard may be used.
- National Primary Standards: The levels of air quality necessary, with an adequate margin of safety, to protect the public health. Each state must attain the primary standards no later than three years after that state's implementation plan is approved by the Environmental Protection Agency (EPA).
- National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant. Each state must attain the secondary standards within a "reasonable time" after implementation plan is approved by the EPA.
- Reference method as described by the EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the EPA.

RULE 190 - VALIDITY

- a. If any provisions of these regulations shall be rendered void or unconstitutional by judicial or other determination, all other parts of these regulations which are not expressly held to be void or unconstitutional shall continue in full force and effect.
- b. The regulations are not intended to permit any practice which is in violation of any statute, ordinance, order or regulation of the United States, State of California, county or incorporated city; and no provisions contained in these regulations are intended to impair or abrogate any civil remedy or process, whether legal or equitable, which might otherwise be available to any person.
- c. These regulations shall be liberally construed for the protection of the health, safety and welfare of the people of the California North Coast Air Basin.

RULE 200 - PERMIT REQUIREMENTS

(a) Authority to Construct or Modify

An Authority to Construct, Modify, Replace, Operate or Use shall be obtained from the District prior to starting construction, modification, operation or use of any stationary or indirect source which may cause, potentially cause, reduce, control or eliminate the emission of air contaminants. A single authorization may be issued for all components of an integrated system or process. An Authority to Construct shall remain in effect for one (1) year or until a Permit to Operate is issued or denied, or the application is canceled at the request of the applicant, whichever occurs first. If the Authority to Construct expires prior to issuance of a Permit to Operate, the authorization may be extended for up to one (1) year if the applicant submits an annual renewal fee per Rule 300(f). Construction not in accordance with this Authority to Construct shall be sufficient reason to deny a Permit to Operate.

(b) Applications

All applications for an Authority to Construct, Modify, Replace, Operate or Use for any equipment or indirect source required in (a) above, shall be filed at the office of the District or its designated agent for accepting applications, except as provided in Rule 220(c) for new power plants. Such application shall contain all information required for a complete application as specified in (e), below. Upon request of the Control Officer, any existing stationary source of air contaminant emissions, actual or potential, shall apply for a Permit to Operate from the District. The applicant for an Authority to Construct or Permit to Operate shall pay the fees as specified in Chapter III-Fees.

(c) Preliminary Determinations

In acting upon an application for an Authority to Construct, the Control Officer shall make the following determinations:

- (1) Whether the project application is subject to the requirements of Regulation 1.
- (2) Whether the project application is ministerial, categorically exempt, or subject to an environmental

evaluation in accordance with the requirements of the California Environmental Quality Act.

(3) Whether the project application is subject to the new source review procedures specified in Rule 220(b).

(4) Whether the project is subject to the new power plant review procedures specified in Rule 220(c).

(5) Whether the project application is subject to the requirements of federal new source performance standards (Rule 490), or subject to national emission standards for hazardous air pollutants (Rule 492).

(6) Whether the project is classified as a major stationary source or major modification as defined in Rule 130 and subject to all applicable prevention of significant deterioration review requirements.

(d) General Exemptions

An Authority to Construct and Permit to Operate shall be required for all new or modified plants, equipment, process operations or indirect sources which may emit air contaminants with the following exceptions:

(1) Any vehicle as defined in the Section 670 of the California Vehicle Code, as of November 14, 2014.

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

(3) Barbecue equipment which is not used for commercial purposes.

(4) Orchard, vineyard or citrus grove heaters.

(5) Any equipment used in agricultural operations in the growing of crops or the raising of fowl or animals, except that this exemption shall not apply to the following sources or equipment:

a) Agricultural sources at a stationary source that, in aggregate, produce actual emissions equal to or greater than 50 tpy of any regulated NSR pollutant. For the purposes of determining permitting applicability, fugitive

emissions, except fugitive dust emissions, are included in determining aggregate emissions;

b) Diesel engines used in agricultural operations subject to the State Airborne Toxic Control Measure (ATCM) for Stationary Compression Ignition Engines;

c) Agricultural sources subject to any state or federal regulations enforceable by the District.

(6) Mixing, blending, conveying, or other mechanical systems which do not, directly or indirectly, emit air contaminants.

(7) Gasoline and organic liquid storage tanks having a capacity of less than 250 gallons.

(8) Any article, machine, equipment or other contrivance which the Control Officer finds emits air contaminants in an amount that is less than 50% of the level specified in Rule 130(2) as significant, is not subject to any federal regulation enforceable by the District or any NSPS or NESHAP, and which and s/he determines should be exempted.

A Federal Operating (Title V) Permit shall be required for any source that is a Major Source as defined in District Regulation 5 (Procedures for Issuing Permits to Operate for Sources Subject to Title V of the Federal Clean Air Act), including Agricultural Sources as defined in Section 39011.5 of the California Health and Safety Code, as of November 14, 2014..

No exemption from the requirements listed herein under Rule 200(d) for an Authority to Construct or Permit to Operate may be allowed for any individual source which is subject to new source review in accordance with Rule 220(b).

(e) Procedures

Applications for an Authority to Construct or Permit to Operate (permit) shall be made and reviewed in accordance with the following procedures.

(1) In order to be deemed complete, an application for a permit shall include all information necessary to fully characterize the equipment, operation, emissions, and emissions impacts of the activity for which the permit is requested, and to determine compliance of such activity

with all applicable requirements, and to assess applicable fees. To be deemed complete, the application shall also include payment of all fees assessed for review of said application.

(2) Within 30 days of receipt an application for a permit, the Control Officer shall notify the applicant in writing if the application is not deemed complete, and shall provide a list of information needed to complete the application, including assessment of fees unless insufficient information has been submitted for the permit fees to be determined, in which case fees shall be assessed when the necessary information has been submitted by the applicant.

RULE 220 - NEW SOURCE REVIEW STANDARDS (INCLUDING PSD EVALUATIONS)

(a) Emission Analysis

In reviewing an Authority to Construct for any new or modified stationary source subject to the requirements of Chapter II, the Control Officer shall require the applicant to submit information sufficient to describe the nature and amounts of emissions; the location, design, construction, and operation of the source; and to submit any additional information requested by the Control Officer to make any preliminary determinations as required by Rule 200(c) and the approval determinations required by the provisions of Rule 230.

For the purposes of emission considerations:

(1) Emissions from a proposed new or modified stationary source shall be based on the source's potential to emit. (Ref: 52.21(b)(4))

(2) Emissions from a proposed modified stationary source shall be based upon the cumulative net emission increase as defined in Rule 130(n1), and considering any limitations enforceable in Authority to Construct and Permit to Operate conditions, excluding any emission reductions required to comply with federal, state, or district laws, rules, or regulations. (Ref: 52.21(b)(2&3)as incorporated into Rule 130)

(3) Actual emissions from an existing stationary or previously permitted source shall be based on the actual rate of air contaminant emissions during the two year period of operation prior to the date of application. A different averaging period may be used if the applicant demonstrates to the satisfaction of the Control Officer that it would be more representative of normal source operation. (Ref: 52.21(b)(3&21) as incorporated into Rule 130))

(b) New Source Review Procedure

In reviewing an Authority to Construct for any new or modified stationary source which is subject to Rules 490 or 492; or for any new or modified stationary source which the Control Officer estimates will result in a net emissions increase of any

pollutant which exceeds the significant emission rates as specified in Rule 130(s2), the Control Officer shall:

(1) Determine best available control technology (BACT) for each increase of a pollutant which exceeds the significant emission rates specified in Rule 130(s2) and so inform the applicant. (Ref: 52.21(b)(12))

(2) Analyze the effect of the new or modified stationary source on air quality for each increase of a pollutant for which exceeds the significant emission rates specified in Rule 130(s2).(Ref: 52.21(m))

(3) Determine that the degree of emission limitation required for control of any air pollutant is not affected in any manner by-

- (i) So much of the stack height of any source as exceeds good engineering practice, or
- (ii) Any other dispersion technique.

(4) Prepare or cause to be prepared an air quality analysis that includes all of the following:

- (i) Continuous air monitoring, consistent with 40 CFR 52.21(m), that establishes ambient conditions for each pollutant that it would have the potential to emit in a significant amount as specified in Regulation 1, Rule 130 (s2);
- (ii) Assessment of the effect of increased emissions of air contaminants on the PSD increments;
- (iii) The expected net increase above baseline concentration;
- (iv) The expected impacts on air quality related values in any Class I area, for any proposed new major stationary source or major modification as defined in Rule 130, including any associated vessel emissions; and
- (v) The impairment to visibility, soils and vegetation (except vegetation having no commercial or recreational value), and the impact projected for the area as a result of general commercial, residential, industrial, and other growth associated with the source or modification. The Control Officer may accept an analysis conducted pursuant to Regulation 1, Rule 210 if it adequately addresses these impairments and impacts.

(vi) A dispersion analysis used to determine the location and estimated value of the highest concentration of each pollutant that has the potential to emit in a significant amount as specified in Regulation 1, Rule 130(s2) that includes a dispersion model based on the applicable models, valid meteorological information, bases and other requirements specified in the "Guideline on Air Quality Models," which is Appendix W of 40 C.F.R. Part 51.

(5) Publish a notice by prominent advertisement in at least one newspaper of general circulation in the District stating where the public may inspect the information required by this Rule. The notice shall include the preliminary determination; present the expected additional and cumulative increment consumption; provide opportunity for a public hearing; and allow 30 days beginning on the date of publication, for the public to submit written comments on the proposed Authority to Construct.

(6) Make available for public inspection at the District office, the information submitted by the applicant, the analysis of the effect of the source on air quality, and the preliminary decision to grant or deny the Authority to Construct.

(7) On the date of publication forward copies of the notice required in paragraph (5) to the Environmental Protection Agency, the California Air Resources Board, all Air Pollution Control and Air Quality Management Districts in the air basin or adjoining the District in other air basins, and any federal land managers of a Class I area which may experience a significant air quality impact or is within 100 kilometers.

(8) Hold a public hearing on the project in the event of an air quality controversy and consider all public comments submitted prior to the granting or denial of the Authority to Construct.

(9) Transmit copies of the application and notice of each action affecting the application to EPA. Also transmit copies of the application and notice of action to the federal land managers of any affected Class I areas and allow the managers of the affected Class I areas to provide a demonstration of adverse impacts.

(10) All comments and the final determination on the application shall be available for public inspection.

(c) Power Plant Review Procedures

This section shall apply to all power plants proposed to be constructed in the District and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission. The Control Officer, pursuant to Section 25538 of the Public Resources Code, may apply for reimbursement of all costs, which may include lost fees, incurred in.

(1) Within fourteen days of receipt of an NOI, the Control Officer shall notify the ARB and the Commission of the District's intent to participate in the NOI proceeding. If the District chooses to participate in the NOI proceeding, the Control Officer shall prepare and submit a report to the ARB and the Commission prior to the conclusion of the nonadjudicatory hearings specified in Section 25509.5 of the Public Resources Code. That report shall include, at a minimum:

(i) a preliminary determination of the need for and a specific definition of best available control technology (BACT) for the proposed facility;

(ii) a preliminary discussion of whether there is substantial likelihood that the requirements of Rule 230(a) and all other District regulations can be satisfied by the proposed facility;

(iii) a preliminary list of conditions which the proposed facility must meet in order to comply with Rule 230(a) or any other applicable district regulation.

The preliminary determinations contained in the report shall be specific as possible within the constraints of the information contained in the NOI.

(2) Upon receipt of an Application for Certification (AFC) for a power plant, the Control Officer shall conduct a Determination of Compliance review in accordance with the procedures of Rule 220. If the information contained in the AFC does not meet the requirements of Rule 200(b), the

Control Officer shall, within 20 calendar days of receipt of the AFC, so inform the Commission, and the AFC shall be considered incomplete and returned to the applicant for resubmittal.

(3) The Control Officer shall consider the AFC to be equivalent to an application for an Authority to Construct during the Determination of Compliance review.

(4) The Control Officer may request from the applicant any information necessary for the completion of the Determination of Compliance review. If the Control Officer is unable to obtain the information, he may petition the presiding Commissioner for an order directing the applicant to supply such information.

(5) Within 180 days of accepting an AFC as complete, the Control Officer shall make a preliminary decision on:

(i) whether the proposed power plant meets the requirements of Rule 230(a) and all other applicable district regulations; and

(ii) in the event of compliance, what permit conditions will be required including specific BACT requirements and a description of required mitigation measures; and

(iii) complete the new source review requirements of Rule 230.

(6) Within 240 days of the filing date, the Control Officer shall submit to the Commission a Determination of Compliance, or if such a determination cannot be issued, shall so inform the Commission as to the reason for noncompliance.

(7) Any applicant receiving a certificate from the Commission pursuant to this section and in compliance with all conditions of the certificate shall be issued a Permit to Operate by the Control Officer.

RULE 230 - ACTION ON APPLICATIONS

The Control Officer shall act promptly on an application for an Authority to Construct, Modify, Replace, Operate or Use, and shall notify the applicant in writing by mail or in person, of the action taken; namely approval, conditional approval, or denial. Notice of action taken shall be deemed to have been given when the written notification has been deposited in the mail, postpaid, addressed to the address shown on the application, or when personally delivered to the applicant or his representative.

In acting upon any application for an Authority to Construct involving indirect sources or new or modified stationary sources of air contaminants subject to the requirements of Rule 220(b), the Control Officer shall provide for public notice in accordance with the provisions of said rule.

(a) General Approval

The Control Officer shall grant an Authority to Construct only after s/he has determined that the new or modified stationary source of air contaminants:

- (1) will cause the article, machine, equipment or other contrivance, so constructed or modified, to operate within all applicable rules and regulations pertaining to the emission of air contaminants;
- (2) will not prevent the attainment, interfere with the maintenance, or cause a violation, of any state or national ambient air quality standard nor interfere with the control strategy contained in the State of California Air Quality Implementation Plan;
- (3) has complied with all applicable requirements, including the requirements provided in Rule 220 and will not cause cumulative deterioration of existing air quality in excess of the maximum allowable PSD increments as defined in Rule 130(p7);
- (4) will not result in air contaminant emissions in excess of the allowable standards established by the Environmental Protection Agency for new stationary sources of the category types listed in Rule 490 and 492 of the District, or employs best available control technology, BACT, for

each air contaminant for which the significance level is exceeded; whichever is the more restrictive condition; and

(5) provides adequate facilities for sampling, emission monitoring, and reporting procedures as specified by the Control Officer.

NOTE: The variance provisions of the California Health and Safety Code do not apply to sources or emissions subject to the requirements of Rules 490 & 492.

(b) New Source Approval

(1) Immediately upon filing the public notice for a new or modified stationary source subject to the provisions of Rule 220, the Control Officer shall forward to the California Air Resources Board and Environmental Protection Agency an analysis of the effect of the source on air quality and the preliminary decision to grant or deny the Authority to Construct.

(2) An Authority to Construct for any stationary source subject to the provisions of Rule 220, may not be granted or denied by the Control Officer until at least 30 days after the date of public notice.

(c) Denial of Application

The Control Officer shall deny an Authority to Construct for any new or modified stationary source of air contaminants which does not meet the requirements specified in Rule 230. In the event of such denial, the Control Officer shall notify the applicant in writing of the reasons therefore. Service of this notification may be made in person or by mail, addressed to the applicant at the address set forth on the application, and such service may be proved by the written acknowledgement of the persons served or affidavit of the person making the service. The Control Officer shall not accept a further application unless the applicant has satisfied the requirements which were the basis for denial of the Authority to Construct.

(d) Conditional Approval

The Control Officer may issue an Authority to Construct, subject to conditions which will assure the operation of any equipment or stationary source within the applicable standards set forth in these regulations, in which case, the conditions

shall be specified in writing. Commencing work under such an Authority to Construct shall be deemed acceptance of all conditions so specified. No conditional approval may be granted for any proposed stationary source that would violate the general approval requirements of Rule 230(a)(2) with respect to a federal, state, or local ambient air quality standard unless all the following conditions are met for the applicable (violating) pollutant:

(1) The new source is required to employ "Best Available Control Technology".

(2) Emission reductions from existing sources in the area of the proposed new source are required such that the total actual emissions from the combined existing and proposed sources will be less than the total actual emissions from the existing sources prior to the date of application for the Authority to Construct. Any emission reductions of this type must be enforceable by revised permit conditions. However, hydrogen sulfide reductions may not be required for geothermal power plant sources in Northern Sonoma County provided all such sources owned by the applicant are in compliance with the hydrogen sulfide emission limitations of Rule 455(b).

(3) The emission reductions stated above will provide a positive net air quality benefit in the affected area.

(4) The applicant certified that all existing sources owned or controlled by the owner or operator of the proposed source in the State are in compliance with all applicable rules, regulations or approved compliance schedules.

The Control Officer may issue an Authority to Construct with revised conditions upon receipt of a new application, if the applicant demonstrates that the equipment or stationary source can operate within the standards of these regulations under the revised conditions.

(e) Source Obligations

(1) The issuance of an Authority to Construct does not relieve the permit holder of the requirement to comply with all applicable rules and regulations, including emission limitations and other performance standards, whether or not such limitations and standards are explicitly stated or referenced in the permit.

(2) If a modification to a stationary source results in the source becoming a major stationary source or is a major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, the requirements of 40CFR 51.166 paragraphs (j) through (s) shall apply as though construction had not yet commenced on the source or modification.

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 240 - PERMIT TO OPERATE

(a) Permit to Operate Required

A person shall not operate or use any stationary source, the use of which may cause the issuance of air contaminants or the use of which may reduce or control the issuance of air contaminants, without first obtaining a written permit from the Control Officer or except as provided in Rule 240(b).

(b) Temporary Permit to Operate

Upon completion of construction or modification of and before operating or using of any new or modified stationary source of air contaminants for which an Authority to Construct had been issued pursuant to the provisions of this Chapter, the applicant shall notify the Control Officer in writing. Upon such notification, the Authority to Construct or modify shall serve as a Temporary Permit for Operation of the equipment until the Permit to Operate is granted or denied.

(c) Permit to Operate

The Control Officer shall take final action to grant, grant with conditions, or deny a Permit to Operate for any stationary source within 180 calendar days after notification per section 240(b) or for a pre-existing source (i.e. a source without an Authority to Construct) within 90 calendar days after receipt of application for Permit to Operate. The Control Officer shall grant a Permit to Operate for any stationary source only after he has determined that, in his judgment, all source construction and modifications were completed in accordance with the Authority to Construct granted pursuant to this Chapter. Failure to act within the specified time period can be deemed by the Applicant to be a denial of the Permit to Operate for appellate purposes. No Permit to Operate shall be granted for any stationary source constructed without authorization as specified in Rule 200(a) until the information required is presented to the Control Officer, an emission analysis is performed, and the source is altered, if necessary, and made to conform with the standards set forth in Rule 230 and elsewhere in this regulation.

(e) Compliance Verification

As a condition of a Permit to Operate, the Control Officer may require that the owner provide, install, calibrate, maintain, and operate continuous recording instruments to measure emission rate to the atmosphere and/or to measure air contaminant concentrations at specific emission points or at locations adjacent to the plant property line. The Control Officer shall forego the requirements of this subsection 240(e) if the applicant demonstrates to the satisfaction of the Control Officer that there is no practical or reasonable achievable technology available to accomplish the monitoring requirement.

- (1) Said permit conditions may, in addition, require:
 - (A) That the measuring instruments meet minimum standards of measurement accuracy, calibration procedure and calibration frequency as specified by the Control Officer.
 - (B) That the recording section of such measuring instruments shall be installed in a location subject to frequent operator surveillance or be equipped with suitable alarm devices.
- (2) The information recorded shall be summarized and reported to the District in the manner and form as prescribed by the Control Officer.
- (3) Emission data obtained from owners or operators of stationary sources will be correlated with applicable emission limitations and other control measures and will be available to the public during normal business hours at the District Office, or submitted to EPA or ARB, upon request.
- (4) Monitoring records shall be retained by the owner for a period of not less than two years.
- (5) District personnel are to inspect and confirm calibration of measuring instruments, as necessary.
- (6) Any violation of an emission standard, ambient air quality standard, or breakdown of emission measuring instruments, is to be reported to the District in accordance with the provisions of Rule 540, Equipment Breakdown.

(f) Mandatory Monitoring Requirements

Monitoring instruments shall be provided, installed, calibrated, maintained and continuously operated by the owner of the following stationary source categories to measure air contaminant emissions or opacity from sources for which there is an applicable federal, state, or local emission standard.

- (1) Fossil-fuel fired steam generators with a heat input of 250 million British Thermal Units (63 million kilogram calories) or more per hour with a use factor of at least 30% per year.
 - a. Oxides of nitrogen.
 - b. Carbon dioxide or oxygen.
 - c. Opacity except: where gaseous fuel is the only fuel burned, or where oil or a mixture of gas and oil is the only fuel burned and the source is able to comply with the

- applicable particulate matter and opacity regulations without collection equipment, and where the source has not been found since December 31, 1970, through administrative or judicial proceedings, to be in violation of Regulation 1 of the North Coast Air Basin.
- d. SO₂, if control equipment is used.
- (2) All sulfur recovery plants and sulfuric acid plants, sulfur dioxide.
 - (3) Nitric Acid Plants.
 - a. All new nitric acid plants, oxides of nitrogen.
 - b. All existing nitric acid plants of greater than 300 tons per day production capacity, the production capacity being expressed as 100 percent acid, oxides of nitrogen.
 - (4) CO boilers of regenerators of fluid catalytic cracking units; CO boilers of fluid cokers if feed rate is greater than 10,000 barrels (1,500,000 liters) per day.
 - a. SO₂.
 - b. Opacity.

All monitoring calibrations, reporting requirements and specifications shall be in accordance with the requirements of Appendix D of this Regulation 1 of the California North Coast Air Basin.

~~the Determination of Compliance review. If the Air Pollution Control Officer is unable to obtain the information, the Air Pollution Control Officer may petition the presiding Commissioner for an order directing the applicant to supply such information.~~

~~(5) Within 180 days of accepting an AFC as complete, the Air Pollution Control Officer shall make a preliminary decision on:~~

- ~~A. whether the proposed power plant meets the requirements of Rule 230(a) and all other applicable district regulations; and,~~
- ~~B. in the event of compliance, what permit conditions will be required including specific BACT requirements and a description of required mitigation measures; and,~~
- ~~C. complete the new source review requirements of Rule 230~~

~~(5) Within 240 days of the filing date, the Air Pollution Control Officer shall submit to the Commission a Determination of Compliance, or if such a determination cannot be issued, shall so inform the Commission as to the reason for noncompliance.~~

~~(7) Any applicant receiving a certificate from the Commission pursuant to this section and in compliance with all conditions of the certificate shall be issued a Permit to Operate by the Air Pollution Control Officer.~~

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NOTE: RULE 250 IS UNCHANGED
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Rule 260 - EXCLUSIONS

(a) New source review procedures in accordance with Rule 220(b) shall not be required for temporary stationary sources which will be in operation less than 90 days duration, providing Best Available Control Technology is applied and such operations will not interfere with the control strategy of the SIP.

=====
AMEND SUBSECTION 260(b)
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(b) New source review procedure in accordance with Rule 220(b), Rule 230(a)(4) and Rule 230(a)(2) shall not be required for geothermal power plants or steam transmission lines which will not, under all normal operating conditions, emit greater than 5 lbs H2S/ 1,000,000 lbs steam (but in no event greater than 250 lbs H2S/day provided it is not considered a major source or a major modification (Reference: 40 CFR 51.24(b))).

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RULE 400 - GENERAL LIMITATIONS

(b) Circumvention

A person shall not construct, erect, modify, operate or use any equipment which conceals an air contaminant emission, which would otherwise constitute a violation of these rules and regulations, unless the operation or use of said equipment results in a significant reduction in the total emission of air contaminants.

RULE 410 - VISIBLE EMISSIONS

5.7.79

A person shall not discharge into the atmosphere from any source whatsoever any air contaminant for a period or periods aggregating more than three (3) minutes in any one hour which is as dark or darker in shade as that designated as No. 2 on the Ringelmann Chart, as published by the United States Bureau of Mines; or of such opacity as to obscure an observer's view to a degree equal to or greater than Ringelmann 2 or forty (40) percent opacity. (H&S 41701)

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

- (1) Failure of the emission to meet the requirements solely because of the presence of uncombined water.
- (3) Smoke from fires set or permitted by any public officer in the performance of his official duty for the improvement of watershed range or pasture. (H&S 41704c) IV-1
- (4) Use of any aircraft to distribute seed, fertilizer, insecticides, or other agricultural aids over lands devoted to the growing of crops or raising of fowl or animals. (H&S 41704d)
- (5) Open outdoor fires used only for cooking of food for human beings or for recreational purposes. (H&S 41704e)
- (6) The use of orchard, vineyard, or citrus grove heaters which do not produce more than one gram per minute of unconsumed solid carbonaceous material. (H&S 41704f and 41860)
- (7) Dust and particulate matter released incident to completing and cleaning out a geothermal well and placing it in production.

5/7/79

~~(4) Use of any aircraft to distribute seed, fertilizer, insecticides, or other agricultural aids over lands devoted to the growing of crops or raising of fowl or animals. (H&S 41704d)~~

~~(5) Open outdoor fires used only for cooking of food for human beings or for recreational purposes. (H&S 41704e)~~

~~(6) The use of orchard, vineyard, or citrus grove heaters which do not produce more than one gram per minute of unconsumed solid carbonaceous material. (H&S 41704f and 41860)~~

~~(7) Dust and particulate matter released incident to completing and cleaning out a geothermal well and placing it in production.~~

RULE 420 - PARTICULATE MATTER

(a) General Combustion Sources

A person shall not discharge particulate matter into the atmosphere from any combustion source in excess of 0.46 grams per standard cubic meter (0.20 grains per standard cubic foot) of exhaust gas, calculated to 12 percent carbon dioxide; or in excess of the limitations of NSPS Regulation 3, as applicable.

Steam Generating Units

A person shall not discharge particulate matter into the atmosphere from any steam generating unit, installed or modified after July 1, 1976, in excess of 0.23 grams per standard cubic meter (0.10 grains per standard cubic foot) of exhaust gas, calculated to 12 percent carbon dioxide; or in excess of the limitations of NSPS Regulation 3, as applicable.

(c) Kraft Recovery Furnaces

A person shall not discharge particulate matter into the atmosphere from any kraft recovery furnace in excess of 0.23 grams per standard cubic meter (0.10 grains per standard cubic foot) of exhaust gas.

(d) Non-Combustion Sources

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

TABLE I

ALLOWABLE RATE OF EMISSION BASED ON

PROCESS WEIGHT RATE

5.7.79

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

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

(e) Geothermal Well Drilling

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

$$y = .00069X + 1.4$$

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

11/10/76

RULE 430 - FUGITIVE DUST EMISSIONS

- (a) The handling, transporting, or open storage of materials in such a manner which allows or may allow unnecessary amounts of particulate matter to become airborne, shall not be permitted.
- (b) Reasonable precautions shall be taken to prevent particulate matter from becoming airborne, including, but not limited to, the following provisions:
 - (1) Covering open bodied trucks when used for transporting materials likely to give rise to airborne dust.
 - (2) Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Containment methods can be employed during sandblasting and other similar operations.
 - (3) Conduct agricultural practices in such a manner as to minimize the creation of airborne dust.
 - (4) The use of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land.
 - (5) The application of asphalt, oil, water or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts.
 - (6) The paving of roadways and their maintenance in a clean condition.
 - (7) The prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

11/10/76

RULE 440 - SULFUR OXIDE EMISSIONS

person shall not discharge into the atmosphere from any single source of emissions whatsoever sulfur oxides, calculated as sulfur dioxide (SO₂) in excess of 1,000 ppm; or in excess of the specific source emission limitations of NSPS Regulation 3 of the North Coast Air Basin, as applicable.

~~RULE 450 - SULFIDE EMISSION STANDARDS~~

~~(a) Kraft Recovery Furnace~~

~~The emission of total reduced sulfur, TRS, from any kraft recovery furnace shall not exceed:~~

- ~~(1) 10 ppm of TRS or 0.30 pound of TRS per ton of kraft pulp mill production as a monthly arithmetic average, whichever is the more restrictive condition.~~
- ~~(2) 15 ppm of TRS as a daily arithmetic average.~~
- ~~(3) 40 ppm of TRS for more than 60 cumulative minutes in any one day.~~

~~(b) Lime Kiln~~

~~The emission of total reduced sulfur, TRS, from any lime kiln shall not exceed 40 ppm of TRS or 0.20 pound of TRS per ton of kraft pulp mill production as a daily arithmetic average, whichever is the more restrictive condition.~~

~~(c) Other Kraft Mill Sources~~

~~The emission of total reduced sulfur, TRS, from other kraft mill sources shall not exceed 20 ppm of TRS or a cumulative value of 0.20 pound of TRS per ton of kraft pulp mill production as a daily arithmetic average, whichever is the more restrictive condition.~~

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(c) Other Kraft Mill Sources

The emission of total reduced sulfur, TRS, from other kraft mill sources shall not exceed 20 ppm of TRS or a cumulative value of 0.20 pound of TRS per ton of kraft pulp mill production as a daily arithmetic average, whichever is the more restrictive condition.

(d) Kraft Mill Non-Condensibles

A person shall not discharge non-condensibles into the atmosphere from any emission point, until said non-condensibles have been treated in an air pollution abatement operation for removal, thermal oxidation or chemical destruction of the TRS compounds contained therein. The net emission of non-condensibles from any such air pollution abatement operation shall not exceed a TRS concentration of 40 parts per million by volume for a period or periods aggregating more than 30 minutes in any one day, or in excess of a total daily weight of 120 pounds of TRS, whichever is the more restrictive condition.

(e) Kraft Mill Monitoring

Recording instruments to measure total reduced sulfur emissions shall be provided, installed, maintained and continuously operated by the owner in the exhaust stack from the kraft recovery furnace flue gas system, from the kraft pulp mill lime kiln and from all other emission points releasing in excess of 100 pounds of TRS per day into the atmosphere. The recording section of such instruments shall be installed in a location subject to frequent operator surveillance or equipped with suitable alarm devices.

(f) Compliance Verification

A summary of the data required to determine compliance with applicable provisions of this rule shall be submitted to the Control Officer once each calendar month no later than the fifteenth day of the following calendar month. This summary shall be presented in the manner and form as prescribed by the Air Pollution Control Officer.

3. New Rule 455, which is specific for geothermal emission, shall be added as follows:

RULE 455 - GEOTHERMAL EMISSION STANDARDS

(a) A person shall not discharge into the atmosphere from any geothermal operation sulfur compounds, calculated as sulfur dioxide (SO₂) in excess of 1,000 ppm.

(b) Geothermal Operations - Power Plant Emissions

(1) The total emissions of hydrogen sulfide from all present and future power plant units built within the special geothermal Zone I, as described in Appendix B, shall not exceed the following:

Maximum 6 mo. average (lbs H ₂ S/hr)	Maximum 24 hr. average (lbs H ₂ S/hr)	Effective Date
1390	1550	Sept. 30, 1976
850	975	Dec. 31, 1977
*	*	Dec. 31, 1979
*	*	Dec. 31, 1980

* The emission limits effective as of December 31, 1979, and December 31, 1980, will be promulgated by the District on or before December 31, 1978, based upon a review of available technology, air quality, emissions and meteorological data obtained both within and without the District.

(2) A geothermal power plant unit built outside special geothermal Zone I after the effective date of this rule, shall:

- (1) limit emission to no more than 10% of the H₂S produced by the geothermal power plant unit's steam wells, or
- (2) emit no more than 0.4 lbs. H₂S per hour per megawatt to the atmosphere (averaged over 24 hours).

but in no event to exceed 50 lbs. H₂S/hr.

(3) In the event of a dispute between the Control Officer and an applicant for an Authority to Construct a power plant unit as to whether the proposed plant lies within Zone I, the applicant may appeal the decision of the Control Officer to the hearing board in accordance with Rule 250.

(4) Abated power plant units shall not initiate scheduled outages which will result in bypassing to the atmosphere of over 40% of the H₂S associated with that unit during hydrogen sulfide episode alerts. The effective date of the subsection shall be February 28, 1978.

(c) Geothermal Operations - Pre-Power Emissions

(1) The total pre-power plant emissions of H₂S associated with all present geothermal power plant units built before the effective date of this rule shall not exceed the following emission limitations:

Annual Average (lbs H ₂ S/hr)	Effective Date
---	----------------

180

December 31, 1976

150

December 31, 1978

*

December 31, 1980

* The emission limit effective as of December 31, 1980, will be promulgated by the District on or before December 31, 1979, based upon a review of available technology, air quality, emissions and meteorological data obtained both within and without the District.

(2) Hydrogen sulfide in steam bypassing any abated power plant unit for any reason whatsoever during any episode alert for hydrogen sulfide issued by the District must be abated by at least 40% and within a time period consistent with achievement of the H S ambient air quality standard and with all practical speed commensurate with personnel safety and protection of equipment and wells. In the event continued bypassing of steam at this reduced level causes a violation of the hydrogen sulfide ambient air quality standard, the supplier shall further abate total emissions, until the termination of the episode alert. The effective date of this subsection shall be February 28, 1978.

(d) Compliance Verification

A summary of the data required to determine compliance with applicable provisions of this rule shall be submitted to the Control Officer. This summary shall be presented in the manner, frequency and form as prescribed by the Control Officer.

Any person who owns or operates a source or sources of air contaminants whose emissions may cause a standard set forth in this rule that is effective at a future date to be exceeded shall submit to the hearing board within 30 days of the adoption of this rule a schedule of increments of progress by which the source emissions will be brought into compliance by the time said standard takes effect. The hearing board shall consider the schedule of increments of progress at a noticed hearing pursuant to Rule 620(b).

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 470 - REDUCTION OF ANIMAL MATTER

A person shall not operate or use any article, machine, equipment or other contrivance for the reduction of animal matter, unless all gases, vapors and gas-entrained effluents which contain odorous material are:

- a. Incinerated at temperatures of not less than 1200 degrees Fahrenheit for a period of not less than 0.3 second; or
- b. Processed in such a manner determined by the Control Officer to be equally, or more effective for the purpose of air pollution control than (a) above.

A person incinerating or processing gases, vapors, or gas entrained effluents pursuant to this rule shall provide, install, maintain in calibration, and continuously operate instruments and monitoring devices, as specified by the Control Officer, for indicating temperature, pressure or other operating conditions.

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

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 480 - ORCHARD, VINEYARD, AND CITRUS GROVE HEATERS

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

NORTHERN SONOMA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 482 - PETROLEUM LOADING AND STORAGE

- a. All petroleum storage tanks in excess of 40,000 gallons capacity shall conform with the requirements of Rule 490.
- b. No person shall install or maintain any stationary gasoline tank with a capacity of 250 gallons or more which is not equipped for loading through a permanent submerged fill pipe. (H&S 41950)
 1. For the purpose of Rule 482(b) "gasoline", means any petroleum distillate having a Reid vapor pressure of four pounds or greater.
 2. For the purpose of Rule 482(b) "submerged fill pipe", means any fill pipe which has its discharge opening entirely submerged when the liquid level is six inches above the bottom of the tank. "Submerged fill pipe" when applied to a tank which is loaded from the side, means any fill pipe which has its discharge opening entirely submerged when the liquid level is 18 inches above the bottom of the tank.
- c. The requirements of Rule 482(b) shall not apply:
 1. To any stationary tanks installed prior to December 31, 1970.
 2. To any stationary tank which is used primarily for the fueling of implements used in agricultural operations.
 3. To any "pressure tank" which maintains working pressure sufficient at all times to prevent hydrocarbon vapor or gas loss to the atmosphere.
 4. To any tank equipped with a "vapor recovery system" consisting of a vapor gathering system capable of collecting the hydrocarbon vapors and gases discharged and a vapor disposal system capable of processing such vapors and gases so as to prevent their emission into the atmosphere, with all tank gauging and sampling devices gastight except when gauging or sampling is taking place.
 5. To any tank equipped with a "floating roof" which consists of a pontoon-type or double-deck-type roof, resting on the surface of the liquid contents and equipped with a closure seal, or seals, to close the space between the roof edge and tank wall. A floating roof tank shall not be used if the gasoline or petroleum distillate has a vapor pressure of 570 millimeters of mercury absolute (11.0 pounds per square inch absolute) or greater, under actual storage conditions. All tank gauging and sampling devices shall be gastight except when gauging or sampling is taking place.

RULE 540 - EQUIPMENT BREAKDOWN

(a) Breakdown Conditions

For the purposes of this rule, a breakdown condition means an unforeseeable failure or malfunction of any air pollution control equipment or related operating equipment which causes a violation of any emission limitation or restriction prescribed by these rules and regulations, or by State law, or similar failure of any required in-stack continuous monitoring equipment where such failure or malfunction:

1. is not the result of neglect or disregard of any air pollution control law or rule or regulation;
2. is not intentional or the result of negligence;
3. is not the result of improper maintenance;
4. does not constitute a nuisance;
5. is not an abnormally recurrent breakdown of the same equipment.

(b) Breakdown Procedures

1. Any breakdown condition meeting the qualifications of Rule 540(a) shall constitute a violation of any applicable emission limitation or restriction prescribed by these rules and regulations; however, the Control Officer may elect to take no enforcement action if the owner or operator demonstrates to his satisfaction that a breakdown condition exists and the following requirements are met:
 - A. The breakdown is reported to the District Office as soon as reasonably possible, but no later than one (1) hour after its detection during normal office hours (8:30 a.m. to 5:00 p.m.), or one (1) hour after the start of the next regular business day, whichever is sooner.
 - B. The owner or operator takes immediate steps to minimize the impact of the breakdown and come into compliance.
 - C. The breakdown does not interfere with the attainment or maintenance of any national ambient air quality standard.
2. The breakdown shall be logged, investigated and handled to its final disposition in accordance with uniform District procedures.
3. Upon receipt of notification of a breakdown condition, the Control Officer shall promptly investigate and determine whether the occurrence constitutes a breakdown condition. If it is not a breakdown condition, he may take appropriate enforcement action including, but not limited to, seeking fines, an abatement order, or an injunction against further operation.

(c) Reporting Requirements

Within ten (10) days after a breakdown occurrence has been corrected, the owner or operator shall submit a written report to the Control Officer including, but not limited to, the following details:

1. Duration of excessive emissions.
2. Estimate of quantity of emissions.
3. Statement of the cause of the occurrence.
4. Corrective measures to be taken to prevent recurrences.

Documentation of the breakdown condition may be required by the Control Officer.

(d) Burden of Proof

The burden shall be on the owner or operator of the source to provide sufficient information to demonstrate that a breakdown did occur. If the owner or operator fails to provide sufficient information, the Control Officer shall undertake appropriate enforcement action.

(e) Failure to Comply with Reporting Requirements

Any failure to comply, or comply in a timely manner, with the reporting requirements established in subparagraphs (b) (1)(A) and (c)(1) through (c)(4) of this rule shall constitute a separate violation of this rule.

(f) False Claiming of Breakdown Occurrence

It shall constitute a separate violation of this rule for any person to file with the Control Officer a report which falsely, or without probable cause, claims that an occurrence is a breakdown occurrence.

(g) Extended Breakdown Provisions

For any occurrence which causes a breakdown condition meeting the requirements of Rule 540(a) and which may persist for longer than twenty-four (24) hours (ninety-six hours for monitoring equipment), the owner or operator may, in lieu of shutdown, obtain an emergency variance as provided in Rule 615.

11-4-77

APPENDIX D

CONTINUOUS MONITORING

A. INSTALLATION AND START UP

Owners or operators of sources required to have continuous emission monitors shall have installed all necessary equipment and shall have begun monitoring and recording by October 6, 1978.

B. REPORTING

File of Records

Owners or operators subject to the provisions of these rules and regulations shall maintain for a period of at least two years a record in a permanent form suitable for inspection and shall make such record available upon request, to the State Air Resources Board and the District.

The record shall include:

1. Occurrence and duration of any start up, shutdown or malfunction in the operation of any affected facility.
2. Performance testing, evaluations, calibration, checks, adjustments, and maintenance of any continuous emission monitors that have been installed pursuant to these Rules.
3. Emission Measurements.

Quarterly Report

Owners or operators subject to provisions of these rules and regulations shall submit a written report for each calendar quarter to the control officer. The report is due by the 30th day following the end of the calendar quarter and shall include:

1. Time intervals, date and magnitude of excess emissions; nature and cause of the excess (if known), corrective actions taken and preventive measure adopted.
2. Averaging period used for data reporting corresponding to averaging period specified in the emission test period used to determine compliance with an emission standard for the pollutant/source category in question.
3. Time and date of each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of system repairs and adjustments.
4. A negative declaration when no excess emissions occurred.

5. Reports on opacity monitors giving the number of three-minute periods during which the average opacity exceeded the standard for each hour of operation. The averages may be obtained by integration over the averaging period or by arithmetically averaging a minimum of four equally spaced instantaneous opacity measurements per minute. Any time period exempted shall be considered before determining the excess averages of opacity.

Reports of Violations

Any violation of any emission standard to which the stationary source is required to conform, as indicated by the records of the monitoring device, shall be reported by the operator of the source to the District within 96 hours after such occurrence. The District shall, in turn, report the violation to the state board within five working days after receiving the report of the violation from the operator.

C. DATA REDUCTION

Data shall be reduced according to the procedure established in 40 CFR, Part 51, Appendix P, paragraphs 5.0 through 5.3.3, or by other methods deemed equivalent by joint decision of the Control District, Air Resources Board and Environmental Protection Agency.

D. STANDARDS OF PERFORMANCE OF MONITORING SYSTEMS

1. Systems shall be installed, calibrated, maintained and operated in accordance with the following sections of 40 CFR.
 - a. Fossil-Fuel Fired Steam Generators: Section 60.45.
 - b. Sulfuric Acid Plants: Section 60.84.
 - c. Nitric Acid Plants: Section 60.73.
 - d. Petroleum Refineries: Section 60.105.

or

1. (Equivalent standards may be used by mutual agreement of the Control District, Air Resources Board and Environmental Protection Agency.)
2. Calibration gas mixtures shall meet the specifications in 40 CFR, Part 51, Appendix P, Section 3.3, and Part 60, Appendix B, Performance Specification 2, Section 2.1, or shall meet equivalent specifications established by mutual agreement of the Control District, Air Resources Board and Environmental Protection Agency.
3. Cycling times shall be those specified in 40 CFR 60, Appendix P, sections 3.4, 3.4.1 and 3.4.2, or shall meet equivalent specifications established by mutual agreement of the Control District, Air Resources Board and Environmental Protection Agency.

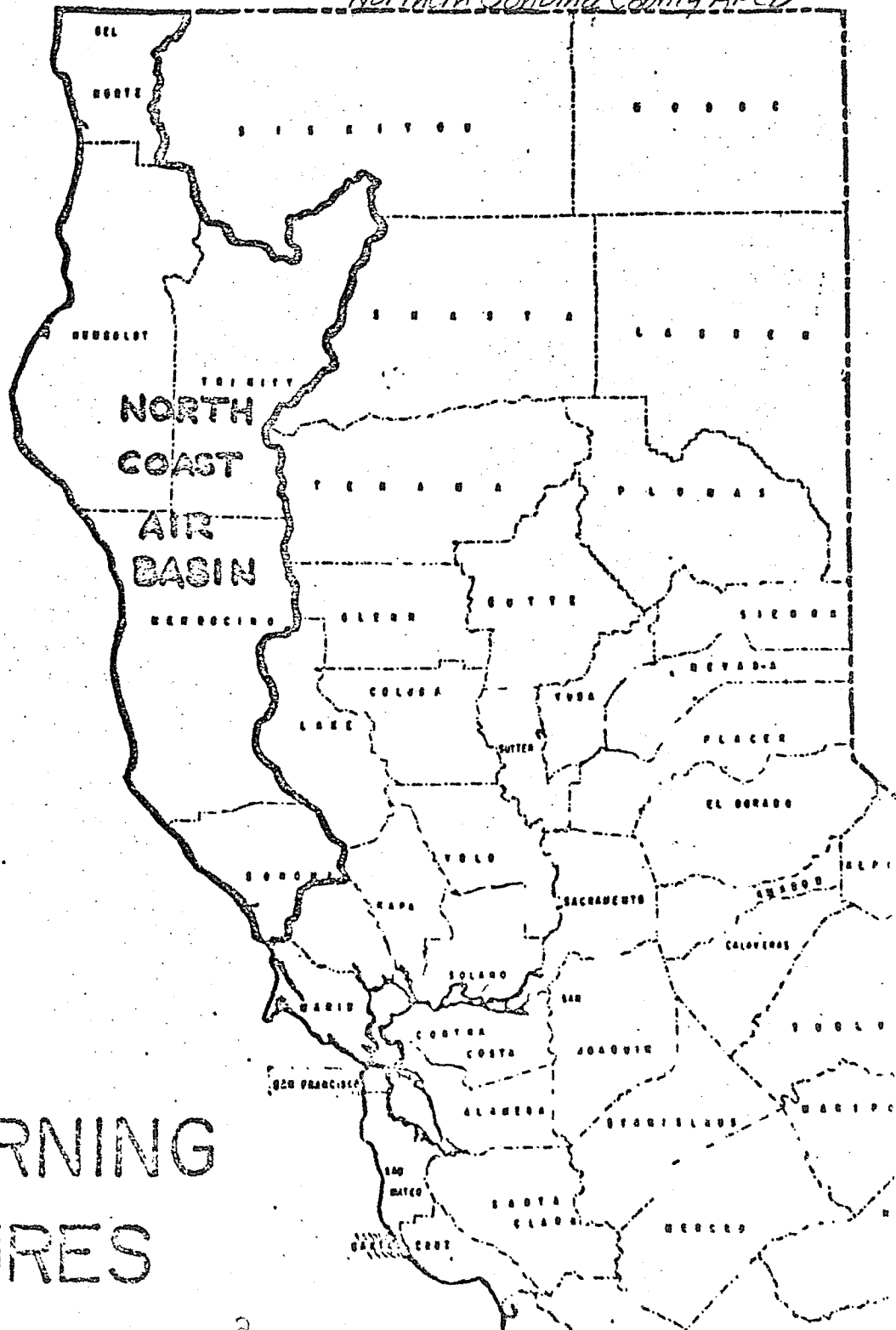
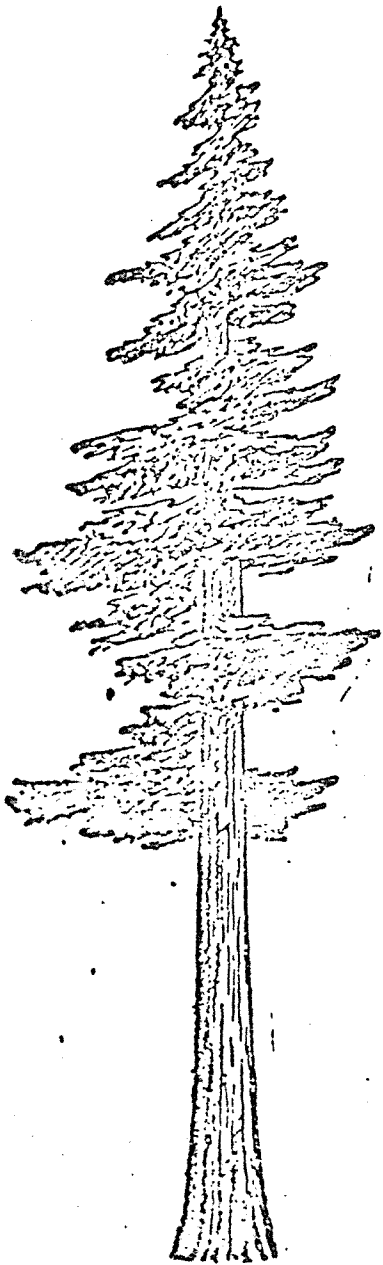
4. The continuous SO₂ and NO_x monitors shall meet the applicable performance specification requirements in 40 CFR, Part 51, Appendix P, and Part 60, Appendix B, or shall meet equivalent specifications established by mutual agreement of the Control District, Air Resources Board and Environmental Protection Agency.
5. The continuous CO₂ and O₂ monitoring system shall meet the performance specification requirements in CFR 40, Part 51, Appendix P, and Part 60, Appendix B, or shall meet equivalent specifications established by mutual agreement of the Control District, Air Resources Board, and Environmental Protection Agency.

E. DEFINITIONS

Definitions used shall be those given in 40 CFR, Part 51, or equivalent ones established by mutual agreement of the Control District, Air Resources Board, and Environmental Protection Agency.

REGULATION 2 OF THE CALIFORNIA NORTH COAST AIR BASIN

Northern Sonoma County APCD



OPEN BURNING PROCEDURES

3/23/91

CHAPTER I - GENERAL PROVISIONS

RULE 100 - SCOPE AND POLICY

- (a) These procedures shall apply to the use of open outdoor fires for the purpose of waste disposal at all locations within the California North Coast Air Basin, including the counties of Del Norte, Humboldt, Trinity, Mendocino and that portion of Sonoma County designated as the Northern Sonoma County Air Pollution Control District.
- (b) Permit procedures for open outdoor fires on permissive burn days shall be administered by the fire control agency having jurisdiction in the area of the proposed burn.
- (c) Open outdoor fires shall be limited to the burning described in Rule 140.
- (d) These procedures are intended to control and limit the excessive use of open outdoor fires within the North Coast Air Basin.
- (e) Open outdoor fires will be permitted only on those days for which satisfactory meteorological burning conditions and adequate area ventilation are predicted to occur unless specifically allowed by this Regulation.
- (f) No open outdoor fires may be ignited on a no-burn day unless specifically allowed by this regulation; or unless such a restriction would cause imminent and substantial economic loss and authorization has been obtained from the District.
- (g) Nothing in these procedures should be construed as encouraging in any way the use of open outdoor fires when other acceptable alternate disposal schemes are available.
- (h) These procedures are not intended to permit open burning on days when such open burning is prohibited by public fire protection agencies for purposes of fire prevention or control.

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RULE 120 - DEFINITIONS

(a) "Agricultural burning" means:

- (1) Open outdoor fires used in agricultural operations in the growing of crops or raising of fowl or animals, or open outdoor fires used in forest management, range improvement, or the improvement of land for wildlife and game habitat, or disease or pest prevention and,
- (2) Open outdoor fires used in the operation or maintenance of a system for the delivery of water for the purposes specified in subdivision (1).

(b) "Approved combustibles" means paper, cardboard, brush, trees, native vegetation or other materials as approved by the Control Officer.

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

(d) "Brush treated" means that the material to be burned has been felled, crushed or uprooted with mechanical equipment, or has been desiccated with herbicides, or is dead.

(e) "Designated agency" means any agency designated by the Board as having authority to issue agricultural burning permits. The U.S. Forest Service and the California Department of Forestry are so designated within their respective areas of jurisdiction.

(f) "District" means the County Air Pollution Control District having jurisdiction in the area of the proposed burning.

(g) "Forest management burning" means the use of open fires, as part of a forest management practice, to remove forest debris. Forest management practices include timber operations, silvicultural practices or forest protection practices.

Forest debris shall cease to be classified as agricultural waste once it has been removed from its original forest location, to its initial processing plant; or is removed to a log storage area which is not contiguous with the forested area.

Forest debris created from culling or salvaging operations within the forested area may be classified as agricultural waste if said operations result in a net reduction in total forest debris to be burned.

(h) "Mechanized burner" means an incineration device used exclusively for the disposal of wood wastes by open outdoor fires, subject to permit conditions specified by the District.

- (i) A "no-burn" day means any day on which agricultural burning is prohibited by the Board or by the district.
- (j) "Open outdoor fire" means any combustion of combustible material of any type outdoors in the open, not in any enclosure, where the products of combustion are not directed through a flue.
- (k) "Open burning" in outdoor fires as used 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, of providing a 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, except as prohibited by district regulations. Examples are trays for drying raisins, date palm protection paper, and fertilizer and pesticide sacks or containers, where the sacks or containers are emptied in the field.
- (l) A "permissive-burn" day means any day on which agricultural burning not prohibited by the 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.
- (m) "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; or reestablishment of an agricultural practice on land inundated by flood deposited debris.
- (n) "Regulated open burning" means agricultural burning, Use Classifications A1 through A4 and property development burning, Use Classification 6.
- (o) "Silvicultural" means the establishment, development, care and reproduction of stands of timber.
- (p) "Timber operations" means cutting or removal of timber or other forest

Vegetation
X

3/23/91

RULE 140 - ALLOWABLE OPEN BURNING

No person shall ignite or cause to be ignited or suffer, allow or maintain any open outdoor fire for the disposal of rubber, petroleum or plastic wastes, demolition debris, tires, tarpaper, wood waste, asphalt shingles, linoleum, cloth, household garbage or other combustible refuse; or for metal salvage or burning of motor vehicle bodies; except the following:

- (1) Fires used only for the cooking of food for human beings or for recreational purposes.
- (2) Fires set by or permitted by any public officer when such fire is necessary; for the prevention of a fire, health, or safety hazard which cannot be abated by any other means; for the instruction of personnel in the methods of fire fighting; or for backfires necessary to save life or valuable property pursuant to Section 4426 (1970) of the Public Resources Code; or for the abatement of fire hazards pursuant to Section 13055 (1970).
- (3) Fires used in the operation of a solid waste dump for which a limited time extension has been granted by the California Air Resources Board in accordance with Section 41808 of the California Health & Safety Code.
- (4) Fires set in accordance with Chapters II & III of this Regulation.
- (5) Fires conducted in a mechanized burner subject to permit conditions specified by the District such that no air contaminant is discharged into the atmosphere for a period or periods aggregating more than 30 minutes in any eight-hour period which is:
 - (a) As dark or darker in shade as that designated as No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines, or
 - (b) Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subdivision (a).

Nothing in this Regulation shall be construed as permitting any fires otherwise prohibited by law, and nothing in this Regulation shall be construed as prohibiting any fire otherwise required by law.

3/23/17

CHAPTER II - BURNING APPROVAL PROCEDURES

RULE 200 - CLASSIFICATIONS OF OPEN BURNING

Open outdoor fires shall be allowed for the disposal of approved combustibles from the following Use Classifications only on permissive burn days when set in accordance with the procedures of Chapters II & III of this Regulation.

Agricultural

- A1. Open burning in agricultural operations in the growing of crops or raising of fowl or animals.
- A2. Range improvement to remove unwanted vegetation or establish an agricultural practice.
- A3. Forest management to remove forest debris.
- A4. Wildlife improvement to enhance wildlife or game habitat.
(Department of Fish and Game approval required).

Non-Agricultural

5. Single and two-family dwellings. Permits issued under Use Classification 5 are valid only for the disposal of approved combustibles from single or two-family dwellings on their premises. This Use Classification is exempt from permissive-burn-day notification procedures except in the following areas of the North Coast Air Basin.

Humboldt Bay Air Basin (Appendix A)
Ukiah-Little Lake Air Basin (Appendix B)
6. Property Development and Fire Hazard Reduction. Permits issued under Use Classification 6 are valid only for the disposal of wood waste from trees, vines, or bushes on property being developed for commercial or residential purposes, or with respect to the disposal of brush cuttings on the property where the brush was grown when the cuttings resulted from brush clearance done in compliance with local ordinances to reduce fire hazard. Use Classification 6 requires a finding of necessity by the District Board and a permit from the District in addition to the appropriate fire control agency.
7. Right-of-way clearing by a public entity or utility.
8. Ditch, levee and reservoir maintenance.

3/23/81

RULE 220 - NOTIFICATION OF BURNING CONDITIONS AND FORECASTS

(a) Information as to whether a day is a permissive-burn day or a no-burn day will be available from the designated agencies listed under Rule 240(b) of these Open Burning Procedures, and will be transmitted to the general public by announcement over local radio and television stations. 24-hour burn conditions may be obtained by phoning:

- Del Norte County (707) 443-3091
- Trinity County (707) 443-3091
- Humboldt County (707) 443-3091
- Mendocino County (707) 468-4391
- Northern Sonoma County (707) 527-2876

(b) Burning forecasts will be made covering the entire California North Coast Air Basin; however, more restrictive conditions may be specified for localized problem areas.

(c) Upon requests from a permittee through a designated agency, Rule 240(b), seven days in advance of a specific range improvement or forest management burn at any elevation below 6,000 feet (msl), a permissive-burn or no-burn notice will be issued by the Board up to 48 hours prior to the date scheduled for the burn. Without further request, a daily notice will continue to be issued until a permissive-burn notice is issued.

(d) A permissive-burn or no-burn advisory outlook will be available up to 72 hours in advance of burns specified in the proceeding paragraph (c).

(e) The Board may cancel permissive-burn notices that had been issued more than 24 hours in advance if the cancellation is necessary to maintain suitable air quality.

3/23/81

RULE 240 - BURNING PERMITS AND REPORTS

(a) Burning permits may be issued by the fire control agency having jurisdiction in the area of the proposed burn and each permit will state thereon the type material to be burned and the Use Classification Number under which the permit is issued. (An additional permit from the District is required for open outdoor fires in Use Classification 6 except for hazard reduction as a result of state law.

(b) Agricultural burning permits for Use Classifications A1, A2, A3, A4 are issued only by the following designated agencies within their areas of jurisdiction:

United States Forest Service
California Department of Forestry
United States Bureau of Indian Affairs
Arcata Fire Department
Eureka Fire Department
Humboldt Fire District No. 1
Ukiah Valley Fire Protection District
Fort Bragg Fire Department
Little Lake Fire Protection District (Willits)
Round Valley Fire District (Covelo)
Potter Valley Fire Department
Redwood Valley-Calpella Fire District
Healdsburg Fire Department
Cloverdale Fire Department
Guerneville Fire Protection District
Graton Fire Protection District
Forestville Fire Protection District
Del Norte County Air Pollution Control District
Humboldt County Air Pollution Control District
Trinity County Air Pollution Control District
Mendocino County Air Pollution Control District
Sonoma County Agricultural Commissioner
Northern Sonoma County Air Pollution Control District

(c) Each applicant for an agricultural burning permit in Use Classification A1, A2, A3, A4, shall be given an Agricultural Burning Tally Card and an instruction sheet. Agricultural Burning Tally Cards must be completed and returned in accordance with procedures specified on the instruction sheet. Additional cards and sheets may be obtained at any of the designated agencies listed in paragraph (b) above.

(d) Each applicant for an agricultural burning permit in Use Classification A1, A2, A3, A4, shall supply such additional information as is required by the California Air Resources Board or the District.

RULE 240 - BURNING PERMITS AND REPORTS

- (e) Permits issued for agricultural burning shall bear a statement of warning containing the following words or words of like or similar import.

"This permit is valid only on those days during which agricultural burning is not prohibited by the California Air Resources Board or the district pursuant to Section 41855 of the Health and Safety Code."

- (f) Range improvement or forest management burning may be conducted by permit from a designated agency on no-burn days during the period between January 1 and May 31, providing that more than 50% of the land has been brush treated. The Air Resources Board may prohibit burning during this period if in the opinion of the Board, such prohibition is required for the maintenance of suitable air quality.

If the burn is to be done primarily for the improvement of land for wildlife or game habitat, the Department of Fish and Game may specify the amount of brush treatment required.

- (g) Special permits for agricultural burning on no-burn days may be issued by the District if denial of such permit would threaten imminent and substantial economic loss.

Such burning shall be limited to amounts specified by subdivision (i) of Rule 300 and shall be denied if the ambient air quality standards of metropolitan areas downwind of the burning are forecasted by the Air Resources Board to be exceeded.

- (h) A report of agricultural burning permits issued and agricultural burning conducted shall be submitted by each designated agency to the District as required by the District.
- (i) A quarterly report of agricultural burning shall be submitted by the District to the California Air Resources Board within 20 days after the end of the quarter. This report shall be of two parts; permissive burn day data and no-burn day data, and shall include the date of each burn, the type of waste burned, the estimated tonnage or acreage of waste burned and an indication of the allowance for burning on no-burn days. When such allowance is pursuant to paragraph (g) above, a listing of the number of permits, the date of issuance of each permit, the person or persons to whom the permit was issued and summary of economic considerations leading to issuance of each permit shall be included.
- (j) The District shall provide, at no cost to fire control agencies within the District, information on State laws, District Rules and Regulations, and other information as appropriate.

3/23/1

CHAPTER III - LIMITATIONS & ENFORCEMENT

RULE 300 - BURNING PREPARATION AND RESTRICTIONS

- (a) The waste to be burned shall be reasonably free of dirt, soil and excess moisture and whenever possible, shall be piled or windrowed in such a manner as to burn with maximum possible heat intensity and minimum smoke.
- (b) All open burning operations falling within the scope of these procedures must provide for ignition of the fuel pile by fuel blivets, drip torches, diesel sprayers, or other approved ignition devices.
- (c) The waste to be burned must be ignited as rapidly as practicable within applicable fire control regulations.
- (d) The waste shall be free of tires, tarpaper, garbage, or other types of rubbish likely to cause excessive smoke or odor.
- (e) The waste shall be allowed to dry for the following minimum time periods before burning:
 - (1) Trees and branches over 6 inches in diameter: 30 days.
 - (2) Brush, vines, bushes, prunings and small branches: 15 days.
 - (3) Field crops and weeds: 7 days.
 - (4) Other materials: drying times will be determined by the District.

These minimum drying periods may be waived by the District on submittal of acceptable evidence that the material to be burned contains less than 25 percent moisture.

- (f) Burning of waste after shorter drying times may be allowed by permit from the District if the denial of such permit would threaten imminent and substantial economic loss.
- (g) With respect to range improvement burning, brush shall be treated at least 6 months prior to the burn if technically and economically feasible, including the felling of any unwanted trees over six inches in diameter.

- (h) All persons desiring to burn for the improvement of land for wild-life or game habitat, Use Classification A4, shall provide the District with written certification from the Department of Fish and Game stating that the burning is desirable and proper.
- (i) Agricultural burning in any District of the North Coast Air Basin shall be limited to 1,000 acres per day, 10,000 tons of fuel per day, the daily quotas specified in Section 5153 of the Fire Control Manual of the U. S. Forest Service or by the daily quotas specified by Watershed below; whichever is the least restrictive condition.

<u>Watershed</u>	<u>Acreage</u>
Eel River	5,000
Russian River	2,000
Coastal Area	10,000

- (j) Property development burning conducted under the provisions of Use Classification 6 shall provide for:
 - (1) All wood waste to be free of material not grown at the site.
 - (2) Brush to be treated at least 60 days prior to the burn if economically and technically feasible.
 - (3) Trees over 6 inches in diameter to be felled and dried prior to the burn.
 - (4) Burning may be prohibited by the District on permissive burn days if smoke would be transported to a nearby populated area.

ENFORCEMENT

RULE 320

- (a) No person knowingly shall set or allow any open outdoor fires on days when prohibited by the Board or the District, unless specifically exempted by provisions in this Regulation.
- (b) No person knowingly shall set or allow regulated open burning unless he has a valid permit from a designated fire control agency or the District.
- (c) Any violation of the open burning requirements stated in these procedures is a misdemeanor punishable by imprisonment in the County Jail not exceeding six months, or by fine not exceeding five hundred dollars (\$500) or both, and the cost of putting out the fire. Every day during any portion of which such violation occurs, constitutes a separate offense.

~~(h) All persons desiring to burn for the improvement of land for wild life or game habitat, Use Classification A4, shall provide the District with written certification from the Department of Fish and Game stating that the burning is desirable and proper.~~

(i) Agricultural burning in any District of the North Coast Air Basin shall be limited to 1,000 acres per day, 10,000 tons of fuel per day, the daily quotas specified in Section 5153 of the Fire Control Manual of the U. S. Forest Service or by the daily quotas specified by Watershed below; whichever is the least restrictive condition.

<u>Watershed</u>	<u>Acreage</u>
Eel River	5,000
Russian River	2,000
Coastal Area	10,000

(j) Property development burning conducted under the provisions of Use Classification 6 shall provide for:

- (1) All wood waste to be free of material not grown at the site.
- (2) Brush to be treated at least 60 days prior to the burn if economically and technically feasible.
- (3) Trees over 6 inches in diameter to be felled and dried prior to the burn.
- (4) Burning may be prohibited by the District on permissive burn days if smoke would be transported to a nearby populated area.

ENFORCEMENT

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- (c) Any violation of the open burning requirements stated in these procedures is a misdemeanor punishable by imprisonment in the County Jail not exceeding six months, or by fine not exceeding five hundred dollars (\$500) or both, and the cost of putting out the fire. Every day during any portion of which such violation occurs, constitutes a separate offense.