

Regulation V Permit System Requirements

6/30/72

Rule 1. AUTHORITY TO CONSTRUCT. Any person building, erecting, altering or replacing any article, machine, equipment or other contrivance, the use of which may cause issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants, shall first obtain authorization for construction from the Air Pollution Control Officer. An authority for construction shall remain in effect until the permit to operate the equipment for which the application was filed is granted or denied or the application is canceled.

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RULE 5: Exemptions An authority to construct or a permit to operate shall
not be required for:

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

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- b. Vehicles used to transport passengers or freight.
- c. Equipment utilized exclusively in connection with any structure, which structure is designed for and used exclusively as a dwelling for not more than four families.
- d. The following equipment:
 - 1. Comfort air conditioning or comfort ventilating systems, which are not designed to remove air contaminants generated by or released from specific units or equipment.
 - 2. Refrigeration units except those used as, or in conjunction with, air pollution control equipment.
 - 3. Piston type internal combustion engines.
 - 4. Water cooling towers and water cooling ponds not used for evaporative cooling of water from barometric jets or from barometric condensers.
 - 5. Equipment used exclusively for steam cleaning.
 - 6. Presses used exclusively for extruding metals, minerals, plastics, or wood.
 - 7. Equipment used exclusively for space heating, other than boilers.
 - 8. Equipment used for hydraulic or hydrostatic testing.
 - 9. Equipment used in eating establishments for the purpose of preparing food for human consumption.
 - 10. Equipment used exclusively to compress or hold dry natural gas.
- e. The following equipment or any exhaust system or collector serving exclusively such equipment:
 - 1. Laboratory equipment used exclusively for chemical or physical analyses and bench scale laboratory equipment.
 - 2. Brazing, soldering, or welding equipment.

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- f. Steam generators, steam superheaters, water boilers, water heaters, and closed heat transfer systems of less than 250,000,000 British Thermal Units per hour (gross), and capacity are fired exclusively with one of the following:
 1. Natural gas.
 2. Liquefied petroleum gas
 3. A combination of natural gas and liquefied petroleum gas.
- g. Natural draft hoods, natural draft stacks, or natural draft ventilators.
- h. Other sources of minor significance which may be specified by the Air Pollution Control Officer.
- i. Self-propelled mobile construction equipment other than pavement burners.
- j. Agricultural implements used in agricultural operations.
- k. Vacuum cleaning systems used exclusively for industrial, commercial, or residential housekeeping purposes.
- l. Repairs or maintenance not involving structural changes to any equipment for which a permit has been granted.
- m. Identical replacements in whole or in part of any equipment where a permit to operate has previously been granted for such equipment.

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Rule 8. CANCELLATION. An authority to construct shall be canceled two years from the date of filing of the application.

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Rule 11. STANDARDS FOR GRANTING APPLICATIONS.

a. The Air Pollution Control Officer shall deny a permit except as provided in Paragraph 12, Regulation III, if the applicant does not show that the use of any equipment, which may cause the issuance of air contaminants, or the use of which may eliminate or reduce or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment, that it may be expected to

operate without emitting or without causing to be emitted air contaminants in violations of Section 24242 or 24243, of the Health and Safety Code, or of these rules and regulations,

b. Before a permit is granted, the Air Pollution Control Officer may require the applicant to provide and maintain such facilities as are necessary for sampling and testing purposes in order to secure information that will disclose the nature, extent, quantity or degree of air

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(Rule 11 continued)

contaminants discharged into the atmosphere from the equipment described in the permit. In the event of such a requirement, the Air Pollution Control Officer shall notify the applicant in writing of the required size, number and location of the sampling holes; the size and location of the sampling platform; the access to the sampling platform; and the utilities for operating the sampling and testing equipment. The platform and access shall be constructed in accordance with the general industry safety orders of the State of California.

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

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RULE 14 - PROCESS WEIGHT TABLE

MAXIMUM ALLOWABLE EMISSION RATE BASED ON PROCESS WEIGHT RATE

Process Weight Rate		Maximum Allowable Emission Rate
Lbs./Hr.	Tons/Hr.	Lbs./Hr.
50.....	.025	0.03 ⁻⁴
100050	0.55 ⁶
500250	1.53
1,000500	2.25
5,000	2.500	6.34
10,000	5.000	9.73
20,000	10.000	14.99
60,000	30.000	29.60
80,000	40.000	31.19
120,000	60.000	33.28
160,000	80.000	34.85
200,000	100.000	36.11
400,000	200.000	40.35
1,000,000	500.000	46.72

Interpolation of the data for the process weight rates up to 60,000 lbs./hr. shall be accomplished by the use of the equation:

$$E = 3.59 P^{0.62} \quad P \leq 30 \text{ tons/hr.}$$

and interpolation and extrapolation of the data for process weight rates in excess of 60,000 lbs./hr. shall be accomplished by use of the equation:

$$E = 17.31 P^{0.16} \quad P > 30 \text{ tons/hr.}$$

Where: E=Emissions in pounds per hour.
P=Process weight rate in tons per hour

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Rule 19 FUEL BURNING EQUIPMENT: A person shall not build, erect, install or expand any nonmobile 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:

- a. 200 pounds per hour of sulphur compounds, calculated as sulphur dioxide (SO_2);
- b. 140 pounds per hour of nitrogen oxides, calculated as nitrogen dioxide (NO_2);
- c. 10 pounds per hour of combustion contaminants as defined in Rule 2 (H), Regulation I, and derived from the fuel.

For the purpose of this Rule, "Fuel Burning Equipment" means any furnace, boiler, apparatus, stack, and all appurtenances thereto, used in the process of burning fuel for the primary purpose of producing heat or power by indirect heat transfer. A fuel burning unit shall be comprised of the minimum number of 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 base rate of air contaminant emissions.

AMADOR COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 101 TITLE

These Rules and Regulations shall be known as the Rules and Regulations of the Amador County Air Pollution Control District.

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RULE 102 Definitions. Except as otherwise specifically provided in these Rules, and except where the context otherwise indicates, words used in these Rules are used in exactly the same sense as the same words are used in the Health and Safety Code of the State of California.

- A. Air Pollution Control Officer. The Air Pollution Control Officer of the Air Pollution Control District of Amador County.
- B. Agricultural Burning. (a) Any open outdoor fire used in agricultural operations necessary for the growing of crops or raising of fowl or animals, or in forest management or range improvement; or used in the improvement of land for wildlife and game habitat; or disease or pest prevention. (b) Any open outdoor fire used in the operation or maintenance of a system for the delivery of water for the purposes specified in subdivision (a) of this definition. Rule 302 D shall not apply to such burning.
- C. Agricultural Operation. The growing and harvesting of crops, or raising of fowl or animals for the primary purpose of making a profit, or providing a livelihood, or the conduction of agricultural research or instruction by an educational institution.
- D. Agricultural Wastes. Are (a) unwanted or unsellable materials produced wholly from agricultural operations and (b) materials not produced from agricultural operations, but which are intimately related to the growing or harvesting of crops and which are used in the field, such as fertilizer and pesticide sacks or containers where the sacks or containers are emptied in the field. This does not include, however, such items as shop wastes, demolition materials, garbage, oil filters, tires, pallets, and the like.
- E. Air Contaminant or Pollutant. Any discharge, release, or other propagation into the atmosphere directly, or indirectly, caused by man and includes, but is not limited to, smoke, dust, charred paper, soot, grime, carbon, noxious acids, fumes, gases, odors, or particulate matter, or any combination thereof.

- F. ~~Alterations~~. Any addition to, enlargement of, 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 affect the kind or amount of air contaminants emitted.
- G. Approved Ignition Devices. Means those instruments or materials that will ignite open fires without the production of black smoke by the ignition device. This would include such items as liquid petroleum gas (L.P.G.), butane, propane, or diesel oil burners, flares, or other similar material as approved by the Air Pollution Control Officer. This does not include tires, tar, tar paper, oil and other similar materials.
- H. A.R.B. The California State Air Resources Board, or any person authorized to act on its behalf.
- I. Atmosphere. The air that envelops or surrounds the earth. Where air pollutants are emitted into a building not designed specifically as a piece of air pollution control equipment, such emissions into the building shall be considered to be an emission into the atmosphere.
- J. Board. The Amador County Air Pollution Control Board.
- K. Brush Treated. The material has been felled, crushed or up-rooted with mechanical equipment, or has been desiccated with herbicides.
- L. Combustible or Flammable Waste. Means any garbage, rubbish, trash, rags, paper, boxes, crates, excelsior, ashes, offal, carcass of a dead animal, petroleum product waste or any other combustible or flammable refuse material.
- M. Combustion Contaminant. Any particulate matter discharged into the atmosphere from the burning of any material which contains carbon in either the free or the combined state.
- N. Condensed Fumes. Particulate matter generated by the condensation of vapors evolved after volatilization from the molten liquid state, or generated by sublimation, distillation, calcination or chemical reaction, when these processes create airborne particles.
- O. Designated Agency. Any agency designated by the A.R.B. and _____ County Air Pollution Control District as having authority to issue Agricultural Burn Permits.
- P. District. Is the Air Pollution Control District of Amador County.

- Q. Dust. Minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, or other similar processes.
- R. Emission. The act of releasing or discharging air contaminants into the ambient air from any source.
- S. Emission Data. Are measured or calculated concentrations or weights of air contaminants emitted into the ambient air. Production data used to calculate emission data are not emission data.
- T. Emission Point. The place, located in a horizontal plane and vertical elevation, at which an emission enters the atmosphere.
- U. Flue. Any duct or passage for air, gases or the like, such as a stack or chimney.
- V. 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.
- W. Fossil Fuel-fired Steam Generator. Means a furnace or boiler used in the process of burning fossil fuel for the primary purpose of producing steam by heat transfer. "Fossil fuel" means natural gas, petroleum, coal and any form of solid, liquid, or gaseous fuel derived from such materials.
- X. Hearing Board. The appellate review board of any county or regional air pollution control district as provided for in the Health and Safety Code of the State of California.
- Y. Incineration. An operation in which combustion is carried on for the principal purpose, or with the principal result of oxidizing a waste material to reduce its bulk or facilitate its disposal.
- Z. Incinerator. Means any furnace or other closed fire chamber used to dispose of combustible waste by burning and from which the products of combustion are directed through a flue or chimney.
- AA. Installation. The placement, assemblage or construction of equipment or control apparatus at the premises where the equipment or control apparatus will be used, including all preparatory work at such premises.
- BB. Institutional Facility. Means any hospital, boarding home, school or like facility.

- CC. Multiphase Chamber Incinerator. 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, inter-connected by gas passage ports or ducts employing adequate design parameters necessary for maximum combustion of the material to be burned.
- DD. No-Burn Day. Means any day on which agricultural burning is prohibited by the A.R.B.
- EE. Open Out-Door Fire. As used in this regulation means: Combustion of any combustible material of any type, out-doors in the open air, where the product of combustion is not directed through a flue.
- FF. 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 properties of a material.
- GG. Orchard or Citrus Heaters. Any article, machine, equipment, or other contrivance, burning any type of fuel or material capable of emitting air contaminants, used or capable of being used for the purpose of giving protection from frost damage.
- HH. Owner or Operator. Means any person who owns, operates, controls or supervises an affected facility, or a stationary source of which an affected facility is a part.
- II. Particulate Matter. Is any material except uncombined water, which can exist in a finely divided form as a liquid or solid at standard conditions.
- JJ. Permissive Burn Day. Means any day on which agricultural burning is not prohibited by the A.R.B.
- KK. Person. Any person, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, operator, user or owner, any government agency or public district or any officer or employee thereof.
- LL. ppm. Parts per million by volume expressed on a dried gas basis.
- MM. 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.)

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RULE 102

- NN. Public Record. Means any record made available to the public by law containing information relating to the conduct of the public's business that is prepared, owned, used or retained by the District, except "trade secrets" as defined in RULE 409 C, Regulation IV.
- OO. 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.
- PP. Record. Means handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or any combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, drums, and other documents.
- OQ. Residential Rubbish. Rubbish originating from a single or two family dwelling on its premises, limited to the following material: wood, paper, cloth, cardboard, tree trimmings, leaves, lawn clippings and dry plants.
- RR. Source Operation. The last operation preceding the emission of an air contaminant, which operation (a) results in the separation of the air contaminants from the process materials or in the conversion of the process materials into air contaminants, as in the case of combustion of fuel, and (b) is not an air pollution abatement operation.
- SS. Section. As used in these Rules and Regulations, unless some other code is specifically mentioned, all section references are to the Health and Safety Code as such code reads on January 1, 1976.
- TT. Silvicultural Practices. Means the establishment, development, care and reproduction of stands of timber.
- UU. Solid Waste Dump. Means any accumulation for the purpose of disposal of any solid waste.
- VV. Standard Conditions. As used in these regulations, "Standard Conditions" are a gas temperature of 60 degrees Fahrenheit and a gas pressure of 14.7 pounds per square inch absolute. Results of all analyses and tests shall be calculated and reported at this gas temperature and pressure.
- WW. Standard Cubic Foot of Gas. The amount of gas that would occupy a volume of one (1) cubic foot, if free of water vapor, at standard conditions.

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- RULE 102 XX. Timber Operations. Means cutting or removal of timber or other forest vegetation.
- YY. Total Reduced Sulfur (TRS). 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 are not to be included in the determination of TRS.

AMADOR COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 106 Validity. If any Regulation, Rule, subdivision, sentence, clause, or phrase of these Rules and Regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of these Rules and Regulations. The Amador County Air Pollution Control District Board of Directors hereby declares that it would have adopted these Rules and Regulations and every Regulation, Rule, subdivision, sentence, clause, and phrase thereof irrespective of the fact that any one or more Regulations, Rules, subdivisions, sentences, clauses, or phrases be declared unconstitutional or invalid.

AMADOR COUNTY AIR POLLUTION CONTROL DISTRICT

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Rule 107 Effective Date. These Rules and Regulations shall take effect on September 15, 1979.

AMADOR COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 201 DISTRICT-WIDE COVERAGE

Prohibitions as set forth in this Regulation, shall apply in all portions of the Amador County Air Pollution Control District unless otherwise stated.

AMADOR COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 202 VISIBLE EMISSIONS

A person shall not discharge into the atmosphere from any single source of emission whatsoever any air contaminant for a period or periods aggregating more than three (3) minutes in any one (1) hour which is:

- A. As dark or darker in shade as that designated as No. 1 on the Ringlemann Chart, as published by the United States Bureau of Mines, or
- B. Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subsection (A) of this section.

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RULE 203 Exceptions. The provisions of RULE 202 do not apply to:

- A. Smoke from fires set or permitted by any public fire officer, if such fire is set by or permission given in the performance of the official duty of such officer, and such fire in the opinion of such officer is necessary:
 - 1. for the purpose of the prevention of a fire hazard, (or health hazard as determined by the Health Officer), which cannot be abated by any other means, or
 - 2. the instruction of public employees and/or volunteer firemen in the methods of fighting fires.
- B. Smoke from fires set pursuant to permit on property used for industrial purposes for the purpose of instruction of employees in methods of fighting fires.
- C. Open outdoor fires used for recreational purposes or for cooking of food for human consumption.
- D. The use of an experimental device, system, or method to study or research open burning authorized by Section 41707 and 41805 (b) of the Health and Safety Code and these Rules and Regulations.
- E. Agricultural operations necessary for the growing of crops, or raising of fowl or animals.
- F. Use of any aircraft to distribute seed, fertilizer, insecticides, or other agriculture aids over lands devoted to the growing of crops, or the raising of fowl or animals.
- H. Orchard or citrus grove heaters that are on the approved list published by the State Air Resources Board.
- I. The governing board of the district may by rule provide for issuance by the Air Pollution Control Officer of permits for open burning. The provisions of RULE 202 do not apply to smoke from fires set pursuant to such permit.

AMADOR COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 204 WET PLUMES

Where the presence of uncombined water is the only reason for the failure of an emission to meet the limitation of *Rule 202* that Rule shall not apply. The burden of proof which establishes the application of this Rule shall be upon the person seeking to come within its provisions.

AMADOR COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 206 Incinerator Burning.

Except for the burning of residential rubbish, as defined in Rule 102, a person shall not burn any combustible or flammable waste in any incinerator within the boundaries of the Amador County Air Pollution Control District except in a multiple-chamber incinerator as defined in Rule 102 or in equipment found by the Air Pollution Control Officer to be equally effective for the purpose of air pollution control.

Pathological Incineration.

A person shall not burn any pathological waste in any incinerator within the boundaries of the Amador County Air Pollution Control District unless all gases, vapors, and gas-entrained effluents from such an incinerator are:

- A. Incinerated at temperatures of not less than 1,500 degrees Fahrenheit for a period of not less than 0.5 seconds in an incinerator distributing direct flame to pathological waste on a solid grate, or
- B. Processed in such a manner determined by the Air Pollution Control Officer to be equally, or more, effective for the purpose of air pollution control than (A) above.

For the purpose of this Rule, "Pathological Waste" is defined as including, but not limited to, human or animal tissue, or natural constituents thereof, being combusted for reasons of waste reduction, disease control or burial preparation.

AMADOR COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 207 Particulate Matter.

A person shall not release or discharge into the atmosphere from any source or single processing unit, exclusive of sources emitting combustion contaminants only, particulate matter emissions in excess of 0.1 grains per cubic foot of dry exhaust gas at standard conditions.

AMADOR COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 207.1 Asphalt Concrete Plants. Any asphalt concrete plant constructed or modified after the date of adoption of these Rules shall not emit particulate matter in excess of 0.04 gr./dscf (grains per cubic foot of dry exhaust gas at standard conditions).

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RULE 210 Specific Contaminants.

A. Sulfur Compounds. A person shall not release or discharge into the atmosphere from any source of emissions whatsoever, sulfur compounds, calculated as sulfur dioxide (SO_2), in excess of 2,000 parts per million by volume (0.2%) of exhaust gas.

B. Combustion Contaminants. A person shall not release or discharge into the atmosphere from the following sources or units thereof, combustion contaminants calculated at 12 percent carbon dioxide (CO_2) in excess of:

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Rule 11. B. Combustion contaminants: 0.1 grain per cubic foot of gas calculated to 12 percent of carbon dioxide (CO_2) at standard conditions. In measuring the combustion contaminants from incinerators used to dispose of combustible refuse by burning, the carbon dioxide (CO_2) produced by combustion of any liquid or gaseous fuels shall be excluded from the calculation to 12 percent of carbon dioxide (CO_2).

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2. All Other Sources: 0.1 grains per cubic foot of dry exhaust gas at standard conditions.

C. Particulate matter emitted from a source or combination of sources in which exhaust gases from a combustion unit or process are used to dry, calcine, pyrolyze, sinter or otherwise thermally condition, exclusive of combusting, any process material shall be excluded from calculation as combustion contaminants.

AMADOR COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 213 Storage of Petroleum Products.

A.

1. Except as provided in subdivision (2), 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, unless such tank is a pressure tank, or is equipped with a vapor recovery system, or with a floating roof, or unless such tank is equipped with other apparatus of equal efficiency which has been approved by the Air Pollution Control Officer.
2. Subdivision (1) shall not apply to any stationary tanks installed prior to December 31, 1970.
3. Subdivision (1) shall not apply to any stationary tank which is used primarily for the fuelling of implements of husbandry, as such vehicles are defined in Division 16 (commencing with Section 36000) of the Vehicle Code.
4. For the purpose of this Rule, "gasoline" means any petroleum distillate having a Reid vapor pressure of four pounds or greater.
5. For the purpose of this Rule, "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.
6. A "pressure tank" is a tank which maintains a working pressure sufficient at all times to prevent hydrocarbon vapor or gas loss to the atmosphere.
7. A "vapor recovery system" consists of a vapor gathering system capable of collecting the hydrocarbon vapors and gases so as to prevent their emission to the atmosphere, with all tank gauging and sampling devices gas-tight except when gauging or sampling is taking place.
8. A "floating roof" consists of a pontoon-type or double-deck-type roof, resting on the surface of the liquid contents and equipped with a closure seal, or seals, to close the space between the roof edge and tank wall. This control equipment shall not be used if the gasoline or petroleum distillate has a vapor pressure of 11.0 pounds per square inch absolute or greater under actual storage conditions. All tank gauging and sampling devices shall be gas-tight except when gauging or sampling is taking place.

B. A person shall not place, store or hold in any stationary tank, reservoir or other container of more than 40,000 gallons capacity, any gasoline or any petroleum distillate having a vapor pressure of 1.5 pounds per square inch absolute or greater under actual storage conditions, unless such tank, reservoir or other container is a pressure tank, or equipped with a vapor recovery system, or a floating roof as described in subsection (A) of this Rule, or other equipment of equal efficiency, provided such equipment is approved by the Air Pollution Control Officer.

AMADOR COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 214 Reduction of Animal Matter

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

- A. Incinerated at temperatures of not less than 1,200 degrees Fahrenheit for a period of not less than 0.3 seconds, or
- B. Processed in such a manner determined by the Air Pollution Control Officer to be equally, or more, effective for the purpose of air pollution control than (A) above.

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

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

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

AMADOR COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 215 Abrasive Blasting

By reference Title 17, Subchapter 6, of the California Administrative Code shall apply.

AMADOR COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 216 Compliance Tests.

Readopted 4/20/99

Except as otherwise provided in these Rules and Regulations, performance tests undertaken to determine compliance of sources with Regulation II shall comply with the provisions of CFR 40, Part 60, Appendix A except that Method 5 shall be modified to include the impinger train.

REGULATION

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III

OPEN BURNING

10/16/85

301. Prohibition From Burning. No person shall use open outdoor fires for the purpose of disposal, processing or burning of any combustible or flammable material.

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Exceptions to RULE 301. Except as otherwise provided in this Regulation, nothing in these Rules and Regulations shall be construed as limiting the use of open outdoor fires for the following purposes:

- A. Agricultural Burning, pursuant to RULE 303.
- B. Range Improvement Burning, pursuant to RULE 304.
- C. Forest Management Burning, pursuant to RULE 305.
- D. Land Development Clearing, pursuant to RULE 306.
- E. Ditch and Road Maintenance, pursuant to RULE 307.
- F. Public Disposal Facility, pursuant to Section 41804.5 of the Health and Safety Code.
- G. Hazard Reduction, pursuant to RULE 308.
- H. Fire Suppression and Training, pursuant to RULE 309.
- I. Residential Maintenance, pursuant to RULE 310.
- J. Recreational Activity, pursuant to RULE 311.

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303. Agricultural Burning. Agricultural burning, as defined in RULE 102, shall be allowed under the following conditions:

- A. A valid permit shall be secured pursuant to RULE 312.
- B. Burning, except that related to the disposal of empty pesticide or toxic substance containers used in agricultural operations, shall occur on those days approved pursuant to RULE 313.
- C. Information regarding the burn shall be provided pursuant to RULE 314.
- D. Material to be burned shall be dried pursuant to RULE 315 and shall be free of materials not produced in an agricultural operation.
- E. Burning shall be managed pursuant to RULE 316.
- F. Open burning of agricultural waste above 3,000 feet and agricultural burning above 6,000 feet shall be exempt from Sections A through E of this Rule.

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- 304 Range Improvement Burning. Range improvement burning, as defined in RULE 102, shall be allowed under the following conditions:
- A. A valid permit shall be secured pursuant to RULE 312.
 - B. Burning shall occur only on those days approved pursuant to RULE 313.
 - C. Information regarding the burn shall be provided pursuant to RULE 314.
 - D. Material to be burned shall be dried pursuant to RULE 315.
 - E. Burning shall be managed pursuant to RULE 316.
 - F. Brush shall be treated pursuant to RULE 102 at least six (6) months prior to the burn and windrowed or piled if economically and technically feasible. Unwanted trees over six (6) inches in diameter shall be felled and dried pursuant to the direction of the Air Pollution Control Officer prior to the burn.
 - G. No burning shall be conducted for the improvement of land for wildlife or game habitat until the person desiring to conduct such burning obtains from the Department of Fish and Game a written statement certifying that the burning is desirable and proper for the improvement of land for wildlife or game habitat and such statement is filed with the Air Pollution Control Officer. As to burning conducted by the Department of Fish and Game, the department shall, on its own behalf, issue and file such statements.
 - H. Open burning of agricultural waste above 3,000 feet or agricultural burning above 6,000 feet shall be exempt from Sections A through H of this Rule.

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- 305 Forest Management Burning. Forest management burning, as defined in RULE 102, shall be allowed under the following conditions:
- A. A valid permit shall be secured pursuant to RULE 312.
 - B. Burning shall occur only on those days approved pursuant to RULE 313.
 - C. Information regarding the burn shall be provided pursuant to RULE 314.
 - D. Drying time shall be specified by the designated agency.
 - E. Waste material shall be windrowed or piled where possible, unless good silviculture practice as defined in RULE 102 dictates otherwise.
 - F. Burning shall be managed pursuant to RULE 316 B and C.
 - G. Open burning of agricultural waste above 3,000 feet or agricultural burning above 6,000 feet shall be exempt from Sections A through F of this Rule.

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306 Land Development Clearing. The District Air Pollution Control Board finds it more economically desirable to dispose of wood waste from trees, vines and bushes on property being developed for commercial or residential purposes by burning instead of burial at a sanitary landfill. This material shall be allowed for disposal by burning under the following conditions:

- A. A valid permit shall be secured pursuant to RULE 312.
- B. Burning shall occur only on those days approved pursuant to RULE 313.
- C. Unwanted trees over six (6) inches in diameter shall be felled and dried prior to the burn. Wood waste shall be windrowed if economically and technically feasible.

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- 307 Ditch and Road Maintenance. The use of open outdoor fires for right-of-way clearing by a public entity or utility or for levee, ditch or reservoir maintenance shall be allowed under the following conditions:
- A. Burning shall occur only on those days approved pursuant to RULE 313.
 - B. Material to be burned shall be dried pursuant to RULE 315, and stacked or otherwise arranged to promote combustion as specified by the Air Pollution Control Officer.

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§08 Hazard Reduction.

- A. Wood waste from trees, vines and bushes produced by vegetative clearance done in compliance with state and local law or ordinance to reduce a fire hazard shall be allowed for disposal by burning pursuant to the conditions of Rule 306.
- B. If a fire officer with jurisdiction determines that a condition exists in which a fire hazard will have an imminent effect on life or property, or where other authorized officials determine that a health hazard exists or that there is an immediate need for disease or pest prevention, and that there is no alternative to burning, all other provisions of this Regulation shall be waived.

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RULE NO.

309 Fire Suppression and Training. Nothing in these Rules and Regulations shall be construed as limiting the authority of any public fire official granted under provisions of law to:

- A. Set or permit a fire when such fire is, in his opinion, necessary for the instruction of public employees and or volunteer firemen or, on property used for industrial purposes, employees in the methods of fighting fires.
- B. Set or cause to be set backfires necessary to save life or valuable property pursuant to Section 4426 of the Public Resources Code.

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310 Residential maintenance. Nothing in these Rules and Regulations shall be construed as limiting the use of open outdoor fires for the burning of Residential Rubbish as defined in RULE 102.

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311 Recreational Activity. Nothing in these Rules and Regulations shall be construed as limiting the use of open outdoor fires for recreational purposes, such as the cooking of food for human consumption.

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312 Required Permit.

- A. No person required to comply with the provisions of this Rule shall knowingly set or permit open outdoor fires unless that person has been issued a valid permit by the Air Pollution Control Officer or a designated agency.
- B. A permit shall not be issued to an applicant unless information is provided as required by the Air Pollution Control Officer, including:
 - 1. Name and address of applicant.
 - 2. Location of proposed burn.
 - 3. Acreage or estimated tonnage and type of material to be burned.
 - 4. Any other information the District may deem pertinent.
- C. Each permit issued shall bear a statement of warning containing the following words or words of like or similar import: "THIS PERMIT IS VALID ONLY FOR THOSE DAYS ON WHICH THE STATE AIR RESOURCES BOARD OR THE AIR POLLUTION CONTROL DISTRICT DOES NOT PROHIBIT AGRICULTURAL BURNING PURSUANT TO SECTION 41855 OF THE HEALTH AND SAFETY CODE."
- D. A permit shall not be valid unless information is provided as required by the designated fire protection agency for fire protection purposes.

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313 No Burn Day.

- A. No person required to comply with the provisions of this Rule shall knowingly set or permit open outdoor fires on days when such burning is prohibited by the Air Resources Board, the Air Pollution Control Officer or the fire agency with appropriate jurisdiction.
- B. The Air Pollution Control Officer may, by special permit, authorize the use of open outdoor fires on days designated by the Air Resources Board or the Air Pollution Control Officer as "no burn days" if the denial of such permit would threaten imminent and substantial economic loss, and when downwind metropolitan areas are forecasted by the Air Resources Board to achieve the ambient air quality standards. The granting of such a special permit does not exempt the applicant from any other District or fire control regulation.

314 Burning Permits.

- A. The name, location, type, date and amount of the material being burned shall be reported to the designated agency within 15 days following completion of the burn.
- B. The designated agency shall forward the above information to the Air Pollution Control Officer quarterly.

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415 Minimum Drying Times.

- A. To lower the moisture content of the material being burned, the elapsed time between cutting and burning shall be:
1. A minimum of three (3) days for green straw and stubble.
 2. Sufficient time for other agricultural waste such as orchard prunings, small branches, vegetable tops and seed screenings to assure rapid and complete combustion with a minimum of smoke.
 3. A minimum of six (6) weeks for trees, stumps, and large branches greater than six (6) inches in diameter.
- B. The Air Pollution Control Officer may, by permit, authorize shorter drying times if the denial of such permit would threaten imminent and substantial economic loss.

316 Burning Management.

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- A. Material to be burned shall be arranged so that it will burn with a minimum of smoke and, except for large trees, only that amount that can reasonably be expected to completely burn within the following twenty-four (24) hours shall be ignited in any one day.
- B. All open outdoor fires shall be ignited only with approved ignition devices as defined in RULE 102 and the material to be burned shall be ignited as rapidly as practicable within applicable fire control restrictions.
- C. Burning shall be curtailed when smoke is drifting into a nearby populated area or creating a public nuisance.
- D. No material shall be burned unless it is free of tires, rubbish, tar paper, and construction debris; reasonably free of dirt, soil and moisture; and loosely stacked in such a manner as to promote drying and insures combustion with a minimum of smoke.

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317 Mechanized Burners. The Air Pollution Control Officer may authorize, by permit, open outdoor fires for the purpose of disposing of agricultural wastes, or wood waste from trees, vines, bushes, or other wood debris free of nonwood materials, in a mechanized burner such that no air contaminant is discharged for a period or periods aggregating more than 30 minutes in any eight (8) hour period which is:

- A. As dark or darker in shade as that designated No. 1 on the Ringlemann 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 or greater than does smoke described in Subsection A of this Rule.

In authorizing the operation of a mechanized burner, the Air Pollution Control Officer may make the permit subject to whatever conditions he determines are reasonably necessary to assure conformance with the standards prescribed in this Rule.

REGULATION

IV

PERMIT SYSTEMS CONDITIONS

23.

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

— RULE 401 Responsibility.

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

4/21/76

Rule 403

RESPONSIBILITY OF PERMITTEE. Issuance of a Permit pursuant to these Rules and Regulations does not release permittee of the responsibility of any and all other applicable permits and authorizations issued by other governmental agencies. (6)

11/19
RULE 404 Unsafe Conditions, Breakdown or Scheduled Maintenance.

A. Definition. For the purpose of this Rule, a breakdown condition means an unforeseeable failure or malfunction of (1) 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 (2) any 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 a recurrent breakdown of the same equipment.

B. Breakdown Procedure.

1. The owner or operator shall notify the Air Pollution Control Officer of any occurrence which constitutes a breakdown condition; such notification shall identify the time, specific location, equipment involved, and (to the extent known) the cause(s) of the occurrence, and shall be given as soon as reasonably possible, but no later than two (2) hours after its detection during normal APCD hours.
2. The Air Pollution Control Officer shall establish written procedures and guidelines, including appropriate forms for logging of initial reports, investigation, and enforcement followup, to ensure that all reported breakdown occurrences are handled uniformly to final disposition.

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RULE 404 B. 3. Upon receipt of notification pursuant to subparagraph B.1, the Air Pollution Control Officer shall promptly investigate and determine whether the occurrence constitutes a breakdown condition. If the Air Pollution Control Officer determines that the occurrence does not constitute a breakdown condition, the Air Pollution Control Officer may take appropriate enforcement action, including, but not limited to seeking fines, an abatement order, or an injunction against further operation.

C. Disposition of Short-Term Breakdown Conditions.

1. An occurrence which constitutes a breakdown condition, and which persists longer than 48 hours, except for continuous monitoring equipment for which the period shall be 96 hours, shall constitute a violation of any applicable emission limitation or restriction prescribed by these Rules and Regulations; however, the Air Pollution Control Officer may elect to take no enforcement action if the owner demonstrates to his satisfaction that a breakdown condition exists and the following requirements are met:
 - a. The owner or operator submits the notification required by subparagraph B 1; and
 - b. The owner or operator immediately undertakes appropriate corrective measures and comes into compliance, or elects to shut down for corrective measures within 48 hours, except for continuous monitoring equipment for which the period shall be 96 hours. If the owner or operator elects to shut down rather than come into immediate compliance, (s)he must nonetheless take whatever steps are possible to minimize the impact of the breakdown within the 48 hour period; and
 - c. The breakdown does not interfere with the attainment and maintenance of any national ambient air quality standard.
2. An occurrence which constitutes a breakdown condition shall not persist longer than 48 hours, except for continuous monitoring equipment for which the period shall be 96 hours, unless the owner or operator has obtained an emergency variance.

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RULE 404

D. Emergency Variance Procedures.

1. If the breakdown condition will require more than 48 hours to correct, except for continuous monitoring equipment for which the period shall be 96 hours, the owner or operator may, in lieu of shut down, request the Air Pollution Control Officer to commence the emergency variance procedure set forth in subparagraph D.2 below.
2. Upon receipt of a request for an emergency variance, the Air Pollution Control Officer shall contact the chairperson of the Hearing Board, or their designated member(s) of the Hearing Board, who shall conduct deliberations for consideration of the request. The Air Pollution Control Officer shall inform the owner or operator of the source of such deliberation. During consideration of the emergency variance, the Air Pollution Control Officer shall recommend whether any emergency variance should be granted, and the owner or operator of the source shall be entitled to present relevant information or data applicable to the breakdown. The burden shall be on the owner or operator to establish that a breakdown condition exists. Thereafter, the chairperson or other designated member(s) may, without notice or hearing, grant or deny an emergency variance. The chairperson or other designated member(s) shall, within five working days, issue a written order confirming the decision, with appropriate findings.
3. No emergency variance shall be granted unless the chairperson or other designated member(s) determines that:
 - a. The occurrence constitutes a breakdown condition; and
 - b. Continued operation is not likely to create a nuisance, an immediate threat or hazard to public health or safety; and
 - c. The requirement for a variance set forth in Health and Safety Code Sections 42352 and 42353 have been met; and
 - d. The continued operation in a breakdown condition will not interfere with the attainment of maintenance of the national ambient air quality standards.
4. At any time after an emergency variance has been granted, the Air Pollution Control Officer may request that the chairperson or designated member(s) reconsider and revoke, modify or further condition the variance if the Air Pollution Control Officer has good cause to believe that:

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- RULE 404 D. 4. a. Continued operation is likely to create a nuisance, an immediate threat or hazard to public health or safety; or
- b. The owner or operator is not complying with all applicable conditions of the variance; or
- c. A breakdown condition no longer exists; or
- d. Final compliance is not being accomplished as expeditiously as practicable.

The procedures set forth in subparagraph D.2, shall govern any further proceedings conducted under this subparagraph.

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

E. Reporting Requirements.

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

1. A statement that the occurrence has been corrected together with the date of correction and proof of compliance; and
2. A specific statement of the reason(s) or cause(s) for the occurrence sufficient to enable the Air Pollution Control Officer to determine whether the occurrence was a breakdown condition; and
3. A description of the corrective measures undertaken and/or to be undertaken to avoid such an occurrence in the future. The Air Pollution Control Officer may, at the request of the owner or operator, for good cause, extend up to 30 days the deadline for submitting the description required by this subparagraph; and
4. An estimate of the quantity of or detailed description of emissions caused by the occurrence; and
5. Pictures of the equipment or control which failed, if available.

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RULE 404 F. Burden of Proof.

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

G. Failure to Comply with Reporting Requirements.

Any failure to comply, or comply in a timely manner, with the reporting requirement established in subparagraph B.1 and E.1 through E.5 of this Rule shall constitute a separate violation of this rule.

H. False Claiming of Breakdown Occurrence.

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

I. Hearing Board Standards and Guidelines.

The Hearing Board shall adopt standards and guidelines consistent with this rule to assist the chairperson or other designated member(s) of the Hearing Board in determining whether to grant or deny an emergency variance, and to assist the Air Pollution Control Officer in the enforcement of this rule.

10/16/85

Rule 501 Permit Required. Before any equipment, the use of which may cause, increase, eliminate, reduce, or control the issuance of air contaminants may be operated, a Permit to Operate shall be obtained from the Air Pollution Control Officer. No Permit to Operate shall be granted either by the Air Pollution Control Officer or the Hearing Board for any such equipment constructed or installed without authorization as required in Regulation IV until the information required is presented to the Air Pollution Control Officer and such equipment is altered, if necessary, and made to conform to the standards set forth in Regulation IV and elsewhere in these Rules and Regulations.

AMAAPCD RULE 502 EXEMPTIONS TO RULE 501
LAST REVISED 09/12/96

Rule 502 Exemptions to Rule 501.

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

AMAAPCD RULE 503 APPLICATIONS
LAST REVISED 09/12/96

Rule 503 Applications.

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

**AMAAPCD RULE 505 CONDITIONAL APPROVAL
LAST REVISED 09/12/96**

Rule 505 Conditional Approval.

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

AMAAPCD RULE 507 RESPONSIBILITY
LAST REVISED 09/12/96

Rule 507 Responsibility.

The fact that a Permit to Operate for an article, machine, equipment or other contrivance described therein shall not be an endorsement of such article, machine, equipment or other contrivance; neither shall it be deemed or construed to be a warranty, guarantee or representation on the part of the Air Pollution Control Officer that emission standards would not be exceeded by such article, machine, equipment or other contrivance. In every instance the person, firm or corporation to whom such Permit to Operate is issued shall be and remain responsible under these Rules and Regulations for each and every instance wherein emission standards are exceeded by the article, machine, equipment or other contrivance described in the Permit to Operate, and the fact of issuance shall not be a defense to or mitigation of any charge of violation. Issuance of a Permit to Operate pursuant to these Rules and Regulations does not release the permittee of the responsibility of any and all other applicable permits and authorizations issued by other local governmental agencies.

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Rule 508 Posting of Permit to Operate. A person who has been granted a Permit to Operate under this Regulation shall firmly affix such Permit to Operate, an approved facsimile or other identification approved by the Air Pollution Control Officer, upon the article, machine, equipment or other contrivance in such a manner as to be clearly visible and accessible. In the event that the equipment is so constructed or operated that the Permit to Operate cannot be so placed, the Permit to Operate shall be mounted so as to be clearly visible in an accessible place on the premises or maintained readily available at all time on the operating premises. A person shall not willfully deface, alter, forge, counterfeit, or falsify a Permit to Operate.

**AMAAPCD RULE 511 COMBINATION OF EMISSIONS
LAST REVISED 09/12/96**

Rule 511 Combination of Emissions.

A. If air contaminants from two or more source operations are combined prior to emission and there are adequate and reliable means reasonably susceptible for confirmation and use by the Air Pollution Control Officer in establishing a separation of the components of the combined emission to indicate the nature, extent, quantity, and degree of emission arising from each such source operation, the Rules and Regulations shall apply to each source operation separately.

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

AMAAPCD RULE 512 CIRCUMVENTION
LAST REVISED 09/12/96

Rule 512 Circumvention.

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

**AMAAPCD RULE 513 SOURCE RECORDKEEPING
LAST REVISED 09/12/96**

Rule 513 Source Recordkeeping.

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

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

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

10-16-85
Rule 514 Public Records and Trade Secrets

- A. All information, analysis, plans or specifications that disclose the nature, extent, quantity or degree of air contaminants or other pollution which will be produced by any source which the District requires any applicant to provide before such applicant builds, alters, replaces, operates, sells, rents, or uses such source, are public records.
- B. All air quality or other pollution monitoring data, including data compiled from stationary sources, are public records.
- C. Except as otherwise provided in Section D. below, trade secrets are not public records under this Rule. Trade secrets, as used in this Rule, may include, but are not limited to, any formula, plan, pattern, process, tool, mechanism, compound, procedure, production rate or compilation of information which is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service having commercial value and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it. The owner or operator shall state in writing his justification for claiming material as trade secrets and such justification shall be public record. The Air Pollution Control Officer shall rule on the validity of trade secret claims. Requests from the public for records shall be specific and in sufficient detail to enable the Air Pollution Control Officer to readily identify the information requested.
- D. Notwithstanding any other provisions of the law, all air pollution emission data, including those emission data which constitute trade secrets as defined in Section C. above, are public records. Production data used to calculate emission data are not emission data for purposes of this subdivision and data which constitute trade secrets and which are used to calculate emission data are not public records.

AMAAPCD RULE 517 TRANSFER
LAST REVISED 09/12/96

Rule 517 Transfer.

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

**AMAAPCD RULE 518 REVOCATION OF A PERMIT TO OPERATE
LAST REVISED 09/12/96**

Rule 518 Revocation of a Permit to Operate.

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

**AMAAPCD RULE 521 ANNUAL RENEWAL
LAST REVISED 09/12/96**

Rule 521 Annual Renewal.

Permits to Operate issued pursuant to this Rule shall expire one (1) year after the date of issuance. The Air Pollution Control Officer may renew an expired Permit to Operate upon payment of the applicable permit fees by the source operator.