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#### **RULE 714 TERMINATION OF EPISODES**

The APCO shall declare the termination of the appropriate episode whenever the concentration of an air contaminant which caused the declaration of such episode has been verified to be below the standards set forth in Rule 704 for the calling of such episode and the available scientific and meteorological data indicate that the concentration of such air contaminant will not immediately increase again so as to reach the standards set forth for such episode in Rule 704. The APCO shall immediately communicate the declaration of the termination of the episode in the manner provided in Rule 705 for the declaration of episodes.

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66-11

## **RULE 715 SCIENTIFIC ADVISORY COMMITTEE**

A Scientific Advisory Committee shall be appointed by the Air Pollution Control Board. Members shall be licensed physicians, medical scientists, biologists, chemists, engineers and meteorologists, each of whom has had experience in air pollution control work, or other individuals with scientific training or special experience. Members of industry, law-enforcement agencies and the public-at-large shall also be represented.

The APCO, Zone Air Pollution Control Officers and the District Counsel shall be ex-officio members of the Scientific Advisory Committee. The term of appointment of all members except the ex-officio members shall be two(2) years. The Scientific Advisory Committee shall act through a majority of members present. There shall be at least eighteen(18) members on the committee, as specified, from the following county zones:

- (a) Nine (9) members from Los Angeles County.
- (b) Four (4) members from Orange County.
- (c) Two (2) members from Riverside County.
- (d) Three (3) members from San Bernardino County.

The Scientific Advisory Committee shall have the following duties:

- (a) Study and Recommend - The Scientific Advisory Committee shall study and make recommendations to the Air Pollution Control Board of the most suitable methods for measurement of air contaminants.
- (b) Consult - The Scientific Advisory Committee shall serve in a consultant advisory capacity to the APCO concerning any air pollution problem which may arise. The Scientific Advisory Committee shall also advise the Air Pollution Control Board on any recommended changes in this emergency regulation which will provide greater protection of the health and welfare of all persons within the Air Pollution Control District.
- (c) Emergencies - The Scientific Advisory Committee shall meet with the APCO when called into session to evaluate data and to advise the APCO as to the appropriate actions to be taken when the concentration of any of the contaminants set forth in Rule 704 has been verified to be approaching the standards set forth in Rule 704 for a third-stage episode.

San B.

3.26.90

RULE 101 TITLE

These rules and regulations shall be known as the Rules and Regulations of the San Bernardino County Air Pollution Control District.

3.26.90

San B.

**RULE 103 DESCRIPTION OF THE DISTRICT BOUNDARIES**

- (a) The district boundaries include all of the County of San Bernardino except for that portion of the County referred to as the San Bernardino Area. The District encompasses all of that portion of the County within the Southeast Desert Air Basin.
  
- (b) **SAN BERNARDINO AREA.** That portion of San Bernardino County which is within the South Coast Air Basin, specifically that area lying southerly of the township line common to T3N and T2N and westerly of the range line common to R3E and R2E, S. B. B. & M. The SAN BERNARDINO AREA is administered, for purposes of air quality management, by the South Coast Air Quality Management District.

6.6.77

RULE 219. Equipment Not Requiring a Permit.

A permit shall not be required for the following equipment:

(a) Vehicles and Transportation Equipment

(1) Vehicles, but not to include any equipment mounted on such vehicle that would otherwise require a permit under the provisions of these rules.

(2) Equipment mounted upon vehicles used exclusively to transport materials on streets or highways (does not include asphalt or coal tar pitch roofing kettles).

(3) Pumps used exclusively for direct fueling of: vehicles as defined by the Vehicle Code of the State of California, mobile equipment used on land, locomotives, boats, ships or aircraft.

(b) Combustion and Heat Transfer Equipment

*Piston type* internal combustion engines with a rating of 500 brake horsepower or less or *gas turbine engines with a maximum heat input of 1,500,000 kilogram calories (5,450,000 BTU) per hour or less.*

(2) Equipment used exclusively as steam generators, steam superheaters, water boilers, water heaters, hydrocarbon heaters and closed heat transfer systems that have a maximum heat input rate of less than 5,040,000 kilogram calories (20,000,000 British Thermal Units) per hour (gross) and are fired exclusively with one

of the following: natural gas, liquefied petroleum gas or a combination of natural gas and liquefied petroleum gas.

(c) Structures and Equipment - General

(1) Structural changes which cannot change the quality, nature or quantity of air contaminant emissions.

(2) Repairs or maintenance not involving structural changes to any equipment for which a permit has been granted.

(3) Identical replacement in whole or in part of any equipment where a permit to operate had previously been granted for such equipment under Rules 203 or 602.

(4) 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.

(5) Laboratory equipment used exclusively for chemical and physical analysis and bench scale or laboratory test equipment.

(6) Vacuum-producing devices used in laboratory operations or in connection with other equipment which is exempt by this rule.

(7) Vacuum-cleaning systems used exclusively for industrial, commercial or residential housekeeping purposes.

(8) Natural-draft hoods, natural-draft stacks or natural-draft ventilators.

(d) General Utility Equipment

(1) Comfort air conditioning or ventilating systems which are not designed or used to remove air contaminants generated by or released from specific units of equipment.

(2) Refrigeration units except those used as or in conjunction with air pollution control equipment.

(3) Water cooling towers and water cooling ponds not used for evaporative cooling of process water or not used for evaporative cooling of water from barometric jets or from barometric condensers.

(4) Equipment used exclusively for steam cleaning.

(5) Equipment used exclusively for space heating other than boilers.

(6) Equipment used exclusively to compress or hold dry natural gas.

(e) Metallurgical Processing and Fabrication Equipment

(1) Crucible-type or pot-type furnaces with a brimful capacity of less than 7400 cubic centimeters (452 cubic inches) of any molten metal.

(2) Crucible furnaces, pot furnaces or induction furnaces with a capacity of 450 kilograms (992 pounds) or less each, in which no sweating or distilling is conducted and from which only the following metals are poured or in which only the following metals are held in a molten state:

(A) Aluminum or any alloy containing over 50 percent aluminum.

(B) Magnesium or any alloy containing over 50 percent magnesium.

(C) Lead or any alloy containing over 50 percent lead.

(D) Tin or any alloy containing over 50 percent tin.

(E) Zinc or any alloy containing over 50 percent zinc.

(F) Copper.

(G) Precious metals.

(3) Molds used for the casting of metals.

(4) Equipment used exclusively for inspection of metal products and control equipment venting exclusively such equipment.

(5) Ovens used exclusively for curing potting materials or castings made with epoxy resins.

(6) Brazing, soldering, <sup>welding or</sup> oxygen - gaseous fuel cutting ~~or welding~~ equipment (not including plasma arc) and control equipment venting exclusively such equipment.

(7) Equipment used for washing or drying products fabricated from metal or glass provided that no organic washing agents are used in the process and that no oil or solid fuel is burned, and control equipment venting exclusively such equipment.

(8) Equipment used exclusively for the sintering of metal, and control equipment venting exclusively such equipment.

(9) Foundry sand mold forming equipment to which no heat <sup>or chemical desiccant</sup> is applied, and control equipment venting exclusively such equipment.

(10) Equipment used exclusively for forging, pressing, rolling or drawing of metals or for heating metals exclusively with natural gas or electricity prior to forging, pressing, rolling or drawing.



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

(12) Ladles used in pouring molten metals.

(13) Tumblers used for the cleaning or deburring of metal products without abrasive blasting.

(14) Atmospheric generators used in conjunction with metal heat treating processes.

(15) Die casting machines except those used for copper base alloys.

(f) Abrasive Blasting Equipment

(1) Blast cleaning cabinets in which a suspension of abrasive in water is used and control equipment venting exclusively such equipment.

(2) Abrasive blast cabinet dust-filter combination units where the total internal volume of the blast section is 1.5 cubic meters (53 cubic feet) or less.

(3) Enclosed equipment used exclusively for shot blast removal of flashing from rubber and plastics at sub-zero temperatures and control equipment venting exclusively such equipment.

(4) Shot peening operations on non-ferrous materials, provided no surface material is removed, and control equipment venting exclusively such equipment.

(g) Machining Equipment

(1) Equipment used exclusively for buffing (except automatic and semi-automatic tire buffers), polishing, carving, mechanical cutting, drilling, machining, pressing, routing, sanding, surface grinding or turning of ceramic art work, ceramic precision parts, leather, metals, plastics, rubber, fiberboard, masonry, carbon or graphite and control equipment exclusively venting such equipment.

(2) Equipment used exclusively for carving, cutting, drilling, planing, routing, sanding, sawing, shredding or turning of wood or the *extruding*, pressing or storage of wood chips, sawdust, wood shavings and control equipment exclusively venting such equipment.

(3) Equipment used exclusively to mill or grind coatings and molding compounds where all materials charged are in paste form.

(h) Printing and Reproduction Equipment

(1) All sheet fed printing presses and all other printing presses without dryers.

(2) Photographic process equipment by which an image is reproduced upon material sensitized by radiant energy and control equipment venting exclusively such equipment.

(3) Platen presses used in laminating.

(4) Silk screening where the product is manually positioned.

(i) Food Processing and Preparation Equipment

(1) Smokehouses for preparing food in which the maximum horizontal inside cross-sectional area does not exceed 2 sq. meters (21.5 square feet).

(2) Confection cookers where products are edible and intended for human consumption and control equipment venting exclusively such equipment.

(3) Equipment used exclusively to grind, blend or package tea, cocoa, spices or roasted coffee and control equipment venting exclusively such equipment.

(4) Equipment, except barbecuing ovens, used in eating establishments for the purpose of preparing food for human consumption.

(5) Ovens, mixers, scales and blenders used in bakeries where products are edible and intended for human consumption and control equipment venting exclusively such equipment.

(j) Plastics and Rubber Processing Equipment

(1) Presses used for curing rubber products and plastic products.

(2) Ovens used exclusively for the curing of plastics, which are concurrently being vacuum held to a mold, or for softening or annealing of plastics.

(3) Presses used exclusively for extruding rubber products or

*Except those used to pelletize polyvinyl chloride, polystyrene, and their copolymers.*

(4) Equipment used for compression molding or injection molding of plastics and control equipment venting exclusively such equipment.

(5) Mixers, roll mills and calenders for rubber or plastics where no material in powder form is added and no organic solvents, diluents or thinners are used.

(6) Ovens used exclusively for the curing of vinyl plastisols by the closed-mold curing process.

(7) Equipment used exclusively for conveying and storing plastic pellets.

(k) Mixing and Blending Equipment

(1) Batch mixers of 0.2 cubic meters (7 cubic feet) or less rated working capacity.

(2) Equipment used exclusively for mixing and blending of materials to make adhesives where no organic solvents are used and no materials in powder form are added.

(3) Equipment used exclusively for mixing and blending of materials to make water emulsions of asphalt, grease, oils or waxes where no materials in powder or fiber form are added.

219 (k)(4) ~~Equipment used exclusively to mix, grind, or thin, inks and liquid surface coatings with no material in powder form added and mills, mixers, post mixing stations and dispersers, with a capacity of 1150 liters (304 gallons) or less used exclusively to mix, grind or thin liquid surface coatings.~~

where none of the ingredients exceed 125°F and no supplemental heat is added.

(k)(5) ~~Equipment used exclusively to mix, grind, or thin inks where none of ingredients charged except water exceed 135°F and no supplemental heat is added.~~

(l) Fabric Cleaning and Dyeing Equipment

(1) Equipment used exclusively for dyeing, stripping or

bleaching of textiles where no organic solvents, diluents or thinners are used.

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

(3) Laundry dryers, extractors or tumblers used for fabrics cleaned only with water solutions of bleach or detergent, and control equipment exclusively venting such equipment.

(4) Adsorbers used exclusively with fabric dry cleaning equipment.

(m) Miscellaneous Process Equipment

(1) Equipment used exclusively for bonding lining to brake shoes.

(2) Equipment used exclusively to liquefy or separate oxygen, nitrogen or the rare gases from air.

(3) Porcelain enameling furnaces, porcelain enameling drying ovens or vitreous enameling drying ovens, except those units fired with fuel oil.

(4) Equipment using exclusively <sup>aqueous</sup> water solutions of ~~less than 10-weight-percent-acid-or-base-of-any-active-ingredient~~ for surface preparation, cleaning and stripping. *(Does not include chemical milling)*

(5) Equipment used exclusively for electrolytic plating, electrolytic polishing or electrolytic stripping of brass, bronze, cadmium, copper, iron, lead, nickel, tin, zinc and precious metals.

(6) Equipment having an exposed surface area of 2500 square centimeters (2.7 sq. ft.) or less used exclusively for chemical milling or etching

(7) Equipment used exclusively for packaging of lubricants or greases.

(8) Kilns with a rating of 5,000,000 kilogram calories (20,000,000 Btu) per hour or less used exclusively for firing ceramic ware except those fired by fuel oil (does not include wax burnout kilns).

(9) Equipment used exclusively for tableting vitamins or pharmaceuticals, packaging pharmaceuticals and cosmetics or to coat pharmaceutical tablets except by tumbling and control equipment venting exclusively such equipment.

(10) Equipment used exclusively for coating objects with oils, melted waxes or grease and which contain no organic solvents, diluents or thinners.

(11) Equipment used exclusively for coating objects by dipping <sup>waxes or</sup> in <sup>and</sup> natural ~~or~~ synthetic resins which contain no organic solvents, diluents or thinners.

(12) ~~Unheated solvent dispensing containers, unheated, non-~~ <sup>non agitated</sup> conveyORIZED, <sup>and</sup> solvent rinsing containers or unheated non-conveyORIZED coating dip tanks, with an open surface area of 1.0 square meter (10.8 square feet) or less.

(13) Pipeline booster pumps.

(14) Batch ovens of 1.5 cubic meters (53 cubic feet) or less of internal volume where no melting occurs except:

(A) Ovens used to cure vinyl plastisols.

(B) Ovens used to delaminate brake shoes.

(15) Equipment used exclusively for washing or drying materials provided that no volatile organic materials are used in the process or that no fuel oil or solid fuel is burned.

(16) Equipment used exclusively for manufacturing soap or detergent bars, including mixing tanks, roll mills, pladders, cutters, wrappers, where no heating, drying or chemical reactions occur.

(17) Spray coating equipment operated within control enclosure.

(18) Airless spray coating equipment used exclusively for water reducible coatings.

(19) Spray coating equipment using a combined total of one gallon per day or less of paint and solvent (does not include control enclosures).

(20) Equipment used exclusively for the sintering of glass and control equipment venting exclusively such equipment.

(n) Storage and Transfer Equipment

(1) Equipment used exclusively for the storage and transfer of fresh, commercial or purer grades of:

(A) Sulfuric acid or phosphoric acid with an acid strength of 99 percent or less by weight.

(B) Nitric acid with an acid strength of 70 percent or less by weight.

(2) Equipment used exclusively for the storage of liquefied gases.

(3) Equipment used exclusively for the transfer of less than 75,700 liters (20,000 gallons) per day or equipment used exclusively for the storage of the following:

(A) Unheated organic materials with an initial boiling point of 150°C (302°F) or greater.

(B) Fuel oils with 0.9042 specific gravity or higher (25° API or lower).

(C) Fuel oils with 0.8251 specific gravity or higher (40° API or lower) and having a capacity of 150,000 liters (39,630 gallons) or less.

(n)(4) Equipment with 950 liters (251 gallons) or less capacity used exclusively for the mixing or storage of, and equipment used exclusively for the transfer to or from such mixing and storage equipment of, organic liquids and materials containing organic liquids.

(5) Equipment used exclusively for the storage and transfer of liquid soaps, liquid detergents, vegetable oils, fatty acids, waxes and wax emulsions.

(6) Equipment used exclusively for the storage and transfer of refined lubricating oils.

(7) Equipment used exclusively for the storage and transfer of crankcase drainage oil of less than 3,000 liters (793 gallons).



(8) Equipment used exclusively for the storage and transfer of gasoline having a storage capacity of less than 946 liters (250 gallons)

(9) - Equipment used exclusively for the storage and transfer of edible animal fats intended for human consumption and of sufficient quality to be certifiable for United States markets.

(10) Equipment used exclusively for the storage, holding, melting and transfer of asphalt or coal tar pitch with a capacity of less than 560 liters (148 gallons).

(11) Pumps used exclusively for pipeline transfer of liquids.

(12) Unheated underground equipment used exclusively for the storage of 23,029 liters (6,077 gallons) or less of, and equipment used exclusively for the transfer from such storage of, organic liquids with a vapor pressure of 130mm Hg (2.5 psi) absolute or less under actual storage conditions.

(o) Natural Gas and Crude Oil Production Equipment

The following oil and natural gas production equipment used exclusively for primary recovery of natural gas and crude oil:

(1) Free-flow well heads and well pumps.

(2) Gas separators and gas boots.

(3) Initial receiving, dehydrating, washing and shipping tanks

(except tanks associated with community lease transfer units) with an individual capacity of 150,000 liters (39,530 gallons) or less.

(4) Gas recovery equipment exclusively serving above tanks

(Item 3).

- (5) Crude oil and natural gas pipeline transfer pumps.
- (6) Crude oil well head loading facilities.
- (7) Gravity-type effluent water separators (except those associated with community lease transfer units).
- (8) Dry gas dehydrating and repressuring equipment.
- (9) Hydraulic and pneumatic repressuring equipment (does not include steam generating equipment).

11-477

**RULE 405. Solid Particulate Matter - Weight**

(a) A person shall not discharge into the atmosphere from any source, solid particulate matter including lead and lead compounds, in excess of the rate shown in Table 405 (a).

Where the process weight per hour is between figures listed in the table, the exact weight of permitted discharge shall be determined by linear interpolation.

(b) For the purposes of this rule, emissions shall be averaged over one complete cycle of operation or one hour, whichever is the lesser time period.

**TABLE 405(a)**

Process Weight Per Hour		Maximum Discharge Rate Allowed for Solid Particulate Matter (Aggregate Discharged From All points of Process)		Process Weight Per Hour		Maximum Discharge Rate Allowed for Solid Particulate Matter (Aggregate Discharged From All points of Process)	
Kilograms Per Hour	Pounds Per Hour	Kilograms Per Hour	Pounds Per Hour	Kilograms Per Hour	Pounds Per Hour	Kilograms Per Hour	Pounds Per Hour
100 or less	220 or less	0.450	0.99	9000	19840	5.308	11.7
150	331	0.585	1.29	10000	22050	5.440	12.0
200	441	0.703	1.55	12500	27560	5.732	12.6
250	551	0.804	1.77	15000	33070	5.982	13.2
300	661	0.897	1.98	17500	38580	6.202	13.7
350	772	0.983	2.17	20000	44090	6.399	14.1
400	882	1.063	2.34	25000	55120	6.743	14.9
450	992	1.138	2.51	30000	66140	7.037	15.5
500	1102	1.209	2.67	35000	77160	7.296	16.1
600	1323	1.340	2.95	40000	88180	7.527	16.6
700	1543	1.461	3.22	45000	99210	7.738	17.1
800	1764	1.573	3.47	50000	110200	7.931	17.5
900	1984	1.678	3.70	60000	132300	8.277	18.2
1000	2205	1.777	3.92	70000	154300	8.582	18.9
1250	2756	2.003	4.42	80000	176400	8.854	19.5

1500	3307	2.206	4.86	90000	198400	9.102	20.1
1750	3858	2.392	5.27	100000	220500	9.329	20.6
2000	4409	2.563	5.65	125000	275600	9.830	21.7
2250	4960	2.723	6.00	150000	330700	10.26	22.6
2500	5512	2.874	6.34	175000	385800	10.64	23.5
2750	6063	3.016	6.65	200000	440900	10.97	24.2
3000	6614	3.151	6.95	225000	496000	11.28	24.9
3250	7165	3.280	7.23	250000	551200	11.56	25.5
3500	7716	3.404	7.50	275000	606300	11.82	26.1
4000	8818	3.637	8.02	300000	661400	12.07	26.6
4500	9921	3.855	8.50	325000	716500	12.30	27.1
5000	11020	4.059	8.95	350000	771600	12.51	27.6
6000	13230	4.434	9.78	400000	881800	12.91	28.5
7000	15430	4.775	10.5	450000	992100	13.27	29.3
8000	17640	5.089	11.2	500000 or more	1,102,000 or more	13.60	30.0

11-4-77

RULE 406. Specific Contaminants

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

- (a) Sulfur compounds, which would exist as a liquid or gas at standard conditions, calculated as sulfur dioxide (SO<sub>2</sub>): 500 ppm by volume.

6.6.77

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RULE 465. Vacuum Producing Devices or Systems

A person shall not discharge into the atmosphere more than 1.5 kilogram (3.3 pounds) of organic materials in any one hour from any vacuum producing devices or systems including hot wells and accumulators, unless said discharge has been reduced by at least 90 percent.

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RULE 470. Asphalt Air Blowing

A person shall not operate or use any equipment for the air blowing of asphalt unless all gases, vapors and gas-entrained effluents from such equipment are:

- (a) Incinerated at temperatures of not less than  $760^{\circ}\text{C}$  ( $1400^{\circ}\text{F}$ ) for a period of not less than 0.3 second, or
- (b) Processed in such a manner determined by the Air Pollution Control Officer to be equally, or more, effective for the purpose of air pollution control than subsection (a).

11.4.77

**RULE 702 AIR-MONITORING STATIONS**

The APCO shall maintain air-monitoring stations throughout the District. Those monitoring stations shall be continuously maintained at locations designated by the APCO after consultation with the Governing Board of the San Bernardino County Desert Air Pollution Control District.



6-6-77

**RULE 703 AIR-MONITORING SUMMARIES**

The APCO shall make summaries of daily air-monitoring data. These summaries shall be public records and after preparation shall, upon request, be available at the main office of the Air Pollution Control District and be available to the public, press, radio, television and other mass media of communication.

6-6-77

**RULE 706 EPISODE DECLARATION**

Whenever the APCO declares that a first-, second- or third-stage episode will occur within the subsequent twenty-four-hour period, he shall announce such a declaration not later than 2:00 p.m. of the previous day. Such declarations shall be public record and shall be made available to the public, press, radio, television and other mass media of communication.

6-6-77

#### **RULE 707 PLANS**

- a. Following written notice by the APCO, the owner or operator of any governmental, industrial, business or commercial activity listed below shall submit to the APCO plans to curtail or cease operations causing air contaminants in such activity including the operation of vehicles.
1. Petroleum refinery.
  2. Bulk gasoline-loading facility for tank vehicles, tank cars or marine vessels, from which facility 20,000 gallons or more of gasoline are loaded per day.

For purposes of this paragraph, "gasoline" means any petroleum distillate having a Reid vapor pressure of four pounds or greater, and "facility" means all gasoline-loading equipment which is both: (1) possessed by one person and (2) located so that all the gasoline-loading outlets for such aggregation or combination of loading outlets are encompassed within any circle of 300 feet in diameter.

3. Asphalt saturator.
4. Asphalt-paving manufacturing plant.
5. Asphalt manufacturing plant.
6. Chemical plant which:
  - (a) Reacts or produces any organic liquids or gases.
  - (b) Produces sulfuric acid, nitric acid, phosphoric acid or sulfur.
7. Paint, enamel, lacquer or varnish manufacturing plant in which 10,000 gallons or more per month of organic solvents, diluents or thinners, or any combination thereof, are combined or manufactured into paint, enamel, lacquer or varnish.
8. Rubber-tire manufacturing or rubber-reclaiming plant.
9. Automobile-assembly or automobile-body plant.
10. Metal-melting plant requiring molten metal temperatures in excess of 1000°F. or metal-refining plant or metal-smelting plant. This subparagraph applies only to a plant in which a total of 2,500 pounds or more of metal are in a molten state at any one time or are poured in any one hour.
11. Rock-wool manufacturing plant.
12. Glass or frit manufacturing plant in which a total of 4,000 pounds or more of glass or frit or both are in a molten state at any one time or are poured in any one hour.
13. Fossil fuel-fired electric generating plant having a total rated capacity of 50 megawatts or more.
14. Container manufacturing or decorating plant in which 1,000 gallons or more per month of organic solvents, diluents or thinner, or any combination thereof, are consumed.
15. Fabric dry-cleaning plant in which 1,000 gallons or more per month of organic solvents are consumed.

16. Printing plant with heated-oven enclosure(s) and consuming more than 1,000 pounds per day of ink containing organic solvents.
  17. Shopping centers with 1,000 or more parking spaces.
  18. Operators of 50 or more fleet vehicles.
  19. Governmental agencies employing more than 100 persons per shift at one business address.
  20. Other industrial or commercial businesses employing more than 100 persons per shift at one business address.
  21. Any facility or plant emitting 100 tons per year of any single contaminant.
  22. Any other governmental, industrial, business establishment or activity specified by the APCO.
- b. The plans required by Rule 707(a) shall include:
1. A list of sources of hydrocarbons, nitrogen oxides, carbon monoxide and sulfur oxides and a statement of the minimum time and recommended time to effect a maximum emission reduction for each facility and source. Such reduction to be consistent with the provisions of Rule 707(f).
  2. The data on the number of motor vehicles and vehicle miles traveled for motor vehicles operated (a) by the company on company business and (b) by the employees for commuting from home to the place of business.
  3. The total number of employees at the business or facility.
  4. The minimum number of motor vehicles to be operated that are necessary to protect the public health or safety.
  5. The measures to be taken to decrease public patronage in the event of a declaration of a third-stage episode.
  6. The measures to be taken to decrease the number of employee vehicles used going to and from work in the event of a declaration of a second-stage episode.

7. The measures to be taken to eliminate employee vehicles used going to and from work in the event of a declaration of a third-stage episode.
  8. The measures to decrease the operation of fleet vehicles in the event of a declaration of a second-stage episode.
  9. The measures to eliminate the operation of fleet vehicles in the event of a declaration of a third-stage episode.
  10. The actions of briefing employees on the actions expected of them in the event of a declaration of a second- or third-stage episode.
  11. Other information and measures as required by the APCO to ensure the maximum effectiveness of the program to reduce air contaminants in the event of a declaration of a second- or third-stage episode.
- c. The written notice specified in Rule 707(a) may be served in the manner prescribed by law for the service of summons or by registered or certified mail. Each owner or operator of an industrial, business or commercial establishment or activity so-served shall, within forty-five(45) days after the receipt of such notice or within such additional time as the APCO may specify in writing, submit to the APCO the plans and information described in the notice.
  - d. Any person, following the notice specified in Rule 707(a), who fails to submit the plans in the form and manner specified in this rule is guilty of a misdemeanor.
  - e. Plans submitted in accordance with the provisions of Rule 707(a) shall demonstrate to the APCO that they will, in the event of a declaration of an episode and order for implementation by the APCO, effectively reduce or eliminate emissions of air contaminants.
  - f. It is not intended that any plan of action shall jeopardize the welfare of the public or result in irreparable injury to any means of production or distribution.
  - g. The plans submitted in accordance with the provisions of this rule must be approved by the APCO. Any plan disapproved by the APCO must be modified to overcome the APCO's disapproval. Any plan disapproved by the APCO will not be considered to have satisfied the requirements of any of the sections of this rule.

10-7-80

#### RULE 712 ADVISORY COUNCIL

An Advisory Council may be appointed by the Air Pollution Control Board, to assist the Board in developing emergency regulations which will provide protection of the health and welfare of all persons within the district; to assist in the evaluation of data and recommendations of actions to be taken under episode conditions, and to assist the Air Pollution Control Officer in developing solutions to air pollution problems within the district.

The Council shall consist of at least eleven (11) members, with special experience or training in areas which could materially assist air pollution control efforts, including licensed physicians, chemists, biologists, meteorologists, engineers, research specialists, educators, etc. Industry, law-enforcement, and the public should be represented.

The Air Pollution Control Officer and District Counsel shall be ex-officio members of the Council. The term of appointment of all members, except the ex-officio members, shall be two years.

The Council may act upon recommendations of a majority of members present, regarding any air pollution problem or program within the district, as required by the Air Pollution Control Officer.

(SAN BERNARDINO)

REGULATION XI

5-23-79

Rule 1113 - Architectural Coatings

(a) A person shall not sell, offer for sale, or apply any architectural coating manufactured after September 2, 1979 which:

- (1) Contains more than 250 grams of volatile organic material per liter of coating (2.08 pounds per gallon) as applied, excluding water, except as provided in subsection (2) of this section.
- (2) Contains more than 350 grams of volatile organic material per liter of coating (2.92 pounds per gallon) as applied, excluding water, and is recommended solely for use on interior surfaces. Interior coatings manufactured after September 2, 1980 may not contain more than 250 grams of volatile organic material per liter of coating (2.08 pounds per gallon) as applied, excluding water.
- (3) Is recommended for use as a bituminous pavement sealer unless it is an emulsion type coating.

(b) The provisions of section (a) of this rule shall not apply to architectural coatings sold in this District for shipment outside of this District or for shipment to other manufacturers for repackaging.

(c) The provisions of section (a) of this rule shall not apply to coatings manufactured prior to September 2, 1980 by a Small Business.



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(1) A "Small Business" for the purposes of this rule means any business which in 1978 sold less than 500,000 gallons of paints and coatings.

(A) A business shall not qualify for this exemption if it would not be considered a Small Business as defined in Subsection (1) of Section 1896 of Title 2 of the California Administrative Code.

(B) A business shall not qualify for this exemption if its total annual sales volume of paints and coatings which would otherwise be subject to this rule exceeds by more than 10 percent the business's total sales volume of such coatings in calendar year 1978.

(2) To qualify for a Small Business exemption, a company requesting such exemption shall file a request in writing with the Air Pollution Control Officer. The company shall provide the Air Pollution Control Officer any necessary information including, but not limited to: (i) total volume (in gallons) of paints and coatings sold in 1978; (ii) the number of persons employed by the company; (iii) the gross sales receipts (in dollars) for 1978; and (iv) total annual sales volume of paints and coatings in 1978 and any subsequent year which would otherwise be subject to this rule. Other information necessary to

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document that the business is not an affiliate of another business concern which would not be considered a Small Business for the purposes of this rule shall also be provided to the Air Pollution Control Officer.

The Air Pollution Control Officer after considering information submitted by the business concern shall determine whether such concern qualifies as a Small Business as defined in subsection (1) of this section and shall inform the business concern of this determination in writing.

(d) The provisions of section (a) shall not apply to the following coatings manufactured prior to September 2, 1982:

(1) Architectural coatings supplied in containers having capacities of one liter or less;

(2) Traffic coatings applied to public streets and highways;

however, this exemption shall not extend to traffic coatings applied to other surfaces, including, but not limited to curbs, berms, driveways and parking lots.

(3) Architectural coatings recommended by the manufacturer for use solely as a:

(A) varnish, lacquer, or shellac

(B) semitransparent stain

(C) opaque stain on bare redwood, cedar, mahogany, and douglas fir

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- (F) fire retardant coating
- (G) tile-like glaze coating
- (H) waterproofing coating, except bituminous pavement sealers
- (I) industrial maintenance finish
- (J) metallic pigmented coatings
- (K) swimming pool coatings
- (L) graphic arts coatings
- (M) mastic coatings
- (N) multicolored coatings

(e) Containers for all coatings subject to section (a) shall display the date of manufacture of the contents or a code indicating the dates of manufacture. The manufacturers of such coatings shall file with the Air Pollution Control Officer of the District and the Executive Officer of the California Air Resources Board prior to September 2, 1979 an explanation of each code.

(f) If anywhere on the coating container, on any sticker or label affixed thereto, or in any sales or advertising literature, any indication is given that the coating may be used or is suitable for use for any purpose other than those specifically provided for in section (d) of this rule, then the exemption provided for in said section (d) shall not apply to that coating.

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- (g) In any instance where more than one of the standards set forth in section (a) of this rule may be applicable, the most restrictive standard shall apply.
- (h) A person shall not use, sell or offer for sale for use in the District, in containers of 0.94 liter (one quart) capacity or larger, any architectural coating containing photochemically reactive solvent. The provisions of this subsection shall not apply to those coatings in compliance with subsection (a) of this rule.
- (i) A person shall not thin or dilute any architectural coating with a photochemically reactive solvent. The provisions of this subsection shall not apply to those coatings in compliance with subsection (a) of this rule.

(j) Definitions

(1) Architectural Coatings

For the purpose of this rule, an architectural coating is defined as any coating applied to stationary structures and their appurtenances, to mobile homes, to pavements, or to curbs.

(2) Bituminous Coatings Materials

Black or brownish materials, soluble in carbon disulfide, consisting mainly of hydrocarbons and which are obtained from natural deposits, or as residues from the distillation of crude petroleum oils, or of low grades of coal.

(3) Fire Retardant Coatings:

*Coatings designed to retard fires and which will significantly:*

*(A) reduce the rate of*

*flame spread on the surface of a material to which such*

a coating has been applied, or (B) resist ignition when exposed to high temperatures, or (C) insulate a substrate to which such a coating has been applied and prolong the time required to reach ignition temperature.

(4) Graphic Arts Coatings

Coatings which are marketed solely for application to indoor and outdoor signs and include lettering enamels, poster colors and bulletin colors.

(5) Industrial Maintenance Finishes.

High performance coatings which are formulated for

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the purpose of heavy abrasion, water immersion, chemical, corrosion, temperature, electrical or solvent resistance.

(6) Metallic Pigmented Paints

Non-bituminous coatings which are formulated with metallic pigment.

(7) Opaque Stains

All stains that are not classified as semitransparent stains.

(8) Primers

Coatings which are intended to be applied to a surface to provide a firm bond between the substrate and subsequent coats.

(9) Sealers

Coatings which are intended for use on porous substrates

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**(10) Semitransparent Stains**

Coatings which are formulated to change the color of a surface but not conceal the surface.

**(11) Tile-like Glaze Coatings**

Coatings which are formulated to provide a tough, extra-durable coating system, which are applied as a continuous (seamless) high-build film and which cure to a hard glaze finish.

**(12) Undercoaters**

Coatings which are designed to provide a smooth surface for subsequent coats.

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**(13) Varnishes, Lacquers, and Shellacs**

Coatings which contain resins and binders but not opaque pigments and which are specifically formulated to form a transparent or translucent solid protective film.

**(14) Waterproofing Coating**

Coatings which are formulated for the sole purpose of preventing penetration of the substrate by water. These coatings include, but are not limited to, bituminous roof and resilient type coatings.

**(15) Wood Preservatives**

Coatings which are formulated for the purpose of protecting exposed wood from decay and insect attack. These coatings perform their function by penetrating into the wood.

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(16) Mastic Coatings

Weatherproofing coatings which are formulated to cover holes, minor cracks, and conceal surface irregularities, and which are applied in thicknesses of at least 15 mils.

(17) Multi-colored Coatings

Coatings which exhibit more than one color when applied and which are packaged in a single container and applied in a single coat.