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ARTICLE 2. APPLICATION FOR BUILDING PERMIT

Sec. 10 CONSTRUCTION PERMIT REQUIRED. Before any building permit may be issued by the County or City for any building other than residential, which involves emissions into the air, approval by the Air Pollution Control District must be first obtained. No construction or use of any building, article, machine, equipment, etc., which may cause emission of air contaminant shall take place without approval of the Air Pollution Control District.

Sec. 11 REGISTRATION REQUIRED. Registration of all existing equipment, contrivances, or places of business that have burning or send emissions into the atmosphere is required by July 31, 1971. Registration shall be made on forms provided by APCD.

Sec. 12 EXEMPTIONS FROM PERMIT AND REGISTRATION. An authorization to construct, permit to operate, or registration, 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.
- (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 (4) 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 process water or not used for evaporative cooling of water from barometric jets or from barometric condensers.
 - (5) Equipment used exclusively for steam cleaning.
 - (6) Presses used exclusively for extruding metals, minerals, plastics or wood.
 - (7) Residential incinerators when used for burning of paper or leaves.
- (e) Space heaters.
- (f) Equipment for food preparation.
- (g) Steam heated by natural gas or LPG or both.

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- (h) Self propelled mobile construction equipment other than pavement burners.

Sec. 15 STANDARDS FOR GRANTING APPLICATIONS FOR BUILDING PERMITS.

- (a) The Air Pollution Control Officer shall deny authorization to construct, or permit to operate or permit to sell or rent, except as provided in Section 16, if the applicant does not show that every article, machine, equipment or other contrivance, the use of 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 violation of Sections 24242 or 24243, Health and Safety Code, or of these Rules and Regulations.
- (b) Before authorization to construct or a permit to operate 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 contaminants discharged into the atmosphere from the article, machine, equipment or other contrivance described in the authorization to construct or permit to operate. 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 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 article, machine, equipment or other contrivance has been constructed not in accordance with the Authorization 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 article, machine, equipment or other contrivance so constructed until he finds that the article, machine, equipment or other contrivance has been reconstructed in accordance with the Authorization to Construct.

Sec. 16 CONDITIONAL APPROVAL.

- (a) The Air Pollution Control Officer may issue an authorization to construct or a permit to operate, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the standards of Section 15, in which case the conditions shall be specified in writing. Commencing work under such an authorization to construct, or operation under such a permit to operate, shall be deemed acceptance of all the conditions so specified. The Air Pollution Control Officer shall issue an authorization to construct or a permit to operate with revised conditions upon receipt of a new application, if the applicant demonstrates that the article, machine, equipment or other contrivance can operate within the standards of Section 15 under the revised conditions.
- (b) The Air Pollution Control Officer may issue a permit to sell or rent, subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the standards of Section 15, in which case the conditions shall be specified in writing. Selling or renting under such a permit to

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sell or rent shall be deemed acceptance of all the conditions so specified. Air Pollution Control Officer shall issue a permit to sell or rent with revised conditions upon receipt of a new application, if the applicant demonstrates that the article, machine, equipment or other contrivance can operate within standards of Section 15 under the revised conditions.

- Sec. 17 DENIAL OF APPLICATIONS.** In the event of denial of authorization to construct, permit to operate, or permit to sell or rent, the Air Pollution Control Officer shall notify the applicant in writing of the reasons therefor. Service of this notification may be made in person or by mail, and such service may be proved by the written acknowledgment of the persons served. The Air Pollution Control Officer shall not accept a further application unless the applicant has complied with the object specified by the Air Pollution Control Officer as his reasons for denial of the authorization to construct, the permit to operate or the permit to sell or rent.
- Sec. 18 FURTHER INFORMATION.** Before acting on an application for authorization to construct, or permit to operate, or permit to sell or rent, the Air Pollution Control Officer may require the applicant to furnish further information or further plan specifications.
- Sec. 19 APPLICATIONS DEEMED DENIED.** The applicant may, at his option, deem an application for authorization to construct, permit to operate, or permit to sell or rent approved if the Air Pollution Control Officer fails to act on the application within thirty days after filing, or within thirty (30) days after applicant furnished the full information, plans and specifications requested by the Air Pollution Control Officer, whichever is later.
- Sec. 20 APPEALS.** Within ten (10) days after notice by the Air Pollution Control Officer of denial or conditional approval of an authorization to construct, permit to operate, or permit to sell or rent, the applicant may petition the Hearing Board, in writing, for a public hearing. The Hearing Board, after notice and a public hearing held within thirty (30) days after filing the petition, may sustain or reverse the action of the Air Pollution Control Officer; such order may be made subject to specified conditions.

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SCHEDULE 1: HORSEPOWER

Any article, machine, equipment or other contrivance where electrical energy is used shall be assessed a permit fee based upon the total design rated horsepower, or its horsepower equivalent in kilovolt amperes (KVA = 1.34HP), of the article, machine, equipment or other contrivance:

The fee shall be \$20.00 plus \$2.50 for each increment of 5 horsepower or portion thereof. The fee shall not exceed \$400.

SCHEDULE 2: FUEL BURNING REQUIREMENT

Any article, machine, equipment or other contrivance in which fuel is burned, with the exception of incinerators which are covered in Schedule 3, shall be assessed a permit fee based upon the design fuel consumption of the article, machine, equipment or other contrivance expressed in British Thermal Units (BTU) per hour, using gross heating values of the fuel:

The fee shall be \$50. plus \$10. for each increment of 10×10^6 BTU/hr. or portion thereof. The fee shall not exceed \$400.

SCHEDULE 3: INCINERATORS

Any article, machine, equipment or other contrivance designed and used primarily to dispose of combustible refuse by wholly consuming the material charged leaving only the ashes or residue shall be assessed a permit fee based on the following schedule of the maximum horizontal inside cross sectional area, in square feet, of the primary combustion chamber:

The fee shall be \$35. plus \$5. for each increment of 5 square feet or portion thereof. The fee shall not exceed \$400.

SCHEDULE 4: STATIONARY CONTAINERS

Any stationary tank, reservoir, or other container shall be assessed a permit fee based on the following schedule of capacities in gallons or cubic equivalent:

The fee shall be \$19.00 plus \$1.00 for each increment of 10,000 gallons or portion thereof. The fee shall not exceed \$400.

SCHEDULE 5: MISCELLANEOUS

Any article, machine, equipment or other contrivance which is not included in the preceding schedules, including equipment with no rating, shall be assessed a permit fee of \$20.00.

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Sec. 51 NUISANCE. A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons, or to the public, or which endanger the comfort, repose, health or safety of any such persons, or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

Note: Pursuant to Section 24241 of Chapter 2, Division 20 of the State Health and Safety Code, Section 50 and 51 are effective as of March 3, 1970.

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Section 61

Solid Particulate Matter-Weight. A person shall not discharge into the atmosphere, from any source, solid particulate matter at a rate in excess of that shown in Table I below for the process weight rate for the source.

Where the process weight rate falls between figures listed in Table I, the exact rate of allowable discharge shall be determined by linear interpolation. For the purposes of this section, solid particulate matter includes any material which would become solid particulate matter if cooled to standard conditions.

MAXIMUM ALLOWABLE EMISSION RATE
BASED ON PROCESS WEIGHT RATE

Process weight Rate	Maximum Allowable Solid Particulate Emission Rate*	Process weight Rate	Maximum Allowable Solid Particulate Emission Rate
lb/hr	Tons/Hr	lb/hr	Tons/Hr
100	0.05	0.551	16.5
200	0.10	0.877	17.9
400	0.20	1.40	19.2
600	0.30	1.83	25.2
800	0.40	2.22	30.5
1,000	0.50	2.58	35.4
1,500	0.75	3.38	40.0
2,000	1.00	4.10	41.3
2,500	1.25	4.76	42.5
3,000	1.50	5.38	43.6
3,500	1.75	5.96	44.6
4,000	2.00	6.52	46.3
5,000	2.50	7.58	47.8
6,000	3.00	8.56	49.0
7,000	3.50	9.49	51.2
8,000	4.00	10.40	69.0
9,000	4.50	11.20	77.6
10,000	5.00	12.00	92.7
12,000	6.00	13.60	

* Sum of emissions from all emission points of process.

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RULE 207 Particulate Matter. A person shall not release or discharge into the atmosphere from any source or single processing unit whatsoever, dust, or particulate matter emissions in excess of 0.1 grains per cubic foot of gas at standard conditions.

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RULE 210 Specific Contaminants.

- A. A person shall not discharge into the atmosphere from any one or more of the following contaminants, in any state or combination thereof exceeding in concentration at point of discharge:
1. Sulfur compounds, calculated as sulfur dioxide (SO_2) 0.2 percent by volume.
 2. Combustion contaminants: 0.2 grains per cubic foot of gas calculated to 12 percent of carbon dioxide (CO_2) at standard conditions.

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✓ RULE 214 Abrasive Blasting. By reference Title 17 Subchapter 6 of the
California Administrative Code shall apply.

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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.

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RULE 405 Separation of Emissions. If air contaminants from a single source operation are emitted through two or more emission points, the total emitted quantity of air contaminants cannot exceed the quantity which would be allowable through a single emission point. The total emitted quantity of any such air contaminant shall be taken as the product of the highest concentration measured in any of the emission points and the combined exhaust gas volume through all emission points, unless the person responsible for the Source Operation establishes, to the Air Pollution Control Officer's satisfaction, the correct total emitted quantity.

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RULE 406 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 District 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 such source operation separately.
- B. If air contaminants from two or more source operations are combined prior to emission and the combined emissions cannot be separated according to the requirements of Rule 406 (A), the Rules and Regulations shall be applied to the 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.

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- A. All information, analysis, plans or specifications that disclose the nature, extent, quantity, or degree of air contaminants or other pollution which any article, machine, equipment, or other contrivance will produce which the District requires any applicant to provide before such applicant builds, erects, alters, replaces, operates, rents, or uses such article, machine, equipment, or other contrivance, are public records.
- B. All air or other pollution monitoring data, including data compiled from stationary sources, are public records.

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- C. Except as otherwise provided in (D), trade secrets are not public records under the Regulation. Trade secrets, as used in this regulation may include, but are not limited to any formula, plan, pattern, process, tool, mechanism, compounds, 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 District 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 (C), 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.

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RULE 507 Provision of Sampling and Testing Facilities. The Air Pollution Control Officer may, upon reasonable written notice, require the owner or operator of any article, machine, equipment, or other contrivance, the use of which may cause the issuance of air contaminants, or the use of which may eliminate, reduce, or control the issuance of air contaminants, to:

- A. Provide to the Air Pollution Control Officer data on process and production rates and techniques, flow diagrams, descriptions of basic equipment and control equipment, rates of emissions and other information which the Air Pollution Control Officer may require.
- B. 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 contaminants discharged into the atmosphere from the equipment in question. 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 sampling holes, the size and location of the sampling platform, and the utilities shall be constructed in accordance with the general industry safety orders of the State of California.
- C.
 1. Provide and maintain sampling and monitoring apparatus to measure emissions of air contaminants when the Air Pollution Control Officer has determined that such apparatus is available and should be installed.
 2. A person installing, operating or using any of the following equipment shall provide, properly install, maintain in good working order, and in operation, continuous stack monitoring systems as described below:
 - a. Oxides of nitrogen (NO_x) and carbon dioxide (CO_2) or oxygen (O_2) from steam generators with a heat input of 63 million kilogram calories (250 million British Thermal Units) or more per hour and with a use factor of at least 30 percent.
 - b. NO_x from all new nitric acid plants.
 - c. Sulfur dioxide (SO_2) from sulfuric acid plants, sulfur recovery plants, carbon monoxide (CO) boilers of regenerators of fluid catalytic cracking units, new fluid cokers and existing fluid cokers with a feed rate greater than 1,590,000 liters (10,000 barrels) per day.

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3. A person operating or using a stack-monitoring system shall, upon written notice from the Air Pollution Control Officer, provide a summary of the data obtained from such systems. This summary of the data shall be in the form and the manner prescribed by the Air Pollution Control Officer. The summary of data shall be available for public inspection at the office of the Air Pollution Control District.

Records from the monitoring equipment shall be kept by the owner for a period of two years, during which time they shall be available to the Air Pollution Control Officer in such form as he directs.

4. A violation of emission standards of these Rules, as shown by the stack-monitoring system, shall be reported by such person to the Air Pollution Control Officer within 96 hours.

5. In the event of a breakdown of monitoring equipment, the owner shall notify the Air Pollution Control Officer within 48 hours and shall initiate repairs. The owner shall inform the Air Pollution Control Officer of the intent to shut down any monitoring equipment at least 24 hours prior to the event.

6. The Air Pollution Control Officer shall inspect, as he determines to be necessary, the monitoring devices required by this Rule to ensure that such devices are functioning properly.

- D. ~~The Air Pollution Control District may require that disclosures required by this Rule to be certified by a professional engineer registered in the State. Studies necessary to provide such information shall be at the expense of the person causing the emissions.~~