

11/21/86

Rule 1:1 is amended to read as follows:

Rule 1:1. Title: Pursuant to California Health and Safety

Code Sections 39025, 40000, 40001, and 40002, the Shasta County Air Pollution Control District shall from this day forward be known as the Shasta County Air Quality Management District. These rules and regulations shall be known as the Rules and Regulations of the Shasta County Air Quality Management District.

## SHASTA COUNTY AIR QUALITY MANAGEMENT DISTRICT

### **Rule 1:2 Definitions:**

(Amended 10-12-71, 5-8-72, 12-4-72, 10-1-73, 2-28-77, 11-27-78, 9-4-79, 2-19-80, 3-18-80, 3-18-81, 4-18-81, 1-3-84, 5-8-84, 7-22-86, and 7-28-87)

Except as otherwise specifically provided in these rules and, except where the content otherwise indicates, words used in these rules are used in exactly the same sense as the same words are used in Chapter 2, Part 1, Division 26 of the *Health and Safety Code*.

**Abatement Order:** An order issued by the Hearing Board to a specific person requiring said person to forthwith cease all specified act or acts, or the specified use of a machine or machines, that specified act(s) or specified use(s) result in violation(s) of these rules.

**Actual Emission Reductions:** A reduction of emissions from a permitted stationary source selected for emission offsets, from a baseline determined by source tests or other methods approved by the APCO. Baseline and reduced emissions shall be calculated as average daily emissions when operated at the maximum permitted capacity. (Added 4-28-81)

**Affected Facility:** Any apparatus to which a standard is applicable. An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate. (Added 2-28-77)

**Agricultural Burning:** Open outdoor fires used in agricultural operations in the growing of crops or raising of fowls or animals, forest management, range improvement, wildland vegetation management, or used in improvement of land for wildlife and game habitat. (Amended 7-28-87)

**Agricultural Operation:** The growing and harvesting of crops; raising of fowl, animals, or bees; forest management; or range improvement for the primary purpose of making a profit or providing a livelihood; or of conducting agricultural research or instruction by an educational institution. (Added 1-3-84)

**Air Contaminant:** This includes smoke, charred paper, dust, soot, grime, carbon, fumes, gases, odors, particulate matter, acids, or any combination thereof. (Amended 10-1-73)

**Approved Ignition Methods:** This includes those instruments or materials that will ignite agricultural waste without the production of black smoke. This would include such items as petroleum gas, butane or propane burners, and flares, but does not include the use of tires, tar paper, and other similar materials. (Added 10-12-71)

**Asphalt:** An oil asphalt or a homogeneous mixture of refined liquid and solid asphalts suitable for use in the manufacture of asphalt concrete. (Added 9-4-79)

**Atmosphere:** The air that envelops or surrounds the earth. Where air pollutants are emitted into a building (other than a hog fuel house) not designed specifically as a piece of air pollution control equipment, such emission into the building shall be considered an emission into the atmosphere.

**Board:** The Air Quality Control Board of the Shasta County Air Quality Management District. (Amended 7-22-86)

**Cold Cleaner:** Any batch-loaded, non-boiling solvent degreaser. (Added 2-19-80)

**Combustible or Flammable Wastes:** Any garbage, rubbish, trash, rags, paper, boxes, crates, excelsior, ashes, offal, carcass of a dead animal, or any other combustible or flammable refuse matter that is in a solid or liquid form. (Amended 5-8-72)

**Combustion Contaminants:** Particulate matter discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.

**Commenced:** An owner or operator has undertaken a continuous program of construction or modification or than an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification. (Added 2-28-77)

**Control Officer:** The Air Pollution Control Officer (APCO) of the Shasta County Air Quality Management District. (Amended 7-22-86)

**Conveyorized Degreaser:** Any continuously loaded, conveyorized solvent degreaser, either boiling or non- boiling. (Added 2-19-80)

**Cutback Asphalt:** Paving-grade asphalts liquefied with petroleum distillate and as further defined by American Society for Testing and Materials (ASTM) specifications as follows:

Rapid Cure Type: ASTM D2028

Medium Cure Type: ASTM D2027

(Added 9-4-79)

**Designated Agency:** Any agency designated by the State Air Resources Board as having authority to issue agricultural burning permits. The U.S. Forest Service and the California Department of Forestry are so designated within their respective areas of jurisdiction. (Added 12-4-72)

**District:** The Shasta County Air Quality Management District (AQMD). (Amended 7-22-86)

**Dust Palliative:** Any light application of liquefied asphalt (cutback or emulsified asphalt) for the express purpose of controlling loose dust. (Added 9-4-79)

**Dusts:** Minute, solid particles released into the air by natural forces, or by mechanical processes such as vehicular traffic, crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, and other similar processes. (Amended 5-8-84)

**Emulsified Asphalt:** Any asphalt liquefied with water containing an emulsifier. The two kinds of emulsions most pertinent are the anionic and cationic types. (Added 9-4-79)

**Excusable Malfunction:** Any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered excusable malfunctions. (Added 2-28-77)

**Facility:** Something designed, built, or installed to serve a specific function. (Added 11-27-78)

**Fixed Capital Cost:** The capital needed to provide all the depreciable components. (Added 2-28-77)

**Forest Management Burning:** 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. (Added 12-4-72)

**Flue:** Any duct or passage for air, gases, or the like, such as a stack or chimney. (Added 5-8-72)

**Freeboard Height** means as follows:

For cold cleaning tanks, freeboard height means the distance from the top of the solvent or solvent drain to the top of the tank.

- For vapor degreasing tanks, freeboard height means the distance from the solvent vapor-air interface to the top of the basis degreaser tank. (Added 2-19-80)

**Fugitive Emissions:** Any emission into the ambient air that is not released through a stack or flue that is caused in whole or in part by man-made activities or processes. (Added 7-22-86)

**Fumes:** Minute, solid particles that result from the condensation of vapors from solid matter after volatilization from the molten state, or may be generated by sublimation, distillation, calcination, or chemical reaction, when these processes create air-born particles.

**Gasoline:** Any petroleum distillate having a Reid vapor pressure of four pounds or greater.

**Hearing Board:** The Hearing Board of the Shasta County Air Quality Management District.

**Incinerator:** Any furnace or similar enclosed fire chamber, with or without a draft control, used for burning refuse or other waste material, where products of combustion are directed through a flue. (Amended 5-8-72) REVISED 12/23/92

**Indirect Sources:** Shall include but not be limited to any of the following: residential, commercial, or industrial developments; roadways; or any source that in and of itself does not emit significant quantities of air pollutants but, due to its nature and existence, causes the emission of an air pollutant. (Added 7-22-86)

**Institutional Facility:** Any hospital, boarding home, school, corporation yard, or like facility.

**Loading Facility:** Any aggregation or combination of gasoline loading equipment that is both (1) possessed by one person, and (2) located so that all the gasoline loading outlets for such aggregation or combination of loading equipment can be encompassed within any circle of 300 feet in diameter.

**Miscellaneous Sources:** This includes but is not be limited to: Those sources not specified or delineated within the District fee schedule (Rule 2:11), indirect sources, non-traditional sources, and fugitive sources. (Added 7-22-86)

**Modification:** Any physical change in, or change in the method of operation of, an existing facility that increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or that results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted except that:

- Routine maintenance, repair, and replacement shall not be considered physical changes, and
- The following shall not be considered a change in the method of operation:
  - a. An increase in the production rate, if that increase can be accomplished without a capital expenditure on the stationary source containing that facility;
  - b. An increase in hours of operation;
  - c. Use of an alternative fuel or raw material if, prior to the date any new source performance standard under 40 CFR 60 becomes applicable to such facility, the affected facility is designed to accommodate such alternative use; REVISED 12/23/92
  - d. The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system that the APCO determines to be less environmentally beneficial;
  - e. The relocation or change in ownership of an existing facility. (Added 2-28-77)

**Multiple-Chamber Incinerator:** Any article, machine, equipment, contrivance, structure, or any part of a structure used to dispose of combustible refuse by burning, consisting of three or more refractory lined chambers in series, physically separated by refractory walls, interconnected by gas passage ports or ducts, and employing adequate design parameters necessary for maximum combustion of the material to be burned.

**Multi-Component System:** A collection or combination of mutually dependent articles, structures, or devices that are customarily or necessarily started, operated, and taken out of service as a unit.

**No-Burn Day:** Any day on which burning is prohibited by the California Air Resources Board or the Shasta County Air Pollution Control Officer. (Amended 3-18-81)

**Non-Traditional Sources:** These include but are not be limited to any of the following: unpaved roads, construction or demolition projects, or soil surfaces deprived of their natural vegetative covering by human activities. (Added 7-22-86)

**Open Burning in Agricultural Operations in the Growing and Harvesting of Crops or Raising of Fowls or Animals** means:

- The burning in the open of materials produced by an agricultural operation or by an education institution conducting agricultural research or instruction that are produced wholly from operations in the growing and harvesting of crops or raising of fowls or animals.
- In connection with operations qualifying under Subdivision 1:
  - a. The burning of grass and weeds in or adjacent to fields in cultivation or being prepared for cultivation; and
  - b. The burning of materials not produced wholly from such operations, but that are intimately related to the growing or harvesting of crops and that are used in the field, except as prohibited by district regulations. (Amended 1-3-84)

**Open Outdoor Fire:** Any combustion of solid or liquid waste outdoors in the open, not in any enclosure, where the products of combustion are not directed through a flue. (Amended 5-8-72)

**Open-Top Vapor Degreaser:** Any batch-loaded, boiling solvent degreaser. (Added 2-19-80)

**Organic Solvents:** Diluents and thinners that are liquids at standard conditions and that are used as solvers, viscosity reducers, or cleaning agents.

**Owner or Operator:** Any person who owns, leases, operates, or supervises an affected facility or a "town center" in accordance with the county general plan. (Added 7-28-87)

**PM<sub>10</sub>:** Those emissions of particulate matter less than or equal to ten (10) microns in size (aerodynamic diameter). (Added 7-28-87)

**Particulate Matter:** Any material, except uncombined water, that exists in a finely divided form as a liquid or solid at standard conditions. (Amended 7-28-87)REVISED 12/23/92

**Penetrating Prime Coat:** Any application of asphalt to an absorptive surface to penetrate and bind the aggregate surface and promote adhesion between it and the new superimposed construction. Prime coats do not include dust palliatives or tack coats. (Added 9-4-79)

**Permissive Burn Day:** Any day on which burning is not prohibited by the California Air Resources Board or the Shasta County Air Pollution Control Officer. (Amended 3-18-80)

**Person:** Any person, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, user or owner, or any State or local governmental agency or public district or any officer or employee thereof.

**Photochemically Reactive Solvent:** Any solvent with an aggregate of more than 20 percent of its total volume composed of the chemical compounds classified below, or that exceeds any of the following individual percentage composition limitations, referred to the total volume of solvent:

- A combination of hydrocarbons, alcohols, aldehydes, esters, ethers, or ketones having an olefinic or cyclo-olefinic type of unsaturation: 5 percent;
- A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 percent;
- A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichlorethylene, or toluene: 20 percent.

**Photochemically Reactive Substance:** Any substance that when irradiated with ultraviolet light reacts with air to form ozone or other products typically associated with photochemical smog. (Added 10-1-73)

**Populated Areas:** Any of the following delineated areas: South Central Region as used in the context of the County General Plan and any area delineated as a "town center" in accordance with the County General Plan. (Added 7-28-87)

**Prescribed Burning:** The planned application of fire to vegetation on lands selected in advance of such application, where any of the purposes of the burning are specified in the definition of agricultural burning as set forth in the *California Health and Safety Code*, Section 39011. (Added 7-28-87)

**Process:** The series of actions or motions involved in one single operation wherein all articles, machinery, equipment, or other contrivances contributing to the operation must be operated simultaneously. Time lags and/or holding devices will constitute separation of processes whether they are used or not. (Added 5-8-72)

**Process Weight Per Hour:** The total weight of all materials introduced into any specific process that 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 that the equipment is idle.

**Range Improvement Burning:** The use of open fires to remove vegetation for a wildlife, game, or livestock habitat or for the initial establishment by an agricultural producer of an agricultural practice on previously uncultivated land. (Added 12-4-72)

**Reasonably Available Control Technology (RACT):** A technology accepted by industry as a whole as a reasonable method of effective control to bring and maintain a device within the present emission standards. (Added 4-28-81)

**Reconstruction:** The replacement of components of an existing facility to such extent that:

- The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, and
- It is technologically and economically feasible to meet the applicable standards set forth in this part. (Added 2-28-77)

**Regulation:** One of the major subdivisions of Rules of the Shasta County Air Quality Management District.

(Amended 7-22-86)

**Residential Rubbish:** Refuse originating from a single- or two-family dwelling. This includes paper, cardboard, and flammable vegetation from the yard area immediately adjacent to the house, but it does not include garbage, cloth, petroleum products, plastics, any material soiled by food or fecal matter, construction or demolition debris, or any other similar smoke producing materials. (Amended 7-22-86)

**Road Oils:** These shall be synonymous with slow-cure asphalts. (Added 9-4-79)

**Rule:** A rule of the Shasta County Air Quality Management District. (Amended 7-22-86)

**Section:** Any section of the *Health and Safety Code* of the State of California unless some other statute is specifically

mentioned.

**Sensitive Area:** Any Class I area and/or any other area deemed to be sensitive by the agency preparing the burn plan. (Added 7-28-87)

**Shutdown:** The cessation of operation of an affected facility for any purpose. (Added 2-28-77)

**Silvicultural:** The establishment, development, care and reproduction of stands of timber. (Added 12-4-72)

**Standard Conditions:** A gas temperature of 70° Fahrenheit and a gas pressure of one (1) atmosphere. Results of all analyses and tests shall be calculated or reported at this gas temperature and pressure on a dry gas basis. (Amended 7-22-86)

**Startup:** The setting in operation of an affected facility for any purpose. (Added 2-28-77)

**Tack Coat:** Any application of asphalt applied to an existing surface to provide a bond between new surfacing and existing surface to eliminate slippage planes where the new and existing surfaces meet. (Added 9-4-79)

**Timber Operations:** The cutting or removal of timber or other forest vegetation. (Added 12-4-72)

**Total Reduced Sulfur:** Sulfur expressed as H<sub>2</sub>S on a dry gas basis at standard conditions. REVISED 12/23/92

**Variance:** An authorization by the Hearing Board to permit some act contrary to the requirements specified by these Rules and Regulations.

**Volatile Organic Compound:** Any compound of carbon (excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and methane) that has a vapor pressure greater than 0.1 mm of Hg at standard conditions. (Added 2-19-80)

**Wildland Vegetation Management Burning:** The use of prescribed burning conducted by a public agency, or through a cooperative agreement or contract involving a public agency, to burn land predominantly covered with chaparral (as defined in Title 14, *California Administrative Code*, Section 1561.1), trees, grass, or standing brush. (Added 7-28-87)

**Wipe Cleaning:** The method of cleaning that uses a material such as a rag wetted with a solvent, coupled with a rubbing process to remove contaminants from metal surfaces. (Added 2-19-80)

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A. Rule 2:1, Part 500, Section 514

514. Issuance, Permit to Operate: The Air Pollution Control

Officer shall issue a permit to operate a stationary source subject to the requirements of this Rule if it is determined that any offsets required as a condition of an Authority to Construct or amendment to a Permit to Operate will commence not later than the initial operation of the new or modified source, and that the offsets shall be maintained throughout the operation of the new or modified source which is the beneficiary of the offsets.

Further, the Air Pollution Control Officer shall determine that all conditions specified in the Authority to Construct have been or will be complied with by any dates specified. Conditions which have not been met at the time the Permit to Operate is issued shall be incorporated into the permit to operate.

Where a new or modified stationary source is, in whole or part, a replacement for an existing stationary source on the same property, the Air Pollution Control Officer may allow a maximum of 90 days as a start-up period for simultaneous operation of the existing stationary source and the new source or replacement.



2/25/80

## RULE II - PERMITS

### Rule 2:1A, Permits Required

#### a. Authority to Construct

Any person building, erecting, altering or replacing any article, machine, equipment or other contrivance, or multi-component system including same, portable or stationary, not exempt under Section 42310, 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, shall first obtain written authority for such construction from the Control Officer.

#### b. Permit to Operate

- (1) Before any article, machine, equipment or other contrivance or multi-component system including same, portable or stationary, not exempt under Section 42310, the use of which may cause the issuance of air contaminants, may be operated or used, a written permit shall be obtained from the Control Officer.
- (2) Where an application for or issuance of a permit is pending or in the event of an emergency occurring as a result of an excusable malfunction of a device under permit, the Control Officer may authorize the operation of the article, machine, equipment, device, or other contrivance or multicomponent system for which a permit is sought for

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periods of time not to exceed sixty (60) days each for the purpose of testing, experimentation, or obtaining necessary data for a permit or correcting a malfunction. No fee or application will be required for such authorization.

- (3) No permit to operate or use shall be granted by the Control Officer for such article, machine, equipment or contrivance if it was constructed or installed without an authority to construct until the information required is presented to the Control Officer and such article, machine, equipment or contrivance is altered, if necessary, and made to conform to the standards set forth in these Rules and Regulations.

## SHASTA COUNTY AIR QUALITY MANAGEMENT DISTRICT

### **Rule 2:4 Permit to Sell or Rent:**

(Adopted 6-3-72)

Any person who sells or rents to another person an incinerator that may be used to dispose of combustible refuse by burning within the District and which incinerator is to be used exclusively in connection with any structure, which structure is designed for and used exclusively as a dwelling for more than four families, shall first obtain a permit from the Air Pollution Control Officer (APCO) to sell or rent such incinerator.

**Rule 2:5 Exemptions:**

(Amended 11-27-78, 1-3-84)

The APCO may exempt any kind or type of machines or devices within the following categories:

- a. Internal combustion engines;
- b. Equipment used exclusively for space heating or air conditioning, other than boilers;
- c. Equipment used in the preparation of food products that are intended for human consumption within 24 hours;
- d. Steam generators, steam superheaters, water heaters, and closed heat transfer systems that 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.
- e. Agricultural equipment used in the preparation of the land, and the planting, tillage, and harvesting of field and orchard crops.
- f. Self-propelled construction equipment used in land grading, paving, leveling, digging, or other similar operations, other than pavement burners.
- g. Home-use appliances.
- h. Recreational equipment.
- i. Dryers for wood and wood products.
- j. Any program operated by a governmental agency to train air pollution enforcement personnel. (Added 11-27-78)
- k. Any source designated as an insignificant source by the APCO. (Added 1-3-84)

Except for subparagraph j, the exemptions set forth above do not supersede the provisions of Rule 3.  
(Amended 11-27-78).

Rule 2:6. Open Burning: General Provisions:

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a. A person shall not burn, allow to be burned, or allow to continue to burn any waste substance in an open outdoor fire, except.

1. Agricultural burning by an agricultural operation with a valid permit and conducted pursuant to Rules 2:7 and 2:8. Permits shall be valid for the period specified by the issuing agency. All permits shall expire no later than the end of the calendar year.

(a) However, permits issued for agricultural burning in the growing of crops or raising of fowls or animals during the period

October 1 to November 30 shall be valid only on days specified by the Air Pollution Control Officer so as to comply with Rule 2:8.c.1.(d).

2. Burning for the disposal of wood waste from trees, vines, or bushes on property being developed for commercial or residential purposes, or for the disposal of brush cuttings on the property where the brush was grown, when done in compliance with Section 3712.A of the Shasta County Ordinance Code to reduce fire hazards, when done with a valid permit, conducted pursuant to Rule 2:7, and under the following conditions:

(a) In that portion of Shasta County below 1,000 feet or within the Fire Districts of Mountain Gate, Shasta, or Summit City, burning is allowed from November 1 to April 30 when the fire is ignited between the hours of 10:00 a.m. and 3:00 p.m.

(b) In the remaining portion of Shasta County above 1,000 feet, burning is allowed all year. Ignition hours shall be set by the fire agency with jurisdiction over the burn, but in no case shall ignition occur before 8:00 a.m. or after 12:00 Midnight.

Permits issued pursuant to this rule shall be valid for the period as specified by the issuing agency.

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3. The Air Pollution Control Officer is authorized to issue permits, valid for a period of up to one year, for open outdoor fires in mechanized burners for the purpose of disposing of agricultural wastes, or wood waste from trees, vines, bushes or other wood debris free of nonwood materials, on the condition that no air contaminant is discharged into the atmosphere for a period or periods aggregating more than 30 minutes in any eight-hour period which is:

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

4. The Air Pollution Control Officer is authorized to issue permits to the County of Shasta or any city situated therein, or their agents or contractors for open outdoor fires to dispose of nonindustrial wood wastes from trees, vines, and bushes at disposal sites located above 1,500 feet elevation mean sea level when conducted pursuant to Rule 2:7 and under the following conditions:

- ~~11/25/87~~
- (a) The California Air Resources Board has approved the use of open outdoor fires at the designated disposal sites to dispose of such wood waste;
  - (b) A burning permit has been issued by the fire protection agency having jurisdiction over the area in which the disposal site is located;

11/25/87 (c) A written statement approving such burning has been received by the Air Quality Management District from the owner of the land, his agent, or other person lawfully in possession of the land on which the disposal site is located.

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- 5. Burning by a public entity or utility for right-of-way clearing, levee, reservoir, and ditch maintenance, when done with a valid permit and conducted pursuant to Rule 2:7.
  - 6. Nothing in this article shall be construed as limiting the authority granted under other provisions of law to any public officer to set or permit a fire when such fire is, in his opinion, necessary for any of the following purposes:
    - (a) The prevention of a fire hazard which cannot be abated by any other means, when done with written authorization of such officer.
    - (b) The instruction of public employees in the methods of fighting fire.
    - (c) The instruction of employees in methods of fighting fire, when such fire is set, with a valid permit, on property used for industrial purposes.

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- (d) The setting of backfires necessary to save life, or valuable property pursuant to Section 4426 of the Public Resources Code.
  - (e) Disease or pest prevention, where there is an immediate need for and no reasonable alternative to burning.

7. Burning for the disposal of residential rubbish of a single- or two-family dwelling on its premises in Shasta County,

8. Open outdoor fires used only for cooking food for human beings or for recreational purposes.

11/25/87 b. Permissive or No-Burn Days:

The Shasta County Air Quality Management District may declare no-Burn Days in addition to those so declared by the California Air Resources Board.

In cooperation with the designated fire protection agencies, the Shasta County Air Quality Management Board, upon a recommendation of the Air Pollution Control Officer, may designate any period, other than those periods as specified in these Regulations, in which land clearing, fire hazard reduction, or residential open burning may occur.

It is the intent of this rule not to permit open burning on days when such open burning is prohibited by fire protection agencies for purposes of fire control or prevention.



Rule 2:7.a is amended to read as follows:

11/25/87

a. All material to be burned must be arranged so that it will burn with a minimum of smoke and must be reasonably free of dirt, soil, and visible surface moisture. All vegetative wastes to be burned shall be ignited only with approved ignition devices and shall be free of tires, rubbish, tar paper, construction debris, and combustible and flammable waste as defined in these regulations. The Air Pollution Control Officer may specify the method of ignition.

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b. Burning is not allowed on No-Burn Days except when done pursuant to Rule 2:6a.6.(d) or with a valid special permit issued pursuant to Rule 2:8.

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c. No burning shall be conducted if meteorological conditions would cause an undue amount of emissions to be transported into populated or sensitive receptor areas. No burning shall be conducted when such burns, in conjunction with present or predicted meteorology, could cause or contribute to a violation of an ambient air quality standard. In no event shall a public or private nuisance be permitted to exist by the Air Pollution Control Officer or by the permittee.

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d. The wood waste shall be cut and dried prior to burning for the following specified minimum periods:

1. Trees, diameter of logs at the largest point as follows:

Under 6" - 3 months;

Between 6" and 12" - 6 months;

Between 12" and 24" - 1 year;

Over 24" - 2 years.

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Vines, bushes, prunings and small branches between the months of November and April - 3 months;

Vines, bushes, prunings and small branches between the months of May and October - 2 months.

2. The Air Pollution Control Officer may authorize other drying procedures only if such procedures will result in the equivalent or a reduction of emissions.
- e. In no event shall that portion of the tree which was under ground be burned, unless specifically authorized under permit.
- f. Any person burning pursuant to Rule 2:6 or 2:8 shall have any required permit available for inspection at the burn site during the burn. The permit is valid only if all conditions in this rule and on the permit are met.

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Rule 2:8. Agricultural Burning:

- a. No person knowingly shall engage in agricultural burning unless he has a valid permit from an agency designated by the California Air Resources Board to issue such permits in the area where the burn will take place.
- b. No permit shall be valid and agricultural burning is prohibited on no-burn days except:
  1. Open burning in agricultural operations in the growing of crops or raising of fowls or animals at altitudes above 3,000 feet mean sea level (msl), is exempt from these Agricultural Burning Guidelines.

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2. Agricultural burning in areas at altitudes above 6,000 feet (msl) is exempt from these Agricultural Burning Guidelines.
3. By special permit, issued by the Air Pollution Control Officer or a designated agency, agricultural burning may be authorized on days designated as no-burn days if the denial of such permit would threaten imminent and substantial economic loss.

Special permits issued under this section except those for forest management and range improvement burning shall comply with the following provisions:

- (a) The total acreage on any given day burned under special permits shall not exceed 10% of the acreage allowed to be burned on burn days for that period of the year.
  - (b) No special permits will be issued to any person until the third day after a burn day or to any person who has not used (except for due cause) a prior burn day.
  - (c) No special permits will be issued to any person unless burning under the special permit will comply with all applicable burning rules.
4. By special permit, issued by the Air Pollution Control Officer or designated agency, range improvement burning may be conducted between January 1 and May 31 on days designated

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as no-burn days if 50 percent of the material to be burned has been killed, provided, however, such permit may be cancelled at the option of the California Air Resources Board at any time if in the opinion of the California Air Resources Board such cancellation is required for the maintenance of suitable air quality.

5. Upon request from a permittee through a designated agency, seven days in advance of a specific range improvement or forest management burn at any elevation below 6,000 feet (msl), a permissive-burn or no-burn notice will be issued by the California Air Resources Board up to 48 hours prior to the date scheduled for the burn. Without further request, a daily notice will continue to be issued until a permissive-burn notice is issued.
6. Notwithstanding the above provision, the California Air Resources Board may cancel permissive-burn notices that had been issued more than 24 hours in advance if the cancellation is necessary to maintain suitable air quality.
7. A permissive-burn or no-burn advisory outlook will be available up to 72 hours in advance of such burns.

c. Agricultural Burning Restrictions

1. Open burning of material directly related to agricultural operations in the growing and harvesting of crops or raising of fowls or animals.

5/20/82

- (a) The Air Pollution Control Officer may restrict burning to selected permittees on designated burn days if the total tonnage to be ignited would discharge a volume of contaminants into the atmosphere sufficient to cause adverse conditions. In no event shall more than 10% of any single crop, or 3,000 acres, whichever is greater, be ignited on any given day.
- (b) Barley, wheat and oat straw shall be ignited only by strip-firing into the wind or by backfiring, except where extreme fire hazard is declared to exist by fire control officials or where crops are determined by the Air Pollution Control Officer not to lend themselves to these techniques.
- (c) No field crop burning shall commence before 10:00 a.m. nor after 5:00 p.m. of any day.
- (d) During the critical period from October 1 through November 15 of each year, on permissive burn-days, open burning of material directly related to agricultural operations in the growing and harvesting of crops or raising of fowls or animals shall be limited each day to that amount which is estimated to emit Shasta County's allotment of particulate matter into the atmosphere. Shasta County's allotment shall be determined by the Sacramento Valley Basinwide Control Council.
- (e) No field or row crop harvested prior to September 10 shall be allowed to be burned during the period October 1 through November 15 of each year unless for

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good cause and with written authority of the district.

In granting such written authority the district shall:

- (1) Ensure the amount to be burned is included in Shasta County's allotment as specified in (d) above.
- (2) Require a specific explanation of the cultural practices which require immediate burning.
- (3) Require the person to specify the reason why the burning was not conducted prior to October 1.
- (4) Require the special permit to be valid only on permissive burn days.

## 2. Range Improvement Burning

11/25/87

(a) The Air Pollution Control Officer may restrict burning to selected permittees on designated burn days if the total tonnage to be ignited would discharge a volume of contaminants into the atmosphere sufficient to cause adverse conditions. In no event shall more than 2,000 acres be ignited on any given day.

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(b) Brush to be killed at least six months prior to the burn if economically and technically feasible.

(c) If the burn is to be done primarily for improvement of land for wildlife and game habitat, the permit applicant must file with the district a statement from the Department of Fish and Game certifying that the burn is desirable and proper.

## 3. Forest Management Burning

11/25/87

(a) The Air Pollution Control Officer may restrict burning to selected permittees on designated burn days if the total tonnage to be ignited would discharge a volume of contaminants into the atmosphere sufficient to cause adverse conditions. In no event shall more than 10% of any single crop, or debris on 1,000 acres, whichever is greater, be ignited on any given day.

11/25/87<sup>4</sup>. Wildland Vegetation Management Burning

Wildland vegetation management burning shall conform to the rules and regulations of the District and to the following requirements:

(a) Any burn, regardless of size, which will occur below a mean elevation of 1000 feet, or any burn plan which encompasses a land area greater than 10.0 acres and which occurs at or above a mean elevation of 1000 feet shall submit the following data to the District at least seven (7) days prior to the burn:

- (1) acreage covered by the burn plan;
- (2) location of the burn site;
- (3) type and condition of fuel and objectives of the burn;
- (4) direction and distances to populated or sensitive receptor areas;
- (5) burn schedule and fuel combustion prescription elements;
- (6) meteorological prescription and forecast for the burn;
- (7) specifications for monitoring and verifying project parameters;
- (8) procedures for notifying the public and other agencies of the burn.

(b) No more than 6,000 acres of wildland vegetation, as defined in the rules, shall be ignited on any one day within the Shasta County Air Quality Management District.



**Rule 2:10. Applications:**

(Amended 7-22-86)

Every application for an Authority to Construct, Permit to Operate, or permit to sell or rent required under Rule 2 shall be filed in the manner and on the form prescribed by the Air Pollution Control Officer (APCO).

- The applicant shall give all the information necessary to enable the APCO to make the determination required by Rule 2 hereof. Such information may include reports of specified tests performed by a person approved by the APCO.
- Receipt of information shall not be a bar to the request for additional information.
- The APCO may require a meteorological study as part of the information required of an application filed pursuant to Rule 2:1A.

## SHASTA COUNTY AIR QUALITY MANAGEMENT DISTRICT

### **Rule 2:12 Expiration of Applications:**

(Amended 11-27-78)

1. An Authority to Construct shall expire upon the issuance of a Permit to Operate or two years from the date of issuance unless construction has commenced physically on the site, **and** construction has been and is being diligently pursued toward completion. (Amended 11-27-78)
2. An application for a Permit to Operate Existing Equipment shall expire two (2) years from the date of filing the application.

## SHASTA COUNTY AIR QUALITY MANAGEMENT DISTRICT

### **Rule 2:14 Testing Facilities:**

(Amended 12-4-72)

Before an Authority to Construct or a Permit to Operate is granted, the Air Pollution Control Officer (APCO) 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 Authority to Construct or Permit to Operate.

In the event of such a requirement, the APCO 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.

A person operating or using any article, machine, equipment, or other contrivance for which these rules require a permit shall provide and maintain such sampling and testing facilities as specified in the Authority to Construct or Permit to Operate.

Any permittee or applicant for a variance may request the APCO to obtain test or emission data at the expense of the requesting party. The cost of such services shall be the actual cost to the District (including general overhead) of performing such services.

6/30/22

Rule 2:21. Defacing Permit: No person shall wilfully deface, alter, forge, counterfeit, or falsify a permit to operate any article, machine, equipment, or other contrivance.

**Rule 2:23 Posting of Permit to Operate**

(Amended 12-4-72)

A person who has been granted a Permit to Operate as described in Rule 2:1A.b. shall firmly affix such permit, an approved facsimile, or other approved identification bearing the permit number upon the article, machine, equipment or other contrivance in such a manner as to be clearly visible and accessible.

In the event that the article, machine, equipment or other contrivance 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 within 25 feet of the article, machine, equipment, or other contrivance, or maintained readily available at all times on the operating premises.

**Rule 2:25 Public Records -- Trade Secrets**

(Amended 10-1-73)

- a. All information, analyses, plans, or specifications that disclose the nature, extent, quantity, or degree of air contaminants or other pollution that any article, machine, equipment, or other contrivance will produce and that any air pollution control district or any other state or local agency or District requires any applicant to provide before such applicant builds, erects, alters, replaces, operates, sells, 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.
- c. Except as otherwise provided in subdivision D, trade secrets are not public records under this section. As used in this section, "trade secrets" may include (but are not limited to) any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information that:
  - Is not patented,
  - 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**
  - Gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.
- d. Notwithstanding any other provision of law, all air pollution emission data, including those emission data that constitute trade secrets as defined in subdivision c, are public records.

Data used to calculate emission data are not emission data for the purposes of this subdivision, and data that constitute trade secrets and that are used to calculate emission data are not public records. (Added 10-1-73)

1/10/75

RULE III - PROHIBITIONS AND ENFORCEMENT

Rule 3:1. Applicability of State Laws:

Each and every provision of Federal or State law or applicable Air Basin Plan now or hereinafter enacted or as amended which regulates the discharge of any air contaminants is incorporated herein by reference and where in conflict with local rules and regulations, the more restrictive provisions shall apply.

## SHASTA COUNTY AIR QUALITY MANAGEMENT DISTRICT

### **Rule 3:2 Specific Air Contaminants**

(Amended 7-22-86)

No person shall discharge contaminants from any single source into the atmosphere in amounts greater than those designated in Table 1 of this rule.

All emissions are to be measured by methods approved for use by the Air Pollution Control Officer (APCO). Any method approved by the U.S. Environmental Protection Agency (EPA) and/or the California Air Resources Board (CARB) is approved for use by the APCO.



11/21/86

Rule 3:3. Gasoline Loading and Transfer:

a. Stationary Source Containers and Transfer Vessels

1. (a) After March 1, 1980 a person shall not transfer or permit the transfer of gasoline from any delivery vessel (i.e., tank truck or trailer) into any stationary storage container with a capacity of more than 250 gallons unless such container is equipped with a permanent submerged fill pipe and unless 90 percent by weight of the gasoline vapors displaced during the filling of the stationary storage container are prevented from being released to the atmosphere.

- 7/19/83 (b) The provisions of Section 1. (a) shall be subject to the following exceptions:

- (1) The transfer of gasoline into any stationary storage container used primarily for the fueling of implements of husbandry as such vehicles are defined in Division 16 (Section 36000 et seq.) of the California Vehicle Code, if such container is equipped with a permanent submerged fill pipe.
- (2) The transfer of gasoline into any stationary storage container having a capacity of 2,000 gallons or less which was installed prior to July 1, 1979 if such container is equipped with a permanent submerged fill pipe.
- (3) The transfer of gasoline into any stationary storage container in existence prior to July 1, 1979 when such container is served by a delivery vessel exempted by the Air Pollution Control Officer

pursuant to Section a. 3. (a) of this Rule, if such container is equipped with a permanent submerged fill pipe.

- (4) The transfer of gasoline into any stationary storage container which the Air Pollution Control Officer finds is equipped with equipment to control emissions at least as effectively as required by this Section.
- (5) The transfer of gasoline into any stationary storage container in existence prior to July 1, 1979 which is equipped with a remote fill pipe if such container is equipped with a permanent submerged fill pipe.
- (6) The transfer of gasoline into any stationary storage container at any gasoline dispensing facility installed prior to the effective date of this regulation located more than five miles from Interstate 5 with total monthly metered sales of the facility not exceeding 25,000 gallons annual average or 50,000 gallons in any one month, if equipped with a permanent submerged fill pipe and serviced by an exempt tank truck.
- (7) The transfer of gasoline into any stationary storage container at any gasoline dispensing facility installed prior to the effective date of this regulation with total monthly metered sales of the facility not exceeding 5,000 gallons, if equipped with a permanent submerged fill pipe and serviced by an exempt tank truck.

11/21/86

(8) The transfer of gasoline into a floating storage tank with a submerged fill pipe. This exemption expires July 1, 1982.

- ~~2. After March 1, 1980~~
2. After March 1, 1980 no person shall store gasoline in or otherwise use or operate any gasoline delivery vessel unless such vessel is designed and maintained to be vapor tight. Any delivery vessel into which gasoline vapors have been transferred shall be filled only at a loading facility that is equipped with a system that prevents at least 90 percent by weight of the gasoline vapors displaced from entering the atmosphere.
3. (a) The owner or operator of any bulk loading facility not subject to the provisions of Section c. which was in operation on or before July 1, 1979, and for which the annual throughput to stationary storage containers that are not exempted by Sections a. 1. (b)(1) and 1. (b)(2) does not exceed 1,000,000 gallons, may petition the Air Pollution Control Officer to have the facility's delivery vessels and other independently owned gasoline delivery vessels which are exclusively serviced at such facility exempted from the provisions of Section a. 2. The owner or operator of such a facility must petition annually to renew such exemptions.
- (b) A person shall not load gasoline into any delivery vessel from any loading facility granted an exemption pursuant to Section a. 3. (a) of this Rule unless such delivery vessel is loaded through a submerged fill pipe.

~~Section 60~~

- (c) A person shall not operate any gasoline loading facility which is not subject to the provisions of Section c. unless:
- (1) The facility is equipped with a system or systems to prevent the release to the atmosphere of at least .90 percent by weight of the gasoline vapors displaced during the filling of the facility's stationary storage containers; and
  - (2) The facility is equipped with a pressure-vacuum valve during the months of May through October on the above ground stationary storage containers with a minimum pressure valve setting of 8 ounces, provided that such setting will not exceed the container's maximum pressure rating.
4. (a) The owner or operator of any stationary storage container or gasoline loading facility which is subject to Section a. and which is installed or constructed on or after the effective date of this regulation shall comply with the provisions of this Rule at the time of installation.
5. Vapor-return and/or vapor recovery systems used to comply with the provisions of this Rule shall comply with all safety, fire, weights and measures, and other applicable codes and/or regulations.
6. (a) For the purposes of this Rule "gasoline vapors" means the organic compounds in the displaced vapors including any entrained liquid gasoline.

~~Section 100~~

- (b) For the purposes of this Rule, the term "submerged fill pipe" is defined as any fill pipe, the discharge opening of which is entirely submerged when the liquid level is 6 inches above the bottom of the container. "Submerged fill pipe" when applied to a container which is loaded from the side is defined as any fill pipe the discharge opening of which is entirely submerged when the liquid level is 18 inches above the bottom of the container.

c. Transfer of Gasoline into Tank Trucks, Trailers, and Railroad Tank Cars at Loading Facilities

1. (a) A person shall not load gasoline into any tank truck, trailer, or railroad tank car from any loading facility having an annual throughput of 5,000,000 gallons or more unless the loading facility is equipped with a vapor collection and disposal system or its equivalent approved by the Air Pollution Control Officer.

Loading shall be accomplished in such a manner that all displaced vapor and air will be vented only to the vapor

~~8/15/80~~

C. 1. (a)

Continued

- collection system. Measures shall be taken to prevent liquid drainage from the loading device when it is not in use or to accomplish complete drainage before the loading device is disconnected.
- (b) The vapor disposal portion of the vapor collection and disposal system shall consist of one of the following:
- (1) An adsorber system or, condensation system, incineration system, or combination system which processes all vapors and which limits the emission of gasoline vapors and gasses to no more than:
- (i) 0.6\* pounds per thousand gallons of gasoline transferred for installations made after November 22, 1977, or
- (ii) 0.9\* pounds per 1,000 gallons of gasoline transferred for installations existing prior to January 1, 1972, and 0.6\* pounds for 1,000 gallons of gasoline transferred for these existing installations by July 1, 1982, or
- (iii) 0.9\* pounds per 1,000 gallons of gasoline transferred for installations existing prior to November 22, 1977, and installed after January 1, 1972, and 0.6\* pounds per 1,000 gallons of gasoline transferred for these existing installations by July 1, 1985.
- (2) A vapor handling system which directs all vapors to a fuel gas system.

\*As determined by rounding to the nearest tenth using two significant figures.

- ~~1. (b)(1) or Section c. 1. (b)(2) if~~
- (3) Other equipment of an efficiency equal to or greater than Section c. 1. (b)(1) or Section c. 1. (b)(2) if approved by the Air Pollution Control Officer.

"Loading Facility" shall mean any aggregation or combination of 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 equipment can be encompassed within any circle of 300 feet in diameter.

d. Storage of Petroleum Products at Terminals and Large Bulk Loading Facilities

1. A person shall not place, store or hold in any stationary tank, reservoir or other container of more than 40,000 gallons capacity gasoline unless such tank, reservoir or other container is a pressure tank maintaining working pressures sufficient at all times to prevent gasoline vapor or gas loss to the atmosphere, or is designed and equipped with one of the following vapor loss control devices, properly installed, in good working order and in operation:

- (a) A floating roof of an approved type meeting the requirements of Rule 463 of the South Coast Air Quality Management District. The control equipment provided for in this paragraph shall not be used if the gasoline 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.

~~01/10/80~~

- (b) A vapor recovery system, of efficiency equivalent to a floating roof meeting the requirements of (a) above, consisting of a vapor gathering system capable of collecting the gasoline vapors and gasses discharged and a vapor disposal system capable of processing such gasoline vapors and gasses so as to prevent their emissions to the atmosphere and with all tank gauging and sampling devices gas-tight except when gauging or sampling is taking place.
- (c) Other equipment of equal efficiency, provided such equipment is submitted to and approved by the Air Pollution Control Officer.



4/19/84

2

**Rule 3:4. Industrial Use of Organic Solvents:**

a. A person shall not discharge more than 15 pounds of organic solvents into the atmosphere in any one day from any article, machine, equipment, or other contrivance in which any organic solvent or any material containing organic solvent comes into contact with flame or is baked, heat cured, or heat-polymerized, in the presence of oxygen at temperatures above 400° F., unless all organic solvents discharged from such article, machine, equipment, or other contrivance have been reduced by at least 85 percent over-all or to not more than 15 pounds in any one day.

~~2/1/83~~ b. A person shall not discharge more than 40 pounds of photochemically reactive solvents into the atmosphere in any one day from any article, machine, equipment, or other contrivance used under conditions other than described in section 1, for employing, applying, evaporating, or drying any photochemically reactive solvent, as defined in Rule 1:2, or material containing such solvent, unless all photochemically reactive solvents discharged from such article, machine, equipment, or other contrivance have been reduced either by at least 85 percent over-all or to not more than 40 pounds in any one day.

The provisions of this rule shall not apply to:

1. The spraying or other employment of insecticides, pesticides, or herbicides.

-4/19/84

2. The employment, application, evaporation, or drying of saturated halogenated hydrocarbons or perchloroethylene.

3. The employment or application of polyester resins or acetone used in a fiberglass reinforced plastics operation.

Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical groups, that is, the groups having the least allowable percent of the total of solvents.

7/19/74

✓ Rule 3:5. Agricultural Uses: Discharges created in the course of applying agricultural materials in strict compliance with a permit issued by the County Agricultural Commissioner are not violations of these regulations.

7/19/74

Rule 3:6. Circumvention: No person shall build, erect, install or use any article, machine, equipment or other contrivance, the use of which, without resulting in a reduction in the total release of air contaminants to the atmosphere, reduces or conceals an emission which would otherwise constitute a violation.

2/19/74

✓ Rule 3:9. Recommendation of Control Officer: No suggestion or recommendation of the Control Officer shall be deemed a guaranty that the recommended device or process will in fact result in compliance with these rules.

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2/19/74

Rule 3:11. Local Rules: Any City, Public Utility District or other local agency having the authority so to do may by ordinance enact rules more restrictive than the rules contained herein. It is not the intention of the District to preempt the field.

## SHASTA COUNTY AIR QUALITY MANAGEMENT DISTRICT

### **Rule 3:12 Reduction of Matter of Animal Origin (Except the Curing of Glue)**

(Revised 5/8/73)

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

- a. Incinerated at temperatures of not less than twelve hundred degrees Fahrenheit (1200o F) for a period of not less than 0.3 seconds, or
- b. Processed in such a manner determined by the Air Pollution Control Officer (APCO) to be equally, or more, effective for the purpose of air pollution control than item a. above.

A person incinerating or processing gases, vapors, or gas-entrained effluents as stated in this rule shall provide, properly install, and maintain in calibration, in good working order, and in operation, devices as specified in the Authorization to Construct or Permit to Operate, or as specified by the APCO, for indicating temperature, pressure, or other operating conditions.

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

The provisions of this Section shall not apply to any article, machine, equipment, or other contrivance used exclusively for the processing of food for human consumption. (Added 5-8-73)

**Rule 3:14 Petroleum Solvent Dry Cleaners**

(Added 7-31-79)

- a. Effective September 30, 1979, a person shall not operate any dry cleaning equipment in the Sacramento Valley Air Basin that uses petroleum-based solvent unless:
  1. There is no liquid leaking from any portion of the equipment.
  2. Solvents are stored in closed containers that may be equipped with vents approved by the Air Pollution Control Officer (APCO).
  3. All washer lint traps, button traps, access doors, and other parts of the equipment where solvent may be exposed to the atmosphere are kept closed at all times except as required for proper operation or maintenance.
  4. The still residue is stored in sealed containers or underground tanks and is disposed of at a Class I dump or is disposed of by other procedures approved by the APCO.
  5. The used filtering material is put into a sealed container immediately after removal from the filter and disposed of at a Class I dump unless the dry cleaning system is equipped with one of the following filter systems:
    - a. Cartridge filters containing paper or carbon or a combination thereof, that are fully drained in the filter housing for at least twelve (12) hours before removal.
    - b. Diatomaceous earth filtering system, connected to a centrifugal solvent extractor or other device capable of removing sufficient solvent so that the remaining diatomaceous earth and soil does not contain more than 0.4 kilogram of solvent per kilogram of filter powder and soil removed.
    - c. Any other type of filtering system or process found by the APCO to emit into the atmosphere 1 kilogram or less of solvent in the discarded soil, lint, and filtering material per 100 kilograms of articles cleaned.



~~Proposed~~  
Rule 3:15. Cutback Asphalt Paving Materials:

- a. After July 1, 1979, no person shall cause or allow the use or application of rapid cure cutback asphalt for highway or street paving or maintenance, nor manufacture, sell or offer to sell rapid cure cutback asphalt for such use or application.
- b. After July 1, 1980, no person shall cause or allow the use or application of cutback asphalt for highway or street paving or maintenance, nor manufacture, sell, or offer for sale cutback asphalt for such use or application in the District, except for any of the following:
  - (1) Where the cutback asphalt is to be used solely as a penetrating prime coat, or as a dust palliative.
  - (2) Where the National Weather Service official forecast of the high temperature for the immediate vicinity of the asphalt application for the 24-hour period following application is below 10° C (50° F).
  - (3) At a distance from the commercial plants that produce and sell hot mix asphalt that is too great to be economical, and in a non-critical area from a standpoint of ozone production, which for the purposes of this rule shall be considered to be outside of the South Central Urban Region.

~~noted~~

- (4) During periods of inclement weather where emergency street maintenance is necessary and hot asphalt material is unavailable.

7/19/83

→ c. In ozone non-attainment areas after January 1, 1982, no person shall cause or allow the use or application of an emulsified asphalt containing petroleum solvents (dilutents) in excess of 3% by volume or cutback asphalt for highway street paving or maintenance or offer for sale such asphalts for such use or application. These provisions do not apply to cutback asphalt manufactured or stored in this District for shipment and use outside this District.

If by January 1, 1981, there are no suitable emulsified or slow cure asphalts available at a cost, including application, comparable to existing materials as approved by the APCO for uses listed in the exceptions under Section b, then the January 1, 1981 date will be extended on a year-to-year basis until such materials are available.

~~noted~~

- d. After January 1, 1982, road oils used for highway or street paving or maintenance applications shall contain no more than 0.5 percent of organic compounds which boil at less than 500° F as determined by ASTM D402.

6/2/80

Rule 3:17. Organic Solvent Degreasing Operations:

- a. After February 19, 1980, any person who employs solvent metal cleaning (degreasing) shall utilize a device for such cleaning, which includes the following equipment:
  1. A container for the solvent and the articles being cleaned.
  2. An apparatus or cover which prevents the solvent from evaporating when not processing work in the degreaser.
  3. A facility for draining cleaned parts such that the drained solvent is returned to the container.
  4. A permanent, conspicuous label, which lists each of the operating requirements contained in Section 3:17b.
  5. For cold solvent cleaning, if the vapor pressure of the solvent is greater than 33 mm Hg or 0.6 psi at 38° C, or if the solvent is heated above 50° C, then one of the following control devices shall be used:
    - (a) a freeboard such that the freeboard ratio is greater than or equal to 0.75;
    - (b) a water cover if the solvent is insoluble in and heavier than water; or
    - (c) any other system of equivalent control, such as a refrigerated chiller or carbon adsorber.
  6. If open-top vapor degreasing or conveyORIZED degreasing are employed, then the following equipment shall be utilized:
    - (a) All of the following safety switches:
      - (1) condenser flow switch and thermostat,
      - (2) spray safety switch, and
      - (3) vapor level control device.

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(b) One of the following or a combination of the following major control devices such that the overall emissions are reduced by 85 percent by weight.

- (1) a freeboard such that the freeboard ratio is greater than or equal to 0.75;
- (2) refrigerated chiller;
- (3) carbon adsorption system; or
- (4) a control system which has a control efficiency equivalent to any of the above.

(c) For conveyORIZED degreasers, both of the following control devices:

- (1) either a drying tunnel, or another means such as a rotating basket, sufficient to prevent cleaned parts from carrying out solvent liquid or vapor, and
- (2) minimized openings: entrances and exits should silhouette work loads so that the average clearance between parts and the edge of the degreaser opening is either less than 10 cm or less than 10 percent of the width of the opening.

b. After Feb. 19, 1980, any person who employs solvent metal cleaning (degreasing) must conform to the following operating requirements:

1. The degreasing equipment and emission control equipment must be operated and maintained in proper working order.
2. A person shall not allow any solvent to leak from any portion of the degreasing equipment.

6/2/80

3. A person shall not store or dispose of any solvent, including waste solvent, in such a manner as will cause or allow its evaporation into the atmosphere.
4. After distillation recovery of waste solvent, solvent residues shall not contain more than 10 percent solvent by volume.
5. A person shall not remove or open any device designed to cover the solvent unless processing work in the degreaser or performing maintenance on the degreaser.
6. A person shall drain cleaned parts for at least 15 seconds after cleaning or until dripping ceases. (Cold solvent cleaning only.)
7. If a solvent flow is utilized, then a person shall use only a continuous, fluid stream (not a fine, atomized, or shower-type spray) and the pressure shall be such that it does not cause liquid solvent to splash outside of the solvent container.
8. Solvent agitation, where necessary, shall be attained through pump recirculation or by means of a mixer. Air agitation of the solvent bath shall not be utilized.
9. For open-top vapor degreasers, a person shall minimize solvent carry-out by the following measures:
  - (a) rack parts to allow full drainage,
  - (b) move parts in and out of the degreaser at less than 3.3 m/min.,
  - (c) degrease the work load in the vapor zone at least 30 seconds or until condensation ceases,
  - (d) allow parts to dry within the degreaser until visually dry.

6/2/80

10. For conveyorized degreasers, a person shall minimize solvent carry-out by the following measures:

- (a) rack parts to allow full drainage,
- (b) maintain vertical conveyor speed at less than 3.3 m/min.

c. Exemptions

The provisions of this rule do not apply to the following cleaning materials or methods:

- 1. Trichlorotrifluoroethane
- 2. Methylene Chloride
- 3. Emulsion cleaners
- 4. Wipe cleaning

d. Definitions

- 1. "Cold cleaner" means any batch loaded, non-boiling solvent degreaser.
- 2. "Open-top vapor degreaser" means any batch loaded, boiling solvent degreaser.
- 3. "Conveyorized degreaser" means any continuously loaded, conveyorized solvent degreaser, either boiling or non-boiling.
- 4. "Freeboard height"
  - (a) For cold cleaning tanks, freeboard height means the distance from the top of the solvent or solvent drain to the top of the tank.
  - (b) For vapor degreasing tanks, freeboard height means the distance from the solvent vapor-air interface to the top of the basic degreaser tank.

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5. "Freeboard ratio" is defined as the freeboard height divided by the width of the degreaser.
6. "Wipe cleaning" is defined as that method of cleaning which utilizes a material such as a rag wetted with a solvent, coupled with a physical rubbing process to remove contaminants from metal surfaces.
7. "Volatile organic compound" means any compound of carbon (excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and methane) that has a vapor pressure greater than 0.1 mm of Hg at standard conditions.