3-1887

SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

RULES AND REGULATIONS

REGULATION I - GENERAL PROVISIONS

RULE 1.1 Title These rules and regulations shall be known as the Rules and Regulations of the Siskiyou County Air Pollution Control District.

SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 1.2 Definitions

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

A1 Actual Emission Reductions

A reduction in allowable emissions from the stationary source selected for emission offsets, from a baseline which is representative of normal operations approved by the Control Officer. This baseline must be based on the average of actual emissions from the three years operation immediately prior to the submission of the complete application. The Control Officer may approve any other time period, within five years prior to the date of application that is more representative of normal source operation.

A2 Affected Pollutant

An air pollutant for which an ambient air quality standard has been established by the EPA and/or the ARB and the precursors to such pollutants. Also those air pollutants which the EPA, and ARB of the District, after public hearing determine may have a significant adverse effect on the environment, public health or public welfare.

A3 Agricultural Burning

Open outdoor fires used in agricultural operations in the growing of crops or raising of fowl or animals, forest management, range improvement, wildland vegetative management, the improvement of land for wildlife and game habitat, disease or pest prevention or the maintenance of a system for delivery of water used in agricultural operations.

A4 Air Contaminant or Air Pollutant

Any discharge, release, or other propagation into the atmosphere and includes, but is not limited to, smoke, charred paper, dust, soot, grime, carbon, fumes, gases, odors, particulate matter, acids, or any combination thereof.

A5 Air Quality Increment

An increment of allowable air quality degradation, beyond baseline, as established in the Clean Air Act Section 163(b) or, for pollutants for which no increment has been established pursuant to the Clean Air Act, an increment of allowable air quality degradation as established by the District.

In establishing air quality increments, the District shall take into consideration the impact of emissions on neighboring areas.

A6 Ambient Air Quality Standards

Unless otherwise specifically stated, ambient air quality standards shall be interpreted to be federal and state ambient air quality standards. For the purpose of submittal to the Environmental Protection Agency for the inclusion in State Implementation Plan, all references in this rule are to Ambient Air Quality Standards.

A7 Approved Combustibles

Paper, cardboard, wood, dry vegetative matter or other materials as approved by the Control Officer.

A8 Atmosphere

The air that envelopes or surrounds the earth.

A9 ARB

The California Air Resources Board.

B1 Baseline Air Quality; Date

The ambient concentration level reflecting actual air quality as monitored or modeled as of May 5, 1979.

B2 Best Available Control Technology (BACT)

For any stationary source, the more stringent of:

1. The most effective emission control device, emission limit, or technique which has been required or used for the type of equipment comprising such stationary source, unless the applicant demonstrates to the satisfaction of the Control Officer that such limitations are not achievable; or
2. Any other emission control device or technique determined to be technologically feasible and cost effective by the Control Officer. Under no circumstances shall BACT be determined to be less stringent than the emission control required by any applicable provision of District, State, or Federal laws or regulations, unless the applicant demonstrates to the satisfaction of the Control Officer that such limitations are not achievable.

B3 Board

The Air Pollution Control Board of the Siskiyou County Air Pollution Control District which is the Board of Supervisors.

B4 Bulk Plant

Any facility where petroleum products are received by tank car or tank vehicle and are stored or blended in bulk for the purpose of distribution in tank car or tank vehicle.

C1 Cargo Carriers

Trains dedicated to a specific stationary source.

C2 Class I Area

Any area which has been or may be designated Class I by a Federal or State authority empowered to make such designation.

C3 Class I Impact Area

All lands within the District, located within 10 kilometers of any Class I area.

C4 Cogeneration

The sequential use of energy for the production of electrical and useful thermal energy. The sequence can be thermal use followed by power production or the reverse, subject to the following standards:

1. At least five (5) percent of the facility's total annual energy output shall be in the form of useful thermal energy.
2. Where useful thermal energy follows power production, the thermal energy output is not less than 42.5 percent of any natural gas and oil energy input.

C5 Combustible Waste

Any solid or liquid combustible waste material containing carbon in a free or combined state.

C6 Combustion Contaminants

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

C7 Complete Application

Completeness of an application for an authority to construct a new or modified stationary source shall be evaluated on the basis of a list of required information shown in Appendix A of these regulations.

C8 Condensed Fumes

Minute, solid particles generated by the condensation of vapors from solid matter after volatilization from the molten state, or may be generated by sublimation, distillations, calcination, or chemical reaction, when these processes create air-borne particles.

C9 Contiguous Property

Two or more parcels of land with a common boundary or separated solely by a public roadway or other public right-of-way.

C10 Control Officer

An Air Pollution Control Officer of the Siskiyou County Air Pollution Control District.

C11 Cost-Effective

A cost per unit of emissions reduction which is lower than or equivalent to the maximum unit costs of the same emission reduction through the use of demonstrated BACT calculated in current year dollars.

D1 District

The Siskiyou County Air Pollution Control District.

D2 Dusts

Minute, solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, or other similar processes.

E1 EPA

The United States Environmental Protection Agency, as established by Title 40 of the Code of Federal Regulations.

F1 Federal Land Manager

The Secretary of the Department with authority over the specified federal lands.

F2 Fugitive Emissions

Emissions which could not reasonably pass through a stack, chimney, vent or other functionally equivalent opening.

G1 Good Engineering Practice

The height necessary to ensure that emissions from a stack do not result in excessive concentrations of any air contaminant in the immediate vicinity of the source.

H1 Halogenated Hydrocarbons

1,1,1-trichloroethane, methylene chloride, trichlorfluoromethane (CFC-11), dichlorodifluoromethane (CFC-12), chlorodifluoromethane (CFC-22), trifluoromethane (CFC-23), trichlorotrifluoroethane (CFC-113), dichlorotetrafluoroethane (CFC-114), and chloropenta-fluoroethane (CFC-115).

H2 Hearing Board

The Hearing Board of the Siskiyou County Air Pollution Control District.

I1 Impact Analysis

An air quality modeling analysis used to estimate maximum ground level impacts of a source for total suspended particulates, carbon monoxide, oxides of sulfur, and oxides of nitrogen assuming one hundred (100) percent conversion of nitrogen oxides into NO_2 and calculating all emissions of sulfur oxides as SO_2 .

I2 Implement of Husbandry

A vehicle which is used exclusively in the conduct of agricultural operations, and which is not designed primarily for the transportation of persons or property on a highway.

I3 Incinerator

Any furnace or similar enclosed fire-chamber, with or without a draft control, used for burning refuse or other waste material.

M1 Major Source

Any stationary source which directly emits one hundred tons per year or more of any air pollutant.

M2 Modification

Any physical change, change in method of operation of, or addition to an existing stationary source, or any change in hours of operation or production rate which would necessitate a change in permit conditions, except that routine maintenance or repair shall not be considered a physical change. Unless previously limited by a permit condition, the following shall not be considered changes in method of operation:

1. An increase in the production rate if such increase does not exceed the operating design capacity or the actual demonstrated capacity of the stationary source as approved by the Control Officer.
2. A change in ownership.
3. A replacement of a piece of equipment with an identical piece of equipment with emissions less than or equal to those from the original piece of equipment.

M3 Multi-Component System

A collection, or combination, of mutually dependent articles, structures, or devices customarily or necessarily started, operated and taken out of service as a unit.

M4 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.

N1 Net Air Quality Benefit

A net improvement in air quality resulting from actual emission reductions impacting the same general area affected by the new or modified source.

N2 Net Emissions Increase

The sum of all increases in emissions of any given pollutant from a new or modified stationary source occurring after the baseline date, minus any reduction in emissions of that pollutant at the stationary source occurring five years prior to the baseline date. Reductions in emissions shall be valid for determining net emissions increases only if they are established pursuant to Authorities to Construct and Permits to Operate.

O1 Open Outdoor Fire

Complete or partial burning or smoldering of any combustible refuse or other material of any type, directly exposed to the atmosphere, whether or not enclosed in a fire-proof container, where the products of combustion are not channeled through a flue.

P1 Particulate Matter

Any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.

P2 Permit

A Certificate of Compliance, Authority to Construct, Temporary Permit to Operate, or Permit to Operate, whichever is legally in effect.

P3 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.

P4 PM_{10}

Particulate matter that includes only those particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers.

P5 Portable Source

A source which has been permitted and is relocated from time to time.

P6 Potential to Emit

The maximum capacity of a stationary source to emit an air pollutant under its physical or operational design, after considering physical or operational limitations that are enforceable by permit conditions.

P7 Precursor

A directly emitted pollutant that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which an ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more ambient air quality standards.

P8 Process

For any stationary source, separate items of equipment shall be considered as part of the same process if the operation of each item of equipment is dependent upon or affects the operation of the others and the operation of all such equipment involves a common raw material or product.

P9 Process Weight

The total weight of all materials introduced into any specific process which may cause 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 weight of wood products shall be calculated at 12% moisture on a dry basis.

P10 Process Weight Rate

Total process weight divided by the number of hours in one complete operation, from the beginning to completion of any given process, excluding any time during which the equipment is idle.

P11 PSD Permit

A Permit to Operate issued pursuant to Section 105 of the Federal Clean Air Act.

R1 Reactive Organic Compound

Any volatile compound containing carbon except: methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonates, and halogenated hydrocarbons.

R2 Reconstructed Source

Any source undergoing reconstruction where the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost of a comparable entirely new stationary source. Fixed capital cost means the capital needed to provide all the depreciable components. A reconstructed source shall be treated as a new stationary source.

R3 Regulation

One of the major subdivisions of rules of the Siskiyou County Air Pollution Control District.

R4 Residential Rubbish

Refuse originating from residential uses including wood, paper, cloth, cardboard, tree trimmings, leaves, lawn clippings, and dry plants.

R5 Resource Recovery Project

A project which would convert liquid or solid waste in such a manner as to produce energy as a by-product.

R6 Rule

A rule of the Siskiyou County Air Pollution Control District.

S1 Seasonal Source

Any source with more than 75 percent of its annual emissions within a consecutive 90-day period.

S2 Section

A section of the Health and Safety Code of the State of California unless some other statute is specifically mentioned.

S3 Shall and May

"Shall" is mandatory; "May" is permissive.

S4 Significance Level

The potential of a new or modified stationary source to emit air contaminants that would equal or exceed any of the following rates:

POLLUTANT	TONS/YEAR
Halogenated Hydrocarbons	40
Reactive Organic Compounds	40
Nitrogen Oxides	40
Sulfur Oxides	40
Particulate Matter	25
Carbon Monoxide	100
Lead	0.6
Asbestos	0.007
Beryllium	0.0004
Mercury	0.1
Vinyl Chloride	1
Fluorides	3
Sulfuric Acid Mist	7
Hydrogen Sulfide	10
Total Reduced Sulfur Compounds	10
Reduced Sulfur Compounds	10
PM_{10}	15

Furthermore, significance level also means any net emission increase from any new or modified stationary source which would be constructed within 10 kilometers of a Class I area and have an air quality impact on such an area equal to or greater than 1 microgram per cubic meter (24-hour average).

S5 Source Operation

The last operation preceding the emission of an air contaminant which operation:

1. Results in the separation of air contaminants from the process materials or in the conversion of the process materials into air contaminants, as in the case of combustion of fuels.
2. Is not an air pollution abatement operation.

S6 Standard Conditions

Dry gas temperature of 68 degrees Fahrenheit and dry gas pressure of 14.7 pounds per square inch absolute. Results of all analyses and tests shall be calculated and reported at this gas temperature and pressure.

S7 Stationary Source

Any building, structure, facility, or installation which emits or may emit any affected pollutant. "Building", "structure", or "facility" includes all pollutant-emitting activities, including activities located adjacent to the District boundaries which:

1. Belong to the same industrial grouping, and
2. Are located on one or more contiguous or adjacent properties and
3. Are under the same or common ownership, operation, or control or which are owned or operated by entities which are under common control.

Pollutant-emitting activities shall be considered as part of the same industrial grouping if:

1. They belong to the same two-digit standard industrial classification code, or
2. They are part of a common production process. (Common production process includes industrial processes, manufacturing processes, and any connected processes involving a common raw material.) The emissions within District boundaries from cargo carriers dedicated to a specific stationary source, shall be considered emissions from the stationary source.

T1 Total Reduced Sulfur (TRS)

Reduced sulfur contained in hydrogen sulfide, mercaptans, dimethyl sulfide, dimethyl disulfide or other organic sulfide compounds, all expressed as hydrogen sulfide. Sulfur dioxide, sulfur trioxide, or sulfuric acid are not to be included in the determination of TRS.

T2 Trade Secrets

May include but not limited to any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or 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.

V1 Variance

An authorization by the Hearing Board to permit some act contrary to the requirements specified by these rules and regulations.

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Rule 1.3 Public Records

A. All air monitoring data, including emissions data compiled from stationary sources are public records.
B. All information, analyses, plans, or specifications that disclose the nature, extent, quantity, or degree of air contaminants 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, sells, rents, or uses such article, machine, equipment, or other contrivance, are public records, with the exception of certified trade secrets.
C. Trade secrets which may include that information described in Government Code Section 6254.7, are not public records. Trade secrets may only be certified upon written request by the owner of said secrets and concurrence of the Control Officer. Within 10 days of receipt of any documents containing trade secrets, so designated by the owner, the Control Officer shall:

    1. Concur in the certification of said trade secrets and notify the owner that the documents will be placed in a locked file to be made accessible only to the staff of the District or to the public following a court order.
    2. Return to the owner all documents which have been designated as trade secrets, following a determination by the Control Officer that they are not necessary in conducting the activities of the District.
    3. Notify the owner that said trade secrets do not meet the criteria established and place the documents in a locked file. All such documents will be considered as public records and will be so designated at the end of a 30-day period, unless the owner files an appeal with the Board. Upon request, any specific public records in the possession of the District will be made available to the public within 10 days. Such requests shall be in writing and a reasonable fee may be charged, not to exceed the actual cost of providing the requested information.

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RULE ~~1.5~~ Orders for Abatement (Entire Rule moved to 5.21)

RULE 1.5 Validity If any provisions of these regulations shall be rendered void or unconstitutional by judicial or other determination, all other parts of these regulations which are not expressly held to be void or unconstitutional shall continue in full force and effect.

SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 2.1 Permits Required

A. Authority to Construct

Except as provided in Rule 2.2., any person building, erecting, altering or replacing any article, machine, equipment or other contrivance, or multi-component system, the use of which may cause the issuance of air contaminants, or which may eliminate, reduce or control the issuance of air contaminants, shall first obtain written authorization for such construction from the Control Officer.

B. Permit to Operate

Except as provided in Rule 2.1.F., before any article, machine, equipment or other contrivance, or multi-component system, described in Rule 2.1.A. may be operated or used, a written permit shall be obtained from the Control Officer. For any article, machine, equipment, or other contrivance subject to Rule 2.13, the requirements of Rule 2.13 shall augment and take precedence over conflicting administrative requirements of other provisions in these Rules and Regulations. No Permit to Operate or Use shall be granted either by the Control Officer or the Hearing Board for any article, machine, equipment, or contrivance constructed or installed without authorization as required by Rule 2.1.A, 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 regulations.

C. Posting of Permit to Operate

A person who has been granted a Permit to Operate any article, machine, equipment, or other contrivance shall display such Permit to Operate, or an approved facsimile, in such a manner as to be clearly visible and accessible. In the event that the Permit to Operate cannot be so displayed the Permit to Operate shall be maintained readily available at all times on the operating premises.

D. Alteration of Permit

A person shall not willfully deface, alter, forge, counterfeit or falsify any permit as defined in Rule 1.2.

E. Existing Sources

Any existent source of air contaminant emissions, operating on or before January 1, 1987, shall apply for a Permit to Operate within 30 days of written notification by the Control Officer. Such permit shall be subject to fees as specified in Regulation III.

F. Temporary Permit to Operate

Before operating or using any new or modified stationary source for which an Authority to Construct has been issued pursuant to the provisions of these regulations, the applicant shall notify the Control Officer in writing. Upon such notification, the Authority to construct or modify shall serve as a Temporary Permit for Operation of the equipment until the Permit to Operate is granted or denied.

G. New Source Siting

All new stationary sources and modifications to existing stationary sources, including power plants and cogeneration and resource recovery projects, with a net emissions increase of air contaminants that would exceed the limits stated in Rule 6.1.B. shall be subject to the provisions of Regulation VI.

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SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 2.2 Exemptions

An Authority to Construct or a Permit to Operate shall not be required for the following sources; provided that said sources are not subject to the requirements of Rule 2.13 and provided that said sources shall comply with all other applicable rules and regulations:

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. Equipment utilized exclusively in connection with any structure designed for and used exclusively as a dwelling for not more than four families.
C. Single chambered incinerators used exclusively to burn less than fifty pounds per day of approved combustibles.
D. Outdoor recreational and cooking fires to include barbecues.
E. Any equipment used in agricultural operations in the growing of crops or the raising of fowl or animals.
F. Steam generators, water boilers, water heaters, or space heaters having an input heating value of less than 5 million BTU per hour and which are fired exclusively with one of the following:
    1. Natural gas.
    2. Liquefied petroleum gas.
    3. Distillate fuel oil.
    4. Any combination of items 1, 2, and 3.
G. Containers, reservoirs, or tanks used exclusively for:
    1. Storage of liquefied gases.
    2. The storage of fuel used primarily for implements of husbandry.
    3. The storage of lubricating oils.
    4. The storage of gasoline and fuel oils and having a capacity of 20,000 gallons or less, provided that a permit may be required for any bulk plant and for any retail service station subject to Rule 8.1.
H. Repairs or maintenance not involving structural changes to any equipment for which a permit has been granted.
I. Any article, machine, equipment or other contrivance which emits air contaminants below the significance level and which the Control Officer determines should be exempted.

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SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 2.3 Transfers

An Authority to Construct or Permit to Operate shall not be transferable, whether by operation of law or otherwise from one location to another, from one person to another, or from one piece of equipment to another, except on written approval of the Control Officer.

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2.21.72

RULE 2.5 Cancellation of Applications

A. An Authority to Construct shall expire and the application shall be cancelled two (2) years from the date of issuance of the Authority to Construct.

B. An application for Permit to Operate existing equipment shall be cancelled two (2) years from the date of filing of the application.

SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 2.7 Conditional Approval

A. The Control Officer may issue an Authority to Construct or Permit to Operate subject to conditions which will bring the operation of any article, machine, equipment or other contrivance within the standards of these regulations, in which case the conditions shall be specified in writing. Commencing work under such an Authority to Construct or operation under such a Permit Operate shall be deemed acceptance of all the conditions so specified. The Control Officer shall issue an Authority to Construct or 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 these regulations.

B. A person shall not operate equipment contrary to permit conditions specified on permits issued in accordance with the provisions of this rule.

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SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 2.11 Monitoring Requirements

A. Any applicant or permit holder subject to the monitoring requirements of Rule 2.10 shall provide, install, calibrate, maintain and operate continuous measuring and recording equipment as specified by the Control Officer.
B. Measuring instruments shall meet minimum standards of measurement accuracy, calibration procedure and calibration frequency as specified by the Control Officer.
C. The recording section of such measuring instruments shall be installed in a location subject to frequent operator surveillance or be equipped with suitable alarm devices.
D. The information recorded shall be summarized and reported to the District in the manner and form as prescribed by the Control Officer.
E. Monitoring records shall be retained by the owner for a period of not less than two years.
F. District personnel shall inspect and confirm calibration of measuring instruments, as necessary.
G. Any violation of an emission standard, ambient air quality standard, or breakdown of emission measuring instruments, shall be reported to the District in accordance with the provisions of Rule 2.12, Equipment Breakdown.

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SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 2.12 Equipment Breakdown

A. Breakdown Conditions

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

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

B. Breakdown Procedures

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

C. Reporting Requirements

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

1. Duration of excessive emissions.
2. Estimate of quantity of emissions.
3. Statement of the cause of the occurrence.
4. Corrective measures to be taken to prevent a recurrence. Documentation of the breakdown condition may be required by the Control Officer.

D. Burden of Proof

The burden shall be on the owner or operator of the source to provide sufficient information to demonstrate that a

breakdown did occur. If the owner or operator fails to provide sufficient information, the Control Officer shall undertake appropriate enforcement action.

E. Failure to Comply with Reporting

Requirements Any failure to comply, or comply in a timely manner, with reporting requirements established in subparagraphs B.1.a. and C.1. through C.4. of this rule shall constitute a separate violation of this rule.

F. False Claiming of Breakdown Occurrence

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

G. Extended Breakdown Provisions

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

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7.25.73

RULE 2.13 Regulation for Public Availability of Emission Data.

A. The owner or operator of any stationary source in the Siskiyou County Air Pollution Control District shall, upon notification from the Control Officer maintain records of the nature and amounts of emissions from such source and/or any other information as may be deemed necessary by the Control Officer to determine whether such source is in compliance with applicable emission limitations or other control measures.

B. Emission data obtained from owners or operators of stationary sources pursuant to this will be correlated with applicable emission limitations and other control measures and will be available to the public during normal business hours at the Air Pollution Control District office.

10-15-79

NEW SOURCE REVIEW RULE

RULE 2.14 STANDARDS FOR PERMIT TO CONSTRUCT

A. General

1. The Air Pollution Officer shall deny a permit to construct for any new stationary source or modification or any portion thereof, unless the applicant certifies that all other stationary sources in the State which are owned or operated by the applicant are in compliance or are on approved schedule for compliance, with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 et.seq.) and all applicable emission limitations and standards which are part of the State Implementation Plan approved by the Environmental Protection Agency.

2. The Air Pollution Control Officer shall deny a permit to construct for a new stationary source or modification with a net increase in emissions as specified in Section B 1 unless all district regulations contained in the State Implementation Plan approved by the Environmental Protection Agency are being carried out in accordance with that plan.

B. Applicability and Exemptions

1. Sections B,C,D,E,F,G,H, & I shall apply to new stationary sources and modifications which result in either:

a. A net increase in emissions of 250 or more pounds during any day of any pollutant for which there is

a national ambient air quality standard (excluding carbon monoxide), or any precursor of such a pollutant; or

b. A net increase in emissions of 2500 or more pounds during any day of carbon monoxide.

2. New sources and modifications shall be exempt from the requirement for offsets (Section E), although BACT is still required providing the source.

   a. Will be used exclusively for providing essential public services, such as schools, hospitals, or police and fire fighting facilities, but specifically excluding sources of electrical power generation other than for emergency standby use at essential public service facilities.

   b. Is exclusively a modification to convert from use of a gaseous fuel to a liquid fuel because of a demonstrable shortage of gaseous fuels, provided the applicant establishes to the satisfaction of the Air Pollution Control Officer that it has made its best efforts to obtain sufficient emissions offsets pursuant to Section E of this rule, that such efforts had been unsuccessful as of the date the application was filed, and the applicant agrees to continue to seek the necessary emissions offsets until construction on the new stationary source or modification begins. This exemption shall only apply if, at the time the permit to operate was issued for the gas burning equipment, such equipment could have burned the liquid fuel without additional controls and been in compliance with all applicable district regulations.

c. Is portable sandblasting equipment used on a temporary basis within the district.

d. Is a cogeneration project, a project using refuse-derived or biomass-derived fuels for energy generation, or a resource recovery project using municipal wastes, provided: the applicant establishes by modeling that the new source or modification will not cause a violation or exacerbate an existing violation of any national ambient air quality standard at the point of maximum ground level impact and allowing for the subtraction of any natural background levels of particulate matter (nonrespirable size).

C. Calculation of Emissions

1. In determining the emissions from a proposed new or modified stationary source estimates shall be based on maximum design capacity, permit limitations on the operation of the new source or modification, or source test data from identical equipment or estimates based upon a combination of these methods.

2. In determining emissions from an existing stationary source emissions shall be based on specific limiting permit conditions or source test data based upon normal operating conditions or a combination of these methods.

3. The net increase in emissions from new stationary sources and modifications which are not seasonal sources shall be determined using yearly emissions profiles. Yearly emissions profiles for an existing or proposed stationary source

or modification shall be constructed by plotting the daily emissions from such source. A separate profile shall be constructed for each pollutant emitted.

4. The net increase in emissions from new stationary sources and modifications which are seasonal sources shall be determined using yearly and quarterly emissions profiles. A separate profile shall be constructed for each pollutant emitted.

5. When computing the net increase in emissions for modifications, the Air Pollution Control Officer shall: take into account the cumulative net emissions changes (increases and reductions) which are represented by permits to construct associated with the existing stationary source and issued pursuant to this rule, excluding any emissions reductions required to comply with federal, state, or district laws, rules or regulations.

D. BEST AVAILABLE CONTROL TECHNOLOGY

New stationary sources and modifications excluding cargo carriers, shall be constructed using best available control technology.

E. MITIGATION (OFFSETS)

1. For new stationary sources and modifications mitigation shall be required for net emissions increases (i.e. increases after the application of best available control technology).

   a. of each pollutant for which a national ambient air quality standard was exceeded three discontinuous times (for

annual standards-one time) within the district within the three years immediately proceding the date when the application for the permit to construct was filed, and for all precursors of such pollutants; provided, however, that mitigation of net emission increases of sulfur oxides, total suspended particulates or carbon monoxide shall not be required if the applicant demonstrates through modeling that emissions from the new source or modification will not cause a new violation of any national ambient air quality standard for such pollutants, or make any existing violation of any such standard worse, at the point of maximum ground level impact.

b. Net emissions increases subject to this section shall be mitigated (offset) by reduced emissions from existing stationary or nonstationary sources. Emissions reductions shall be sufficient to offset any net emissions increase and shall take effect at the times, or before initial operation, of the new source, or within 90 days after initial operation of a modification and shall continue as long as the new or modified source is operating.

c. Emissions offset profiles may be used to determine whether proposed offsets mitigate the net emissions increases from proposed new sources or modifications. For all offset sources, a yearly emissions offset

profile shall be constructed in a manner similar to that used to construct the yearly emissions profile for the proposed new or modified source. A separate profile shall be constructed for each pollutant emitted. Seasonal offsets shall not be used to mitigate the emissions from nonseasonal sources.

d. A ratio of emissions offsets to emissions from the new source or modification (offset ratio) of 1.2:1 shall be required for emissions offsets located within a 15 mile radius of the proposed new source or modification and based upon emissions profiles.

e. For proposed emission offsets in which the offset ratio is from 1:1 to 1.2:1 the applicant shall conduct modeling to verify a net air quality benefit in the area affected by emissions from the new source or modification.

f. If an applicant certifies that the proposed new source or modification is a replacement for the applicant's preexisting source which was shut down or curtailed after February 16, 1979, emissions reductions associated with such shutdown or curtailment may be used as offsets for the proposed source, subject to the offset provision of this section.

g. Emissions reductions resulting from measures required by adopted federal, state or district laws, rules or regulations shall not be allowed as emissions offsets unless a complete application incorporating such off-

sets was filed with the district prior to the date of adoption of the laws, rules or regulations.

h. The Air Pollution Control Officer may allow emissions reductions which exceed those required by this rule for a new source or modification to be banked for use in the future by the applicant. Such reductions shall be used only to offset emissions increases from proposed new sources or modifications owned or operated by the applicant within 15 miles of the site where the reductions occurred.

i. Emissions reductions of one precursor (or primary pollutant) may be used to offset emission increases of another precursor of the same pollutant. The ratio of emission reductions for interpollutant offsets shall be determined by the APCO based on existing air quality data and subject to approval of the ARB.

F. PERMIT CONDITION REQUIREMENTS

The APCO shall place written conditions on the permits of the new stationary source or modification and the source(s) used to provide offsets to ensure that all sources are operated in the manner assumed in making the analysis required to determine compliance with this rule. The permit shall include an emission limitation which corresponds with the application of BACT. In no event shall the emission rate reflected by the control technique or limitation exceed the amount allowable under applicable new source performance standards.

If offsets are obtained from a source for which there is no permit to operate, a written contract shall be required between the applicant and the owner or operator of such source which contract, by its terms, shall be enforceable by the APCO.

G. ANALYSIS, NOTICE, AND REPORTING

Following acceptance of an application as complete, the Air Pollution Control Officer shall;

1. Perform the evaluations required to determine compliance with this rule and make a preliminary written decision as to whether a permit to construct should be approved, conditionally approved, or disapproved. The decision shall be supported by a succinct written analysis.
2. Within 10 calendar days following such decision, publish a notice by prominent advertisement in at lease one newspaper of general circulation in the district stating the preliminary decision of the Air Pollution Control Officer and where the public may inspect the required information. The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary decision.
3. At the time notice of the preliminary decision is published, make available for public inspection at the Air Pollution Control District's office the information submitted by the applicant, the Air Pollution Control Officer's supporting analysis for the preliminary decision, and the

preliminary decision to grant or deny the permit to construct, including any proposed permit conditions, and the reasons therefor.

4. No later than the date of publication of the notice, forward the analysis, the preliminary decision, and copies of the notice to the Air Resources Board (attn: Chief, Stationary Source Control Division) and the Regional Office of the U.S. Environmental Protection Agency.

5. Consider all written comments submitted during the 30 day public comment period.

6. Within 180 days after acceptance of the application as complete, take final action on the application after considering all written comments. The Air Pollution Control Officer shall provide written notice of the final action to the applicant, the Environmental Protection Agency, and the California Air Resources Board, shall publish such notice in a newspaper of general circulation, and shall make the notice and all supporting documents available for public inspection at the Air Pollution Control District's office.

E. POWER PLANTS

All power plants proposed to be constructed in the district and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission shall be evaluated in accordance with the ARB/CEC agreement adopted on January 23, 1979. The Air Pollution

Control Officer, pursuant to Section 25538 of the Public Resources Code, may apply for reimbursement of all costs, including lost fees, incurred in order to comply with the provisions of this section.

I. DEFINITIONS

1. "Best Available Control Technology (BACT)" means for any source the more stringent of:

   a. The most effective emissions control technique which has been achieved in practice, for such category or class of source; or

   b. Any other emissions control technique found, after public hearing, by the Air Pollution Control Officer and the Air Resources Board to be technologically feasible and cost/effective for such class or category of sources or for a specific source; or

   c. For those pollutants for which the national ambient air quality standards are violated in the district, the most effective emission limitation which the EPA certifies is contained in the implementation plan of any State approved under the Clean Air Act for such class or category of source, unless the owner or operator of the proposed source demonstrates that such limitations are not achievable.

2. "Modification" means any physical change in, change in

method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. A change in the method of operation, unless previously limited by an enforceable permit condition, shall not include:

a. An increase in the production rate, if such increase does not exceed the operating design capacity of the source.

b. An increase in the hours of operation.

c. Change in ownership of a source.

3. "Stationary Source" includes any structure, building, facility, equipment, installation or operation (or aggregation thereof) which is located on one or more bordering properties within the district and which is owned, operated, or under shared entitlement to use by the same person. Items of air-contaminant-emitting equipment shall be considered aggregated into the same stationary source, and items of nonair-contaminant-emitting equipment shall be considered associated with air-contaminant-emitting equipment only if:

a. The operation of each item of equipment is dependent upon, or affects the process of, the others; and

b. The operation of all such items of equipment involves a common raw material or product.

Emissions from all such aggregated items of air-contaminant-emitting equipment and all such associated items of nonair-contaminant-emitting equipment of a stationary source shall

be considered emissions of the same stationary source. The emissions from all cargo carriers (excluding motor vehicles) while operating within the district shall be considered as emissions from the stationary source.

4. "Precursor" means a directly emitted pollutant that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which an ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more ambient air quality standards.

Precursors	Secondary Pollutants
Hyrdocarbons and substituted hydrocarbons (reactive organic gases)	a) Photochemical oxidant (ozone) b) the organic fraction of suspended particulate matter.
Nitrogen oxides (NOx)	a) Nitrogen dioxide (NO_2) b) the nitrate fraction of suspended particulate matter. c) Photochemical oxidant (ozone)
Sulfur oxides (SOx)	a) sulfur dioxide (SO_2) b) sulfates (SO_4) c) the sulfate fraction of suspended particulate matter.

5. Seasonal source means any source with more than 75 percent

of its annual operating hours within a consecutive 90 day period.

6. "Modeling" means using an air quality simulation model, based on specified assumptions and data, which has been approved in writing by the Executive Officer of the Air Resources Board.

J. SEVERABILITY

If any portion of this rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule, which shall continue to be in full force and effect.

10/15/79

RULE 2.15. STANDARDS FOR PERMITS TO OPERATE

A. GENERAL

The Air Pollution Control Officer shall deny a permit to operate for any new or modified stationary source or any portion thereof to which Rule I applies unless:

1. The owner or operator of the source has obtained a permit to construct granted pursuant to Rule I: and
2. The Air Pollution Control Officer has determined that the source and any sources which provide offsets have been constructed and/or modified to operate, and emit quantities of air contaminants, consistent with the conditions imposed on their respective permits.

3. Conditions imposed on the permit to construct are also included on the permit to operate to ensure compliance with these rules.

B. EXEMPTIONS

The Air Pollution Control Officer shall exempt from the provisions of this Rule any stationary source which is a continuing operation, without modification or change in operating conditions, when a permit to operate is required solely because of permit renewal or change of ownership.

C. DEFINITIONS

The definitions contained in Rule I shall be applicable to this rule.

D. SEVERABILITY

If any portion of this rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule which shall continue to be in full force and effect.

10-15-79

RULE 2.16. STATE AMBIENT AIR QUALITY STANDARDS

All references in Rules I and II to national ambient air quality standards shall be interpreted to include state ambient air quality standards.

SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

APPENDIX A

List/Criteria for Permit Applications

This List and Criteria identifies information required of applicants seeking permits to construct air pollution sources.

A. Name

1. Business license name
2. Nature of business
3. Name, address, and phone number of person to contact regarding this application
4. Types of use entitlement (own, rent, lease)
5. Estimated construction dates and estimated completion dates
6. Verification development project is consistent with the applicable general plan required by Government Code Section 65300, et seq.

B. Type of Application

1.
    a. Original application
    b. Revised application
2.
    a. New facility
    b. Modification
    c. Existing facility not previously permitted
3. 3. Authority to Construct

C. Description of Facility

1. Location
    a. Street address of facility (or location as described by section, township, and range)
    b. Scaled and dimensioned plot plan of facility which shows and identifies the location of:
        1. Public and private streets
        2. Property lines
        3. Existing and proposed buildings (indicate their heights)
        4. Adjacent property owners and uses
        5. Storage areas for fuel, materials and products
        6. Basic, control, and air monitoring equipment
        7. Piping and ducts for carrying fuels, products, and possible sources of air pollutants
        8. Identify points of emissions
2. Describe the general purpose of this facility

D. Description of Process

1. General description of each process line
2. For facilities with more than one process line:
    a. Submit a block flow diagram which shows the interaction between each process line (include a material balance and a description of the material processed as it changes in terms of maximum design rates)
    b. Submit a drawing which shows the transfer of materials, products, and possible sources of air pollutants

between process lines, building, and storage areas

3. Basic and control equipment descriptions (e.g., make, function, model, size, type, maximum capacity, horsepower)
4. Operating schedule (number of hours/day, days/week, weeks/year)
5. Maximum monthly, hourly, and daily production rates and raw material usage rates
6. Total average annual production rates and raw material usage rates (such as tons/year)
7. Provide the following information associated with each piece of basic (existing, modified, and proposed) equipment:
    a. Equipment identification number
    b. Inlet and outlet temperatures
    c. Identify the emission points and state to where the equipment is to be vented
    d. The material entering and leaving the equipment
    e. The energy consumption, (e.g., Btu/hr, KW/hr)
    f. State whether the operation is continuous or intermittent
8. Describe control equipment and attach calculations and detail drawings. Provide the following information associated with each piece of control equipment (existing and proposed):
    a. Schematic and description of overall control equipment
    b. Control equipment identification number
    c. Inlet and outlet concentrations
    d. Control efficiency; verify source of data (e.g. calculations, manufacturer's specification, source test)
    e. Identify the points of emission associated with each piece of equipment
    f. For particulate matter, include data on the size distribution and chemical nature of emissions
    g. Energy consumption (e.g., Btu/hr, KW/hr)
9. Describe locations and amounts of emissions (in terms of maximum design rates)
    a. Identify points of emission
    b. Height of the outlet above ground level
    c. Size and shape of the outlet, (e.g. 9" round)
    d. Flow rate of exhaust gases
    e. Outlet temperature
    f. Estimate the quantity of each pollutant emitted: total suspended particulates, PM_{10}, carbon monoxide, organic gases, nitrogen oxides, and sulfur oxides, as examples
10. Describe emissions of a fugitive nature, i.e., not included in 9.
11. Attach copies of all calculations used in answering the previous questions (also cite references and tolerance of data)

E. <u>Fuel Burning Equipment and Fuel</u>

1. Describe burners
    a. Equipment identification number, manufacturer's name and model, size, number of burners, minimum and maximum ratings per burner, and burner type
    b. The burner mode of control, (e.g. manual, automatic on-off, high-low) if applicable
    c. Air compressor data (if air atomization is used):
        1. manufacturer's name and mode
        2. drive motor horsepower
        3. compressor rating (pressure and capacity)
        4. operating pressure
    d. Firing type, (e.g. tangential, opposed, front)
    e. Type of fuels and the percentage of combustion air
2. Describe all fuels used; indicate the types, grades, consumption rates; pretreatment of the fuel if any (method and temperature); heating value (e.g., BTU/cu.ft., BTU/gal., BTU/lb.); and ash, sulfur, moisture, H_2S, and nitrogen contents, where applicable
    a. For oil preheaters, indicate the type and the temperature to which the oil is expected to be preheated
    b. State whether unit is to be used to incinerate waste gas or liquid stream; submit a drawing of the method of

waste stream introduction with respect to gas/fuel oil burners
    1. Indicate the amount of each fuel used per year (gal./yr. for liquid, million cu.ft./hr. for gaseous and tons/yr. for solid); also indicate fuels used as standby fuel
    2. Indicate the maximum consumption rate of fuel in any one hour and any 24-hour period
3. For combustion facilities, specify the heat input rate or thermal efficiency in BTU/unit

F. Describe Storage Facilities

1. Size, model, type, and make of storage facilities
2. Properties or characteristics of materials and products being stored
3. Control procedures and equipment utilized on storage facilities
4. Conditions under which storage exists, e.g., temperatures, pressure, windspeed

G. New Source Review

1. Air Quality Impact Analysis
    a. Any monitoring stations that may be installed by applicant
    b. Sufficient data to perform an impact analysis from all emission points and fugitive emissions including meteorological data, topographical data, air quality data, computer modeling data
2. Identify All Facilities - within the air basin that are owned or operated by the applicant and the compliance status of each
3. Power Consumption of Facility
    a. Total amount of electrical power to be consumed by the new facility or the increase in the amount of electrical power to be consumed due to the modification
    b. Percentage of electrical power provided by off-site generating facilities; identify the source of power
4. Cargo Carriers - List the frequency of visits, describe types and sizes of all cargo carriers (other than motor vehicles), identify nature of cargo, and conditions under which the cargo is transferred
5. Tradeoffs - Provide sufficient information to determine whether adequate emission reductions will be achieved to offset the air quality impacts of the applicant's source (e.g., name and location of trade-off sources and of how the emission tradeoffs will be affected)
6. Mitigating Measures
    a. Air pollution control equipment proposed
    b. Process changes or operations utilized to reduce emissions
    c. Other

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SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 4.1 Visible Emissions

Except as provided in these regulations, a person shall not discharge into the atmosphere from any single source of emission whatsoever, any air contaminant for a period or periods aggregating more than three minutes in any one hour which is:

A. As dark or darker in shade as that designated as No.2 on the Ringelmann chart as published by the United States Bureau of Mines.
B. Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subsection A. of this rule.
C. The provisions of Rule 4.1.A. and Rule 4.1.B. shall not apply to:
    1. Fires set pursuant to Rule 4.3.
    2. Agricultural burning for which a permit has been granted pursuant to Regulation VII.
    3. Use of any aircraft to distribute seed, fertilizer, insecticide, or other agricultural aids over lands devoted to the growing of crops or raising of fowl or animals.
    4. The use of orchard and citrus grove heaters which are in compliance with the requirements set forth in Rule 4.11.
    5. Fires set or permitted by any public officer in the performance of his/her official duty for the improvement of watershed, range, or pasture.
    6. Agricultural operations necessary for the growing of crops or raising of fowl or animals.
    7. The use of other equipment in agricultural operations necessary for the growing of crops or raising of fowl or animals.
    8. The use of visible emission generating equipment in training sessions conducted by governmental agencies necessary for certifying persons to evaluate visible emissions.
    9. Smoke emissions from teepee burners operating in compliance with Section 4438 of the Public Resources Code during the disposal of forestry and agricultural residues or forestry and agricultural residues with supplementary fossil fuels when such emissions result from the startup or shutdown of the combustion process or from the malfunction of emission control equipment. This exception shall not apply to emissions which exceed a period or periods of time aggregating more than 30 minutes in any 24-hour period. This exception shall not apply to emissions which result from the failure to operate and maintain in good working order any emission control equipment.
    10. Smoke emissions from burners used to produce energy and fired by forestry and agricultural residues with supplementary fossil fuels when such emissions result from startup or shutdown of the combustion process or from the malfunction of emission control equipment. This exception shall not apply to emissions which exceed a period or periods of time aggregating more than 30 minutes in any 24-hour period, or which result from the failure to operate and maintain in good working order any emission control equipment.
    11. Emissions from methanol fuel manufacturing plants which manufacture not more than 2,000,000 gallons of methanol fuel per day from wood agricultural waste, natural gas, or coke (exclusive of petroleum coke). As used in this rule, "manufacturing plant" shall include all necessary support systems, including field operations equipment that provide feed stock. However, this exception shall apply to not more than one such methanol fuel manufacturing plant in the Northeast Plateau Air Basin and each such plant shall be located in an area designated as an "attainment area" pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and shall meet all applicable standards required by the district board. This exception shall remain in effect with respect to such a plant until five years after construction of the plant and shall have no force and effect with respect to such a plant on and after such date.
D. When the presence of uncombined water is the only reason for the failure of an emission to meet the visible emissions limitation (Rule 4.1), that rule shall not apply. The burden of proof which establishes the application of this exception shall be upon the person seeking to come within its provisions.

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7.25.73

RULE 4.2 Nuisance Section 24243 No person shall discharge from any non-vehicular 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.

7-25-73

RULE 4.2-1 Exceptions to Section 24243, Nuisance

A. Section 24251.1 The provisions of Section 24243 relating to odors do not apply to odors emanating from agricultural operations in the growing of crops or raising of fowls or animals.

B. Section 29077.4 All exceptions as called out in visible emissions section.

SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 4.3 Non-Agricultural Burning

Except as otherwise provided in these rules, no person shall use open outdoor fires for the purpose of disposal or burning of petroleum wastes, demolition debris, tires, tar, trees, wood waste, or other combustible or flammable solid or liquid waste; or for metal salvage or burning of motor vehicle bodies.

A. Nothing in this prohibition 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/her opinion, necessary for any of the following purposes:
    1. The prevention of a fire hazard which cannot be abated by any other means.
    2. The instruction of public employees in the methods of fighting fire.
    3. Set pursuant to permit on property used for industrial purposes for the instruction of employees in the methods of fighting fires.
    4. The setting of backfires necessary to save life or valuable property pursuant to Section 4426 of the Public Resources Code.
    5. The abatement of fire hazards pursuant to Section 13055.
    6. Disease or pest prevention, where there is an immediate need for and no reasonable alternative to burning.
B. Nothing in this regulation shall be construed as prohibiting:
    1. Open burning of approved combustibles used for cooking of food or for recreational purposes.
    2. Open fires used for disposal of residential rubbish from a single or two-family dwelling on its premises.
C. Open outdoor fires shall be allowed for disposal of approved combustibles, only on a permissive burn day, for the following:
    1. Right-of-way clearing by a public entity or utility or for levee, reservoir or ditch maintenance.
    2. The disposal of wood waste from trees, vines or bushes on property being developed for commercial or residential purposes or the disposal of brush cuttings resulted from brush clearance done in compliance with local ordinances to reduce fire hazard, on the property where it was grown. Burning under this subdivision is subject to the conditions specified in Section 41803 and 41804.
    3. The disposal by a city or county of non-industrial wood waste from trees, vines, and brush at sites located above 1500 feet elevation mean sea level. Burning under this subdivision is subject to the conditions specified in Sections 41803 and 41804.5.
    4. The disposal of Russian thistle (Salsola kali) when authorized by a chief of a fire department or fire protection agency of a city, county, or fire protection district, the State Forester or his/her duly authorized representative, or a county agricultural commissioner, or the Control Officer.
    5. The state board, after consultation with the district in which the burning is to take place, may issue permits for experimental burning designed to develop new or improved techniques of burning to reduce emissions, except that no experimental burning may create a nuisance.
    6. The Control Officer may authorize, by permit, open outdoor fires for the purpose of disposing of agricultural wastes, or wood waste from trees, vines, bushes, or other wood debris free of non-wood materials, in a mechanized burner such that no air contaminant is discharged into the atmosphere for a period or periods aggregating more than 30 minutes in any eight-hour period which is:
        a. As dark or darker in shade as that designated as No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines, or
        b. Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke described in subdivision a. In authorizing the operation of a mechanized burner, the Control Officer may make the permit subject to whatever conditions he/she determines are reasonably necessary to assure conformance with the standards prescribed in this rule.

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7.25.73

RULE 4.4 No person shall discharge from any single source whatsoever particulate matter in excess of 0.3 grain per cubic foot of gas at standard conditions.

7.25.73

RULE 4.5 Specific Air Contaminants No person shall discharge from any single source whatsoever any one or more of t following contaminants in any state or combination thereof, exce ing in concentration at the point of discharge:

A. Sulphur compounds calculated as sulphur dioxide-0. per cent, by volume.

B. Combustion contaminants - 0.3 grain per cubic foot of gas calculated to 12 per cent of carbon dioxide at standard conditions. In measuring the combusti contaminants from incinerators used to dispose of combustible refuse by burning, the carbon dioxide produced by combustion of any liquid or gaseous fu shall be excluded from the calculation to 12 per c of carbon dioxide.

C. Fluorine compounds - emissions shall not exceed 2.5 milligrams per cubic meter gas at standard conditic

D. Sulfides - after December 31, 1973 no person shall discharge total reduced sulfur from any recovery boiler in excess of 60.0 ppm. After December 31, 19 no person shall discharge total reduced sulfur from any other sources in excess of one pound per ton of dry wood charged.

E. Oxides of nitrogen - no person shall discharge oxid of nitrogen in excess of 140 pounds per hour for ne or expanded installations, calculated as nitrogen dioxide (NO_2).

SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 4.6 Circumvention

A. No person shall install or use any equipment which, without resulting in a reduction in the total release of air contaminant to the atmosphere, reduces or conceals an emission that would otherwise constitute a violation of these rules.
B. Violations of Rule 4.2 (Nuisance) are excepted from Rule 4.6.A.

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7.25.73

RULE 4.6 Dust and Fumes A person shall not discharge in any one hour from any source whatsoever, dust or fumes in total quantities in excess of the amount shown in the following table:

To use the following table, take the process weight per hour, as such is defined in Rule 1.2 (R). Then find this figure on the table, opposite, which is the maximum number of pounds of contaminants which may be discharged into the atmosphere in any one hour. As an example, if (A) has a process which emits contaminants into the atmosphere and which process takes 3 hours to complete, he will divide the weight of all materials in the specific process, in this example, 1500 lbs. x 3, giving a process weight per hour of 500 lbs. The table shows that (A) may not discharge more than 1.77 lbs. in any one hour during the process. Where the process weight per hour falls between figures in the left hand column, the exact weight of permitted discharge shall be interpolated.

TABLE

Process Wt/hr (lbs)	Maximum weight Disch/hr (lbs)
50	.24
100	.46
150	.66
200	.85
250	1.03
300	1.20
350	1.35
400	1.50
450	1.63
500	1.77
550	1.89
600	2.01
650	2.12
700	2.24
750	2.34
800	2.43
850	2.53
900	2.62
950	2.72
1000	2.80
1100	2.97
1200	3.12
1300	3.26
1400	3.40
1500	3.54
1600	3.66
1700	3.79
1800	3.91
1900	4.03
2000	4.14
2100	4.24
2200	4.34
2300	4.44
2400	4.55
2500	4.64
2600	4.74
2700	4.84
2800	4.92
2900	5.02
3000	5.10
3100	5.18
3200	5.27
3300	5.36
3400	5.44
3500	5.52
3600	5.61
3700	5.69
3800	5.77
3900	5.85
4000	5.93
4100	6.01
4200	6.08
4300	6.15
4400	6.22
4500	6.30
4600	6.37
4700	6.45
4800	6.52
4900	6.60
5000	6.67
5500	7.03
6000	7.37
6500	7.71
7000	8.05
7500	8.39
8000	8.71
8500	9.03
9000	9.36
9500	9.67
10000	10.0
11000	10.63
12000	11.28
13000	11.89
14000	12.50
15000	13.13
16000	13.74
17000	14.36
18000	14.97
19000	15.58
20000	16.19
30000	22.22
40000	28.3
50000	34.3
60000 or more	40.0

7.25.73

RULE 4.9 Gasoline Storage Section 39068.2

A. Any person who, after December 31, 1970, loads or permits the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank is a pressure tank as described in Section 39068.3, or is equipped with a vapor recovery system as described in Section 39068.4 or with a floating roof as described in

Section 39068.5 or unless such tank is equipped with other apparatus of equal efficiency which has been approved by the Air Pollution Control Officer is guilty of a misdemeanor.

B. Any person who installs any gasoline tank with a capacity of 250 gallons or more which does not meet these requirements is guilty of a misdemeanor.

C. These requirements shall not apply to any stationary tank installed prior to December 31, 1970.

D. For the purpose of this section, "gasoline" means any petroleum distillate having a Reid vapor pressure of four pounds or greater.

E. For the purpose of this section "submerged fill pipe means any fill pipe which has its discharge opening entirely submerged when the liquid level is six inches above the bottom of the tank. "Submerged fill pipe", when applied to a tank which is loaded from the side, means any fill pipe which has its discharg opening entirely submerged when the liquid level is 18 inches above the bottom of the tank.

F. These sections shall not apply to any stationary tar which is used primarily for the fueling of implement of husbandry, as such vehicles are defined in Division 16 (commencing with Section 36000) of the Vehicle Code.

SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 4.8 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 to confirmation and use by the Control Officer for 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, this regulation 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 4.8.A., this regulation shall be applied to the combined emission as if it originated in a single source operation subject to the most stringent limitations and requirements placed by this regulation on any of the source operations whose air contaminants are so combined.

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SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 4.9 Separation of Emissions

If air contaminants from a single source operation are emitted through two or more emission points, the total emitted quantity of any air contaminant limited in this regulation cannot exceed the quantity which would be the allowable emission through a single emission point; and 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 from all emission points, unless the person responsible for the source operation establishes the correct total emitted quantity.

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7.25.73

RULE 4.11 Separation of Emissions If air contaminants from a single source operation are emitted through two or more emission points, the total emitted quantity of any air contaminant, limited in this regulation cannot exceed the quantity which would be the allowable emission through a single emission point; and 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 exhaust gas volume through the source operation establishes the correct total emitted quantity.

SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 4.10 Reduction of Animal Matter

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

A. Incinerated at temperatures of not less than 1200 degrees Fahrenheit for a period of not less than 0.3 second, or
B. Processed in such a manner determined by the Control Officer to be equally, or more effective for the purpose of air pollution control.
C. For the purpose of this rule, "reduction" is defined as any heated process, including rendering, cooking, drying, dehydrating, digesting, evaporating, and protein concentrating.
D. The provisions of this rule shall not apply to any equipment used exclusively for the processing of food for human consumption.

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

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7-25-73

RULE 4.14 Uncombined Water When the presence of uncombined water is the only reason for the failure of an emission tc meet the limitation of the visible emissions limitation (Sectior 24242), that rule shall not apply. The burden of proof which establishes the application of this exception shall be upon the person seeking to come within its provisions.

SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 6.1 Standards for Permits to Construct

A. General

1. The Control Officer shall deny a permit to construct for any new stationary source or modification or any portion thereof, unless the applicant certifies that all other stationary sources in the state which are owned or operated by the applicant are in compliance or are on approved schedule for compliance, with all applicable emission limitations and standards under the Clean Air Act (42 USC 7401 et.seq.) and all applicable emission limitations and standards which are part of the State Implementation Plan approved by the Environmental Protection Agency.
2. The Control Officer shall deny a permit to construct for a new stationary source or modification with a net increase in emissions as specified in Section B.1. unless all district regulations contained in the State Implementation Plan approved by the Environmental Protection Agency are being carried out in accordance with that plan.

B. Applicability and Exemptions

1. Sections B., C., D., E., F., G., H., and I. shall apply to new stationary sources and modifications which result in either:
    a. A net increase in emissions of 250 or more pounds during any day of any pollutant for which there is a national ambient air quality standard (excluding carbon monoxide), or any precursor of such a pollutant; or
    b. A net increase in emissions of 2500 or more pounds of carbon monoxide during any day.
2. New sources and modifications shall be exempt from the requirement for offsets (Section E.), although BACT is still required providing the source:
    a. Will be used exclusively for providing essential public services, such as schools, hospitals, or police and fire fighting facilities, but specifically excluding sources of electrical power generation other than for emergency standby use at essential public service facilities.
    b. Is exclusively a modification to convert from use of a gaseous fuel to a liquid fuel because of a demonstrable shortage of gaseous fuels, provided the applicant establishes to the satisfaction of the Control Officer that he/she has made his/her best efforts to obtain sufficient emissions offsets pursuant to Section E. of this rule, that such efforts had been unsuccessful as of the date the application was filed, and the applicant agrees to continue to seek the necessary emissions offsets until construction on the new stationary source or modification begins. This exemption shall only apply if, at the time the permit to operate was issued for the gas burning equipment, such equipment could have burned the liquid fuel without additional controls and been in compliance with all applicable district regulations.
    c. Is portable sandblasting equipment used on a temporary basis within the district.
    d. Is a cogeneration project, a project using refuse derived or biomass-derived fuels for energy generation, or a resource recovery project using municipal wastes, provided the applicant established by modeling that the new source or modification will not cause a violation or exacerbate an existing violation of any national ambient air quality standard at the point of maximum ground level impact, allowing for the subtraction of any natural background levels of particulate matter (non respirable size).

C. Calculation of Emissions

1. In determining the emissions from a proposed new or modified stationary source estimates shall be based on maximum design capacity, permit limitations on the operation of the new source or modification, or source test data from identical equipment or estimates based upon a combination of these methods.
2. In determining emissions from an existing stationary source emissions shall be based on specific limiting permit conditions or source test data based upon normal operating conditions or a combination of these methods.
3. The net increase in emissions from new stationary sources and modifications which are not seasonal sources shall be determined using yearly emissions profiles. Yearly emissions profiles for an existing or proposed stationary

source or modification shall be constructed by plotting the daily emissions from such source. A separate profile shall be constructed for each pollutant emitted.

4. The net increase in emissions from new stationary sources and modifications which are seasonal sources shall be determined using yearly and quarterly emissions profiles. A separate profile shall be constructed for each pollutant emitted.
5. When computing the net increase in emissions for modifications, the Control Officer shall take into account the cumulative net emissions changes (increases and reductions) which are represented by permits to construct associated with the existing stationary source and issued pursuant to this rule, excluding any emissions reductions required to comply with federal, state, or district laws, rules or regulations.

D. Best Available Control Technology (BACT)

New stationary sources and modifications excluding cargo carriers, shall be constructed using best available control technology.

E. Mitigation (Offsets)

For new stationary sources and modifications mitigation shall be required for net emissions increases (i.e. increases after the application of best available control technology):

1. Of each pollutant for which a national ambient air quality standard was exceeded three discontinuous times (for annual standards, one time) within the district within the three years immediately preceding the date when the application for the permit to construct was filed and for all precursors of such pollutants provided, however, that mitigation of net emission increases of sulfur oxides, total suspended particulates or carbon monoxide shall not be required if the applicant demonstrates through modeling that emissions from the new source or modification will not cause a new violation of any national ambient air quality standard for such pollutants, or make any existing violation of any such standard worse, at the point of maximum ground level impact.
2. Net emissions increases subject to this section shall be mitigated (offset) by reduced emissions from existing stationary nonstationary sources. emissions reductions shall be sufficient to offset any net emissions increase and shall take effect at the times, or before initial operation, of the new source, or within 90 days after initial operation of a modification and shall continue as long as the new or modified source is operating.
3. Emissions offset profiles may be used to determine whether proposed offsets mitigate the net emissions increases from proposed new sources or modifications. For all offset sources, a yearly emissions offset profile shall be constructed in a manner similar to that used to construct the yearly emissions profile for the proposed new or modified source. A separate profile shall be constructed for each pollutant emitted. Seasonal offsets shall not be used to mitigate the emissions from nonseasonal sources.
4. A ratio of emissions offsets to emissions from the new source or modification (offset ratio) of 1.2:1 shall be required for emissions offsets located within a 15 mile radius of the proposed new source or modification and based upon emissions profiles.
5. For proposed emission offsets in which the offset ratio is from 1:1 to 1.2:1 the applicant shall conduct modeling to verify a net air quality benefit in the area affected by emissions from the new source or modification.
6. If an applicant certifies that the proposed new source or modification is a replacement for the applicant's pre existing source which was shut down or curtailed after February 16, 1979, emissions reductions associated with such shutdown or curtailment may be used as offsets for the proposed source, subject to the offset provision of this section.
7. Emissions reductions resulting from measures required by adopted federal, state, or district laws, rules or regulations shall not be allowed as emissions offsets unless a complete application incorporating such offsets was filed with the district prior to the date of adoption of the laws, rules or regulations.
8. The Control Officer may allow emissions reductions which exceed those required by this rule for a new source or modification to be banked for use in the future by the applicant. Such reductions shall be used only to offset emissions increases from proposed new sources or modifications owned or operated by the applicant within 15 miles of the site where the reductions occurred.
9. Emissions reductions of one precursor (or primary pollutant) may be used to offset emission increases of another precursor of the same pollutant. The ratio of emission reductions for interpollutant offsets shall be determined by

the Control Officer based on existing air quality data and subject to approval of the Air Resources Board.

F. Permit Condition Requirements

The Control Officer shall place written conditions on the permits of the new stationary source or modification and the sources(s) used to provide offsets to ensure that all sources are operated in the manner assumed in making the analysis required to determine compliance with this rule. The permit shall include an emission limitation which corresponds with the application of BACT. In no event shall the emission rate reflected by the control technique or limitation exceed the amount allowable under applicable new source performance standards. If offsets are obtained from a source for which there is no permit to operate, a written contract shall be required between the applicant and the owner or operator of such source which contract, by its terms, shall be enforceable by the Control Officer.

G. Analysis, Notice, and Reporting

Following acceptance of an application as complete, the Control Officer shall:

1. Perform the evaluations required to determine compliance with this rule and make a preliminary written decision as to whether a permit to construct should be approved, conditionally approved, or disapproved. The decision shall be supported by a succinct written analysis.
2. Within 10 calendar days following such decision, publish a notice by prominent advertisement in at least one newspaper of general circulation in the district stating the preliminary decision of the Control Officer and where the public may inspect the required information. The notice shall provide 30 days from the date of publication for the public to submit written comments on the preliminary decision.
3. At the time notice of the preliminary decision is published, make available for public inspection at the District Office the information submitted by the applicant, the Control Officer's supporting analysis for the preliminary decision, and the preliminary decision to grant or deny the permit to construct, including any proposed permit conditions, and the reasons there for.
4. No later than the date of publication of the notice, for ward the analysis, the preliminary decision, and copies of the notice to the Air Resources Board and Regional Office of the Environmental Protection Agency.
5. Consider all written comments submitted during the 30 day public comment period.
6. Within 180 days after acceptance of the application as complete, take final action on the application after considering all written comments. The Control Officer shall provide written notice of the final action to the applicant, the Environmental Protection Agency, and the Air Resources Board; shall publish such notice in a newspaper of general circulation; and shall make the notice and all supporting documents available for public inspection at the District Office.

H. Power Plants

All power plants proposed to be constructed in the district and for which a Notice of Intention (NOI) or Application for Certification (AFC) has been accepted by the California Energy Commission shall be evaluated in accordance with the ARB/CEC agreement adopted on January 23, 1979. The Control Officer, pursuant to Section 25538 of the Public Resources Code, may apply for reimbursement of all costs, including lost fees, incurred in order to comply with the provisions of this section.

I. Definitions

1. Best Available Control Technology (BACT)

For any source the more stringent of:

a. The most effective emissions control technique which has been achieved in practice, for such category or class of sources; or
b. Any other emissions control technique found, after public hearing, by the Control Officer and the Air Resources Board to be technologically feasible and cost effective for such class or category of sources or for a specific source; or

c. For those pollutants for which the national ambient air quality standards are violated in the district, the most effective emission limitation which the Environmental Protection agency certifies is contained in the implementation plan of any state approved under the Clean Air Act for such class or category of source, unless the owner or operator of the proposed source demonstrates that such limitations are not achievable.

2. Modification

Any physical change in, change in method of operation of, or addition to an existing stationary source, except that routine maintenance or repair shall not be considered to be a physical change. A change in the method of operation, unless previously limited by an enforceable permit condition, shall not include:

a. An increase in the production rate, if such increase does not exceed the operating design capacity of the source.
b. An increase in the hours of operation.
c. Change in ownership of a source.

3. Stationary Source

Any structure, building, facility, equipment, installation or operation (or aggregation thereof) which is located on one or more bordering properties within the district and which is owned, operated, or under shared entitlement to use by the same person. Items of air contaminant-emitting equipment shall be considered aggregated into the same stationary source, and items of non-air-contaminant-emitting equipment shall be considered associated with air- contaminant-emitting equipment only if:

a. The operation of each item of equipment is dependent upon, or affects the process of, the others; and
b. The operation of all such items of equipment involves a common raw material or product.

Emissions from all such aggregated items of air- contaminant-emitting equipment and all such associated items of non-air-contaminant-emitting equipment of a stationary source shall be considered emissions of the same stationary source. The emissions from all cargo carriers (excluding motor vehicles) while operating within the district shall be considered as emissions from the stationary source.

4. Precursor

A directly emitted pollutant that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of a secondary pollutant for which an ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more ambient air quality standards.

Precursors	**Secondary Pollutants**
Hydrocarbons and substituted hydrocarbons (reactive organic gases)	a. Photochemical oxidant (ozone). b. The organic fraction of suspended particulate matter.
Nitrogen oxides (NO_x)	a. Nitrogen dioxide (NO_2). b. The nitrate fraction of suspended particulate matter. c. Photochemical oxidant (ozone).
Sulfur oxides (SO_x)	a. Sulfur dioxide (SO_2). b. Sulfates (SO_4). c. The sulfate fraction of suspended particulate

matter.

5. Seasonal Source

Any source with more than 75 percent of its annual operating hours within a consecutive 90-day period.

6. Modeling

Using an air quality simulation model, based on specified assumptions and data, which has been approved in writing by the Executive Officer of the Air Resource. Board.

J. Severability

If any portion of this rule is found to be unenforceable, such finding shall have no effect on the enforceability of the remaining portions of the rule, which shall continue to be in full force and effect.

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REGULATION VII - AGRICULTURAL BURNING

GENERAL PROVISIONS

This regulation was adopted in accordance with Section 41863 of the California Health and Safety Code for the purpose of implementing the Agricultural Burning Guidelines. The Siskiyou County Air Pollution Control District shall enforce these rules and regulations.

SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 7.1 Definitions

A. Agricultural Burning

Open outdoor fires used in agricultural operations in the growing of crops or raising of fowl or animals, forest management, range improvement, wildland vegetative management, improvement of land for wildlife and game habitat, disease or pest prevention, or the maintenance of a system for delivery of water used in agricultural operations.

B. Open Burning in Agricultural Operations

1. The burning in the open of materials produced wholly from operations in the growing and harvesting of crops or raising of fowl or animals for the primary purpose of making a profit, or instruction by an educational institution; and
2. In connection with operations qualifying under Subdivision 1:
    a. The burning of grass and weeds in or adjacent to fields in cultivation or being prepared for cultivation; and
    b. The burning of materials not produced wholly from such operations, but which are intimately related to the growing or harvesting of crops and which are used in the field, except as prohibited by district regulations. Examples are fertilizer and empty pesticide sacks or containers, where the sacks or containers are emptied in the field.

C. Range Improvement Burning

Use of open fires to remove vegetation for wildlife, game or livestock habitat or for the initial establishment of an agricultural practice on previously uncultivated land.

D. Forest Management Burning

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.

E. Brush Treated

Material to be burned has been felled, crushed or uprooted with mechanical equipment, or has been desiccated with herbicides, or is dead.

F. Timber Operations

Cutting or removal of timber or other forest vegetation.

G. Silviculture

Establishment, development, care and reproduction of stands of timber.

H. Board

State Air Resources Board, or any person authorized to act on its behalf.

I. Designated Agency

Any agency designated by the District as having authority to issue agricultural burning permits. The U.S. Forest Service and the California Department of Forestry and Fire Protection are so designated within their respective areas of jurisdiction.

J. No-burn Day

Any day on which agricultural burning is prohibited by the Board or District.

K. Permissive-burn Day

Any day on which agricultural burning is not prohibited by the Board.

L. District

Siskiyou County Air Pollution Control District.

M. Approved Ignition Device

Those instruments or materials that will ignite agricultural waste without the production of black smoke by the ignition device. This would include such items as liquid petroleum gas, butane, propane, or diesel oil burners, flares, drip torches, heli-torches, terra-torches, Alumigel, and petroleum fuel boosters (blivets), but does not include the use of tires, tar paper, oil, and other similar materials.

N. Permit

Agricultural burning permit issued pursuant to the Siskiyou County Air Pollution Control District's Rules and Regulations.

O. Agricultural Burning Guidelines

Provisions of Subchapter 2, Chapter 1, Part III, Title 17, California Code of Regulations.

P. Wildland Vegetation Management Burning

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 Code of Regulations, Section 1561.1), trees, grass or standing brush.

Q. Prescribed Burning

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 Health and Safety Code Section 39011.

The planned application of fire may also include allowing naturally or accidentally ignited fires to continue to burn pursuant to a burn plan.

R. Sensitive Receptor Area

Includes, but is not limited to, any city or nearby populated area or any Class I area.

S. Burning Permit

Permit issued by a designated fire protection agency.

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SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 7.2 Notification of Burning Conditions

A. A notice as to whether the following day is a permissive-burn day, or a no-burn day, or whether the decision will be announced the following day, shall be provided by the Board at 3:00 p.m. daily. If the decision is made the following day it shall be announced by 7:45 a.m. Such notices shall be based on meteorological criteria for regulating agricultural burning.

B. Agricultural burning is prohibited on no-burn days, except as specified in Rule 7.3, and in Rule 7.5.

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

D. Notwithstanding Subdivision C of this section, the State Board may cancel permissive-burn notices that have been issued more than 24 hours in advance if the cancellation is necessary to maintain suitable air quality.

E. A permissive-burn or no-burn advisory outlook will be available up to 72 hours in advance of burns specified in Subdivision C of this section.

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SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 7.3 Exceptions

A. Open burning in agricultural operations in the growing of crops, or raising of fowl or animals, or disease and pest prevention at altitudes above 3,000 feet mean sea level (msl) is exempt from the Agricultural Burning Implementation Plan.
B. Agricultural burning in areas at altitudes above 6,000 feet (msl) is exempt from the Agricultural Burning Implementation Plan.
C. Burning of agricultural related items, such as empty pesticide containers and fertilizer bags, may be permitted by the Control Officer on no-burn days. Burning will be done in accordance with stated burning preparations and consideration for fire danger.
D. The Control Officer may allow, by special permit, agricultural burning on a no-burn day if denial of such permit would threaten imminent and substantial economic loss. The applicant shall submit in writing, on a form provided, his or her reasons for the exception. The Control Officer shall limit the amount of acreage to be burned by special permit on no-burn days and only authorize burning when downwind metropolitan areas are forecasted by the Board to achieve the ambient air quality standards.

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Rule 7.4 Enforcement

A. No person shall knowingly set or permit any open burning operation on a no-burn day.
B. Penalty Any violation of this Regulation shall be subject to the enforcement procedures specified in Rule 1.4 plus the cost of putting out the fire. Every day during any portion of which such violation occurs constitutes a separate offense.
C. Procedures for processing violations of these regulations:

    1. Obtain all pertinent information for report: name, address, location of burn, material, wind direction, description of fire and smoke, statements made by subject, witnesses, photos if possible.
    2. Issue citation to appear or notice of violation, at the discretion of the enforcement officer.

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SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 7.5-1 Prohibitions: General

A. No person shall knowingly set or permit agricultural burning unless he or she has a valid permit from the designated agency in the area where the burn will take place.
B. Each applicant for a permit shall provide information required by the designated agency for fire protection purposes.
C. Each applicant for a permit shall provide information required by the District.
D. All material to be burned shall be reasonably free of dirt, soil, and excess moisture.
E. Wherever possible, wastes shall be piled or windrowed in such a manner as to burn with maximum possible heat density and minimum smoke.
F. All burning shall be ignited as rapidly as practicable within applicable fire control restrictions.
G. All wastes shall be free of tires, tar paper, construction debris, or other types of rubbish likely to cause excessive smoke or obnoxious odors.
H. Special consideration shall be given to burning operations confined to narrow inland river valleys where smoke containment may be restricted within the river basin and greatly decrease the prevailing visibility.
I. All materials to be burned shall be ignited with an approved ignition device.
J. A permit shall not be valid for any day in which burning is prohibited by the designated fire control agency having jurisdiction over the site of the burn for the purpose of fire control or prevention.
K. A permit shall be valid for only those days which agricultural burning is not prohibited by the Board or the District.
L. Open outdoor fires must be controlled to such an extent as is technically and economically feasible to meet all federal and state air quality standards pertaining to air pollutants created by open burning operations.
M. Material shall not be burned unless it has been allowed to dry for the following minimum time periods:
    1. Open burning in agricultural operations
        a. Dry cereal: 0 days
        b. Prunings and small branches: 3 weeks
        c. Large branches (6 inches and larger) and trees: 8 weeks
    2. Range improvement burning
        a. Treated brush: at least 6 months prior to the burn if economically and technically feasible.
        b. Unwanted trees: 3 months.
        c. All unwanted trees over six (6) inches in diameter shall be felled and dried prior to the burn.
    3. Forest management and wildland vegetative management burning
        a. As required by the designated agency issuing the permit.
N. The Control Officer may restrict burning to selected permittees on designated burn days if total tonnage to be ignited would discharge a volume of contaminants into the atmosphere sufficient to cause State ambient air quality standards to be exceeded.
O. Maximum care must be taken to keep smoke from drifting into populated areas.
P. Permittee should not burn when winds exceed 20 miles per hour or when weather conditions are unsafe to burn.
Q. All fires in any agricultural burning operation shall be started only on burn days, except as permitted under Rules 7.3 and 7.5.

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SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 7.5-2 Prohibitions: Range Improvement Burning

A. Between January 1 and May 31, range improvement burning may be conducted by permit on a NO-BURN-DAY, providing that more than 50% of the land has been brush treated. If the burn is to be done primarily for improvement of wildlife or game habitat, the Department of Fish & Game may specify the amount of brush treatment required. Notwithstanding the provisions in Subdivision A of this section the Board may prohibit range improvement burning during the period designated by the District, if in the opinion of the Board, such prohibition is required for the maintenance of suitable air quality.
B. If the burning is to be done primarily for improvement of land for wildlife and game habitat, no permit shall be issued unless the applicant has filed with the District a statement from the Department of Fish and Game, certifying that the burn is desirable and proper.
C. The brush shall be treated at least six months prior to the burn if economically and technically feasible.

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SISKIYOU COUNTY AIR POLLUTION CONTROL DISTRICT

Rule 7.5-3 Prohibitions: Wildland Vegetation Management Burning

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A. This rule shall apply to all burning which meets the definition of wildland vegetation management burning, regardless of whether such burning also meets another definition in Rule 7.1-A.
B. All projects which exceed 50 acres or which require burning of more than 3,000 tons or which are within 5 miles of any sensitive receptor area shall provide the following information to the District for review and approval in advance of any burning (may be submitted in a Prescribed Burn Plan):
    1. Location and specific objectives of the burn project;
    2. Acreage or tonnage, type, and arrangement of vegetation to be burned;
    3. Directions and distances to nearby sensitive receptor areas;
    4. Fuel condition, combustion, and meteorological prescription elements developed for the project;
    5. Projected schedule and duration of project ignition, combustion, and burndown;
    6. Specifications for monitoring and verifying critical project parameters; and
    7. Specifications for disseminating project information.
C. Should a fire control agency desire to allow accidentally or naturally ignited fires to continue to burn for a specific objective, a burn plan shall be prepared in advance. The burn plan shall contain the criteria which will be used in making the decision to allow the fire to continue to burn and shall address the following requirements:
    1. As soon as practicable after deciding to allow an accidentally or naturally ignited fire to burn, the responsible fire control agency shall notify the District of its decision. The District shall either issue a permit or deny a permit, based on the previously approved burn plan and on the smoke management criteria described in Rule 7.5-1.
    2. Accidentally or naturally ignited fires which are allowed to burn on no-burn days must meet the provisions of Rule 7.3-D.
    3. Accidentally or naturally ignited fires shall be logged and reported in accordance with Rule 7.7.
    4. The burn plan for accidentally or naturally ignited burns shall meet all the requirements of Rule 7.5-3, B.

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RULE 7.6 - Burning Permits

The public has been accustomed to obtaining burning permits from the various fire protection agencies. There are stations strategically located in most areas, and it would be logical to designate these agencies as the person to issue air quality permits for agricultural burning. These agencies would also be in the position to coordinate air quality control criteria as well as fire protection criteria that would relate to the agricultural burning.

A. The burning permit shall be prepared in sufficient copies to provide information to the various agencies of concern. The permittee shall have his or her copy available for inspection at the burn site. This procedure will minimize any charges of burning without a valid permit.

B. In order to provide for proper control of the agricultural burning, a permit shall be obtained for each burning operation.

C. The permit shall be issued for the length of time necessary to complete the burning operation. The permittee shall contact the local fire protection agency prior to each day's burn to determine if it is an authorized burn day, as well as informing them that a burn is about to take place.

D. The application for a burning permit shall be reviewed by the issuing agency. If the burn is likely to cause a nuisance, or the request is not consistent with agricultural burning, the permit shall not be issued until approval is

obtained from the Air Pollution Control District. A nuisance might be caused if the location of the burn site and the direction of the prevailing winds will direct the air contaminants toward an adjacent residential area.

E. Each permit issued pursuant to these procedures shall bear a statement of warning containing the following words or words of like or similar import:

> "This permit is valid only on those days which agricultural burning is not prohibited by the California Air Resources Board pursuant to Section 41855 or the local air pollution control district."

F. All burning permits will be issued by the designated fire control agency having jurisdiction in the area of the proposed burn and shall state thereon the type of material to be burned, estimated tonnage or acreage of waste to be burned, and the classification of the burning under which the permit was issued. Agricultural burning permits may only be issued by the following designated agencies:

U. S. Forest Service

California Department of Forestry and Fire Protection

Siskiyou County Air Pollution Control District

G. During any period when permits are not being issued by a fire protection agency, they shall be obtained from the District.

[redacted]

RULE 7.7 - Agricultural Burning Reports

The permittee shall be required to call the designated agency issuing the permit prior to each burn. The designated agency shall log the information required on forms provided by the State Board. The log shall be forwarded to the Air Pollution Control District either monthly, quarterly or annually.