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

Adopted 11-12-74

(Revised 05-24-77)

REGULATION 4

MISCELLANEOUS PROVISIONS

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

RULE 401 RESPONSIBILITY

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

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

RULE 402 Public Records.

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

B. All air or other pollution monitoring data, including data compiled from stationary sources, are public records.

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C. Except as otherwise provided in (D), trade secrets are not public records under the Regulation. Trade secrets, as used in this regulation may include, but are not limited to any formula, plan, pattern, process, tool, mechanism, compounds, procedure, production rate, or compilation of information which is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service having commercial value and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it. The owner or operator shall state in writing his justification for claiming material as Trade Secrets and such justification shall be public record. The Air Pollution Control Officer shall rule on the validity of trade secret claims. Requests from the public for records shall be specific and in sufficient detail to enable the District to readily identify the information requested.

D. Notwithstanding any other provisions of the law, all air pollution emission data, including these emission data which constitute trade secrets as defined in (C), are public records. Production data used to calculate emission data are not emission data for purposes of this subdivision and data which constitute trade secrets and which are used to calculate emission data are not public records.