



RULES AND REGULATIONS APPENDICES

FOREWORD

Appendix A and B to the San Diego County Air Pollution Control District (District) Rules and Regulations contains California Airborne Toxic Control Measures (ATCM) and National Emission Standards for Hazardous Air Pollutants (NESHAP) applicable to facilities operating in San Diego County which emit or have the potential to emit hazardous (toxic) air pollutants. These regulations are in effect in San Diego County and are implemented and enforced by the District.

ATCMs are adopted by the California Air Resources Board (ARB). The District is required to implement and enforce the ATCMs or adopt regulations which are at least as stringent. NESHAPs are promulgated by the U.S. Environmental Protection Agency (EPA) and apply throughout the country.

In the past, state ATCMs were adopted by the District as new rules contained in Regulation XII of the Rules and Regulations. Federal NESHAP regulations were adopted as new Subparts of Regulation XI, with a subsequent EPA delegation of authority for implementation and enforcement of each subpart.

On July 25, 1995, in order to reduce operating costs and as part of rule development streamlining, the Air Pollution Control Board approved a new procedure for the District to directly implement and enforce state ATCM and federal NESHAP regulations without adopting such regulations either by reference or as new District rules. The Board also directed that a new rule deviating from a specific ATCM or NESHAP regulation can be adopted if the District, business or the public has a compelling interest to do so. The Board Letter of July 25, 1995 is included in this Appendix.

The District will add to these appendices any new or amended ATCM and/or NESHAP regulation applicable to local sources in San Diego County after such regulation is promulgated or accepted by the California ARB. The District will also hold a workshop before the first ATCM or NESHAP substantial implementation date to inform affected businesses and other interested parties of the regulation's requirements.

For purposes of determining compliance, granting or denying permits, or petitioning for and issuing Hearing Board variances, the state ATCM and federal NESHAP regulations contained in this Appendix shall be considered rules of the District.

It should be noted that facilities in San Diego County are subject to all applicable federal NESHAPs (unless the District has received a separate delegation from EPA to implement and enforce a locally adopted rule which deviates from a specific federal regulation) whether or not a specific NESHAP has been included in this Appendix.