

September 12, 2025

## COMPLIANCE ADVISORY

### New Rule 67.26 – Commercial Charbroiling Operations

On August 14, 2025, the San Diego County Air Pollution Control District (SDAPCD) Governing Board adopted Rule 67.26 for commercial charbroiling operations (<https://shorturl.at/Z0XX1>). The rule is estimated to reduce 14 tons of Particulate Matter, smaller than 2.5 microns (PM<sub>2.5</sub>) and 4.5 tons of Volatile Organic Compounds (VOCs) each year. Both are air pollutants which contribute to a wide range of diseases impacting the heart, lungs and brain, and can cause other adverse health effects.

This rule is now effective and applies to owners/operators of **chain-driven charbroilers** operated at commercial food establishments throughout San Diego County. Chain-driven charbroilers are commercial cooking devices commonly operated at fast-food restaurants where a large volume of raw meat (mainly hamburger beef patties) is cooked, creating a charred/smoky flavor in a short period of time.

#### Does Rule 67.26 apply to me?

- **YES:** if you own/operate a commercial chain-driven charbroiler [as defined in Subsection (c)(5) of Rule 67.26]



Figure 1: Chain-driven Charbroiler

✗ **NO:** if you only own/operate any of the following:

- Under-fired charbroilers
- Flat-top grills (or “planchas”)
- BBQ grills
- Griddles
- Toasters
- Ovens
- Cooking devices at residential or micro-enterprise kitchens.



Figure 2: Under-fired Charbroiler



Figure 3: Flat-top Grill/Plancha



Figure 4: Toaster/Oven

### **How do I comply with Rule 67.26?**

#### ***Existing Chain-Driven Charbroilers:***

If your chain-driven charbroiler cooks any type and amount of uncooked meat, ensure you are complying with all recordkeeping and maintenance requirements of Subsections (h) and (e), **which went into effect beginning August 14, 2025** and include but are not limited to:

- Documenting the type and quantity of meat cooked weekly and annually. [Subsection (h)(1)]
- Keeping records of cooking operations for a minimum of at least five years. [Subsection (h)(3)]
- Properly operating and maintaining the unit in accordance with manufacturer's manual. [Subsection (h)(2)]
- All emission control devices shall be installed, calibrated, operated, and maintained in good working order in accordance with the manufacturer's manual and/or other written materials supplied by the manufacturer or distributors. [Subsection (e)]

#### ***All Chain-driven Charbroilers used for cooking a high volume of uncooked meat (existing and new):***

If your chain-driven charbroiler cooks an amount equal to or greater than 415 pounds of uncooked meat per week **or** more than 21,580 pounds of uncooked meat per year, your operation is subject to registration, permitting, and emission control device provisions and deadlines which include but are not limited to:

- Applying for a Registration or Permit to Operate for each chain-driven charbroiler **no later than August 14, 2026** [Subsection (j)(2)(iii)]
  - Any chain-driven charbroiler that is proposed to be equipped with a catalytic oxidizer certified by South Coast Air Quality Management District (SCAQMD) in accordance with SCAQMD Rule 1138, may apply for a Registration before the above date. [Subsection (d)(1) and Section (f)]
  - Any chain-driven charbroiler that is proposed to be equipped with a non-certified emission control device shall apply for a Permit to Operate before the above date if the minimum emission control efficiency is verified and approved. [Subsection (d)(2) and Section (g)]
- Installing emission controls **no later than February 14, 2027** [Subsection (j)(2)(i)]
  - Any chain-driven charbroiler shall install and operate an emission control device by the above date, which has a minimum control efficiency of at least 83% for PM and 86% for VOCs. [Section (d)]

### **New Chain-Driven Charbroilers**

An owner or operator of any new chain-driven charbroiler subject to emission control device requirements of this rule shall obtain and maintain a current Registration, Authority to Construct, or Permit to Operate approved in writing by the District prior to purchase and operation of the unit. [Subsection (j)(1)]

#### ***Seasonal Use Only and Low-emitting Chain-driven Charbroilers:***

Seasonal use or low-emitting chain-driven charbroiler(s), as defined by Rule 67.26, may not require a registration/permit and/or installation of emission controls, but may still be subject to recordkeeping and maintenance requirements. Please review Subsections (b)(3) and (b)(4) of Rule 67.26 for additional clarification.

**Who do I contact if I have questions? What is the first step if I think I need to get a Registration and/or Permit to Operate?**

- The District's Business Assistance Program ([APCDSBA@sdapcd.org](mailto:APCDSBA@sdapcd.org) or <https://shorturl.at/Z9h2Q>) can help you understand and navigate the Rule 67.26 requirements.
- For Registration inquiries, please visit <https://shorturl.at/dKpZw>. For Permitting inquiries, please visit <https://shorturl.at/JPZaW>.
- For additional questions, please contact (858) 586-2600 and ask for the duty engineer, or email [apcdpermits@sdapcd.org](mailto:apcdpermits@sdapcd.org).