



Reading File Copy
Air Pollution Control Board
Brian P. Bilbray District 1
George F. Bailey District 2
Susan Golding District 3
Leon L. Williams District 4
John MacDonald District 5

Air Pollution Control Officer
R. J. Sommerville

DATE: April 28, 1992
TO: Air Pollution Control Board
SUBJECT: Amendment of Rule 11 (Exemptions from Permit Requirements)

SUMMARY:

Rule 11 lists equipment and processes exempt from District permit requirements. The rule does not address emission limitations or control requirements. It is proposed to revise Rule 11 to provide needed clarifications and improve its effectiveness. The changes also delete exemptions from District permit requirements for certain specified equipment and add new ones for other equipment. These changes will require permits for equipment having the potential to emit pollutants of concern and requiring evaluation while exempting those determined to have minimal emissions. Each change is identified and discussed in the following Background Information. An estimated 5,100 new permit applications will be filed for existing equipment as a result of these changes. Approximately 5,000 of these will be for cold solvent cleaning and paint stripping tanks (one square foot to five square feet in surface area), and vapor degreasers that are now subject to the requirements of Rule 67.6 (Surface Cleaning Operations) due to recent changes made to Rule 67.6 satisfy Environmental Protection Agency mandates.

The current cost of evaluating exempt equipment for compliance with applicable emission standards is borne by all permit holders through permit fees. This is unfair. Requiring permits will ensure proper evaluation, and appropriate cost recovery from the owners/operators of this equipment.

The proposed changes become effective 90 days after adoption to allow the District time to notify affected industries and allow permit applications to be filed. In addition, because of the time it will take to process the applications and issue permits, the District will not take enforcement action or require applicants to get variances from the Hearing Board if a permit application is filed during the 90 day period and all information necessary to issue the permit has been provided.

Issue

Should the Board adopt the proposed changes to Rule 11 (Exemptions from Permit Requirements) to revise District permit requirements for specified equipment?

SUBJECT: Amendment of Rule 11 (Exemptions from Permit Requirements)

Recommendation

AIR POLLUTION CONTROL OFFICER:

1. Set June 2, 1992 at 2:00 p.m. as the date and time for public hearing to consider the resolution amending Rule 11 of the Rules and Regulations of the San Diego County Air Pollution Control District.
2. Direct the Clerk of the Board to notice the hearing pursuant to Section 40725 of the State Health and Safety Code.
3. Following the hearing: (a) adopt the resolution revising Rule 11, and (b) make appropriate finding of necessity, authority, clarity, consistency, non-duplication and reference as required by Section 40727 of the State Health and Safety Code.

Advisory Statement

The Air Pollution Control Advisory Committee recommended adopting the amendments to Rule 11 at its November 27, 1991 meeting.

Fiscal Impact

Adoption and implementation of these amendments are provided for in this fiscal year's District Budget. These actions will have no effect on the County's General Fund.

Alternative

Not adopt the amendments to Rule 11. This will mean that affected sources will not pay their fair share of rule implementation costs through permit fees. These costs will continue to be paid for by higher fees on other permit holders. Additionally, if the amendments are not adopted, equipment proposed for exemption will continue to need permits for no good reason. Also, if the associated clarifications are not adopted, some existing exemptions will remain ambiguous or unclear.

BACKGROUND INFORMATION:

The majority of changes are clarifications. Wording in the current rule has caused confusion and has resulted in compliance problems for industry. These clarifications and associated definitions resolve this problem and improve the enforceability of the rule. The changes also bring additional equipment under the District's permit system. This equipment emits toxic air contaminants, oxides of nitrogen, volatile organic compounds (VOC's - smog precursors) or particulate matter; or has the potential to cause a public nuisance. Because of these emissions, exemption from regulation under the permit system can no longer be justified. Bringing this equipment under the permit system ensures the equipment is appropriately evaluated and allows the cost of this evaluation to be passed on to those causing the cost to be incurred, rather than shifting it to existing permit holders as is now the case. This is clearly unfair to existing permit holders. The existing emission standards applicable to this equipment will not change.

SUBJECT: Amendment of Rule 11 (Exemptions from Permit Requirements)

Section 40728.5 of the state Health and Safety Code requires the District to perform a socioeconomic impact assessment for rules and regulations that will significantly affect air quality or emissions limitations. Since the emission standards applicable to the equipment affected by the revisions to Rule 11 will not change, there will be no real impact on air quality. Therefore, the District has determined it is not necessary to perform a socioeconomic impact assessment for the revisions to Rule 11.

Recordkeeping

Recordkeeping requirements are added to ensure claims of exemptions are substantiated in a more efficient manner. The current rule is difficult to enforce without necessary records to verify compliance. Lack of adequate recordkeeping has led to excessive resources being expended by both the District and industry in determining compliance.

Amendments to Section (a)

Floating Dry Docks

The current exemption is clarified that it does not apply to floating dry docks. Operations which occur on these structures are varied and have the potential to emit oxides of nitrogen, volatile organic compounds, and carbon monoxide. These operations currently have permits. There is no existing equipment that will be affected by this change.

Amendments to Section (d)

Extrusion Equipment

The exemption for coking extrusion equipment is eliminated. Emissions from this equipment are toxic and need to be evaluated to ensure there is adequate control if such equipment locates in San Diego County. The exemption for processes which manufacture products containing greater than one percent asbestos fiber by weight is also eliminated. Asbestos emissions are hazardous and need to be evaluated. Requiring permits for these equipment and processes will ensure they are properly evaluated and the evaluation costs are appropriately recovered. There are no existing equipment or processes that will be affected by this change.

Printing or Graphic Arts Presses

The exemption level for printing or graphic arts presses is lowered from 19.9 lbs/day of VOC's to 15 lbs/day of VOC's. This reflects the current exemption level in Rule 67.16 and will bring affected equipment into the permit system to ensure proper evaluation and appropriate recovery of program costs. It will result in approximately 10 additional permit applications from existing facilities.

Ovens

The exemption for ovens is clarified. It will exempt ovens if they are part of a process which requires a permit. This reflects current practice. Ovens will be included in permit descriptions of other permitted equipment. There is no existing equipment that will be affected by this change.

SUBJECT: Amendment of Rule 11 (Exemptions from Permit Requirements)

Furnaces

The exemption criteria for furnaces is revised from a weight capacity to a volume capacity. This will clarify the exemption by basing it on a constant factor (volume) rather than one that varies depending on the type of metal being processed. This change will have no real impact on existing equipment.

Sand Mold Forming Equipment

This exemption is revised to exclude equipment to which heat, sulfur dioxide or organic material is applied. Sulfur dioxide and certain organic materials are regulated by the District, and in some forms are toxic and need to be evaluated. Permits are necessary to ensure proper evaluation and appropriate cost recovery. This change will result in approximately 25 permit applications from existing facilities.

Metalizing Guns

This exemption is revised to exclude electric arc spray guns. This type of metalizing spray gun is a source of particulate emissions as well as toxic air contaminants and requires evaluation. Permits are necessary to ensure proper evaluation and appropriate cost recovery. This will result in approximately 12 permit applications from existing equipment.

Welding Equipment

This exemption is changed to clarify that electric arc welding equipment is exempt. This will avoid confusion within industry as to whether permits are required for electric arc welding equipment. This is consistent with how existing Rule 11 has been implemented. No existing equipment will be affected by this change.

Soldering Equipment

This exemption is revised to include equipment having minimal emissions and not requiring evaluation. Requiring permits for this equipment would be overly burdensome on industry. Currently, about 2 applications per year are processed for this equipment.

Metal Heat Treating Processes

This exemption is revised to also include vacuum producing devices used in connection with heat treating processes. This equipment has minimal emissions. The addition of this exemption is consistent with how the existing Rule 11 has been implemented. No existing equipment will be affected by this change.

Dry Batch Mixers

A definition of "dry batch" is added for clarification. The previous exemption was frequently misinterpreted by industry. This led to enforcement problems. No existing equipment will be affected by this change.

SUBJECT: Amendment of Rule 11 (Exemptions from Permit Requirements)

Abrasive Blasting Equipment

This exemption is changed to clarify that equipment having a manufacture's rated sand capacity of less than 100 lbs, or 1 ft³ or less is exempt. It will avoid confusion by industry whether or not the exemption applies to a particular operation and will facilitate the enforcement of Rule 11 by the District. No existing equipment will be affected by this change.

Buffing, Polishing, etc., Equipment

This exemption is revised to include shearing equipment because it emits virtually no air pollutants. The exemption for fiber reinforced plastics is eliminated because they have the potential to emit particulate emissions and must be evaluated. Permits are necessary to ensure there is proper evaluation and appropriate cost recovery. This change will result in approximately 12 additional permit applications for existing equipment.

An exemption is added for handheld equipment because of its infrequent use. These operations generate negligible emissions and are difficult to keep track of because of their portability.

Copper Etching

This exemption is revised to clarify that it does not apply to copper etching operations using specified materials. These operations have the potential to generate excess visible emissions. This is consistent with how the existing rule is implemented. No existing equipment will be affected by this change.

Sewage Treatment Flares

The exemption for sewage treatment flares has been eliminated. Flares are a source of oxides of nitrogen, carbon monoxide, visible emissions, as well as air toxics. Therefore, this equipment needs to be evaluated to ensure the emissions are minimized. Permits are necessary to ensure this equipment is properly evaluated and there is appropriate cost recovery. This change will result in approximately 12 permit applications from existing equipment.

Cold Solvent Cleaning/Paint Stripping Tanks and Vapor Degreasers

This exemption has been revised to lower the degreasing tank liquid surface area exemption level from five square feet to one square foot, and to eliminate the exemption for vapor degreasers. This change reflects the exemption level in Rule 67.6 (Surface Cleaning Operations) which was recently lowered to meet mandates of the Environmental Protection Agency. Failure to adopt this lower level may have caused the Environmental Protection Agency to impose a major source construction ban on San Diego County and/or withhold federal highway and sewage treatment funds. Bringing this equipment into the permit system will ensure it is properly evaluated for compliance with Rule 67.6 and allow associated costs to be appropriately recovered from affected equipment. This change will result in approximately 5,000 permit applications from existing equipment. A reduced permit fee has been developed to reflect the reduced cost of evaluating similar affected equipment.

SUBJECT: Amendment of Rule 11 (Exemptions from Permit Requirements)

Powder Coating

An exemption for small powder coating operations is added. Total emissions from this equipment are expected to be very low. There should be no problem with compliance with visible emission standards.

Amendments to Section (h)

Surface Coating Operations

This exemption has been revised to clarify that it applies to operations conducted within a portable or stationary application station. This is consistent with how the existing rule is implemented. No existing equipment will be affected by this change.

Amendments to Section (i)

Reinforced Plastic Fabrication

This exemption has been changed to clarify that reinforced plastic fabrication operations using resins such as epoxy and polyester are exempt from permit requirements. These resins are low-emitting. This is consistent with how the existing Rule 11 is implemented. No existing equipment will be affected by this change.

Plastic Manufacturing or Fabrication

This exemption has been changed to clarify that small plastic fabrication operations are exempt from permit requirements. This is consistent with how existing Rule 11 is implemented. No existing equipment will be affected by this change.

Batch-Type Waste-Solvent Recovery Stills

The exemption level for stills has been raised from 5 gallons to 7.5 gallons. The VOC emissions from operation of a 7.5 gallon still are approximately the same as those from a 5 gallon still.

Peptide Synthesis

An exemption is added for small peptide synthesis operations. Emissions from this equipment are not significant and do not warrant evaluation or a permit.

Washing and Drying Equipment Where No Organic Solvent Is Employed

The exemption is being eliminated for washing and drying equipment where no organic solvent is used but the products being cleaned have residues of volatile organic compounds. Permits are necessary to ensure these operations are properly evaluated and costs appropriately recovered because there is a potential for emissions as solvent residues on products cleaned are evaporated in the cleaning operation. This is expected to result in approximately 3 additional permit applications from existing facilities.

SUBJECT: Amendment of Rule 11 (Exemptions from Permit Requirements)

Amendments to Section (n)

Identical Replacements

This exemption is revised to provide clarification by defining the word "identical". Different manufacturers' products, although equivalent in function, may have widely varying emissions. No existing equipment will be affected by this change.

Inspection of Metal Products

This exemption is eliminated for tanks containing VOC's where the liquid surface area is greater than 5 ft² and the tank is equipped with a spraying device or a means of solvent agitation. Operation of this equipment has a potential for VOC emissions. Permits are necessary to ensure this equipment is properly evaluated and there is appropriate cost recovery. This change will result in approximately 25 permit applications from existing facilities.

Flashover Fire Fighting Equipment

An exemption has been added for Flashover Container Systems used in fire fighting training. The Flashover Container System was developed to safely expose fire fighters to the conditions which lead to flashover. The training container uses only Class "A" combustibles. This training equipment results in substantially less pollutants than existing training practices which burn a structure.

Wastewater Processing Units

An exemption has been added for waste water processing units used with dry cleaning equipment. Currently, waste water from separators is disposed of by dumping untreated water into sewers or cooling towers, or allowing it to evaporate into the atmosphere uncontrolled. Waste water processing units pump the waste water from dry cleaning operations through an activated charcoal filter which removes virtually all organic solvents prior to evaporation. The resulting emissions are minimal. To ensure equipment is operated and maintained properly, the District will include these units with other permitted equipment for dry cleaners. No new permit applications will be required for existing equipment.

Concurrence:

DAVID E. JANSSEN
Chief Administrative Officer

Respectfully submitted,



R. J. SOMMERVILLE
Air Pollution Control Officer

**AIR POLLUTION CONTROL BOARD
AGENDA ITEM
INFORMATION SHEET**

SUBJECT: AMENDMENT OF RULE 11 (EXEMPTIONS FROM PERMIT REQUIREMENTS)

SUPV DIST.: ALL

COUNTY COUNSEL APPROVAL: Form and Legality ☒ Yes ☐ N/A
☐ Standard Form ☐ Ordinance ☒ Resolution

AUDITOR APPROVAL: ☒ N/A ☐ Yes **4 VOTES:** ☐ Yes ☒ No

FINANCIAL MANAGEMENT REVIEW: ☐ Yes ☐ No

CONTRACT REVIEW PANEL: ☐ Approved _____ ☒ N/A

CONTRACT NUMBER(S): N/A

PREVIOUS RELEVANT BOARD ACTION: 5/28/90 APCD #1

BOARD POLICIES APPLICABLE: N/A

CITIZEN COMMITTEE STATEMENT: The Air Pollution Control District Advisory Committee reviewed and approved the proposed changed to Rule 11 at its November 27, 1991 meeting.

CONCURRENCES: N/A

ORIGINATING DEPARTMENT: AIR POLLUTION CONTROL DISTRICT

CONTACT PERSON: Richard J. Smith 694(S50)-3303



DEPARTMENT AUTHORIZED REPRESENTATIVE

APRIL 28, 1992
MEETING DATE

FINDINGS OF THE SAN DIEGO COUNTY AIR POLLUTION CONTROL
BOARD IN RESPECT TO ADOPTION OF
AMENDMENTS TO RULE 11

Pursuant to section 40727 of the Health and Safety Code, the Air Pollution Control Board of the San Diego County Air Pollution Control District (APCD) makes the following findings:

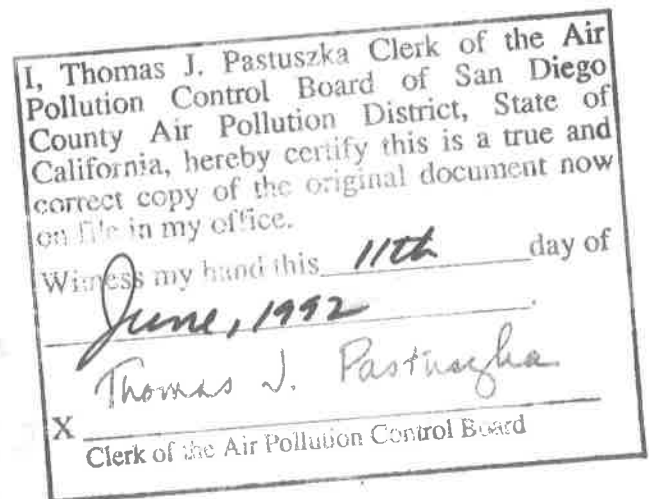
1. The adoption of the amendments to Rule 11 are necessary to clarify the meaning of Rule 11 and to require additional equipment to be subject to APCD permit system, ensuring that the equipment meets all applicable air pollution requirements and ensuring that the owners of the additional equipment will pay the regulatory costs of the APCD attributable to evaluation of said additional equipment.

2. The proposed APCD rule amendments are authorized by law. Health & Safety Code section 42300 authorizes every APCD to establish a permit system for articles machines, equipment or other contrivances which may cause the issuance of air contaminants, and the APCD may reduce the current exemptions to its permit system.

3. The proposed amendments are written so that their meaning can be easily understood by persons directed affected by them.

4. The proposed amendments are in harmony with, and not in conflict with or contrary to, existing statutes, court decisions, or State law or Federal regulations. Since emission standards applicable to the equipment affected by the amendments to Rule 11 will not change, there will be no real impact on air quality and no socioeconomic impact assessment is required pursuant to Health & Safety Code section 40728.5.

APCD Meeting 6/2/92
Agenda Item #1



Re Rules and Regulations of the)
Air Pollution Control District)
of San Diego County)

**RESOLUTION AMENDING RULE 11
OF REGULATION II
OF THE RULES AND REGULATIONS OF THE
SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT**

On motion of Member Bilbray, seconded by Member MacDonald the following resolution is adopted:

WHEREAS, the San Diego County Air Pollution Control Board, pursuant to Section 40702 of the Health and Safety Code, adopted Rules and Regulations of the Air Pollution Control District of San Diego County; and

WHEREAS, said Board now desires to amend said Rules and Regulations; and

WHEREAS, notice has been given and a public hearing has been had relating to the amendment of said Rules and Regulations pursuant to Section 40725 of the Health and Safety Code.

NOW THEREFORE IT IS RESOLVED AND ORDERED by the San Diego County Air Pollution Control Board that the Rules and Regulations of the Air Pollution Control District of San Diego County be and hereby are amended as follows:

Proposed amendments to Rule 11, Sections (a), (d), (f), (h), (i), (n), and (p) are to read as follows:

RULE 11. EXEMPTIONS FROM PERMIT REQUIREMENTS

An Authority to Construct and a Permit to Operate shall not be required for any of the following equipment unless the Air Pollution Control Officer determines that the equipment violates Rule 51 of the District Rules and Regulations. When the Air Pollution Control Officer makes such a determination and written notification is given to the equipment owner or operator, the equipment shall thereafter be subject to permit requirements unless exempted by State law. Equipment required to have a permit under this provision shall not be required to be permitted for longer than two years provided no further violations are recorded.

Nothing in the following exemptions shall preclude the equipment or processes described from meeting all other requirements of these Rules and Regulations.

It is the responsibility of a person claiming an exemption under this rule to maintain and provide all data and/or records necessary to demonstrate the exemption is applicable. This information shall be made available to the District upon request.

(a) Any engines mounted on, within or incorporated into any vehicle, train, ship, boat or barge, that are used exclusively to provide propulsion, supply heat or electrical energy to that

same vehicle, train, ship, boat, or barge, or that are used exclusively to load or unload cargo. Sand, rock, silt, soil or other materials which come from the bottom of a body of water shall not be considered cargo. This exemption is not intended to apply to equipment used for the dredging of waterways, to floating dry docks, or to equipment used in pile driving adjacent to or in waterways.

(d) The following equipment, provided the emissions of organic compounds, as defined in Rule 20.1, or particulate matter from the equipment do not exceed 100 pounds per day of either pollutant, or construction of the equipment was commenced before September 26, 1984.

(1) Internal combustion engines which fall into one of the following categories:

(i) Motor vehicle engines, except as provided in Section (a), pile drivers (except for Diesel pile driving hammers), and construction cranes that are routinely dismantled and transported to non-contiguous locations for temporary use;

(ii) Any combination of piston-type engines at one source, with a total maximum power output of less than 200 brake horsepower;

(iii) Piston-type engines of less than 50 brake horsepower.

(iv) Piston-type engines of greater than 500 brake horsepower which were installed before August 1, 1980;

(v) Any combination of piston-type engines at a stationary source, as defined in Rule 20.1, with a total maximum power output equal to or greater than 200 brake horsepower and less than 500 brake horsepower, for which construction commenced prior to (March 27, 1990);

(vi) Non-electrical generating piston type engines with a maximum power output of less than 500 brake horsepower when part of a process, process line, line, equipment, article, machine or other contrivance for which a Permit to Operate is required by these Rules and Regulations;

(vii) Any combination of piston-type engines for which construction commenced before April 5, 1983 provided all engines in the combination are less than 500 brake horsepower;

(viii) Gas turbines with a maximum heat input at ISO Standard Day Conditions of less than 5 million British Thermal Units per hour fired exclusively with natural gas and/or liquified petroleum gas;

(ix) Gas turbines with a maximum heat input of less than 10 million British Thermal Units per hour fired exclusively with natural gas and/or liquified petroleum gas for which construction commenced before (March 27, 1990); or

(x) Gas turbines with a maximum heat input of less than 50 million British Thermal Units per hour fired exclusively with natural gas and/or liquified petroleum gas installed before October 2, 1977.

(2) Water cooling towers and water cooling ponds not used for evaporative cooling of process water or not used for evaporative cooling of water, contaminated water or industrial waste water from barometric jets or from barometric condensers.

(3) Portable aircraft engine test stands which were constructed before November 4, 1976.

(4) Fuel-burning equipment as described below:

(i) Fuel-burning equipment, except internal combustion engines, with a maximum gross heat input rate of less than one million British Thermal Units (0.252×10^6 Kcal) per hour when not part of a process, process line, line, equipment, article, machine or other contrivance for which a Permit to Operate is required by these Rules and Regulations.

(ii) Fuel burning equipment, except steam boilers and internal combustion engines, with a maximum gross heat input of less than 50 million British Thermal Units (12.6×10^6 Kcal) per hour, and fired exclusively with natural gas, liquified petroleum gas or a combination of natural gas and liquified petroleum gas.

(iii) Steam boilers with a maximum gross heat input of less than 50 million British Thermal Units (12.6×10^6 Kcal) per hour, if construction commenced prior to (March 27, 1990), and fired exclusively with natural gas, liquified petroleum gas or a combination of natural gas and liquified petroleum gas.

(iv) Any combination of steam boiler equipment at one stationary source, as defined in Rule 20.1, with a total maximum gross heat input rate of less than 20 million British Thermal Units (7.6×10^6 Kcal) per hour, if construction commenced on or after (March 27, 1990) and fired exclusively with natural gas, liquified petroleum gas or a combination of natural gas and liquified petroleum gas.

(5) Extrusion equipment used exclusively for metals, minerals, or plastic except coking extrusion equipment or processes which manufacture products containing greater than one percent asbestos fiber by weight.

(6) Equipment used exclusively for forging, pressing, rolling or drawing of metals or for heating metals immediately prior to forging, pressing, rolling or drawing.

(7) All printing or graphic arts presses located at a stationary source, as defined in Rule 20.1, which emits a total of less than 15 lbs of volatile organic compounds, subject to Rule 67.16, on each day of operation. It is the responsibility of any person claiming this exemption to maintain all usage records, including any mixing ratios, necessary to establish maximum daily emissions and to make this information available to the Air Pollution Control Officer upon request.

(8) Ovens, if only part of one or more processes which require a permit pursuant to Rule 10 or which are exempt from a requirement for a Permit to Operate pursuant to this rule.

(9) Crucible-type or pot-type furnaces with a brimful capacity of less than 450 cubic inches of any molten metal.

(10) Crucible furnaces, pot furnaces or induction furnaces, with a capacity of 2500 cubic inches or less each, in which no sweating or distilling is conducted and from which only non-ferrous metals except yellow brass, or poured or non-ferrous metals are held in a molten state.

(11) Shell core and shell-mold manufacturing machines.

- (12) Molds used for the casting of metals.
- (13) Foundry sand mold forming equipment except those to which heat, sulfur dioxide or organic material is applied.
- (14) Shot peening cabinets where only steel shot is employed and no scale, rust, or old paint is being removed.
- (15) Die casting machines.
- (16) Tumblers used for the cleaning or deburring of metal products without abrasive blasting.
- (17) Metalizing guns, except electric arc spray guns, where the metal being sprayed is in wire form.
- (18) Brazing, welding equipment including arc welding equipment.
- (19) Hand soldering equipment and solder-screen processes. Solder-screen means those processes which use a process similar to silk-screening to apply solder and which subsequently undergo a reflow process other than a vapor phase solder reflow process.
- (20) Equipment used exclusively for the sintering of glass or metals.
- (21) Atmosphere generators and vacuum producing devices used in connection with metal heat treating processes.
- (22) Dry batch mixers of 0.5 cubic yards (0.38 cubic meters) rated working capacity or less. Dry batch means material is added in a dry form prior to the introduction of a subsequent liquid fraction or when no liquid fraction is added.
- (23) Batch mixers (wet) of 1 cubic yard (0.765 cubic meter) capacity or less where no organic solvents, diluents or thinners are used.
- (24) Equipment used exclusively for the packaging of lubricants or greases.
- (25) Portable conveyors (belt or screw type) where there is no screening.
- (26) Roofing kettles (used to heat asphalt) with a capacity of 85 gallons (322 liters) or less.
- (27) Abrasive blasting equipment with a manufacturer's-rated sand capacity of less than 100 pounds (45.4 kg) or 1 cubic foot or less.
- (28) Abrasive blast cabinets which vent through control devices and into the buildings in which such cabinets are located.
- (29) Blast cleaning equipment using a suspension of abrasive in water.
- (30) Equipment used for buffing (except automatic or semi-automatic tire buffers) or polishing, carving, cutting, drilling, machining, routing, shearing, sanding, sawing, surface grinding, or turning of ceramic artwork, ceramic precision parts, leather, metals, rubber, fiberboard, masonry, except fiber reinforced plastics unless the process involves the use of water or a control device and there are no visible emissions from the process.

(31) Handheld equipment used for buffing, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding or turning of fiber reinforced plastic, when not used at a designated workstation, booth or room.

(32) Equipment used for carving, cutting, drilling, surface grinding, planing, routing, sanding, sawing, shredding or turning of wood, or the pressing or storing of sawdust, wood chips or wood shavings.

(33) Paper shredders and paper disintegrators which have a capacity of 600 pounds per hour or less.

(34) Equipment used to liquefy or separate oxygen, nitrogen or the rare gases from the air.

(35) Equipment used exclusively to grind, blend or package tea, cocoa, spices or roasted coffee.

(36) Equipment, other than boilers, used for preparing food for human consumption and located at eating establishments, bakeries and confectioneries.

(37) Equipment using exclusively aqueous solutions not containing volatile organic compounds, as defined in Rule 20.1, in excess of 10 percent by weight for surface preparation, cleaning, anodizing, plating, polishing, stripping or etching except acid chemical milling, chrome plating, chromic acid anodizing or the stripping of chromium, or copper etching using ammonium hydroxide, ammonium chloride or concentrated solutions of nitric, hydrofluoric and/or hydrochloric acids exceeding 17 percent acid concentration by weight.

(38) Laboratory equipment used exclusively for chemical or physical analyses and bench scale laboratory equipment provided such bench scale equipment is not used for production purposes to directly produce a deliverable product or service, other than the first-article product or service, and provided the emissions of organic compounds, as defined in Rule 20.1, from such bench scale equipment, do not exceed five (5) pounds per day and provided such bench scale equipment does not emit detectable levels of compounds listed as Acutely Hazardous by Section 25532 of the California Health and Safety Code.

For the purposes of this subsection, the following definitions shall apply:

"Bench Scale Laboratory Equipment" shall mean equipment which a) is under direct, immediate and exclusive control of a laboratory director; b) is sub-scale in size; and c) is used for the sole purpose of conducting studies or tests to develop a new or improved product or service.

"First-Article Deliverable Product or Service" shall mean the first product or service which is produced using bench scale laboratory equipment and which is delivered to a potential intra-company or external customer for approval. First article deliverable product or service shall not exceed one (1) unit of product or service per customer.

(39) Titanium chemical milling at temperatures below 110°F (43°C).

(40) Orchard or citrus grove heaters.

(41) Non-immersion dry cleaning equipment.

(42) Alkaline chemical milling equipment for which construction or installation commenced prior to (March 27, 1990), or alkaline chemical milling equipment used exclusively for the cleaning of internal combustion engine parts.

(43) Laundry dryers, extractors or tumblers used for fabrics cleaned only with solutions of bleach or detergents containing no organic solvents.

(44) Ovens having an internal volume of 27 cubic feet (0.765 cubic meter) or less in which organic solvents or materials containing organic solvents are charged.

(45) Equipment used for compression molding and injection molding of plastics.

(46) Cold solvent cleaning and paint stripping tanks with a liquid surface area of 1.0 square foot (0.09 square meter) or less used for the employment or application of organic solvents or materials containing organic solvents.

(47) Railway sweepers used for cleaning rail tracks.

(48) Equipment used for powder coating operations, except metalizing gun operations, where emissions of volatile organic compounds are less than one pound per day. The person claiming this exemption must keep daily usage records, and all data necessary to establish maximum daily emission level. This information must be made available immediately upon request.

(f) Mobile transport tanks or delivery tanks or cargo tanks on vehicles used for the delivery of volatile organic compounds, except asphalt tankers used to transport and transfer hot asphalt used for roofing applications.

(h) Liquid surface coating application operations:

(1) Conducted within an application station (portable or stationary) where not more than 20 gallons per year of material containing organic compounds are applied. It is the responsibility of any person claiming this exemption to maintain purchase and daily usage records, including any mixing ratios, necessary to substantiate the claim. Coatings applied by means of non-refillable aerosol cans shall not be included in the annual usage determination for purposes of determining the 20 gallon per year limit stated above;

(2) Using non-refillable aerosol spray cans for application of coatings;

(3) Conducted outside defined coating areas for the purpose of touch-up or maintenance of equipment;

(4) Using hand-held brushes for application of a primer coating from containers of eight (8) ounces (236.6 milliliters) or less in size to fasteners to be installed on aerospace component parts;

(5) Using air brushes with a coating capacity of two (2) ounces (59.1 milliliters) or less for the application of a stencil coating; or

(6) Conducted in primary or secondary schools for instruction.

(i) The following uncontrolled equipment or processes using materials containing volatile organic compounds, as defined in Rule 20.1, when the emissions of organic compounds, as defined in Rule 20.1, from the equipment or process do not exceed five pounds in any one day:

- (1) Foam manufacturing or application.
- (2) Reinforced plastic fabrication using resins such as epoxy and/or polyester.
- (3) Plastics manufacturing or fabrication.
- (4) Ink mixing tanks.
- (5) Cold solvent degreasers used exclusively for educational purpose.
- (6) Batch-type waste-solvent recovery stills with batch capacity of 7.5 gallons or less for onsite recovery of waste solvent, provided the still is equipped with a device which shuts off the heating system if the solvent vapor condenser is not operating properly.
- (7) Peptide Synthesis.
- (8) Equipment used for washing or drying articles fabricated from metal, cloth, fabric or glass, provided that no organic solvent is employed in the process and that no oil or solid fuel is burned and none of the products being cleaned has residues of organic solvent, as defined in Rule 66.

The exemptions in this section shall not apply to equipment required to obtain a permit for emissions of air contaminants other than organic compounds as defined in Rule 20.1.

(n) Identical replacements in whole or part of any article, machine, equipment or other contrivance where a Permit to Operate had previously been granted for such equipment under Rule 10. Identical means the same manufacturer, model number, and type.

(p) The following equipment:

- (1) Equipment used for hydraulic or hydrostatic testing.
- (2) Equipment used exclusively for the dying or stripping (bleaching) of textiles where no organic solvents, diluents or thinners are used.
- (3) Equipment used exclusively to mill or grind coatings and molding compounds where all materials charged are in a paste form and no organic solvents, diluents or thinners are used.
- (4) Equipment used exclusively for the melting or applying of wax where no organic solvents, diluents or thinners are used.
- (5) Equipment used for inspection of metal products except metal inspection tanks utilizing a suspension of magnetic or fluorescent dye particles in volatile organic solvent which have a liquid surface area greater than 5 ft² and are equipped with spray type flow or a means of solvent agitation.
- (6) Equipment used exclusively for the manufacture of water emulsions of asphalt, greases, oils or waxes.
- (7) Equipment used exclusively for conveying and storing plastic pellets.

(8) Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water-based adhesives.

(9) Curing or baking ovens in which no organic solvents or materials containing organic solvents are charged.

(10) Mixers for rubber or plastics where no material in powder form is added and no organic solvents, diluents or thinners are used.

(11) Each process line at a stationary source, as defined in Rule 20.1, for coating of pharmaceutical tablets provided maximum emissions of volatile organic compounds (defined in Rule 67.15), are below 15.0 pounds on each day for all operations subject to Rule 67.15. It will be the responsibility of any person claiming this exemption to maintain all records necessary to establish maximum daily emissions and to make this information available to the District upon request.

(12) Roll mills or calendars for rubber or plastics and no organic solvents, diluents or thinners are used.

(13) Vacuum-producing devices used in laboratory operations or in connection with other equipment which is exempt by Rule 11.

(14) Natural draft hoods, natural draft stacks or natural draft ventilators.

(15) Natural gas-fired or liquefied petroleum gas-fired or electrically heated furnaces for heat treating glass or metals, the use of which does not involve molten materials.

(16) Comfort air conditioning or comfort ventilating systems which are not designed to remove air contaminants generated by or released from specific units or equipment.

(17) Refrigeration units except those used as, or in conjunction with, air pollution control equipment.

(18) Equipment used exclusively for space heating, other than boilers.

(19) Equipment used exclusively for bonding lining to brake shoes.

(20) Lint traps used exclusively in conjunction with dry cleaning tumblers.

(21) Equipment used exclusively to compress or hold dry natural gas.

(22) Kilns used for firing ceramic ware, heated exclusively by natural gas, liquefied petroleum gas, electricity or any combination thereof.

(23) Equipment used exclusively for the purposes of flash-over fire fighting training.

(24) Wastewater processing units associated with drycleaning operations using halogenated compounds provided the water being evaporated in the unit does not exceed 400 ppm (by weight) of halogenated compounds as determined by EPA Test Method 634.

(25) Atmospheric organic gas sterilizer cabinets where ampules are utilized exclusively to dispense ethylene oxide gas into a liner bag and where total ethylene oxide emissions are less than five pounds per year.

IT IS FURTHER RESOLVED AND ORDERED that the subject amendments to Rule 11 of Regulation II, shall take effect upon adoption.

PASSED AND ADOPTED by the Air Pollution Control Board of the San Diego County Air Pollution Control District, State of California, this 2nd day of June, 1992 by the following votes:

AYES: Members Bilbray, Bailey, Golding, and MacDonald
NOES: Members None
ABSENT: Members Williams - -

STATE OF CALIFORNIA)ss
County of San Diego)

I, THOMAS J. PASTUSZKA, Clerk of the Air Pollution Control District, County of San Diego, State of California, hereby certify that I have compared the foregoing copy with the original resolution passed and adopted by said Board at a regular meeting thereof, at the time and by the vote therein stated, which original resolution is now on file in my office; that the same contains a full, true and correct transcript therefrom and of the whole thereof.

Witness my hand and the seal of the Air Pollution Control District, County of San Diego, State of California, this 11th day of June, 1992.

THOMAS J. PASTUSZKA
Clerk of the Air Pollution Control District

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

By Maria A. Tiscareno
Maria A. Tiscareno, Deputy

By L. C. Dutton
Deputy County Counsel

CHANGE COPY

Re Rules and Regulations of the)
Air Pollution Control District)
of San Diego County)

RESOLUTION AMENDING RULE 11 OF REGULATION II OF THE RULES AND REGULATIONS OF THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT

On motion of Member _____, seconded by Member _____ the following resolution is adopted:

WHEREAS, the San Diego County Air Pollution Control Board, pursuant to Section 40702 of the Health and Safety Code, adopted Rules and Regulations of the Air Pollution Control District of San Diego County; and

WHEREAS, said Board now desires to amend said Rules and Regulations; and

WHEREAS, notice has been given and a public hearing has been had relating to the amendment of said Rules and Regulations pursuant to Section 40725 of the Health and Safety Code.

NOW THEREFORE IT IS RESOLVED AND ORDERED by the San Diego County Air Pollution Control Board that the Rules and Regulations of the Air Pollution Control District of San Diego County be and hereby are amended as follows:

Proposed amendments to Rule 11, Sections (a), (d), (f), (h), (i), (n), and (p) are to read as follows:

RULE 11. EXEMPTIONS FROM PERMIT REQUIREMENTS

An Authority to Construct and a Permit to Operate shall not be required for any of the following equipment unless the Air Pollution Control Officer determines that the equipment violates Rule 51 of the District Rules and Regulations. When the Air Pollution Control Officer makes such a determination and written notification is given to the equipment owner or operator, the equipment shall thereafter be subject to permit requirements unless exempted by State law. Equipment required to have a permit under this provision shall not be required to be permitted for longer than two years provided no further violations are recorded.

Nothing in the following exemptions shall preclude the equipment or processes described from meeting all other requirements of these Rules and Regulations.

It is the responsibility of a person claiming an exemption under this rule to maintain and provide all data and/or records necessary to demonstrate the exemption is applicable. This information shall be made available to the District upon request.

(a) Any engines mounted on, within or incorporated into any vehicle, train, ship, boat or barge, that are used exclusively to provide propulsion, supply heat or electrical energy to that

same vehicle, train, ship, boat, or barge, or that are used exclusively to load or unload cargo. Sand, rock, silt, soil or other materials which come from the bottom of a body of water shall not be considered cargo. This exemption is not intended to apply to equipment used for the dredging of waterways, to floating dry docks, or to equipment used in pile driving adjacent to or in waterways.

(d) The following equipment, provided the emissions of organic compounds, as defined in Rule 20.1, or particulate matter from the equipment do not exceed 100 pounds per day of either pollutant, or construction of the equipment was commenced before September 26, 1984.

(1) Internal combustion engines which fall into one of the following categories:

(i) Motor vehicle engines, except as provided in Section (a), pile drivers (except for Diesel pile driving hammers), and construction cranes that are routinely dismantled and transported to non-contiguous locations for temporary use;

(ii) Any combination of piston-type engines at one source, with a total maximum power output of less than 200 brake horsepower;

(iii) Piston-type engines of less than 50 brake horsepower.

(iv) Piston-type engines of greater than 500 brake horsepower which were installed before August 1, 1980;

(v) Any combination of piston-type engines at a stationary source, as defined in Rule 20.1, with a total maximum power output equal to or greater than 200 brake horsepower and less than 500 brake horsepower, for which construction commenced prior to (March 27, 1990);

(vi) Non-electrical generating piston type engines with a maximum power output of less than 500 brake horsepower when part of a process, process line, line, equipment, article, machine or other contrivance for which a Permit to Operate is required by these Rules and Regulations;

(vii) Any combination of piston-type engines for which construction commenced before April 5, 1983 provided all engines in the combination are less than 500 brake horsepower;

(viii) Gas turbines with a maximum heat input at ISO Standard Day Conditions of less than 5 million British Thermal Units per hour fired exclusively with natural gas and/or liquified petroleum gas;

(ix) Gas turbines with a maximum heat input of less than 10 million British Thermal Units per hour fired exclusively with natural gas and/or liquified petroleum gas for which construction commenced before (March 27, 1990); or

(x) Gas turbines with a maximum heat input of less than 50 million British Thermal Units per hour fired exclusively with natural gas and/or liquified petroleum gas installed before October 2, 1977.

(2) Water cooling towers and water cooling ponds not used for evaporative cooling of process water or not used for evaporative cooling of water, contaminated water or industrial waste water from barometric jets or from barometric condensers.

(3) Portable aircraft engine test stands which were constructed before November 4, 1976.

(4) Fuel-burning equipment as described below:

(i) Fuel-burning equipment, except internal combustion engines, with a maximum gross heat input rate of less than one million British Thermal Units (0.252×10^6 Kcal) per hour when not part of a process, process line, line, equipment, article, machine or other contrivance for which a Permit to Operate is required by these Rules and Regulations.

(ii) Fuel burning equipment, except steam boilers and internal combustion engines, with a maximum gross heat input of less than 50 million British Thermal Units (12.6×10^6 Kcal) per hour, and fired exclusively with natural gas, liquified petroleum gas or a combination of natural gas and liquified petroleum gas.

(iii) Steam boilers with a maximum gross heat input of less than 50 million British Thermal Units (12.6×10^6 Kcal) per hour, if construction commenced prior to (March 27, 1990), and fired exclusively with natural gas, liquified petroleum gas or a combination of natural gas and liquified petroleum gas.

(iv) Any combination of steam boiler equipment at one stationary source, as defined in Rule 20.1, with a total maximum gross heat input rate of less than 20 million British Thermal Units (7.6×10^6 Kcal) per hour, if construction commenced on or after (March 27, 1990) and fired exclusively with natural gas, liquified petroleum gas or a combination of natural gas and liquified petroleum gas.

(5) Extrusion equipment used exclusively for metals, minerals, or plastics: except coking extrusion equipment or processes which manufacture products containing greater than one percent asbestos fiber by weight.

(6) Equipment used exclusively for forging, pressing, rolling or drawing of metals or for heating metals immediately prior to forging, pressing, rolling or drawing.

(7) All printing or graphic arts presses located at a stationary source, as defined in Rule 20.1, which emits a total of less than ~~49.9~~ 15 lbs (9 kg) of volatile organic compounds, subject to Rule 67.16, on each day of operation. It is the responsibility of any person claiming this exemption to maintain all usage records, including any mixing ratios, necessary to establish maximum daily emissions and to make this information available to the Air Pollution Control Officer upon request.

~~(8) Ovens used exclusively for the curing, softening or annealing of plastics. This does not apply to ovens used to cure fiberglass reinforced plastics.~~

~~(9)~~(8) Ovens, if only part of one or more a processes which require a permit pursuant to Rule 10 or which is are exempt from a requirement for a Permit to Operate pursuant to this rule.

~~(10)~~(9) Crucible-type or pot-type furnaces with a brimful capacity of less than 450 cubic inches of any molten metal.

~~(11)~~(10) Crucible furnaces, pot furnaces or induction furnaces, with a capacity of ~~992 pounds (450 kilograms)~~ 2500 cubic inches or less each, in which no sweating or distilling

is conducted and from which only non-ferrous metals except yellow brass, or poured or non-ferrous metals are held in a molten state.

(12)(11) Shell core and shell-mold manufacturing machines.

(13)(12) Molds used for the casting of metals.

(14)(13) Foundry sand mold forming equipment except those to which heat, sulfur dioxide or organic material is not applied.

(15)(14) Shot peening cabinets where only steel shot is employed and no scale, rust, or old paint is being removed.

(16)(15) Die casting machines.

(17)(16) Tumblers used for the cleaning or deburring of metal products without abrasive blasting.

(18)(17) Metalizing guns, except ~~plasma~~ electric arc spray guns, where the metal being sprayed is in wire form.

(19)(18) Brazing, welding equipment including arc welding equipment.

(20)(19) Hand soldering equipment and solder-screen processes. Solder-screen means those processes which use a process similar to silk-screening to apply solder and which subsequently undergo a reflow process other than a vapor phase solder reflow process. Soldering equipment except automated process lines.

(21)(20) Equipment used exclusively for the sintering of glass or metals.

(22)(21) Atmosphere generators and vacuum producing devices used in connection with metal heat treating processes.

(23)(22) Dry batch mixers of 0.5 cubic yards (0.38 cubic meters) rated working capacity or less. Dry batch means material is added in a dry form prior to the introduction of a subsequent liquid fraction or when no liquid fraction is added.

(24)(23) Batch mixers (wet) of 1 cubic yard (0.765 cubic meter) capacity or less where no organic solvents, diluents or thinners are used.

(25)(24) Equipment used exclusively for the packaging of lubricants or greases.

(26)(25) Portable conveyors (belt or screw type) where there is no screening.

(27)(26) Roofing kettles (used to heat asphalt) with a capacity of 85 gallons (322 liters) or less.

(28)(27) Abrasive blasting equipment used with a manufacturer's-rated sand capacity of less than 100 pounds (45.4 kg) or 1 cubic foot or less.

(29)(28) Abrasive blast cabinets which vent through control devices and into the buildings in which such cabinets are located.

(30)(29) Blast cleaning equipment using a suspension of abrasive in water.

~~(31)~~(30) Equipment used for buffing (except automatic or semi-automatic tire buffers) or polishing, carving, cutting, drilling, machining, routing, shearing, sanding, sawing, surface grinding, or turning of ceramic artwork, ceramic precision parts, leather, metals, rubber, fiberboard, masonry, except fiber reinforced plastics unless the process involves the use of water or a control device and there are no visible emissions from the process. ~~non friable asbestos, carbon or graphite, plastics except when reinforced with fiberglass.~~

(31) Handheld equipment used for buffing, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding or turning of fiber reinforced plastic, when not used at a designated workstation, booth or room.

(32) Equipment used for carving, cutting, drilling, surface grinding, planing, routing, sanding, sawing, shredding or turning of wood, or the pressing or storing of sawdust, wood chips or wood shavings.

(33) Paper shredders and paper disintegrators which have a capacity of 600 pounds per hour or less.

(34) Equipment used to liquefy or separate oxygen, nitrogen or the rare gases from the air.

(35) Equipment used exclusively to grind, blend or package tea, cocoa, spices or roasted coffee.

(36) Equipment, other than boilers, used for preparing food for human consumption and located at eating establishments, bakeries and confectioneries.

(37) Equipment using exclusively aqueous solutions not containing volatile organic compounds, as defined in Rule 20.1, in excess of 10 percent by weight for surface preparation, cleaning, anodizing, plating, polishing, stripping or etching (does not include except acid chemical milling, copper strip etching, chrome plating, chromic acid anodizing or the stripping of chromium, or copper etching using ammonium hydroxide, ammonium chloride or concentrated solutions of nitric, hydrofluoric and/or hydrochloric acids exceeding 17 percent acid concentration by weight); ~~or equipment using aqueous solutions for electrolytic deposition of inorganic films.~~

(38) Laboratory equipment used exclusively for chemical or physical analyses and bench scale laboratory equipment provided such bench scale equipment is not used for production purposes to directly produce a deliverable product or service, other than the first-article product or service, and provided the emissions of organic compounds, as defined in Rule 20.1, from such bench scale equipment, do not exceed five (5) pounds per day and provided such bench scale equipment does not emit detectable levels of compounds listed as Acutely Hazardous by Section 25532 of the California Health and Safety Code.

For the purposes of this subsection, the following definitions shall apply:

"Bench Scale Laboratory Equipment" shall mean equipment which a) is under direct, immediate and exclusive control of a laboratory director; b) is sub-scale in size; and c) is used for the sole purpose of conducting studies or tests to develop a new or improved product or service.

"First-Article Deliverable Product or Service" shall mean the first product or service which is produced using bench scale laboratory equipment and which is delivered to a potential intra-company or external customer for approval. First article deliverable product or service shall not exceed one (1) unit of product or service per customer.

- (39) Titanium chemical milling at temperatures below 110°F (43°C).
- (40) Orchard or citrus grove heaters.
- (41) Non-immersion dry cleaning equipment.
- (42) Alkaline chemical milling equipment for which construction or installation commenced prior to (March 27, 1990), or alkaline chemical milling equipment used exclusively for the cleaning of internal combustion engine parts.
- ~~(43) Sewage treatment flares.~~
- ~~(44)~~(43) Laundry dryers, extractors or tumblers used for fabrics cleaned only with solutions of bleach or detergents containing no organic solvents.
- ~~(45)~~(44) Ovens having an internal volume of 27 cubic feet (0.765 cubic meter) or less in which organic solvents or materials containing organic solvents are charged.
- ~~(46)~~(45) Equipment used for compression molding and injection molding of plastics.
- ~~(47)~~(46) Cold solvent cleaning and paint stripping tanks with a liquid surface area of 5 1.0 square foot (0.47 0.09 square meter) or less used for the employment or application of organic solvents or materials containing organic solvents.
- ~~(48) Vapor degreasers with a vapor/air interface area of 5 square feet (0.47 square meter) or less.~~
- ~~(49)~~(47) Railway sweepers used for cleaning rail tracks.
- ~~(48) Equipment used for powder coating operations, except metalizing gun operations, where emissions of volatile organic compounds are less than one pound per day. The person claiming this exemption must keep daily usage records, and all data necessary to establish maximum daily emission level. This information must be made available immediately upon request.~~

(f) Mobile transport tanks or delivery tanks or cargo tanks on vehicles used for the delivery of volatile organic compounds, except asphalt tankers used to transport and transfer hot asphalt used for roofing applications.

(h) Liquid surface coating application operations:

(1) Conducted within an application station (portable or stationary) ~~Located at a stationary source, as defined in Rule 20.1, where not more than 20 gallons per year of material containing organic compounds, as defined in Rule 20.1, are applied~~ apply. It is the responsibility of any person claiming this exemption to maintain purchase and daily usage records, including any mixing ratios, necessary to substantiate the claim. Coatings applied by means of non-refillable aerosol cans shall not be included in the annual usage determination for purposes of determining the 20 gallon per year limit stated above.;

(2) Using non-refillable aerosol spray cans for application of coatings;

(3) Conducted outside defined coating areas for the purpose of touch-up or maintenance of equipment;

(4) Using hand-held brushes for application of a primer coating from containers of eight (8) ounces (236.6 milliliters) or less in size to fasteners to be installed on aerospace component parts;

(5) Using air brushes with a coating capacity of two (2) ounces (59.1 milliliters) or less for the application of a stencil coating; or

(6) Conducted in primary or secondary schools for instruction.

(i) The following uncontrolled equipment or processes using materials containing volatile organic compounds, as defined in Rule 20.1, when the emissions of volatile organic compounds, as defined in Rule 20.1, from the equipment or process do not exceed five pounds in any one day:

(1) Foam manufacturing or application; and

(2) ~~Fiberglass reinforced~~ Reinforced plastic fabrication using resins such as epoxy and/or polyester; and

(3) Plastics manufacturing or fabrication; and

(4) Ink mixing tanks; and

(5) Cold solvent degreasers used exclusively for educational purpose; and

(6) Batch-type waste-solvent recovery stills with batch capacity of ~~5~~ 7.5 gallons or less for onsite recovery of waste solvent, provided the still is equipped with a device which shuts off the heating system if the solvent vapor condenser is not operating properly; and

(7) Peptide Synthesis.

~~(p)(9)~~(8) Equipment used for washing or drying ~~products~~ articles fabricated from metal, cloth, fabric or glass, provided that no organic solvent is employed in the process and that no oil or solid fuel is ~~is~~ burned and none of the products being cleaned has residues of volatile organic compounds solvent, as defined in Rule 66.

~~It is the responsibility of any person claiming this exemption to maintain records which substantiate this claim. It is the responsibility of any person claiming this exemption to maintain purchase and daily usage records including mixing ratios necessary to substantiate the claim. This information must be made available immediately upon request. This~~ The exemptions in this section shall not apply to equipment required to obtain a permit for emissions of air contaminants other than volatile organic compounds as defined in Rule 20.1.

(n) Identical replacements in whole or part of any article, machine, equipment or other contrivance where a Permit to Operate had previously been granted for such equipment under Rule 10. Identical means the same manufacturer, model number, and type.

(p) The following equipment:

(1) Equipment used for hydraulic or hydrostatic testing.

(2) Equipment used exclusively for the dying or stripping (bleaching) of textiles where no organic solvents, diluents or thinners are used.

(3) Equipment used exclusively to mill or grind coatings and molding compounds where all materials charged are in a paste form and no organic solvents, diluents or thinners are used.

(4) Equipment used exclusively for the melting or applying of wax where no organic solvents, diluents or thinners are used.

(5) Equipment used for inspection of metal products except metal inspection tanks utilizing a suspension of magnetic or fluorescent dye particles in volatile organic solvent which have a liquid surface area greater than 5 ft² and are equipped with spray type flow or a means of solvent agitation.

(6) Equipment used exclusively for the manufacture of water emulsions of asphalt, greases, oils or waxes.

(7) Equipment used exclusively for conveying and storing plastic pellets.

(8) Equipment used exclusively for the mixing and blending of materials at ambient temperature to make water-based adhesives.

~~(10)~~(9) Curing or baking ovens in which no organic solvents or materials containing organic solvents are charged.

~~(11)~~(10) Mixers for rubber or plastics where no material in powder form is added and no organic solvents, diluents or thinners are used.

~~(12)~~(11) Each process line at a stationary source, as defined in Rule 20.1, for coating of pharmaceutical tablets provided maximum emissions of volatile organic compounds (defined in Rule 67.15), are below ~~15.4~~ 15.0 pounds on each day for all operations subject to Rule 67.15. It will be the responsibility of any person claiming this exemption to maintain all records necessary to establish maximum daily emissions and to make this information available to the District upon request.

~~(13)~~(12) Roll mills or calendars for rubber or plastics and no organic solvents, diluents or thinners are used.

~~(14)~~(13) Vacuum-producing devices used in laboratory operations or in connection with other equipment which is exempt by Rule 11.

~~(15)~~(14) Natural draft hoods, natural draft stacks or natural draft ventilators.

~~(16)~~(15) Natural gas-fired or liquefied petroleum gas-fired or electrically heated furnaces for heat treating glass or metals, the use of which does not involve molten materials.

~~(17)~~(16) Comfort air conditioning or comfort ventilating systems which are not designed to remove air contaminants generated by or released from specific units or equipment.

~~(18)~~(17) Refrigeration units except those used as, or in conjunction with, air pollution control equipment.

~~(19)~~(18) Equipment used exclusively for space heating, other than boilers.

~~(20)~~(19) Equipment used exclusively for bonding lining to brake shoes.

~~(21)~~(20) Lint traps used exclusively in conjunction with dry cleaning tumblers.

~~(22)~~(21) Equipment used exclusively to compress or hold dry natural gas.

~~(23)~~(22) Kilns used for firing ceramic ware, heated exclusively by natural gas, liquefied petroleum gas, electricity or any combination thereof.

(23) Equipment used exclusively for the purposes of flash-over fire fighting training.

(24) Wastewater processing units associated with drycleaning operations using halogenated compounds provided the water being evaporated in the unit does not exceed 400 ppm (by weight) of halogenated compounds as determined by EPA Test Method 634.

(25) Atmospheric organic gas sterilizer cabinets where ampules are utilized exclusively to dispense ethylene oxide gas into a liner bag and where total ethylene oxide emissions are less than five pounds per year.

IT IS FURTHER RESOLVED AND ORDERED that the subject amendments to Rule 11 of Regulation II, shall take effect upon adoption.

PASSED AND ADOPTED by the Air Pollution Control Board of the San Diego County Air Pollution Control District, State of California, this _____ day of _____, 1992 by the following votes:

AYES:
NOES:
ABSENT:

RULE 11
EXEMPTION FROM PERMIT REQUIREMENTS

WORKSHOP REPORT

A workshop notice was mailed to all District permit holders in San Diego County, the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (ARB) and other interested parties.

The workshop was held on November 7, 1990. The following are comments made at the workshop or submitted in writing, and the District responses.

WORKSHOP COMMENT - [11(a)]

What is the rationale for separating the exemption for floating dry docks from that for ships, boats or barges in Rule 11(a)?

DISTRICT RESPONSE

This was done to clarify the exemption. This exemption was never intended to apply to floating dry docks or the equipment on them.

WORKSHOP COMMENT - [11(d)(7)]

Does the change to 11(d)(7), printing or graphics arts presses, mean that industry will have to start keeping records on its photo reproduction centers?

DISTRICT RESPONSE

This language is being added to clarify the exemption for equipment which is subject to District Rule 67.16. It is not a change, simply clarifying language and will not require that records be kept on photo reproduction centers.

WORKSHOP COMMENT - [11(d)(8)]

There are many small ovens in San Diego County. Will the changes to 11(d)(8) require permits for these ovens? Since the exemption 11(d)(45) has been deleted, will permits be required for the small ovens? These ovens are a minimal source of emissions.

DISTRICT RESPONSE

The proposed change to 11(d)(8) was intended to clarify the exemption. It is intended to apply to ovens associated with permitted equipment. There will be no change in permit requirements for small ovens as a result. Removal of 11(d)(45) does appear to create a potential problem. The District proposed adding an exemption for small ovens under 11(i) with the 5 lbs/day emission limit but industry comments indicated the corresponding recordkeeping requirements would be burdensome. The District will retain Rule 11(d)(45), however it is renumbered as 11(d)(44).

WORKSHOP COMMENT - [11(d)(10)]

Is the change in exemption for crucible, induction or pot furnace from a mass standard to a volumetric standard roughly equivalent?

DISTRICT RESPONSE

For lead, the most widely used metal, the current, 992 lbs capacity is roughly equivalent to the 2,500 cubic inches now recommended. This change is being proposed because the current exemption creates an enforcement problem because permit requirements may vary for the same pot depending on the metal. A volumetric exemption eliminates the problem.

WORKSHOP COMMENT - [11(d)(18)]

Will arc welding equipment require a permit now?

DISTRICT RESPONSE

No, this language was added to 11(d)(18) to exempt such equipment.

WORKSHOP COMMENT - [11(d)(27)]

How does 11(d)(27) relate to 11(d)(28)? Is an abrasive blast cabinet with over 100 lbs capacity vented inside a building through a control device going to require a permit now?

DISTRICT RESPONSE

No. Exemption, 11(d)(28) is unchanged. The revisions to 11(d)(27) have been added for clarification purposes only.

WORKSHOP COMMENT - [11(d)(30)]

How is cutting and shearing defined?

DISTRICT RESPONSE

Cutting is the act of incising, severing or separating. Shearing is to cut with shears or other implements or machines that cut with a scissor-like action.

WORKSHOP COMMENT - [11(d)(30)]

What is the intent of these changes? Why add an exception for carbon fiber and asbestos?

DISTRICT RESPONSE

The intent of this change is to evaluate and control operations with emissions of fibers which may be harmful. Asbestos has been recognized as a Hazardous Air Pollutant and is regulated in District Regulation XI. Carbon fibers used in fiber reinforced plastics are considered particulate matter and as such, are also regulated by the District.

WORKSHOP COMMENT - [11(d)(30)]

What about operations using a water jet to cut, or cutting operations equipped with self contained dust collection systems which do not vent to the atmosphere? Will they be required to have a permit?

DISTRICT RESPONSE

If the cutting operation does not generate visible emissions due to the use of water or a control device it is not required to get a permit. The District has modified the exemptions to address processes using water or a control device.

WORKSHOP COMMENT - [11(d)(31)]

What about hand held drilling equipment? Will a permit be required for each of hundreds of drills in a plant? If so, what would the permit be for? All that does is generate money for the District, not reduce pollution. There are no OSHA requirements on these emissions because the dust generated is insignificant.

DISTRICT RESPONSE

The District does not intend to use this change to Rule 11 to permit handheld equipment nor to require permits where cutting operations generate negligible or no emissions. The language has been revised to exempt handheld portable equipment.

WORKSHOP COMMENT - [11(d)(37)]

Is the exception for chrome stripping intended for acid stripping only or all types of chrome stripping?

DISTRICT RESPONSE

The existing language is intended for all types of chrome stripping.

WORKSHOP COMMENT - [11(d)(37)]

What concentration level is acceptable for acid stripping? Is 17% hydrochloric acid considered to be a "concentrated" solution?

DISTRICT RESPONSE

The District has reviewed available data and included a specific concentration exemption level of 17% or less by weight.

WORKSHOP COMMENT - [11(d)(37)]

How will an inspector determine if the solution is concentrated rather than dilute. Concentrations over 50% must be handled as extremely hazardous waste. Therefore, concentrations are generally kept below this level. The District may want to look at that level as a guideline.

DISTRICT RESPONSE

Concentrations will be calculated by District staff based on information made available during the inspection. As noted above, the District inspection has determined from available data that solutions exceeding 17% acid by weight will be considered concentrated.

WORKSHOP COMMENT - [11(d)(37)]

Does caustic stripping fit under this exemption?

DISTRICT RESPONSE

No, it would not be included in this exemption and would require a permit.

WORKSHOP COMMENT - [11(d)(37)]

Is any level of NO_x emissions from copper etching processes going to require a permit? What about the size of the equipment or the type of process. Emissions are insignificant.

DISTRICT RESPONSE

The exemption, as revised, requires only copper etching operations using ammonium hydroxide, ammonium chloride or nitric, hydrofluoric and/or hydrochloric acids exceeding 17% acid concentration by weight to get permits. These etching processes are potential sources of toxic ammonia emissions. The District believes the addition of a specific emission exemption level would be burdensome to industry due to the associated recordkeeping requirements.

WORKSHOP COMMENT - [11(d)(37)]

Can this exemption be used to test the spec of a material.

DISTRICT RESPONSE

The exemption was not intended to allow a person to check the specifications of a particular material. It was written to apply to very limited operations.

WORKSHOP COMMENT - [11(d)(38)]

The current language in this exemption requires that records be kept on all materials used because of the 5 lbs/day emission limit. This recordkeeping is burdensome. Bench scale operations will not go over 5 lbs/day. The only situation where this might occur would be a paint manufacturer. Why not take an average or use annual usage levels?

DISTRICT RESPONSE

The District and industry agreed to the 5 lb/day emissions limit when Rule 11 was previously amended. At that time it was agreed that daily records would be required to demonstrate that the 5 lb/day limit was not exceeded. The District will consider alternate proposals that can be enforced on a daily basis. However, until such alternate proposals are approved, daily records will continue to be required. Also, the District does not agree that only paint manufacturers can exceed the 5 lb/day limit.

WORKSHOP COMMENT -[11(d)(38)]

Laboratory/bench scale work stations are located in several areas and include many pieces of equipment. Every time a piece of glassware is cleaned, solvent use would have to be recorded.

DISTRICT RESPONSE

As noted above, the specific language of this exemption was agreed to by the District and industry. The District will consider alternative proposals that can be enforced on a daily basis. At this time, the District is not aware of any alternatives to determine compliance other than daily recordkeeping.

WORKSHOP COMMENT -[11(d)(38)]

11(d)(38) states that laboratory equipment used for chemical or physical analysis is exempt from permits. This language is unclear.

DISTRICT RESPONSE

It is apparent there is confusion concerning this exemption. The District will revisit this exemption in future revisions of this rule.

WORKSHOP COMMENT - [11(d)(45)]

Will the District allow the baffling of tanks to reduce the surface area to an exempt size?

DISTRICT RESPONSE

Yes, to be consistent with the District's previous practice for 5 ft² tanks, this will be allowed. The exposed surface area must be permanently reduced in size and not merely masked off.

WORKSHOP COMMENT -[11(d)(45)]

The 1 ft² lower exemption limit in Rule 67.6 applies to a broad range of solvents with varying vapor pressures. Why not tie this Rule 11 exemption into vapor pressure and daily emission levels rather than surface area? Or a ratio of vapor pressure to surface area and use a graph to determine emissions?

DISTRICT RESPONSE

The changes to Rule 67.6 were made to meet EPA requirements. The changes reflect the standards included in EPA's Control Technique Guidelines (CTG). The CTG does not address emissions, it specifies an equipment standard. The intent of the CTG is to control emissions by placing restrictions on equipment. In response to the changes in Rule 67.6 that regulate units down to 1 ft² in size, the Rule 11 exemption has been changed to bring equipment now subject to Rule 67.6 into the permit system. This will enable the District to recover the cost of the program.

The CTG does not have a lower size limit and does not specifically address emission levels. The District changed Rule 67.6 to reflect the CTG and EPA has shown little flexibility in allowing any changes from the CTG. As previously stated, the change in Rule 11 reflect the changes in Rule 67.6 and will allow program cost recovery.

WORKSHOP COMMENT -[11(d)(45)]

If documentation is provided using a mutually agreed upon test protocol that would prove a proposed control technique would reduce emissions and have a positive impact on the District's program, would it make a difference?

DISTRICT RESPONSE

No. As noted above, the District is required to meet the minimum requirements of EPA's CTG. The District does not have any flexibility in this matter. Accordingly, Rule 67.6 has been revised to meet the minimum requirements of the CTG. Rule 11 is being revised to require permits to allow the District to recover its costs.

WORKSHOP COMMENT -[11(d)(45)]

Are all districts bound by the same CTG restrictions? If so, there are inconsistencies within the state.

DISTRICT RESPONSE

The District has revised Rule 67.6 to respond to SIP deficiencies that have been specifically identified by the EPA. This includes the regulation of smaller units. As noted above, Rule 11 is being revised to require permits of these smaller units and thus, cost recovery.

WORKSHOP COMMENT -[11(d)(45)]

What will the fee be for a remote reservoir cleaner and a cold solvent cleaner between 5 ft² and 1 ft²?

DISTRICT RESPONSE

A specific fee cannot be determined at this time. However, it may be possible to reduce fees for identical units located at one location. Also, whatever can be done by industry to reduce the program costs, will result in a reduction in future fees.

WORKSHOP COMMENT -[11(d)(45)]

Are degreasing tanks going to be permitted separately?

DISTRICT RESPONSE

Each degreasing tank is subject to the standards of Rule 67.6 and will therefore be evaluated and permitted separately.

WORKSHOP COMMENT -[11(d)(48)]

The exemption for vapor degreasers has been deleted. Does this mean all vapor degreasers, no matter what solvent is used, will require permits?

DISTRICT RESPONSE

Yes, all vapor degreasers will require permits.

WORKSHOP COMMENT - [11(h)(1)]

If the issue is solvent usage records, what is the purpose for requiring purchase records? Why do the records have to be kept readily available? Why not add reasonably available upon request?

DISTRICT RESPONSE

This requirement allows a means to validate the usage records. The District does not agree there is a need to change the language on record availability. Currently, most District rules use the phrase "readily available." To be consistent the District will retain this language.

WORKSHOP COMMENT - [11(h)(1)]

How is a "stationary source" interpreted for purposes of this exemption? Is it 20 gallons for the entire facility?

DISTRICT RESPONSE

The words "stationary source" have been deleted. This exemption is intended to apply to each specific application station where more than 20 gallons per year is applied. It is not intended to impose a 20 gallon limit per stationary source.

WORKSHOP COMMENT - [11(h)(1)]

What is the difference between an application station and a defined coating area?

DISTRICT RESPONSE

For the purposes of this rule an application station is the same as a defined coating area.

WORKSHOP COMMENT - [11(h)(5)]

Why does it matter what the size capacity of an air brush is? Why was a 2 ounce capacity selected?

DISTRICT RESPONSE

The two ounce exemption level is in the current Rule 11 and was based on input from industry when the rule was last revised. It is not being proposed for change. If industry has specific information to support revising this exemption level, it can be presented to the District for review.

WORKSHOP COMMENT - [11(i)(2)]

Since the District is primarily concerned about the resins, why not include all reinforced plastic in this exemption?

DISTRICT RESPONSE

The District will add language to this exemption to cover such processes.

WORKSHOP COMMENT - [11(n)]

What is the purpose for adding the language here?

DISTRICT RESPONSE

The language was added for clarification.

WORKSHOP COMMENT - [11(p)(5)]

How did the District develop the exception to the exemption? What about considering a daily usage? Since most of this comes from aerosol cans, does the District intend to permit aerosol cans?

DISTRICT RESPONSE

The intent of this exception to the exemption was not meant to include dye penetrant materials which are sprayed from aerosol cans. The exception is intended to include tanks used in metal inspection. These tanks are a source of VOC emissions and the District believes they should be regulated.

WORKSHOP COMMENT [11(p)(5)]

What about using a vapor pressure cut off on the metal inspection tanks. Vapor pressure information on the dye penetrants can be provided.

DISTRICT RESPONSE

The District has reviewed the information provided on dye penetrant vapor pressure and believes it is more appropriate to use a physical size limit and a material application method in this exemption. This exemption has been changed to require a permit for metal inspection tanks that use spray or solvent agitation techniques in tanks greater than 5 ft ². The rationale is that even low vapor pressure solvent when agitated or sprayed cause emissions. In such processes, as with cold solvent cleaners, the tank should be permitted and the emissions regulated.

WORKSHOP COMMENT - [11(p)(23)]

This exemption should cover equipment off-loaded from ships between deployment. To eliminate confusion, the District should add language, "solely during deployment, field training equipment."

DISTRICT RESPONSE

This exemption was proposed by District staff for certain equipment on military bases, however upon review the District became concerned that the proposed language may create an enforcement problem. Because of this concern and in the absence of appropriate alternative language, the District is deleting this proposed revision.

ARB COMMENT

It is recommended that recordkeeping requirements be added to 11(d)(37) and 11(d)(38).

DISTRICT RESPONSE

The District has revised the rule to add a general requirement to address this issue rather than continue to add it specifically with each new or revised exemption.

WRITTEN COMMENT - [11(d)(7)]

The Printing Industry of California (PIC) supports the proposed changes but again voices concern for daily records "to establish maximum daily emissions". The District should welcome any approach which provides the information needed, while, at the same time, reduces the administrative burden on small business. PIC believes that if a firm establishes, through daily records over a specific period of time--say, two highly productive weeks during the year, that it emits less than 19.9 lbs. of volatile organic compounds (as subject to Rule 67.16) further daily records are unnecessary. Inventories, work and production schedules provide sufficient information on the firm's subsequent emissions.

DISTRICT RESPONSE

Daily recordkeeping is required by the ARB and EPA. The District does not have any flexibility in this matter.

WRITTEN COMMENT - [11(d)(7)]

Subsection (d)(7) proposes changing the exemption for all presses located at a stationary source to any printing and graphic art presses located at a stationary source. If this is done, presses of various shapes and sizes (which are common in industry) will require daily recordkeeping to document a permit exemption. After evaluating what operations these presses support, it is apparent that daily recordkeeping across the board would be very difficult. In a pouring, mixing and pressing operation, daily records would not be a problem. Whereas presses that receive pre-molded or pre-mixed materials for pressing cannot keep the same types of records. It would be impossible to quantify the volume of materials used or mix ratios. Finally, other types of presses, e.g., dewatering (filter cake) or metal forming should not require a permit or daily records.

DISTRICT RESPONSE

This exemption applies to processes subject to Rule 67.16 only. All continuous web or single sheet-fed graphic arts printing, processing, laminating, or drying operations, regardless of daily emissions, will be required to maintain daily usage records. This exemption was not intended to address presses of any kind which are not subject to Rule 67.16.

WRITTEN COMMENT - [11(d)(7)]

The changes to Rule 67.16 (Graphic Arts Operations) to correct deficiencies identified by EPA include an amendment to lower the exemption limit from 19.9 lbs to 15 lbs of VOC emissions per day per stationary source. Rule 11, Subsection (d)(7) should be changed to provide consistency with the emission standard and allow program cost recovery for enforcing the emission standards.

DISTRICT RESPONSE

The exemption level will be changed to correspond with the level in Rule 67.16.

WRITTEN COMMENT - [11(d)(37)]

Subsection (d)(37) should define "concentrated solutions" utilizing a percent of volume measurement.

DISTRICT RESPONSE

Concentrated solutions have been defined as those solutions exceeding 17% acid by weight not volume.

WRITTEN COMMENT - [11 (h)(1)]

Subsection (h)(1) exempts coating application stations where not more than 20 gallons of coatings per year are applied provided purchase and daily records are maintained. It does not make any difference if 20 gallons of material are used in one day or in small amounts over the period of a year. Accordingly, daily recordkeeping should not be required and only purchase records should be necessary to claim the exemption.

DISTRICT RESPONSE

Daily recordkeeping is required by the ARB and EPA. Furthermore, the District believes daily recordkeeping is necessary to determine compliance with Rule 11 permitting requirements and also to determine whether evaluation for New Source Review (NSR) compliance is necessary. The potential for exceeding NSR threshold increases as the amount of materials applied on a daily basis increases.

Daily emission logs not only provide an accurate accounting of coatings applied but minimizes District and industry time spent determining compliance. Purchase records for the past twelve (12) months are not always representative of what was applied at a given application station during that time period.

WRITTEN COMMENT - [11(h)(1)]

The existing exemption regarding liquid surface coating application operations is unclear with respect to portable equipment. Currently, there are numerous operators of portable application equipment exceeding 20 gallons in a 12-month time period. It would seem unfair that portable equipment operators would be exempt from permit requirements and expenses while stationary equipment operators have to comply. Is it possible to have this exemption clarify the need for permits regarding portable surface coating application equipment using more than 20 gallons of material over 12 consecutive months?

DISTRICT RESPONSE

The District will add language to this exemption to include such operations.

WRITTEN COMMENT - [11(i)(6)]

Subsection (i)(6) is an incomplete statement, "...is not operating properly; and". "And" what?

DISTRICT RESPONSE

The word "and" has been deleted.

WRITTEN COMMENT - [11(i)(6)]

The current Rule 11 exempts stills with a 5 gallon or smaller capacity from a permit. The XPS-750, at 7.5 gallons capacity, requires a permit with fees estimated to be \$800.00 and over \$200.00 for renewal. The results of this fee structure make the purchase of the XPS-750 still uneconomical for the customer and create a major sales advantage to competitors manufacturing small stills for the same customer base.

The volume of solvents that customers recycle is not dependent on the capacity of the still they purchase. It is dependent on the volume of waste solvent they generate. Charging a substantially larger fee for a customer with one drum of solvent because he purchases a 7.5 gallon still instead of a 5 gallon still does not reduce the amount of solvent he has to recycle. It means he will purchase a smaller still even if it does not have the same quality or safety features.

The cutoff for the 5 gallon exemption should be revised.

DISTRICT RESPONSE

The District agrees. Basically, the VOC emissions from operating a 7.5 gallon still are not significantly greater than a 5 gallon still (0.086 lbs versus 0.0578 lbs per batch, assuming solvent density of 7 lbs/gallon). The exemption has been changed to 7.5 gallons.

WRITTEN COMMENT - [11(n)]

Section (n) identifies replacements in whole or part of any article, machine, equipment or other contrivance where a Permit to Operate had previously been granted. The definition of identical is a problem since being the same (exactly equal or alike) is not possible without being made by the same manufacturer or without being the same model number. This restrictive interpretation (if adopted) will inhibit the ability to maintain equipment since replacement parts and/or new equipment may not be available from the original equipment manufacturer (OEM) or the OEM may no longer be in business.

DISTRICT RESPONSE

This language has been added to clarify the exemption and to reflect existing practices. The District's Engineering Division must evaluate new equipment for compliance with emission standards. Equipment which may appear identical may vary from one manufacturer to the next and cannot be assumed to have the same emission or potential emission levels.

WRITTEN COMMENT - [11(p)(5)]

The primary constituent of dye penetrants (water-rinseable dyes) used in metal inspection process is a high grade of middle distillates or VM&P (Varnish Makers and Painters) Naptha, which are non-photochemically reactive. The vapor pressures of these compounds are typically very low, many times less than one mm Hg @ STP (Standard Temperature and Pressure). Rule 11 should be revised to use the vapor pressure of the dye used rather than the VOC content because vapor pressure is the true determining factor for evaporation of solvents into the atmosphere. Perhaps a cutoff point of 15-20 mm Hg vapor pressure would encompass the majority of low volatile dye penetrants. Anything above this would be subject to permitting.

DISTRICT RESPONSE

The District has determined the exemption for metal inspection tanks should be based on surface area and application method rather than using a vapor pressure limit. Even materials with low vapor pressure are sources of emissions if material is applied with a spray flow or agitated and allowed to evaporate. The use of physical size limit and application method will allow improved enforceability.

WRITTEN COMMENT

Units which process wastewater from water separators of dry cleaning equipment decrease perchloroethylene emissions. Currently, wastewater from separators is disposed of by dumping untreated water into sewers or cooling towers, or allowing it to evaporate into the atmosphere uncontrolled. Wastewater processing units pump the wastewater from dry-cleaning operations through an activated charcoal filter which removes virtually all organic solvents prior to

evaporation. Since resulting emissions are minimal, Rule 11 should be revised to exempt this type of equipment from permit requirements.

DISTRICT RESPONSE

The District has performed some preliminary calculations which indicate emissions from the equipment are extremely low. The District will incorporate this type of equipment into the existing permitted equipment descriptions and not require additional permits, provided the water being evaporated in the device does not exceed 400 ppm (by weight) of halogenated compounds.

WRITTEN COMMENT

A definition section needs to be included so terms like: "immediately", "Peptide Syntheses" or "appropriate authority" are understood.

DISTRICT RESPONSE

The existing format of Rule 11 allows the definition or clarification of terms within specific exemptions. Definitions are provided when necessary to clarify the meaning of a provision. This recommendation will be considered in future revisions to Rule 11.

WRITTEN COMMENT

The Flashover Container System was developed by the Swedish National Rescue Services as a way to safely expose firefighters to the conditions which lead to flashover. The training container uses only Class A combustibles. Five 4 by 8 sheets of 1/2 inch particle board are used per burn. This results in substantially less pollutants than an existing structure burn. Rule 11 should be revised to exempt the Flashover Container System from permit requirements.

DISTRICT RESPONSE

The District will add an exemption for this equipment.

WORKSHOP COMMENT - [General]

If a 10 ft² degreaser is replaced with the same size degreaser from another manufacturer, is a permit needed? If yes, why, since the equipment would be essentially the same?

DISTRICT RESPONSE

Yes, an Authority to Construct would be required. The new equipment, in this case a degreaser, must be evaluated to ensure it meets all the applicable standards. Degreasers may vary between manufacturers and must be specifically evaluated for compliance with Rule 67.6.

RULE 11

ADDENDUM TO WORKSHOP REPORT

ADVISORY COMMITTEE COMMENTS

A committee member inquired as to what specific records would be necessary to prove an operation or piece of equipment does not use any volatile organic compounds, and therefore, be exempt from permit requirements.

DISTRICT RESPONSE

Due to the wide variety of equipment in use throughout the County, the District would make its determination on a case-by-case basis. Generally, manufacturer's technical data or material safety data sheets would suffice, provided they contain the necessary information to adequately ensure no volatile organic compounds were present. If an exemption refers to a usage limit, the appropriate usage records should be kept on the premises and provided to the District upon request.

RSm:jo
1/16/92

11/13/91