

**AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN DIEGO**

RULE 11 -- EXEMPTIONS FROM RULE 10 PERMIT REQUIREMENTS

WORKSHOP REPORT

A workshop notice was mailed to each permit holder in San Diego County. Notices were also mailed to all Chambers of Commerce and all Economic Development Corporations, the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (CARB), and other interested parties.

The workshop was held on May 1, 1996, and was attended by 21 people. The workshop comments and District responses are as follows:

1. WORKSHOP COMMENT

Subsection (d)(16)(i) exempts equipment used for surface preparation. Has the District considered expanding this exemption to include solvent hand-wiping operations?

DISTRICT RESPONSE

Yes. The District is currently considering what type of exemption would be appropriate for solvent hand-wiping operations. It intends to resolve this issue prior to the next round (Phase 2) of Rule 11 amendments scheduled for later this year to implement recommendations of the Sunset Review Commission. In the interim, the District policy is not to require permits for these operations.

2. WORKSHOP COMMENT

Is there an exemption for adhesive operations that use very small quantities of low VOC adhesives?

DISTRICT RESPONSE

The exemptions provided in Subsections (d)(15)(iii) and (d)(15)(ix) apply to liquid surface coating operations that use small annual quantities of coatings and small daily quantities of low VOC coatings respectively. While these exemptions do not specifically state that they are applicable to adhesive operations, the District would allow such adhesive operations to be exempted pursuant to these Subsections. The District will clarify that these exemptions are also applicable to adhesive operations in Phase 2 of the Rule 11 amendments.

3. WORKSHOP COMMENT

Would the proposed exemption specified in Subsection (d)(2)(xv) apply to dynamometers that are used to test engines removed from tactical support equipment, such as a mobile power plant? The dynamometers themselves are portable, and may be deployed to provide combat support.

DISTRICT RESPONSE

No. The new exemption as proposed only applies to portable internal combustion or gas turbine engines that are used exclusively in conjunction with military tactical support equipment. The exemption does not apply to other portable types of military tactical support equipment such as an engine test stand. A portable engine that is tested in the dynamometer would not require a permit to operate, but the dynamometer itself, similar to other engine test cells, would be subject to permit requirements. The District will consider any additional information regarding this equipment when it proposes further changes to Rule 11 later this year.

PROPOSED ADMENDMENTS TO RULE 11

RULE 11. EXEMPTION FROM RULE 10 PERMIT REQUIREMENTS

1. Section (c) is amended to revise Subsections (c)(4), (c)(9) and (c)(10) to reference the same definitions as in Rule 2, add new Subsection (c)(6) and to renumber existing Subsections (c)(6) through (c)(11) to (c)(7) through (c)(12).

(c) DEFINITIONS

(6) "Military Tactical Support Equipment" means any equipment owned by the U.S. Department of Defense or the National Guard and used in combat, combat support, combat service support, tactical or relief operations, or training for such operations.

2. Subsection (d)(2) is amended to add new paragraph (d)(2)(xv) as follows:

(d) EQUIPMENT, OPERATIONS OR PROCESSES NOT REQUIRING A PERMIT TO OPERATE

(2) COMBUSTION AND HEAT TRANSFER EQUIPMENT

(xv) Any portable internal combustion engine or gas turbine engine used exclusively in conjunction with military tactical support equipment. Such engines shall not be subject to the limitations of Subsections (a)(3) or (a)(4) of this rule. For the purposes of this subsection, portable means carried or moved from one location within a stationary source to another location within the same stationary source, or from one stationary source to another stationary source, in the normal course of operations. Indications of portability shall include, but are not limited to, wheels, skids, carrying handles, or a dolly, trailer or vessel. This exemption shall not apply to engines used to propel nonroad equipment or a motor vehicle of any kind, including but not limited to, a heavy duty vehicle.

3. Subsection (d)(16)(i) is amended to read as follows:

(16) SOLVENT APPLICATION EQUIPMENT AND OPERATIONS

(i) Equipment used exclusively for surface preparation and cleaning if the volatile organic compound content of the aqueous solution ~~liquid material~~ does not exceed 10% by weight.

4. Subsection (d)(19)(xix) is amended to read as follows:

(19) MISCELLANEOUS EQUIPMENT AND OPERATIONS

(xix) Equipment used for anodizing, plating, polishing, stripping or etching, if the volatile organic compound content of the aqueous solution ~~liquid material~~ does not exceed 10% by weight. This exemption does not apply to acid chemical milling, chrome plating, chromic acid anodizing, or the stripping of chromium. This exemption also does not apply to copper etching operations which use ammonium hydroxide, ammonium chloride, or solutions of nitric, hydrofluoric and/or hydrochloric acids which contain more than 17 percent acid concentration by weight.