

**Air Pollution Control Board**

Greg Cox	District 1
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Air Pollution Control Officer
R. J. Sommerville

**NOTICE OF WORKSHOP
TO DISCUSS THE PROPOSED ADOPTION OF
NEW RULE 12 - REGISTRATION OF SPECIFIED EQUIPMENT**

The San Diego County Air Pollution Control District will hold a public workshop to consider the adoption of new Rule 12 - Registration of Specified Equipment. Comments concerning this proposal may be submitted in writing before, or made at, the workshop, which is scheduled as follows:

DATE: Wednesday - January 22, 1997

TIME: 9:00 a.m. to 12:00 p.m.

PLACE: County Operation Center
Farm Advisor Conference Room
5555 Overland Ave., Bldg. 4
San Diego, CA

The California Health and Safety Code requires the District to implement measures that improve and simplify the air pollution permitting process (permit streamlining). In the past two years, the District has worked closely with affected businesses to make a number of changes to its permitting program which has reduced permit application processing time and costs.

The District has now identified several categories of equipment which are subject to general air pollution control requirements but have no applicable source-specific emission limits. For this equipment, the District has determined that a rigorous permit program may not be the most cost-effective way to ensure compliance with air pollution control requirements.

Therefore, the District is proposing new Rule 12 to provide businesses the option of registering specified equipment in lieu of obtaining an Authority to Construct and Permit to Operate. This rule also establishes the application procedure for obtaining a Certificate of Registration, the administrative mechanism the District will follow in issuing Certificates of Registration, and applicable fees.

Specifically, the proposed rule will:

- Describe the type of equipment eligible to obtain a Certificate of Registration in lieu of an Authority to Construct and Permit to Operate. Eligible equipment types are:
 - (1) Internal combustion emergency standby engines.
 - (2) Internal combustion engines not located at a major stationary source of nitrogen oxides (NOx) emissions, with a manufacturer's rating of less than 500 brake horsepower and for which installation commenced at its current location before April 5, 1983.
 - (3) Asphalt roofing kettles and asphalt roofing tankers.

- (4) Rock drills.
- (5) Aircraft auxiliary power units with a manufacturer's rating of 200 brake horsepower or less.
- Emphasize that registration under this rule is optional;
- Exempt equipment registered under this rule from the requirements of Rule 10 - Permits Required, and from applicable requirements of the District's New Source Review Rules. The registered equipment must comply with all other applicable requirements of the District Rules and Regulations;
- Provide definitions for terms used in the rule;
- Outline operational requirements applicable for each equipment category eligible for registration;
- Specify the documentation that must be submitted by an owner or operator of eligible equipment for obtaining a Certificate of Registration and the requirements for proper maintenance of the Certificate;
- Outline actions the District will take when an application for a Certificate of Registration is submitted;
- Describe the procedures for renewal, change of status, change of location and transfer of ownership for a Certificate of Registration for registered equipment including rental equipment;
- Specify recordkeeping requirements for each equipment category eligible for registration, including requirements for rental equipment; and
- Specify the fees for an application for registration, annual renewal of active and inactive Certificates of Registration, and the District policy for refunds.

If you would like a copy of proposed Rule 12, please call Juanita Ogata at (619) 694-8851. If you have any questions concerning the proposal, please call Natalie Zlotin at (619) 694-3312, or myself at (619) 694-3303.



RICHARD J. SMITH
Deputy Director

RJSm:NZ:jo
12/12/96

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

PROPOSED NEW RULE 12

Proposed new Rule 12 is to read as follows:

RULE 12. REGISTRATION OF SPECIFIED EQUIPMENT

(a) APPLICABILITY

(1) This rule applies to the following emission units:

(i) Internal combustion emergency standby engines.

(ii) Internal combustion engines not located at a major stationary source of nitrogen oxides (NOx) emissions, with a manufacturer's rating of less than 500 brake horsepower and for which installation commenced at its current location before April 5, 1983.

(iii) Asphalt roofing kettles and asphalt roofing tankers.

(iv) Rock drills.

(v) Aircraft auxiliary power units with a manufacturer's rating of 200 brake horsepower or less.

(2) This rule does not mandate the registration of any emission unit listed in Subsection (a)(1).

(3) Any emission unit registered under this rule shall be exempt from the requirements of Rule 10 - Permits Required, and if not located at a major stationary source of NOx emissions, shall also be exempt from the requirements of New Source Review Rules 20.1 and 20.2 or 20.4, as applicable.

(4) Registration under this rule or under District Rule 12.1 (Portable Equipment Registration), or by the California Air Resources Board pursuant to Health and Safety Code Section 41753, may be used in lieu of permitting. Any emission unit registered under this rule shall be precluded from simultaneously obtaining a Permit to Operate.

(5) Except as provided in Subsection (a)(3) compliance with this rule shall not exempt any emission unit specified in Subsection (a)(1) from meeting all other applicable requirements of these Rules and Regulations.

(b) **RESERVED**

(c) **DEFINITIONS**

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

(1) **"Aircraft Auxiliary Power Unit"** means an electric generator with piston-type internal combustion engine and used to supply electrical power to an aircraft during embarking and disembarking of crew and passengers and during loading and unloading of cargo. This unit is also referred to as a Ground Power Unit (GPU).

(2) **"Certificate of Compliance"** means a statement in a specified format which is completed by an applicant, and which contains prohibitory rules and conditions of operation applicable to the operation of a registered emission unit.

(3) **"Certificate of Registration" or "Certificate"** means a written document issued by the Air Pollution Control Officer, granting authority to operate an emission unit in lieu of a Permit to Operate.

(4) **"Emergency Situation"** means any one of the following:

(i) An unforeseen electrical power failure from the serving utility or on site electrical transmission equipment.

(ii) An unforeseen flood or fire, or a life-threatening situation.

(iii) Operation of emergency generators for Federal Aviation Administration licensed airports for the purpose of providing power in anticipation of a power failure due to severe storm activity.

An emergency situation shall not include operation for purposes of supplying power for distribution to an electrical grid, operation for training purposes, or other foreseeable events.

(5) **"Emergency Standby Engine"** means an engine used exclusively in emergency situations to drive an electrical generator, an air compressor or a water pump.

(6) **"Emission Unit"** means the same as defined in Rule 2.

(7) **"Major Stationary Source"** means the same as defined in Rule 2.

(8) **"Portable Emission Unit"** means any article, machine, equipment or other contrivance that is routinely moved from one stationary source to another in order to perform its function. A portable emission unit may not be located more than 180 days at any one stationary source within any consecutive 12-month period. Days when the portable emission unit is stored in a designated holding or storage area shall not be counted towards the 180-day limit, provided the unit was not operated on that calendar day except for maintenance and was in the designated holding area the entire calendar day.

(9) **"Registered Emission Unit"** means an emission unit that has a valid Certificate of Registration .

(10) **"Registration"** means the process of obtaining a Certificate of Registration for an emission unit. Registration is the same as "permitting" as used in Division 26 of the California Health and Safety Code, Part 3, Chapter 8 and Part 4, Chapter 4, Articles 2 and 4, respectively entitled Hearing Board, Variances, and Orders of Abatement. The Air Pollution Control Officer and the Hearing Board shall have the same authority concerning registration as with permits, and the owner or operator of registered equipment shall be entitled to the same privileges and rights granted to a permittee.

(11) **"Rental Emission Unit"** means an emission unit temporarily rented or leased to operators other than the owner(s) of the unit.

(12) **"Stationary Source" or "Source"** means the same as defined in Rule 2.

(d) **REQUIREMENTS**

Emission units registered under this rule shall comply with these Rules and Regulations and the following requirements, as applicable:

(1) An internal combustion emergency standby engine shall be operated only during emergency situations and for not more than 52 hours per calendar year for maintenance purposes. Testing operations of more than 52 hours but not more than 100 hours per calendar year may be allowed, where the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that such additional operation is needed for maintenance or for demonstration of operational readiness.

(2) An internal combustion engine specified in Subsection (a)(1)(ii) of this rule shall not emit more than 100 lbs per day of any one of the following criteria air pollutants:

Nitrogen Oxides, Particulate Matter (PM₁₀), Volatile Organic Compounds, Sulfur Oxides, Carbon Monoxide, or Lead.

(3) An asphalt roofing kettle or asphalt tanker shall have an identification tag or serial number stamped, welded or engraved on the tongue of the tar pot; shall not be operated above 525 °F (274 °C) and shall be equipped with a functional temperature gauge, temperature control thermostat, and a cover which shall be closed at all times when operating except for loading asphalt.

(4) A rock drill shall not be operated without water injection at all times when operating.

(5) An aircraft auxiliary power unit engine shall be equipped with turbocharging, aftercooling and 4° ignition timing retard.

(e) REGISTRATION OF EMISSION UNITS

(1) Application for Certificate of Registration

To apply for a Certificate of Registration, an owner or operator shall submit to the District, a completed Permit/Registration application form, a Certificate of Compliance, and any additional information determined by the Air Pollution Control Officer as necessary to demonstrate eligibility for registration. The applicable fee specified in Subsection (h)(1) of this rule shall also be paid. No application for registration shall be considered received unless accompanied by a Certificate of Compliance and the appropriate fee. A separate application is required for each emission unit.

(2) Action on Applications

(i) The Air Pollution Control Officer shall inform the applicant in writing, within 30 days of receipt of an application for registration, if the application is complete or incomplete. If incomplete, the written notice shall specify the additional information necessary to complete the application. When the additional information is received and the application is determined complete, the applicant shall be so notified.

(ii) An application for registration shall be denied if additional information necessary to complete the application is not furnished within 90 days of such request, or if the Air Pollution Control Officer finds that the emission unit will not comply with the applicable requirements of Section (d) of this rule, or other applicable District Rules and Regulations.

(iii) An application for registration shall be withdrawn if the applicant requests such action in writing to the Air Pollution Control Officer. An application that is withdrawn by the applicant shall subsequently be canceled.

(iv) An application for registration shall be canceled if the Air Pollution Control Officer determines that the emission unit is not eligible to be registered under this rule.

(v) The Air Pollution Control Officer shall issue a Certificate within a maximum of 90 days after an application for registration is deemed complete if the emission unit meets all applicable requirements of Section (d) of this rule.

(vi) Notice of any action taken shall be deemed to have been given when written notification has been delivered to the applicant or the applicant's representative.

(3) Conditions on Certificate of Registration

The Air Pollution Control Officer may issue a Certificate subject to temporary or permanent conditions which ensure compliance with these Rules and Regulations and applicable state laws and regulations. Operating a registered emission unit constitutes acceptance of all conditions specified on the Certificate.

(4) Maintenance of Certificate of Registration

An owner or operator whose emission unit has been issued a Certificate shall:

- (i) comply with all conditions listed on the Certificate;
- (ii) renew the Certificate annually pursuant to Subsection (f)(1) of this rule;
- (iii) maintain records, as applicable, in accordance with the requirements of Section (g) of this rule;
- (iv) display the current Certificate or a copy of the current Certificate in a clearly visible and accessible place within 25 feet of the emission unit. If the unit is so constructed or operated that the Certificate cannot be so placed, it shall be kept on the premises and be made readily available to the District at all times; and

(v) not willfully deface, alter, forge, counterfeit or falsify any Certificate issued under this rule.

(f) ADMINISTRATION OF CERTIFICATE OF REGISTRATION

(1) Renewal of Certificate of Registration

(i) Current Certificate of Registration.

Any person who holds a valid Certificate and who desires to maintain the Certificate after the expiration date shall, prior to the expiration date, pay the applicable renewal fee specified in Subsection (h)(1) of this rule. Any Certificate not renewed within six months of the expiration date cannot be renewed and will be retired.

(ii) Expired Certificate of Registration

An expired Certificate may be reinstated within the first six months following the expiration date by paying the applicable renewal fee specified in Subsection (h)(1) and appropriate late fees pursuant to Subsection (h)(2) of this rule.

(2) Change of Status for Certificate of Registration

(i) Conversion to Inactive Status

Any person who holds a valid Certificate and chooses not to operate the emission unit, may apply to the Air Pollution Control Officer for a revised Certificate indicating the unit is to be registered in an inactive status. The application shall be accompanied by the administrative fee and the appropriate renewal fee specified in Subsection (h)(1) of this rule. Operation of an emission unit registered in an inactive status shall constitute a violation of Subsection (e)(4)(i) of this rule and a new Certificate or Permit to Operate shall be required before operation of the unit is allowed. Any portable emission unit registered in an inactive status shall be stored at a fixed address provided to the Air Pollution Control Officer. All Certificates for emission units in inactive status shall be renewed annually.

(ii) Removal of Inactive Status

Any person who holds a valid Certificate for an emission unit in an inactive status and chooses to operate the unit shall first apply for and obtain a revised Certificate indicating the unit is now in an active status. The application shall be accompanied by the administrative fee specified in Subsection (h)(1) of this rule and the appropriate renewal fee, if applicable.

(3) Change of Location

Any person who holds a valid Certificate and who desires to change the location of the registered emission unit shall first apply for and obtain a revised Certificate from the Air Pollution Control Officer. The application shall be accompanied by the administrative fee specified in Subsection (h)(1) of this rule. This provision shall not apply to any change of location within a stationary source or any change of location for a portable emission unit.

(4) Transfer of Ownership

The ownership of a valid Certificate may be transferred by applying for and obtaining a revised Certificate from the Air Pollution Control Officer. The application shall include a completed Permit/Registration application form and a Certificate of Compliance. Such application shall be deemed a temporary Certificate if accompanied by the administrative fee specified in Subsection (h)(1) of this rule. The temporary Certificate shall be subject to all the terms and conditions of the current Certificate and shall expire upon receipt of a revised Certificate. An application for transfer of ownership shall not be deemed a temporary Certificate if the emission unit is in an inactive status. A new application shall be required if the emission unit has been modified or moved, except for portable emission units.

(g) RECORDKEEPING

(1) The owner or operator of a registered emission unit shall maintain the applicable records listed below. The records shall be retained on site for at least two years and made available to the District upon request. The records shall include the following information:

(i) For Internal Combustion Emergency Standby Engines:

(A) an operating log containing the dates of engine operation, hours operated per day, and total hours operated per calendar month. Each entry must specify if operation was for maintenance, testing or emergency purposes and the nature of the emergency if applicable; and

(B) the type and source of fuel consumed by each engine.

(ii) For Internal Combustion Engines specified in Subsection (a)(1)(ii):

(A) the hours of engine operation per calendar month; and

(B) the type and source of fuel consumed by each engine.

(iii) For Aircraft Auxiliary Power Units:

(A) the hours of unit operation per calendar month; and

(B) the type and source of fuel consumed by each unit.

(2) An owner or operator of any emission unit specified in Subsection (a)(1) which is operated as a rental emission unit shall maintain the following records, as applicable:

(i) The owner of a rental emission unit shall provide the operator with a copy of the Certificate and the recordkeeping requirements specified in Subsection (g)(1) as part of the emission unit rental agreement. The owner shall maintain written acknowledgment by the operator of receiving the above information.

(ii) During the duration of a rental agreement or contract, the operator of a rental emission unit shall be responsible for compliance with the recordkeeping requirements of this rule and the terms and conditions on the Certificate applicable to operation of the unit. The operator shall furnish the records specified in Subsection (g)(1), to the owner of the rental emission unit upon return of the unit.

(h) **FEES**

(1) Every person who applies for a Certificate of Registration, renews a Certificate of Registration, or is subject to an administrative fee pursuant to Section (f) of this rule shall pay the applicable fee specified in the following table:

Application for registration	\$362
Annual renewal (active certificate)	
Internal combustion engines or aircraft auxiliary power units	\$165
Rock drills, asphalt roofing kettles and asphalt roofing tankers	\$ 53
Annual renewal (inactive certificate)	\$ 31
Administrative fee	\$ 31

(2) **Renewal of Expired Certificate of Registration**

(i) A Certificate may be renewed within the first calendar month after the expiration date by paying the applicable annual renewal fee specified in Subsection (h)(1) of this rule.

(ii) A Certificate may be renewed after the first calendar month beyond the expiration date by paying the applicable annual renewal fee specified in Subsection (h)(1) of this rule, plus the following late fees:

(A) 30 percent of the annual renewal fee, and

(B) 10 percent of the annual renewal fee for each additional calendar month, or portion thereof, beginning with the calendar month following the Certificate expiration date, until the date the renewal fee is received by the District.

(3) Fee for Duplicate Certificate of Registration

A fee of \$11 shall be charged for a duplicate Certificate.

(4) Refunds

(i) If an applicant withdraws an application for registration before an evaluation has been started or within seven calendar days from the date of receipt, whichever comes first, a full refund less a \$42 processing and handling fee, shall be made available to the applicant.

(ii) If an application for registration is denied or canceled, or if the applicant withdraws the application after an evaluation has been started or after seven calendar days from the date of receipt, only the annual renewal fee portion shall be refunded.

(iii) If an applicant has not applied for a refund within six months after notification has been made of eligibility for a refund, all rights to such refund shall be forfeited.