

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

RULE 12 - REGISTRATION OF SPECIFIED EQUIPMENT

WORKSHOP REPORT

A workshop notice was mailed to all District permit holders which may be affected by the proposed new Rule 12. Notices were also mailed to all Chambers of Commerce and all Economic Development Corporations 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 January 22, 1997, and was attended by 44 people. Written comments were also received. The workshop comments and the District responses are as follows:

1. WORKSHOP COMMENT

The term "major stationary source of nitrogen oxide (NOx) emissions" was not used in the previous draft of this rule. Why was it added to this draft?

DISTRICT RESPONSE

The previous draft referred to in this comment was proposed District Rule 12.1 (Portable Equipment Registration) which was presented at a workshop on January 16, 1996. It will implement a state-wide portable equipment registration program developed by the California Air Pollution Control Officers Association (CAPCOA). Proposed new Rule 12 applies to the registration of equipment specified in Subsection (a)(1) and applies only within San Diego County.

2. WORKSHOP COMMENT

Will currently permitted equipment be eligible for registration?

DISTRICT RESPONSE

Yes, if the equipment is eligible under Subsection (a)(1) of proposed new Rule 12 and meets the applicable requirements of Section (d) of the rule.

3. WORKSHOP COMMENT

Is the application for registration fee specified in Subsection (h)(1) of this rule a one-time fee or an annual fee?

DISTRICT RESPONSE

The application for registration fee is a one-time fee for each emission unit. It includes the renewal fee for the first year of the unit's operation. Only a renewal fee will be required annually.

4. WORKSHOP COMMENT

What is the definition of major stationary source of NO_x emissions?

DISTRICT RESPONSE

Major stationary source of NO_x emissions is defined as a stationary source which has or will have, after issuance of a permit, an aggregate potential to emit 50 tons per year or more of oxides of nitrogen (NO_x).

5. WORKSHOP COMMENT

Does the proposed application registration fee specified in Subsection (h)(1) apply to an entire site or to each emission unit?

DISTRICT RESPONSE

The application registration fee applies to each emission unit.

6. WORKSHOP COMMENT

Does the administrative fee specified in Subsection (h)(1) apply to annual renewal of Certificates of Registration?

DISTRICT RESPONSE

No. The administrative fee does not apply to the annual renewal fee or the application registration fee. The administrative fee applies only to specific administrative activities listed in Subsections (f)(2) through (f)(5) of the proposed rule. These include change of location, transfer of ownership or change of status from active to inactive.

7. WORKSHOP COMMENT

What is the difference between a Permit to Operate and a Certificate of Registration?

DISTRICT RESPONSE

The customary authorization issued by the District for equipment emitting air contaminants is an Authority to Construct followed by Permit to Operate. Proposed new Rule 12 provides an option of registering specified equipment in the District in lieu of an Authority to Construct or Permit to Operate. A Certificate of Registration may be issued for specific types of equipment which require District authorization to operate but do not represent significant sources of emissions and are subject only to general emission standards.

Under the permit program, the District conducts an evaluation of a permit application to determine compliance with applicable District Rules, including the District's New Source Review (NSR) rules. Under the registration program, the equipment owner or operator certifies compliance and the NSR rules do not apply. It is a streamlined form of permitting.

8. WORKSHOP COMMENT

What is the current status of pre-registered equipment and how would Rule 12 apply to pre-registered equipment?

DISTRICT RESPONSE

The pre-registration program was established for certain equipment pending the development of the District's registration program. Proposed Rule 12 is part of this program. Once this rule is adopted, the District will notify all owners of pre-registered equipment that they need to submit applications for registration of eligible equipment. The notice will indicate when applications for the registration of pre-registered equipment have to be submitted.

9. WORKSHOP COMMENT

Do Certificates of Registration need to be placed in visible locations like Permits to Operate and will the Certificates list generic conditions of operation for the registered equipment?

DISTRICT RESPONSE

Yes, Certificates of Registration are required to be displayed in visible locations. The Certificate of Registration will identify the specific emission unit registered and include the conditions of operation that will be generic for that type of equipment.

10. WORKSHOP COMMENT

Subsection (a)(1)(ii) states that stationary internal combustion engines located at non-major stationary sources of NOx emissions, with a manufacturer's rating of less than 500 brake horse power (BHP) which are installed prior to April 5, 1983, are eligible for registration. Does the manufacturer's rating of less than 500 BHP apply for a single emission unit or for all units at the facility location?

DISTRICT RESPONSE

The manufacturer's rating of less than 500 BHP applies for each emission unit (engine) that is eligible for registration.

11. WORKSHOP COMMENT

Rule 11 exempts all internal combustion engines with manufacturer's rating of less than 50 BHP from permit requirements. Does this exemption apply to proposed Rule 12?

DISTRICT RESPONSE

Proposed Rule 12 does not include exemptions because it is an optional rule. Engines with a manufacturer's rating of less than 50 BHP are exempt from the District's permit requirements and are not required to be registered.

12. WORKSHOP COMMENT

As specified in Subsection (a)(1)(v), aircraft auxiliary power units with a manufacturer's rating of 200 BHP or less are eligible for registration. It is suggested that aircraft air start units be added to the list of equipment eligible for registration. The only difference between these two types of equipment is that aircraft auxiliary power units supply electrical power while aircraft air start units supply pneumatic power. Furthermore, aircraft air start units are operated for much shorter duration than aircraft auxiliary power units. Alternatively, can these units be considered emergency equipment?

DISTRICT RESPONSE

The proposed rule has been revised to include aircraft air start units as equipment eligible for registration. Neither aircraft auxiliary power units nor aircraft air start units qualify as emergency equipment since they are not used exclusively in emergency situations.

13. WORKSHOP COMMENT

If permitted equipment requiring source testing obtains a Certificate of Registration, will the equipment be exempt from source testing?

DISTRICT RESPONSE

No. No changes in source testing requirements are associated with the proposed rule. The District anticipates that the enforcement mechanism for this rule will primarily be through field inspection and verifying fuel composition and operator records. However, if permitted equipment currently requires source testing, the need to maintain source testing requirements will be evaluated on a case-by-case basis.

14. WORKSHOP COMMENT

Subsections (g)(1)(ii)(B) and (g)(1)(iii)(B) require that records indicating the type and source of fuel should be kept. What information is needed to comply with this requirement?

DISTRICT RESPONSE

Manufacturer specification data for the fuel which identifies the type of fuel and sulfur content, if any, is sufficient.

15. WORKSHOP COMMENT

Does the full application for registration fee specified in Subsection (h)(1) apply when the subject equipment currently has a Permit to Operate? If so, can the District provide some fee reduction for this equipment?

DISTRICT RESPONSE

District policy is to recover all costs associated with a particular activity. However, the District agrees with the suggestion that previously permitted equipment should be registered under a

reduced fee. Accordingly, the proposed rule has been revised to reflect a reduced application for registration fee for permitted equipment.

16. WORKSHOP COMMENT

Does the proposed rule place any size limitation on internal combustion emergency standby engines?

DISTRICT RESPONSE

No. All internal combustion emergency standby engines are eligible for registration. The applicable conditions are listed in Subsection (d)(1) of the proposed rule.

17. WORKSHOP COMMENT

Will the conditions of operation on a Certificate of Registration be limited to those required by this rule or will these conditions also reflect other applicable District rules?

DISTRICT RESPONSE

The conditions of operation on a Certificate of Registration will reflect all applicable District rules along with specific conditions identified in Section (d) for that type of equipment. However, the District anticipates that conditions of operation on the Certificates will be generic.

18. WORKSHOP COMMENT

Who makes the final decision on this rule?

DISTRICT RESPONSE

The San Diego County Air Pollution Control Board (District Board) will hold a public hearing to consider adoption of this rule.

19. WORKSHOP COMMENT

To whom are any additional questions that may occur after this workshop to be directed?

DISTRICT RESPONSE

All additional questions or recommendations on the proposed rule may be directed to the District's Compliance or Engineering staff. The District will evaluate every recommendation and provide answers to all questions in the workshop report.

20. WORKSHOP COMMENT

Subsection (d)(5) requires that aircraft auxiliary power units be equipped with turbocharging and aftercooling, and 4 degree ignition timing retard as a condition for registration. However, some

aircraft auxiliary power units cannot meet the requirement for turbocharging and aftercooling. Can aircraft auxiliary power units that do not have these controls still be registered?

DISTRICT RESPONSE

Yes. The requirement for turbocharging and aftercooling has been deleted from the rule standards for aircraft auxiliary power units because they normally operate only for a short period of time and do not represent a significant source of NOx emissions. However, the operating time for aircraft auxiliary power units has been limited to 750 hours in any one calendar year as a condition for registration in order to ensure that emissions from these units are not significant.

21. WORKSHOP COMMENT

How were the fees for this program established and how many hours of engineering time was used for fee calculations?

DISTRICT RESPONSE

The fees in this program are based on the average amount of time it takes to evaluate and/or inspect a specific type of equipment and the hourly rate for District personnel. The hourly rate is adjusted using indirect cost multipliers to account for travel time, administrative costs and other overhead. For example, the registration application fee for a new internal combustion emergency standby engine is based on the following:

	Time (Hours)	Rate (\$)	Multiplier	Adjusted Rate (\$)	Fee Contribution
Senior Engineer	0.2	59.0	2.10	123.90	\$24.78
Assistant Engineer	2.0	46.0	2.10	96.60	\$192.30
Annual Renewal Fee					\$91.00
Total					\$308.00

Compliance verification will alternate between actual field inspection for the first year and a compliance audit for subsequent years. The associated costs and resulting annual renewal fee are:

First Year Compliance Inspection (includes inspector time, travel time and administrative overhead.)	\$107.00
Second Year Compliance Audit (Estimated at 1 hour of inspector time.)	\$75.68
Renewal Fee (Average Cost Per Year) = $(\$107 + \$75.68) / 2$	\$91.00

Annual renewal and application fees were averaged for all eligible engine types. The average application fee was estimated to be \$322.00, and the average renewal fee was \$104.00.

22. WORKSHOP COMMENT

Subsection (e)(v) states that a Certificate of Registration shall be issued within a maximum of 90 days for complying equipment. Can the time for issuing a Certificate of Registration be reduced?

DISTRICT RESPONSE

Yes. In general, the District expects to issue Certificates of Registration in less than 90 days since the evaluation process for equipment eligible for registration will not involve detailed engineering review. Guidance will be provided to District staff to ensure that registration certificates will be issued in typically 30 to 60 days. In only a few exceptional cases should issuance take up to 90 days.

23. WORKSHOP COMMENT

Will notices for annual renewal be sent to equipment owners?

DISTRICT RESPONSE

Yes. Renewal notices will be sent to all registered equipment owners.

24. WORKSHOP COMMENT

Would the use of an emergency standby engine for a foreseen disruption of electrical power that is due to scheduled maintenance comply with the requirement of Subsection (d)(1) if the total annual usage of the engine for non-emergency purposes does not exceed 52 hours ?

DISTRICT RESPONSE

The proposed rule allows emergency standby engines to operate in non-emergency situations up to 52 hours only for maintenance purposes (or up to 100 hours for testing purposes with the approval of the Air Pollution Control Officer). In response to this comment, the rule has been revised to provide for the operation of a registered emergency standby engine, for non-emergency purposes, for up to 52 hours in any calendar year, including the time used for maintenance purposes.

25. WORKSHOP COMMENT

When does the District expect proposed Rule 12 to be adopted?

DISTRICT RESPONSE

Most likely, the rule will be submitted for adoption to the District Board in May, 1997.

26. WORKSHOP COMMENT

Will Rule 12.1 (Portable Equipment Registration) be adopted at the same time?

DISTRICT RESPONSE

The District plans to present Rules 12 and 12.1 to the District Board at the same time in May, 1997.

27. WORKSHOP COMMENT

Will fees associated with the registration program be less than the fees associated with the regular permit program?

DISTRICT RESPONSE

Yes. Depending on the type of equipment, fees are reduced for initial registration and annual renewal compared to permit fees for similar equipment.

28. WORKSHOP COMMENT

The proposed amendment of Rule 40 may lead to increased fees. Will fees in Rule 12 change as a result?

DISTRICT RESPONSE

The District's labor rates proposed in the current draft of Rule 40 were used to determine fees in proposed Rule 12. The Rule 12 registration fees may change, depending on the outcome of Rule 40 revisions.

29. WRITTEN COMMENT

Subsection (a)(1)(ii) states that internal combustion engines rated less than 500 BHP, installed before April 5, 1983, are eligible for registration unless located at a major stationary source of NOx emissions. No other category of eligible equipment is exempted from registration on the basis of being located at a major stationary source of NOx emissions. It would be consistent to delete the major source limitation for this equipment category.

DISTRICT RESPONSE

The District disagrees. Engines that are located at non-major stationary sources of NOx emissions are eligible for registration because they are not subject to any source-specific emission standards. Internal combustion engines with manufacturer's rating of over 50 BHP located at major stationary sources of NOx emission are subject to Rule 69.4, are required to obtain Permits to Operate, and are therefore not eligible for registration. In the future, Rule 69.4 will likely be revised to require NOx emission controls for engines located at both major and non-major NOx sources. This will implement the Best Available Retrofit Control Technology (BARCT) requirements of the California Clean Air Act. Registered internal combustion engines that will become subject to these future Rule 69.4 standards will be required to obtain District Permits to Operate.

30. WRITTEN COMMENT

The definition of "emergency situation" in Subsection (c)(4) states that an emergency situation shall not include operation for purposes of supplying power for distribution to an electrical grid. The intent of this language may be to ensure that commercial & industrial standby emergency generators are not used as supplemental generators for purposes of supplying power for distribution to a grid during peak hours. It may also be appropriate, however, to consider operation of equipment belonging to a serving utility for purposes of supplying power for

distribution to an electrical grid during system frequency disturbances, pending brown-outs, blacks-outs, total system collapse, or similar pending disaster, to be emergency situations.

DISTRICT RESPONSE

The District disagrees. Emergency generators of the size that may be used to supply electric power to an electrical grid will be subject to Rule 69.4 if they are located at a major stationary source of NOx emissions and will therefore require a Permit to Operate. These engines at either major or non-major stationary sources will also be subject to New Source Review provisions of the District's Rules and Regulations.

31. WRITTEN COMMENT

Subsection (e)(4)(ii) requires annual renewal of the Certificate of Registration. It would further cut costs and streamline the process if renewal of the Certificate occurred at least once every two or more years. By way of comparison, Title V air permits are issued for a term of five years. It is recommended that the language in this section be changed to require bi-annual renewal of the Certificate of Registration.

DISTRICT RESPONSE

The District disagrees. The proposed frequency of renewal of Certificates of Registration is consistent with the frequency of renewal of District permits. To go to a frequency other than annual would require a substantial change to the District's renewal programs. Even under Title V, the underlying equipment specific permits are renewed annually. The annual registration renewal fees reflect and recover the District's anticipated average annual costs.

32. WRITTEN COMMENT

Subsection (f)(2)(i) requires a new Certificate or Permit to Operate for registered equipment operated in inactive status. Can this requirement be satisfied by reactivating the current inactive Certificate?

DISTRICT RESPONSE

Yes. Subsection (f)(2)(i) has been revised to allow for the reactivation of the inactive Certificate of Registration.

33. WRITTEN COMMENT

It is unclear why Section (h) - Fees, is included in this rule rather than in Rule 40 (Permit Fees). It may be appropriate to transfer Section (h) to Rule 40.

DISTRICT RESPONSE

Rule 12 and Rule 40 were on different schedules for adoption/amendment and it was uncertain that the fees in Rule 12 could be included in Rule 40. The District's intent is that the registration program be self-contained. However, the District will consider moving the fees to Rule 40 in the future.

34. WRITTEN COMMENT

Can small gas turbine engines under 0.3 megawatt (MW) burning liquid fuel, not specifically JP-5 fuel, also referred to as Jet-A or NATO F-76, be exempted from the registration program? Gas turbines are usually not fueled with diesel fuel because it causes increased engine wear and earlier failure. Alternatively, can the proposed rule exempt turbines using liquid fuels with sulfur content less than 0.05 weight % of sulfur?

DISTRICT RESPONSE

Equipment registration is an optional program, and therefore does not contain any exemptions. However, proposed amendments to Rule 11 (Exemptions from Rule 10 Permit Requirements) will be presented shortly for public workshop and will include an additional exemption for gas turbines that have an output of less than 0.3 MW, regardless of the type of fuel used.

35. WRITTEN COMMENT

Can aircraft auxiliary power units with engines over 200 BHP be considered for registration?

DISTRICT RESPONSE

Emissions from aircraft auxiliary power unit engines over 200 BHP can be significant and NSR may apply. These engines are excluded from registration and required to obtain District permits. Emissions from aircraft auxiliary power unit engines rated at 200 BHP or less, limited to 750 hours of operation per year, and aircraft air start units with manufacturer's rating of 500 BHP or less, limited to 100 hours of operation per year, are not expected to be significant and therefore are eligible for registration.

36. WRITTEN COMMENT

Subsection (g)(1)(i) requires records to be kept indicating if operation of an internal combustion emergency standby engine was for maintenance, testing or emergency purposes and the nature of the emergency, if applicable. The nature of the emergency cannot always be identified, for example, a case when a power sag occurs in the transmission. The requirement to record the nature of the emergency places an unreasonable burden upon the source and should be removed from the rule.

DISTRICT RESPONSE

The District disagrees. Records indicating the nature of an emergency are required to verify whether a standby engine was used in a situation that meets the District's definition of an emergency situation. If the nature of the emergency cannot be determined because a standby generator is in a remote location and is activated automatically, it should be so stated in the records.

37. WRITTEN COMMENT

The word "Stationary" should be inserted at the beginning of Subsections (a)(1)(i) and (a)(1)(ii) to clarify that the only engines covered in the rule are stationary engines.

DISTRICT RESPONSE

Subsection (a)(1)(ii) has been revised as suggested. However, Subsection (a)(1)(i) refers to internal combustion emergency standby engines which may include portable engines. The insertion of "Stationary" would not be appropriate for Subsection (a)(1)(i). It should be noted that portable internal combustion emergency standby engines may be registered under proposed Rule 12 if only operated for emergency and limited non-emergency (maintenance, testing, etc.) purposes, or under the recently proposed ARB statewide AB 531 registration program.

38. WRITTEN COMMENT

A definition of "Stationary Engine" should be added to Section (c).

DISTRICT RESPONSE

The District agrees. A definition for stationary internal combustion engine, consistent with the definition in District New Source Review rules, has been added to Section (c).

39. WRITTEN COMMENT

The definition of "Portable Emission Unit" should be dropped if the rule will not apply to any portable emission units.

DISTRICT RESPONSE

This definition cannot be deleted because the term "Portable Emission Unit" is used in Subsections (f) (2)(i) and (f)(3) of the proposed rule.

40. WRITTEN COMMENT

If the definition for portable emission unit is retained, the 180-day period must be changed to one year for engines so as to be consistent with the FCAA.

DISTRICT RESPONSE

The District agrees. The definition for portable emission unit has been revised to include the suggested change.

41. ARB COMMENT

The definition of an emergency standby engine states that such engine must be used exclusively in emergency situations. If literally interpreted, no engine can meet this definition since all engines must be periodically operated during non-emergencies for readiness testing and maintenance operations. This discrepancy can be eliminated by incorporating the requirements found in Subsection (d)(1) into the definition.

DISTRICT RESPONSE

The District agrees. The definition of emergency standby engines has been revised to provide for the operation of a registered engine for 52 hours in any calendar year for non-emergency purposes such as maintenance and/or testing.

42. ARB COMMENT

In Subsection (d)(2), internal combustion engines are limited to emissions of no more than 100 pounds per day of criteria pollutants including lead. The 100 pounds per day limit for lead is inappropriate because it is a toxic compound with no identified threshold. For comparison, the District's New Source Review emission limit for lead is 3.2 pounds per day in case of an emission unit modification. It is likely that all sources in the registration program will have minimal lead emissions. However, the value of 100 pounds per day lead limit should be revised to avoid confusion, and to protect air quality if sources exist that could take advantage of this high limit.

DISTRICT RESPONSE

The District agrees. Subsection (d)(2) has revised to decrease the limit for lead emissions to 3 pounds per day.

**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) Stationary 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 day tankers.

(iv) Rock drills. This does not include any associated power units.

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

(vi) Aircraft air start units with a manufacturer's rating of 500 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 a 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) **"Aircraft Air Start Unit"** means a compressor with a piston-type internal combustion engine used to supply pneumatic power to an aircraft during startup of the aircraft.

(2)(3) **"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)(4) **"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)(5) **"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)(6) **"Emergency Standby Engine"** means an engine used exclusively in emergency situations to drive an electrical generator, an air compressor or a water pump, except for operations up to 52 hours per calendar year for non-emergency purposes.

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

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

(8)(9) **"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 for not more than 180 days 12 consecutive months at any one stationary source within any consecutive 12-month period. Days ~~The period when the portable emission unit is stored in a designated holding or storage area shall not be counted towards the 180-day 12 consecutive month limit, provided the unit was not operated on that calendar day during the period except for maintenance and was in the designated holding area the entire calendar day time.~~ an emission unit that is designed to be and capable of being carried or moved from one location to another. Indicia of portability include, but are not limited to, wheels, skids,

carrying handles, dolly, trailer or platform. For the purposes of this rule, dredge engines on a boat are considered portable. An emission unit is not portable if any of the following apply:

(i) The unit, or its replacement, is attached to a foundation or, if not so attached, will reside at the same location for more than 12-consecutive months. Any portable emission unit such as a backup or standby unit that replaces a portable emission unit at a location and is intended to perform the same function as the unit being replaced will be included in calculating the consecutive time period. In that case, the cumulative time of all units, including the time between the removal of the original unit(s) and installation of the replacement unit(s), will be counted toward the consecutive time period; or

(ii) The emission unit remains or will reside at a location for less than 12-consecutive months if the unit is located at a seasonal source and operates during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and operates at that single location at least three months each year, or

(iii) The emission unit is moved from one location to another in an attempt to circumvent the portable emission unit residence time requirements.

Days when portable emission units are stored in a designated holding or storage area shall not be counted towards the above time limits, provided the emission unit was not operated on that calendar day except for maintenance and was in the designated holding or storage area the entire calendar day.

Emission units which exceed the above time limits will be considered as relocated equipment.

~~(9)~~(10) **"Registered Emission Unit"** means an emission unit that has a valid Certificate of Registration.

~~(10)~~(11) **"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)~~(12) "Rental Emission Unit" means an emission unit temporarily rented or leased to operators other than the owner(s) of the unit.

~~(12)~~(13) "Stationary Source" or "Source" means the same as defined in Rule 2.

(14) "Stationary Internal Combustion Engine" means a spark or compression ignited, reciprocating internal combustion engine which is not a portable emission unit.

(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~~ non-emergency 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 of the type specified in Subsection (a)(1)(ii) of this rule shall not emit more than three pounds in any day of lead nor more than 100 lbs per pounds in any day of any one of the following criteria air pollutants: nitrogen oxides, particulate matter (PM₁₀), volatile organic compounds, sulfur oxides, or carbon monoxide, ~~or Lead~~.

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

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

(5) An aircraft auxiliary power unit engine shall not be equipped with ~~turbocharging, aftercooling and 4° ignition timing retard~~ operated for more than 750 hours in any calendar year.

(6) An aircraft air start unit engine shall not be operated for more than 100 hours in any calendar year.

(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~~ canceled 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~~ the Air Pollution Control Officer determines that the emission unit is not eligible to be registered under this rule.

(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~~ denied 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.

(v) The Air Pollution Control Officer shall issue a Certificate of Registration 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.

(5) Transfer of Ownership with Change of Location

The ownership of a valid Certificate may be transferred along with a change of location by applying for and obtaining a revised Certificate from the Air Pollution Control Officer. The application shall include a completed 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. The application shall not be deemed a temporary Certificate if the emission unit is in an inactive status unless the application also includes a request for removal of inactive status pursuant to Subsection (f)(2)(ii). A

new application for Certificate of Registration shall be required if the emission unit has been modified.

(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 during each calendar month. Each entry must specify if operation was for ~~maintenance, testing non-emergency~~ 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 during each calendar month; and

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

(iii) For Aircraft Auxiliary Power Units and Aircraft Air Start Units:

(A) the hours of unit operation per during each 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) **FEEES**

(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, for each emission unit, 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

	<u>Internal combustion engines, GPU, or aircraft air start units</u>	<u>Rock drills, asphalt roofing kettles or asphalt roofing tankers</u>
<u>Application for registration (including first year renewal)</u>		
<u>Emission unit with valid Permit to Operate</u>	<u>\$274</u>	<u>\$142</u>
<u>New emission unit with no previous permit</u>	<u>\$322</u>	<u>\$166</u>
<u>Annual renewal of active Certificate of Registration</u>	<u>\$104</u>	<u>\$44</u>
<u>Annual renewal of inactive Certificate of Registration</u>	<u>\$31</u>	<u>\$ 31</u>
<u>Administrative fee for each Section (f) activity</u>	<u>\$31</u>	<u>\$ 31</u>

(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 37 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.