

RULE 12.1. PORTABLE EQUIPMENT REGISTRATION

(Adopted and Effective May 21, 1997)

(a) APPLICABILITY

An emission unit used in conjunction with the following portable emission unit source categories shall be eligible for registration under the provisions of this rule and shall be exempt from the requirements of New Source Review rules 20.1 through 20.10. Nothing in this rule shall be construed as requiring registration for a portable emission unit which otherwise is exempt from permit requirements pursuant to Rule 11. Any emission unit registered under this rule shall be precluded from simultaneously obtaining a Permit to Operate.

(1) Confined and unconfined abrasive blasting

(2) Portable concrete batch plants

(3) Spark ignition or diesel-fired piston-type internal combustion engines, except for those engines associated with marine dredges, used in conjunction with the following types of operations:

(i) Well drilling, service, or workover rigs

(ii) Power generation (excluding cogeneration)

(iii) Pumps (including hydroblasters)

(iv) Compressors

(v) Pile drivers

(vi) Welding

(vii) Cranes

(viii) Woodchippers

(4) Sand and gravel screening, rock crushing, and unheated pavement crushing and recycling operations

(b) RESERVED

(c) DEFINITIONS

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

(1) **“Administering District”** means a district that adopts the provisions contained in Sections (c), (d), (e), and (f) of this rule for one or more of the equipment categories listed in Section (a) of this rule, and in which the owner or operator of a portable emission unit files an application for registration. A district can be an administering district only for the equipment categories for which it has adopted the requirements contained in this rule.

(2) **“Area Fugitive Emissions”** means fugitive emissions of particulate matter (PM₁₀) which occur as a result of drilling, blasting, quarrying, stockpiling, front end loader operations and vehicular travel of haul roads used to move materials to, from or within any operation.

(3) **“District”** means an air pollution control district or air quality management district duly organized under the applicable provisions of the California Health and Safety Code.

(4) **“Emergency Operation”** means any operation which is necessitated as a result of an emergency declared by an authorized government official.

(5) **“Emission Unit”** means an identifiable process, operation, or piece of process equipment such as an article, machine or other contrivance, which emits or may emit or results in the emissions of any air contaminant directly or as fugitive emissions. For the purposes of this rule, each internal combustion engine constitutes a separate emission unit.

(6) **“Equivalent Replacement”** means either of the following:

(i) The replacement of or modification of an emission unit where the maximum rating of the replacement unit does not exceed that of the unit being replaced, and the replacement unit is equipped with equal or better air pollution control technology.

(ii) The replacement of or modification of an emission unit where the maximum controlled emission rate of the replacement unit is one half the potential to emit of the existing unit. Limitations on capacity or hours of operation shall not be taken into account in qualifying as an equivalent replacement.

(7) **“Exempt Compound”** means the same as defined in Rule 2.

(8) **“Existing Emission Unit”** means an emission unit that is located in the State of California at any time during calendar year 1993, and for which the owner or operator has applied for registration in accordance with the provisions of this rule no later than six months from the date of adoption of this rule in the participating district in which the emission unit is located or is to first be operated. The owner or operator shall provide sufficient documentation to prove the residency requirement to the satisfaction of the Air Pollution Control Officer. Examples of adequate documentation are existing permits issued by an air pollution control district, district emission inventory records, tax records,

and usage or maintenance records. An equivalent replacement unit, replacing an existing emission unit shall be treated as an existing emission unit.

(9) **“Location”** means, except for oil well drilling, service, or workover rigs, one or more contiguous or adjacent properties. Contiguous or adjacent properties are properties with two or more parcels of land in actual physical contact, or separated solely by a public roadway or other public right-of-way. For oil well drilling, service, or workover rigs, each well-site shall be considered as a separate location.

(10) **“New Emission Unit”** means any emission unit that does not meet the definition of an existing emission unit.

(11) **“Participating District”** means any district that, through rule making, agrees to honor and enforce registrations issued by an administering district. Districts may choose to honor registrations for one or more of the emission unit categories listed in Section (a).

(12) **“Portable Emission Unit”** means 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 or barge 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 a portable emission unit is 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.

(13) **“Volatile Organic Compound (VOC)”** means the same as defined in Rule 2.

(d) **STANDARDS**

(1) **General Prohibitory Requirements**

(i) Except for emissions from existing emission units, the total NO_x, or VOC emissions from a portable emission unit shall not exceed 100 pounds during any one day for each pollutant.

(ii) The total PM₁₀ emissions, except area fugitive emissions, from a portable emission unit, including both existing and new emission units, shall not exceed 150 pounds during any one day.

(iii) No air contaminant shall be released into the atmosphere which causes a public nuisance.

(iv) Except for emergency operations, an emission unit shall not be operated within 1,000 feet of any K-12 school unless the applicable public and student notification requirements of California Health and Safety Code Section 42301.6 have been satisfied.

(v) When operated as a registered portable emission unit, the actual emissions, except area fugitive emissions, from an emission unit, as verified by the recordkeeping prescribed by this rule, shall not exceed 10 tons per year of any air contaminant in any participating district in which such unit is operated.

(2) **Registration Process**

(i) If the owner or operator of a portable emission unit operated in conjunction with one of the source categories listed in Section (a) of this rule elects to apply for registration of said emission unit, the owner or operator shall apply for registration at the participating district in which the portable emission unit is located at the time the application for registration is filed. If the emission unit is located outside the state of California, or in a non-participating district, the owner or operator must register the emission unit at the district where the emission unit will first be operated after registration.

(ii) The applicant shall provide the administering district with the necessary engineering data, emissions test data, or manufacturer's guarantee to demonstrate compliance with the requirements as specified in Section (d) of this rule.

(iii) The administering district shall issue registration, deny registration, or deem the application incomplete according to the following schedule:

(A) within 90 days of the receipt of an application for any applications received on or before November 21, 1997; and

(B) within 30 days of the receipt of an application for any applications received after November 21, 1997.

(iv) The administering district may conduct an on-site inspection of the emission unit prior to issuing registration for the unit.

(v) No later than 10 days after issuance of a registration, the administering district shall forward to all participating districts a copy of the registration and upon request by a participating district, a copy of the application for registration.

(vi) The owner or operator of a registered emission unit may operate the unit within the boundaries of any participating district provided such unit is operated in compliance with all applicable requirements.

(vii) The owner or operator shall renew the registration with the administering district on an annual basis including the payment of all applicable fees and a demonstration or certification determining compliance with all applicable requirements.

(viii) The participating districts shall provide written reports to the administering district describing the nature and outcome of any violation of any applicable requirements by the owner or operator of the registered emission unit. The administering district shall distribute such information to all other participating districts.

(ix) The participating districts shall provide written reports to the administering district describing any hearing board action concerning the registered emission unit. The administering district shall distribute such information to all other participating districts.

(x) Equivalent replacement units must go through the entire registration process in order to obtain registration. The owner or operator of any replacement unit shall surrender the registration for the emission unit being replaced.

(xi) For the purpose of this rule, “permitting” in Division 26 of Health and Safety Code of the State of California, Part 3, Chapter 8 and Part 4, Chapter 4, Articles 2 and 4, respectively, entitled Hearing Board, Variances, and Orders of Abatement, shall be considered to have the same meaning as “registration” as provided in this rule. The Air Pollution Control Officer and the District Hearing Board shall have the same authority concerning registration as with permits, and the owner or operator of a registered emission unit shall be entitled to the same privileges and rights granted to a permittee.

(xii) The administering district shall notify all participating districts of any changes in the status of registration for an emission unit.

(3) Source Category Requirements

(i) Confined abrasive blasting operations

(A) No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one-hour which is as dark as or darker than Ringelmann 1 or equivalent 20 percent opacity.

(B) Particulate matter emissions, except area fugitive emissions, shall be controlled using a fabric or cartridge filter dust collector.

(C) As a part of an application for registration, the applicant shall provide manufacturer's specifications or engineering data to demonstrate a minimum particulate matter arrestance of 99 percent for the dust collection equipment.

(D) Except for vent filters, each fabric dust collector shall be equipped with an operational pressure differential gauge to measure the pressure drop across the filters.

(ii) Unconfined abrasive blasting operations

(A) No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one-hour which is as dark as or darker than Ringelmann 2 or equivalent 40 percent opacity.

(B) Only California Air Resources Board certified abrasive blasting material shall be used.

(C) The abrasive material shall not be reused.

(D) No air contaminant shall be released into the atmosphere which causes a public nuisance.

(E) All applicable requirements of Title 17 of the California Code of Regulations shall be met.

(iii) Concrete Batch Plants

(A) All dry material transfer points shall be ducted through a fabric or cartridge type filter dust collector, except where there are no visible emissions from a transfer point.

(B) All cement storage silos shall be equipped with fabric or cartridge type vent filters.

(C) The silo vent filters shall be maintained in proper operating condition.

(D) No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one-hour which is as dark as or darker than Ringelmann 1 or equivalent 20 percent opacity.

(E) Open areas shall be maintained adequately wet to prevent fugitive emissions in excess of 20 percent opacity or Ringelmann 1.

(F) Silo service hatches shall be dust-tight.

(G) As a part of an application for registration, the applicant shall provide manufacturer's specifications or engineering data to demonstrate a minimum particulate matter arrestance of 99 percent for the dust collection equipment.

(H) Except for vent filters, each fabric dust collector shall be equipped with an operational pressure differential gauge to measure the pressure drop across the filters.

(iv) Diesel-fired Piston-type Internal Combustion Engines

(A) For naturally aspirated engines, the engine injector timing shall be retarded by a minimum of four degrees from the manufacturer's standard timing, or the NOx emissions shall not exceed 10 grams per brake horsepower-hour.

(B) For turbocharged engines, the engine injector timing shall be retarded by a minimum of four degrees from the manufacturer's standard timing, or the NOx emissions shall not exceed 7.2 grams per brake horsepower-hour.

(C) The sulfur content of any diesel fuel used shall not exceed 0.05 percent by weight.

(D) Particulate matter emissions concentration, excluding area fugitive emissions, shall not exceed 0.10 grain per standard dry cubic feet.

(E) Except for visible emissions from pile drivers, no air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one-hour which is as dark as or darker than Ringelmann 1 or equivalent 20 percent opacity. Pile drivers shall comply with the applicable provisions of §41701.5 of the California Health and Safety Code.

(F) If the NO_x emission limits, as specified in Subsection (d)(3)(iv)(A) or (d)(3)(iv)(B) are not met, in addition to injector retard, all engines with ratings greater than 50 brake horsepower but equal to or less than 117 brake horsepower that do not qualify as existing emission units shall be equipped with turbochargers.

(G) If the NO_x emission limits, as specified in Subsections (d)(3)(iv)(A) or (d)(3)(iv)(B) are not met, in addition to injector retard, all engines with ratings greater than 117 brake horsepower that do not qualify as existing emission units shall be equipped with turbochargers and aftercoolers.

(v) Spark ignition piston-type internal combustion engines

(A) The NO_x emissions shall not exceed 1.5 grams per brake horsepower-hour.

(B) The VOC emissions shall not exceed 1.5 grams per brake horsepower-hour.

(C) The CO emissions shall not exceed 2.0 grams per brake horsepower-hour.

(D) Except for pile drivers, no air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one-hour which is as dark as or darker than Ringelmann 1 or equivalent 20 percent opacity.

(vi) Sand and gravel screening, rock crushing, and unheated pavement crushing and recycling operations

(A) No air contaminant shall be discharged into the atmosphere for a period or periods aggregating more than three minutes in any one-hour which is as dark as or darker than Ringelmann 1 or equivalent 20 percent opacity.

(B) There shall be no visible emissions beyond the property line of the property on which the equipment is being operated.

(C) All transfer points shall be ducted through a fabric or cartridge type filter dust collector or shall be equipped with a wet suppression system maintaining a minimum moisture content in the material being processed of four percent by weight for material smaller than 1/4 inch.

(D) Particulate matter emissions from each crusher shall be ducted through a fabric dust collector, or a wet suppression system shall be used which maintains a minimum moisture content in the material being processed of four percent by weight.

(E) All conveyors shall be covered, unless the material being transferred does not result in any visible particulate matter emissions.

(F) All stockpiled material shall be maintained at a minimum moisture content of four percent by weight unless the stockpiled material does not result in any visible particulate matter emissions.

(G) Any source which processes in excess of 150 tons per hour shall comply with all the applicable provisions of the Code of Federal Regulations (CFR) under 40 CFR Part 60, Subpart OOO.

(H) As a part of application for registration, the applicant shall provide manufacturer's specifications or engineering data to demonstrate a minimum particulate matter arrestance of 99 percent for all dust collection equipment.

(I) Except for vent filters, each fabric dust collector shall be equipped with an operational pressure differential gauge to measure the pressure drop across the filters.

(e) GENERAL REPORTING AND RECORDKEEPING REQUIREMENTS

(1) Notification

If an emission unit is being relocated into the District and will remain operational within the district for more than 24 hours, the operator shall notify the District within two calendar days from when the unit is first relocated into the District. The notification shall include the following information:

- (i) The general nature of the operations.
- (ii) The estimated duration of operations within the district.
- (iii) The name and phone number of a contact person with information concerning the locations where the emission unit will be operated within the district.
- (iv) The locations, if known, where the emission unit will be operated within the District during the remainder of the current calendar quarter.

A list of new notifications received by the District will be posted in the District office on a weekly basis. This list will contain any identified equipment locations and will be available for public review during normal business hours. A copy of the list will be provided to any person or interested group who has requested a copy in writing.

(2) Reporting

Within 30 days after the end of every calendar quarter, the operator of a registered portable emission unit, except for rental emission unit, shall notify the district in which

the unit was operated of the level of activities within the district during the preceding calendar quarter. The notification shall include the following information:

- (i) The location(s) at which the emission unit was operated, including the dates operated at each location.
- (ii) The type and quantity of materials processed by each emission unit, or the daily hours of operation and the hourly throughput rate for each emission unit.
- (iii) The type and quantity of fuels consumed by each emission unit, or the daily hours of operation and the horsepower or hourly Btu rating for each emission unit.
- (iv) The locations, if known, where the emission unit will be operated within the District during the current calendar quarter.

A list of quarterly reports received by the District will be posted in the District office on a weekly basis. This list will contain any identified equipment locations and will be available for public review during normal business hours. A copy of the list will be provided to any person or interested group who has requested a copy in writing.

(3) Requirements for a Rental Emission Unit

- (i) The operator of a rental registered emission unit shall be responsible for compliance with the notification and recordkeeping requirements of this rule. The operator must furnish the necessary recordkeeping as required pursuant to Subsections (e)(2)(i), (e)(2)(ii), and (e)(2)(iii) of this rule to the owner of the emission unit.
- (ii) The owner of a rental registered emission unit shall provide the operator with a written copy of applicable requirements of this rule, including the notification and recordkeeping requirements, as a part of the emission unit rental agreement. The owner must maintain written acknowledgment by the operator of receiving the above information for a period of at least two years.
- (iii) The owner of a rental registered emission unit shall compile the records provided by the emission unit operators and shall submit the compiled information to the participating districts in which the rental registered portable emission unit was operated within 30 days after the end of every calendar quarter.

(f) TESTING REQUIREMENTS

Testing to verify compliance with applicable requirements shall be conducted at the expense of the registered owner or operator at the request of a district and in accordance with the methodology prescribed by the district.

The district shall accept prior test results from a test conducted within the last two years provided that operator proves to the satisfaction of the Air Pollution Control Officer that the

prior testing was conducted in accordance with appropriate methods and the conditions under which the unit was tested represent the operating conditions of the emission unit as proposed.

(g) FEES

(1) Initial Registration Fee

Every applicant for a portable emission unit registration shall pay to the administering district a non-refundable filing fee of \$200 per emission unit.

(2) Annual Registration Renewal Fee

On the anniversary of the issuance of a registration, the owner or operator shall pay a renewal fee of \$150 per portable emission unit to the administering district, unless the owner or operator declares non-operational status for the emission unit, in which case the annual registration fee would be as specified in Subsection (g)(5). The administering district may prorate the renewal payments to a single anniversary date for the holder of registrations with more than one anniversary date. If the renewal fee is not paid within 60 days of the due date, the fee shall be increased by 50 percent. Nonpayment of the annual registration renewal fee, including the 50 percent increase within 90 days of the due date will result in cancellation of the registration.

(3) Administrative Fees

No administrative fees shall be required to be paid to the administering district for emission units operated in the administering district. If a unit is operated within a participating district, the owner or operator of a registered portable emission unit shall pay to that participating district an administrative fee of \$75 per year for each emission unit. If the administrative fee is not paid within 60 days of the date due, the fee shall be increased by 50 percent. Nonpayment of the increased fee within 90 days of the date due will result in cancellation of the registration.

(4) Inspection Fees

No inspection fees shall be required to be paid to the administering district for emission units operated in the administering district. If a unit is inspected by a participating district, the owner or operator of a registered portable emission unit shall pay to the district in which the emission unit is operated an inspection fee of \$75 per year for each emission unit. If the inspection fee is not paid within 60 days of the date due, the fee shall be increased by 50 percent. Nonpayment of the increased fee within 90 days of the date due will result in cancellation of the registration.

(5) Non-Operational Emission Unit Fees

Upon receipt of the invoice for annual registration renewal, the registered owner or operator may choose to declare the portable emission unit as non-operational for a non-refundable fee of \$35, in lieu of paying the annual registration fee. To declare an emission

unit as non-operational, the registered owner or operator shall state in writing the intention to not operate the said emission unit until registration is renewed. Prior to operating the emission unit, the registered owner or operator shall pay the annual registration fee in full to the district.

(h) IMPLEMENTATION SCHEDULE

The owner or operator of an emission unit subject to the provisions of this rule shall apply for registration according to the following schedule:

- (1) No later than November 21, 1997 for existing emission units.
- (2) Prior to commencing operation for all other emission units.