



Air Pollution Control Board

Greg Cox	District 1
Dianne Jacob	District 2
Pam Slater	District 3
Ron Roberts	District 4
Bill Horn	District 5

Air Pollution Control District

R. J. Sommerville	Director
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DATE: April 28, 1999

TO: Air Pollution Control Board

SUBJECT: ADOPTION OF AMENDMENTS TO REGULATION X REPEALING
EXISTING NEW SOURCE PERFORMANCE STANDARDS (NSPS)
SUBPART 000 AND ADDING BY REFERENCE FEDERAL NSPS
SUBPART 000 - STANDARDS OF PERFORMANCE FOR NONMETALLIC
MINERAL PROCESSING PLANTS (District: All)

SUMMARY

Overview

New Source Performance Standards (NSPS) are promulgated by the Environmental Protection Agency (EPA) and apply throughout the country. Federal NSPS consist of many regulations (Subparts) each applicable to a specific industry. These are then adopted by the District so they can be implemented locally. Once adopted, the District requests, and routinely receives, delegation from EPA to implement and enforce the requirements.

In July 1995, the Air Pollution Control Board approved a new procedure for adopting new and amended federal NSPS by reference, eliminating a time consuming and costly local rule development process. The Board directed the District to adhere to this procedure unless there is a compelling need by the District, businesses, or the public to adopt a local rule in which case the current rule development process would be followed.

In June 1997, EPA promulgated amendments to several sections of federal Subpart 000. However, the amendments cannot be adopted by reference in accordance with the new adoption procedure because a local version of Subpart 000 was adopted by the Air Pollution Control Board in June 1986 using a different format (Regulation X). Accordingly it is proposed to repeal the locally adopted Subpart 000 (1986) and adopt both the original federal Subpart and its current amendments by reference. This will satisfy federal requirements and simplify adopting any future amendments.

Once your Board approves the recommended action, the District will then request EPA delegation to implement and enforce these provisions locally and a copy of Subpart 000 and its amendments will be included in Appendix C of the District Rules and Regulations.

Subpart 000 regulates particulate matter emissions from nonmetallic mineral plants processing such materials as sand, gravel, rock, stone, talc or boron for which construction, modification, or reconstruction commenced after August 31, 1983. The provisions specify opacity and particulate matter concentration standards and provides test methods, emission

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SUBJECT: Adoption of Amendments to Regulation X Repealing Existing New Source Performance Standards (NSPS) Subpart OOO and Adding by Reference Federal NSPS Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants

monitoring, reporting and recordkeeping requirements. The new revisions clarify applicability, simplify test methods, reduce recordkeeping and reporting requirements, and provide other minor revisions.

There are 25 mineral nonmetallic processing plants in San Diego County subject to Subpart OOO. They currently comply with all requirements including the proposed revisions. Accordingly, the proposed amendments will have no impact on affected sources.

Recommendations

AIR POLLUTION CONTROL OFFICER:

Adopt the resolution amending Regulation X of the District Rules and Regulations by repealing existing Subpart OOO as adopted by the Board on June 10, 1986, and adding federal Subpart OOO and its subsequent amendment by reference to the Federal Register and make appropriate findings:

- (i) of necessity, authority, clarity, consistency, non-duplication and reference as required by Section 40727 of the State Health and Safety Code;
- (ii) that repealing existing Subpart OOO as adopted by the Board on June 10, 1986, and adding federal Subpart OOO and its subsequent amendment by reference to the Federal Register will alleviate a problem and will not interfere with attainment of ambient air quality standards (Section 40001 of the State Health and Safety Code);
- (iii) that repealing existing Subpart OOO as adopted by the Board on June 10, 1986, and adding federal Subpart OOO and its subsequent amendment by reference to the Federal Register will not significantly affect air quality or emissions limitations, and that an assessment of socioeconomic impacts is not required (Section 40728.5 of the State Health and Safety Code); and
- (iv) that there is no reasonable possibility that repealing existing Subpart OOO as adopted by the Board on June 10, 1986, and adding federal Subpart OOO and its subsequent amendment by reference to the Federal Register may have a significant adverse effect on the environment, and that adoption of Subpart OOO and its subsequent amendment by reference is categorically exempt from the provisions of the California Environmental Quality Act pursuant to California Code of Regulations, Title 14, Sections 15308, as an action taken to assure the maintenance or protection of the environment and where the regulatory process involves procedures for protection of the environment.

Fiscal Impact

There will be no fiscal impact on the District.

SUBJECT: Adoption of Amendments to Regulation X Repealing Existing New Source Performance Standards (NSPS) Subpart OOO and Adding by Reference Federal NSPS Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants

Business Impact Statement

This proposal will not have a significant impact on the local business community.

Alternatives

There is no viable alternative consistent with the current Board policy.

Advisory Statement

The Air Pollution Control Advisory Committee recommended repealing existing Subpart OOO and adopting federal Subpart OOO and its subsequent amendment by reference at its March 24, 1999, meeting.

BACKGROUND

Attachment I contains background information and information on compliance with Board policy on adopting new rules, Socioeconomic Impact Assessment requirements, compliance with the California Environmental Quality Act, and a comparison with existing requirements.

Additional Information

Attachment II contains the Resolution (and Change Copy) amending Regulation X.

Attachment III contains federal Subpart OOO and its current amendments, for reference.

Attachment IV contains the report for the workshop held on February 4, 1999.

Concurrence:

LAWRENCE B. PRIOR III
Chief Administrative Officer

Respectfully submitted,

BY: ROBERT R. COPPER
Deputy Chief Administrative Officer


R. J. SOMMERVILLE
Air Pollution Control Officer

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

SUBJECT: Adoption of Amendment to Regulation X Repealing Existing New Source Performance Standards (NSPS) Subpart OOO and Adding by Reference Federal NSPS Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants

CONCURRENCES

4/13/99

COUNTY COUNSEL APPROVAL: Approval of Form ☒ Yes ☐ N/A
Type of Form: ☐ Standard Form ☐ Ordinance ☒ Resolution ☐ Contract
Review Board Letter Only ☐ Yes ☒ No

CHIEF FINANCIAL OFFICER/AUDITOR REVIEW: ☐ Yes ☒ N/A
Requires Four Votes: ☐ Yes ☒ No

CHIEF INFORMATION OFFICER: ☐ Yes ☒ N/A

DEPARTMENT OF HUMAN RESOURCES: ☐ Yes ☒ N/A

CONTRACT REVIEW PANEL: ☐ Yes ☒ N/A

Other Concurrences: _____ N/A

BUSINESS IMPACT STATEMENT: ☒ Yes ☐ N/A

PREVIOUS RELEVANT BOARD ACTION: June 10, 1986

BOARD POLICIES APPLICABLE: N/A

ORIGINATING DEPARTMENT: Air Pollution Control District, County of San Diego

CONTACT PERSON: Richard J. Smith, Assistant Director (S50) 694-3303 MS: 0-176


R. J. SOMMERVILLE
DEPARTMENT AUTHORIZED REPRESENTATIVE

APRIL 28, 1999
MEETING DATE

ATTACHMENT I

AMENDMENT OF REGULATION X BY REPEALING EXISTING SUBPART OOO AND ADDING FEDERAL SUBPART OOO BY REFERENCE

Additional Background Information

New Source Performance Standards (NSPS) are promulgated by the Environmental Protection Agency (EPA) and apply throughout the country. Federal NSPS consist of many regulations (Subparts) each applicable to a specific industry. State and local air pollution control agencies adopt these Subparts and request delegation from EPA to implement and enforce them. EPA routinely grants such delegation.

Prior to 1995, the District developed and adopted its own Subparts based on the requirements of the federal NSPS but reflecting local needs. This was an expensive process, but there were relatively few NSPS. After the 1990 Federal Clean Air Act Amendments, the number substantially increased. As a result, the cost of developing a local Subpart became prohibitive.

Accordingly, in July 1995, the Air Pollution Control Board approved a new procedure for adopting all new and amended federal NSPS by reference, eliminating a time consuming and costly local rule development process. The Board directed the District to adhere to this procedure unless there is a compelling need by the District, businesses, or the public to adopt a local rule in which case the current rule development process would be followed.

Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants was first promulgated by EPA on August 1, 1985, and was adopted with some minor modifications by the Air Pollution Control Board in June 1986 as part of District Regulation X (Standards of Performance for New Stationary Sources).

In June 1997, EPA promulgated amendments to several sections of Subpart OOO to clarify applicability, simplify test methods, reduce recordkeeping and reporting requirements, and provide other minor revisions. The District is now required to incorporate these amendments, however, the amendments cannot be adopted by reference in accordance with the new adoption procedure because the current version (1987 Regulation X) is in a different format.

The District is, therefore, proposing to repeal the locally adopted Subpart OOO and adopt both the original federal Subpart and its current amendments by reference to the Federal Register (50 FR 31328, August 1, 1985, and 62 FR 31351, June 9, 1997), respectively. This will satisfy federal requirements and simplify adopting any future EPA amendments. The District will then request EPA delegation to implement and enforce this Subpart locally. A copy of Subpart OOO and its amendments will also be included in Appendix C of the District Rules and Regulations.

Subpart OOO applies to mineral nonmetallic plants processing such materials as sand, gravel, rock, stone, talc or boron and for which construction, modification, or reconstruction commenced after August 31, 1983. It specifies particulate matter emission concentration and opacity standards. It requires particulate matter emissions from transfer points on belt conveyors and from stacks not exceed 0.05 grams per dry standard cubic meter and visible emissions not to exceed 7% opacity. Fugitive dust emissions from belt conveyor transfer points or other affected

ATTACHMENT I - Amendment of Regulation X by Repealing Existing Subpart OOO and Adding Federal Subpart OOO by Reference

equipment must not exceed 10% opacity, except for rock crushers for which opacity must not be higher than 15%. Subpart OOO also specifies performance test methods, emission monitoring and reporting requirements.

All 25 facilities in San Diego County subject to this Subpart are in compliance with its requirements. Therefore, the proposed repeal of the existing Subpart OOO of Regulation X and adoption by reference of the federal Subpart OOO and its amendment will not have any impact on the affected sources.

There was no opposition to adopting Subpart OOO by reference at the public workshop held on February 4, 1999.

Compliance with Board Policy on Adopting New Rules

On February 2, 1993, the Board directed that, with the exception of a regulation requested by business or a regulation for which a socioeconomic impact assessment is not required, no new or revised regulation shall be implemented unless specifically required by federal or state law. The proposed adoption of Subpart OOO and its subsequent amendment by reference is consistent with this Board directive because it implements the Board policy and does not require a socioeconomic impact assessment.

Socioeconomic Impact Assessment

Section 40728.5 of the State Health and Safety Code requires the District to perform a socioeconomic impact assessment for new and revised rules and regulations significantly affecting air quality or emission limitations. The proposed adoption of Subpart OOO and its subsequent amendment by reference will not affect air quality or emissions limitations because this federal regulation already applies throughout the country. Therefore, a socioeconomic impact assessment is not required.

California Environmental Quality Act

The California Environmental Quality Act requires an environmental review for certain actions. No significant adverse impacts on the environment have been suggested; no such impacts are reasonably possible. Adopting Subpart OOO and its subsequent amendment by reference will not have a significant effect on the environment and is categorically exempt from the provisions of the California Environmental Quality Act pursuant to California Code of Regulations, Title 14, Section 15308, as an action taken to assure the maintenance or protection of the environment where the regulatory process involves procedures for protection of the environment.

ATTACHMENT I - Amendment of Regulation X by Repealing Existing Subpart OOO and Adding
Federal Subpart OOO by Reference

Comparison with Existing Requirements

Health and Safety Code Section 40727.2(a) requires that whenever the District proposes adopting, amending or repealing a rule or regulation, an analysis be prepared to identify and compare the air pollution control elements of the proposal with corresponding elements of existing or proposed federal or District requirements. Section 40727.2 (g) specifies that if a proposed new or amended rule or regulation is a verbatim adoption or incorporation by reference of a Federal New Source Performance Standard (NSPS) adopted pursuant to Section 111 of the Clean Air Act (42 U.S.C. 7411) an alternative analysis may be prepared demonstrating that the proposed new amended rule or regulation falls within the category specified in this section.

Subpart OOO is a federal NSPS that was adopted by the U.S. Environmental Protection Agency pursuant to Section 111 of the Clean Air Act. The District is proposing to adopt Subpart OOO by reference to a federal NSPS. Therefore, the District concludes the proposed action falls within the category specified in Section 40727.2 (g).

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

No. 99-129

WEDNESDAY, APRIL 28, 1999

**RESOLUTION REPEALING EXISTING NEW SOURCE PERFORMANCE
STANDARDS (NSPS) SUBPART OOO OF REGULATION X
AND ADDING BY REFERENCE FEDERAL NSPS SUBPART OOO
TO REGULATION X OF THE RULES AND REGULATIONS OF THE
SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT**

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

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

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

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

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

1. Amendment to Regulation X repealing existing Subpart OOO.

SUBPART OOO - Standards of Performance for Nonmetallic Mineral Processing Plants is deleted in its entirety.

2. Amendment to Regulation X adding Subpart OOO by reference is to read as follows:

**REGULATION X. STANDARDS OF PERFORMANCE FOR NEW
STATIONARY SOURCES (NSPS)**

The provisions of Part 60, Chapter I, Title 40, of the Code of Federal Regulations, (40 CFR 60), applicable to the subparts listed in this Regulation are hereby adopted by reference on the date shown and made part of the District Rules and Regulations. Whenever any source is subject to more than one rule, regulation, provision, or requirement relating to the control of any air contaminant, in cases of conflict or duplication the most stringent rule, regulation, provision, or requirement shall apply.

All new sources of air pollution and all modified or reconstructed sources of air pollution shall comply with the applicable standards, criteria, and requirements set forth herein. For the purpose of this Regulation, the word "Administrator" as used in 40 CFR 60 shall mean the Air Pollution Control Officer of the San Diego County Air Pollution Control District, except that the Air

Pollution Control Officer shall not be empowered to approve alternate test methods, alternate standards or work practices. Other deviations, if any, from the provisions of 40 CFR 60 which are adopted by the Air Pollution Control Board are noted in the reference to the affected Subpart.

The U.S. Environmental Protection Agency (EPA) retains concurrent enforcement authority for these standards pursuant to Section 113 of the federal Clean Air Act, as amended, if the EPA Administrator desires to exercise it.

SUBPART Dc	STANDARDS OF PERFORMANCE FOR SMALL INDUSTRIAL-COMMERCIAL-INSTITUTIONAL STEAM GENERATING UNITS	
	(55 FR 37683, Sept. 12, 1990)	(Adopted Aug. 13, 1997)
	(61 FR 20736, May 8, 1996)	(Adopted Aug. 13, 1997)
SUBPART WWW	STANDARDS OF PERFORMANCE FOR MUNICIPAL SOLID WASTE LANDFILLS	
	(61 FR 9919, March 12, 1996)	(Adopted Aug. 13, 1997)
SUBPART OOO	STANDARDS OF PERFORMANCE FOR NONMETALLIC MINERAL PROCESSING PLANTS	
	(50 FR 31328, August 1, 1985)	(date of adoption)
	(62 FR 31351, June 9, 1997)	(date of adoption)

IT IS FURTHER RESOLVED AND ORDERED that the subject repeal of existing Subpart OOO and the subject addition of federal Subpart OOO, by reference, to Regulation X shall take effect and be in force on the date of delegation of enforcement authority to the Air Pollution Control District by the U.S. Environmental Protection Agency.

PASSED AND ADOPTED by the Air Pollution Control Board of the San Diego County Air Pollution Control District, State of California, this 28th day of April, 1999 by the following votes:

AYES:	COX, JACOB, SLATER, ROBERTS, HORN
NOES:	None
ABSENT:	None

APPROVED AS TO FORM AND LEGALITY
COUNSEL
Dutton
DEPUTY

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution which is now on file in my office.

THOMAS J. PASTUSZKA
Clerk of the Air Pollution Control Board

By *Adair Gomez*
ADAIR GOMEZ, Deputy



Resolution No. 99-129
4/28/99

CHANGE COPY

Proposed repeal of existing New Source Performance Standards (NSPS) Subpart 000 of Regulation X and adding by reference federal NSPS Subpart 000 to Regulation X.

1. Subpart 000 is deleted in its entirety.

SUBPART 000 - Standards of Performance for Nonmetallic Mineral Processing Plants (Delegation Effective 3/19/87)

RULE 260.70. APPLICABILITY AND DESIGNATION OF AFFECTED FACILITY

(a) Except as provided in Sections (b), (c), and (d) of this rule, the provisions of this subpart are applicable to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station.

(b) An affected facility that is subject to the provisions of Subpart I or that follows in the plant process any facility subject to the provisions of Subpart I of this Regulation is not subject to the provisions of this subpart.

(c) Facilities at the following plants are not subject to the provisions of this subpart:

(1) Fixed sand and gravel plants and crushed stone plants with capacities, as defined in Rule 260.671, of 23 megagrams per hour (25 tons per hour) or less;

(2) Portable sand and gravel plants and crushed stone plants with capacities, as defined in Rule 260.671, of 136 megagrams per hour (150 tons per hour) or less; and

(3) Common clay plants and pumice plants with capacities, as defined in Rule 260.671, of 9 megagrams per hour (10 tons per hour) or less.

There are no lower capacity exemptions for plants that process the nonmetallic minerals listed in Rule 260.671(o)(4) through (o)(6) and (o)(8) through (o)(18).

(d) (1) When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in Rule 260.671, having the same function as the existing facility, the new facility is exempt from the provisions of Rule 260.672, 260.674 and 260.675 except as provided for in Subsection (d)(3) of this section.

(2) An owner or operator seeking to comply with this section shall comply with the reporting requirements of Rule 260.676, Sections (a) and (b).

(3) An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption described in Subsection (d)(1) of this section and must comply with the provisions of Rules 260.672, 260.674 and 260.675.

(4) An affected facility under Section (a) of this rule that commences construction, reconstruction, or modification after August 31, 1983 is subject to the requirements of this rule.

RULE 260.671. DEFINITIONS

All terms used in this subpart, but not specifically defined in this rule shall have the meaning given them in the Act and in Subpart A of this Regulation.

(a) **"Bagging Operation"** means mechanical process by which bags are filled with nonmetallic minerals.

(b) **"Belt Conveyor"** means a conveying device that transports material from one location to another by means of an endless belt that is carried on a series of idlers and routed around a pulley at each end.

(c) **"Bucket Elevator"** means a conveying device of nonmetallic minerals consisting of a head and foot assembly which supports and drives an endless single or double strand chain or belt to which buckets are attached.

(d) **"Building"** means any frame structure with a roof.

(e) **"Capacity"** means the cumulative rated capacity of all initial crushers that are part of the plant.

(f) **"Capture System"** means the equipment (including enclosures, hoods, ducts, fans, dampers, etc) used to capture and transport particulate matter generated by one or more process operations to a control device.

(g) **"Control Device"** means the air pollution control equipment used to reduce particulate matter emissions released to the atmosphere from one or more process operations at a nonmetallic mineral processing plant.

(h) **"Conveying System"** means a device for transporting materials from one piece of equipment or location to another location within a plant. Conveying systems include but are not limited to the following: feeders, belt conveyors, bucket elevators and pneumatic systems.

(i) **"Crusher"** means a machine used to crush any nonmetallic minerals, and includes, but is not limited to, the following types: jaw, gyratory, cone, roll, rod mill, hammermill, and impactor.

(j) **"Enclosed Truck or Railcar Loading Station"** means that portion of a nonmetallic mineral processing plant where nonmetallic minerals are loaded by an enclosed conveying system into enclosed trucks or railcars.

(k) **"Fixed Plant"** means any nonmetallic mineral processing plant at which the processing equipment specified in Rule 260.670(a) is attached by a cable, chain, turnbuckle, bolt or other means (except electrical connections) to any anchor, slab, or structure including bedrock.

(l) **"Fugitive Emission"** means particulate matter that is not collected by a capture system and is released to the atmosphere at the point of generation.

(m) **"Grinding Mill"** means a machine used for the wet or dry fine crushing of any nonmetallic mineral. Grinding mills include, but are not limited to the following types: hammer, roller, rod, pebble and ball, and fluid energy. The grinding mill includes the air conveying system, air separator, or air classifier, where such systems are used.

(n) **"Initial Crusher"** means any crusher into which nonmetallic minerals can be fed without prior crushing in the plant.

(o) **"Nonmetallic Mineral"** means any of the following minerals or any mixture of which the majority is any of the following minerals:

(1) Crushed and Broken Stone, including Limestone, Dolomite, Granite, Traprock, Sandstone, Quartz, Quartzite, Marl, Marble, Slate, Shale, Oil Shale, and Shell

(2) Sand and Gravel

(3) Clay including Kaolin, Fireclay, Bentonite, Fuller's Earth, Ball Clay, and Common Clay

(4) Rock Salt

(5) Gypsum

(6) Sodium Compounds, including Sodium Carbonate, Sodium Chloride, and Sodium Sulfate

(7) Pumice

(8) Gilsonite

(9) Talc and Pyrophyllite

(10) Boron, including Borax, Kernite, and Colemanite

(11) Barite

(12) Fluorospa

(13) Feldspar

(14) Diatomite

(15) Perlite

(16) Vermiculite

(17) Mica

(18) Kyanite, including Andalusite, Sillimanite, Topaz, and Dumortierite

(p) **"Nonmetallic Mineral Processing Plant"** means any combination of equipment that is used to crush or grind any nonmetallic mineral wherever located, including lime plants, power plants, steel mills, asphalt concrete plants, or any other facility processing nonmetallic minerals except as provided in Rule 260.670(b) and (c).

(q) **"Portable Plant"** means any nonmetallic mineral processing plant that is mounted on any chassis or skids and may be moved by the application of a lifting or pulling force. In addition, there shall be no cable, chain, turnbuckle, bolt or other means (except electrical connections) by which any

piece of equipment is attached or clamped to any anchor, slab, or structure, including bedrock that must be removed prior to the application of a lifting or pulling force for the purpose of transporting the unit.

(r) **"Production Line"** means all affected facilities (crushers, grinding mills, screening operations, bucket elevators, belt conveyors, bagging operations, storage bins, and enclosed truck and railcar loading stations) which are directly connected or are connected together by a conveying system.

(s) **"Screening Operation"** means a device for separating material according to size by passing undersize material through one or more mesh surfaces (screens) in series, and retaining oversize material on the mesh surfaces (screens).

(t) **"Size"** means the rated capacity in tns per hour of a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station; the total surface area of the top screen of a screening operation; the width of a conveyor belt; and the rated capacity in tons of a storage bin.

(u) **"Stack Emission"** means the particulate matter that is released to the atmosphere from a capture system.

(v) **"Storage Bin"** means a facility for storage (including surge bins) of nonmetallic minerals prior to further processing or loading.

(w) **"Transfer Point"** means a point in a conveying operation where the nonmetallic mineral is transferred to or from a belt conveyor except where the nonmetallic mineral is being transferred to a stockpile.

(x) **"Truck Dumping"** means the unloading of nonmetallic minerals from movable vehicles designed to transport nonmetallic minerals from one location to another. Movable vehicles include but are not limited to: trucks, front end loaders, skip hoists, and railcars.

(y) **"Vent"** means an opening through which there is mechanically induced air flow for the purpose of exhausting from a building air carrying particulate matter emissions from one or more affected facilities.

RULE 260.672. STANDARD FOR PARTICULATE MATTER

(a) On and after the date on which the performance test required by Rule 260.8 of Subpart A is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any stack emissions which:

(1) Contain particulate matter in excess of 0.02 gr/dscf (0.05 g/dscm); or

(2) Exhibit greater than 7 percent opacity, unless the stack emissions are discharged from an affected facility using a wet scrubbing control device. Facilities using a wet scrubber must comply with the reporting provisions of Rule 260.676(c), (d), and (e).

(b) On and after the 60th day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in Sections (c), (d), and (e) of this rule.

(c) On and after the 60th day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup, no owner or operator shall cause to be discharged into the atmosphere from any crusher, at which a capture system is not used, fugitive emissions which exhibit greater than 15 percent opacity.

(d) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this rule.

(e) If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in Sections (a), (b) and (c) of this rule, or the building enclosing the affected facility or facilities must comply with the following emission limits.

(1) No owner or operator shall cause to be discharged into the atmosphere from any building enclosing any transfer point on a conveyor belt or any other affected facility any visible fugitive emissions except emissions from a vent as defined in Rule 260.671.

(2) No owner or operator shall cause to be discharged into the atmosphere from any vent of any building enclosing any transfer point on a conveyor belt or any other affected facility emissions which exceed the stack emissions limits in Section (a) of this rule.

RULE 260.673. RECONSTRUCTION

(a) The cost of replacement of ore-contact surfaces on processing equipment shall not be considered in calculating either the "fixed capital cost of the new components" or the "fixed capital cost that would be required to construct a comparable new facility" under Rule 260.15. Ore-contact surfaces are crushing surfaces; screen meshes, bars, and plates; conveyor belts; and elevator buckets.

(b) Under Rule 260.15, the "fixed capital cost of the new components" includes the fixed capital cost of all depreciable components (except components specified in Section (a) of this rule) which are or will be replaced pursuant to all continuous programs of component replacement commenced within any 2-year period following August 31, 1983.

RULE 260.674. MONITORING OF OPERATIONS

The owner or operator of any affected facility subject to the provisions of this subpart which uses a wet scrubber to control emissions shall install, calibrate, maintain and operate the following monitoring devices:

(a) A device for the continuous measurement of the pressure loss of the gas stream through the scrubber. The monitoring device must be certified by the manufacturer to be accurate within ± 250 pascals (± 1 inch water gauge pressure) and must be calibrated on an annual basis in accordance with manufacturer's instructions.

(b) Devices for the continuous measurements of the scrubbing liquid flow rate and supply pressure to the wet scrubber. The monitoring devices must be certified by the manufacturer to be accurate within ± 5 percent of design scrubbing liquid flow rate or supply pressure, depending on use, and must be calibrated on an annual basis in accordance with manufacturer's instructions.

RULE 260.675. TEST METHODS AND PROCEDURES

Performance tests shall be conducted as specified in Part 60, Chapter I, Title 40, Code of Federal Regulations, Section 60.675.

RULE 260.676. REPORTING AND RECORDKEEPING

(a) Each owner or operator seeking to comply with Rule 260.670(d) shall submit to the Control Officer the following information about the existing facility being replaced and the replacement piece of equipment.

(1) For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:

(i) The rated capacity in tons per hour of the existing facility being replaced, and

(ii) The rated capacity in tons per hour of the replacement equipment.

(2) For a screening operation:

(i) The total surface area of the top screen of the existing screening operation being replaced, and

(ii) The total surface area of the top screen of the replacement screening operation.

(3) For a conveyor belt:

(i) The width of the existing belt being replaced, and

(ii) The width of the replacement conveyor belt.

(4) For a storage bin:

(i) The rated capacity in tons of the existing storage bin being replaced, and

(ii) the rated capacity in tons of replacement storage bins.

(b) Each owner or operator seeking to comply with Rule 260.670(d) shall submit the following data to the Control Officer:

(1) The information described in Rule 260.676(a),

(2) A description of the control device used to reduce particulate matter emissions from the existing facility and a list of all other pieces of equipment controlled by the same control devices, and

(3) The estimated age of the existing facility.

(c) During the initial performance test of a wet scrubber, and daily thereafter, the owner or operator shall record the measurements of the change in pressure of the gas stream across the scrubber, the scrubbing liquid flow rate, and the scrubber liquid supply pressure.

(d) After the initial performance test of a wet scrubber, the owner or operator shall submit semiannual reports to the Control Officer of occurrences when the measurements of the scrubber pressure loss (or gain), liquid flow rate, or liquid supply pressure differ by more than ± 30 percent from those measurements recorded during the most recent performance test.

2. NSPS federal Subpart OOO is added by reference to Regulation X.

**REGULATION X. STANDARDS OF PERFORMANCE FOR NEW
STATIONARY SOURCES (NSPS)**

The provisions of Part 60, Chapter I, Title 40, of the Code of Federal Regulations, (40 CFR 60), applicable to the subparts listed in this Regulation are hereby adopted by reference on the date shown and made part of the District Rules and Regulations. Whenever any source is subject to more than one rule, regulation, provision, or requirement relating to the control of any air contaminant, in cases of conflict or duplication the most stringent rule, regulation, provision, or requirement shall apply.

All new sources of air pollution and all modified or reconstructed sources of air pollution shall comply with the applicable standards, criteria, and requirements set forth herein. For the purpose of this Regulation, the word "Administrator" as used in 40 CFR 60 shall mean the Air Pollution Control Officer of the San Diego County Air Pollution Control District, except that the Air Pollution Control Officer shall not be empowered to approve alternate test methods, alternate standards or work practices. Other deviations, if any, from the provisions of 40 CFR 60 which are adopted by the Air Pollution Control Board are noted in the reference to the affected Subpart.

The U.S. Environmental Protection Agency (EPA) retains concurrent enforcement authority for these standards pursuant to Section 113 of the federal Clean Air Act, as amended, if the EPA Administrator desires to exercise it.

SUBPART Dc	STANDARDS OF PERFORMANCE FOR SMALL INDUSTRIAL-COMMERCIAL-INSTITUTIONAL STEAM GENERATING UNITS	(55 FR 37683, Sept. 12, 1990)	(Adopted Aug. 13, 1997)
		(61 FR 20736, May 8, 1996)	(Adopted Aug. 13, 1997)
SUBPART WWW	STANDARDS OF PERFORMANCE FOR MUNICIPAL SOLID WASTE LANDFILLS	(61 FR 9919, March 12, 1996)	(Adopted Aug. 13, 1997)
<u>SUBPART OOO</u>	<u>STANDARDS OF PERFORMANCE FOR NONMETALLIC MINERAL PROCESSING PLANTS</u>	(50 FR 31328, August 1, 1985)	<u>(date of adoption)</u>
		(62 FR 31351, June 9, 1997)	<u>(date of adoption)</u>

**AIR POLLUTION CONTROL DISTRICT
SAN DIEGO COUNTY**

**PROPOSED REPEAL OF SUBPART 000
AND THE ADOPTION BY REFERENCE OF
SUBPART 000 - STANDARDS OF PERFORMANCE FOR
NONMETALLIC MINERAL PROCESSING PLANTS**

WORKSHOP REPORT

A workshop notice was mailed to all companies and government agencies in San Diego County that may be subject to Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants. Notices were also mailed to all Economic Development Corporations and Chambers of Commerce 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 February 4, 1999, and was attended by one person. The comments and the District responses are provided below:

1. WORKSHOP COMMENT

What procedure will be used to adopt Subpart 000 by reference?

DISTRICT RESPONSE

Regulation X - Standards for Performance for New Stationary Sources will be amended by repealing existing Subpart 000 and providing instead a Federal Register reference to Subpart 000 together with its first EPA adoption date (50FR 31337, August 1, 1985) and its subsequent amendment date (62FR 31359, June 9, 1997). Following adoption, the District will again request EPA delegation of authority to implement and enforce amended Subpart 000 locally. After receiving EPA delegation, Federal Register references will be included in Regulation X.

2. WORKSHOP COMMENT

How soon after delegation is requested from EPA will the District be able to implement and enforce the amended Subpart 000 locally?

DISTRICT RESPONSE

Subpart 000 is scheduled to go to the Board for adoption in April 1999. A request for delegation to implement and enforce a New Source Performance Standard will be submitted shortly after and delegation from EPA is expected within a few months.

3. WORKSHOP COMMENT

Are there any enforcement issues that may arise from the adoption by reference of Subpart 000?

DISTRICT RESPONSE

The proposed repeal of the existing Subpart 000 of Regulation X and adoption by reference of the federal Subpart 000 will not have any impact on sources subject to this regulation. The amendments

to Subpart 000 contain some minor clarifications to the original Subpart 000. There will be no change in the current enforcement procedures followed by the District.

4. WORKSHOP COMMENT

Should the facilities subject to Subpart 000 continue to submit reporting documentation to the District or should the documentation be submitted to EPA?

DISTRICT RESPONSE

All reporting documentation should be submitted to the District. There will be no change in the current procedures the facilities follow.

5. WORKSHOP COMMENT

Will the facilities be notified of any future amendments to Subpart 000?

DISTRICT RESPONSE

Yes. Affected facilities will be notified of any and all future amendments made to Subpart 000. A workshop will be conducted and the amended Regulation X will then be submitted for adoption to the Board at a noticed public hearing.

2/23/99

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