

**AIR POLLUTION CONTROL DISTRICT
SAN DIEGO COUNTY**

**AMENDMENTS TO RULE 2 - DEFINITIONS
AND
REPEAL OF RULE 3 - STANDARD CONDITIONS**

WORKSHOP REPORT

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

In addition, the District conducted a preliminary review of whether the California Environmental Quality Act (CEQA) applies to the proposed amendments to Rule 2 and the proposed repeal of Rule 3. The District concluded it is certain that these proposed actions are exempt from further CEQA review. The preliminary review was made available for public comments and also provided at the workshop.

The workshop was held on March 23, 1999, and was attended by five people. Written comments were also received. The workshop comments and District responses are as follows:

1. WORKSHOP COMMENT

EPA has proposed adding tertiary butyl acetate to the list of exempt compounds. Will the District automatically amend its list of exempt compounds or will it conduct another workshop?

DISTRICT RESPONSE

The District will not conduct another workshop. Instead, it will follow the procedure specified in the last paragraph of Subsection (b)(20). If EPA amends its list, the District may elect to revise the Rule 2 list of exempt compounds after public notice, a 30-day public comment period, and after consideration of any comments and consultation with ARB. The revised list will be provided in Table 1 of Rule 2.

It should be noted that presently, the exemption of tertiary butyl acetate is a proposed EPA action. If and when this exemption becomes final, the District will proceed according to the procedure described above.

2. WORKSHOP COMMENT

Would a company that reduced emissions of a compound that was subsequently listed as exempt be able to obtain emission reduction credits?

DISTRICT RESPONSE

Most probably, not. In the past, EPA has strenuously objected to allowing use of emission reduction credits for compounds which are later found to be non-photochemically reactive. Where a banked reduction is for a compound subsequently determined to be exempt, it is quite likely that the credits cannot be used to offset any emission increases subject to federal offset requirements.

3. WORKSHOP COMMENT

Does the definition of military tactical support equipment included in the amended Rule 2 agree with the definition in the Health and Safety Code?

DISTRICT RESPONSE

Yes.

4. ARB COMMENT

EPA has published a few corrections to the nomenclature of exempt compounds. The District should correct its list for consistency.

DISTRICT RESPONSE

The District agrees. The necessary corrections have been made.

5. ARB COMMENT

ARB recommends including both perchloroethylene and methyl acetate into the list of low photochemically-reactive compounds in Subsection (b)(20) because their reactivity is higher than the reactivity of methane.

DISTRICT RESPONSE

The District agrees. Both perchloroethylene and methyl acetate have been included in Group (ii) of Subsection (b)(20).

6. ARB COMMENT

ARB is concerned with the process proposed in the rule for exempting all future compounds which may be exempted by EPA from the volatile organic compound (VOC) definition. This process would not ensure a thorough scientific analysis of such exemption impact on air quality in California. In addition, it may not provide adequate opportunity for review and input, particularly in evaluating other possible adverse effects, such as toxicity or the potential for substituting exempt compounds for less-reactive VOCs thus displacing, for example, water-based products.

DISTRICT RESPONSE

The District agrees. The rule has been revised to include a provision that will require consultation with ARB in addition to considering public comments before the District will make a decision whether to include any future organic compounds exempted by EPA in the list of exempt compounds in Rule 2.

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

**PROPOSED AMENDMENTS TO RULE 2 AND
PROPOSED REPEAL OF RULE 3**

1. Proposed amended Rule 2 is to read as follows:

RULE 2. DEFINITIONS

(a) APPLICABILITY

(1) The definitions listed in Section (b) of this rule shall be applicable to all Rules and Regulations of the Air Pollution Control District of San Diego County, unless the same term is specifically defined in any other applicable Rule or Regulation.

(2) Except as otherwise specifically provided in these Rules or where the context otherwise indicates, words used in these Rules are used in exactly the same sense as the same words are used in Division 26 of the Health and Safety Code.

(b) DEFINITIONS

(1)(49) **"12-Month Period"** means any 12 consecutive calendar months.

(2)(1) **"Abrasive Blasting Cabinet"** means an enclosure used to contain abrasive media and which can only be entered through ports for gloved arms and hands when abrasive blasting is conducted.

(3)(2) **"Air Contaminant" or "Air Pollutant"** means any substance discharged, released, or otherwise propagated into the atmosphere and includes, but is not limited to, any of the following: volatile organic compounds, exempt compounds, oxides of nitrogen, particulate matter, gaseous sulfur compounds, carbon monoxide, toxic air contaminants, smoke, dust, soot, carbon, noxious acids and gases, fumes, odors, or any combination thereof.

(4)(3) **"Air Pollution Control Board of San Diego County"** is a board whose members are the Supervisors of the County of San Diego.

(5)(4) **"Air Pollution Control Officer (APCO)"** means the Air Pollution Control Officer of the San Diego County Air Pollution Control District.

(6)(5) **"Application Station"** means a booth, a room, a designated area, a location point in an operation, or a location on a process line where, at any given time, a material is applied.

(7)(6) **"Atmosphere"** means the air that surrounds the earth. Where air pollutants are emitted into a building not designed specifically as a piece of air pollution control equipment, such emissions into the building shall be considered emissions into the atmosphere.

(8)(7) **"Calendar Day"** means the 24-hour period starting at 12twelve-midnight and continuing through to the subsequent twelve12-midnight hour.

(9)(8) **"Calendar Quarter"** means any of the following three month periods: January 1 through March 31, April 1 through June 30, July 1 through September 30, or October 1 through December 31.

(10)(9) **"Calendar Year"** means the consecutive 12-month period beginning January 1 and ending December 31.

(11)(10) **"California Coastal Waters "** means the area described in California Government Code Section 170. The area of water lying west of the San Diego County coastline and bounded by the following line, excluding the islands of Santa Barbara, San Clemente, San Nicolas, and Santa Catalina and the area within three miles from each of the islands' coastlines, generally describes the California Coastal Waters off San Diego County:

- (i) Beginning at the intersection of the coastline and the San Diego-Orange County boundary, N 33° 23' 10", E W 117° 35' 40";
- (ii) thence southwesterly to N 33° 20' 10", E W 117° 37' 00";
- (iii) thence southeasterly to N 32° 53' 30", E W 117° 18' 30";
- (iv) thence southwesterly, southerly, southeasterly, southerly, easterly and northeasterly to N 32° 37' 30", E W 117° 11' 40";
- (v) thence southerly to N 32° 31' 30", E W 117° 10' 20";
- (vi) thence easterly to N 32° 32' 00", E W 117° 07' 30", which is the intersection of the coastline and the United States-Mexico International boundary.

(12)(11) **"Combustion Particulates"** means particulate matter discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.

(13)(12) **"Combustible Refuse"** means any solid or liquid combustible waste material containing carbon in a free or combined state.

(14)(13) **"Contiguous Property"** means two or more parcels of land with a common boundary or separated solely by a public or private roadway or other public or private right-of-way. Non-adjoining parcels of land which are connected by a process line, conveyors, or other equipment shall be considered to be contiguous property. Non-adjoining parcels of land separated by bodies of water designated "navigable" by the U.S. Coast Guard, shall not be considered contiguous properties.

(15)(14) **"Control Equipment"** means an air pollution control device which reduces or eliminates the release of a specified air contaminant to the atmosphere.

(16)(15) **"Desert Portion"** means that part of San Diego County, State of California, lying east of the following described line:

- (i) Beginning at the United States-Mexico International boundary and running north along the range line common to Range 7 East and Range 6 East (San Bernardino

Base and Meridian); to the point of intersection with the township line common to Township 16 South and Township 17 South;

(ii) thence east along the township line common to Township 16 South and Township 17 South to the point of intersection with the range line common to Range 7 East and Range 6 East;

(iii) thence north along the range line common to Range 7 East and Range 6 East to the point of intersection with the township line common to Township 16 South and Township 17 South;

(iv) thence west along the township line common to Township 16 South and Township 17 South to the point of intersection with the range line common to Range 6 East and Range 5 East;

(v) thence north along the range line common to Range 6 East and Range 5 East to the point of intersection with the township line common to Township 14 South and Township 15 South;

(vi) thence west along the township line common to Township 14 South and Township 15 South to the point of intersection with the boundary of the Rancho Cuyamaca Land Grant;

(vii) thence north along the east boundary of the Rancho Cuyamaca Land Grant to the point of intersection with the range line common to Range 5 East and Range 4 East;

(viii) thence north along the range line common to Range 5 East and Range 4 East to the point of intersection with the south boundary of the Rancho San Felipe Land Grant;

(ix) thence beginning east and continuing along the land grant boundary to the point of intersection with the range line common to Range 5 East and Range 4 East;

(x) thence north along the range line common to Range 5 East and Range 4 East to the point of intersection with the township line common to Township 10 South and Township 9 South;

(xi) thence west along the township line common to Township 10 South and Township 9 South to the point of intersection with the range line common to Range 4 East and Range 3 East;

(xii) thence north along the range line common to Range 4 East and Range 3 East to the San Diego-Riverside County boundary.

(17)(16) **"District"** means the San Diego County Air Pollution Control District.

(18)(17) **"Dust"** means minute solid particles released into the air by natural forces or by mechanical processes including, but not limited to: crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, and sweeping.

(19)(18) **"Eastern Section of the Air Pollution Control District of San Diego County"**

means all of that portion of San Diego County, State of California, lying east of the line described in Subsections (49)(53)(i) through (49)(53)(v) of this rule.

(20)(19) **"Emission Unit"** means any article, machine, equipment, contrivance, process, or process line which emit(s) or reduce(s), or may emit or reduce, the emissions of any air contaminant, except motor vehicles.

(21)(20) **"Exempt Compounds"** means any of ~~compound~~ compounds listed in Table 1.

Subsections (b)(20)(i) and (b)(20)(ii) are moved to Table 1 - Exempt Compounds.

The Air Pollution Control Officer may revise Table 1 the list of exempt compounds upon the Environmental Protection Agency (EPA) decision to add new negligibly photochemically reactive compounds duly noticed in the Federal Register and codified in Part 51 of Title 40 of the Code of Federal Regulations (CFR). Such a revision may not be made earlier than 30 days after public notice of the proposed revision is published in a newspaper of general circulation in the District, and after consideration of any comments received thereupon and after consultation with the California Air Resources Board. The revised list of exempt compounds will subsequently be included provided as an appendix in Table 1 of to this rule.

(22)(21) **"Facility"** means the same as stationary source.

(23)(22)(21) **"Hearing Board"** means the Hearing Board of the San Diego County Air Pollution Control District.

(24)(23)(22) **"ISO Standard Day Conditions"** means atmospheric conditions at a temperature of 59°F (15°C), 60 percent relative humidity, and an atmospheric pressure of 14.70 pounds per square inch, absolute (760 mm Hg).

(25)(24)(23) **"Low-Solids Stain"** means a stain containing one pound of solids per gallon, or less. The VOC content of such stains shall be calculated on a "VOC Content per Volume of Material" basis as defined in Subsection (b)(48)(52).

(26)(25)(24) **"Major Stationary Source"** means a stationary source which has or will have, after issuance of a permit, an aggregate potential to emit one or more air contaminants in amounts equal to or greater than any of the following emission rates:

<u>Air Contaminant</u>	<u>Emission Rate</u> <u>(tons/year)</u>
Particulate Matter (PM ₁₀)	100
Oxides of Nitrogen(NO _x)	50
Volatile Organic Compounds (VOC)	50
Oxides of Sulfur (SO _x)	100
Carbon Monoxide (CO)	100
Lead (Pb)	100

- (27)(26) **"Military Tactical Support Equipment"** means any equipment owned by the U.S. Department of Defense or the National Guard and used in combat, combat support, combat service support, tactical or relief operations, or training for such operations.
- (28)(27)(25) **"Motor Vehicle"** means a vehicle which is self-propelled.
- (29)(28)(26) **"Multiple-Chamber Incinerator"** means any article machine, equipment, contrivance, structure or part of structure used to dispose of combustible refuse by burning, consisting of three or more refractory lined combustion furnaces in series, physically separated by refractory walls, interconnected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned. The refractories shall have a Pyrometric Cone Equivalent of at least 17 when tested according to ASTM Method C-24.
- (30)(29)(27) **"Non-Desert Portion"** means all of that portion of San Diego County, State of California, lying west of the line described in Subsections (15)(i) through (15)(xii).
- (31)(30)(28) **"NO_x"** means the sum of all oxides of nitrogen, except for nitrous oxide, collectively expressed as nitrogen dioxide.
- (32)(31)(29) **"Orchard or Citrus Grove Heater"** means any article, machine, bowl burner or contrivance, which is designed for, used, maintained or capable of being used for burning any kind of fuel for frost protection of orchards, citrus groves or plant nurseries in areas that are not completely enclosed.
- (33)(32)(30) **"Particulate Matter"** means any finely divided material which exists as a solid or liquid at standard conditions, excluding uncombined water.
- (34)(33)(31) **"PM_{2.5}"** means suspended fine particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers (microns). For non-fugitive emissions, test methods specified in 40 CFR 50, Appendix L, shall be used to measure PM_{2.5}.
- (35)(34)(31) **"PM₁₀"** means suspended particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (microns). For non-fugitive emissions, test methods specified found in Title 17, California Code of Regulations, Section 94100 et seq. or any applicable test method approved by the Air Pollution Control Officer and the Environmental Protection Agency (EPA) shall be used to measure PM₁₀.
- (36)(39) **"Permit to Operate"** means a written authorization issued by the Air Pollution Control Officer pursuant to Rule 10 or Rule 24 for the operation of any product line, process, process line, article, machine, equipment or other contrivance, the use of which may cause the issuance, reduction, control, or elimination of air contaminants.

(37)(35)(32) **"Person"** means any individual, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, user or owner, or any state or local government agency or public district and any officer or employee thereof, or the federal government and any officers or employees thereof to the extent authorized by federal law, or any other entity whatsoever which is recognized by law as the subject of rights and duties.

(38)(36)(33) **"Portable Equipment"** means any article, machine, equipment or other contrivance that is routinely moved from one location to another in order to perform its function.

(39)(37)(34) **"Process"** means any method, reaction, or operation wherein materials are handled or whereby materials undergo physical change (i.e., the size, shape, appearance, temperature, state or other physical property of the materials is altered) or chemical change (i.e., a substance or substances with different chemical composition or properties are formed or created). A process includes all of the equipment and facilities necessary for the handling of materials or the completion of the transformation of the materials to produce a physical or chemical change. There may be several processes in series or in parallel necessary to manufacture a product.

(40)(38)(35) **"Process Line"** means one or more pieces of equipment linked by the process flow and producing a product or performing a service such that the product cannot be produced or the service cannot be performed if any piece of equipment is removed or not functioning.

(36) **"Process Weight"** means the total weight of all materials introduced into any specific process, which process may cause any discharge of air contaminants into the atmosphere. Solid fuels charged are part of the process weight, but liquid and gaseous fuels and combustion air are not.

(37) **"Process Weight Per Hour"** means the value derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle.

(41)(40) **"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.

(42)(41)(38) **"Regulation"** means one of the major subdivisions contained within the Rules and Regulations of the Air Pollution Control District of San Diego County.

(43)(42)(39) **"Rule"** means any rule contained within the Rules and Regulations of the Air Pollution Control District of San Diego County.

(44)(43)(40) **"SO_x"** means the sum of all oxides of sulfur, collectively expressed as sulfur dioxide.

(45)(44)(41) **"Standard Conditions"** means ~~atmospheric conditions at~~ a temperature of 68°F (20°C) and an ~~atmospheric~~ pressure of 14.70 pounds per square inch, absolute (760 mm Hg).

(46)(45)(42) **"State Implementation Plan (SIP)"** means the State prepared plan, approved by the United States Environmental Protection Agency (EPA), detailing how National Ambient Air Quality Standards will be achieved and maintained.

(47)(46)(43) **"Stationary Source" or "Source"** means an emission unit or aggregation of emission units which are located on the same or contiguous properties and which units are under common ownership or entitlement to use. Stationary sources also include those emission units or aggregation of emission units located in the California Coastal Waters.

(48)(47)(44) **"Touch-up Operation"** means the portion of a coating operation which is incidental to the main coating process but necessary to achieve coverage as required or to cover minor imperfections, or a coating operation which is necessary to repair minor mechanical damage incurred prior to intended use.

(49)(48)(45) **"Toxic Air Contaminant"** means an air contaminant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health, including air contaminants listed as such in the California Code of Regulations Title 17 Section 93000, and hazardous air pollutants identified pursuant to the federal Clean Air Act, Title I, Section 112(b).

(50)(46) **"Volatile Organic Compound (VOC)"** means any volatile compound containing at least one atom of carbon excluding ~~methane~~, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonates, and exempt compounds.

(51)(47) **"VOC Content Per Volume of Coatings, Less Water and Exempt Compounds"** means the weight of VOC per combined volume of VOC and coating solids and is calculated by the following equation:

$$C_{\text{voc}} = ((W_s - W_w - W_{\text{es}})/(V_m - V_w - V_{\text{es}}))$$

where:

C_{voc}	=	VOC content per volume of coating, less water and exempt compounds
W_s	=	weight of volatile compounds including water and exempt compounds
W_w	=	weight of water
W_{es}	=	weight of exempt compounds
V_m	=	volume of material including water and exempt compounds
V_w	=	volume of water
V_{es}	=	volume of exempt compounds

~~(52)~~(48) **"VOC Content Per Volume of Material"** means the weight of VOC per volume of material and is calculated by the following equation:

$$C_{m\text{voc}} = (W_s - W_w - W_{es})/V_m$$

where:

- $C_{m\text{voc}}$ = VOC content per volume of material
 W_s = weight of volatile compounds including water and exempt compounds
 W_w = weight of water
 W_{es} = weight of exempt compounds
 V_m = volume of material including water and exempt compounds

~~(53)~~(49) **"Western Section of the Air Pollution Control District of San Diego County"** means all of that portion of San Diego County, State of California, lying west of the following described line:

- (i) Beginning at the San Diego-Riverside County boundary and running south along the range line common to Range 2 West and Range 1 West (San Bernardino Base and Meridian); to the point of intersection with the township line common to Township 9 South and Township 10 South;
- (ii) thence east along the township line common to Township 9 South and Township 10 South to the point of intersection with the range line common to Range 1 West and Range 1 East;
- (iii) thence south along the range line common to Range 1 West and Range 1 East to the point of intersection with the township line common to Township 11 South and Township 12 South;
- (iv) thence east along the township line common to Township 11 South and Township 12 South to the point of intersection with the range line common to Range 1 East and Range 2 East;
- (v) thence south along the range line common to Range 1 East and Range 2 East to the point of intersection with the United States-Mexico International boundary.

(i) the following negligibly photochemically reactive organic compounds:

TABLE 1
EXEMPT COMPOUNDS

I. Negligibly Photochemically-Reactive Organic Compounds

methane₂
methylene chloride (dichloromethane)₂
perchloroethylene (tetrachloroethylene)₂
1,1,1-trichloroethane(methyl chloroform)₂
methyl acetate₂
trichlorofluoromethane (CFC-11)₂
dichlorodifluoromethane (CFC-12)₂
1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113)₂
1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114)₂
chloropentafluoroethane (CFC-115)₂
chlorodifluoromethane (HCFC-22)₂
chlorofluoromethane (HCFC-31)₂
1,1,1-trifluoro-2,2-dichloroethane (HCFC-123)₂
1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a)₂
2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124)₂
1,1-dichloro-1-fluoroethane (HCFC-141b)₂
1-chloro-1,1-difluoroethane (HCFC-142b)₂
1-chloro-1-fluoroethane (HCFC-151a)₂
3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca)₂
1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb)₂
difluoromethane (HFC-32)₂
trifluoromethane (HFC-23)₂
fluoroethane (ethyl fluoride, HFC-161)₂
1,1,2,2-tetrafluoroethane (HFC-134)₂
1,1,1,2-tetrafluoroethane (HFC-134a)₂
pentafluoroethane (HFC-125)₂
1,1,1-trifluoroethane (HFC-143a)₂
1,1-difluoroethane (HFC-152a)₂
1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC-43-10mee)₂
1,1,1,2,3,3,3-hexafluoropropane (HFC-236ea)₂
1,1,1,3,3,3-hexafluoropropane (HFC-236fa)₂
1,1,2,2,3-pentafluoropropane (HFC-245ca)₂
1,1,2,3,3-pentafluoropropane (HFC-245ea)₂
1,1,1,2,3-pentafluoropropane (HFC-245eb)₂
1,1,1,3,3-pentafluoropropane(HFC-245fa)₂

Table 1
Exempt Compounds - Continued

<u>1,1,1,3,3-pentafluorobutane (HFC-365mfc);</u> <u>1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxybutane (C4F9OCH3);</u> <u>2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF3)2CFCF2OCH3);</u> <u>1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C4F9OC2H5);</u> <u>2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ((CF3)2CFCF2OC2H5);</u> cyclic, branched, or linear completely methylated siloxanes (VMS); the following four <u>Four</u> classes of perfluorocarbon (PFC) compounds: <u>(A)</u> cyclic, branched, or linear, completely fluorinated alkanes; <u>(B)</u> cyclic, branched, or linear, completely fluorinated ethers with no unsaturations; <u>(C)</u> cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; <u>and</u> <u>(D)</u> sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine; <u>and</u> <u>(ii) the following low photochemically reactive organic compounds:</u>
<u>II. Low Photochemically-Reactive Organic Compounds</u> acetone; ethane; <u>and</u> 1-chloro-4-trifluoromethyl benzene (parachlorobenzotrifluoride, PCBTF); methyl acetate perchloroethylene (tetrachloroethylene); <u>and</u> <u>(iii) any compound included in Table 1.</u>

2. Proposed repeal of Rule 3 in its entirety.

RULE 3. STANDARD CONDITIONS (Rev. Effective 11/8/76)

As used in these regulations, "standard conditions" means a gas temperature of 68-degrees Fahrenheit (20-degrees Centigrade) and a gas pressure of 14.70 pounds per square inch absolute (29.92 inches [760 mm] of mercury). Results of all analyses and tests shall be calculated or reported at this gas temperature and pressure, unless otherwise specified.