

## **RULE 11. EXEMPTIONS FROM RULE 10 PERMIT REQUIREMENTS**

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## **RULE 11. EXEMPTIONS FROM RULE 10 PERMIT REQUIREMENTS**

### **(a) APPLICABILITY** (Revision Effective 4/25/07)

(1) This rule is applicable to any article, machine, equipment, or other contrivance which would otherwise be subject to Rule 10.

(2) This rule shall not exempt equipment, operations, or processes described in Section (d) from meeting all other applicable requirements of these Rules and Regulations.

(3) This rule shall not apply to any equipment, operation, or process that violates Rule 51 as determined by the Air Pollution Control Officer. When the Air Pollution Control Officer makes such a determination and written notification is given to the owner or operator, the equipment, operation, or process may thereafter be subject to Rule 10. If no additional violations of Rule 51 are determined over a 2-year period, a permit may no longer be required.

(4) This rule shall not apply to any equipment, operation, or process described in Subsections (d)(2) through (d)(19) that emits more than 100 lbs per day of any one of the following criteria air pollutants: particulate matter (PM<sub>10</sub>), oxides of nitrogen (NO<sub>x</sub>), volatile organic compound (VOC), oxides of sulfur (SO<sub>x</sub>), carbon monoxide (CO), or lead (Pb).

(5) This rule shall not apply to any equipment, operation, or process that is subject to the provisions of the National Emissions Standards for Hazardous Air Pollutants (NESHAP), 40 CFR 63, the New Source Performance Standards (NSPS), 40 CFR 60, and the Air Pollution Control District (District) Regulation X - Standards of Performance for New Stationary Sources and/or Regulation XI - National Emission Standards for Hazardous Air Pollutants.

(6) Except for equipment specified in Subsection (d)(20)(iii), Section (d) of this rule shall not apply to any new or modified equipment, operation, or process that

(i) emits or may emit toxic air contaminants, as defined in Rule 1200, and

(ii) has emissions of toxic air contaminants that, in the absence of any emission control device or limitation on material usage or production, may be expected to exceed any standard specified in Rule 1200 (d)(1)(i), (d)(2), or (d)(3) as determined by the Air Pollution Control Officer. This provision shall not apply to any equipment, operation, or process for which construction or modification, as applicable, commenced prior to November 15, 2000, unless such equipment, operation, or process is subsequently modified in such a manner that increases emissions of one or more toxic air contaminants.

In the event the Air Pollution Control Officer makes a preliminary determination that any standard specified in Rule 1200 (d)(1)(i), (d)(2), or (d)(3) may be exceeded, the Air Pollution Control Officer shall notify the owner or operator in writing and specify the

information needed to make a final determination. If the Air Pollution Control Officer makes a final determination that emissions, in the absence of any emission control device or limitation on material usage or production, may be expected to exceed any standard specified in Rule 1200 (d)(1)(i), (d)(2), or (d)(3), the Air Pollution Control Officer shall notify the owner or operator in writing and include a statement that, as a result, Rule 11(d) does not apply and an Authority to Construct and Permit to Operate are therefore required.

(b) **RESERVED**

(c) **DEFINITIONS** (Revision Effective 4/25/07)

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

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

(2) **"Agricultural Source"** means any equipment, operation, or process, or aggregation thereof, used in the production of crops, or raising of fowl or animals and located on contiguous property under common ownership or control that meets any of the criteria identified in Section 39011.5 of California Health and Safety Code.

(3) **"Brake Horsepower Rating"** means the maximum continuous brake horsepower output rating of the internal reciprocating combustion engine as specified by the engine manufacturer and listed on the engine nameplate, if available.

(4) **"CFR"** means Code of Federal Regulations.

(5) **"Designated Workstation"** means an assigned area within the stationary source where a specified operation is conducted.

(6) **"Exempt Compounds"** means the same as defined in Rule 2.

(7) **"First-Article Deliverable Product"** means the first product that is produced using research and development equipment and that is delivered to a potential intra-company or external customer for approval. First-article deliverable product shall not exceed one unit of each product per customer.

(8) **"Hazardous Air Pollutant (HAP)"** means an air contaminant identified in the Federal Clean Air Act, Title 1, Section 112 (b).

(9) **"Hot Melt Adhesive"** means a thermoplastic adhesive that melts at temperatures above 180°F (82°C), does not contain organic solvents, and sets rapidly upon cooling.

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

(11) **"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.

(12) **"Operating Day"** means any calendar day during which the specified equipment is operated, or specified operations occur.

(13) **"Organic Solvent"** means any substance that is liquid at standard conditions and contains an organic compound or combination of organic compounds, and that is used as a diluent, thinner, dissolver, viscosity reducer, or cleaning agent, or for other similar purposes.

(14) **"Pilot Plant Facility"** means a trial assembly of small-scale reaction and processing equipment that is the intermediate stage between laboratory experiment and full-scale operation in the development of a new product and/or process.

(15) **"Portable Emission Unit"** means the same as defined in Rule 20.1.

(16) **"Process Heater"** means any combustion equipment fired with liquid and/or gaseous fuel that transfers heat from the combustion gases to water or process streams. Heaters used for swimming pools, spas, and/or therapy pools shall be considered process heaters. This definition does not include any combustion equipment where the material being heated is in direct contact with the products of combustion, such as furnaces or kilns, or any unfired waste heat recovery heater that is used to recover sensible heat from the exhaust of any combustion equipment.

(17) **"Research and Development Equipment"** means equipment that is used to conduct research and develop new or improved processes and products, where such equipment is operated by technically trained personnel under the supervision of a research director, and is not used in the manufacture of products for sale or exchange for commercial profit, other than the first-article deliverable product.

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

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

(20) **"Toxic Air Contaminant"** means the same as defined in Rule 2.

(21) **"Volatile Organic Compound (VOC)"** means the same as defined in Rule 2.

(22) **"Volatile Organic Liquid"** means any organic liquid either having a Reid Vapor Pressure (RVP) greater than 3 pounds per square inch if the American Society for Testing Material International (ASTM) RVP test method is applicable, or having a true vapor pressure greater than 3 pounds per square inch absolute at 100°F if the ASTM RVP test is not applicable.

(23) **"Volatile Organic Solvent"** means an organic solvent with an initial boiling point of less than 400°F (204°C).

**(d) EQUIPMENT, OPERATIONS, OR PROCESSES NOT REQUIRING A PERMIT TO OPERATE** (Revision Effective 4/25/07)

Any equipment, operation, or process that is listed below in Subsections (d)(1) through (d)(20), and that meets the stated exemption provision, parameter, requirement, or limitation, is exempt from the requirements of Rule 10. Such equipment, operation, or process shall not be exempt from any otherwise applicable standards in these Rules and Regulation, or applicable State or federal regulations, unless specified as exempt by that rule or regulation.

Any person claiming such an exemption shall provide documentation sufficient to substantiate the applicability of the stated exemption provision, parameter, requirement, or limitation at the request of the Air Pollution Control Officer.

**(1) MOBILE SOURCES**

(i) Any engine mounted on, within, or incorporated into any vehicle, train, ship, boat, or barge, that is used primarily to provide propulsion, but which may also supply heat, mechanical, hydraulic, or electrical power to that same vehicle, train, ship, boat, or barge. This exemption does not apply to equipment located onboard floating dry docks or equipment used for dredging operations.

(ii) Railway, road, and runway sweepers used respectively for cleaning rail tracks, roadways, and runways, provided the maximum manufacturer's output rating of any auxiliary sweeper engine is 200 brake horsepower or less.

**(2) COMBUSTION AND HEAT TRANSFER EQUIPMENT**

(i) Any reciprocating internal combustion engine with a brake horsepower rating of less than 50.

(ii) RESERVED

(iii) Any engine mounted on, within, or incorporated into any motor vehicle, train, ship, boat, or barge, that is used exclusively to load or unload cargo. For the purposes of this exemption, cargo shall not include the removal or relocation of sand, rock, silt, soil, or other materials from dredging operations.

(iv) Any gas turbine engine that has:

(A) an output power rating of less than 0.3 megawatt (MW), or

(B) a maximum gross heat input rating at International Standards Organization (ISO) Standard Day Conditions of less than 1 million British thermal units (BTU) per hour.

This exemption does not apply to any gas turbine operating on waste-derived gaseous fuel.

(v) Any boiler, process heater, or steam generator with a manufacturer's maximum gross heat input rating of less than:

(A) 1 million BTU per hour fired with any fuel, or

(B) 5 million BTU per hour fired exclusively with natural gas and/or liquefied petroleum gas.

This exemption does not apply to reciprocating internal combustion or gas turbine engines.

(vi) Air heaters with a manufacturer's maximum gross heat input rating of less than 20 million BTU per hour fired exclusively with natural gas and/or liquefied petroleum gas and installed in conjunction with combustor testing in gas turbine test cells.

(vii) Portable pile drivers and construction cranes that are routinely dismantled and transported to non-contiguous locations for temporary use. This exemption does not apply to diesel pile driving hammers.

(viii) Portable aircraft engine test stands constructed before November 4, 1976.

(ix) Back-pack power blowers.

(x) Orchard or citrus grove heaters.

(xi) Any oven having an internal volume of 27 cubic feet (0.765 cubic meter) or less.

(xii) Curing or baking ovens in which no volatile organic solvents or materials containing volatile organic solvents are introduced.

(xiii) Any oven used exclusively for the curing, softening, or annealing of plastics.

(xiv) Any oven that is an integral part of a process for which a Permit to Operate is not required pursuant to this rule.

(xv) Any portable internal combustion engine or gas turbine engine used exclusively in conjunction with military tactical support equipment. Such engines shall not be subject to the limitations of Subsections (a)(3) or (a)(4) of this rule. For the purposes of this subsection, portable means carried or moved from one location within a stationary source to another location within the same stationary source, or from one stationary source to another stationary source, in the normal course of operations. Indicia of portability shall include, but are not limited to, wheels, skids, carrying handles, or a dolly, trailer, or vessel.

(xvi) Internal combustion engines used exclusively for purposes of educating students in the operation, maintenance, repair, and rebuilding of such engines.

(xvii) Auxiliary internal combustion reciprocating engines mounted on any authorized emergency vehicle as specified in Section 27156.3 of the California Vehicle Code.

**(3) STRUCTURES AND STRUCTURAL MODIFICATIONS**

(i) Equipment used exclusively in support of any structure designed for and used exclusively as a dwelling for not more than four families.

(ii) Structural modifications that cannot change the quality, nature, or quantity of air contaminant emissions.

**(4) LABORATORY EQUIPMENT AND RELATED OPERATIONS**

(i) Laboratory testing equipment and quality control testing equipment, used exclusively for chemical and physical analysis.

(ii) Vacuum-producing devices used in laboratory operations.

(iii) Hoods, stacks, or ventilators.

(iv) Research and development equipment.

(v) Peptide and DNA synthesis operations.

(vi) Equipment used to manufacture:

(A) biotechnology pharmaceutical products for exclusive use in federal Food and Drug Administration (FDA) approved clinical trials, or

(B) biomedical devices and diagnostic kits for exclusive use in FDA approved clinical trials and laboratory failure analysis testing, or

(C) bioagricultural products for exclusive use in field testing required to obtain FDA, Environmental Protection Agency (EPA), United States Department of Agriculture (USDA) and/or California Environmental Protection Agency (Cal-EPA) approval, and provided the uncontrolled emissions of VOCs from all such operations located at the stationary source do not exceed 5 tons per calendar year. All data and/or records necessary to demonstrate that this exemption is applicable, shall be maintained on-site for 2 years and made available to the District upon request.

(vii) Laboratory equipment and laboratory operations located at secondary schools, colleges, or universities and used exclusively for instruction.

(viii) Any temporary equipment installed in a pilot plant facility, provided that the total emissions increase from all such temporary equipment does not exceed 10 pounds per day of VOCs. For the purposes of this exemption, temporary equipment means equipment located at a pilot plant facility for a period not exceeding 90 days in any consecutive 12-month period excluding construction and installation periods. It shall be the responsibility of a person claiming this exemption to maintain daily records necessary for the District to determine its applicability.

**(5) REPLACEMENT OF EQUIPMENT**

Subject to the limitations and requirements stated in this Subsection (d)(5), identical replacement equipment and like-kind replacement equipment as listed below are exempt from the requirements of Rule 10. The provisions of this Subsection (d)(5) shall not apply to replacement of equipment pursuant to other requirements of these Rules and Regulations; or replacement of equipment subject to air contaminant control standards specified for replacement equipment; or replacement of equipment in whole or part, that in sum would constitute reconstruction or modification under NSPS or District Regulation X - Standards of Performance for New Stationary Sources, or would constitute a major stationary source or replacement of any stationary or portable compression ignition reciprocating internal combustion engine; or rim seal replacements for bulk gasoline floating roof tanks subject to the Best Available Control Technology (BACT) requirements of Rule 61.1.

(i) Identical replacement in whole or part of any article, machine, equipment or other contrivance for which a Permit to Operate has previously been granted for such equipment. Identical means the same manufacturer, model number, and type.

In order to claim the applicability of Subsection (d)(5)(i) for portable equipment (other than a diesel-fueled portable engine), written notification of the proposed equipment replacement and information identifying the manufacturer, model number, serial number, and type of the item used as a replacement, and information detailing the expected use of the equipment being replaced, must be submitted to the District prior to such replacement.

(ii) Like-kind replacement in whole or part of any article, machine, equipment, or other contrivance where a Permit to Operate has previously been granted for such equipment, and the Air Pollution Control Officer determines that the replacement equipment meets the following requirements:

(A) is identical in function, and

(B) is similar in design, and

(C) the actual air contaminant emissions are the same in nature, and

(D) has a capacity, production rate, and actual air contaminant emissions that are equal to or less than those of the currently permitted equipment.



In order to claim the applicability of Subsection (d)(5)(ii) and prior to replacing any equipment, written notification in the form of an application for permit revision, the information required to make the determinations listed above, and the fees specified in Rule 40 must be submitted to the District.

**(6) PLANT SUPPORT EQUIPMENT**

The exemptions listed in Subsection (d)(6) shall not apply to any combustion equipment associated with plant support equipment unless the combustion equipment is also exempt pursuant to Subsection (d)(2) of this rule.

- (i) Vacuum cleaning devices used exclusively for housekeeping purposes.
- (ii) Equipment used exclusively for comfort air conditioning or comfort ventilation systems, and not designed or used to remove air contaminants generated by or released from specific equipment.
- (iii) Refrigeration units except those used as, or in conjunction with, air pollution control equipment.
- (iv) Equipment used exclusively to compress or hold dry natural gas.
- (v) Vacuum-producing devices used in connection with other equipment not requiring a Permit to Operate pursuant to this rule.
- (vi) Equipment used exclusively for space heating, other than boilers.
- (vii) Water cooling towers and water cooling ponds used for evaporative cooling of water utilized solely in heat transfer processes but not used for evaporative cooling of:
  - (A) process water (e.g., contaminated water or industrial wastewater), or
  - (B) water from barometric jets or barometric condensers.

**(7) METALLURGICAL PROCESSING EQUIPMENT - GENERAL**

- (i) Non-automated soldering equipment, such as handheld soldering irons and guns.
- (ii) Solder-screen processes and associated soldering ovens that use a process similar to silk-screening in order to apply the solder paste.
- (iii) Each solder leveler, hydrosqueegee, wave solder machine or drag solder machine that uses less than an average of 10 pounds of any material containing VOCs per operating day for each calendar month. The number of operating days per calendar month, monthly purchase records, and daily or monthly records of material

usage shall be maintained on-site for 2 years and be made available to the District upon request.

- (iv) Brazing and welding equipment, including arc welding equipment.
- (v) Molds used for the casting of metals.
- (vi) Foundry sand mold forming equipment. This exemption does not apply if heat, sulfur dioxide, or VOCs are used.
- (vii) Forming equipment used exclusively for forging, rolling, or drawing of metals.
- (viii) Metal and ceramic deposition spray operations where all the materials sprayed contain no chromium, lead, or nickel. This exemption does not apply when electric arc or flame spray guns are used in these operations.
- (ix) Tumblers used for the cleaning or deburring of metal products without abrasive blasting.
- (x) Shell-core and shell-mold manufacturing machines.
- (xi) Extrusion equipment used exclusively for extruding metals or minerals. This exemption does not apply to coking extrusion equipment or processes that manufacture products containing greater than 1% asbestos fiber by weight.
- (xii) Shot peening operations where only steel shot is employed and no surface material such as scale, rust, or old paint is removed.
- (xiii) Chemical milling of titanium or niobium (columbium) and/or their alloys using nitric and/or hydrofluoric acid at milling bath temperatures below 110°F (43°C).
- (xiv) Equipment used for anodizing, plating, polishing, stripping, or etching, if the VOC content of the aqueous material does not exceed 10% by weight. This exemption does not apply to acid chemical milling, chrome plating, chromic acid anodizing, chromate conversion coating processes, or the stripping of chromium. This exemption also does not apply to copper etching or plating operations which use formaldehyde, ammonium hydroxide, ammonium chloride, or solutions of nitric, hydrofluoric, and/or hydrochloric acids which contain more than 17% acid concentration by weight.
- (xv) Oil quenching tanks that use less than 20 gallons per year of make-up oil. Monthly purchase records and daily or monthly usage records of all materials added must be maintained on-site to claim applicability of this exemption.
- (xvi) Salt bath quenching tanks where no chromium containing compounds are added to the tank.

**(8) METALLURGICAL, GLASS, AND CERAMIC PROCESSING EQUIPMENT - USING FURNACES, KILNS, AND OVENS**

(i) Crucible furnaces, pot furnaces, or induction furnaces, each with a maximum rated capacity of less than 450 cubic inches of any molten metal.

(ii) Crucible furnaces, pot furnaces, or induction furnaces each with a maximum rated capacity of 2,500 cubic inches or less, or 950 pounds or less, and where

(A) no sweating or distilling is conducted, and

(B) only non-ferrous metals, except lead and yellow brass, are poured or held in a molten state.

Records of the types of all metal poured from such furnaces shall be maintained on-site for 2 years and be made available to the District upon request. This exemption does not apply if alloying elements of arsenic, beryllium, cadmium, chromium, lead, and/or nickel are utilized in such furnaces.

(iii) Equipment used exclusively for the sintering of glass or metals (excluding lead), where no coke or limestone is used.

(iv) Equipment used exclusively for heating metals immediately prior to forging, pressing, rolling, or drawing.

(v) Any oven used exclusively for heat treating glass or metal if the materials are not heated to a molten state, and the oven is heated exclusively by natural gas, liquefied petroleum gas, and/or electricity.

(vi) Atmosphere generators and vacuum producing devices used in connection with metal heat treating processes.

(vii) Die casting machines.

(viii) Kilns used exclusively for firing ceramic ware, heated exclusively with natural gas, liquefied petroleum gas, and/or electricity.

**(9) ABRASIVE BLASTING EQUIPMENT**

The exemptions listed in this Subsection (d)(9) shall not apply to any combustion equipment associated with abrasive blasting equipment unless the associated combustion equipment is also exempt pursuant to Subsection (d)(2) of this rule. The exemptions listed in this Subsection (d)(9) shall not also apply to abrasive blasting operations where asbestos containing materials are being removed.

(i) Blast cleaning equipment using a suspension of abrasive in water.

(ii) Abrasive blasting cabinets that are vented through a control device into the building where such cabinets are located.

(iii) Robotically-operated enclosed abrasive blasting equipment that emits less than 5 pounds of particulate matter per day, operates at a negative pressure, and is vented through a control device into the building where it is located.

(iv) Abrasive blasting equipment with a manufacturer's sand capacity rating of 100 pounds or less (45.4 kg), or 1 cubic foot or less.

**(10) MACHINING EQUIPMENT**

(i) Equipment used for buffing, polishing, carving, cutting, deburring, drilling, machining, routing, shearing, sanding, sawing, surface grinding, or turning of: ceramic artwork, ceramic precision parts, glass, leather, metal, rubber, fiberboard, masonry, or non-fiberglass reinforced plastic. This exemption does not apply to tire buffers.

(ii) Wet-jet devices used to cut fiberglass reinforced plastic.

(iii) Portable handheld equipment used for buffing, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding, or turning of fiberglass reinforced plastic, when not used at a designated workstation, booth, or room.

(iv) Equipment used for carving, cutting, drilling, surface grinding, planing, routing, sanding, sawing, shredding, or turning of wood.

(v) Tub grinders and trommel screens used for processing wood waste. This exemption does not apply to any associated combustion equipment unless such equipment is also exempt pursuant to Subsection (d)(2) of this rule.

(vi) Equipment used for the pressing or storing of sawdust, wood chips, or wood shavings.

(vii) Equipment used exclusively to mill or grind coatings or molding compounds where all materials introduced are in a paste form and no volatile organic solvents are used.

(viii) Drilling machines for fiberglass parts that are exclusively vented through an intact bag filter that exhausts inside the building where such equipment is located and provided that the amount of fiberglass collected in the bag filter is below 500 pounds per calendar year per facility. Monthly records of all fiberglass collected in the bag filter shall be maintained on-site for 2 years and made available to the District upon request.

**(11) PRINTING AND REPRODUCTION EQUIPMENT**

(i) Any graphic arts operation or group of graphic arts operations located at a stationary source, that emit less than an average of 15 pounds of VOCs per operating day for each calendar month from all such operations. All records necessary to calculate average daily VOC emissions, such as emission factors or mix ratios, VOC content of each material used, number of operating days per month, and daily or monthly records of material usage, shall be maintained on-site for 3 years and be made available to the District upon request.

(ii) Inkjet and laser printing equipment.

(iii) Ink cartridge filling, refilling, and/or refurbishing operations.

**(12) FOOD PROCESSING AND FOOD PREPARATION EQUIPMENT**

(i) Equipment used exclusively to grind, blend, or package tea, cocoa, spices, dried flowers, or roasted coffee.

(ii) Equipment located at eating establishments that is used for preparing food for human consumption at the same establishment. This exemption does not apply to boilers or coffee roasting equipment.

(iii) Coffee roasting equipment with a manufacturer's rating of 15 pounds per hour or less.

(iv) Any bakery oven that is located at a stationary source where the combined rated heat input capacity of all bakery ovens is less than 2 million BTU per hour.

(v) Any bakery oven used exclusively to bake non-yeast-leavened products.

(vi) Equipment used to crush and/or ferment grapes to produce wine.

(vii) Equipment used to brew beer at breweries that produce less than one million gallons of beer per year. This exemption does not apply to boilers or silos.

(viii) Smokehouses used for preparing food.

**(13) PLASTICS, FOAM, AND RUBBER PROCESSING EQUIPMENT OR OPERATIONS**

(i) Extrusion equipment used exclusively for extruding rubber products or plastics where no organic additives are present.

(ii) Equipment used for compression molding and/or injection molding of plastics.

(iii) Mixers, roll mills, and calenders for rubber or plastics, where no material in powder form is added and no volatile organic solvents are used.

(iv) Equipment used exclusively for conveying and storing plastic materials.

(v) Foam manufacturing or foam application operations that emit less than an average of 5 pounds of VOCs per operating day for each calendar month. All records necessary to calculate average daily VOC emissions, such as emission factors, VOC content of each material used, number of operating days per calendar month, and daily or monthly records of material usage, shall be maintained on-site for 2 years and be made available to the District upon request.

(vi) Plastics manufacturing or fabrication operations, including reinforced plastic fabrication operations using materials such as epoxy and/or polyester resins, that emit less than an average of 5 pounds of VOCs per operating day for each calendar month. All records necessary to calculate average daily VOC emissions, such as emission factors, VOC content of each material used, number of operating days per calendar month, and daily or monthly records of material usage, shall be maintained on-site for 2 years and be made available to the District upon request.

(vii) Hot wire cutting of expanded polystyrene foam.

**(14) MIXING, BLENDING, AND PACKAGING EQUIPMENT**

(i) Dry batch mixers with a rated working capacity of 0.5 cubic yards or less, where material is added in a dry form prior to the introduction of a subsequent liquid fraction or where no liquid fraction is added.

(ii) Wet batch mixers with a rated working capacity of 1 cubic yard or less, where no volatile organic solvents are used.

(iii) Equipment used exclusively for the manufacture of water emulsions of asphalt, greases, oils, or waxes.

(iv) Equipment used exclusively for the packaging of lubricants or greases.

(v) Equipment used at ambient temperatures exclusively for mixing and blending materials to make water-based adhesives.

(vi) Any coating and/or ink manufacturing operations located at a stationary source that emit less than an average of 15 pounds of VOCs per operating day for each calendar month from all such operations. All records necessary to calculate average daily VOC emissions, such as emission factors, VOC content of each material used, number of operating days per calendar month, and daily or monthly records of material usage, shall be maintained on-site for 3 years and be made available to the District upon request.

**(15) COATING AND ADHESIVE APPLICATION EQUIPMENT AND OPERATIONS**

(i) Powder coating operations where less than 0.5 gallons per day of any surface preparation or cleaning material containing VOCs are used. Monthly purchase and daily or monthly usage records of surface preparation and cleaning materials shall be maintained on-site for 3 years and made available to the District upon request. This exemption does not apply to metallizing gun operations.

(ii) Application equipment and processes used exclusively to apply coatings and/or adhesive materials to stationary structures and/or their appurtenances at the site of installation, to portable buildings including mobile homes at the site of installation, to pavement, or to curbs. This exemption does not apply to application equipment and processes where coatings or adhesive materials are applied in off-site shops or to non-stationary structures such as airplanes, ships, boats, railcars, and automobiles.

(iii) Any coating or adhesive materials application operation (portable or stationary) where 20 gallons or less of liquid coatings or adhesive materials are applied per consecutive 12-month period. Monthly purchase records and daily or monthly usage records of all coatings or adhesive materials applied must be maintained on-site for 3 years to claim applicability of this exemption. The volume of materials applied using non-refillable handheld aerosol spray containers shall not be included when determining the applicability of this exemption.

(iv) Any coating or adhesive materials application operation at a stationary source where the VOC emissions from such operation are 150 pounds or less per consecutive 12-month period, excluding surface preparation and cleanup solvents. All records necessary to calculate VOC emissions, such as VOC content of each coating or adhesive material applied and daily or monthly usage records of such materials must be maintained on-site for 3 years to claim applicability of this exemption.

The volume or VOC content of materials applied using non-refillable handheld aerosol spray containers shall not be included when determining the applicability of this exemption.

(v) Chromate conversion coating processes where coatings are applied exclusively by brush or rollers.

(vi) Coating operations that exclusively use preservative oils and compounds as defined in Rule 67.9, lubricants, greases, or waxes containing no volatile organic solvents.

(vii) Coating operations that exclusively use non-refillable handheld aerosol spray containers.

(viii) The application of coatings outside of a defined application station that are necessary to cover minor imperfections or repair minor mechanical damage incurred prior to intended use.

(ix) Coating application equipment located at primary or secondary schools and used exclusively for instruction.

(x) Liquid surface coating operations that exclusively use hand-held brushes to apply wet fastener primer coatings from containers that are 8 ounces or less in size.

(xi) Liquid surface coating operations that exclusively use air brushes with a coating capacity of 2 ounces or less.

(xii) Hot melt adhesive application equipment.

(xiii) The application of coatings outside of a designated workstation that is necessary for the maintenance of stationary equipment.

**(16) SOLVENT APPLICATION EQUIPMENT AND OPERATIONS**

(i) Equipment used exclusively for surface preparation and cleaning if the VOC content of the aqueous material does not exceed 50 grams per liter, as applied.

(ii) Cold solvent cleaning dip tanks, vapor degreasers, and paint stripping tanks:

(A) with a liquid surface area of 1 square foot or less, or

(B) with a maximum capacity of 1 gallon or less.

(iii) Cold solvent cleaning remote reservoirs with a sink cross-sectional area of 1 square foot (0.09 square meters) or less.

(iv) Batch-type waste solvent recovery stills for on-site recovery of waste solvent with a maximum solvent usage of 350 gallons per day, provided the still is equipped with a device that shuts off the heating system if the solvent vapor condenser is not operating properly.

(v) Metal inspection tanks that:

(A) have a liquid surface area of less than 5 square feet, or

(B) do not use volatile organic solvents, or

(C) are not equipped with spray type flow devices or a means of solvent agitation.

(vi) Cold solvent degreasers used exclusively for educational purposes.

(vii) Golf grip application stations that exclusively use liquid materials with an initial boiling point of 450°F (232°C), or greater.



(viii) Solvent wipe cleaning operations, not associated with any permitted operation, provided the solvent is applied from a container that minimizes emissions to the air, such as but not limited to, squeeze containers with narrow tips, spray bottles, or dispensers with press down caps; and the uncontrolled VOC emissions from all such operations located at the stationary source do not exceed 5 tons per calendar year, or the total purchase of solvents for such operations does not exceed 1,500 gallons per calendar year. All data and/or records necessary to demonstrate that this exemption is applicable, shall be maintained on-site for 2 years and made available to the District upon request.

**(17) STORAGE AND TRANSFER EQUIPMENT**

(i) Stationary equipment used exclusively to store and/or transfer organic compounds that are not volatile organic liquids.

(ii) Stationary storage tanks for volatile organic liquids with a capacity of less than 250 gallons and associated equipment used exclusively to transfer materials into such tanks.

(iii) Equipment used exclusively to store and/or transfer organic solvents that are not used as fuels.

(iv) Equipment used exclusively to store and/or transfer natural gas, butane, or propane when not mixed with other volatile organic liquids, other than odorants.

(v) Equipment used exclusively to store and/or transfer fuels that are used exclusively as a source of fuel for wind machines used for agricultural purposes.

(vi) Mobile transport, delivery, or cargo tanks on vehicles used for the delivery of volatile organic liquids. This exemption does not apply to asphalt tankers used to transport and transfer hot asphalt used for roofing applications.

(vii) Equipment used to transfer fuel to and from amphibious ships for maintenance purposes, provided total annual transfers do not exceed 60,000 gallons per year at a stationary source.

(viii) Equipment used exclusively to store and/or transfer liquid soaps, liquid detergents, vegetable oils, fatty acids, fatty esters, fatty alcohols, or waxes, and wax emulsions.

(ix) Pressurized tanks used to store inorganic or halogenated organic gases and associated equipment used exclusively to transfer materials into such tanks.

**(18) DRYCLEANING, LAUNDRY EQUIPMENT, AND FABRIC RELATED OPERATIONS**

(i) Non-immersion dry cleaning equipment.

- (ii) Lint traps used exclusively in conjunction with dry cleaning tumblers.
- (iii) Wastewater processing units associated with drycleaning operations using halogenated compounds, provided the concentration of halogenated compounds in the water being evaporated in the unit does not exceed 400 parts per million (by weight).
- (iv) Laundry dryers, extractors, or tumblers used for fabrics cleaned only with solutions of bleach or detergents containing no volatile organic solvents.
- (v) Equipment used for wet cleaning (using water as a cleaning agent), washing or drying articles fabricated from cloth, fabric, or glass, where no volatile organic solvents are employed in the process and none of the articles being cleaned have residues of volatile organic solvents.
- (vi) Equipment, including dryers, used exclusively for printing, dyeing, stripping, or bleaching of textiles where no volatile organic solvents are used.
- (vii) Any equipment listed above in Subsections (18)(iv), (18)(v), or (18)(vi) which does not emit more than an average of 5 pounds of VOCs per operating day for each calendar month. All records needed to calculate average daily VOC emissions, such as emission factors, VOC content of all materials used, number of operating days per calendar month, and daily or monthly records of material usage, shall be maintained on-site for 2 years and be made available to the District upon request.

**(19) MISCELLANEOUS EQUIPMENT AND OPERATIONS**

- (i) Air pollution control equipment used exclusively to reduce
  - (A) emissions from any article, machine, equipment, process, or contrivance not required to have a Permit to Operate; or
  - (B) emissions generated during the draining and degassing of stationary floating roof gasoline storage tanks provided that a written authorization from the Air Pollution Control Officer to conduct the draining and degassing is obtained pursuant to Rule 61.1.
- (ii) Repairs or maintenance not involving structural changes to any equipment for which a Permit to Operate has been granted.
- (iii) Roofing kettles (used to heat asphalt), each with a capacity of 85 gallons or less.
- (iv) Paper shredders and disintegrators, each with a capacity of 600 pounds per hour or less, and the associated conveying systems and baling equipment.
- (v) Alkaline chemical milling equipment:

- (A) used exclusively for the cleaning of internal combustion engine parts, or
  - (B) for which construction or installation commenced prior to March 27, 1990.
- (vi) Portable conveyors (belt or screw type) where there is no screening.
- (vii) Fire extinguishing equipment using halons.
- (viii) Equipment used exclusively for the purposes of:
  - (A) flash-over fire fighting training, or
  - (B) hand-held fire extinguisher training operations.
- (ix) Equipment used exclusively for bonding lining to brake shoes, where no volatile organic solvents are used.
- (x) Equipment used exclusively to liquefy or separate oxygen, nitrogen, or the inert gases from air.
- (xi) Any operation producing or blending materials for use in cosmetic or pharmaceutical products and/or manufacturing cosmetic or pharmaceutical products by chemical processes, that emit less than an average of 15 pounds of VOCs per operating day for each calendar month from all phases of all such operations located at a single stationary source. All records necessary to calculate average daily VOC emissions, such as emission factors, VOC content of each material used, number of operating days per calendar month, and daily or monthly records of material usage, shall be maintained on-site for 3 years and be made available to the District upon request.
- (xii) Equipment used for hydraulic or hydrostatic testing.
- (xiii) Ethylene oxide sterilizing processes that use less than 5 pounds of ethylene oxide per calendar year. Purchase records and records of monthly ethylene oxide usage shall be maintained on-site for 2 years and be made available to the District upon request.
- (xiv) Sterilizers or autoclaves using only steam or hydrogen peroxide.
- (xv) Nail salon operations.
- (xvi) Equipment used exclusively for the melting or applying wax where no volatile organic solvents are used.
- (xvii) Aerosol can puncturing or crushing operations that use:

(A) a closed loop recovery system that emits no air contaminants, or

(B) a recovery system that vents all emissions through a properly operated and maintained carbon canister, provided not more than 500 cans are processed through the equipment per day. Throughput records of the number of cans processed shall be maintained on-site for 2 years and be made available to the District upon request.

(xviii) Any article, machine, equipment, or contrivance that emits airborne radioactive materials in concentrations above the natural radioactive background concentration in air in the form of dusts, fumes, smoke, mists, liquids, vapors, or gases. This exemption does not apply to incinerators or boilers.

Atomic energy development and radiation protection are controlled by the State of California to the extent it has jurisdiction thereof, in accordance with the advice and recommendations made to the Governor by the Advisory Council on atomic energy development and radiation protection. Such development and protection are fully regulated by the Nuclear Regulatory Commission to the extent that such authority has not been delegated to the states.

(xix) Any other piece of equipment or operation that the Air Pollution Control Officer determines to be a negligible source of air contaminants. This provision applies only to equipment or operations that have obtained a Certificate of Exemption in writing from the District. The Certificate of Exemption document must be maintained with the exempt equipment or be made readily available at all times and applies only to the specific equipment or operation described in the Certificate of Exemption document.

(xx) Equipment approved for use by the EPA for recovering and/or recycling chlorofluorocarbons (CFCs) or alternative fluorocarbons.

(xxi) Wastewater treatment facilities, water reclamation facilities, and wastewater pump stations each with a design throughput capacity of less than one million gallons of wastewater per day.

(xxii) Sludge processing operations at wastewater treatment facilities each with a design throughput capacity of less than one million gallons of wastewater per day.

(xxiii) Smoke generating equipment in training sessions conducted by government agencies for the purpose of certifying persons to evaluate visible emissions for compliance with State law or District Rules and Regulations.

(xxiv) Smoke generating equipment used for training military personnel and the testing of military equipment by the Department of Defense.

(xxv) Any agricultural source where the aggregate actual emissions from all stationary emission units do not exceed 25 tons per year of each criteria pollutant and do not exceed 5 tons per year of any single HAP or 12.5 tons per year of combined HAPs.

(xxvi) Fuel cells used in power and/or heat generating equipment that are certified under California Air Resources Board's Distributed Generation Program or meet the emission standards of that program.

(20) **REGISTERED EQUIPMENT**

(i) Any portable equipment that is registered in accordance with District Rule 12.1. This exemption does not apply to any equipment while in use for screening of soils in contaminated soil remediation projects.

(ii) Any emission unit registered in accordance with District Rule 12.

(iii) Any portable equipment registered in accordance with the Statewide Portable Equipment Registration Program adopted pursuant to California Health and Safety Code Section 41750, et seq., except in circumstances specified in that program (California Code of Regulations, Title 13, §2451 and §2457).

(e) **RESERVED**

(f) **RESERVED**

(g) **TEST METHODS** (Revision Effective 4/25/07)

The following test methods will be used for compliance verification purposes.

(1) Measurement of the VOC content of all coating and adhesive materials subject to this rule shall be conducted in accordance with EPA Test Method 24 (40 CFR 60, Appendix A).

(2) Measurement of VOC content of cleaning materials subject to the requirements of Subsection (d)(16)(i) shall be conducted in accordance with the South Coast Air Quality Management District Test Method 308 or 313.

(3) Measurement of the initial boiling point of all materials subject to this rule shall be conducted in accordance with ASTM Standard Test Method D1078-05, for distillation range of volatile organic liquids, or its most current version.

(4) Calculation of total VOC vapor pressure for all materials subject to this rule shall be conducted in accordance with the District's "Procedures for Estimating the Vapor Pressure of VOC Mixtures," as it exists on June 27, 1995. If the vapor pressure of the liquid mixture, as calculated by this procedure, exceeds the limits specified, the vapor pressure shall be determined in accordance with ASTM Standard Test Method D2879-97 (2002), or its most current version. The solvent composition shall be determined using one of the following ASTM standard recommended practices: E168-99 (2004), E169-04, or E260-96 (2001), or their most current versions. The fraction of water and exempt compounds in the liquid phase shall be determined by using ASTM Standard Test Methods D3792-05 and D4457-02, or their most current versions, and shall be used to calculate the

partial pressure of water and exempt compounds. The results of vapor pressure measurements obtained using ASTM Standard Test Method D2879-97 (2002), or its most current version, shall be corrected for partial pressure of water and exempt compounds.

(5) Reid Vapor Pressure pursuant to Subsections (c)(22) and (d)(17) of this rule shall be measured in accordance with ASTM Standard Test Method D323-99a, or its most current version.

(6) Concentration of halogenated compounds in water pursuant to Subsection (d)(18)(iii) shall be measured in accordance with EPA Test Method 8021B.

(h) **COMPLIANCE SCHEDULE** (Revision Effective 4/25/07)

Any person operating existing equipment previously exempt from Rule 10 permit requirements pursuant to the version of Rule 11 existing prior to April 25, 2007, and that is no longer exempt from Rule 10 permit requirements pursuant to this rule, shall submit an application for a permit to operate such equipment by April 25, 2008.