



# Air Pollution Control Board

## San Diego County Air Pollution Control District

### GOVERNING BODY

GREG COX  
First District

DIANNE JACOB  
Second District

KRISTIN GASPAR  
Third District

NATHAN FLETCHER  
Fourth District

JIM DESMOND  
Fifth District

## AGENDA ITEM

**DATE:** October 30, 2019

**AP02**

**TO:** Air Pollution Control Board

### SUBJECT

**NOTICED PUBLIC HEARING - ADOPTION OF AMENDMENTS TO RULE 11 –  
EXEMPTION FROM RULE 10 PERMIT REQUIREMENTS (DISTRICTS: ALL)**

### OVERVIEW

This is a request for the Air Pollution Control Board to adopt proposed amendments to Air Pollution Control District (District) Rule 11 - Exemptions from Rule 10 Permit Requirements. Rule 11 is an administrative rule that provides certain, low air pollution emitting equipment, operations and processes that have negligible or no effects on air quality with an exemption from the requirement to have a District permit to operate under Rule 10 (Permits Required).

The permit exemptions of District Rule 11 were last updated on May 11, 2016 (AP01), but since that time, District staff has identified two additional types of operations that emit negligible amounts of air pollutants and thus are now proposed for inclusion in Rule 11, where they would be exempt from District permit requirements. These are low-emitting solvent cleaning operations using solvent containing 25 grams or less of volatile organic compounds (VOC) per liter of solvent. Specifically, these are cold solvent degreasing, vapor degreasing and stripping operations that have negligible or zero VOC emissions (a precursor to ozone) and have essentially no effect on ozone concentrations in the region. This proposed exemption is in place in many other air districts and relieves affected businesses of the need to have an air district permit. If approved, this exemption would enable approximately 450 solvent cleaning permits to be retired (i.e. eliminated) because the equipment uses low VOC solvents and District permits to operate would no longer be required.

An additional exemption is proposed for low-emitting polyester resin operations emitting 150 pounds or less of VOC per year. This permit exemption is proposed for consistency with exemptions currently in place for small, low-emitting coating operations. Currently, no existing permitted polyester resin operation in the region would qualify for this proposed exemption.

Additional amendments to Rule 11 are also proposed in order to further update and clarify the rule requirements.

The proposed amendments to Rule 11 were developed in collaboration with the U.S. Environmental Protection Agency (EPA) and California Air Resources Board (CARB) and with

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input from local facilities and the public. If approved, the amended rule will be submitted to the EPA through CARB for approval as part of the State Implementation Plan for attaining and maintaining air quality standards in the San Diego region.

**RECOMMENDATION(S)**

**AIR POLLUTION CONTROL OFFICER**

1. Find that the adoption of the proposed amendments to Rule 11 is exempt from the provisions of the California Environmental Quality Act pursuant to California Code of Regulations, Title 14, Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. Adopt the Resolution entitled RESOLUTION ADOPTING AMENDMENTS TO RULE 11 – EXEMPTIONS FROM RULE 10 PERMIT REQUIREMENTS, OF REGULATION II OF THE RULES AND REGULATIONS OF THE SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT

**FISCAL IMPACT**

If all eligible 450 solvent cleaning permits were to be retired, there would be approximately \$40,000 in lost fee revenue in Fiscal Year 2019-20, which would be offset by cost savings from the elimination of permit processing and compliance inspections for that equipment. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

Adopting the proposed amendments to Rule 11 will not adversely impact the business community. If approved, the proposed amendments will add permit exemptions for two additional categories of sources under specified conditions and further clarify and update the rule requirements.

**ADVISORY BOARD STATEMENT**

The proposed amendments to Rule 11 were included on the agenda for the Air Pollution Control District Advisory Committee meeting on June 12, 2019. One member of the Advisory Committee was present at the meeting. Staff went over the proposed amendments and no concerns with the proposal were raised.

**BACKGROUND**

Air Pollution Control District (District) Rule 11 - Exemptions from Rule 10 Permit Requirements, is an administrative rule that has been in place for many decades and provides certain equipment, operations and processes that emit negligible amounts of air pollutants with an exemption from permitting under Rule 10 - Permits Required. Without such Rule 11 exemptions, some types of activities that have no impact on air quality would be required to have a permit to operate under District Rule 10 - Permits Required.

Rule 11 was last updated on May 11, 2016 (AP01) and since then District staff has identified two additional types of operations that emit negligible amounts of air pollution and thus are now proposed for inclusion in Rule 11. Specifically, the proposed amendments to Rule 11 add a permit exemption for certain solvent cleaning operations (cold solvent degreasing, vapor degreasing or

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stripping operations) using low-emitting solvent containing 25 grams or less of volatile organic compounds (VOC) per liter of solvent. Solvent cleaning is the process of using solvents to remove grease, fats, oils, wax, soil and other substances from various metal, glass or plastic items. The proposed exemption is currently in place in several air districts. Many local sources that would qualify for the proposed exemption use solvents that contain no VOC.

Additionally, the proposed rule amendments will add a permit exemption for low-emitting polyester resin operations emitting 150 pounds or less of VOC per year. Polyester resin operations are typically part of the manufacturing processes for surfboards, boats, synthetic marble products, aerospace components and other products. The proposed exemption is consistent with exemptions currently in place in the District for small, low-emitting coating operations. Currently no existing permitted polyester resin operation in the region would qualify for this exemption.

Further, the proposed amendments to Rule 11 would add language to clarify that: (1) mobile, on-demand motor vehicle refueling operations are not exempt from permit requirements; (2) a permit exemption for certain surface preparation and wipe cleaning operations does not apply to cold solvent cleaning, vapor degreasing or stripping operations; (3) cannabis products are not defined as pharmaceutical products for purposes of Rule 11, therefore cannabis processing operations emitting more than two pounds of criteria air pollutants per day, or any amount of a toxic air contaminant that may pose a significant health risk, are not exempt from permit requirements; and (4) municipal wastewater pump stations with a throughput that averages less than one million gallons of wastewater per day are exempt from permit requirements.

If the proposed amendments to Rule 11 are adopted, approximately 450 existing solvent cleaning permits that are no longer required may be retired upon request by the permit holders. The District would incur an estimated \$40,000 loss in fee revenue in Fiscal Year 2019-20 should all 450 eligible permits be retired, which would be offset by cost savings from the elimination of permit processing and compliance inspections for that equipment.

**Customer/Stakeholder Notification**

District staff conducted a public workshop to solicit input on the proposed amendments to Rule 11 from affected parties. A workshop notice was posted on the District's website and sent to approximately 5,000 recipients including each air quality permit holder and chamber of commerce in the region, each member of the Air Pollution Control District Advisory Committee, subscribers to the County's email update service, the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB).

Approximately 45 people attended the workshop including industry representatives. No issues were raised and there was no opposition to the proposed actions. If the proposed amendments to Rule 11 are adopted, staff will conduct additional outreach, including distribution of an advisory notice to further inform potentially affected sources.

**Socioeconomic Impact Assessment**

State law requires the District to perform an assessment of the socioeconomic impacts when adopting, amending or repealing a rule that will significantly affect air quality or emission

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limitations. Rule 11 is an administrative rule that specifies which sources are exempt from permit requirements. The proposed rule amendments would add permit exemptions for two types of sources that have negligible or no effects on air quality and would update and clarify other rule provisions. Adopting the proposal would not significantly affect air quality or emission limitations. Therefore, a socioeconomic impact assessment is not required and has not been prepared.

**ENVIRONMENTAL STATEMENT**

The California Environmental Quality Act (CEQA) requires environmental review of certain actions. District staff conducted a review of whether CEQA applies to the proposed amendments to Rule 11. Rule 11 is an administrative rule that specifies the types of sources that are exempt from permit requirements. The proposed rule amendments would add permit exemptions for two types of sources that have negligible or no effects on air quality and would update and clarify other rule provisions. If the proposal is adopted, and if existing permits for newly exempt equipment were retired, the affected units must continue to be operated in the same health-protective manner, generating negligible or no VOC emissions, in order to maintain their exemption. Otherwise, permits will be required pursuant to existing Rule 10 (Permits Required). Therefore, District staff has determined that adoption of the proposed amendments to Rule 11 is exempt from the provisions of CEQA pursuant to California Code of Regulations, Title 14, Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment.

**LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN**

Today's proposed actions support the Sustainable Environments/Thriving Initiative in the County of San Diego's 2019–2024 Strategic Plan with an objective to provide and promote services that increase the well-being of residents and increase consumer and business confidence. The proposed amendments to Rule 11 will help ensure that negligible sources of air pollutant emissions are not subject to permits and associated requirements and thus will increase business confidence while preserving the environment.

Respectfully submitted,



SARAH E. AGHASSI  
Deputy Chief Administrative Officer



ROBERT J. KARD  
Air Pollution Control Officer

**ATTACHMENT(S)**

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*Note: Due to the size of the attachments, the documents are available online through the Clerk of the Board's website at [www.sandiegocounty.gov/content/sdc/cob/bosa.html](http://www.sandiegocounty.gov/content/sdc/cob/bosa.html).*

Attachment A – Resolution Adopting Amendments to Rule 11 – Exemptions from Rule 10 Permit Requirements, of Regulation II of the Rules and Regulations of the San Diego County Air Pollution Control District

Attachment B – Rule 11 Change Copy

Attachment C – Workshop Report

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**AGENDA ITEM INFORMATION SHEET**

**REQUIRES FOUR VOTES:** ☐ Yes ☐ No

**WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED**

☐ Yes ☐ No

**PREVIOUS RELEVANT BOARD ACTIONS:**

May 11, 2016 (AP01), Amendment of Rule 11 and Related Amendment to Rule 66.1

**BOARD POLICIES APPLICABLE:**

N/A

**BOARD POLICY STATEMENTS:**

N/A

**MANDATORY COMPLIANCE:**

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION  
NUMBER(S):**

N/A

**ORIGINATING DEPARTMENT:** Air Pollution Control District

**OTHER CONCURRENCE(S):** None

**CONTACT PERSON(S):**

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**RESOLUTION ADOPTING AMENDMENTS TO RULE 11 – EXEMPTIONS  
FROM RULE 10 PERMIT REQUIREMENTS, OF REGULATION II OF  
THE RULES AND REGULATIONS OF THE  
SAN DIEGO COUNTY AIR POLLUTION CONTROL DISTRICT**

On motion of Member Gaspar, seconded by Member Desmond, the following resolution is adopted:

**WHEREAS**, the San Diego County Air Pollution Control Board (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 held relating to the amendment of said Rules and Regulations pursuant to Section 40725 of the Health and Safety Code and Section 51.102 of Title 40 of the Code of Federal Regulations; and

**WHEREAS**, pursuant to Section 40727 of the Health and Safety Code, the San Diego County Air Pollution Control Board makes the following findings:

- (1) (Necessity) The adoption of proposed amendments to Rule 11 is necessary because changes in state law and adoption of new state Air Toxic Control Measures have affected permit requirements;
- (2) (Authority) The adoption of proposed amendments to Rule 11 is authorized by Section 40702 of the Health and Safety Code;
- (3) (Clarity) Proposed amendments to Rule 11 can be easily understood by persons directly affected by them;
- (4) (Consistency) The adoption of proposed amendments to Rule 11 is in harmony with, and not in conflict with or contrary to, existing statutes, court decisions, and state and federal regulations;
- (5) (Non-duplication) The adoption of proposed amendments to Rule 11 will not duplicate existing District, state, or federal requirements;
- (6) (Reference) The adoption of proposed amendments to Rule 11 is necessary to comply with state law;

**WHEREAS**, the Board further finds pursuant to Section 40001 of the Health and Safety Code that the adoption of proposed amendments to Rule 11 will facilitate the attainment of ambient air quality standards; and

Resolution No: 19-171  
Meeting Date: 10/30/19 (AP2)

**WHEREAS**, the Board further finds that an analysis comparing proposed amendments to Rule 11 with applicable requirements of federal and local regulations is not required pursuant to Section 40727.2 of the Health and Safety Code because the proposed amendments do not impose a new emission limit or standard, make an existing emission limit or standard more stringent, or impose new or more stringent monitoring, reporting, or recordkeeping requirements; and

**WHEREAS**, the Board further finds that an incremental cost-effectiveness analysis pursuant to Section 40920.6(a) of the Health and Safety Code is not required for proposed amendments to Rule 11; and

**WHEREAS**, the Board further finds that an assessment of the socioeconomic impacts of the proposed amendments to Rule 11 is not required pursuant to Section 40728.5 of the Health and Safety Code as the proposed amended rules will not significantly affect air quality or emissions limitations.

**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. Proposed amended Rule 11 is to read as follows:

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

(Effective 1/1/69: Rev. Adopted & Effective 10/17/95  
Rev. Adopted & Effective 7/30/96  
Rev. Adopted & Effective 5/21/97  
Rev. Adopted & Effective 11/15/00  
Rev. Adopted & Effective 4/25/07  
Rev. Adopted 11/09/11 & Effective 5/09/12  
Rev. Adopted & Effective 5/11/16  
Rev. Adopted & Effective (*date of adoption*)

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

**(a) APPLICABILITY**

(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, and State and federal regulations, including the National Emission Standards for Hazardous Air Pollutants (NESHAP) and the New Source Performance Standards (NSPS).

(3) This rule shall not apply to any equipment, operation, or process that violates Rule 50 or 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 for a specified time as determined by the Air Pollution Control Officer.

(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 pounds 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) Except for equipment specified in Subsection (d)(20)(iii), Section (d) of this rule shall not apply to any 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**

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

- (1) **"Abrasive Blasting Cabinet"** means the same as defined in Rule 2.
- (2) **"Abrasive Blasting Room or Booth"** means a structure that includes abrasive blasting equipment, a dust collector and/or recycling system for recovering spent abrasive. The operator blasts from within this structure and the emissions from abrasive blasting operations are vented through a control device. The abrasive blasting room or booth definition does not apply to temporary enclosures including, but not limited to, those at shipyards or inside ships.
- (3) **"Additive Manufacturing (3-D Printing)"** means a process of joining materials to create objects from 3-D model data, usually layer upon layer, as opposed to subtractive manufacturing methodologies. Additive manufacturing processes include, but are not limited to, Direct Metal Laser Sintering, Selective Laser Melting, Selective Laser Sintering, and Direct Laser Melting.
- (4) **"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, as it exists on May 11, 2016.
- (5) **"Biotechnology"** means the use of living organisms and/or biological processes often combined with chemical processes to develop products used in a variety of fields such as medicine, agriculture, and food production. Biotechnology industry includes, but is not limited to, medicinal drug manufacturing, peptide synthesis and DNA synthesis.
- (6) **"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 or in other documentation establishing the maximum continuous brake horsepower as approved by the Air Pollution Control Officer.
- (7) **"CFR"** means Code of Federal Regulations.
- (8) **"Designated Workstation"** means an assigned area within the stationary source where a specified operation is conducted.
- (9) **"Digital Printing Operation"** means an operation that uses a printing device guided by a computer-driven machine to transfer an electronic image to a substrate through the use of inks, toners, or other graphic arts materials. Digital printing operation also includes associated surface preparation, solvent cleaning, and the cleaning of application equipment.

- (10) **"Exempt Compounds"** means the same as defined in Rule 2.
- (11) **"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 unless necessary in order for the customer to obtain statistically significant data required to make a decision on the approval of a new product.
- (12) **"Green Material"** means waste material that includes, but is not limited to, yard trimmings, untreated wood wastes, natural fiber products, and construction and demolition wood waste. Green material does not include food material, biosolids, mixed solid waste, material processed from commingled collection, wood containing lead-based paint or wood preservative, mixed construction or mixed demolition debris.
- (13) **"Hazardous Air Pollutant (HAP)"** means an air contaminant identified in the Federal Clean Air Act, Title 1, Section 112 (b).
- (14) **"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.
- (15) **"Industrial Wastewater Treatment"** means the treatment of spent process water prior to discharging into municipal wastewater system or disposal. Industrial wastewater treatment includes, but is not limited to, dewatering, pH adjustment, precipitation, sludge processing, and gravity separation and/or filtration of the wastewater.
- (16) **"Large Commercial Digital Printing Operation"** means a commercial digital printing operation where the print capacity of any individual printer that uses solvent based inks is 1,000 ft<sup>2</sup>/hr or higher; or an operation where the print capacity of any individual printer that uses water-based or UV inks is 10,000 ft<sup>2</sup>/hr or higher.
- (17) **"Major Stationary Source"** means the same as defined in Rule 20.1.
- (18) **"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.
- (19) **"Operating Day"** means any calendar day during which the specified equipment is operated, or specified operations occur.
- (20) **"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. For the purpose of this definition, a reagent is not considered an organic solvent.

(21) **"Pharmaceutical Products"** means any substances resulting from preparing, preserving or compounding of medicinal drugs, vitamins or other materials used to enhance personal health. Cannabis products, including any cannabis products intended for external use, are not pharmaceutical products.

(22) **"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.

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

(24) **"Preservative Oils and Compounds"** means materials which do not contain solids, and are applied to prevent corrosion and/or to provide lubrication.

(25) **"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.

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

(27) **"Reclaimed Water"** means wastewater that has been treated to remove solids and certain impurities to meet the standards specified in California Code of Regulations Title 22, Division 4, Chapter 3.

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

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

(30) **"Thermal Spraying Operation"** means one or more of several processes in which metallic or nonmetallic surfacing materials are deposited in a molten or semi-molten condition on a substrate to form a coating. The surfacing material may originate in the form of powder, rod, or wire before it is heated, prior to spraying and deposition. Thermal spraying operations include: detonation gun spraying, flame spraying, high-velocity oxy-fuel spraying, plasma spraying, and twin-wire electric arc spraying.

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

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

(33) **"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.

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

(35) **"Wet Screening Operation"** means a screening operation at a nonmetallic mineral processing plant which removes unwanted material or which separates marketable fines from the product by a washing process which is designed and operated at all times such that the product is saturated with water.

**(d) EQUIPMENT, OPERATIONS, OR PROCESSES NOT REQUIRING A PERMIT TO OPERATE**

Except as otherwise specified in Subsections (a)(2) through (a)(5), 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) 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.

(iii) 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.

(iv) 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.

(v) 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.

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

(vii) Back-pack power blowers.

(viii) Orchard or citrus grove heaters.

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

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

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

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

(xiii) 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.

(xiv) Internal combustion or gas turbine engines used exclusively for purposes of educating students in the operation, maintenance, repair, and rebuilding of such engines provided that each engine or turbine is operated less than 20 hours per calendar year.

(xv) 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, including associated wipe cleaning, used exclusively for chemical and physical analysis, or quality control.

(ii) Laboratory equipment and laboratory operations conducted at secondary schools, colleges, or universities and used exclusively for instruction or research purposes.

(iii) Vacuum-producing devices used in laboratory or R&D operations.

(iv) Hoods, stacks, or ventilators used in laboratory or R&D operations.

(v) Research and development equipment, including associated wipe cleaning.



(vi) Equipment used to manufacture the following products, provided that the total uncontrolled VOC emissions from all operations specified below do not exceed 5 tons per calendar year:

(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.

All data and/or records necessary to demonstrate the applicability of this exemption shall be maintained on-site for three years and made available to the District upon request.

(vii) 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(a). 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 this 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, including reclaimed 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 emits less than an average of 5 pounds of 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 three years and be made available to the District upon request.

(iv) Brazing and welding equipment, including arc welding equipment and laser welding.

(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) Thermal spraying operations where materials sprayed contain no cadmium, chromium, copper, lead, manganese or nickel, and provided the maximum amount of material sprayed is less than 20 pounds per day at the stationary source.

(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 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 copper 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 three 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.

(i) Abrasive blasting 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 or pots with a manufacturer's sand capacity rating of less than 100 pounds (45.4 kg), or 1 cubic foot or less. This exemption does not apply to pots used in an abrasive blasting room or booth, or to abrasive blasting cabinets.

**(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 green material. 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) Equipment used for buffing, polishing, carving, cutting, deburring, drilling, machining, routing, shearing, sanding, sawing, or surface grinding of fiberglass or calcium silicate parts that are exclusively vented through a control device that exhausts inside an enclosed building where such equipment is located.

**(11) PRINTING AND REPRODUCTION EQUIPMENT AND OPERATIONS**

(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 three years and be made available to the District upon request.

(ii) Inkjet and laser printing equipment.

(iii) Digital printing operations where the print capacity of any individual printer which uses solvent based inks is less than 1,000 ft<sup>2</sup>/hr, or an operation where the print capacity of any individual printer which uses water-based or UV inks is less than 10,000 ft<sup>2</sup>/hr.

(iv) Large commercial digital printing operations, provided that the records specified in Rule 67.16(f) for these operations are maintained.

(v) 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 maximum capacity of 11 pounds (5 kg) or less.

(iv) Any bakery oven that is located at a stationary source where the combined rated heat input capacity of all bakery ovens, excluding ovens subject to Subsection (d)(12)(v) below, 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 100,000 barrels (3.1 million gallons) of beer per calendar year and associated equipment cleaning. 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 three years and be made available to the District upon request.

(vi) Plastic manufacturing or fabrication operations, including reinforced plastic fabrication operations using epoxy 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 three years and be made available to the District upon request.

(vii) Polyester resin operations using less than 20 gallons of polyester resin materials per month. Daily or monthly records of material usage shall be maintained on-site for three years and be made available to the District upon request.

(viii) Any polyester resin operation (portable or stationary) where the VOC emissions from the application of polyester resin materials are 150 pounds or less per consecutive 12-month period. All records necessary to calculate VOC emissions, such as VOC content of each material applied, monomer content, and daily or monthly usage records of such materials must be maintained on-site for three years to claim applicability of this exemption.

(ix) 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 three 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 three 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 three 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 (portable or stationary) where the VOC emissions from the application of liquid coatings or adhesive materials are 150 pounds or less per consecutive 12-month period. 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 three 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, roller, or marking pen.

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

(vii) 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.

(viii) Coating operations located at primary or secondary schools and used exclusively for instruction.

(ix) Coating operations located at schools (i.e., primary, secondary, or schools of higher education) and used exclusively for student theatrical productions or art 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) Cold solvent cleaning or stripping operations and/or vapor degreasing operations that exclusively utilize materials with a VOC content of 25 grams per liter (g/l) (0.21 lbs/gal) of material or less, as used.

(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) Metal inspection spraying operations where no materials applied contain volatile organic compounds.

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

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

(ix) Surface preparation or solvent cleaning, including wipe cleaning:

- (A) for quality control or quality assurance purposes, or
- (B) using non-refillable handheld aerosol spray containers, or
- (C) for routine janitorial maintenance, including graffiti removal or
- (D) performed in conjunction with welding of 5XXX series aluminum structures for Navy ships and in accordance with quality assurance standards for such structures, or
- (E) not associated with any permitted operation, provided:
  - (1) the cleaning materials have a VOC content of 25 grams per liter (0.21 lbs/gal), or less, as used, or
  - (2) the uncontrolled VOC emissions from all such cleaning operations located at the stationary source do not exceed 3,650 pounds per consecutive 12-months, or the total purchase or usage of solvents for such cleaning operations does not exceed 550 gallons per consecutive 12-months. The volume of materials applied from operations specified in Subsections (d)(16)(ix)(A) through (E)(1) above shall not be included when determining the applicability of this exemption. All data and/or records necessary to demonstrate that this exemption is applicable shall be maintained on-site for three years and made available to the District upon request.

Subsection (d)(16)(ix)(E) does not apply to cold solvent cleaning or stripping operations and/or vapor degreasing operations as defined in Rules 67.6.1 and 67.6.2.

- (x) Asbestos mastic removal operations using organic solvents provided the total VOC vapor pressure of the solvent is 0.2 mm Hg or less, at 20°C (68°F).

**(17) STORAGE AND TRANSFER EQUIPMENT**

- (i) Stationary equipment used exclusively to store and/or transfer liquid 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. This exemption also does not apply to the transfer of volatile organic liquids into vehicle fuel tanks.

(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**

The exemptions listed in this Subsection (d)(18) shall not apply to any operation that uses perchloroethylene (perc) as a dry cleaning solvent.

(i) Non-immersion dry cleaning equipment that uses water or exempt compounds as the cleaning solvent, provided that the VOC content of detergents and additives used does not exceed 50 grams per liter.

(ii) Lint traps used exclusively in conjunction with dry cleaning tumblers.

(iii) Wastewater processing units associated with dry cleaning 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, provided that the VOC content of detergents and additives used does not exceed 50 grams per liter. This exemption does not apply to equipment used for previously VOC-laden materials such as rags, cloths, etc.

(v) Industrial wet cleaning equipment that uses water or exempt compounds as the cleaning solvent, provided that the VOC content of detergents and additives used does not exceed 50 grams per liter. This exemption does not apply to equipment cleaning VOC-laden materials such as rags, cloths, etc.

(vi) Equipment, including dryers, used exclusively for printing, dyeing, stripping, or bleaching of textiles, provided that the VOC content of detergents and additives used does not exceed 50 grams per liter.

(vii) Industrial laundering equipment that uses liquid carbon dioxide as the cleaning solvent, provided that the VOC content of detergents and additives used does not exceed 50 grams per liter.

**(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 maximum throughput capacity not to exceed 600 pounds per hour, either as rated by the manufacturer or as stated in writing by the manufacturer for the current configuration, 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, pharmaceutical or biotechnology products and/or manufacturing cosmetic, pharmaceutical or biotechnology products by chemical processes, that emit less than an average of 15 pounds of uncontrolled VOC 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 three 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 three 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 three 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 not covered by other subsections that has an uncontrolled emission rate of each criteria pollutant of 2 pounds or less per day, or of 75 pounds or less per year. All data and/or records necessary to demonstrate that this exemption is applicable shall be maintained on-site for three years and made available to the District upon request.

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

(xxi) Municipal wastewater treatment facilities and municipal water reclamation facilities each with a design throughput capacity of less than one million gallons of wastewater per day. Municipal wastewater pump stations with an annual average actual throughput of less than one million gallons of wastewater per day. Records of daily throughput shall be maintained on-site for three years and be made available to the District upon request.

(xxii) Industrial wastewater treatment that:

(A) does not use processes designed to remove or destroy VOCs, or

(B) if such processes are used, the uncontrolled VOC emissions do not exceed an average of 5 pounds per day from all such treatment at the stationary source.

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

(xxiv) 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.

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

(xxvi) Agricultural sources at a stationary source that, in aggregate, produce actual emissions less than one-half of any applicable emission threshold for a major source in the District. For the purposes of determining permitting applicability, fugitive emissions, except fugitive dust emissions, are included in determining aggregate emissions. This exemption shall not apply to an agricultural source required to obtain a Title V permit pursuant to Regulation XIV (Title V Operating Permits).

(xxvii) 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.

(xxviii) Operations that exclusively use preservative oils and compounds; lubricants, including solid film lubricants; greases or waxes.

(xxix) Ozone generators with a generation capacity of less than 1,000 grams of ozone per hour.

(xxx) Site assessment for soil and/or groundwater remediation projects, provided that all of the following conditions are met:

(A) the sole purpose of the site assessment is to determine the extent of the contamination and the VOC concentrations in the soil and/or groundwater in order to design the appropriate collection and control equipment for the remediation project; and

(B) the site assessment is conducted for no more than 30 cumulative days within a calendar year. A record of the number of operating days must be maintained with the equipment for the duration of the site assessment; and

(C) the collected soil, vapor or groundwater is routed through emission control equipment.

This exemption does not apply to any associated combustion equipment unless such equipment is also exempt pursuant to Subsection (d)(2) of this rule.

(xxxi) Soil, sediment, air or groundwater monitoring, and installation of associated wells, performed to meet the requirements of other regulatory agencies.

(xxxii) Any underground building ventilation system, sub-slab depressurization system, or soil/vapor intrusion mitigation associated with soil, vapor or groundwater that is not required to be remediated by any other regulatory agency.

(xxxiii) Additive manufacturing (3-D printing) equipment.

(xxxiv) Except as otherwise provided in Subsection (d)(16)(x), asbestos removal equipment and operations subject to 40 CFR Part 61, Subpart M – National Emission Standards for Asbestos.

(xxxv) Wet screening operations.

**(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**

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

(1) The VOC content of coating and adhesive materials containing more than 50 grams of VOC per liter shall be determined by the Environmental Protection Agency (EPA) Reference Method 24 (40 CFR Part 60, Appendix A, Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings), September 1995, or by the South Coast Air Quality Management District (SCAQMD) Method 304-91 (Determination of Volatile Organic Compounds in Various Materials), February 1996.

(2) The VOC content of surface preparation or cleaning materials containing 50 grams of VOC per liter or less, subject to the requirements of Subsection (d)(16)(i) and (ix), shall be determined by SCAQMD Method 313-91 (Determination of Volatile Organic Compounds by Gas Chromatography/Mass Spectrometry), February 1997, or by SCAQMD Method 308-91 (Quantitation of Compounds by Gas Chromatography), February 1993.

(3) The initial boiling point of materials subject to this rule shall be determined in accordance with ASTM Standard Test Method D1078-11 (Standard Test Method for Distillation Range of Volatile Organic Liquids), or its most current version.

(4) Calculation of total VOC vapor pressure for materials subject to this rule shall be conducted in accordance with the District's "SD 1, Procedures for Estimating the Vapor Pressure of VOC Mixtures," June 2004. 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 D2879-10 (Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope), or its most current version.

(5) Reid Vapor Pressure pursuant to Subsections (c)(33) and (d)(17) of this rule shall be measured in accordance with ASTM Standard Test Method D323-08(2014) (Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method)), 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 Publication SW-846 Test Method 8021B (Aromatic and Halogenated Volatiles by Gas Chromatography Using Photoionization and Electrolytic Conductivity Detectors), July 2014.

(h) **COMPLIANCE SCHEDULE**

Any person operating existing equipment previously exempt from Rule 10 permit requirements pursuant to the version of Rule 11 existing prior to *(date of adoption)*, 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 *(one year from date of adoption)*.

**IT IS FURTHER RESOLVED AND ORDERED** that proposed amendments to Rule 11 of Regulation II shall take effect on *(date of adoption)*.

**PASSED AND ADOPTED** by the Air Pollution Control Board of the San Diego County Air Pollution Control District, State of California, this 30th day of October, 2019, by the following votes:

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

BY: Paula Forbis, Senior Deputy

The foregoing Resolution was passed and adopted by the Air Pollution Control District, County of San Diego, State of California, on this 30<sup>th</sup> day of October, 2019, by the following vote:

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

- - -

STATE OF CALIFORNIA)  
County of San Diego)<sup>SS</sup>

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the San Diego County Air Pollution Control Board.

ANDREW POTTER  
Clerk of the Air Pollution Control Board

By:

  
Joana Santiago, Deputy



Resolution No. 19-171  
Meeting Date: 10/30/19 (AP2)

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

(Effective 1/1/69: Rev. Adopted & Effective 10/17/95  
 Rev. Adopted & Effective 7/30/96  
 Rev. Adopted & Effective 5/21/97  
 Rev. Adopted & Effective 11/15/00  
 Rev. Adopted & Effective 4/25/07  
 Rev. Adopted 11/09/11 & Effective 5/09/12  
 Rev. Adopted & Effective 5/11/16  
Rev. Adopted & Effective (date of adoption)

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

### **(a) APPLICABILITY**

(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, and State and federal regulations, including the National Emission Standards for Hazardous Air Pollutants (NESHAP) and the New Source Performance Standards (NSPS).

(3) This rule shall not apply to any equipment, operation, or process that violates Rule 50 or 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 for a specified time as determined by the Air Pollution Control Officer.

(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 pounds 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) Except for equipment specified in Subsection (d)(20)(iii), Section (d) of this rule shall not apply to any 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**

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

- (1) **"Abrasive Blasting Cabinet"** means the same as defined in Rule 2.
- (2) **"Abrasive Blasting Room or Booth"** means a structure that includes abrasive blasting equipment, a dust collector and/or recycling system for recovering spent abrasive. The operator blasts from within this structure and the emissions from abrasive blasting operations are vented through a control device. The abrasive blasting room or booth definition does not apply to temporary enclosures including, but not limited to, those at shipyards or inside ships.
- (3) **"Additive Manufacturing (3-D Printing)"** means a process of joining materials to create objects from 3-D model data, usually layer upon layer, as opposed to subtractive manufacturing methodologies. Additive manufacturing processes include, but are not limited to, Direct Metal Laser Sintering, Selective Laser Melting, Selective Laser Sintering, and Direct Laser Melting.
- (4) **"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, as it exists on May 11, 2016.
- (5) **"Biotechnology"** means the use of living organisms and/or biological processes often combined with chemical processes to develop products used in a variety of fields such as medicine, agriculture, and food production. Biotechnology industry includes, but is not limited to, medicinal drug manufacturing, peptide synthesis and DNA synthesis.
- (6) **"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 or in other documentation establishing the maximum continuous brake horsepower as approved by the Air Pollution Control Officer.
- (7) **"CFR"** means Code of Federal Regulations.
- (8) **"Designated Workstation"** means an assigned area within the stationary source where a specified operation is conducted.

(9) **"Digital Printing Operation"** means an operation that uses a printing device guided by a computer-driven machine to transfer an electronic image to a substrate through the use of inks, toners, or other graphic arts materials. Digital printing operation also includes associated surface preparation, solvent cleaning, and the cleaning of application equipment.

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

(11) **"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 unless necessary in order for the customer to obtain statistically significant data required to make a decision on the approval of a new product.

(12) **"Green Material"** means waste material that includes, but is not limited to, yard trimmings, untreated wood wastes, natural fiber products, and construction and demolition wood waste. Green material does not include food material, biosolids, mixed solid waste, material processed from commingled collection, wood containing lead-based paint or wood preservative, mixed construction or mixed demolition debris.

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

(14) **"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.

(15) **"Industrial Wastewater Treatment"** means the treatment of spent process water prior to discharging into municipal wastewater system or disposal. Industrial wastewater treatment includes, but is not limited to, dewatering, pH adjustment, precipitation, sludge processing, and gravity separation and/or filtration of the wastewater.

(16) **"Large Commercial Digital Printing Operation"** means a commercial digital printing operation where the print capacity of any individual printer that uses solvent based inks is 1,000 ft<sup>2</sup>/hr or higher; or an operation where the print capacity of any individual printer that uses water-based or UV inks is 10,000 ft<sup>2</sup>/hr or higher.

(17) **"Major Stationary Source"** means the same as defined in Rule 20.1.

(18) **"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.

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

(20) **"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. For the purpose of this definition, a reagent is not considered an organic solvent.

(21) **"Pharmaceutical Products"** means any substances resulting from preparing, preserving or compounding of medicinal drugs, vitamins or other materials used to enhance personal health. Cannabis products, including any cannabis products intended for external use, are not pharmaceutical products.

(~~21~~ 22) **"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.

(~~22~~ 23) **"Portable Emission Unit"** means the same as defined in Rule 20.1.

(~~23~~ 24) **"Preservative Oils and Compounds"** means materials which do not contain solids, and are applied to prevent corrosion and/or to provide lubrication.

(~~24~~ 25) **"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.

(~~25~~ 26) **"Research and Development (R&D) Equipment"** means equipment that is used to conduct research and develop new or improved processes and/or products, where such equipment is operated by technically trained personnel under the supervision of a research director, and may not be used to manufacture products or byproducts for sale or exchange for commercial profit, other than the first-article deliverable product.

(~~26~~ 27) **"Reclaimed Water"** means wastewater that has been treated to remove solids and certain impurities to meet the standards specified in California Code of Regulations Title 22, Division 4, Chapter 3.

(~~27~~ 28) **"Stationary Internal Combustion Engine"** means a spark or compression ignited, reciprocating internal combustion engine that is not a portable emission unit.

(~~28~~ 29) **"Stationary Source"** means the same as defined in Rule 2.



~~(29)~~ 30 **"Thermal Spraying Operation"** means one or more of several processes in which metallic or nonmetallic surfacing materials are deposited in a molten or semi-molten condition on a substrate to form a coating. The surfacing material may originate in the form of powder, rod, or wire before it is heated, prior to spraying and deposition. Thermal spraying operations include: detonation gun spraying, flame spraying, high-velocity oxy-fuel spraying, plasma spraying, and twin-wire electric arc spraying.

~~(30)~~ 31 **"Toxic Air Contaminant"** means the same as defined in Rule 2.

~~(31)~~ 32 **"Volatile Organic Compound (VOC)"** means the same as defined in Rule 2.

~~(32)~~ 33 **"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.

~~(33)~~ 34 **"Volatile Organic Solvent"** means an organic solvent with an initial boiling point of less than 400°F (204°C).

~~(34)~~ 35 **"Wet Screening Operation"** means a screening operation at a nonmetallic mineral processing plant which removes unwanted material or which separates marketable fines from the product by a washing process which is designed and operated at all times such that the product is saturated with water.

**(d) EQUIPMENT, OPERATIONS, OR PROCESSES NOT REQUIRING A PERMIT TO OPERATE**

Except as otherwise specified in Subsections (a)(2) through (a)(5), 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) 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.

(iii) 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.

(iv) 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.

(v) 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.

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

- (vii) Back-pack power blowers.
- (viii) Orchard or citrus grove heaters.
- (ix) Any oven having an internal volume of 27 cubic feet (0.765 cubic meter) or less.
- (x) Curing or baking ovens in which no volatile organic solvents or materials containing volatile organic solvents are introduced.
- (xi) Any oven used exclusively for the curing, softening, or annealing of plastics.
- (xii) Any oven that is an integral part of a process for which a Permit to Operate is not required pursuant to this rule.
- (xiii) 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.
- (xiv) Internal combustion or gas turbine engines used exclusively for purposes of educating students in the operation, maintenance, repair, and rebuilding of such engines provided that each engine or turbine is operated less than 20 hours per calendar year.
- (xv) 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, including associated wipe cleaning, used exclusively for chemical and physical analysis, or quality control.

- (ii) Laboratory equipment and laboratory operations conducted at secondary schools, colleges, or universities and used exclusively for instruction or research purposes.
- (iii) Vacuum-producing devices used in laboratory or R&D operations.
- (iv) Hoods, stacks, or ventilators used in laboratory or R&D operations.
- (v) Research and development equipment, including associated wipe cleaning.
- (vi) Equipment used to manufacture the following products, provided that the total uncontrolled VOC emissions from all operations specified below do not exceed 5 tons per calendar year:
  - (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.

All data and/or records necessary to demonstrate the applicability of this exemption shall be maintained on-site for three years and made available to the District upon request.

- (vii) 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(a). 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 this 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, including reclaimed 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 emits less than an average of 5 pounds of 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 three years and be made available to the District upon request.

(iv) Brazing and welding equipment, including arc welding equipment and laser welding.

(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) Thermal spraying operations where materials sprayed contain no cadmium, chromium, copper, lead, manganese or nickel, and provided the maximum amount of material sprayed is less than 20 pounds per day at the stationary source.

(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 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 copper 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 three 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.

(i) Abrasive blasting 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 or pots with a manufacturer's sand capacity rating of less than 100 pounds (45.4 kg), or 1 cubic foot or less. This exemption does



not apply to pots used in an abrasive blasting room or booth, or to abrasive blasting cabinets.

**(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 green material. 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) Equipment used for buffing, polishing, carving, cutting, deburring, drilling, machining, routing, shearing, sanding, sawing, or surface grinding of fiberglass or calcium silicate parts that are exclusively vented through a control device that exhausts inside an enclosed building where such equipment is located.

**(11) PRINTING AND REPRODUCTION EQUIPMENT AND OPERATIONS**

(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 three years and be made available to the District upon request.

(ii) Inkjet and laser printing equipment.

(iii) Digital printing operations where the print capacity of any individual printer which uses solvent based inks is less than 1,000 ft<sup>2</sup>/hr, or an operation where the print capacity of any individual printer which uses water-based or UV inks is less than 10,000 ft<sup>2</sup>/hr.

(iv) Large commercial digital printing operations, provided that the records specified in Rule 67.16(f) for these operations are maintained.

(v) 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 maximum capacity of 11 pounds (5 kg) or less.

(iv) Any bakery oven that is located at a stationary source where the combined rated heat input capacity of all bakery ovens, excluding ovens subject to Subsection (d)(12)(v) below, 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 100,000 barrels (3.1 million gallons) of beer per calendar year and associated equipment cleaning. 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 three years and be made available to the District upon request.

(vi) Plastic manufacturing or fabrication operations, including reinforced plastic fabrication operations using epoxy 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 three years and be made available to the District upon request.

(vii) Polyester resin operations using less than 20 gallons of polyester resin materials per month. Daily or monthly records of material usage shall be maintained on-site for three years and be made available to the District upon request.

(viii) Any polyester resin operation (portable or stationary) where the VOC emissions from the application of polyester resin materials are 150 pounds or less per consecutive 12-month period. All records necessary to calculate VOC emissions, such as VOC content of each material applied, monomer content, and daily or monthly usage records of such materials must be maintained on-site for three years to claim applicability of this exemption.

~~(viii)~~ ix) 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 three 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 three 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 three 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 (portable or stationary) where the VOC emissions from the application of liquid coatings or adhesive materials are 150 pounds or less per consecutive 12-month period. 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 three 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, roller, or marking pen.

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

(vii) 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.

(viii) Coating operations located at primary or secondary schools and used exclusively for instruction.

(ix) Coating operations located at schools (i.e., primary, secondary, or schools of higher education) and used exclusively for student theatrical productions or art 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) Cold solvent cleaning or stripping operations and/or vapor degreasing operations that exclusively utilize ~~water-based materials with a VOC content that does not exceed of 50-25 grams per liter (g/l) (0.21 lbs/gal) of material or less, as applied-used.~~ For the purposes of this exemption, a water-based cleaning solvent is any solvent that consists only of water and VOC and does not contain exempt compounds.

(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) Metal inspection spraying operations where no materials applied contain volatile organic compounds.

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

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

(ix) Surface preparation or solvent cleaning, including wipe cleaning:

(A) for quality control or quality assurance purposes, or

(B) using non-refillable handheld aerosol spray containers, or

(C) for routine janitorial maintenance, including graffiti removal or

(D) performed in conjunction with welding of 5XXX series aluminum structures for Navy ships and in accordance with quality assurance standards for such structures, or

(E) not associated with any permitted operation, provided:

(1) the cleaning materials have a VOC content of 25 grams per liter (0.21 lbs/gal), or less, as used, or

(2) the uncontrolled VOC emissions from all such cleaning operations located at the stationary source do not exceed 3,650 pounds per consecutive 12-months, or the total purchase or usage of solvents for such cleaning operations does not exceed 550 gallons per consecutive 12-months. The volume of materials applied from operations specified in Subsections (d)(16)(ix)(A) through (E)(1) above shall not be included

when determining the applicability of this exemption. All data and/or records necessary to demonstrate that this exemption is applicable shall be maintained on-site for three years and made available to the District upon request.

Subsection (d)(16)(ix)(E) does not apply to cold solvent cleaning or stripping operations and/or vapor degreasing operations as defined in Rules 67.6.1 and 67.6.2.

(x) Asbestos mastic removal operations using organic solvents provided the total VOC vapor pressure of the solvent is 0.2 mm Hg or less, at 20°C (68°F).

**(17) STORAGE AND TRANSFER EQUIPMENT**

(i) Stationary equipment used exclusively to store and/or transfer liquid 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. This exemption also does not apply to the transfer of volatile organic liquids into vehicle fuel tanks.

(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**

The exemptions listed in this Subsection (d)(18) shall not apply to any operation that uses perchloroethylene (perc) as a dry cleaning solvent.

(i) Non-immersion dry cleaning equipment that uses water or exempt compounds as the cleaning solvent, provided that the VOC content of detergents and additives used does not exceed 50 grams per liter.

(ii) Lint traps used exclusively in conjunction with dry cleaning tumblers.

(iii) Wastewater processing units associated with dry cleaning 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, provided that the VOC content of detergents and additives used does not exceed 50 grams per liter. This exemption does not apply to equipment used for previously VOC-laden materials such as rags, cloths, etc.

(v) Industrial wet cleaning equipment that uses water or exempt compounds as the cleaning solvent, provided that the VOC content of detergents and additives used does not exceed 50 grams per liter. This exemption does not apply to equipment cleaning VOC-laden materials such as rags, cloths, etc.

(vi) Equipment, including dryers, used exclusively for printing, dyeing, stripping, or bleaching of textiles, provided that the VOC content of detergents and additives used does not exceed 50 grams per liter.

(vii) Industrial laundering equipment that uses liquid carbon dioxide as the cleaning solvent, provided that the VOC content of detergents and additives used does not exceed 50 grams per liter.

**(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 maximum throughput capacity not to exceed 600 pounds per hour, either as rated by the manufacturer or as stated in writing by the manufacturer for the current configuration, 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, pharmaceutical or biotechnology products and/or manufacturing cosmetic, pharmaceutical or biotechnology products by chemical processes, that emit less than an average of 15 pounds of uncontrolled VOC 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 three 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 three 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 three 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 not covered by other subsections that has an uncontrolled emission rate of each criteria pollutant of 2 pounds or less per day, or of 75 pounds or less per year. All data and/or records necessary to demonstrate that this exemption is applicable shall be maintained on-site for three years and made available to the District upon request.

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

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

Municipal wastewater pump stations with an annual average actual throughput of less than one million gallons of wastewater per day. Records of daily throughput shall be maintained on-site for three years and be made available to the District upon request.

(xxii) Industrial wastewater treatment that:

(A) does not use processes designed to remove or destroy VOCs, or

(B) if such processes are used, the uncontrolled VOC emissions do not exceed an average of 5 pounds per day from all such treatment at the stationary source.

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

(xxiv) 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.

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

(xxvi) Agricultural sources at a stationary source that, in aggregate, produce actual emissions less than one-half of any applicable emission threshold for a major source in the District. For the purposes of determining permitting applicability, fugitive emissions, except fugitive dust emissions, are included in determining aggregate emissions. This exemption shall not apply to an agricultural source required to obtain a Title V permit pursuant to Regulation XIV (Title V Operating Permits).

(xxvii) 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.

(xxviii) Operations that exclusively use preservative oils and compounds; lubricants, including solid film lubricants; greases or waxes.

(xxix) Ozone generators with a generation capacity of less than 1,000 grams of ozone per hour.

(xxx) Site assessment for soil and/or groundwater remediation projects, provided that all of the following conditions are met:

(A) the sole purpose of the site assessment is to determine the extent of the contamination and the VOC concentrations in the soil and/or groundwater in order to design the appropriate collection and control equipment for the remediation project; and

(B) the site assessment is conducted for no more than 30 cumulative days within a calendar year. A record of the number of operating days must be maintained with the equipment for the duration of the site assessment; and

(C) the collected soil, vapor or groundwater is routed through emission control equipment.

This exemption does not apply to any associated combustion equipment unless such equipment is also exempt pursuant to Subsection (d)(2) of this rule.

(xxxi) Soil, sediment, air or groundwater monitoring, and installation of associated wells, performed to meet the requirements of other regulatory agencies.

(xxxii) Any underground building ventilation system, sub-slab depressurization system, or soil/vapor intrusion mitigation associated with soil, vapor or groundwater that is not required to be remediated by any other regulatory agency.

(xxxiii) Additive manufacturing (3-D printing) equipment.

(xxxiv) Except as otherwise provided in Subsection (d)(16)(x), asbestos removal equipment and operations subject to 40 CFR Part 61, Subpart M – National Emission Standards for Asbestos.

(xxxv) Wet screening operations.

**(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**

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

(1) The VOC content of coating and adhesive materials containing more than 50 grams of VOC per liter shall be determined by the Environmental Protection Agency (EPA) Reference Method 24 (40 CFR Part 60, Appendix A, Determination of Volatile Matter Content, Water Content, Density, Volume Solids, and Weight Solids of Surface Coatings), September 1995, or by the South Coast Air Quality Management District (SCAQMD) Method 304-91 (Determination of Volatile Organic Compounds in Various Materials), February 1996.

(2) The VOC content of surface preparation or cleaning materials containing 50 grams of VOC per liter or less, subject to the requirements of Subsection (d)(16)(i) and (ix), shall be determined by SCAQMD Method 313-91 (Determination of Volatile Organic Compounds by Gas Chromatography/Mass Spectrometry), February 1997, or by SCAQMD Method 308-91 (Quantitation of Compounds by Gas Chromatography), February 1993.

(3) The initial boiling point of materials subject to this rule shall be determined in accordance with ASTM Standard Test Method D1078-11 (Standard Test Method for Distillation Range of Volatile Organic Liquids), or its most current version.

(4) Calculation of total VOC vapor pressure for materials subject to this rule shall be conducted in accordance with the District's "SD 1, Procedures for Estimating the Vapor Pressure of VOC Mixtures," June 2004. 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 D2879-10 (Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope), or its most current version.

(5) Reid Vapor Pressure pursuant to Subsections (c)(~~32~~ 33) and (d)(17) of this rule shall be measured in accordance with ASTM Standard Test Method D323-08(2014) (Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method)), 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 Publication SW-846 Test Method 8021B (Aromatic and Halogenated Volatiles by Gas Chromatography Using Photoionization and Electrolytic Conductivity Detectors), July 2014.

(h) **COMPLIANCE SCHEDULE**

Any person operating existing equipment previously exempt from Rule 10 permit requirements pursuant to the version of Rule 11 existing prior to ~~May 11, 2016~~ (date of adoption), 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 ~~May 11, 2017~~ (one year from date of adoption).

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

**DRAFT PROPOSED AMENDMENTS TO  
RULE 11 – EXEMPTIONS FROM RULE 10 PERMIT REQUIREMENTS  
AND RELATED CHANGES TO  
RULE 67.6.1 – COLD SOLVENT CLEANING AND STRIPPING OPERATIONS  
AND RULE 67.6.2 – VAPOR DEGREASING OPERATIONS**

**WORKSHOP REPORT**

A workshop notice on draft proposed amendments to Rule 11 – Exemptions from Rule 10 Permit Requirements and related changes to Rule 67.6.1 – Cold Solvent Cleaning and Stripping Operations and Rule 67.6.2 – Vapor Degreasing Operations was mailed to each permit holder, applicant, registration holder, chamber of commerce in the region, interested parties through the County of San Diego’s electronic mail service, the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (CARB), other interested parties, and posted on the website of the San Diego County Air Pollution Control District (District).

The workshop was held on November 28, 2018, and was attended by 45 people. Oral and written comments were received before, during, and after the workshop. A summary of the comments and the District’s responses follows:

**RULE 11 COMMENTS**

**1. WORKSHOP COMMENT**

Rule 11, Subsection (d)(16)(i), currently exempts from permit requirements cold solvent degreasing operations that exclusively use water-based materials with a volatile organic compound (VOC) content that does not exceed 50 grams per liter, as applied. This exemption is proposed for amendment to exempt all materials with a VOC content of 25 grams per liter of material or less, as used. The District should consider keeping the water-based exemption at a higher VOC content.

**DISTRICT RESPONSE**

The District disagrees. The proposed language will no longer require a permit for degreasing operations that use low VOC cleaning solvents containing exempt compounds, such as siloxanes and acetone. There are a number of cleaning materials available that will meet the VOC content limit of 25 grams per liter of material, providing facilities with more flexibility in their operations from the use of exempt compounds as compared to water-based materials.

**2. WORKSHOP COMMENT**

Rule 11, Subsection (d)(16)(ix)(E)(2), states that solvent cleaning operations not associated with any permitted operation and using 550 gallons per consecutive 12-months or less are exempt from permitting. Is this exemption applicable to cold solvent cleaning operations?

**DISTRICT RESPONSE**

No, the existing 550-gallon exemption for surface preparation and solvent cleaning does not apply to cold solvent cleaning, stripping operations, or vapor degreasing operations. The District has added language to this subsection to clarify.

**3. WORKSHOP COMMENT**

Rule 11, Subsection (d)(19)(xi), states that operations producing pharmaceutical products by chemical processes that emit less than an average of 15 pounds of uncontrolled VOC per operating day are exempt from permit requirements. Would cannabis products be considered pharmaceutical products and thus exempt from permit requirements?

**DISTRICT RESPONSE**

No, cannabis products, including but not limited to cannabinoid extracts, are not considered pharmaceutical products by the District. The District has added a proposed definition to Section (c) to clarify that cannabis products are not considered pharmaceutical products.

**4. WORKSHOP COMMENT**

Rule 11, Subsection (d)(19)(xxi), is proposed for amendment to exempt from permit requirements municipal wastewater pump stations that have an annual average actual throughput of less than one million gallons of wastewater per day. If the current activity of the permitted equipment is below the exemption limit, can the permit be retired? If so, what is the procedure for retiring a permit? If a permit application has been submitted, what will become of the application and fees associated with that application?

**DISTRICT RESPONSE**

Yes, if the facility can demonstrate an annual average actual throughput of less than one million gallons of wastewater per day, the permit holder can request, in writing to the District, to have the permit retired.

If the Rule 11 amendments are adopted as proposed, any fees submitted with an existing permit application that are in excess of the District's actual costs incurred will be refunded and the application will be voided.



**5. WORKSHOP COMMENT**

How did the District determine the existing exemption threshold of one million gallons of wastewater per day in Rule 11, Subsection (d)(19)(xxi)? If a facility has a pump station that pumps over one million gallons per day, but there are no public complaints of odor, is a permit still necessary?

**DISTRICT REPOSE**

The existing exemption threshold was established in the mid-1990s, based on testing that was completed at two local wastewater treatment plants. The health risks to the surrounding communities at certain thresholds were evaluated.

The exemption threshold is not based on odor compliance. There are constituents within the wastewater that will volatilize and create health risks. The one million gallon threshold level was established to be protective of public health.

**6. WORKSHOP COMMENT**

For the Rule 11, Subsection (d)(19)(xxi), exemption, how will the annual average actual throughput of less than one million gallons of wastewater per day be determined? For example, some pump stations do not have flow meters; can periodic readings (e.g., quarterly or semi-annual) be used, or can design curves for the pump run times be used? Also, will wet weather conditions be considered in the annual average actual throughput calculation?

**DISTRICT REPOSE**

The annual average actual throughput will be determined by the total annual flow going into the facility averaged over the days of operation over the course of a year.

The District is aware that some facilities are not staffed and do not have flow meters installed. For these instances, the facility is encouraged to discuss the situation with the District's Engineering Division to determine the best solution. Design curves for pump run times is a potential way of determining flow rate for the facility.

Wet weather conditions will be considered in the calculation of annual average actual throughput.

**7. WORKSHOP COMMENT**

For the Rule 11, Subsection (d)(19)(xxi), exemption, will the recordkeeping requirements involve daily readings or will average readings for the entire year be acceptable? If the station is unattended, are the records still required to be kept onsite for three years or can the records be

supplied to the District at its request? Also, will the records need to be a rolling three year timeframe?

**DISTRICT REPONSE**

Facilities should maintain daily throughput records and keep them onsite and readily available whenever possible. The District is aware that some facilities are unattended, making it difficult to keep records onsite. For these instances, if the records are readily available upon request, the requirement is met. Records should be kept for a rolling three year timeframe, as this will enable you to demonstrate continued compliance with the exemption.

**8. WRITTEN COMMENT**

The preamble of Rule 11, Subsection (d)(5), identifies certain equipment replacements that require an application for permit revision to be submitted to the District prior to such replacement. Among these are “rim seal replacements for bulk gasoline floating roof tanks subject to the Best Available Control Technology (BACT) requirements of Rule 61.1.” The District should consider allowing all rim seal replacements to be exempt from the requirement to submit an application.

**DISTRICT RESPONSE**

The District disagrees. Rule 61.1 – Receiving and Storing Volatile Organic Compounds (VOCs) at Plants and Bulk Terminals, requires that rim seals meet BACT requirements at the time of replacement. Requiring an application for permit revision ensures evaluation by the District and a finding that the rim seal replacement meets the most current BACT requirements.

**9. WRITTEN COMMENT**

Rule 11, Subsection (d)(7)(xiv), states that equipment used for anodizing, plating, polishing, stripping, or etching is exempt from permit requirements if the VOC content of the aqueous material does not exceed 10% by weight. The District should consider expanding this exemption to include equipment used for chemical processing including, but not limited to, anodizing, plating, etc.

**DISTRICT RESPONSE**

The District disagrees. This exemption was established to protect public health. Expanding it to cover undefined chemical processing equipment could result in unacceptable health risks.

**10. CARB COMMENT**

No comments at this time.

**11. EPA COMMENT**

No comments at this time.

**RULES 67.6.1 AND 67.6.2 COMMENTS**

EPA provided numerous comments on the draft proposed amendments to Rules 67.6.1 and 67.6.2. Due to the nature of these comments and the recent shutdown of the EPA, the District has temporarily suspended its effort to update Rules 67.6.1 and 67.6.2. The District will resume its work on these rules – including holding another public workshop, if warranted – at a later date. In the meantime, the District will continue moving forward with its proposed amendments to Rule 11.

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01/30/19