



September 21, 2021

NOTICE OF PUBLIC WORKSHOP

FOR DISCUSSION OF DRAFT PROPOSED AMENDMENTS TO RULE 19.3 – EMISSION INFORMATION

The San Diego County Air Pollution Control District (District) invites you to participate in the following public workshop to provide input regarding draft proposed amendments to Rule 19.3 – Emission Information. Comments and questions concerning this proposal may be submitted in writing before or during the workshop, which is scheduled as follows:

DATE: Tuesday, October 12, 2021

TIME: 5:00 p.m. to 7:00 p.m.

HOW TO PARTICIPATE: Via web browser or mobile device at:

<https://bit.ly/3jZ0uXC> (Webinar ID: 840 9706 8931, Passcode: 720980)

Rule 19.3 – Emission Information, adopted April 6, 1993, applies to owners or operators of sources of air pollution, or to persons selling or supplying materials which may cause air pollutants, including toxic air contaminants. It requires the completion and submission of Emissions Statement Forms and/or Emissions Inventory Report Forms.

Rule 19.3 is outdated and is being amended to comply with recent changes in State reporting regulations, specifically the California Air Resources Board "Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants" (also known as Criteria Toxics Reporting or CTR), which implements statewide annual reporting of criteria air pollutant and toxic air contaminant emissions data from facilities. These proposed draft amendments will also address comments received from the Environmental Protection Agency that require amendments to allow for federal approval of the rule.

In summary, the draft proposed amendments to Rule 19.3 will:

- Align the rule with federal and State reporting programs.
- Phase in requirements for electronic submittal of annual emission inventory reporting.
- Include other minor edits for clarification.

Draft Documents

Copies of the draft proposed amendments to Rule 19.3 are available on the District's Rule Development website at https://www.sdapcd.org/content/sdc/apcd/en/Rule_Development/Workshops.html. Those unable to access the document may contact Janet McCue at (858) 586-2712 or Janet.McCue@sdcounty.ca.gov.

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Comment Deadline

Comments and questions regarding the draft proposed amendments to Rule 19.3 may be made orally during the public workshop, or in writing before or after the workshop. All written comments may be submitted no later than October 26, 2021. Please email all written comments directly to Jonya Lofgren at Jonya.Lofgren@sdcounty.ca.gov.

More Information

Please contact Jonya Lofgren (858) 224-4222 or Jonya.Lofgren@sdcounty.ca.gov with any questions.

****ASSISTANCE FOR PERSONS WITH DISABILITIES**

Agendas and records are available in alternative formats upon request. Contact Janet McCue at (858) 586-2712 with questions or to request a disability-related accommodation including sign language interpretation. To the extent reasonably possible, requests for accommodation or assistance should be submitted at least 72 hours in advance of the meeting so that arrangements may be made.

****LANGUAGE INTERPRETER ASSISTANCE**

Language interpreter services are available upon request at least 72 hours prior to the meeting. Please contact Janet McCue at (858) 586-2712 or Janet.McCue@sdcounty.ca.gov.

AMF:jlmm

RULE 19.3. EMISSION INFORMATION

~~(Adopted & Effective 4/6/93); (Rev. Adopted & Effective 5/15/96)~~
(Rev. Adopted & Effective (date of adoption))

(a) APPLICABILITY

This rule is applicable to any person owning or operating any source of emissions of air pollutants, or to any person selling or supplying any material the use of which may cause the emission of air pollutants.

(b) DEFINITIONS ~~(Rev. Effective 5/15/96)~~

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

(1) **"Air Pollutant"** means any substance discharged, released, or otherwise propagated into the atmosphere and includes, but is not limited to, any combination of the following: volatile organic compounds (VOCs), exempt compounds, oxides of nitrogen (NOx), particulate matter, gaseous sulfur compounds, carbon monoxide, and toxic air contaminants, including hazardous air pollutants identified in the ~~1990 F~~ federal Clean Air Act ~~Amendments~~, Title I, Section 112(b).

(2) **"Calendar Year"** means the same as defined in Rule 2 – Definitions.

(3) **"CCR"** means the California Code of Regulations.

(2) **"Contiguous Property"** means ~~two or more parcels of land with a common boundary or separated solely by a public or private roadway or other public or private right of way. Non-adjoining parcels of land separated solely by bodies of water designated "navigable" by the U.S. Coast Guard shall not be considered contiguous properties.~~

(4) **"Data Year"** means the calendar year in which emissions occurred.

(5) **"Electronic Emissions Inventory Report"** means an electronic submission to the District, which includes necessary process information and activity data needed to complete the required emissions inventory. This report may include some or all of the following: process information or equipment specifications; locations of sources and/or equipment; material or fuel consumption; material throughput or production rates; material disposal or reclamation rates; material composition or characteristics; temporal specification of operations; location of emission origin; emission control equipment and

operational parameters; material sales and distribution information; and specification of applicable District Permits to Operate or Authority to Construct.

(3-6) **"Emissions Inventory Report Form"** means a form ~~provided~~prepared by the District and submitted to a person subject to this rule, providing specifying specific direction on the complete and accurate submission of process information necessary to determine emissions of air pollutants. This form may include some or all of the following: process information or equipment specifications; locations of sources and/or equipment; material or fuel consumption; material throughput or production rates; material disposal or reclamation rates; material composition or characteristics; temporal specification of operations; location of emission origin; emission control equipment and operational parameters; material sales and distribution information; and specification of applicable District Permits to Operate or Authority to Construct.

(7) **"Emissions Inventory Request"** means a request prepared by the District and submitted to a person subject to this rule, providing specific direction on the complete and accurate submission of process information necessary to determine emissions of air pollutants.

(4-8) **"Emissions Statement Form"** means a form ~~provided~~prepared by the District and submitted to a person ~~owning or operating a stationary source~~ subject to this rule, providing specifying specific direction on the complete and accurate submission of information on emissions subject to this rule. Information subject to specification on this form ~~may include~~, but is not limited to, emission factors and calculated actual emission rates of air pollutants, including NO_x and VOC, as well as any information subject to the "Emissions Inventory Report Form".

(5) **"Emission Unit"** means ~~any article, machine, equipment, process, process-line, or contrivance, which emit(s) or reduce(s) or may cause to emit or reduce the emission of any air pollutant.~~

(6-9) **"Exempt Compound"** means the same as defined in Rule 2 – Definitions.
(Rev. Effective 5/15/96)

(10) **"H&SC"** means the California Health and Safety Code.

(11) **"Industry-Wide Sources"** means sources as described in H&SC Section 44323, which allows an air district to designate a source as an industry-wide source under the following conditions:

(i) All facilities in the class fall within one four-digit Standard Industrial Classification Code;

(ii) Individual compliance with this part imposes severe economic hardships on the majority of the facilities within the class;

(iii) The majority of the class is composed of small businesses; and

(iv) Releases from individual facilities in the class can easily and generically be characterized and calculated.

(12) **"NOx"** means the same as defined in Rule 2 – Definitions.

~~(7) **"Stationary Source"** means an emission unit or aggregation of emission units, located on the same or contiguous properties. Emission units which are on the same or contiguous property but which are not under the same ownership or entitlement to use and which are not related shall not be considered a single stationary source. Stationary sources also include those emission units or aggregation of emission units located in the California Coastal Waters.~~

~~(8-13) **"Toxic Air Contaminant"** means the same as defined in Rule 2 – Definitions. means an air pollutant which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health.~~

~~(9-14) **"Volatile Organic Compound (VOC)"** means the same as defined in Rule 2 – Definitions. means any volatile compound containing at least one atom of carbon excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonates, and exempt compounds which may be emitted to the atmosphere during operations or activities resulting in emissions of air pollutants.~~

(c) **REQUIREMENTS**

~~(1) Except as provided in Subsection (c)(2), and in accordance with the provisions in Subsections (c)(3), (c)(4), and (c)(5) any person subject to this rule shall be subject to requirements for submission of Emissions Statement Forms and/or Emissions Inventory Report Forms.~~

(1) Any person owning or operating any source of emissions of air pollutants and/or any person selling or supplying any material the use of which emits air pollutants in the amounts described, and/or is subject to the regulations described in Subsections (c)(1)(i) through (c)(1)(vi) below, shall meet the requirements for submission of an Electronic Emissions Inventory Report, and if applicable, an Emissions Statement Form, in accordance with the provisions in Subsections (c)(2) through (c)(6).

(i) 25 tons or greater of VOC or NO_x per year, and in accordance with the federal Clean Air Act, Title I, Section 182 (a)(3)(B);

(ii) 5 tons or greater of VOC or NO_x per year, but less than 25 tons of VOC or NO_x per year;

(iii) Toxic air contaminants for specific sources, in accordance with AB2588 “Hot Spots” Program (H&SC Section 44300 et seq.) and Emissions Inventory Criteria and Guidelines Regulation (17 CCR, Section 93300.5);

(iv) Toxic air contaminants for industry-wide sources, in accordance with AB2588 “Hot Spots” Program (H&SC Section 44300 et seq.) and Emissions Inventory Criteria and Guidelines Regulation (17 CCR, Section 93300.5);

(v) Criteria Air Pollutants and Toxic Air Contaminants, in accordance with Regulation for the Reporting of Criteria Air Pollutants and Toxic Air Contaminants (CTR) (17 CCR, Section 93400 et seq.); or

(vi) Community Air Protection Program, as designated per the Community Monitoring Plan or the Community Emissions Reduction Plan.

~~(2) Any person owning or operating any stationary source of emissions subject to this rule which emits less than 5 tons per year of each air pollutant, and does not emit toxic air contaminants, shall not be required to submit an Emissions Statement Form.~~

~~(3) Any person owning or operating any stationary source of emissions subject to this rule which emits 25 tons per year or greater of volatile organic compounds or oxides of nitrogen shall, in accordance with the 1990 Federal Clean Air Act Amendments, Title I, Section 182 (a)(3)(B), submit Emissions Statement Forms to the District for the 1992-calendar year and for each calendar year thereafter.~~

~~(4) Effective January 1, 1994, any person owning or operating any stationary source subject to this rule which emits 5 or more tons per year but less than 25 tons per year of VOC or NOx, and any person who sells or supplies any material the use of which may cause the emission of air pollutants, may be required to submit an Emissions Statement Form and/or Emissions Inventory Report Form, as deemed appropriate by the Air Pollution Control Officer.~~

(2) Any person owning or operating any source of emissions of air pollutants, and/or any person selling or supplying any material the use of which emits air pollutants, which meets the applicability of Subsection (c)(1)(i) through (c)(1)(vi) must submit an Electronic Emissions Inventory Report according to the following frequency:

(i) Annually –

(A) Sources subject to Subsections (c)(1)(i), (c)(1)(ii), or (c)(1)(v);

(B) Sources subject to Subsections (c)(1)(iii) if the source is designated as Category A pursuant to the District's Air Toxics Hot Spots Program Prioritization Procedures.

(ii) Biennially –

Sources subject to Subsection (c)(1)(iii) if the source is designated as Category B pursuant to the District's Air Toxics Hot Spots Program Prioritization Procedures.

(iii) Every four years –

(A) Sources subject to Subsection (c)(1)(iv);

(B) Sources subject to Subsection (c)(1)(iii) if the source is designated as Category C pursuant to the District's Air Toxics Hot Spots Program Prioritization Procedures.

~~(5-3) The District shall require the completion and submission of~~ Any person subject to this rule shall submit a completed Electronic Emissions Inventory Report and/or Emissions Statement Forms and/or Emissions Inventory Report Forms by persons subject to this rule at such frequency as the Air Pollution Control Officer determines is necessary to comply with federal or s-State requirements or to develop or implement an

air contaminant control program to meet federal or ~~s~~-State requirements. This frequency shall be no more than once per calendar year.

(6-4) Upon receipt of an ~~Emissions Statement Form or Emissions Inventory Report Form~~ Emissions Inventory Request, a person subject to this rule shall:

(i) ~~Complete-Submit the form~~ required Electronic Emissions Inventory Report as directed and return it to the District by the due date, which shall be 60 calendar days if required to report pursuant to Subsection (c)(1), or as determined by the District from the date the ~~form~~ request was first provided by the District.

(ii) Submit the required Electronic Emissions Inventory Report according to the phase-in periods described below:

(A) Data year 2021, all sources subject to Subsection (c)(1), must use the District provided website to upload requested information through the District's emissions inventory system portal, including District approved Emissions Inventory Report Forms.

(B) Data year 2022 and after, all sources subject to Subsection (c)(1), must use the District provided website to upload requested information through the District's emissions inventory system portal.

(iii) ~~Provide-Submit~~ with the completed form ~~report~~, a ~~signed~~ statement by the person, or a responsible official, certifying that the information contained in the form is accurate to the best knowledge of that person or official.

(7-5) Any person required to submit an Electronic Emissions Inventory Report and/or Emissions Statement Form ~~or Emissions Inventory Report Form~~ to the District shall maintain the supporting documentation upon which the information in the form was based. This documentation shall be retained on site for at least ~~three~~ five years, and shall be made available to the District upon request.

(8-6) The Air Pollution Control Officer may grant, on a case-by-case basis, ~~one an~~ extension of the Electronic Emissions Inventory Report ~~Emissions Statement Form or Emissions Inventory Report Form~~ due date,

(i) not to exceed 60 calendar days if the data is required pursuant to Subsections (c)(1)(i), and (ii); or

(ii) not to exceed 120 calendar days, if the data is required pursuant to Subsections (c)(1)(iii) and (iv); or

(iii) no later than May 1st of the reporting year for facilities subject to Subsection (c)(1)(v).

~~in those cases where the~~ A person must demonstrates that, due to circumstances beyond their control of that person, the original due date cannot be met, ~~—The person and~~ shall request the extension, in writing, prior to the original due date specifying the circumstances and the number of additional days requested.