

**CLERK OF THE BOARD OF SUPERVISORS
EXHIBIT/DOCUMENT LOG**

MEETING DATE & AGENDA NO. 09/25/2024 #4

STAFF DOCUMENTS (Numerical)

No.	Presented by:	Description:
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1.

2.

3.

4.

PUBLIC DOCUMENTS (Alphabetical)

No.	Presented by:	Description:
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A.	Robert Germann	26-page document
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B.	Cesar Javier and Purita Javier	34-page document
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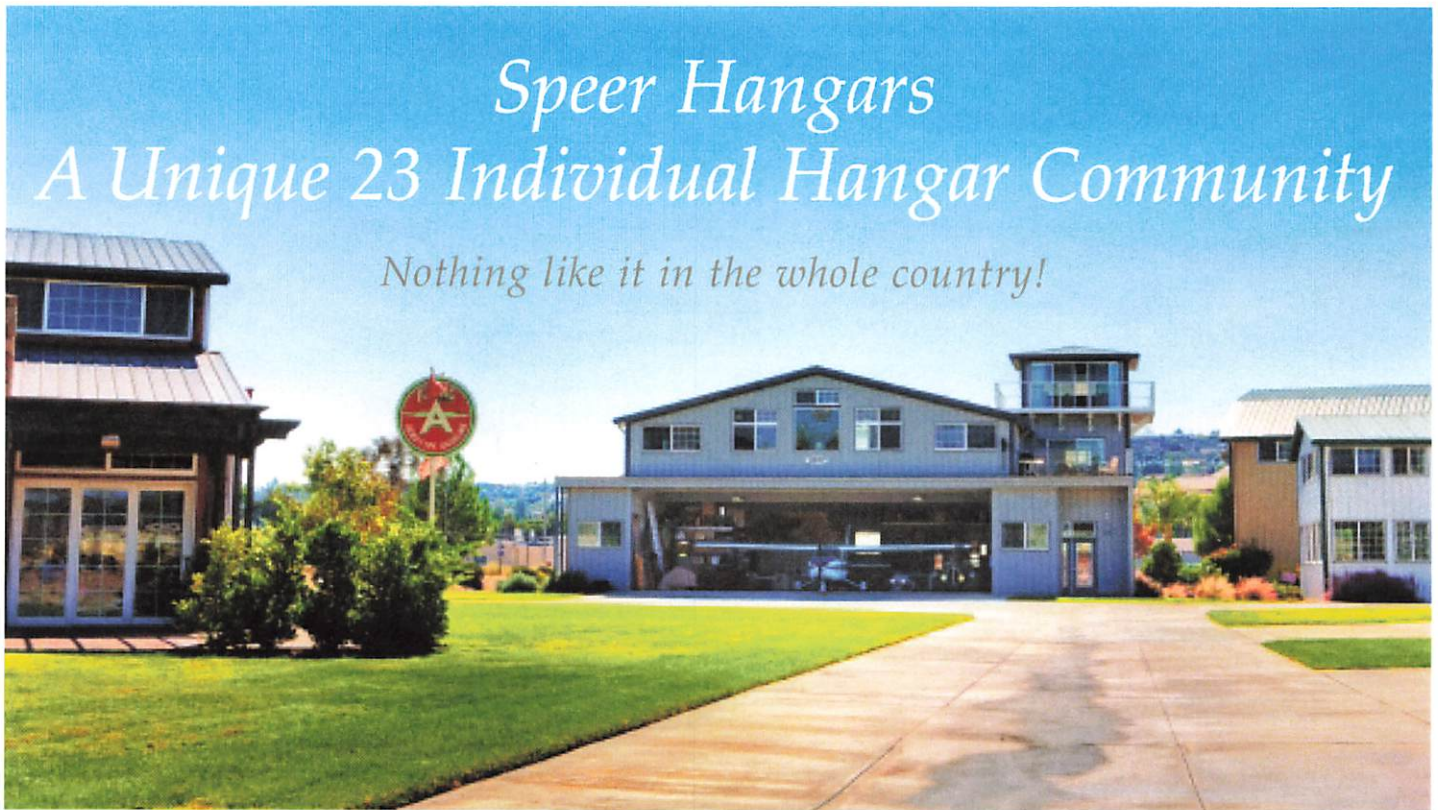
OFFICIAL RECORD
Clerk of the Board of Supervisors
County of San Diego

Exhibit No. A

Meeting Date: 9/25/24 Agenda No. 4

Presented by: Robert + Germann

"NOTHING LIKE IT IN THE WHOLE COUNTRY"



Speer Hangars

A Unique 23 Individual Hangar Community

Nothing like it in the whole country!



FOR SALE: HANGAR 7

2017 North Marshall Avenue
El Cajon, CA 92020
San Diego County (Gillespie Field)

HANGAR 7, SUBLEASE SPEER HANGAR OWNERS ASSOCIATION (SHOA)

An Incredible Venue for Special Events!

GILLESPIE FIELD-SPEER HANGARS OWNERS ASSOCIATION:

- Direct Access to Taxi Way "D"
- Housing – Occasional Crew Quarters
- Land Lease with Speer Hangar Owners Assn. (SHOA) thru-2030 County of San Diego
- Operating expenses estimated \$1200/mo Including-HOA Land Lease-Taxes, Insurance, Utilities (Liability Insurance Coverage is Obtained Under Plane/Coverage)

Source: <https://www3.topproducerwebsite.com/users/49135/downloads/Hangar%207-6.pdf>



You have recently become part
of an **experiment** here at
Gillespie Airport.

Source:
<https://www.facebook.com/CAGELFA/videos/7892922524139570>



AeroLOFT: Luxury, Aviation Lifestyle Loft & Aircraft Hangar
09/26/2024























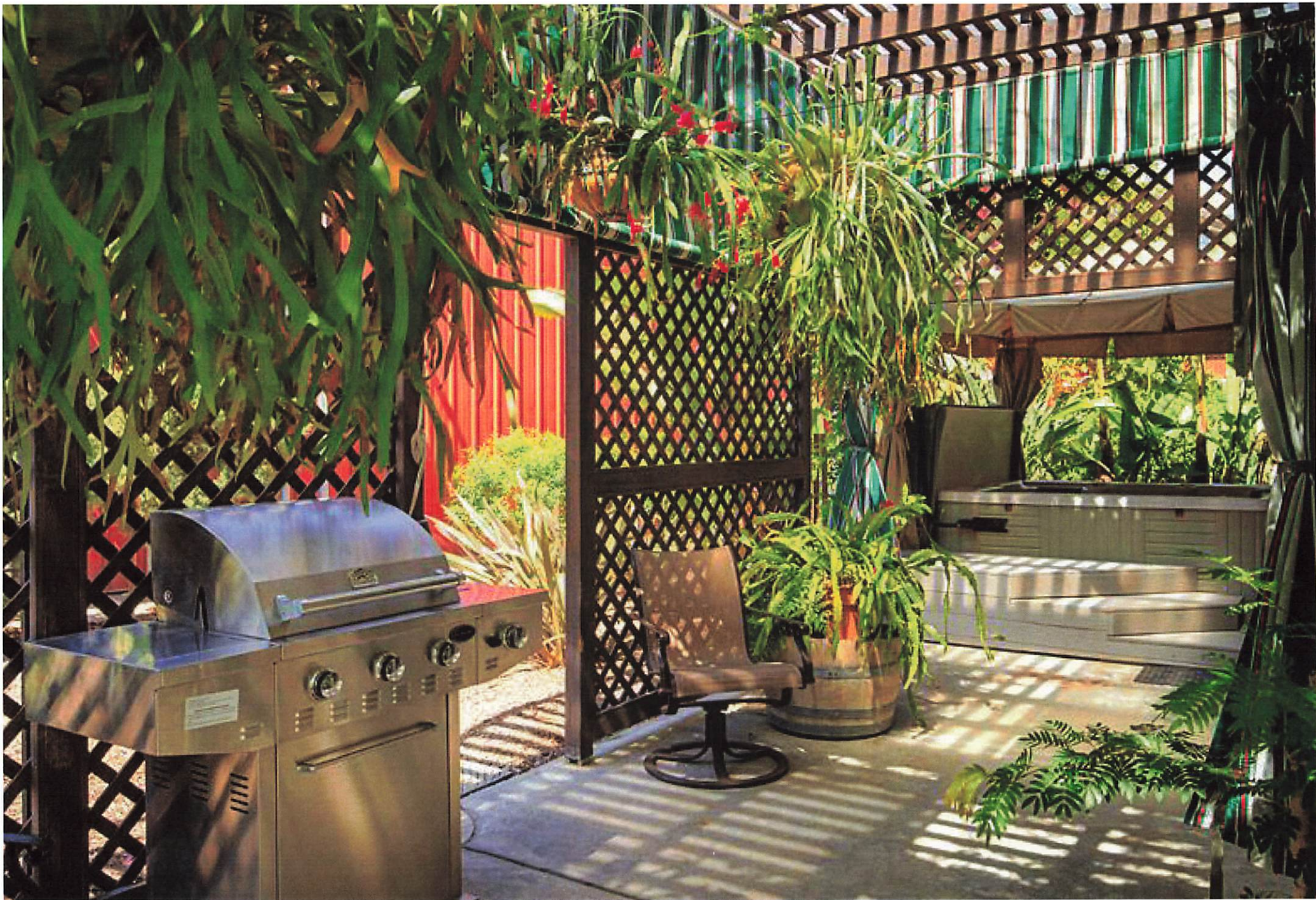






















C.A.G.E. L.F.A.

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& LOW FLYING AIRCRAFT**

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Established May 1, 2013

OFFICIAL RECORD
Clerk of the Board of Supervisors
County of San Diego

Exhibit No. B

Meeting Date: 09/25/24 Agenda No. 4

Presented by: Cesar and Purita Javier
Javier

FOR: HON CHAIR, & MEMBER GOV. BOARD, APCD

VII 11/11/22 5:14

Morgan To
Ben & Dentino



HON. M STEPPE

THE CITY OF SAN DIEGO
COUNCIL PRESIDENT SEAN ELO-RIVERA
NINTH DISTRICT

November 7, 2022

Cesar Javier
[REDACTED]
[REDACTED]

Dear Cesar,

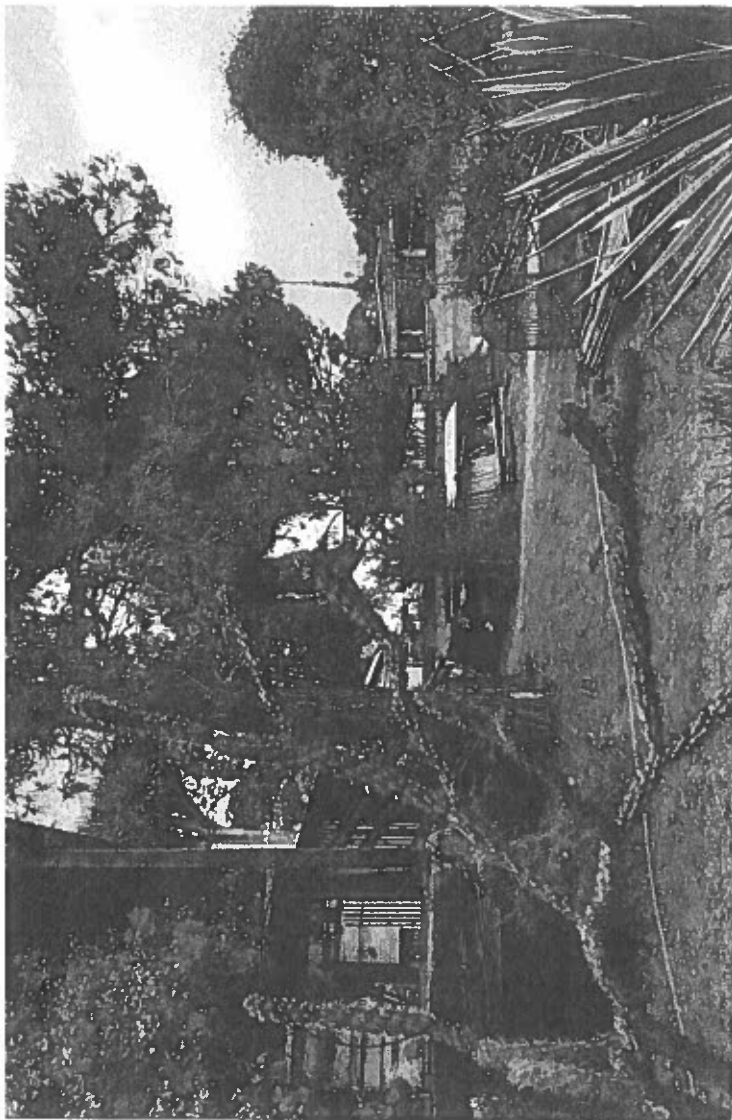
Thank you for reaching out to my office regarding your continued concerns over the air quality in your neighborhood and the bee apiary next to your residence. We've reached out to the City's Code Enforcement Department and the County's Air Pollution Control District who found no violations of either air quality standards or City code. I understand you are interested in pursuing policy changes and invite you to contact our Director of Policy, Brendan Dentino, who can answer any questions about the process of updating City codes. He can be contacted at (619) 533-3982 or dentinob@sandiego.gov.

If you have any additional concerns that come up, please do not hesitate to contact Ben Mendoza at bmendoza@sandiego.gov or (619) 510-6896. The District 9 team and I are committed to the highest standard of constituent service and will continue working to provide you with the City you and all San Diegans deserve.

Sincerely,

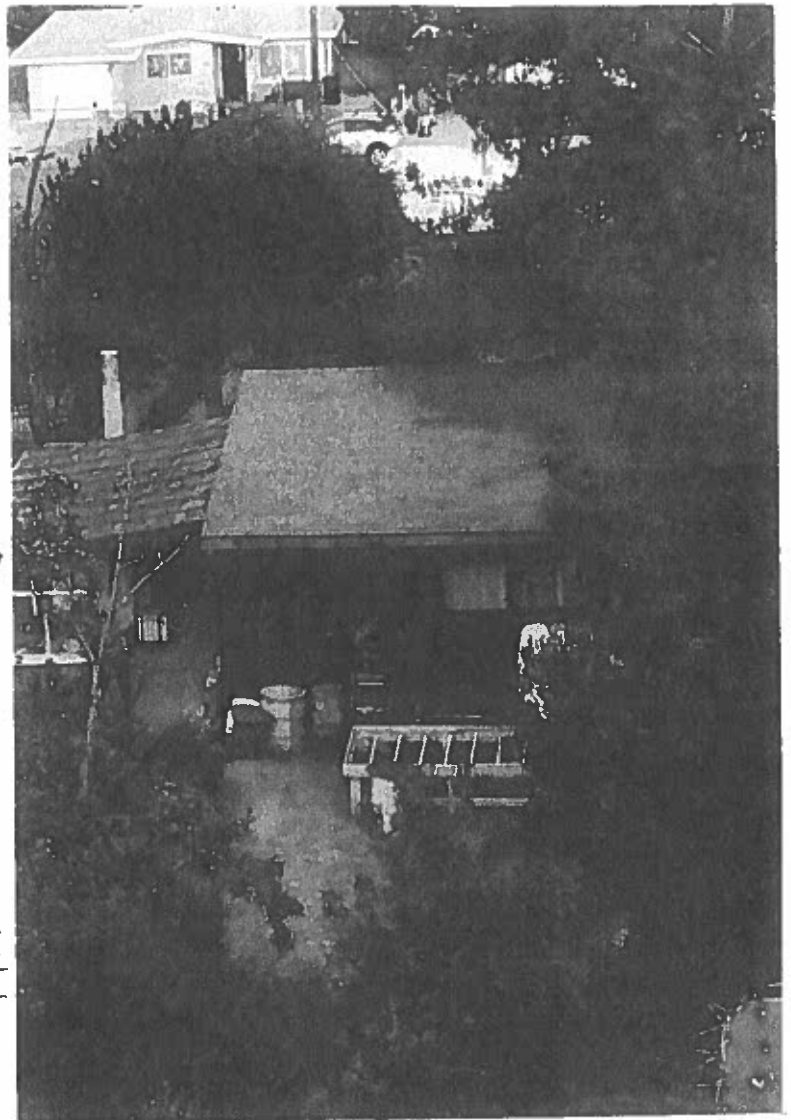
Sean Elo-Rivera

Councilmember, District Nine



Beekeeping ↗

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New gran Cultivation
white shed ... nursery.

RULE 11. EXEMPTIONS FROM RULE 10 PERMIT REQUIREMENTS
(Rev. Adopted & Effective October 13, 2022)

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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 – Permits Required.

(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 – Visible Emissions or Rule 51 – Nuisance 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 – Permits Required 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 (PM₁₀), oxides of nitrogen (NO_x), volatile organic compound (VOC), oxides of sulfur (SO_x), 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 – Toxic Air Contaminants – New Source Review, 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 – Definitions.

(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 – Definitions.

(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) **"Food Material"** means food scraps collected from the food processing industry, food service industry, grocery stores, or residential food scrap collection. Food material also includes food-soiled paper and food scraps that are chipped and ground.

(13) **"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.

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

(15) **"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.

(16) **"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.

(17) **"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 ft²/hr or higher; or an operation where the print capacity of any individual printer that uses water-based or UV inks is 10,000 ft²/hr or higher.

(18) **"Major Stationary Source"** means the same as defined in Rule 20.1 – New Source Review – General Provisions.

(19) **"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.

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

(21) **"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.

(22) **"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.

(23) **"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.

(24) **"Portable Emission Unit"** means the same as defined in Rule 20.1 – New Source Review – General Provisions.

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

(26) **"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.

(27) **"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.

(28) **"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.

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

(30) **"Stationary Source"** means the same as defined in Rule 2 – Definitions.

(31) **"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.

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

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

(34) **"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.

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

(36) **"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 – Permits Required. 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, steam generator, or water heater with a manufacturer's maximum gross heat input rating of:

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

(B) 2 million BTU per hour or less 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 – Receiving & Storing of Volatile Organic Compounds at Bulk Plants & Bulk Terminals.

(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 – Permit and Other Fees 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.

(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).

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(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) 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, horizontal grinders, and trommel screens used for processing green material or a mixture of green material and food 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 ft²/hr, or an operation where the print capacity of any individual printer which uses water-based or UV inks is less than 10,000 ft²/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 Rule 67.6.1 – Cold Solvent Cleaning and Stripping Operations and Rule 67.6.2 – Vapor Degreasing Operations.

(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) DRY CLEANING, 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 – Receiving & Storing of Volatile Organic Compounds at Bulk Plants & Bulk Terminals.

(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 – Portable Equipment Registration. 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 – Registration of Specified Equipment.

(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.

REGULATION II. PERMITS

Information regarding APC permits and AB 884 requirements ("Lists and Criteria for Development Projects," Ch. 4.5, Div. 1, Title 7, Government Code) can be obtained from the APCD at 10124 Old Grove Road, San Diego, CA 92131, Phone (858) 586-2600.

RULE 10. PERMITS REQUIRED (Adopted 1/1/69; Rev. Effective 5/15/96)

(a) **AUTHORITY TO CONSTRUCT.** Any person building, erecting, altering or replacing any article, machine, equipment or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminant, shall first obtain written authorization for such construction from the Air Pollution Control Officer. A separate Authority to Construct will be required for each piece of equipment, product line, system, process line or process that produces a product or performs a service independently of other equipment, product lines, systems, process lines or processes. An Authority to Construct shall remain in effect until the Permit to Operate the equipment for which the application was filed is granted or denied or the application is cancelled.

(b) **PERMIT TO OPERATE.** Before a person operates or uses, or causes to be operated or used, any article, machine, equipment or other contrivance described in Rule 10(a) (Authority to Construct) that person shall obtain a written Permit to Operate from the Air Pollution Control Officer. No Permit to Operate or use shall be granted either by the Air Pollution Control Officer or the Hearing Board for any article, machine, equipment or contrivance described in Rule 10(a) which is constructed or installed without authorization as required by Rule 10(a) until all information required for the Authority to Construct of Rule 10(a) is presented to the Air Pollution Control Officer and such article, machine, equipment or contrivance is altered, if necessary, and made to conform to the standards set forth in Rule 20 and elsewhere in these Rules and Regulations. A separate Permit to Operate will be required for each piece of equipment, product line, system, process line or process that produces a product or performs a service independently of other equipment, product lines, systems, process lines or processes.

A temporary authorization may be issued for the sole purpose of testing and/or evaluating the article, machine, equipment or contrivance to determine compliance with the conditions of the Authority to Construct, District Rules and Regulations and applicable state and federal law. A temporary authorization may be extended to cover the period before a final Permit to Operate can be issued provided the article, machine, equipment, or contrivance has been determined to be in compliance. For temporary operations as described in Rule 18(e), any temporary authorization shall be issued with a delayed effective date as specified in Rule 18(e).

A final Permit to Operate shall not be issued while the Authority to Construct or temporary authorization is being appealed before the Hearing Board in accordance with Rule 25 of District Rules and Regulations. A temporary authorization for testing and/or evaluation as provided herein may be issued despite an appeal of the Authority to Construct filed pursuant to Rule 25(b).

In the case of an appeal of an Authority to Construct for equipment proposed to be installed in conjunction with existing equipment operating under a Permit to Operate, to comply with new requirements of District Rules and Regulations, enforcement of the new requirements shall be

deferred until the appeal is resolved. This paragraph applies only to an Authority to Construct issued before the effective date of the new requirements.

(c) **POSTING OF PERMIT TO OPERATE.** A person who has been granted under Rule 10(a) Permit to Operate any article, machine, equipment or other contrivance described in Rule 10(b), shall firmly affix the current Permit to Operate or an approved facsimile upon the article, machine, equipment or other contrivance in such a manner as to be clearly visible and accessible. In the event that the article, machine, equipment or other contrivance is so constructed or operated that the Permit to Operate cannot be so placed, the Permit to Operate shall be mounted so as to be clearly visible in an accessible place within 25 feet of the article, machine, equipment or other contrivance, or maintained readily available at all times on the operating premises.

(d) **ALTERATION OF PERMIT.** A person shall not willfully deface, alter, forge, counterfeit or falsify any permit issued under these Rules and Regulations.

(e) **(Reserved)**

(f) **(Reserved)**

(g) **CONTROL EQUIPMENT.** Nothing in this rule shall be construed to authorize the control officer to require the use of machinery, devices or equipment of a particular type or design, if the required emission standard may be met by machinery, device, equipment, product or process change otherwise available.

(h) **ANNUAL RENEWAL OF PERMITS TO OPERATE.** Permits to Operate shall be renewable annually on a staggered schedule to be determined by the Air Pollution Control Officer. Any person who holds a Permit to Operate as required by Rule 10(b) and who desires to operate any article, machine, equipment or other contrivance pursuant to said permit after the expiration date of the permit shall, prior to the expiration date of the permit, apply to the Air Pollution Control Officer for an annual renewal permit. Expired permits may be reinstated only:

- (1) Within the first six months following the expiration date of the permit, and
- (2) Upon application for renewal to the Air Pollution Control Officer, and
- (3) Upon payment of the appropriate renewal fee and penalty. (See Rule 40 for applicable fees.)

Any person who holds a Permit to Operate as required by Rule 10(b) and who desires to not operate any article, machine, equipment or other contrivance pursuant to said permit may, prior to the expiration date of the permit, apply to the Air Pollution Control Officer for a revised permit indicating the equipment is to be maintained in an inactive status. A renewal permit in this case shall contain a condition prohibiting operation of the equipment. Any portable equipment having an inactive status permit shall be stored at a fixed address known to the Air Pollution Control District. All such inactive status permits shall be renewable annually. The condition prohibiting operation of the equipment shall be removed by the Air Pollution Control Officer, notwithstanding Rule 21, upon receipt of an application and payment of the appropriate renewal fees pursuant to Rule 40. Operation of inactive equipment without prior authorization from the District shall constitute a violation of Rules 10(a), 10(b), and 21, and a new Authority to Construct and Permit to Operate shall be required for continued operation of the equipment.

(i) **CHANGE OF LOCATION.** Any person who possesses a Permit to Operate any article, machine, equipment or other contrivance and desires to change the location of such article, machine, equipment or other contrivance shall first apply to the Air Pollution Control Officer for an Authority to Construct and Permit to Operate. (See Rule 40 for applicable fees.) The provisions of Rule 10(i) shall not apply to any change of work location for any portable article, machine, equipment or other portable contrivance, or any change of location within a contiguous parcel of land in the possession of, or owned by, or recorded as the property of, the same person.

(j) **TRANSFER OF OWNERSHIP**

(1) Any article, machine, equipment or other contrivance which has a valid Permit to Operate and which is transferred from one person to another shall not be operated until an application to transfer the ownership of the Permit to Operate is made to the Air Pollution Control Officer and a temporary or final permit to operate is issued. If the article, machine, equipment or other contrivance had a valid permit to operate within the 18-month period immediately preceding the application to transfer ownership of the permit to operate, such application, if submitted with all required fees, shall be deemed a temporary permit to operate until a temporary or final permit to operate is issued or denied. Such temporary permit to operate shall be subject to all terms and conditions of the permit to operate being transferred. The application to transfer a permit to operate shall not be deemed a temporary permit to operate for an article, machine, equipment or other contrivance that has been shut down and its associated emission reductions banked pursuant to Rules 26.0 - 26.10 unless the requirements of Rule 26.8 are met.

(2) Any article, machine, equipment or other contrivance which is being transferred from one person to another shall not be altered or modified (unless the alteration or modification is exempt under Rule 11) until an application for Authority to Construct and Permit to Operate has been filed with the District and an Authority to Construct for such alteration or modification has been granted by the District. (See Rule 40 for applicable fees.)

(3) Any article, machine, equipment or other contrivance shall not be relocated from where it was previously permitted to another stationary source, as defined in Rule 20.1, and operated under a temporary permit to operate pursuant to this section unless it was previously permitted as portable equipment .

RULE 10.1. NSPS AND NESHAPS REQUIREMENTS (Effective 11/8/76)

A person building, erecting, altering or replacing any type source subject to the provisions of any federal New Source Performance Standard (NSPS) or National Emission Standard for Hazardous Air Pollutants (NESHAPS) which has been delegated to the Air Pollution Control District of San Diego County must, in addition to complying with Rule 10, comply with Regulation X or Regulation XI, respectively.

REGULATION II. PERMITS

Information regarding APC permits and AB 884 requirements ("Lists and Criteria for Development Projects," Ch. 4.5, Div. 1, Title 7, Government Code) can be obtained from the APCD at 10124 Old Grove Road, San Diego, CA 92131, Phone (858) 586-2600.

RULE 10. PERMITS REQUIRED (Adopted 1/1/69; Rev. Effective 5/15/96)

(a) **AUTHORITY TO CONSTRUCT.** Any person building, erecting, altering or replacing any article, machine, equipment or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminant, shall first obtain written authorization for such construction from the Air Pollution Control Officer. A separate Authority to Construct will be required for each piece of equipment, product line, system, process line or process that produces a product or performs a service independently of other equipment, product lines, systems, process lines or processes. An Authority to Construct shall remain in effect until the Permit to Operate the equipment for which the application was filed is granted or denied or the application is cancelled.

(b) **PERMIT TO OPERATE.** Before a person operates or uses, or causes to be operated or used, any article, machine, equipment or other contrivance described in Rule 10(a) (Authority to Construct) that person shall obtain a written Permit to Operate from the Air Pollution Control Officer. No Permit to Operate or use shall be granted either by the Air Pollution Control Officer or the Hearing Board for any article, machine, equipment or contrivance described in Rule 10(a) which is constructed or installed without authorization as required by Rule 10(a) until all information required for the Authority to Construct of Rule 10(a) is presented to the Air Pollution Control Officer and such article, machine, equipment or contrivance is altered, if necessary, and made to conform to the standards set forth in Rule 20 and elsewhere in these Rules and Regulations. A separate Permit to Operate will be required for each piece of equipment, product line, system, process line or process that produces a product or performs a service independently of other equipment, product lines, systems, process lines or processes.

A temporary authorization may be issued for the sole purpose of testing and/or evaluating the article, machine, equipment or contrivance to determine compliance with the conditions of the Authority to Construct, District Rules and Regulations and applicable state and federal law. A temporary authorization may be extended to cover the period before a final Permit to Operate can be issued provided the article, machine, equipment, or contrivance has been determined to be in compliance. For temporary operations as described in Rule 18(e), any temporary authorization shall be issued with a delayed effective date as specified in Rule 18(e).

A final Permit to Operate shall not be issued while the Authority to Construct or temporary authorization is being appealed before the Hearing Board in accordance with Rule 25 of District Rules and Regulations. A temporary authorization for testing and/or evaluation as provided herein may be issued despite an appeal of the Authority to Construct filed pursuant to Rule 25(b).

In the case of an appeal of an Authority to Construct for equipment proposed to be installed in conjunction with existing equipment operating under a Permit to Operate, to comply with new requirements of District Rules and Regulations, enforcement of the new requirements shall be

deferred until the appeal is resolved. This paragraph applies only to an Authority to Construct issued before the effective date of the new requirements.

(c) **POSTING OF PERMIT TO OPERATE.** A person who has been granted under Rule 10(a) Permit to Operate any article, machine, equipment or other contrivance described in Rule 10(b), shall firmly affix the current Permit to Operate or an approved facsimile upon the article, machine, equipment or other contrivance in such a manner as to be clearly visible and accessible. In the event that the article, machine, equipment or other contrivance is so constructed or operated that the Permit to Operate cannot be so placed, the Permit to Operate shall be mounted so as to be clearly visible in an accessible place within 25 feet of the article, machine, equipment or other contrivance, or maintained readily available at all times on the operating premises.

(d) **ALTERATION OF PERMIT.** A person shall not willfully deface, alter, forge, counterfeit or falsify any permit issued under these Rules and Regulations.

(e) **(Reserved)**

(f) **(Reserved)**

(g) **CONTROL EQUIPMENT.** Nothing in this rule shall be construed to authorize the control officer to require the use of machinery, devices or equipment of a particular type or design, if the required emission standard may be met by machinery, device, equipment, product or process change otherwise available.

(h) **ANNUAL RENEWAL OF PERMITS TO OPERATE.** Permits to Operate shall be renewable annually on a staggered schedule to be determined by the Air Pollution Control Officer. Any person who holds a Permit to Operate as required by Rule 10(b) and who desires to operate any article, machine, equipment or other contrivance pursuant to said permit after the expiration date of the permit shall, prior to the expiration date of the permit, apply to the Air Pollution Control Officer for an annual renewal permit. Expired permits may be reinstated only:

- (1) Within the first six months following the expiration date of the permit, and
- (2) Upon application for renewal to the Air Pollution Control Officer, and
- (3) Upon payment of the appropriate renewal fee and penalty. (Sec Rule 40 for applicable fees.)

Any person who holds a Permit to Operate as required by Rule 10(b) and who desires to not operate any article, machine, equipment or other contrivance pursuant to said permit may, prior to the expiration date of the permit, apply to the Air Pollution Control Officer for a revised permit indicating the equipment is to be maintained in an inactive status. A renewal permit in this case shall contain a condition prohibiting operation of the equipment. Any portable equipment having an inactive status permit shall be stored at a fixed address known to the Air Pollution Control District. All such inactive status permits shall be renewable annually. The condition prohibiting operation of the equipment shall be removed by the Air Pollution Control Officer, notwithstanding Rule 21, upon receipt of an application and payment of the appropriate renewal fees pursuant to Rule 40. Operation of inactive equipment without prior authorization from the District shall constitute a violation of Rules 10(a), 10(b), and 21, and a new Authority to Construct and Permit to Operate shall be required for continued operation of the equipment.

(i) **CHANGE OF LOCATION.** Any person who possesses a Permit to Operate any article, machine, equipment or other contrivance and desires to change the location of such article, machine, equipment or other contrivance shall first apply to the Air Pollution Control Officer for an Authority to Construct and Permit to Operate. (See Rule 40 for applicable fees.) The provisions of Rule 10(i) shall not apply to any change of work location for any portable article, machine, equipment or other portable contrivance, or any change of location within a contiguous parcel of land in the possession of, or owned by, or recorded as the property of, the same person.

(j) **TRANSFER OF OWNERSHIP**

(1) Any article, machine, equipment or other contrivance which has a valid Permit to Operate and which is transferred from one person to another shall not be operated until an application to transfer the ownership of the Permit to Operate is made to the Air Pollution Control Officer and a temporary or final permit to operate is issued. If the article, machine, equipment or other contrivance had a valid permit to operate within the 18-month period immediately preceding the application to transfer ownership of the permit to operate, such application, if submitted with all required fees, shall be deemed a temporary permit to operate until a temporary or final permit to operate is issued or denied. Such temporary permit to operate shall be subject to all terms and conditions of the permit to operate being transferred. The application to transfer a permit to operate shall not be deemed a temporary permit to operate for an article, machine, equipment or other contrivance that has been shut down and its associated emission reductions banked pursuant to Rules 26.0 - 26.10 unless the requirements of Rule 26.8 are met.

(2) Any article, machine, equipment or other contrivance which is being transferred from one person to another shall not be altered or modified (unless the alteration or modification is exempt under Rule 11) until an application for Authority to Construct and Permit to Operate has been filed with the District and an Authority to Construct for such alteration or modification has been granted by the District. (See Rule 40 for applicable fees.)

(3) Any article, machine, equipment or other contrivance shall not be relocated from where it was previously permitted to another stationary source, as defined in Rule 20.1, and operated under a temporary permit to operate pursuant to this section unless it was previously permitted as portable equipment.

RULE 10.1. NSPS AND NESHAPS REQUIREMENTS (Effective 11/8/76)

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