REGULATION I **GENERAL PROVISIONS** (Effective 1/1/69, Rev. Adopted & Effective 5/15/96; Rev. Adopted & Effective 5/21/97; Rev. Adopted & Effective 6/30/99)

RULE 1. TITLE

These rules and regulations shall be known as the Rules and Regulations of the Air Pollution Control District of San Diego County.

RULE 2. DEFINITIONS

(Rev. Adopted & Effective 5/15/96)
(Rev. Adopted & Effective 6/30/99)
(Table 1-Exempt Compounds: Rev. Effective 11/4/09)
(Table 1-Exempt Compounds: Rev. Effective 6/14/16)

(a) **APPLICABILITY**

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

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

(b) **DEFINITIONS**

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

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

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

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

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

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

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

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

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

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

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

(i) Beginning at the intersection of the coastline and the San Diego-Orange County boundary, N 33° 23' 10", W 117° 35' 40";

(ii) thence southwesterly to N 33° 20' 10", W 117° 37' 00";

(iii) thence southeasterly to N 32° 53' 30", W 117° 18' 30";

(iv) thence southwesterly, southerly, southeasterly, southerly, easterly and northeasterly to N 32° 37' 30", W 117° 11' 40";

(v) thence southerly to N 32° 31' 30", W 117° 10' 20";

(vi) thence easterly to N 32° 32' 00", W 117° 07' 30", which is the intersection of the coastline and the United States-Mexico International boundary.

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

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

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

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

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

(i) Beginning at the United States-Mexico International boundary and running north along the range line common to Range 7 East and Range 6 East (San Bernardino Base and Meridian); to the point of intersection with the township line common to Township 16 South and Township 17 South;

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

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

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

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

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

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

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

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

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

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

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

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

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

(19) **"Eastern Section of the Air Pollution Control District of San Diego County"** means all of that portion of San Diego County, State of California, lying east of the line described in Subsections (53)(i) through (53)(v) of this rule.

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

(21) **"Exempt Compounds"** means any compound listed in Table 1.

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

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

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

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

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

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

Air Contaminant	Emission Rate (tons/year)
Particulate Matter (PM_{10})	100
Oxides of Nitrogen(NO_X)	50
Volatile Organic Compounds (VOC)	50
Oxides of Sulfur (SO_X)	100
Carbon Monoxide (CO)	100
Lead (Pb)	100

(27) **"Military Tactical Support Equipment"** means any equipment owned by the U.S. Department of Defense or the National Guard and used in combat, combat support, combat service support, tactical or relief operations, or training for such operations.

(28) **"Motor Vehicle"** means a vehicle which is self-propelled.

(29) **"Multiple-Chamber Incinerator"** means any article machine, equipment, contrivance, structure or part of structure used to dispose of combustible refuse by burning, consisting of three or more refractory lined combustion furnaces in series, physically separated by refractory walls, interconnected by gas passage ports or ducts and employing adequate design parameters necessary for maximum combustion of the material to be burned. The refractories shall have a Pyrometric Cone Equivalent of at least 17 when tested according to ASTM Method C-24.

(30) **"Non-Desert Portion"** means all of that portion of San Diego County, State of California, lying west of the line described in Subsections (15)(i) through (15)(xii).

(31) **"NO_X"** means the sum of all oxides of nitrogen, except for nitrous oxide, collectively expressed as nitrogen dioxide.

(32) **"Orchard or Citrus Grove Heater"** means any article, machine, bowl burner or contrivance, which is designed for, used, maintained or capable of being used for burning any kind of fuel for frost protection of orchards, citrus groves or plant nurseries in areas that are not completely enclosed.

(33) **"Particulate Matter"** means any finely divided material which exists as a solid or liquid at standard conditions, excluding uncombined water.

(34) **"PM2.5"** means suspended fine particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 micrometers (microns). For non-fugitive emissions, test methods specified in 40 CFR 50, Appendix L, shall be used to measure PM2.5.

(35) **"PM_{10}"** means suspended particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (microns). For non-fugitive emissions, test methods specified in Title 17, California Code of Regulations, Section 94100 et seq., or any applicable test method approved by the Air Pollution Control Officer and EPA shall be used to measure PM_{10}.

(36) **"Permit to Operate"** means a written authorization issued by the Air Pollution Control Officer pursuant to Rule 10 or Rule 24 for the operation of any product line, process, process line, article, machine, equipment or other contrivance, the use of which may cause the issuance, reduction, control, or elimination of air contaminants.

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

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

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

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

(41) **"Registration"** means the process of obtaining a Certificate of Registration for an emission unit. Registration is the same as "permit" as used in Division 26 of the California Health and Safety Code, Part 3, Chapter 8 and Part 4, Chapter 4, Articles 2 and 4, respectively entitled Hearing Board, Variances, and Orders of Abatement. The Air Pollution Control Officer and the Hearing Board shall have the same authority concerning registration as with permits, and the owner or operator of registered equipment shall be entitled to the same privileges and rights granted to a permittee.

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

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

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

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

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

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

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

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

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

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

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

where:

$C_c voc$ = VOC content per volume of coating, less water and exempt compounds

W_s = weight of volatile compounds including water and exempt compounds

W_w = weight of water

W_{es} = weight of exempt compounds

V_m = volume of material including water and exempt compounds

V_w = volume of water

V_{es} = volume of exempt compounds

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

$$C_m voc = (W_s - W_w - W_{es})/V_m$$

where:

$C_m voc$ = VOC content per volume of material

W_s = weight of volatile compounds including water and exempt compounds

W_w = weight of water

W_{es} = weight of exempt compounds

V_m = volume of material including water and exempt compounds

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

(i) Beginning at the San Diego-Riverside County boundary and running south along the range line common to Range 2 West and Range 1 West (San Bernardino Base and Meridian); to the point of intersection with the township line common to Township 9 South and Township 10 South;

(ii) thence east along the township line common to Township 9 South and Township 10 South to the point of intersection with the range line common to Range 1 West and Range 1 East;

(iii) thence south along the range line common to Range 1 West and Range 1 East to the point of intersection with the township line common to Township 11 South and Township 12 South;

(iv) thence east along the township line common to Township 11 South and Township 12 South to the point of intersection with the range line common to Range 1 East and Range 2 East;

(v) thence south along the range line common to Range 1 East and Range 2 East to the point of intersection with the United States-Mexico International boundary.

TABLE 1 EXEMPT COMPOUNDS (Revised 6/14/16)

I. Negligibly Photochemically-Reactive Organic Compounds
methane
methylene chloride (dichloromethane)
1,1,1-trichloroethane(methyl chloroform)
trichlorofluoromethane (CFC-11)
dichlorodifluoromethane (CFC-12)
1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113)
1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114)
chloropentafluoroethane (CFC-115)
chlorodifluoromethane (HCFC-22)
chlorofluoromethane (HCFC-31)
1,1,1-trifluoro-2,2-dichloroethane (HCFC-123)
1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a)
2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124)
1,1-dichloro-1-fluoroethane (HCFC-141b)
1-chloro-1,1-difluoroethane (HCFC-142b)
1-chloro-1-fluoroethane (HCFC-151a)
3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca)
1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb)
difluoromethane (HFC-32)
trifluoromethane (HFC-23)
fluoroethane (ethyl fluoride, HFC-161)
1,1,2,2-tetrafluoroethane (HFC-134)
1,1,1,2-tetrafluoroethane (HFC-134a)
pentafluoroethane (HFC-125)
1,1,1-trifluoroethane (HFC-143a)
1,1-difluoroethane (HFC-152a)
1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC-43-10mee)
1,1,1,2,3,3-hexafluoropropane (HFC-236ea)
1,1,1,3,3,3-hexafluoropropane (HFC-236fa)
1,1,2,2,3-pentafluoropropane (HFC-245ca)
1,1,2,3,3-pentafluoropropane (HFC-245ea)
1,1,1,2,3-pentafluoropropane (HFC-245eb)
1,1,1,3,3-pentafluoropropane(HFC-245fa)
1,1,1,3,3-pentafluorobutane (HFC-365mfc)
1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxybutane ($C_4F_9OCH_3$ or HFE-7100)
2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane ($(CF_3)_2CFCF_2OCH_3$)
1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane ($C_4F_9OC_2H_5$ or HFE-7200)
2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane ($(CF_3)_2CFCF_2OC_2H_5$)
cyclic, branched, or linear completely methylated siloxanes (VMS)

Table 1
Exempt Compounds - Continued

1,1,1,2,2,3,3-heptafluoro-3-methoxypropane (n-$C_3F_7OCH_3$, or HFE-7000) 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl)hexane (HFE-7500) 1,1,1,2,3,3,3-heptafluoropropane (HFC-227ea) methylformate ($HCOOCH_3$) 1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-trifluoromethyl-pentane (HFE-7300) propylene carbonate dimethyl carbonate *trans*-1,3,3,3-tetrafluoropropene (HFO-1234ze) *trans*-1-chloro-3,3,3-trifluoropropene (HFO-1233zd) Four classes of perfluorocarbon (PFC) compounds: cyclic, branched, or linear, completely fluorinated alkanes cyclic, branched, or linear, completely fluorinated ethers with no unsaturations cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine
II. Low Photochemically-Reactive Organic Compounds
acetone ethane 1-chloro-4-trifluoromethyl benzene (parachlorobenzotrifluoride, PCBTF) methyl acetate perchloroethylene (tetrachloroethylene)