AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN DIEGO

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NOTICE OF AMENDMENT TO RULE 11- EXEMPTIONS FROM RULE 10 PERMIT REQUIREMENTS

On May 21, 1997, the Air Pollution Control Board adopted Phase II amendments to Rule 11. Rule 11 exempts equipment, operations and processes causing little or no air pollution from Air Pollution Control District (District) permit requirements. The changes primarily implement recommendations from the County of San Diego Economic Advisory Board's Sunset Commission. In addition, the changes delete some exemptions, add several new exemptions and revise some existing exemptions to clarify the original intent. The changes are summarized below.

Applicability

Rule 11.1 (NSPS and NESHAP Exemptions) was moved to Rule 11 Section (a) to clarify that Rule 11 does not exempt from permit requirements any article, machine, equipment or other contrivance subject to a New Source Performance Standard (NSPS) or National Emission Standards for Hazardous Air Pollutants (NESHAP).

A provision was added to allow the District to evaluate equipment, operations or processes to determine if the potential public health risk exceeds the levels allowed by District Rule 1200 (Toxic Air Contaminants - New Source Review). Equipment, operations or processes which exceed the Rule 1200 limits will require a District Permit to Operate.

Definitions

Adds a definition for Research and Development Equipment to replace the existing definition for Bench Scale Equipment.

Adds a definition for Hot Melt Adhesive.

Deletes the definitions for Emergency Standby Engine and Emergency Situation since these terms are no longer used.

Permit Exemptions

The new permit exemptions are added for equipment and operations which are currently exempt by District policy. These include:

- engines that are rebuilt and tested as part of educational training programs,
- equipment used to grind, blend or package dried flowers,
- hot wire cutting of expanded polystyrene foam,
- pressurized tanks used to store inorganic gases or halogenated organic gases, and
- equipment used for recovering and recycling chlorofluorocarbons (CFC) and alternative fluorocarbons.

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Permit Exemptions (cont'd)

The amendments also provide for new permit exemptions as follows:

- equipment used to crush and/or ferment grapes to produce wine,
- equipment used to brew less than 1 million gallons of beer per year,
- adhesive operations using small quantities (less than 20 gallons per year) or low VOC content (less than 20 grams per liter) materials,
- road and runway sweepers equipped with auxiliary engines of 200 bhp or less,
- DNA synthesis operations,
- laboratory equipment and operations located at educational institutions,
- equipment used to manufacture various biotechnology products exclusively used in federal Food and Drug Administration approved clinical trials or tests,
- portable engines registered in accordance with the Statewide Portable Engine Registration Program, and
- solvent wipe cleaning operations, not associated with permitted operations, with uncontrolled VOC emissions not exceeding five tons per calendar year or total solvent purchase for such operations not exceeding 1,500 gallons per calendar year.

Some existing provisions have been clarified, including permit exemptions for:

- engines used to load and unload cargo, and
- coatings applied outside defined coating application stations for the purposes of touchup coating operations or the maintenance of stationary equipment.

The permit exemption for ink mixing tanks has been revised for consistency with Rule 67.19 (Coating and Ink Manufacturing Operations).

The exemption for abrasive blast rooms has been deleted.

The exemption for research and development operations is revised by providing a new definition of research and development equipment and deleting daily emission limits and recordkeeping requirements.

Permit Exemptions (cont'd)

Three exemptions now exclude the use of certain hazardous air pollutants. They are:

- metallizing and ceramic spray guns which apply no materials containing chromium, lead or nickel,
- salt quench tanks which add no compounds containing chromium, and
- small metal melting furnaces which utilize no arsenic, beryllium, cadmium, chromium, lead and/or nickel as alloying elements.

Recordkeeping Requirements

Any person claiming an exemption from District permit requirements must provide documentation sufficient to substantiate the exemption if requested by the District.

Compliance Schedule

Operators of existing equipment which is no longer exempt from permit requirements because of these most recent changes to Rule 11 must submit an application for a District Permit within one year (**By May 21, 1998**).

Prior to installation of any new equipment that is not exempt from permit requirements, an application for Authority to Construct and Permit to Operate must be submitted.

Copies of revised Rule 11 can be obtained by calling (619) 694-3307. For more information, please call the District's Compliance Division at (619) 694-3340.

GMH:jo
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