

CHAPTER I - GENERAL PROVISIONS

RULE 1-100 - AUTHORITY

These Rules and Regulations are adopted pursuant to the provisions of Division 26 of the Health and Safety Code of the State of California and shall be known as the Rules and Regulations of the Mendocino County Air Quality Management District.

RULE 1-105 – JURISDICTION

- (a) The jurisdiction of the Mendocino County Air Quality Management District shall be coterminous with the existing boundaries of Mendocino County.
- (b) The Mendocino County Air Quality Management District lies within the North Coast Air Basin.
The North Coast Air Basin is comprised of the Counties of Del Norte, Trinity, Humboldt, Mendocino, and that region of Sonoma County designated as the Northern Sonoma County Air Pollution Control District.

[Amended 5/6/03]

RULE 1-110 - PURPOSE

These rules and regulations are set forth to achieve and maintain such levels of air quality as will protect human health and safety; prevent injury to plant and animal life; avoid damage to property; and preserve the comfort, convenience and enjoyment of the natural attractions of Mendocino County.

It is the intent of the Mendocino County Air Quality Management District to adopt and enforce rules and regulations which assure that reasonable provisions are made to achieve and maintain state and federal ambient air quality standards for the area under the District's jurisdiction and to enforce all applicable provisions of State law.

RULE 1-120 - ADMINISTRATION

The procedures and restrictions set forth in these rules and regulations shall be administered by the Mendocino County Air Quality Management District within its area of jurisdiction as authorized by Section 40002 of the California Health and Safety Code; Chapter 3, Part 3, Division 26 of said code; or by contractual agreements between districts in accordance with the provisions of Section 40701 of said code, and further described in Section 90120 of Title 17 of the California Administrative Code.

RULE 1-130 - DEFINITIONS

(a) General Provisions:

Except as provided or defined below, the definitions of 40 CFR 52.21(b), in effect on November 14, 2014, excluding the definition provided in 40 CFR 52.21(b)(33), are incorporated herein by reference and made part of this rule.

(1) The following incorporated provisions of 40 CFR Part 52.21 are revised as follows:

(A) The term “administrator” shall read as follows:

(1) “EPA administrator” in 40 CFR 52.21(b)(17), (b)(37)(i), (b)(43), (b)(48)(ii)(c), (b)(50)(i), (b)(51)(1) & (2) and (p)(2); and

(2) “Air Pollution Control Officer” elsewhere, as defined in Rule 1-130(a)(5).

(B) The phrase “paragraph (q) of this section” in 40 CFR 52.21(1) & (2) and (p)(1) shall read as follows: the public notice and comment provisions of Rule 1-220(b)(5) through (10).

[Amended 5/6/03, Amended 12/5/06, Amended 2/15/11, Amended 9/20/16]

(b) Definitions:

(a1) Actual Emissions:

The definition of “actual emissions” contained in 40 CFR 52.21(b)(21), which is otherwise incorporated by reference, is revised to read as set forth below whenever reference is made to that term or 40 CFR 52.21(b)(21):

(1) Actual emissions means the actual rate of emissions of a pollutant from an emissions unit, as determined in accordance with paragraphs (a1)(2) – (5) of this rule.

(2) In general, actual emissions as of a particular date shall equal the average rate, in tons per year, at which the unit actually emitted the pollutant during a two-year period which precedes the particular date and which is representative of normal source operation. The APCO shall allow the use of a different time period upon a determination that it is more representative of normal source operations

(3) Actual emissions shall be calculated using the unit’s actual operating hours, production rates, and types of materials processed, stored, or combusted during the selected time period.

(4) The APCO may presume that source-specific allowable emissions for the unit are equivalent to the actual emissions of the unit.

(5) For any emissions unit which has not begun normal operations on the particular date, actual emissions shall equal the potential to emit of the unit on that date.

(a2) Agricultural Operation:

The growing and harvesting of crops, or the raising of fowl, animals or bees as a gainful occupation, or forest management, or range improvement or in the improvement of land for wildlife and game habitat, or disease or pest prevention.

(a3) Air Contaminant:

Any discharge, release, or other propagation into the atmosphere directly, or indirectly, caused by man and includes, but is not limited to, smoke, charred paper, dust, soot, grime, carbon, fumes, gases, odors, particulate matter, acid, or any combination thereof.

1 **(a4) Air Pollution Abatement Operation:**

2 Any operation that has as its essential purpose a significant reduction in the emission of air
3 contaminants or the effect of such emission.

4 **(a5) Air Pollution Control Officer (APCO or Control Officer):**

5 The executive officer appointed by the Board of Directors of this District pursuant to Chapter 7 of
6 Part 3 of Division 26 of the California Health and Safety Code (H&SC) in effect on November 14,
7 2014, to carry out the following duties:

- 8 (1) Appoint District Personnel, pursuant to H&SC, Section 40751 and subject to the direction of
9 the District Board, including any deputies necessary for the prompt and faithful discharge of
10 the Air Pollution Control Officer's duties.
- 11 (2) Observe and enforce, pursuant to H&SC, Section 40752, all of the following:
- 12 (A) Part 3 and Part 4 of Division 26 of the H&SC (commencing with Section 41500).
- 13 (B) All orders, regulations, and rules prescribed by the District Board.
- 14 (C) All variances and standards which the District Hearing Board has prescribed.
- 15 (D) All permit conditions imposed pursuant to H&SC, Sections 42301 and 42301.10.
- 16 (3) Observe and enforce, pursuant to H&SC, Section 40753, all provisions of Division 12,
17 (commencing with Section 24000) of the Vehicle Code relating to the emission or control of air
18 contaminants, except Sections 27157, 27157.5, 27158, and 27158.5.
- 19 (4) Observe and enforce all rules, regulations, and requirements as approved or delegated by the
20 EPA Administrator.

21 **(a6) Allowable Emissions:**

22 The definition of "allowable emissions" contained in 40 CFR 52.21(b)(16), which is otherwise
23 incorporated by reference, is revised to read as set forth below whenever reference is made to that
24 term or 40 CFR 52.21(b)(16):

- 25 (1) The phrase "unless the source is subject to federally enforceable limits which restrict the
26 operating rate, or hours of operation, or both" shall read, "unless the source is subject to
27 enforceable limits that restrict the operating rate, or hours of operation, or both."
- 28 (2) Paragraph (iii) shall read as follows: "The emissions rate specified as an enforceable permit
29 condition, including those with a future compliance date.

30 **(a7) Ambient Air Quality Standard:**

31 The specific concentrations and durations of air pollutants that reflect the relationship between
32 intensity and composition of pollution to undesirable effects.

33 **(a8) Approved Combustibles:**

34 Brush, trees, and other dried vegetation as approved by the APCO, grown on the property where it
35 is to be burned.

36 **(a9) Area Classifications:**

37 The classification of an area pursuant to the criteria of 40 CFR 52.21(e) and (f). Such classified
38 areas near the Mendocino County Air Quality Management District are as follows:

- 39 (1) Class I Areas: All areas designated as a Class I area pursuant to 40 CFR 51.21(e). Class I
40 areas within 300 km of the District are all lands encompassed within the Yolla Bolly-Middle
41 Eel Wilderness area and the Point Reyes National Seashore.
- 42 (2) Class II Areas: All areas not designated as a Class I area.

1 **(b1)Baseline Actual Emissions:**

2 The definition of “baseline actual emissions” contained in 40 CFR 52.21(b)(48), which is otherwise
3 incorporated by reference, is revised to read as set forth below whenever reference is made to that
4 term or 40 CFR 52.21(b)(48):

- 5 (1) Baseline actual emissions means the actual rate of emissions of a pollutant from an emissions
6 unit, as determined in accordance with paragraphs (b1)(2) – (4) of this rule.
- 7 (2) In general, baseline actual emissions as of a particular date shall equal the average rate, in tons
8 per year, at which the unit actually emitted the pollutant during a 24 month period which
9 precedes the particular date and which is representative of normal source operations. The
10 APCO shall allow the use of a different time period upon determination that it is more
11 representative of normal source operation. Baseline actual emissions shall be calculated using
12 the unit’s actual operating hours, production rates, and types of materials processed, stored, or
13 combusted during the selected time period.
- 14 (3) The APCO may presume that source-specific allowable emissions for the unit are equivalent to
15 the actual emissions of the unit.
- 16 (4) For any emissions unit which has not begun normal operations on the particular date, baseline
17 actual emissions shall equal the potential to emit of the unit on that date.

18 **(b2) Baseline Concentration:**

19 That ambient concentration level which exists in the baseline area at the time of the establishment
20 of the applicable minor source baseline date. (Ref. 40 CFR 52.21(b)(13))

- 21 (1) A baseline concentration is determined for each pollutant for which a minor source baseline
22 date is established and shall include:
- 23 (A) The actual emissions, representative of sources in existence on the applicable minor source
24 baseline date, except as provided in paragraph (2) below; and
- 25 (B) The allowable emissions of major stationary sources that commenced construction before
26 the major source baseline date, but were not in operation by the applicable minor source
27 baseline date.
- 28
- 29 (2) The following will not be included in the baseline concentration and will affect the applicable
30 maximum allowable increase(s):
- 31 (A) Actual emissions, from any major stationary source on which construction commenced
32 after the major source baseline date; and
- 33 (B) Actual emissions increases and decreases, at any stationary source occurring after the
34 minor source baseline date.

35 **(b3) Base Unit:**

36 Any major emitting device, process line, or other equipment or grouping thereof, that emits, or has
37 the potential to emit, regulated air pollutants; for the purposes of this rule, the term base unit shall
38 include, but shall not be limited to, any of the following:

- 39 (1) Any major emitting device or process line, or.
- 40 (2) Any aggregate production line, including a primary crusher and associated crushers, screens,
41 conveyors, stackers, and piles or
- 42 (3) Any cement batch plant, or
- 43 (4) Any asphalt hot mix plant, or

- (5) Any debarker and head rig, or
- (6) Any rip and gang saw line, or
- (7) Any planing operation, or
- (8) Any cooling tower, or
- (9) Any vent gas treatment system, or
- (10) Any burner/scrubber system, or
- (11) Any stretford system, or
- (12) Any geothermal production, injection, observation, or idle steam well and geothermal steam transmission system, or aggregation thereof, that provides steam to – or are included in the steamfield of a single or dual-unit geothermal electrical power generation plant, or
- (13) Any on-site combustion device used for power or process heat generation, except for emergency standby generators or any device that is covered under another base unit definition in this rule, or
- (14) Any geothermal well drilling operation or aggregation thereof, conducted on a company's leasehold.

(b4) Best Available Control Technology (BACT):

An emissions limitation based on the maximum degree of reduction of each air contaminant subject to regulation under the federal Clean Air Act Amendments of 1990 and as amended at the time of application emitted from or that results from any stationary or portable source or modification, which the Air Pollution Control Officer, on a case by case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such stationary source through application of production processes and available methods, systems, and techniques for control of such air contaminants. Said BACT determinations may include a design standard, operational equipment specifications, fuel restrictions, work practice or combination thereof. In no event shall application of BACT result in emissions of any pollutants that will exceed the emissions allowed under Rules 1-490 and 1-492 of this regulation. If the District determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard or combination thereof, may be prescribed instead to satisfy the requirements for the application of BACT (Ref. 40 CFR 52.21(b)(12)).

The BACT process shall be applied to any air contaminants that have been identified as toxic air contaminants (TAC) by the U.S. Environmental Protection Agency, the California Air Resources Board or the Mendocino County Air Quality Management District Board.

[(b4) Paragraph 2 is not included as part of the SIP]

(c1) CAAA:

The Federal Clean Air Act Amendments of 1990, as amended at the time of application.

(c2) CAPCOA:

California Air Pollution Control Officer's Association

(c3) CCAA:

California Clean Air Act

(c4) CFR:

Code of Federal Regulations

(c5) Combustion Contaminants:

Matter, excluding carbon dioxide and water, discharged into the atmosphere from the burning of any kind of material.

(c6) Compression Ignition (CI)

Compression ignition internal combustion engine.

c7) Control Strategy:

A combination of measures designed to reduce air contaminant emissions in accordance with the State Implementation Plan for the Mendocino County Air Quality Management District and the California North Coast Air Basin.

(d1) District:

The Mendocino County Air Quality Management District as required by California Health and Safety Code, Section 40002 or a multi-county unified district authorized by Chapter 3, Part 3, Division 26, of said code.

(d2) Dust:

Minute solid particles released into the air by natural forces or by mechanical processes such as grading, crushing, grinding, milling, drilling, demolishing, shoveling, conveying, bagging, sweeping, etc.

(e1) Emissions:

The act of passing into the atmosphere an air contaminant or gas stream that contains an air contaminant, or the air contaminant so passed into the atmosphere.

(e2) Episode Alert:

A condition in an air basin whenever the concentration of any air contaminant in that air basin has been verified to have reached a predetermined level that threatens the ambient air quality standard as defined in Rule 1-160 depending upon the particular topography and meteorology of the air basin. "Verified" means the pertinent measuring instrument has been checked over the following fifteen-minute period and found to be operating correctly.

(f1) Fumes:

"Fumes" means vapors, mists, and airborne liquid or solid particulate matter or any combination including these.

(g1) Geothermal Operations:

Those activities related to the extraction, transmission, and utilization of geothermal steam that may directly, or indirectly, result in air contaminant emissions.

(g2) Greenhouse Gases (GHGs):

A gas that has the capacity to create a warming effect in the earth's atmosphere; for the purposes of this rule: carbon dioxide (CO₂), nitrous oxide (NO₂), methane (CH₄), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆).

(h1) Hearing Board:

The appellate review board of the Mendocino County Air Quality Management District as provided for by Section 40800 of the California Health and Safety Code.

(i1) Impact/Baseline Area:

That area where the concentration of emissions from a proposed source is predicted to be 1 µg/m³ or greater using an Environmental Protection Agency approved ambient air quality model.

(i2) Indirect Source:

A facility, building, structure or installation, or combination thereof, that indirectly results in, or is projected to result in unmitigated emissions in excess of the following: ROG – 180 lbs/day, NO_x – 42 lbs/day, CO – 690 lbs/day, PM₁₀ – 80 lbs/day. Projected unmitigated emissions are to be generated using the latest ARB approved version of URBEMIS with the Mountain and Rural Counties default settings, or other ARB approved indirect source model. In any model the latest available fleet, meteorology, and trip generation information will be used and the model run for each season.

(i3) Installation:

The placement, assemblage or construction of equipment or control apparatus at the premises where the equipment or control apparatus will be used, and includes all preparatory work at such premises.

(l1) Large Grading Operation:

A grading activity involving more than one (1) acre of exposed soil or more than one (1) mile of road during any single calendar year.

(m1) Major Modification:

“Major Modification”, as defined in 40 CFR 52.21(b)(2), which is otherwise incorporated by reference for the purpose of Rules 1-200 and 1-220, shall be revised to read as: any physical change in or change in the method of operation that would result in increase of a regulated pollutant which exceeds the significant emission rates specified in Rule 1-130(s2). “Major Modification” as it applies to gasoline dispensing facilities, means the addition, replacement, or removal of an underground storage tank, underground piping, vapor piping within a dispenser, or a dispenser of an existing installation. The replacement of a dispenser is not a major modification when the replacement is occasioned by end user damage to a dispenser.

(m2) Major Stationary Source:

The definition of the term “Major Stationary Source” as defined in 40 CFR 52.21(b)(1), which is otherwise incorporated by reference for the purpose of Rules 1-200 and 1-220, shall be revised to read as any stationary source which emits, or has the potential to emit, a regulated pollutant above the significant emission rates specified in Rule 1-130(s2).

(m3) Maximum Achievable Control Technology (MACT):

An emissions limitation which is not less stringent than the emissions limitation achieved in practice by the best controlled similar source, and which reflects the maximum degree of reduction in emissions that the permitting authority, taking into consideration the cost of achieving such emission reduction, and any non-air quality health and environmental impacts and energy requirements, determines is achievable by the source.

(m4) Modeling:

A procedure for estimating the ambient air concentration of air contaminants based upon emission profiles, dispersion simulations or other techniques approved by the U.S. Environmental Protection Agency, the California Air Resources Board and/or the Mendocino County Air Pollution Control Officer. (Ref: 40 CFR 52.21(1))

(m5) Modification:

"Modification" means any change in the structure, location, operation, conditions of operation, process materials or fuel of any stationary source that may increase or decrease the amount of any air contaminant emitted into the atmosphere by that source, and that is not already specifically allowed by a permit to operate issued by the District. An increase in production rate or in hours of operation beyond limits set in the permit to operate from the District is a modification.

(n1) Net Emissions Increase:

. The definition of "Net Emissions Increase" contained in 40 CFR 52.21(b)(3) as set forth below whenever reference is made to that term or 40 CFR 52.21(b)(3):

- (1) Net emissions increase means the amount by which the sum of the following exceeds zero:
 - (A) Any increase in actual emissions from a particular physical change or change in method of operation at a stationary source; and
 - (B) Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.
- (2) An increase or decrease in actual emissions is contemporaneous with the increase from the particular change only if it occurs between:
 - (A) The date five years before construction of the particular change commence; and
 - (B) The date that the increase from the particular change occurs.
- (3) An increase or decrease in actual emissions is creditable only if the Administrator has not relied on it in issuing a permit for the source under this section, which permit is in effect when the increase in actual emissions from the particular change occurs. An increase or decrease in actual emissions of sulfur dioxide, particulate matter, or nitrogen oxide, which occurs before the applicable minor source baseline date is creditable only if it is required to be considered in calculating the amount of maximum allowable increases remaining available. With respect to particulate matter, only PM₁₀ emissions can be used to evaluate the net emissions increase for PM₁₀.
- (4) An increase in actual emissions is creditable only to the extent that the new level of actual emissions exceeds the old level.
- (5) A decrease in actual emissions is creditable only to the extent that:
 - (A) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions,
 - (B) It is federally enforceable at and after the time that actual construction on the particular change begins; and.

(C) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

- (6) An increase that results from a physical change at a source occurs when the emissions unit on which construction occurred becomes operational and begins to emit a particular pollutant. Any replacement unit that requires shakedown becomes operational only after a reasonable shakedown period, not to exceed 180 days.

(o1) Operation:

Any physical action resulting in a change in the location, form or physical properties of a material, or any chemical action resulting in a change in the chemical composition or the chemical or physical properties of a material.

(o2) Orchard, Vineyard, or Citrus Grove Heater:

Any article, machine, equipment or other contrivance, burning any type of fuel or material capable of emitting air contaminants, used or capable of being used for the purpose of giving protection from frost damage.

(o3) Organic Gas:

Any molecular gas containing carbon and hydrogen, or carbon and hydrogen in combination with any other element.

(o4) Owner:

Includes, but is not limited to, any person who leases, supervises or operates equipment, in addition to the normal meaning of ownership.

(p1) Particulate Matter:

Any material, except uncombined water, that exists in a finely divided form as a liquid or solid at standard conditions. Specific size fractions of particulate matter are defined as follows:

- (1) PM_{2.5} means particulate matter, both filterable and condensable, with an aerodynamic diameter less than or equal to a nominal two and one half (2.5) micrometers.
- (2) PM₁₀ means particulate matter, both filterable and condensable, with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers.

(p2) Permit:

Refers to either an Authority to Construct, Temporary Permit to Operate or Permit to Operate, whichever is legally in effect.

(p3) Person or Persons:

An individual, public or private corporation, political subdivision, agency, board, department or bureau of the state, municipality, partnership, co-partnership, firm, association, trust or estate, or any other legal entity whatsoever that is recognized in law as the subject of rights and duties.

(p4) Portable Source:

All units of air contaminant emitting articles, machines, equipment or other contrivance that are designed to be moved from location to location, whose emitting source is not the motive power for such moving, and that does not have a valid California Portable Equipment permit.

(p5) Potential to Emit:

The maximum capacity of a stationary source to emit an air contaminant under its physical and operational design, after considering physical and operational limitations that are enforceable by conditions imposed by the District in both the Authority to Construct and Permit to Operate. (Ref. 40 CFR 52.21(b)(4))

(p6) PPM:

Parts per million by volume expressed on a dry gas basis.

p7) Precursor:

A substance that, when released to the atmosphere, forms or causes to be formed or contributes to the formation of another or secondary air pollutant for which a national ambient air quality standard has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more national ambient air quality standards. Presently identified precursors and secondary pollutants are:

<u>Precursors</u>		<u>Secondary Pollutants</u>
Volatile Organic Compounds	a)	Photochemical oxidants (ozone O ₃)
	b)	Organic fraction of PM ₁₀
Nitrogen Oxides (NO _x)	a)	Photochemical oxidants (Ozone)
	b)	Nitrogen dioxide (NO ₂)
	c)	Nitrates NO ₃
	d)	Nitrate fraction of PM ₁₀
	e)	Nitrate fraction of PM _{2.5}
Sulfur oxides (SO _x)	a)	Sulfur dioxide (SO ₂)
	b)	Sulfates (SO ₄)
	c)	Sulfate fraction of PM ₁₀
	d)	Sulfate fraction of PM _{2.5}

[Amended 2/15/11]

(p7) Prevention of Significant Deterioration (PSD) Increment:

The maximum allowable increase of ambient air quality above baseline concentration in the three classified areas.

Allowable PSD Increments
micrograms per cubic meter

	<u>Class I</u>	<u>Class II</u>	<u>Class III</u>
Sulfur Dioxide			
Annual Arithmetic Mean	2	20	40
24-hour maximum*	5	91	182
3-hour maximum	25	512	700
Particulate Matter (PM _{2.5})			
Annual Arithmetic Mean	1	4	8
24-hour maximum*	2	9	18
Particulate Matter PM ₁₀			
Annual Arithmetic Mean	4	17	34
24-hour maximum*	8	30	60
Nitrogen Dioxide			
Annual Arithmetic Mean	2.5	25	50

* Not to be exceeded more than once a year, in any one location.

(p7) Process Weight Per Hour:

The total weight, including contained moisture of all materials introduced into any specific process which may cause any discharge into the atmosphere. Solid fuels charged will be considered as part of the process weight, but liquid and gaseous fuels and combustion air will not. The "process weight per hour" will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof, excluding any time during which the equipment is idle. For continuous processes, the average hourly total weight of materials introduced into the process will be used in calculations.

(s1) Section:

Refers to a section of the Health and Safety Code of the State of California unless some other statute is specifically mentioned.

(s2) Significant:

The potential of a new or modified source to emit air contaminants that would equal or exceed any of the following rates: (Ref: 40 CFR 52.21(b)(23)(i))

Air Contaminant

Significant Emissions Rate

Carbon monoxide	550 lbs. per day
Nitrogen oxides	220 lbs. per day
Sulfur dioxide	220 lbs. per day
Particulate matter	135 lbs. per day
PM-10	80 lbs. per day
PM2.5	54 lbs. per day of direct PM _{2.5} emissions; 220 lbs. per day of sulfur dioxide emissions; 220 lbs. per day of nitrogen oxide emissions.
Ozone	220 lbs. per day of VOCs * or nitrogen oxides
Lead	3 lbs. per day
Fluorides	16 lbs. per day
Sulfuric acid mist	38 lbs. per day
Hydrogen sulfide (H ₂ S)	54 lbs. per day
Total reduced sulfur (including H ₂ S)	54 lbs. per day
Reduced sulfur compounds (including H ₂ S):	0.027 lbs. per day
Municipal waste combustors:	
Organic emissions:	3.2 × 10 ⁻⁶ mega grams per year (3.5 × 10 ⁻⁶ tons per year) (measured as total tetra-through octa-chlorinated dibenzo-p-dioxins and dibenzofurans)
Metals emissions:	14 mega grams per year (15 tons per year) (measured as particulate matter)
Acid gas emissions:	36 mega grams per year (40 tons per year) (measured as sulfur dioxide and hydrogen chloride)
Municipal solid waste landfills:	
Non-methane organic compounds:	45 mega grams per year (50 tons per year)
Greenhouse Gases:	For the purpose of Rule 1-220 only and not for incorporation into the State Implementation Plan (SIP): as specified in Rule 1-221.4(a) or 1-221.4(c) For the purpose of Regulation 5 only and not for incorporation into the State Implementation Plan (SIP): as specified in Rule 1-221.4(b)
Other pollutants regulated under the Clean Air Act:	any emissions rate whatsoever (Ref. 40 CFR 52.21(b)(23)(ii)).
Hazardous Air Pollutant (HAP):	
Any pollutant listed pursuant to Section 112(g) of the federal Clean Air Act Amendments of 1990 and as amended at the time of Application:	10 tons per year of any one HAP 25 tons per year for two or more HAPs
* Volatile Organic Compounds except for ethanol sources below the EPA yearly threshold (40 tons per year).	

Notwithstanding the above significant emissions rates for various air contaminants, significant also means any net emissions increase from any new or modified stationary source that would be constructed within 10 kilometers of a Class I area and have an air quality impact on such area equal

to or greater than 1 microgram per cubic meter (24 hour average). (Ref. 40 CFR 52.21(b)(23)(iii))
The above Significant Emissions Rates are not to be used for CEQA determinations.

(s4) Stacking:

The venting of geothermal steam from associated unit steam supply transmission line into the atmosphere during associated power plant shutdowns (outages), startups or load curtailments.

(s5) Standard Conditions:

As used in these regulations, refers to a gas temperature of 20 degrees Centigrade (68 degrees Fahrenheit) and a gas pressure of 760 millimeters of mercury absolute (14.7 pounds per square inch absolute).

(s6) Standard Cubic Meter of Gas (Standard Cubic Foot of Gas):

The amount of gas that would occupy the specified cubic measure, if free of combined water, at standard conditions.

(s7) Stationary Source:

All units of air contaminant emitting articles, machines, equipment or other contrivances, which are located on adjacent or contiguous properties under the control of the same person (or persons under common control) and all of which are determined by the Air Pollution Control Officer to be related to one another through a similar product, raw material or function and are included in the same standard industrial classification.

(s8) Steam Generating Unit:

Any furnace or boiler used in the process of burning fuel for the purpose of producing steam by heat transfer.

(s9) Subject to Regulation:

Paragraph (ii)(a) of the definition of the term "Subject to Regulation" as defined in 40 CFR 52.21(b)(49), which is otherwise incorporated by reference, shall be revised to read: "Multiplying the mass amount of emissions (tpy), for each of the six greenhouse gases in the pollutant GHGs, by the gas's associated global warming potential published at Table A-1 to subpart A of part 98 of this chapter – Global Warming Potentials." Paragraph (v) of the definition of the term "Subject to Regulation" as defined in 40 CFR 52.21(b)(49), which is otherwise incorporated by reference, shall be deleted in its entirety.

(t1) Total Reduced Sulfur (TRS):

"TRS" means total reduced sulfur contained in hydrogen sulfide, mercaptans, dimethyl sulfide, dimethyl disulfide or other organic sulfide compounds, all expressed as hydrogen sulfide. Sulfur dioxide, sulfur trioxide, or sulfuric acid mists are not to be included in the determination of TRS.

(t2) Toxic Air Contaminant:

"Toxic air contaminant" means any substance identified by the Air Resources Board as a toxic air contaminant pursuant to California Health and Safety Code, Section 39650 et seq., or listed as a hazardous air pollutant pursuant to Subsection (b) of Section 112 of the federal Clean Air Act (42 U.S.C. Sec. 7412(b)).

(t3) Trade Secrets:

As used in these rules and regulations, Trade Secrets include, but are not limited to, any formula, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or to perform a service having commercial value, and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

(u1) URBEMIS:

Urban Emissions Model. A CARB approved computer program that can be used to estimate emissions associated with land development projects in California such as residential neighborhoods, shopping centers, office buildings, and construction projects.

RULE 1-140 - EMERGENCY CONDITIONS

In the event of atmospheric conditions causing a dangerous or potentially hazardous concentration of air contaminants, the Air Pollution Control Officer shall take immediate action in curtailing those emissions known to be contributing to a possible episode situation.

RULE 1-150 - PUBLIC RECORDS

In accordance with the provisions of Government Code, Section 6254.7, all air pollution monitoring and emissions data in the possession of the Air Quality Management District are public records. All information, analyses, plans or specifications that disclose the nature, extent, quantity, or degree of air contaminants or other pollution which any article, machine, equipment or other contrivance will produce, which are in the possession of the Air Quality Management District, are public records, with the exception of certified "trade secrets". Trade secrets may only be certified as such upon written request by the owner of said secrets and concurrence of the Air Pollution Control Officer. Within 10 calendar days of receipt of any documents containing trade secrets, so designated by the owner, the Air Pollution Control Officer shall:

- (a) Make a determination of certification of the documents containing trade secrets and notify the owner that the documents will be placed in a locked file to be made accessible only to the staff of the Air Quality Management District or to the public following a court order.
- (b) Return to the owner all documents that have been designated as trade secrets, following a determination by the Air Pollution Control Officer that they are not necessary in conducting the activities of the Air Quality Management District.
- (c) Notify the owner that the Air Pollution Control Officer has determined that the documents do not meet the criteria established for trade secrets. All such documents will be considered as public records and will be so designated at the end of a 30-day period, unless the owner files an appeal with the Air Quality Management District Hearing Board.

Upon written request, any specific public records in the possession of the Air Quality Management District will be made available to the public within 10 calendar days. Such requests shall be in writing and a reasonable fee may be charged, not to exceed the actual cost of providing the requested information.

[Amended 5/6/03]

1 **RULE 1-160 – AMBIENT AIR QUALITY STANDARDS**

2
3 The ambient air quality standards of the Mendocino County Air Quality Management District shall be those
4 established by the California Air Resources Board and the U.S. Environmental Protection Agency. (See Table 1-1)
5 [Adopted 5/6/03]
6

7 **RULE 1-190 - VALIDITY**

- 8
9 (a) If any provisions of these regulations shall be rendered void or unconstitutional by judicial or other
10 determination, all other parts of these regulations that are not expressly held to be void or
11 unconstitutional shall continue in full force and effect.
12
13 (b) These regulations are not intended to permit any practice which is in violation of any statute, ordinance,
14 order or regulation of the United States, State of California, county or incorporated city; and no
15 provisions contained in these regulations are intended to impair or abrogate any civil remedy or process,
16 whether legal or equitable, which might otherwise be available to any person.
17
18 (c) These regulations shall be liberally construed for the protection of the health, safety and welfare of the
people of Mendocino County.

Table I-1 – Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards		Federal Standards		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
Ozone (O2)	1 Hour	0.09 ppm (180 µg/m³)	Ultraviolet Photometry	0.12 ppm (235 µg/m³) ⁸	Same as Primary Standard	Ethylene Chemiluminescence
	8 Hour	---		0.08 ppm (157 µg/m³) ⁸		Ultraviolet Photometry
Respirable Particulate Matter (PM10)*	Annual Geometric Mean	30 µg/m³	Size Selective Inlet Sampler	-----	Same as Primary Standard	Inertial Separation and Gravemetric Analysis
	24 hour	50 µg/m³	Gravimetric or Beta Attenuation	150 µg/m³		
	Annual Arithmetic Mean	20 µg/m³		50 µg/m³		
Fine Particulate Matter (PM2.5)	24 Hour	No Separate State Standard		65 µg/m³	Same as Primary Standard	Inertial Separation and Gravemetric Analysis
	Annual Arithmetic Mean	12 µg/m³	Gravimetric or Beta Attenuation*	15 µg/m³		
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 mg/m³)	Non-Dispersive Infrared Photometry (NDIR)	9 ppm (10 mg/m³)	None	Non-Dispersive Infrared Photometry (NDIR)
	1 Hour	20 ppm (23 mg/m³)		35 ppm (40 mg/m³)		
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m³)		---	---	---
Nitrogen Dioxide (NO ₂)	Annual Arithmetic Mean	---	Gas Phase Chemiluminescence	0.053 ppm (100 µg/m³)	Same as Primary Standard	Gas Phase Chemiluminescence
	1 Hour	0.25 ppm (470 µg/m³)		---		
Sulfur Dioxide (SO ₂)	Annual Arithmetic Mean	---	Ultraviolet Fluorescence	0.03 ppm (80 µg/m³)	---	Spectrophotometry (Pararosaniline Method)
	24 Hour	0.04 ppm (105 µg/m³)		0.14 ppm (365 µg/m³)	---	
	3 Hour	---		---	0.5 ppm (1300 µg/m³) ⁸	
	1 Hour	0.025 ppm (655µg/m³)		---	---	---
Lead ⁹	30 Day Average	1.5 µg/m³	AIHL Method 54 (12/74)	---	---	---
	Calendar Quarter	---	Atomic Absorption	1.5 µg/m³	Same as Primary Standard	High Volume Sampler and Atomic Absorption
Visibility Reducing Particles	8 Hour (10 am to 6 pm PST)	In sufficient amount to produce an extinction coefficient of 0.23 per kilometer - visibility of ten miles or more due to particles when relative humidity is less than 70 percent.		No Federal Standards		
Sulfates	24 Hour	25 µg/m³	Ion Chromatography*			
Hydrogen Sulfide	24 Hour	0.03 ppm (42 µg/m³)	Cadmium Hydroxide STRactan Ultraviolet Fluorescence			
Vinyl Chloride ⁹	24 Hour	0.01 ppm (26 µg/m³)	Gas Chromatography			

* On June 20, 2002, the Air Resources Board approved staff’s recommendation to revise the PM10 annual average standard to 20 µg/m³ and to establish an annual standard for PM2.5 of 12 µg/m³. These standards will take effect upon final approval by the Office of Administrative Law, which is expected in September, 2003. Information regarding these revisions can be found at <http://www.arb.ca.gov/research/aaqs/std-rs/std-rs/htm>

See also footnotes on next page...

Footnotes:

1. California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter – PM₁₀, PM_{2.5} and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM₁₀, the 24-hour standard is attained when 99 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. For PM_{2.5}, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact U.S. EPA for further clarification and current federal policies.
3. Concentration is expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 mm of mercury. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 mm of mercury (1,0132 millibars); ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent procedure that can be shown to the satisfaction of ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The level of air quality necessary, with an adequate margin of safety, to protect the public health.
6. National Secondary Standards: The level of air quality necessary to protect the public welfare from any known or anticipated effects of a pollutant.
7. Reference method as described by the U.S. EPA. An “equivalent method” of measurement may be used but must have a “consistent relationship to the reference method” and must be approved by the U.S. EPA.
8. New (federal) national 8-hour ozone and fine particulate matter standards were promulgated by U.S. EPA on July 18, 1997. The national 1-hour ozone standard continues to apply in areas that violate the standard. Contact U.S. EPA for further clarification and current federal policies.
9. The ARB has identified lead and vinyl chloride as ‘toxic air contaminants’ with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

NSR/PSD REVIEW PROCESS

