AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN DIEGO

Air Pollution Control Board
Brian P. Bilbray District 1
George F. Bailey District 2
Susan Golding District 3
Leon L. Williams District 4
John MacDonald District 5

Air Pollution Control Officer
R. J. Sommerville

NOTICE OF WORKSHOP
FOR DISCUSSION OF PROPOSED AMENDMENTS OF THE NEW SOURCE REVIEW RULES

The San Diego County Air Pollution Control District will hold a public meeting to consider the adoption of amendments to New Source Review Rules 20.1, 20.2, 20.3, 20.4 and 20.7. Comments regarding the proposed changes may be submitted in writing before or made at the workshop. Because of the complexity and length of these rules, and the extensive nature of the changes, the workshop will be conducted over two days, if required. Written comments will be received through November 10, 1992.

The workshop is scheduled as follows:

DATE: Tuesday - November 10, 1992

TIME: 8:30 AM to 12:00 noon
1:30 PM to 5:00 PM

DATE: Thursday - November 12, 1992

TIME: 9:00 AM to 1:00 PM

PLACE: Scottish Rite Masonic Center
Joseph Shell Room
1895 Camino del Rio South
San Diego, CA 92108

The District will give an overview of the proposed changes and the reasons for them. Comments will then be requested on each section of the rules, taking them in numerical order. Discussions continued to November 12th will begin where they ended on November 10th.

The proposed changes to the New Source Review rules are significant in scope and will affect nearly all new or modified equipment requiring District permits, including many relatively small emission sources not previously impacted by New Source Review rules. The majority of changes are being made to meet the requirements of the 1988 California Clean Air Act and the federal Clean Air Act Amendments of 1990. These include the California Clean Air Act requirement that there be no net increase in emissions from new or modified stationary sources having a potential to emit equal to or greater than 10 tons per year, and the new requirements of the federal Clean Air Act for New Source Review for major stationary sources having oxides of nitrogen (NOx) or volatile organic compounds (VOC) emission increases greater than 25 tons per year.

A summary of the changes follows:

- Rules 20.1, 20.2, 20.3, 20.4 and 20.7 as they currently exist will be deleted in their entirety and consolidated into new Rules 20.1, 20.2 and 20.3. Rule 20.1 establishes the basic frame work for implementing Rules 20.2 and 20.3, including definitions and emission calculations. Rule 20.2 establishes standards for non-major stationary sources only. Rule 20.3 applies to major stationary sources and major modifications.

- The definition of stationary source has been clarified. Stationary source would be defined to include all emission units located on the same or contiguous properties owned or operated by the same person. However, unrelated emission units which are under different ownership or entitlement to use will not be considered to be part of the same stationary source regardless of property ownership.

- Best Available Control Technology (BACT) would be required for any new or modified emission unit which results in an emissions increase equal to or greater than five pounds per day. This is a significant change from the current BACT threshold of 100 pounds per day per stationary source. For example, new or modified gasoline service stations with a throughput increase of more than approximately 2100 gallons/day and painting operations with increases in coatings usage of more than approximately 1.5 gallons per day would be subject to BACT requirements.

- An Air Quality Impact Analysis (AQIA) will be required for any new or modified emission unit that results in an emissions increase equal to or greater than 25 pounds per hour for NOx and oxides of sulfur (SOx), 100 pounds per hour of carbon monoxide (CO), 0.3 pounds per hour of lead (compounds) and 85 pounds per day of fine particulate matter (PM_{10}). Summing the emissions at the stationary source over the past five years will no longer be used to determine AQIA applicability.

- The current requirement to sum emissions since 1979 or over the previous five years to determine the applicability of BACT, AQIA or emission offset requirements will be eliminated. Instead, BACT and AQIA would be required based on individual unit emissions.

- Emissions from individual equipment and total stationary source emissions would be based on their "potential to emit", determined from the maximum rated capacity of a unit or permit conditions which limit capacity.

- The current definitions of BACT and Lowest Achievable Emission Rate (LAER) technology would be replaced with a new BACT definition consistent with that used by other air districts in California. There will no longer be a requirement for applying LAER.

- The cost effectiveness considerations for application of BACT requirements will be tiered based upon the stationary source's potential to emit. The cost effectiveness associated with other District rules will be considered in making BACT cost effectiveness determinations.

- The threshold for requiring emission offsets from all new or modified sources has been lowered to a potential to emit 10 or more tons per year. This is consistent with the new requirements of state law (Assembly Bill 2783 - Sher) that will become effective January 1, 1993.

- NOx and VOC will be treated as precursors to both ozone and PM_{10}. SOx emissions will also be treated as precursors to PM_{10}. Thus, emission offsets would be required for sources of NOx, VOC, SOx and PM_{10} if they emit 10 or more tons per year.

- If a source is required to offset NOx or VOC emission increases, the amount of offsets will be tiered based on the source's total potential to emit. Thus, larger NOx and VOC emission sources would have a somewhat higher offset ratio than smaller sources. The offset ratio for CO, SOx or PM_{10} will be 1.0 to 1.0. Sources emitting less than 10 tons per year will not have to provide emissions offsets.

- Major (large) sources will be required to meet the federal Clean Air Act requirements for BACT and emission offsets. The District's objective is to achieve an overall offset ratio of 1.3 to 1.0 for major stationary sources to comply with federal Clean Air Act requirements.

- Interpollutant emission offsets would be allowed at specified ratios, based on precursor relationships and Calirfornia Air Resources Board (ARB) guidance. The NOx - VOC interpollutant offset ratio is currently being evaluated, and if recommended, will be available prior to rule adoption.

- Special provisions have been included for portable equipment such as I.C. engines, transportable equipment such as asphalt batch plants, and equipment associated with special events such as fairs and air shows. These provisions differ in the emission offset requirements and provisions to accommodate the mobility of portable and transportable emission units.

- Special BACT and emission offset provisions for relocated and replacement equipment have been included in the rule. For example, non-identical replacement units would be required to install BACT but no emission offsets would be required if there is no increase in the equipment's potential to emit.

- The provisions implementing federal Prevention of Significant Deterioration (PSD) requirements, including air quality and other impacts analyses, air quality increment, and protection of Class I areas, have been clarified in the rules for both major and certain non-major sources. PSD requirements for new sources of NOx and PM_{10} have been added.

- Perchloroethylene would be exempted from the definition of VOC. Increases and decreases in perchloroethylene emissions at sources such as dry cleaners will not be subject to New Source Review requirements. However, these sources will still be subject to District permit requirements, nuisance and prohibitory rules, AB2588 program requirements, and future District rules regulating air toxics.

If you would like a copy of the proposed changes to the New Source Review rules, please contact Juanita Ogata at (619) 694-8851. If you have any questions concerning the proposed changes, please contact Alberto Abreu at (619) 694-3310, Michael Lake at (619) 694-3313 or me at (619) 694-3303.

Richard J. Smith

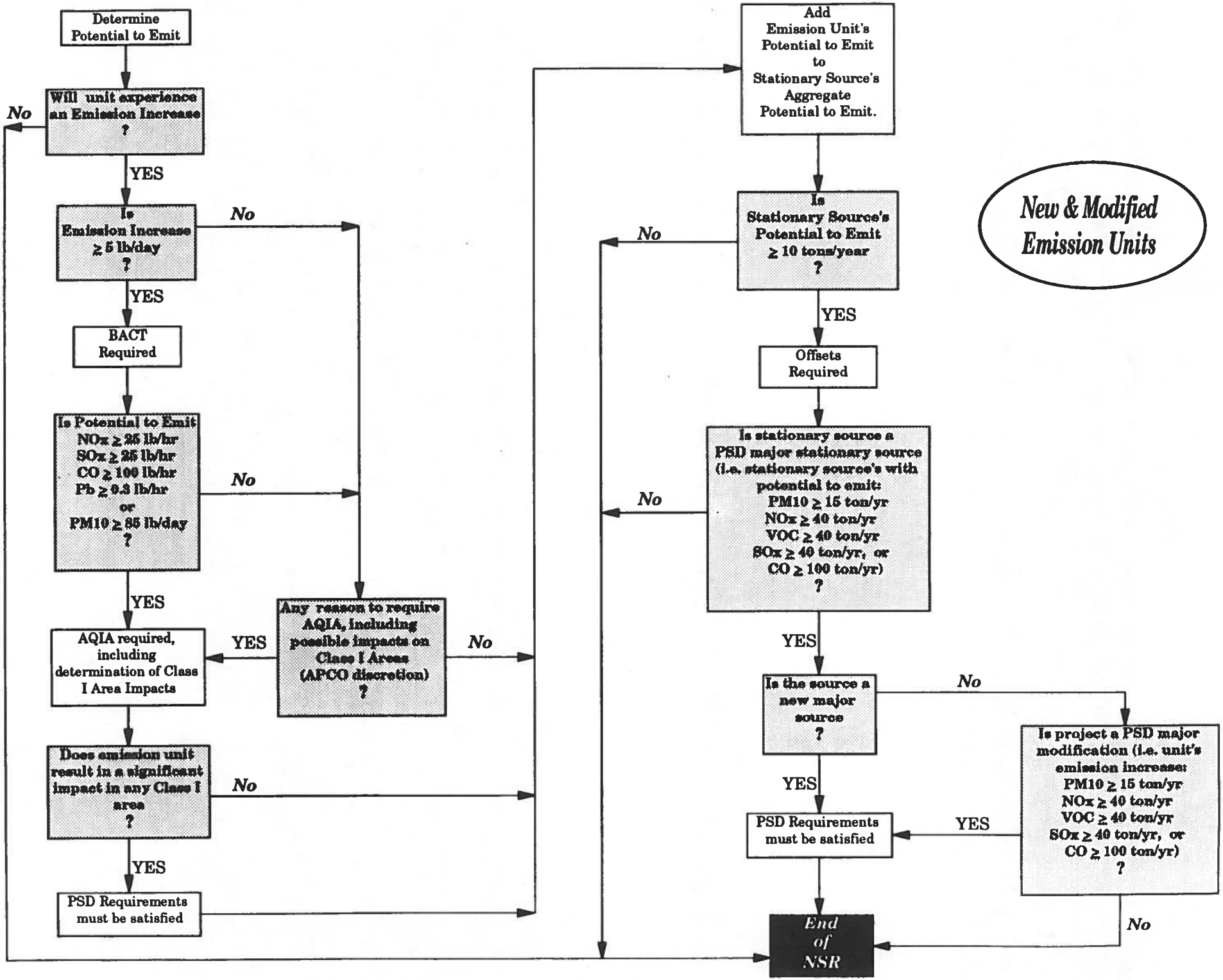
RICHARD J. SMITH
Deputy Director

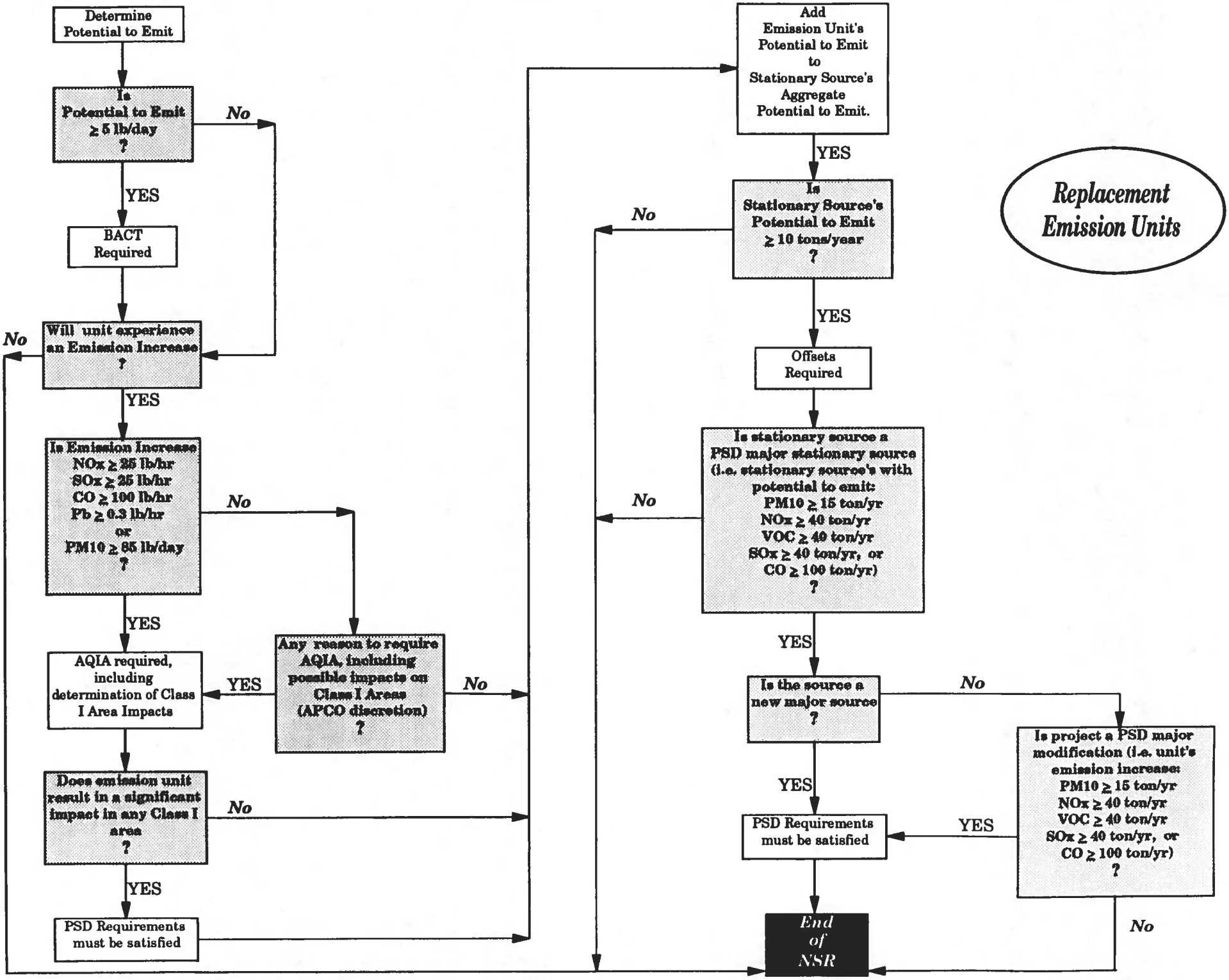
RJSm:AA:jo
10/5/92

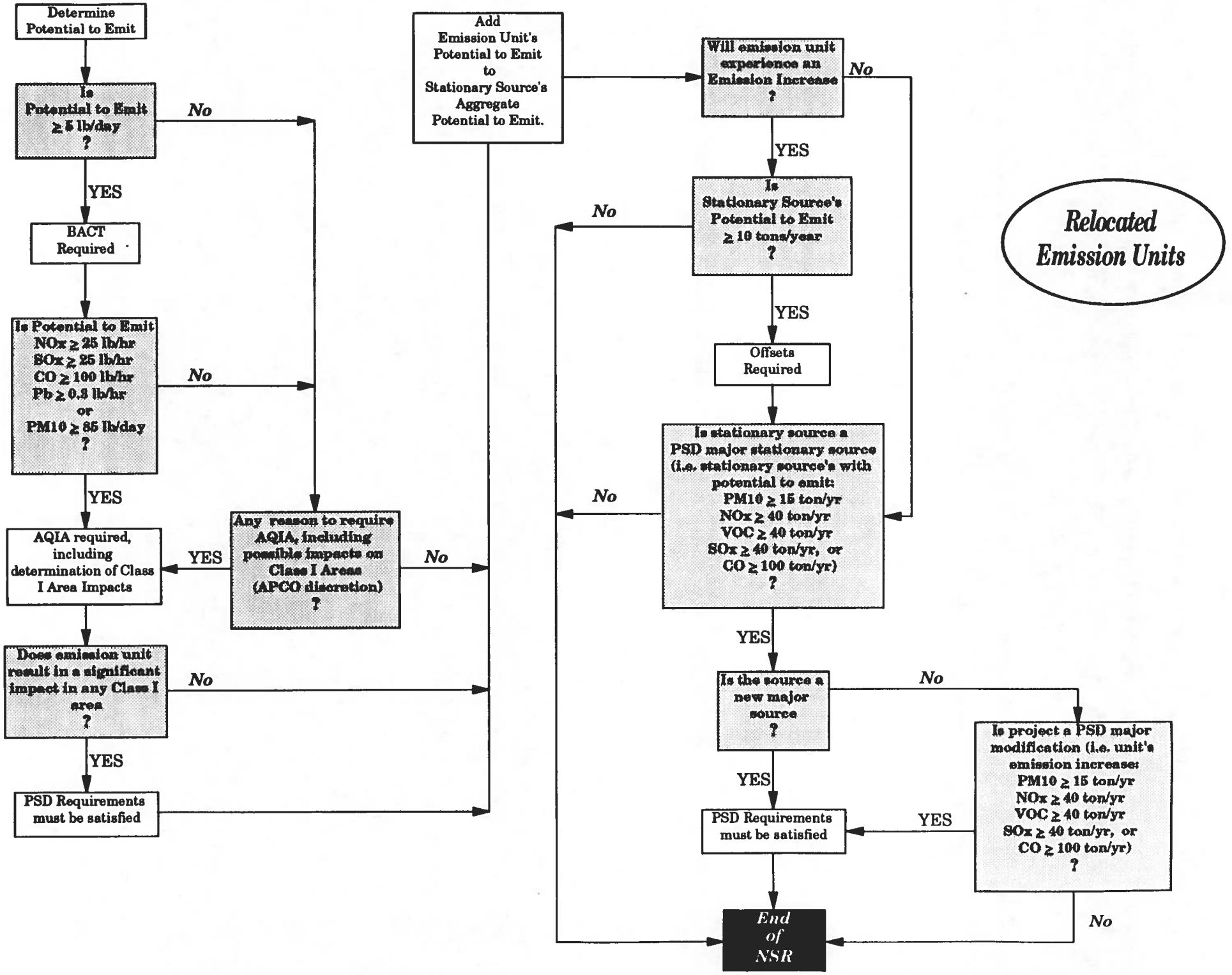
AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN DIEGO

PROPOSED AMENDMENTS TO
NEW SOURCE REVIEW RULES
20.1, 20.2, AND 20.3

Existing Rules 20.1, 20.2, 20.3, 20.4 and 20.7 are deleted in their entirety and consolidated into proposed new Rules 20.1, 20.2, and 20.3 to read as follows (See Attached).


Determine Potential to Emit
Will unit experience an Emission Increase ?
No
YES
Is Emission Increase ≥ 5 lb/day ?
No
YES
BACT Required
Is Potential to Emit NOx ≥ 25 lb/hr SOx ≥ 25 lb/hr CO ≥ 100 lb/hr Pb ≥ 0.3 lb/hr or PM10 ≥ 85 lb/day ?
No
YES
AQIA required, including determination of Class I Area Impacts
YES
Any reason to require AQIA, including possible impacts on Class I Areas (APCO discretion) ?
No
Does emission unit result in a significant impact in any Class I area ?
No
YES
PSD Requirements must be satisfied
Add Emission Unit's Potential to Emit to Stationary Source's Aggregate Potential to Emit.
Is Stationary Source's Potential to Emit ≥ 10 tons/year ?
No
YES
Offsets Required
Is stationary source a PSD major stationary source (i.e. stationary source's with potential to emit: PM10 ≥ 15 ton/yr NOx ≥ 40 ton/yr VOC ≥ 40 ton/yr SOx ≥ 40 ton/yr, or CO ≥ 100 ton/yr) ?
No
YES
Is the source a new major source ?
No
YES
PSD Requirements must be satisfied
Is project a PSD major modification (i.e. unit's emission increase: PM10 ≥ 15 ton/yr NOx ≥ 40 ton/yr VOC ≥ 40 ton/yr SOx ≥ 40 ton/yr, or CO ≥ 100 ton/yr) ?
YES
No
End of NSR
New & Modified Emission Units


Determine Potential to Emit
Is Potential to Emit ≥ 5 lb/day ?
No
YES
BACT Required
Will unit experience an Emission Increase ?
No
YES
Is Emission Increase NOx ≥ 25 lb/hr SOx ≥ 25 lb/hr CO ≥ 100 lb/hr Pb ≥ 0.3 lb/hr or PM10 ≥ 85 lb/day ?
No
YES
Any reason to require AQIA, including possible impacts on Class I Areas (APCO discretion) ?
YES
No
AQIA required, including determination of Class I Area Impacts
Does emission unit result in a significant impact in any Class I area ?
No
YES
PSD Requirements must be satisfied
Add Emission Unit's Potential to Emit to Stationary Source's Aggregate Potential to Emit.
YES
Is Stationary Source's Potential to Emit ≥ 10 tons/year ?
No
YES
Offsets Required
Is stationary source a PSD major stationary source (i.e. stationary source's with potential to emit: PM10 ≥ 15 ton/yr NOx ≥ 40 ton/yr VOC ≥ 40 ton/yr SOx ≥ 40 ton/yr, or CO ≥ 100 ton/yr) ?
No
YES
Is the source a new major source ?
No
YES
PSD Requirements must be satisfied
Is project a PSD major modification (i.e. unit's emission increase: PM10 ≥ 15 ton/yr NOx ≥ 40 ton/yr VOC ≥ 40 ton/yr SOx ≥ 40 ton/yr, or CO ≥ 100 ton/yr) ?
YES
No
End of NSR
Replacement Emission Units


Determine Potential to Emit
Is Potential to Emit ≥ 5 lb/day ?
No
YES
BACT Required
Is Potential to Emit NOx ≥ 25 lb/hr SOx ≥ 25 lb/hr CO ≥ 100 lb/hr Pb ≥ 0.3 lb/hr or PM10 ≥ 85 lb/day ?
No
YES
AQIA required, including determination of Class I Area Impacts
YES
Any reason to require AQIA, including possible impacts on Class I Areas (APCO discretion) ?
No
Does emission unit result in a significant impact in any Class I area ?
No
YES
PSD Requirements must be satisfied
Add Emission Unit's Potential to Emit to Stationary Source's Aggregate Potential to Emit.
Will emission unit experience an Emission Increase ?
No
YES
Is Stationary Source's Potential to Emit ≥ 10 tons/year ?
No
YES
Offsets Required
Is stationary source a PSD major stationary source (i.e. stationary source's with potential to emit: PM10 ≥ 15 ton/yr NOx ≥ 40 ton/yr VOC ≥ 40 ton/yr SOx ≥ 40 ton/yr, or CO ≥ 100 ton/yr) ?
No
YES
Is the source a new major source ?
No
YES
Is project a PSD major modification (i.e. unit's emission increase: PM10 ≥ 15 ton/yr NOx ≥ 40 ton/yr VOC ≥ 40 ton/yr SOx ≥ 40 ton/yr, or CO ≥ 100 ton/yr) ?
YES
No
PSD Requirements must be satisfied
End of NSR
Relocated Emission Units

RULE 20.1
NEW SOURCE REVIEW
GENERAL PROVISIONS

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RULE 20.1
NEW SOURCE REVIEW RULE
GENERAL PROVISIONS

(a) APPLICABILITY

Except as provided in Rule 11 or Section (b) of this rule, this rule applies to any new or modified emission unit, any relocated emission unit, or any transportable emission unit being moved from one stationary source to another, for which an Authority to Construct or Permit to Operate is required pursuant to Rule 10 or for which a Determination of Compliance is required pursuant to Rule 20.5.

(b) EXEMPTIONS

Except as provided in Subsection (b)(1), the provisions of Rules 20.1, 20.2 and 20.3 shall not apply to:

(1) Any emission unit for which a permit is required solely due to a change in Rule 11, provided the unit was operated in San Diego County at any time within one-year prior to the date on which the permit requirements became applicable to the unit and provided a District permit application for the unit is submitted within one-year after the date upon which permit requirements became applicable to the unit. An emission unit to which this subsection applies, shall be included in the calculation of a stationary source's aggregate potential to emit, as provided in Subsection (d)(1)(ii).

(2) The following changes, unless previously limited by permit conditions or, if not limited by permit conditions, such changes do not result in an increase in the potential to emit of any air contaminant including those not previously emitted:

(i) Repair or routine maintenance of an existing emission unit.
(ii) A change of ownership.
(iii) An increase in the hours of operation.
(iv) Use of alternate fuel or raw material.

(3) Portable and stationary abrasive blasting equipment for which the California Air Resources Board has established standards pursuant to Sections 41900 and 41905 of the Health and Safety Code, and which comply with the requirements of 17 CCR 92000 et seq. This exemption shall not apply if the abrasive blasting equipment would be, by itself, a major stationary source.

(4) Oxides of nitrogen (NOx) emission increases from new, modified or replacement units subject to the requirements of Rule 69 and operated by a utility, as defined in Rule 69, or by a company in which a utility has a controlling interest, shall not be subject to the offset provisions of Rules 20.2(d)(5) and 20.3(d)(5). Only those NOx emission increases in compliance with Rule 69 and associated with generating capacity which the California Energy Commission or California Public Utilities Commission has determined a need for shall be eligible for this exemption.

(c) **DEFINITIONS**

For purposes of Rules 20.1, 20.2, 20.3 and 20.5, the following definitions shall apply:

(1) "**Actual Emissions**" means the emissions of an emission unit calculated pursuant to Subsection (d)(2) of this rule.

(2) "**Actual Emission Reductions**" means emission reductions which are real, surplus, quantifiable, permanent and enforceable. Actual emission reductions shall be determined as provided for in Subsection (d)(4)(ii).

(3) "**Aggregate Potential to Emit**" means the sum of the post-project potential to emit of all emission units at the stationary source calculated as contained in Section (d) of this rule.

(4) "**Air Quality Impact Analysis (AQIA)**" means an analysis of the air quality impacts of the air contaminant emissions from an emission unit or a stationary source, as applicable, conducted by means of modeling or other method as the Air Pollution Control Officer may approve. An air quality impact analysis shall include, but not be limited to, an analysis of the impacts on State and National Ambient Air Quality Standards.

(5) "**Air Quality Increment**" means any of the following maximum allowable cumulative increases in air contaminant concentration within an impact area (see Tables 20.1-1 and 20.1-2).

TABLE 20.1 - 1
Air Quality Increments
(Class I Areas)

Nitrogen Dioxide (NO_2)	
Annual arithmetic mean	2.5 $\mu g/m^3$
Sulfur Dioxide (SO_2)	
Annual arithmetic mean	2.0 $\mu g/m^3$
24-hr. maximum	5.0 $\mu g/m^3$
3-hr maximum	25.0 $\mu g/m^3$

TABLE 20.1 - 2
Air Quality Increments
(Class II Areas)

Nitrogen Dioxide (NO_2)	
Annual arithmetic mean	25.0 $\mu g/m^3$
Sulfur Dioxide (SO_2)	
Annual arithmetic mean	20.0 $\mu g/m^3$
24-hr. maximum	91.0 $\mu g/m^3$

(6) "**Attainment**" means designated as attainment of the National Ambient Air Quality Standards pursuant to Section 107(d)(1)(D) or (E) of the federal Clean Air Act or of the State Ambient Air Quality Standards pursuant to Section 39608 of the California Health and Safety Code, as applicable.

(7) "**Baseline Concentration**" means the ambient concentration of an air contaminant for which there is an air quality increment, which existed in an impact area on the major and non-major source baseline dates. There are two baseline concentrations for any given impact area, a baseline concentration as of the major source baseline date and a baseline concentration as of the non-major source baseline date.

(8) "**Baseline Date**" means either the major source baseline date or non-major source baseline date, as applicable.

(9) "**Best Available Control Technology (BACT)**" means the lowest emitting of any of the following:

(i) The most stringent emission limitation, or the most effective emission control device or control technique, which has been proven in field application and which is cost-effective for such emission unit category, or

(ii) Any emission control device, emission limitation or control technique determined by the Air Pollution Control Officer to be technologically feasible and cost-effective, or

(iii) Any alternative basic equipment, replacement of an emission unit with a lower emitting emission unit, installation of control equipment, process modifications, changes in raw material including alternate fuels, and substitution of equipment or processes with alternative equipment or processes determined by the Air Pollution Control Officer on a case-by-case basis to be technologically feasible and cost-effective, including transfers of technology from another category of source, or

(iv) The most stringent emission limitation, or the most effective emission control device or control technique, contained in any State Implementation Plan (SIP) approved by the federal Environmental Protection Agency for such emission unit category, unless the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that such limitation or technique has not been proven in field application or that it is not cost-effective.

In no event shall application of best available control technology result in the emission of any air contaminant which would exceed the emissions allowed by any District rule or regulation, or by any applicable standard under 40 CFR Part 60 (New Source Performance Standards) or 40 CFR Part 61 (National Emission Standards for Hazardous Pollutants).

(10) "**Class I Area**" means any area designated as Class I under Title I, Part C of the federal Clean Air Act. As of *(date of adoption)*, the Agua Tibia National Wilderness Area was the only area so designated within San Diego County. As of *(date of adoption)*, the following areas were the only areas so designated within 100 km of San Diego County (see Table 20.1-3 and Figure 20.1-1):

TABLE 20.1 - 3
Class I Areas

Class I Area	Approximate Location
Agua Tibia Wilderness Area	San Diego County
Cucamonga Wilderness Area	80 km North - San Bernardino County
Joshua Tree Wilderness Area	40 km NE - Riverside County
San Gabriel Wilderness Area	90 km NW - Los Angeles County
San Gorgonio Wilderness Area	70 km North - San Bernardino County
San Jacinto Wilderness Area	30 km North - Riverside County

(11) "**Class II Area**" means any area not designated as a Class I area (see Figure 20.1-1).

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

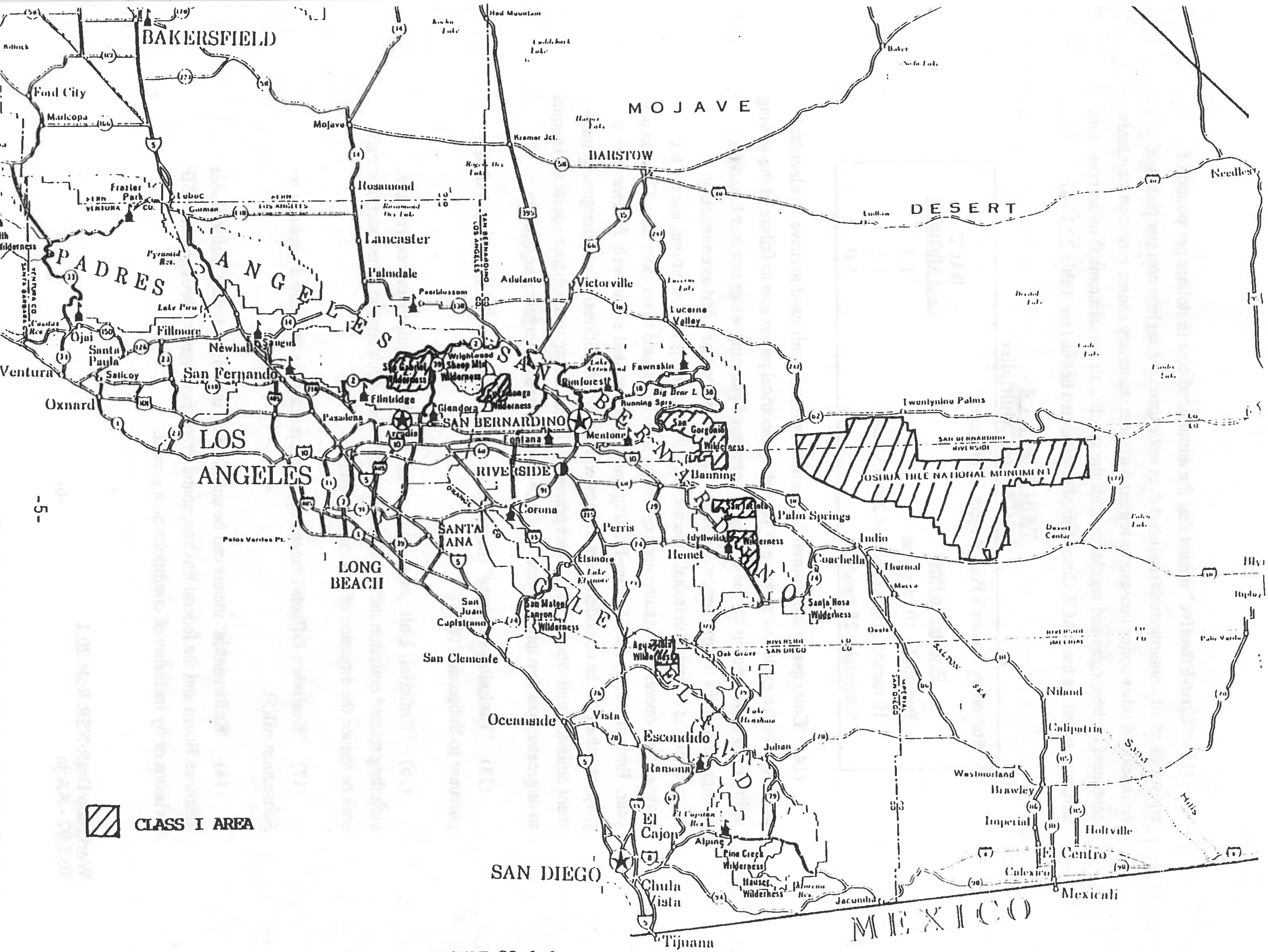
BAKERSFIELD
MOJAVE
BARSTOW
DESERT
Needles
Mojave
Rosamond
Lancaster
Palmdale
Adelanto
Victorville
Lucerne Valley
Twentynine Palms
JOSHUA TREE NATIONAL MONUMENT
PADRES
ANGELES
SAN BERNARDINO
CLEVELAND
Ventura
Oxnard
Ojai
Santa Paula
Fillmore
Newhall
San Fernando
Pasadena
Glendora
LOS ANGELES
SAN BERNARDINO
Fontana
RIVERSIDE
Corona
Banning
Palm Springs
Indio
Coachella
SANTA ANA
LONG BEACH
Perris
Hemet
Elsinore
San Clemente
Oceanside
Vista
Escondido
Ramona
El Cajon
SAN DIEGO
Chula Vista
Tijuana
Niland
Calipatria
Westmorland
Brawley
Imperial
Holtville
El Centro
Calexico
Mexicali
MEXICO
CLASS I AREA

FIGURE 20.1-1

(13) "**Cost-Effective**" means that the annualized cost in dollars per pound of emissions of air contaminant(s) reduced does not exceed the highest cost per pound of emissions of other control measures required to meet stationary source emission standards contained in these rules and regulations, for the specific air contaminant(s) under consideration, multiplied by the BACT Cost Multiplier indicated below (see Table 20.1 - 4):

TABLE 20.1 - 4
BACT Cost Multiplier

Stationary Source's Post-Project Aggregate Potential to Emit	BACT Cost Multiplier
Potential $\leq$ 10 tons/year	1.1
10 tons/year $\leq$ Potential < 25 tons/year	1.5
Potential $\geq$ 25 tons/year	3.0

(14) "**Emergency Equipment**" means an emission unit used to drive an electrical generator for the exclusive purpose of providing electrical power due to failure of the serving utility or to drive a pump for the exclusive purpose of pumping water or other liquid for extinguishing fires in emergency situations. In order to be classified as emergency equipment, the emission unit shall operate only during emergency situations, except for maintenance operation. Maintenance operation shall be limited to no more than 52 hours per year. Emission units used for fire-fighting training or not used exclusively for emergency purposes shall not be considered emergency equipment. Additionally, an emergency equipment emission unit whose post-project potential to emit during maintenance operation is equal to or greater than five tons per year shall not be considered emergency equipment.

(15) "**Emission Increase**" means an increase in the potential to emit, calculated pursuant to Subsection (d)(3).

(16) "**Emission Unit**" means any article, machine, equipment, contrivance, including related emission units, under one permit and which emit(s) or reduce(s) or may emit or reduce the emission of any air contaminant.

(17) "**Emission Offsets**" means emission reductions calculated pursuant to Subsection (d)(5).

(18) "**Enforceable**" means can be enforced by the District, the California Air Resource Board and the federal Environmental Protection Agency through either SIP revisions or by inclusion of conditions on a permit.

(19) "**Essential Public Services**" means any of the following, as determined by the Air Pollution Control Officer:

(i) Water, wastewater and wastewater-sludge treatment plants which are publicly owned.

(ii) Municipal waste landfills and municipal waste recycling facilities, not including trash to energy facilities.

(20) "**Federal Land Manager**" means the Park Service's Western Regional Director and the Forest Service's Pacific Southwest Regional Air Program Manager.

(21) "**Fugitive Emissions**" means those emissions which do not pass through a stack, chimney, flue, vent or other functionally equivalent opening.

(22) "**Impact Area**" means the circular area with the emission unit as the center and having a radius extending to the furthest point where a significant impact is expected to occur.

(23) "**Increment Consuming**" means emission increases which consume an air quality increment. Emission increases which consume increment are those not accounted for in the baseline concentration, including:

(i) Actual emission increases occurring at any major stationary source after the major source baseline date, and

(ii) Actual emission increases from any non-major stationary source, area source, or mobile source occurring after the non-major source baseline date.

(24) "**Increment Expanding**" means emission reductions which increase an available air quality increment. Emission reductions which increase available increment include:

(i) actual emission decreases occurring at any major stationary source after the major source baseline date, and

(ii) actual emission reductions from any non-major stationary source, area source, or mobile source occurring after the non-major source baseline date.

(25) "**Initial Permit Issuance**" means the first instance an Authority to Construct is issued to an emission unit pursuant to the *(date of adoption)* version of Rules 20.1, 20.2 and 20.3.

(26) "**Major Source Baseline Date**" means January 6, 1975 for sulfur dioxide (SO_2) and February 8, 1988 for nitrogen dioxide (NO_2).

(27) "**Major Stationary Source**" means any 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 (see Table 20.1 - 5):

TABLE 20.1 - 5
Major Stationary Source

Air Contaminant:	Emission Rate (Ton/yr)
Particulate Matter (PM_{10})	15
Oxides of Nitrogen (NOx)	25
Volatile Organic Compounds (VOC)	25
Oxides of Sulfur (SOx)	40
Carbon Monoxide (CO)	100
Lead (Pb)	0.6

(28) "**Modeling**" means the use of an applicable California Air Resources Board or federal Environmental Protection Agency approved air quality model to estimate ambient concentrations of air contaminants or to evaluate other air quality related data. Applicable state or federal guidelines shall be followed when performing modeling.

(29) "**Modified Emission Unit**" means any physical or operational change which results or may result in an increase in an emission unit's potential to emit, including those air contaminants not previously emitted. The following shall not be considered a modified emission unit, provided such a change is not limited by permit condition and provided such a change, if not limited by permit condition, does not result in an increase in the potential to emit of any air contaminant including those not previously emitted:

(i) The movement of a portable or transportable emission unit from one stationary source to another, provided operating the emission unit at the new location does not result in an increase in the portable or transportable emission unit's potential to emit.

(ii) Repair or routine maintenance of an existing emission unit.

(iii) An increase in the hours of operation.

(iv) Use of alternate fuel or raw material.

(30) "**Modified Stationary Source**" means a stationary source where a new or modified emission unit is or will be located or where a change in the aggregation of emission units occurs, including, but not limited to, the movement of a relocated emission unit to or from a stationary source. The following shall not be considered a modification of a stationary source, provided the replacement, portable or transportable emission unit does not increase the potential to emit of any other emission unit at the stationary source:

(i) The replacement of an emission unit.

(ii) The movement to or from the stationary source of any portable or transportable emission unit.

(31) "**National Ambient Air Quality Standards (NAAQS)**" means maximum allowable ambient air concentrations for specified air contaminants and monitoring periods as established by the federal Environmental Protection Agency (see Table 20.1 - 6).

(32) "**New Emission Unit**" means any of the following:

(i) Any emission unit not constructed, installed, or operated in San Diego County as of *(date of adoption)*, or which does not hold a valid Authority to Construct or Permit to Operate from the District. Any emission unit constructed, installed or operated without first obtaining a permit shall not be considered a new emission unit if it was exempt from Rule 10 permit requirements at the time construction or installation was completed or operation commenced and has since lost its permit exempt status due solely to a change in Rule 11 requirements.

(ii) Any emission unit which was inactive for a one-year period or more and which did not hold a valid Permit to Operate during the period.

(33) "**New Major Stationary Source**" means a new or modified stationary source which was not major before the modification or new construction.

(34) "**New Stationary Source**" means a stationary source which prior to the project under review, did not contain any other permitted equipment.

(35) "**Non-Criteria Pollutant Emissions Significance Level**" means an emissions increase from any new or modified emission unit located at a major stationary source, greater than the amounts listed below (see Table 20.1 - 7).

Table 20.1 - 6

Pollutant	Averaging Time	California Ambient Air Quality Standards[1] Concentration[3]	California Ambient Air Quality Standards[1] Method[4]	National Ambient Air Quality Standards[2] Primary[3,5]	National Ambient Air Quality Standards[2] Secondary[3,4,6]	National Ambient Air Quality Standards[2] Method[7]
Ozone	1 Hour	0.09 ppm (180 µg/m3)	Ultraviolet Photometry	0.12 ppm (235 µg/m3)	Same as Primary Standard	Ethylene Chemiluminescence
Carbon Monoxide	8 Hour	9.0 ppm (10 mg/m3)	Non-dispersive Infrared Spectroscopy (NDIR)	9 ppm (10 mg/m3)	-	Non-dispersive Infrared Spectroscopy (NDIR)
	1 Hour	20 ppm (23 mg/m3)		35 ppm (40 mg/m3)		
Nitrogen Dioxide	Annual Average	-	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	Annual Average	-	Ultraviolet Fluorescence	0.03 ppm (80 µg/m3)	-	Pararosaniline
	24 Hour	0.05 ppm[8] (131 µg/m3)		0.14 ppm (365 µg/m3)	-	
	3 Hour	-		-	0.5 ppm (1300 µg/m3)	
	1 Hour	0.25 ppm (655 µg/m3)		-	-	
Suspended Particulate Matter (PM 10)	Annual Geometric Mean	30 µg/m3	Size Selective Inlet High Volume Sampler and Gravimetric Analysis	-	-	Inertial Separation and Gravimetric Analysis
	24 Hour	50 µg/m3		150 µg/m3	Same as Primary Standard	
	Annual Arithmetic Mean	-		50 µg/m3		
Sulfates	24 Hour	25 µg/m3	Turbidimetric Barium Sulfate	-	-	-
Lead	30 Day Average	1.5 µg/m3	Atomic Absorption	-	-	Atomic Absorption
	Calendar Quarter	-		1.5 µg/m3	Same as Primary	
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m3)	Cadmium Hydroxide STRactan	-	-	-
Vinyl Chloride (Chloroethene)	24 Hour	0.010 ppm (26 µg/m3)	Tedlar Bag Collection, Gas Chromatography	-	-	-
Visibility Reducing Particles[9]	8 Hour (10 a.m. to 5 p.m. PST)	In sufficient amount to produce an extinction coefficient of 0.23 per kilometer due to particles when the relative humidity is less than 70%. Measurement in accordance with ARB Method V.		-	-	-

Notes to Table 20.1 - 6:

1. California standards for ozone, carbon monoxide, sulfur dioxide (1-hour), nitrogen dioxide, and suspended particulate matter—PM_{10}, and visibility reducing particles are values that are not to be exceeded. The sulfur dioxide (24-hour), sulfates, lead, hydrogen sulfide, and vinyl chloride standards are not to be equaled or exceeded.

2. National standards, other than ozone and those based on annual averages or annual arithmetic means, are not to be exceeded more than once a year. The ozone standard is attained when the expected number of days per calendar year with maximum hourly average concentrations above the standard is equal to or less than one.

3. Concentration 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. All measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 mm of mercury (1,013.2 millibar). 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 the Air Resources Board to give equivalent results at or near the level of the air quality standard may be used.

5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety, to protect the public health. Each state must attain the primary standards no later than three years after that state's implementation plan is approved by the Environmental Protection Agency (EPA).

6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant. Each state must attain the secondary standards within a "reasonable time" after the implementation plan is approved by the EPA.

7. Reference method as described by the 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 EPA.

8. At locations where the state standards for ozone and/or total suspended particulate matter are violated. National standards may apply elsewhere.

9. This standard is intended to limit the frequency and severity of visibility impairment due to regional haze and is equivalent to a 10-mile nominal visual range when relative humidity is less than 70 percent.

TABLE 20.1 - 7
Non-Criteria Pollutant Emissions Significance Levels

Air contaminant:	Emission Rate (Ton/yr)
Sulfuric Acid Mist	3
Hydrogen Sulfide (H_2S)	5
Reduced Sulfur Compounds	5

(36) "**Non-Major Source Baseline Date**" means December 8, 1983 for sulfur dioxide (SO_2). For nitrogen dioxide (NO_2), the non-major source baseline date is the date after February 8, 1988 when the first Authority to Construct application for any stationary source which will be a PSD Major Stationary Source for NOx or which is a PSD Major Modification for NOx, is deemed complete. As of *(date of adoption)*, the nitrogen dioxide non-major source baseline date had not been established.

(37) "**Offset Ratio**" means the stipulated proportion of emission offsets to emission increases, as specified in Rules 20.2 or 20.3.

(38) "**Particulate Matter (PM_{10})**" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 microns as measured by an applicable reference test method or methods found in Article 2, Subchapter 6 Title 17, of the California Code of Regulations Section 94100 et. seq.

(39) "**Permanent**" means enforceable for a specified period of time, whether limited or unlimited in duration.

(40) "**Portable Emission Unit**" means an emission unit which is designed and equipped to be easily movable and, as installed, easily capable of being moved from one stationary source to another, as determined by the Air Pollution Control Officer. In order for an emission unit to qualify as a portable emission unit, the applicant must request such a classification. The portable emission unit must have a potential to emit not greater than 10 tons per year of any single air contaminant and cannot be operated for more than 30 cumulative calendar days per year at any one stationary source. An emission unit which exceeds the 10 ton per year or 30-day per year criteria may qualify as a transportable emission unit if it meets the definition of transportable emission unit and the applicant requests such a classification.

(41) "**Post-Project Potential to Emit**" means an emission unit's potential to emit after issuance of an Authority to Construct for the proposed project, calculated pursuant to Section (d). The post-project potential to emit reflects an emission unit's potential to emit after the application of best available control technology.

(42) "**Potential to Emit**" means the maximum quantity of air contaminant emissions, including fugitive emissions, calculated pursuant to Section (d).

(43) "**Precursor Air Contaminants**" means any air contaminant which forms or contributes to the formation of a secondary air contaminant for which an ambient air quality standard exists. The precursor relationships are (see Table 20.1 - 8):

TABLE 20.1 - 8
Precursor Air Contaminants

Precursor Air Contaminant	Secondary Air Contaminant
NOx	NOx PM_{10} Ozone
VOC	PM_{10} Ozone
SOx	SO_2 PM_{10}

(44) "**Pre-Project Actual Emissions**" means an emission unit's actual emissions prior to issuance of an Authority to Construct for the proposed project, calculated pursuant to Section (d).

(45) "**Pre-Project Potential to Emit**" means an emission unit's potential to emit prior to issuance of an Authority to Construct for proposed project, calculated pursuant to Section (d).

(46) "**Project**" means one or more new, modified, replacement, relocated, portable, transportable, emission units.

(47) "**Proven in Field Application**" means demonstrated to be reliable (in continuous compliance) and effective (maintaining a stated emission level) for a period of at least one-year, as determined by the Air Pollution Control Officer.

(48) "**PSD Major Modification**" means a new or modified emission unit, located at a major stationary source, which results in an emissions increase equal to or greater than the amounts listed below (see Table 20.1 - 9)

TABLE 20.1 - 9
PSD Major Modification

Air contaminant:	Emission Rate (Ton/yr)
Particulate Matter (PM_{10})	15
Oxides of Nitrogen (NOx)	40
Volatile Organic Compounds (VOC)	40
Oxides of Sulfur (SOx)	40
Carbon Monoxide (CO)	100
Lead and Lead Compounds (Pb)	0.3

(49) "**PSD Major Stationary Source**" means any 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 (see Table 20.1 - 10):

TABLE 20.1 - 10
PSD Major Stationary Source

Air Contaminant:	Emission Rate (Ton/yr)
Particulate Matter (PM_{10})	15
Oxides of Nitrogen (NOx)	25
Volatile Organic Compounds (VOC)	25
Oxides of Sulfur (SOx)	40
Carbon Monoxide (CO)	100
Lead (Pb)	0.6

(50) "**Quantifiable**" means that a reliable basis for calculating the amount, rate, nature and characteristics of an emission reduction can be established, as determined by the Air Pollution Control Officer.

(51) "**Related Emission Unit**" means emission unit where the operation of one is dependent upon, or affects the process or operation (including duration of operation) of another emission unit, as determined by the Air Pollution Control Officer.

(52) "**Relocated Emission Unit**" means a currently permitted emission unit or grouping of such units, which is to be moved within San Diego County from one stationary source to another stationary source. The moving of a portable or transportable emission unit shall not be considered a relocated emission unit.

(53) "**Replacement Emission Unit**" means an emission unit which supplants another emission unit where the replacement emission unit serves the same function and purpose as the emission unit being replaced, as determined by the Air Pollution Control

Officer. Identical replacements as specified in Rule 11 shall not be considered to be a replacement emission unit.

(54) "**Secondary Emissions**" means emissions which would result in a significant impact in the impact area of the emissions unit and which emissions would occur as a result of the construction or operation of a major stationary source or a major modification at a stationary source, but which are not directly emitted from any emission unit at the stationary source. Secondary emissions include, but are not limited to:

(i) Emissions from ships or trains coming to or from the stationary source, unless such emissions are regulated by Title II of the federal Clean Air Act, and

(ii) Emission increases from any emission unit at a support facility not located at the stationary source, but which would not otherwise be constructed or increase emissions, and

(iii) Emissions from any emission unit, mounted on a ship, boat, barge, train, truck or trailer, where the operation of the emission unit is dependent upon, or affects the process or operation (including duration of operation) of an emission unit located on the stationary source.

(55) "**Significant Impact**" means an ambient air concentration, resulting from the emission increases at a new or modified stationary source including secondary emissions, equal to or greater than any of the following levels (see Tables 20.1 - 11 and 20.1 - 12):

TABLE 20.1 - 11
A Stationary Source Impacting Any Class I Area

Particulate Matter (PM_{10})	
24-hr maximum	1.0 $\mu g/m^3$
Nitrogen Dioxide (NO_2)	
24-hr. maximum	1.0 $\mu g/m^3$
Sulfur Dioxide (SO_2)	
24-hr. maximum	1.0$\mu g/m^3$
Carbon Monoxide (CO)	
24-hr. maximum	1.0 $\mu g/m^3$

TABLE 20.1 - 12
A Stationary Source Impacting Any Class II Area

Particulate Matter (PM_{10})	
Annual arithmetic mean	1.0 $\mu g/m^3$
24-hr. maximum	5.0 $\mu g/m^3$
Nitrogen Dioxide (NO_2)	
Annual arithmetic mean	1.0 $\mu g/m^3$
Sulfur Dioxide (SO_2)	
Annual arithmetic mean	1.0 $\mu g/m^3$
24-hr. maximum	5.0 $\mu g/m^3$
Carbon Monoxide (CO)	
8-hr. maximum	500.0 $\mu g/m^3$
1-hr. maximum	2000.0 $\mu g/m^3$

(56) "**Special Event Emission Unit Group**" means an aggregation of portable or transportable emission units to be used for the sole purpose of supporting or staging a public event such as an air show, regatta, fair or other event occurring no more than once per calendar year at a stationary source, and operated for a period of not more than 15 days at a stationary source. The aggregation of portable or transportable emission units shall be grouped temporarily under one permit and be limited to a potential to emit of not more than the emission rates listed in Table 20.2 - 1 or Table 20.3 - 1.

(57) "**State Ambient Air Quality Standards (SAAQS)**" means the maximum allowable ambient air concentrations for specified air contaminants and monitoring periods as established by the California Air Resources Board (see Table 20.1 - 6).

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

(59) "**Surplus**" means in excess of the State Implementation Plan, federal Clean Air Act and California Clean Air Act requirements, Regional Air Quality Strategy, of any District, State or federal law, rule, regulation, order or permit condition, and in excess of emission reductions which have been banked or otherwise committed for air quality purposes.

(60) "**Transportable Emission Unit**" means an emission unit designed and equipped to be capable of being moved from one stationary source to another, as determined by the Air Pollution Control Officer. In order for an emission unit to qualify as a transportable emission unit, the applicant must request such a classification. The transportable emission unit must not, by itself, constitute a major stationary source nor be operated at any one stationary source for more than 90 cumulative calendar days per year. Emission units installed in a configuration which makes the emission unit not easily movable, as determined by the Air Pollution Control Officer, shall not be considered to be a transportable emission unit.

(61) **Volatile Organic Compound (VOC)** means any volatile compound containing at least one atom of carbon excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonates, and exempt compounds. Exempt compound means any of the following (see Table 20.1 - 13):

TABLE 20.1 - 13
VOC Exempt Compounds

Chlorodifluoromethane (HCFC-22)
Dichlorotrifluoroethane (HCFC-123)
2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124)
Pentafluoroethane (HFC-125)
1,1,2,2-tetrafluoroethane (HFC-134)
Tetrafluoroethane (HFC-134a)
Dichlorofluoroethane (HCFC-141b)
Chlorodifluoroethane (HCFC-142b)
1,1,1-trifluoroethane (HFC-143a)
1,1-difluoroethane (HFC-152a)
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
Methylene chloride
1,1,1-trichloroethane
Trifluoromethane (HFC-23)
Trichlorofluoromethane (CFC-11)
Dichlorodifluoromethane (CFC-12)
Trichlorotrifluoroethane (CFC-113)
Dichlorotetrafluoroethane (CFC-114)
Chloropentafluoroethane (CFC-115)
Tetrachloroethylene (perchloroethylene)

(d) EMISSION CALCULATIONS

(1) POTENTIAL TO EMIT

The potential to emit of each air contaminant shall be calculated on an hourly, daily and yearly basis. If an emission unit's pre-project potential to emit is not limited by specific limiting conditions contained in a permit, the emission unit's pre-project potential to emit shall be determined pursuant to Subsection (d)(1)(i).

(i) Calculation of Potential to Emit

Except as provided in Subsections (d)(1)(i)(A) and (B), the potential to emit shall be calculated based on the maximum design capacity or other operating conditions which reflect the maximum potential emissions, including fugitive emissions.

(A) Permit Limitations Shall be Used

If specific limiting conditions contained in an Authority to Construct or Permit to Operate restrict or will restrict emissions to a lower level, these limitations shall be used to calculate the potential to emit.

(B) Potential to Emit Shall Not Exceed Maximum Potential

The potential to emit may be limited to the emission unit's actual emissions or any other level of emissions, as the applicant and the Air Pollution Control Officer may agree, provided the level of emissions does not exceed the emission unit's maximum potential emissions and such limitation is enforceable through permit conditions and does not violate any District, state or federal law, rule, regulation, order or permit condition.

(ii) Calculation of Aggregate Potential to Emit - Stationary Source

Except as provided for below in Subsections (d)(1)(ii)(A), (B), and (C), the aggregate potential to emit of a stationary source shall be calculated as the sum of the post-project potential to emit of all emission units permitted for the stationary source, including permitted and unpermitted emission units under District review and those to which Subsection (b)(1) applies.

(A) Permit Exempt Equipment

The potential to emit of emission units exempt from permit requirements by Rule 11 shall not be included in the aggregate potential to emit of a stationary source, unless the applicant and the Air Pollution Control Officer agree to place

such an emission unit under permit for purposes of creating emission reduction credits. In such case, the potential to emit of each such emission unit shall be included in the stationary source's aggregate potential to emit.

(B) Emergency Equipment

The potential to emit from the maintenance operation of emergency equipment shall be included in the calculation of a stationary source's aggregate potential to emit. The potential to emit from operation of emergency equipment during emergency situations shall be excluded from the calculation of a stationary source's aggregate potential to emit.

(C) Portable and Transportable Emission Units

Portable and transportable emission units shall be excluded from the calculation of a stationary source's aggregate potential to emit.

(2) ACTUAL EMISSIONS

Actual emissions are calculated based on the actual operating history of the emission unit.

(i) **Time Period for Calculation**

(A) Actual emissions of an existing emission unit shall be calculated on an operating hour, day and year basis averaged over the most representative two consecutive year period within the five years preceding the date of receipt of an application, as determined by the Air Pollution Control Officer.

(B) For emission units which have not been operated during a consecutive two-year period within the five years preceding the date of receipt of the application, the actual emissions shall be based on the longest continuous operational time period determined by the Air Pollution Control Officer to be representative of actual operations within that five-year period. In no case shall a period of less than six months be used to determine actual emissions.

(ii) **Time Periods Less Than Six Months**

For emission units operated for a period less than six months, the following shall apply:

(A) For determining actual emission reductions, the emission unit shall be considered to have no actual emissions.

(B) For determining potential to emit, the emission unit's actual emissions shall be based on the longest operating time period determined by the Air Pollution Control Officer to be most representative of actual operations.

(iii) **Adjustments Due to Rule Violations**

If an emission unit was operated in violation of any District, state or federal law, rule, regulation, order or permit condition during the period used to determine actual emissions, the actual emissions shall be adjusted to reflect the level of emissions which would have occurred if the emission unit had not been in violation.

(3) EMISSION INCREASE

An emission unit's emission increase shall be calculated as follows:

(i) **New Emission Units**

Emission increases from a new emission unit shall be calculated by using the potential to emit for the emission unit.

(ii) **Modified Emission Units**

Emission increases from a modified emission unit shall be calculated as the emission unit's post-project potential to emit minus the emission unit's pre-project potential to emit.

(iii) **Relocated Emission Units**

Emission increases from a relocated emission unit shall be calculated as the emission unit's post-project potential to emit minus the emission unit's pre-project potential to emit.

(iv) **Replacement Emission Units**

Emission increases from a replacement emission unit shall be calculated as the emission unit's post-project potential to emit minus the emission unit's pre-project potential to emit.

(v) **Portable Emission Units**

Emission increases from a portable emission unit shall be calculated as the emission unit's post-project potential to emit minus the emission unit's pre-project potential to emit.

(vi) **Transportable Emission Units**

Emission increases from a transportable emission unit shall be calculated as the emission unit's post-project potential to emit minus the emission unit's pre-project potential to emit.

(4) **EMISSION REDUCTION - POTENTIAL TO EMIT & ACTUAL EMISSION REDUCTION**

An emission unit's emission reduction shall be calculated as follows:

(i) **Reduction in the Potential to Emit**

(A) Modified Emission Unit

Reduction in the potential to emit for a modified emission unit shall be calculated as the emission unit's pre-project potential to emit minus the emission unit's post-project potential to emit.

(B) Relocated Emission Unit

Reduction in the potential to emit for a relocated emission unit shall be calculated as the emission unit's pre-project potential to emit minus the emission unit's post-project potential to emit.

(C) Replacement Emission Unit

Reduction in the potential to emit for a replacement emission unit shall be calculated as the emission unit's pre-project potential to emit minus the emission unit's post-project potential to emit.

(D) Portable Emission Unit

Reduction in the potential to emit for a portable emission unit shall be calculated as the emission unit's pre-project potential to emit minus the emission unit's post-project potential to emit.

(E) Transportable Emission Unit

Reduction in the potential to emit for a transportable emission unit shall be calculated as the emission unit's pre-project potential to emit minus the emission unit's post-project potential to emit.

(ii) **Actual Emission Reduction**

An actual emission reduction must be real, permanent, surplus, enforceable and quantifiable.

(A) Shutdowns

Actual emission reductions from the shutdown of an emission unit shall be calculated based on the emission unit's pre-project actual emissions.

(B) Modified Emission Unit

Actual emission reductions from a modified emission unit shall be calculated as the emission unit's pre-project actual emissions minus the emission unit's post-project potential to emit.

(C) Relocated Emission Unit

Actual emission reductions from a relocated emission unit shall be calculated as the emission unit's pre-project actual emissions minus the emission unit's post-project potential to emit.

(D) Replacement Emission Unit

Actual emission reductions from a replacement emission unit shall be calculated as the emission unit's pre-project actual emissions minus the emission unit's post-project potential to emit.

(E) Portable Emission Unit

Actual emission reductions from a portable emission unit shall be calculated as the emission unit's pre-project actual emissions minus the emission unit's post-project potential to emit.

(F) Transportable Emission Unit

Actual emission reductions from a transportable emission unit shall be calculated as the emission unit's pre-project actual emissions minus the emission unit's post-project potential to emit.

(5) **EMISSION OFFSETS**

Emission offsets are actual emission reductions which are provided to mitigate emission increases. Emission offsets must meet the applicable criteria specified in Rules 20.1, 20.2 and 20.3.

(i) Emission offsets shall consist of real, permanent, surplus, enforceable and quantifiable emission reductions, calculated in accordance with Subsection (d)(4)(ii) or shall be Class 'A' Emission Reduction Credits pursuant to Rule 26.0 et. seq. Emission reductions or credits shall be enforceable and permanent for the life of the emission increase which they are offsetting.

(ii) In order to qualify as an emission offset, actual emission reductions shall be banked pursuant to District Banking Rules 26.0 et. seq., unless the actual emission reductions are being proposed to offset emission increases occurring concurrently at the stationary source, in which case the Air Pollution Control Officer may choose to administratively forego the issuance of Emission Reduction Credits.

(iii) Emission offsets shall be in effect and enforceable at the time of startup of the emission unit requiring the offsets.

(iv) Emission offsets shall be provided on a ton per year basis.

(v) Emission offsets shall be located in San Diego County.

(e) OTHER PROVISIONS

(1) CONTINUITY OF EXISTING PERMITS

All of the conditions contained in any existing Authority to Construct or Permit to Operate shall remain valid and enforceable for the life of the Authority to Construct or Permit to Operate, unless specifically modified by the District.

RULE 20.2
NEW SOURCE REVIEW
NON-MAJOR STATIONARY SOURCES

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RULE 20.2
NEW SOURCE REVIEW
NON-MAJOR STATIONARY SOURCES

(a) APPLICABILITY

This rule applies to any new or modified stationary source or emission unit, and to any relocated, portable or transportable emission unit being moved from one stationary source to another, which, after completion of the project, is not a major stationary source nor a major modification and will not be located at a major stationary source.

(b) EXEMPTIONS

The exemptions contained in Rule 20.1, Section (b) apply to this rule.

(c) DEFINITIONS

The definitions contained in Rule 20.1, Section (c) apply to this rule.

(d) STANDARDS

(1) BEST AVAILABLE CONTROL TECHNOLOGY (BACT)

The Air Pollution Control Officer shall deny an Authority to Construct for any emission unit subject to this rule unless the applicant demonstrates that the following requirements will be satisfied:

(i) New or Modified Emission Units

Any new or modified emission unit which results in an emission increase of five pounds per day or more of particulate matter (PM_{10}), oxides of nitrogen (NOx), volatile organic compounds (VOC), oxides of sulfur (SOx), or carbon monoxide (CO), shall be equipped with best available control technology for each such air contaminant.

(ii) Relocated or Replacement Emission Units

Any relocated or replacement emission unit with a potential to emit five pounds per day or more of PM_{10}, NOx, VOC, SOx, or CO, shall be equipped with best available control technology for each such air contaminant.

(iii) **Portable Emission Units**

At initial permit issuance, any portable emission unit with a potential to emit five pounds per day or more of PM_{10}, NOx, VOC, SOx, or CO, shall be equipped with best available control technology for each such air contaminant.

(iv) **Transportable Emission Units**

At initial permit issuance, any transportable emission unit with a potential to emit five pounds per day or more of PM_{10}, NOx, VOC, SOx, or CO, shall be equipped with best available control technology for each such air contaminant.

(2) AIR QUALITY IMPACT ANALYSIS (AQIA)

The Air Pollution Control Officer shall deny an Authority to Construct for any emission unit subject to this rule unless the applicant demonstrates that the following requirements are satisfied. Modeling shall be used to conduct an air quality impact analysis.

(i) **AQIA for New or Modified Emission Unit**

For each new or modified emission unit which results in an emission increase equal to or greater than any of the amounts listed in Table 20.2 - 1, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that the new or modified emission unit will not cause or contribute to a violation of any State or national ambient air quality standard nor interfere with the attainment or maintenance of those standards. An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.

TABLE 20.2 - 1
AQIA Trigger Levels

Air Contaminant:	Emission Rate (lb/hr)	Emission Rate (lb/day)
Particulate Matter (PM_{10})	---	85
Oxides of Nitrogen (NOx)	25	---
Oxides of Sulfur (SOx)	25	---
Carbon Monoxide (CO)	100	---
Lead and Lead Compounds	0.3	---

(ii) **AQIA for Replacement Emission Units**

For each replacement emission unit which results in an emission increase equal to or greater than any of the amounts listed in Table 20.2-1, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that the replacement emission unit will not cause or contribute to a violation of any State or National Ambient Air Quality Standard nor interfere with the attainment or maintenance of those standards. An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.

(iii) **AQIA for Relocated, Portable or Transportable Emission Units**

Prior to issuance of a permit allowing a relocated, portable or transportable emission unit to move from one stationary source to another, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that operating the emission unit at the new location will not cause or contribute to a violation, nor interfere with the attainment or maintenance, of any State or National Ambient Air Quality Standard. This demonstration is required for each air contaminant for which the relocated, portable or transportable emission unit has a potential to emit equal to or greater than the amounts listed in Table 20.2-1. An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.

(iv) **AQIA for Special Event Emission Unit Group (SEEUG)**

Prior to issuance of a permit for a special event emission unit group, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that operating the special event emission unit group will not cause or contribute to a violation, nor interfere with the attainment or maintenance, of any State or National Ambient Air Quality Standard. This demonstration is required for each air contaminant for which the special event emission unit group has a potential to emit equal or greater than the amounts listed in Table 20.2-1. An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.

(A) Temporary Limitation on Existing Emission Units

With the written concurrence of the permit holder, the Air Pollution Control Officer may temporarily place limitations on the operation of any existing emission unit(s) at the stationary source where a special event emission unit group is to be located, for the duration of the period the special event emission unit group is located at the stationary source. Such limitation(s) in operation shall be taken into account in performing the air quality impact analysis required by Subsection (d)(2)(iv).

(v) **AQIA May be Required**

Notwithstanding any other requirements of this rule, the Air Pollution Control Officer may require an air quality impact analysis for any new or modified stationary source or any emission unit if the stationary source or emission unit may be expected to cause or contribute to a violation of any State or National Ambient Air Quality Standard or if it may be expected to interfere with the attainment or maintenance of those standards.

(vi) **AQIA not Required for NOx Impacts on Ozone**

Notwithstanding the requirements of Subsections (d)(2)(i), (ii), (iii) or (iv), a demonstration shall not be required for determining the impacts from an emission unit's NOx emissions on the State or National Ambient Air Quality Standards for ozone, unless the Air Pollution Control Officer determines that adequate procedures exist for determining the impacts of NOx emissions from point sources on ozone ambient air quality standards, and that such procedures are acceptable to the California Air Resources Board or the federal Environmental Protection Agency.

(vii) **AQIA Requirements for PM_{10} Impacts May be Waived**

Notwithstanding the requirements of Subsection (d)(2)(i), (ii), (iii) or (iv), the Air Pollution Control Officer may waive the air quality impact analysis requirements for PM_{10} impacts on the State Ambient Air Quality Standards, provided:

(A) the new or modified emission unit will result in a maximum PM_{10} air quality impact of 1 $\mu g/m^3$ (24-hour average basis); and

(B) the requirements of Subsections (d)(4) and (d)(5), including (d)(5)(ii)(C), are satisfied; and

(C) the best available control technology requirements of Subsection (d)(1) are satisfied.

In no case shall the Air Pollution Control Officer waive the air quality impact analysis requirements for PM_{10} impacts on the National Ambient Air Quality Standards.

(3) PREVENTION OF SIGNIFICANT DETERIORATION (PSD)

The Air Pollution Control Officer shall deny an Authority to Construct for any emission unit subject to this rule unless the applicant demonstrates that the following requirements are satisfied.

(i) Non-Major Source Applicability

The following provisions shall apply to any emission unit which is expected to have a significant impact on any Class I area, as determined by an air quality impact analysis required pursuant to Subsection (d)(2):

(A) The requirements of Subsection (d)(4) shall be satisfied, and

(B) The Federal Land Manager and the federal Environmental Protection Agency have been notified in writing and all of the information specified by Subsection (d)(4)(iv) has been submitted. In addition to providing the location of the emission unit, the approximate distance from all Class I areas within 100 km of San Diego County (as specified in Table 20.1-3) and the results of the air quality impact analysis shall be provided, and

(C) The California Air Resources Board, the South Coast Air Quality Management District and the Imperial County Air Pollution Control District have been notified and have been provided the information specified in Subsection (d)(4)(iv).

(4) PUBLIC NOTICE AND COMMENT

The Air Pollution Control Officer shall not issue an Authority to Construct for any emission unit subject to the requirements of Subsection (d)(2) or (d)(3), unless the following requirements are satisfied. No later than 10 days after close of the public comment period described in Subsection (d)(4)(i), the applicant may submit written responses to any comment received during the public comment period. Responses submitted by the applicant shall be considered prior to the District taking final action. The applicant's responses shall be made available for review at the District's offices.:

(i) Public Comment Period

At least 40 days before taking final action on an application subject to the requirements of Subsection (d)(2) or (d)(3), the Air Pollution Control Officer shall:

(A) provide the public with notice of the proposed action, and

(B) make available for inspection all information relevant to the proposed action as specified in Subsection (d)(4)(iv), and

(C) provide at least a 30-day period within which comments may be submitted, and

(D) consider all comments submitted.

(ii) **Comment Period - California Air Resources Board and Federal Environmental Protection Agency**

At least 40 days before taking final action on an application subject to the requirements of Subsection (d)(2) or (d)(3), the Air Pollution Control Officer shall:

(A) provide the California Air Resources Board and the federal Environmental Protection Agency with notice of the proposed action, and

(B) provide at least 30-day period within which comments may be submitted, and

(C) provide a copy of all of the information specified in Subsection (d)(4)(iv), and

(D) consider all comments submitted.

(iii) **Publication of Notice**

A notice of the proposed action has been published in at least one newspaper of general circulation in San Diego County. The notice shall:

(A) describe the proposed action, and

(B) identify the location(s) where the public may inspect the information relevant to the proposed action, and

(C) indicate the date by which all comments must be received by the District for consideration prior to taking final action.

(iv) **Information to be Made Available for Public Inspection**

The relevant information to be made available for public inspection shall include:

(A) the application and all analyses used to support the proposed action, support documentation, the District's evaluation, a copy of the draft Authority to Construct or Permit to Operate and any information submitted by the applicant not previously labeled Trade Secret pursuant to Regulation IX, and

(B) the proposed District action on the application, including the preliminary decision to approve, conditionally approve or deny the application and the reasons thereof.

(5) **EMISSION OFFSETS**

The Air Pollution Control Officer shall not issue an Authority to Construct for any emission unit subject to this rule unless emission offsets are provided on a pollutant specific basis for emission increases of non-attainment air contaminants and their precursors. Emission offsets shall be provided for emission increases for which the stationary source's post-project aggregate potential to emit is equal to or greater than 10 tons per year or as specified below, at the offset ratios specified.

(i) **Offset Requirements for VOC and NOx Emission Increases - New or Modified Emission Units**

(A) Offset Requirements for VOC Emission Increases

The VOC emission increase from a new or modified emission unit located at a stationary source with a VOC post-project aggregate potential to emit equal to or greater than 10 tons per year, shall be offset at the offset ratio specified in Table 20.2 - 2.

(B) Offset Requirements for NOx Emission Increases

The NOx emission increase from a new or modified emission unit located at a stationary source with a NOx post-project aggregate potential to emit equal to or greater than 10 tons per year, shall be offset at the offset ratio specified in Table 20.2 - 2

TABLE 20.2 - 2
VOC and NOx Offset Ratio

Stationary Source's Post-Project Aggregate VOC or NOx Potential to Emit	Offset Ratio NOx	Offset Ratio VOC
Potential < 10 tons/year	None	None
10 tons/year ≤ Potential < 25 tons/year	1.10:1.0	1.10:1.0
Potential ≥ 25 tons/year	Rule 20.3 applies	

(ii) **Offset Requirements for PM_{10} and SOx Emission Increases - New or Modified Emission Units**

(A) Offset Requirements for SOx Emission Increases

The SOx emission increase from a new or modified emission unit located at a stationary source with a SOx post-project potential to emit equal to or greater than 10 tons per year shall be offset at the offset ratio specified in Table 20.2-3.

(B) Offset Requirements for PM_{10} Emission Increases

The PM_{10} emission increase from a new or modified emission unit located at a stationary source with a PM_{10} post-project potential to emit equal to or greater than 10 tons per year shall be offset at the offset ratio specified in Table 20.2 - 3.

TABLE 20.2 - 3
PM_{10} and SOx Offset Ratio

Stationary Source's Post-Project Aggregate PM_{10} or SOx Potential to Emit	Offset Ratio PM_{10}	Offset Ratio SOx
Potential < 10 tons/year	None	None
10 tons/year ≤ Potential < 25 tons/year	1.0:1.0	1.0:1.0
15 tons/year ≤ Potential < 40 tons/year	Rule 20.3	1.0:1.0
Potential ≥ 25 tons/year	Rule 20.3 applies	

(C) PM_{10} Waiver Provisions

To qualify for the waiver provisions of Subsection (d)(2)(vii), the following must be satisfied:

(1) For stationary sources with a PM_{10} post-project aggregate potential to emit less than 10 tons/year, emission increases from the new or modified emission unit shall be offset at a ratio of 1.0:1.0.

(2) For stationary sources with a PM_{10} post-project aggregate potential to emit equal to or greater than 10 tons/year, emission increases from the new or modified emission unit shall be offset at ratio of 2.0:1.0.

(iii) **Offset Requirements for CO Emission Increases - New or Modified Emission Units**

(A) Offset Requirements for CO Emission Increases

The CO emission increase from a new or modified emission unit located at a stationary source with a CO post-project potential to emit equal to or greater than 10 tons per year, shall be offset at the offset ratio specified in Table 20.2 - 4.

TABLE 20.2 - 4
CO Offset Ratio

Stationary Source's Post-Project Aggregate CO Potential to Emit	Offset Ratio CO
Potential < 10 tons/year	None
10 tons/year ≤ Potential < 100 tons/year	1.0:1.0
Potential ≥ 25 tons/year	Rule 20.3 applies

(B) CO Offset Requirements May Be Waived

Notwithstanding the offset provisions of Subsection (d)(5)(iii)(A), if an applicant demonstrates to the satisfaction of the Air Pollution Control Officer that the new or modified emission unit will not cause or contribute to a violation, nor interfere with the attainment or maintenance, of any State or National Ambient Air Quality Standard for CO, emission offsets for CO shall not be required. This demonstration shall be performed by means of an air quality impact analysis.

(iv) **Offset Requirements - Essential Public Services**

(A) If emission offsets are required pursuant to Subsection (d)(5)(i) for emission increases resulting from emission units located at essential public services, the Air Pollution Control Officer may allow emission offsets to be provided at an emission offset ratio of 1.0:1.0 for that portion of the emission increase for which the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that:

(1) the emission unit constitutes an essential public service or is part of a stationary source which is an essential public service, and

(2) on a pollutant specific basis, the emission offsets cannot be provided at the offset ratios specified in Table 20.2-2 because it can be demonstrated that the cost in dollars per pound of obtaining emission offsets at that ratio exceeds five times the cost of control measures required to meet stationary source emission standards contained in these rules and regulations.

(B) If the Air Pollution Control Officer determines that the applicant for an essential public service is unable to obtain sufficient emission offsets despite all reasonable efforts, the Air Pollution Control Officer shall do any of the following:

(1) provide the remaining required offsets from a District bank created pursuant to Rule 26.4,

(2) determine that Reasonable Further Progress can be achieved without obtaining the remaining emission offsets,

(3) recommend to the Air Pollution Control Board that the requirement to provide emission offsets be waived.

(v) **Offset Requirements - New, Modified, Replacement Emission Units for the Purpose of Compliance with Prohibitory Regulations**

(A) If a new, modified or replacement emission unit being installed or modified for the purpose of complying with regulations adopted by the District results in an NOx emission increase for which emission offsets are required

pursuant to Subsection (d)(5)(i), the Air Pollution Control Officer may allow emission offsets to be provided at an emission offset ratio of 1.0:1.0 for that portion of the emission increase for which the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that:

(1) the new, modified or replacement emission unit is being installed or modified for the purpose of complying with regulations adopted by the District, and

(2) on a pollutant specific basis, the emission offsets cannot be provided at the offset ratios specified in Table 20.2-2 because it can be demonstrated that the cost in dollars per pound of obtaining emission offsets at that ratio exceeds five times the cost of control measures required to meet stationary source emission standards contained in these rules and regulations.

(vi) **Offset Requirements - Portable and Transportable Emission Units**

(A) Transportable Emission Unit - Initial Permit Issuance

At the time of initial permit issuance, the VOC, NOx, PM_{10}, SOx, and CO potential to emit from a transportable emission unit, shall be offset at the offset ratio specified in Tables 20.2-2, 20.2-3 and 20.2-4, as applicable. The offset ratio to be used shall be based on the transportable emission unit's post-project potential to emit. Those air contaminants for which the transportable emission unit has a post-project potential to emit less than 10 tons per year, shall be offset at a 1.0:1.0 offset ratio.

(B) Portable and Transportable Emission Units - Modifications After Initial Permit Issuance

(1) Portable Emission Units

If the post-project potential to emit of a modified portable emission unit is equal to or greater than 10 tons per year, the emission unit shall be classified as a transportable emission unit and shall satisfy the requirements of Subsection (d)(5)(vi)(A) for all pollutants.

(2) Transportable Emission Unit

After initial permit issuance, the VOC, NOx, PM_{10}, SOx, or CO emission increase from a modified transportable emission unit, shall be offset at the offset ratio specified in Tables 20.2-2, 20.2-3 or 20.2-4 as applicable. The offset ratio to be used shall be based on the emission unit's post-project potential to emit. Those air contaminants for which the transportable emission unit has a post-project potential to emit less than 10 tons per year shall be offset at a 1.0:1.0 offset ratio, if there is an emission increase in that pollutant.

(C) Portable and Transportable Emission Units - Addition to a Stationary Source

Except as provided for in Subsection(e)(1), the addition of a portable or transportable emission unit to a stationary source shall not require emission offsets, provided the portable or transportable emission unit has undergone initial permit issuance.

(vii) **Offset Requirements - Relocated and Replacement Emission Units**

For each pollutant for which a stationary source has a post-project potential to emit equal to or greater than 10 tons per year, the VOC, NOx, PM_{10}, SOx, or CO emission increase from a relocated or replacement emission unit shall be offset at the offset ratio specified in Tables 20.2 - 2, 20.2 - 3 or 20.2 - 4, as applicable.

(viii) **Interpollutant Offset Ratios**

The Air Pollution Control Officer may allow the use of interpollutant emission offsets at the ratios contained in Table 20.2 - 5 to satisfy the offset requirements of Subsection (d)(5), provided the applicant demonstrates to the satisfaction of the Air Pollution Control Officer, that the air quality impact analysis requirements of Subsection (d)(2) are satisfied for the emission increase. The interpollutant ratios shall be multiplied by the emission offset ratios required by Subsection (d)(5), to determine the final offset ratio.

TABLE 20.2 - 5
Interpollutant Offset Ratio

Emission Increase	Emission Decrease	Interpollutant Ratio
Particulate Matter (PM_{10})	PM_{10}	1.0
	VOC	1.1
	NOx	1.1
	SOx	1.1
Oxides of sulfur (SOx)	SOx	1.0
	PM_{10}	1.1
	VOC	1.1
	NOx	1.1
Oxides of Nitrogen (NOx)	NOx	1.0
	VOC	**To be determined**
Volatile Organic Compounds (VOC)	VOC	1.0
	NOx	**To be determined**

(e) **ADDITIONAL REQUIREMENTS**

(1) **PROHIBITIONS**

(i) **Portable Emission Units**

(A) At any one time, the sum of the potential to emit of all portable emission units located at a stationary source shall not equal or exceed 10 tons per year nor equal or exceed the emission rates listed on Table 20.2 - 1. Additionally, all of the portable emission units located at a stationary source shall not be operated at that stationary source an aggregate of more than 30 days per calendar year.

(B) A portable emission unit shall not be located at a major stationary source unless such emission unit first complies with the requirements of Rule 20.3(d)(5)(vi).

(ii) **Transportable Emission Unit**

(A) At any one time, there shall not be more than one transportable emission unit located at a stationary source. Additionally, all of the transportable emission units located at a stationary source shall not be operated at that stationary source an aggregate of more than 90 days per calendar year.

(B) A transportable emission unit shall not be located at a major stationary source, unless such emission unit first complies with the requirements of Rule 20.3(d)(5)(vi).

RULE 20.3
NEW SOURCE REVIEW
MAJOR STATIONARY SOURCES

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RULE 20.3
New Source Review
Major Stationary Sources

(a) APPLICABILITY

This rule applies to any new or modified major stationary source; to any major modification; including new or modified PSD major stationary sources and PSD major modifications; to any non-major stationary source which will become a major stationary source after modification of the stationary source; to any emission unit, including any relocated emission unit, portable or transportable emission unit being moved from one stationary source to another which is or will be a major stationary source.

(b) EXEMPTIONS

The exemptions contained in Rule 20.1, Section (b) apply to this rule.

(c) DEFINITIONS

The definitions contained in Rule 20.1, Section (c) apply to this rule.

(d) STANDARDS

(1) BEST AVAILABLE CONTROL TECHNOLOGY (BACT)

The Air Pollution Control Officer shall deny an Authority to Construct for any emission unit located at any major stationary source, subject to this rule unless the applicant demonstrates that the following requirements will be satisfied:

(i) New or Modified Emission Units

Any new or modified emission unit which results in an emissions increase of five pounds per day or more of particulate matter (PM_{10}), oxides of nitrogen (NOx), volatile organic compounds (VOC), oxides of sulfur (SOx), or carbon monoxide (CO), shall be equipped with best available control technology for each such air contaminant.

(ii) New or Modified Emission Units - Non-Criteria Pollutants

Any new or modified emission unit, which emission unit results in a emission increase equal to or greater than the non-criteria pollutant emissions significance levels, shall be equipped with best available control technology for each such air contaminant.

(iii) **Relocated or Replacement Emission Units**

Any relocated or replacement emission unit with a potential to emit five pounds per day or more of PM_{10}, NOx, VOC, SOx, or CO, shall be equipped with best available control technology for each such air contaminant.

(iv) **Portable Emission Units**

Any portable emission unit to be located at a major stationary source shall first comply with the initial permit issuance requirements for portable emission units of Rule 20.2.

(v) **Transportable Emission Units**

Any transportable emission unit to be located at a major stationary source shall comply with the initial permit issuance requirements for transportable emission units of Rule 20.2.

(2) AIR QUALITY IMPACT ANALYSIS (AQIA)

The Air Pollution Control Officer shall deny an Authority to Construct for any emission unit subject to this rule unless the applicant demonstrates that the following requirements are satisfied. Modeling shall be used to conduct an air quality impact analysis.

(i) **AQIA for New or Modified Units**

For each new or modified emission unit which results in an emissions increase equal to or greater than any of the amounts listed in Table 20.3 - 1, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that the new or modified emission unit will not cause or contribute to a violation of any State or National Ambient Air Quality Standard nor interfere with the attainment or maintenance of those standards. An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.

TABLE 20.3 - 1
AQIA Trigger Levels

Air Contaminant	Emission Rate (lb/hr)	(lb/day)
Particulate Matter (PM_{10})	---	85
Oxides of Nitrogen (NOx)	25	---
Oxides of Sulfur (SOx)	25	---
Carbon Monoxide (CO)	100	---
Lead and Lead Compounds (Pb)	0.3	---

(ii) **AQIA for Replacement Emission Units**

For each replacement emission unit which results in an emission increase equal to or greater than any of the amounts listed in Table 20.3 - 1, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that the replacement emission unit will not cause or contribute to a violation of any State or National Ambient Air Quality Standard nor interfere with the attainment or maintenance of those standards. An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.

(iii) **AQIA for Relocated, Portable or Transportable Emission Units**

Prior to issuance of a permit allowing a relocated, portable or transportable emission unit to move to a major stationary source, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that operating the emission unit at the new location will not cause or contribute to a violation, nor interfere with the attainment or maintenance, of any State or National Ambient Air Quality Standard. This demonstration is required for each air contaminant for which the relocated, portable or transportable emission unit has a potential to emit equal to or greater than the amounts listed in Table 20.3 - 1. An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.

(iv) **AQIA for Special Event Emission Unit Group (SEEUG)**

Prior to issuance of a permit for a special event emission unit group, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that operating the special event emission unit group will not cause or contribute to a violation, nor interfere with the attainment or maintenance, of any State or National Ambient Air Quality Standard. This demonstration shall be required for each air contaminant for

which the special event emission unit group has a potential to emit equal or greater than the emission rates listed in Table 20.3 - 1. An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.

(A) Temporary Limitation on Existing Emission Units

With the written concurrence of the permit holder, the Air Pollution Control Officer may temporarily place limitations on the operation of any existing emission unit(s) at the stationary source where a special event emission unit group is to be located, for the duration of the period the special event emission unit group is located at the stationary source. Such limitation(s) in operation shall be taken into account in performing the air quality impact analysis required by Subsection (d)(2)(iv).

(v) **AQIA May be Required**

Notwithstanding any other requirements of this rule, the Air Pollution Control Officer may require an air quality impact analysis for any new or modified stationary source or any emission unit if the stationary source or emission unit may be expected to cause or contribute to a violation of any State or National Ambient Air Quality Standard, or if it may be expected to interfere with the attainment or maintenance of those standards.

(vi) **AQIA not Required for NOx Impacts on Ozone**

Notwithstanding the requirements of Subsections (d)(2)(i), (ii), (iii) or (iv), a demonstration shall not be required for determining the impacts from an emission unit's NOx emissions on the State or National Ambient Air Quality Standard for ozone, unless the Air Pollution Control Officer determines that adequate procedures exist for determining the impacts of NOx emissions from point sources on ozone ambient air quality standards, and that such procedures are acceptable to the California Air Resources Board or the federal Environmental Protection Agency.

(vii) **AQIA Requirements for PM_{10} Impacts May be Waived**

Notwithstanding the requirements of Subsections (d)(2)(i), (ii), (iii) or (iv), the Air Pollution Control Officer may waive the air quality impact analysis requirements for PM_{10} impacts on the State ambient air quality standards, provided:

(A) the new or modified emission unit will result in a maximum PM_{10} air quality impact of 1 $\mu g/m^3$ (24-hour average basis); and

(B) the requirements of Subsections (d)(4), and (d)(5), including (d)(5)(ii)(C), are satisfied; and

(C) the best available control technology requirements of Subsection (d)(1) are satisfied.

In no case shall the Air Pollution Control Officer waive the air quality impact analysis requirements for PM_{10} impacts on the National Ambient Air Quality Standards.

(3) **PREVENTION OF SIGNIFICANT DETERIORATION (PSD)**

The Air Pollution Control Officer shall deny an Authority to Construct for any emission unit subject to this rule unless the applicant demonstrates that the following requirements are satisfied.

(i) **Applicability**

(A) New PSD Major Stationary Source and PSD Major Modification

The provisions of Subsections (d)(3)(ii), (iii), (iv), (v), (vi), and (vii) shall apply to any new PSD major stationary source and to any PSD major modification.

(B) Significant Impact

The provisions of Subsections (d)(3)(ii), (iii), (iv), (v), (vi), and (vii) shall apply to any emission unit which is expected to have a significant impact on any Class I, as determined by an air quality impact analysis required pursuant to Subsection (d)(2). For Class II areas, the provisions of Subsections (d)(3)(ii), (iii), (iv), (v), (vi), and (vii) apply only if, in addition to causing a significant impact, the Class II area where the significant impact occurs is classified as attainment of the National Ambient Air Quality Standard for that pollutant.

(C) Non-Criteria Pollutant Emissions Significance Levels

The provisions of Subsections (d)(3)(ii), (iii), (v), and (vii)(C) shall apply to any increase in the aggregate potential to emit of a major stationary source, which is equal to or greater than the non-criteria emissions significance levels.

(ii) **Notification Requirements**

(A) Notification of Federal Land Manager - Before Application Submittal

The applicant shall provide written notification to the Federal Land Manager of the applicant's intent to file an application for an Authority to Construct, Permit to Operate, or Determination of Compliance, not less than 30 days prior to application submittal. The applicant's notification to the Federal Land Manager shall include copies of all of the analyses required by Subsection (d)(3). Concurrently, the applicant shall notify the federal Environmental Protection Agency and the District, and provide copies of the written notification given to the Federal Land Manager.

(B) Notification of Federal Land Manager - After Application Submittal

If a project is modified prior to issuance of an Authority to Construct such that it becomes subject to Subsection (d)(3), the applicant shall provide the notification required by Subsection (d)(3)(ii)(A) no later than 15 days after the Air Pollution Control Officer notifies the applicant that the provisions of Subsection (d)(3) apply.

(iii) **Air Quality Impact Analysis**

Notwithstanding the emission threshold requirements of Subsection (d)(2), the applicant shall perform an air quality impact analysis as prescribed in Subsection (d)(2), comply with the public comment and notice provisions of Subsection (d)(4) and with the following:

(A) Notification of Federal Land Managers

Notify the Federal Land Manager and the Environmental Protection Agency in writing, submit all of the analyses required by Subsection (d)(3), and provide the emission unit's approximate distance from all Class I areas within 100 km of San Diego County (as specified in Table 20.1 - 3), and the results of the air quality impact analysis, at least 60 days prior to the public comment period required by Subsection (d)(4).

(B) Notification to California Air Resources Board, the South Coast AQMD and the Imperial County APCD

Notify and submit to the California Air Resources Board, the South Coast Air Quality Management District and the Imperial County Air Pollution Control District all of the information required by Subsection (d)(3) and (d)(4).

(iv) **Air Quality Increment**

If the stationary source is located in an area designated as attainment or unclassified for the sulfur dioxide (SO_2) or nitrogen dioxide (NO_2) National Ambient Air Quality Standards pursuant to Section 107(d)(1)(D) or (E) of the federal Clean Air Act, the following shall be satisfied:

(A) The applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer, using procedures approved by the Air Pollution Control Officer, that the applicable air quality increments are not exceeded within the emission unit's impact area.

(B) The demonstration required above by Subsection (d)(4)(iv)(A), shall include the following:

(1) a description of the federal attainment area where a significant impact occurs and the attainment area's corresponding non-major source baseline date, and

(2) an analysis of the air quality impacts of all increment consuming and increment expanding emissions within the impact area, and

(3) an analysis of the air quality impacts of increment consuming and increment expanding emissions outside the impact area that may have a significant impact within the impact area.

(v) **Additional Impacts Analyses**

The analyses required by Subsections (d)(3)(v)(A) through (C) below, shall include the impacts of total emissions which exceeds a non-criteria emissions significance level.

(A) Growth Analysis

The applicant shall prepare a growth analysis containing all of the following:

(1) an assessment of the availability of residential, commercial, and industrial services in the area surrounding the stationary source,

(2) a projection of the growth in residential, industrial and commercial sources, construction related activities, and permanent and temporary mobile sources which will result from the construction of the new major stationary source or major modification, including any secondary emissions associated with the construction,

(3) an estimate of the emission of all pollutants from the projected growth, and

(4) a determination of the air quality impacts occurring due to the combined emissions from the projected growth and the stationary source's emissions increase.

(B) Soils & Vegetation Analysis

The applicant shall perform an analysis of the impacts from air contaminants on soils and vegetation containing all of the following:

(1) the analysis shall be based on an inventory of the soils and vegetation types found in the impact area, including all vegetation with any commercial or recreational value, and

(2) consider the impacts of the combined emissions from projected growth as determined above, pursuant to Subsection (d)(3)(v)(A) and the stationary source's emissions increase.

(C) Visibility Impairment Analysis

The applicant shall perform a visibility impairment analysis. The analysis shall focus on the effects of the emission increases from the new major source or major modification and their impacts on visibility within the impact area. The analysis shall include a catalog of scenic vistas, airports, or other areas which could be

affected by a loss of visibility within the impact area, a determination of the visual quality of the impact area, and an initial screening of emission sources to assess the possibility of visibility impairment. If the screening analysis so dictates, as determined by the Air Pollution Control Officer, a more in-depth visibility analysis shall be prepared.

(vi) **Protection of Class I Areas**

(A) Requirements

The following requirements shall be satisfied:

(1) An Air Quality Impact Analysis (AQIA) shall be prepared as prescribed in Subsection (d)(2) for all emission increases attributable to the new or modified stationary source, notwithstanding the emission threshold requirements of Subsection (d)(2). The air quality impact analysis shall include a demonstration that the new or modified stationary source will not cause or contribute to a violation of any National Ambient Air Quality Standard nor interfere with the attainment or maintenance of those standards.

(2) The analyses contained in Subsections (d)(3)(iii) through (v) shall be prepared for all emission increases which result in a significant impact.

(B) Application Denial - Federal Land Manager/Air Pollution Control Officer Concurrence

The Air Pollution Control Officer shall deny an Authority to Construct for a new or modified stationary source subject to Subsection (d)(3)(vi), if the Federal Land Manager demonstrates, and the Air Pollution Control Officer concurs, that granting the Authority to Construct would result in an adverse impact on visibility, soils, vegetation or air quality related values of a Class I area. The Air Pollution Control Officer shall take into consideration mitigation measures identified by the Federal Land Manager in making the determination.

(vii) **Additional Requirements**

(A) Tracking of Air Quality Increment Consumption Sources

The Air Pollution Control Officer shall track air quality increment consumption, consistent with current requirements established by the federal Environmental Protection Agency.

(B) PSD Applicability for Stationary Sources Which are Major for PM_{10}

Any new major stationary source or major modification which is, or after permit issuance will be, major for PM_{10} shall obtain a PSD permit from the federal Environmental Protection Agency, unless the District has been delegated authority to issue such permits.

(C) Stack Height Requirement

Any new or modified major stationary source with a stack height greater than 65 meters must demonstrate to the satisfaction of the Air Pollution Control Officer that the new or modified stationary source complies with the most recent Good Engineering Practice (GEP) requirements contained in the Code of Federal Regulations.

(4) PUBLIC NOTICE AND COMMENT

The Air Pollution Control Officer shall not issue an Authority to Construct for any emission unit subject to the requirements of Subsection (d)(2) or (d)(3) unless the following requirements are satisfied. No later than 10 days after close of the public comment period described in Subsection (d)(4)(i), the applicant may submit written responses to any comment received during the public comment period. Responses submitted by the applicant shall be considered prior to the District taking final action. The applicant's responses shall be made available for review at the District's offices.

(i) **Public Comment Period - General Public**

At least 40 days before taking final action on an application, the Air Pollution Control Officer shall:

(A) provide the public with notice of the proposed action, and

(B) make available for inspection all information relevant to the proposed action as specified in Subsection (d)(4)(iv), and

(C) provide at least a 30-day period within which comments may be submitted, and

(D) consider all comments submitted.

(ii) **Comment Period - California Air Resources Board & Environmental Protection Agency**

At least 40 days before taking final action on an application the Air Pollution Control Officer shall:

(A) provide the California Air Resources Board and the federal Environmental Protection Agency with notice of the proposed action, and

(B) provide at least a 30-day period within which comments may be submitted, and

(C) provide a copy of all of the information specified in Subsection (d)(4)(iv), and

(D) consider all comments submitted.

(iii) **Publication of Notice**

The notice of the proposed action shall be published in at least one newspaper of general circulation in San Diego County. The notice shall:

(A) describe the proposed action, and

(B) identify the location(s) where the public may inspect the information relevant to the proposed action, and

(C) indicate the date by which all comments must be received by the District for consideration prior to taking final action.

(iv) **Information to be Made Available for Public Inspection**

The relevant information to be made available for public inspection shall include:

(A) the application and all analyses used to support the proposed action, support documentation, the District's evaluation, a copy of the draft Authority to Construct or Permit to Operate and any information submitted by the applicant not previously labeled Trade Secret pursuant to Regulation IX, and

(B) the proposed District action on the application, including the preliminary decision to approve, conditionally approve or deny the application and the reasons thereof.

(5) EMISSION OFFSETS

The Air Pollution Control Officer shall not issue an Authority to Construct for any emission unit subject to this rule unless emission offsets are provided on a pollutant specific basis for emission increases of non-attainment air contaminants and their precursors. Emission offsets shall be provided for emission increases for which the stationary source's post-project aggregate potential to emit is equal to or greater than 10 tons per year or as specified below, at the offset ratios specified.

(i) Offset Requirements for VOC and NOx Emission Increases - New or Modified Emission Units

(A) Offset Requirements for VOC and NOx Emission Increases

The VOC emission increase from a new or modified emission unit located at a stationary source with a VOC post-project aggregate potential to emit equal to or greater than 10 tons per year, shall be offset at the offset ratio specified in Table 20.3 - 2.

(B) Offset Requirements for NOx Emission Increases

The NOx emission increase from a new or modified emission unit located at a stationary source with a NOx post-project aggregate potential to emit equal to or greater than 10 tons per year, shall be offset at the offset ratio specified in Table 20.3 - 2

TABLE 20.3 - 2
VOC and NOx Offset Ratio

Stationary Source's Post-Project Aggregate VOC or NOx Potential to Emit	Offset Ratio NOx	Offset Ratio VOC
Potential < 10 tons/year	None	None
10 tons/year ≤ Potential < 25 tons/year	1.10:1.0	1.10:1.0
25 tons/year ≤ Potential < 40 tons/year	1.15:1.0	1.15:1.0
40 tons/year ≤ Potential < 100 tons/year	1.25:1.0	1.25:1.0
Potential ≥ 100 tons/year	1.30:1.0	1.30:1.0

(ii) **Offset Requirements for PM_{10} and SOx Emission Increases - New of Modified Emission Units**

(A) Offset Requirements for SOx Emission Increases

The SOx emission increase from a new or modified emission unit located at a stationary source with a SOx post-project potential to emit equal to or greater than 10 tons per year shall be offset at the offset ratio specified in Table 20.3 - 3.

(B) Offset Requirements for PM_{10} Emission Increases

The PM_{10} emission increase from a new or modified emission unit located at a stationary source with a PM_{10} post-project potential to emit equal to or greater than 10 tons per year shall be offset at the offset ratio specified in Table 20.3 - 3.

TABLE 20.3 - 3
PM_{10} and SOx Offset Ratio

Stationary Source's Post-Project Aggregate PM_{10} or SOx Potential to Emit	Offset Ratio PM_{10}	Offset Ratio SOx
Potential < 10 tons/year	None	None
15 tons/year ≤ Potential < 40 tons/year	1.0:1.0	1.0:1.0
Potential ≥ 40 tons/year	1.0:1.0	1.0:1.0

(C) PM_{10} Waiver Provisions

To qualify for the waiver provisions of Subsection (d)(2)(vii), the following must be satisfied:

(1) For stationary sources with a PM_{10} post-project aggregate potential to emit less than 10 tons per year, emission increases from the new or modified emission unit shall be offset at a ratio of 1.0:1.0.

(2) For stationary sources with a PM_{10} post-project aggregate potential to emit equal to or greater than 10 tons per year but less than 40 tons per year, emission increases from the new or modified emission unit shall be offset at a ratio of 2.0:1.0.

(3) For stationary sources with a PM_{10} post-project aggregate potential to emit equal to or greater than 40 tons per year, emission increases from the new or modified emission unit shall be offset at a ratio of 2.5:1.0.

(iii) **Offset Requirements for CO Emission Increases - New or Modified Emission Units**

(A) Offset Requirements for CO Emission Increases

The CO emission increase from a new or modified emission unit located at a stationary source with a CO post-project potential to emit equal to or greater than 10 tons per year, shall be offset at the offset ratio specified in Table 20.3 - 4.

TABLE 20.3 - 4
CO Offset Ratio

Stationary Source's Post-Project Aggregate CO Potential to Emit	Offset Ratio CO
Potential < 10 tons/year	None
10 tons/year ≤ Potential < 100 tons/year	1.0:1.0
Potential ≥ 100 tons/year	1.0:1.0

(B) CO Offset Requirements May Be Waived

Notwithstanding the offset provisions of Subsection (d)(5)(iii)(A), if an applicant demonstrates to the satisfaction of the Air Pollution Control Officer that the new or modified emission unit will not cause or contribute to a violation, nor interfere with the attainment or maintenance, of any State or National Ambient Air Quality Standard for CO, emission offsets for CO shall not be required. This demonstration shall be performed by means of an air quality impact analysis.

(iv) **Offset Requirements - Essential Public Services**

(A) If emission offsets are required pursuant to Subsection (d)(5)(i) for emission increases resulting from emission units located at essential public services, the Air Pollution Control Officer may allow emission offsets to be provided at an emission offset ratio of 1.0:1.0 for that portion of the emission increase for which the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that:

(1) the emission unit constitutes an essential public service or is part of a stationary source which is an essential public service, and

(2) on a pollutant specific basis, the emission offsets cannot be provided at the offset ratios specified in Table 20.3 - 2 because it can be demonstrated that the cost in dollars per pound of obtaining emission

offsets at that ratio exceeds five times the cost of control measures required to meet stationary source emission standards contained in these rules and regulations.

(B) If the Air Pollution Control Officer determines that the applicant for an essential public service is unable to obtain sufficient emission offsets despite all reasonable efforts, the Air Pollution Control Officer shall do any of the following:

(1) provide the remaining required offsets from a District bank created pursuant to Rule 26.4,

(2) determine that Reasonable Further Progress can be achieved without obtaining the remaining emission offsets, and

(3) recommend to the Air Pollution Control Board that the requirement to provide emission offsets be waived.

(v) **Offset Requirements - New, Modified, Replacement Emission Units for the Purpose of Compliance with Prohibitory Regulations**

(A) If a new, modified or replacement emission unit being installed or modified for the purpose of complying with regulations adopted by the District results in an NOx emission increase for which emission offsets are required pursuant to Subsection (d)(5)(i), the Air Pollution Control Officer may allow emission offsets to be provided at an emission offset ratio of 1.0:1.0 for that portion of the emission increase for which the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that:

(1) the new, modified or replacement emission unit is being installed or modified for the purpose of complying with regulations adopted by the District, and

(2) on a pollutant specific basis, the emission offsets cannot be provided at the offset ratios specified in Table 20.3 - 2 because it can be demonstrated that the cost in dollars per pound of obtaining emission offsets at that ratio exceeds five times the cost of control measures required to meet stationary source emission standards contained in these rules and regulations.

(vi) **Offset Requirements - Portable and Transportable Emission Units**

(A) Portable and Transportable Emission Unit - Addition to a Major Stationary Source, Non-major Pollutants

The addition of a portable or transportable emission unit to a stationary source shall not require emission offsets for any pollutant which is not nor will be major after addition of the portable or transportable emission unit to the stationary source provided the portable or transportable emission unit has undergone initial permit issuance pursuant to Rule 20.2.

(B) Portable and Transportable Emission Unit - Addition to a Stationary Source, Major Pollutants

The addition of a portable or transportable emission unit to a stationary source shall require emission offsets for any pollutant which is major at the stationary source or which will be major after the addition of the portable or transportable emission unit to the stationary source. Emission offsets must be provided for the difference between the offset ratio used for most recent permit issuance of the portable or transportable emission unit and the offset ratio required for the stationary source pursuant to Rule 20.3(d)(5)(i) through (iv) based on the stationary source's post-project aggregate potential to emit, including the portable or transportable emission unit's post-project potential to emit.

(vii) **Offset Requirements - Relocated and Replacement Emission Units**

For each pollutant for which a stationary source has a post-project potential to emit equal to or greater than 10 tons per year, the VOC, NOx, PM_{10}, SOx, or CO emission increase from a relocated or replacement emission unit shall be offset at the offset ratio specified in Tables 20.3 - 2, 20.3 - 3 or 20.3 - 4, as applicable.

(viii) **Interpollutant Offset Ratios**

The Air Pollution Control Officer may allow the use of interpollutant emission offsets at the ratios contained in Table 20.3 - 5 to satisfy the offset requirements of Subsection (d)(5), provided the applicant demonstrates to the satisfaction of the Air Pollution Control Officer, that the air quality impact analysis requirements of Subsection (d)(2) are satisfied for the emission increase. The interpollutant ratios shall be multiplied by the emission offset ratios required by Subsection (d)(5), to determine the final offset ratio.

TABLE 20.3 - 5
Interpollutant Ratio

Emission Increase	Emission Decrease	Interpollutant Ratio
Particulate Matter (PM_{10})	PM_{10}	1.0
	VOC	1.1
	NOx	1.1
	SOx	1.1
Oxides of sulfur (SOx)	SOx	1.0
	PM10	1.1
	VOC	1.1
	NOx	1.1
Oxides of Nitrogen (NOx)	NOx	1.0
	VOC	**To be determined**
Volatile Organic Compounds (VOC)	VOC	1.0
	NOx	**To be determined**

(e) **ADDITIONAL REQUIREMENTS**

(1) **PROHIBITIONS**

(i) **Portable Emission Units**

(A) At any one time, the sum of the potential to emit of all portable emission units located at a stationary source shall not equal or exceed 10 tons per year nor equal or exceed the emission rates listed in Table 20.3 - 1. Additionally, all of the portable emission units located at a stationary source shall not be operated at that stationary source an aggregate of more than 30 days per calendar year.

(B) A portable emission unit shall not be located at a major stationary source unless such emission unit first complies with the requirements of Rule 20.3(d)(5)(vi).

(ii) **Transportable Emission Unit**

(A) At any one time, there shall not be more than one transportable emission unit located at a stationary source. Additionally, all of the transportable emission units located at a stationary source shall not be operated at that stationary source an aggregate of more than 90 days per calendar year.

(B) A transportable emission unit shall not be located at a major stationary source, unless such emission unit first complies with the requirements of Rule 20.3(d)(5)(vi).

AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN DIEGO

NOTICE OF SECOND WORKSHOP FOR DISCUSSION OF PROPOSED AMENDMENTS OF THE NEW SOURCE REVIEW RULES

The San Diego County Air Pollution Control District will hold a second public meeting to consider the adoption of amendments to New Source Review Rules 20.1, 20.2, 20.3, 20.4 and 20.7. Comments regarding the proposed changes may be submitted in writing before or made at the workshop.

The workshop is scheduled as follows:

DATE: Wednesday - September 1, 1993

TIME: 9:00 AM to 12:00 noon
1:30 PM to 5:00 PM

PLACE: Scottish Rite Masonic Center
Joseph Shell Room
1895 Camino del Rio South
San Diego, CA

The District held its first workshop on the proposed changes to its New Source Review rules on November 10, 1992. The latest proposal reflects changes made as a result of comments received from the California Air Resources Board, the federal Environmental Protection Agency and interested parties. In addition, the proposed rules reflect the recent reclassification by the Air Resources Board of the San Diego Air Basin from a severe to a serious ozone nonattainment area. The District will give an overview of the proposed changes and the reasons for them. Comments will be requested on each section of the rules, taking them in numerical order.

The proposed changes to the New Source Review rules are significant in scope and will affect nearly all new or modified equipment requiring District permits, including many relatively small emission sources not previously impacted by New Source Review rules. The majority of the changes are being made to meet the requirements of the 1988 California Clean Air Act and the federal Clean Air Act Amendments of 1990. These include the California Clean Air Act requirement that there be no net increase in emissions from new or modified stationary sources having a potential to emit equal to or greater than 15 tons per year, and the requirements of the federal Clean Air Act for New Source Review for major stationary sources having oxides of nitrogen (NOx) or volatile organic compounds (VOC) emission increases greater than 25 tons per year.

A summary of the changes made from the proposed rules discussed at the first workshop follow:

- The "Applicability" sections of proposed Rules 20.1, 20.2 and 20.3 have been clarified.
- The "Exemption" section of proposed Rule 20.1 has been clarified. The changes include a provision which would exempt from the proposed New Source Review rules any permit application received by the District at least 30 days prior to adoption of the revised NSR rules and deemed complete before the adoption date provided the equipment is not located at a major stationary source. All such applications would remain subject to the existing New Source

Review rules and, if approvable pursuant to those rules, would be issued a non-renewable Authority to Construct valid for a period of not more than one-year.

- The "Definitions" section of proposed Rule 20.1 has been changed for clarification or to address comments of ARB and EPA. Provisions for Lowest Achievable Emission Rate (LAER) have been added to Rules 20.1 and 20.3 at the request of industry, ARB and EPA. Under the proposed definition, LAER will not consider the cost-effectiveness of control equipment. LAER is required only for equipment located at major stationary sources. In addition, the definitions of "related emission units", "stationary source" and "emission units" have all been changed to clarify the District's intent.

- The major stationary source threshold has been increased to 100 tons per year for particulate matter and oxides of sulfur, consistent with federal requirements.

- The Prevention of Significant Deterioration (PSD) stationary source emission threshold has been increased to 100 tons per year for all pollutants except lead, consistent with federal requirements.

- The "Emission Calculations" section of proposed Rule 20.1 has been changed to clarify the District's intent and as a result of EPA comments. The District is also considering clarifying that the potential to emit is to be calculated on a pound per day and ton per year basis. **The District is requesting specific comments on this issue with respect to possible effects, if any, on recordkeeping requirements and enforceability of the NSR provisions.**

- The "Air Quality Impact Analysis" sections of Rules 20.2 and 20.3 have been changed. The District has added clarification regarding AQIA requirements for particulate matter. The District has also proposed to increase the maximum allowable impact for particulate matter sources requesting waiver of the state PM_{10} AQIA provisions and has added a fixed offset ratio of 2:0 to 1.0 for such sources. However, concern has been expressed by members of industry that the revised proposal does not adequately alleviate the difficulty that projects emitting PM_{10} are having demonstrating compliance with the state PM_{10} ambient air quality standard. **The District is requesting specific comments regarding the AQIA PM_{10} impact waiver proposal and the relative PM_{10} impacts of process emissions, storage pile emissions and haul road emissions.**

- The PSD provisions have been clarified and other changes have been made, as necessary, to address EPA comments. The District has added the federal requirement for five year aggregation of contemporaneous emissions changes for determining applicability for PSD modifications.

- Pursuant to changes by the California Air Resources Board to the District's ozone nonattainment classification, the trigger for requiring emission offsets for new or modified stationary sources has been increased from 10 tons per year to 15 tons per year. Only those stationary sources with a potential to emit 15 tons per year or more of any criteria pollutant would be required to obtain emission offsets for emission increases at the stationary source.

- The alternative offset provisions for essential public services in Rule 20.3 have been modified as a result of ARB comments and have been deleted from Rule 20.4 as a result of EPA comments.

- The alternative offset provisions for equipment installed pursuant to prohibitory regulations have been deleted as a result of industry and EPA comments.

- The District is not yet able to propose an interpollutant offset ratio for ozone precursors. The District will provide additional discussion of this issue at the workshop.

- A new Rule 20.4 for portable emission units has been added. All requirements referencing transportable equipment and most of the requirements applicable to portable emission units previously contained in Rules 20.1 through 20.3 have been deleted. Rule 20.4 will not limit the number or aggregate emissions of portable emission units at stationary sources. Portable emission units would be limited to a total 180 days at the same stationary source within a consecutive 12 month period. Existing units which exceed this 180 days will be considered as relocated emission units.

- New and modified portable emission units would be required to apply BACT and provide emission offsets at specified ratios. Rule 20.4 includes provisions which would allow portable equipment offset requirements to be satisfied through draw-downs from an emission offset pool created by the owner or operator of such equipment.

- The District has not done so with the proposed modifications, but is considering including provisions which would automatically change the major stationary source emission thresholds for oxides of nitrogen and volatile organic compounds from 25 tons per year to 50 tons per year should the federal Environmental Protection Agency reclassify the Air Basin from a "severe" to a "serious" federal ozone nonattainment area. **The District is requesting specific comments regarding the advantages and disadvantages of including such provisions.**

If you would like a copy of the proposed changes to the New Source Review rules, please contact Juanita Ogata at (619) 694-8851. If you have any questions concerning the proposed changes, please contact Alberto Abreu at (619) 694-3310, Michael Lake at (619) 694-3313 or me at (619) 694-3303.

for RICHARD J. SMITH
Deputy Director

RJSm:AA:jo
07/29/93

AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN DIEGO

PROPOSED AMENDMENTS TO NEW SOURCE REVIEW RULES 20.1, 20.2, 20.3 AND 20.4

2ND WORKSHOP
SEPTEMBER 1, 1993

Existing Rules 20.1, 20.2, 20.3, 20.4 and 20.7 are deleted in their entirety and consolidated into proposed new Rules 20.1, 20.2, 20.3 and 20.4 to read as follows (See Attached).

RULE 20.1
NEW SOURCE REVIEW
GENERAL PROVISIONS

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RULE 20.1
NEW SOURCE REVIEW RULE
GENERAL PROVISIONS

(a) APPLICABILITY

Except as provided in Rule 11 or Section (b) of this rule, this rule applies to any new or modified emission unit, any replacement emission unit, any relocated emission unit~~,~~ or any portable ~~or any transportable~~ emission unit ~~being moved from one stationary source to another,~~ for which an Authority to Construct or Permit to Operate is required pursuant to Rule 10 or Rule 20.4, or for which a Determination of Compliance is required pursuant to Rule 20.5.

(b) EXEMPTIONS

Except as provided in Subsection (b)(1), the provisions of Rules 20.1, 20.2, ~~and~~ 20.3 and 20.4 shall not apply to:

(1) Any emission unit for which a permit is required solely due to a change in Rule 11, provided the unit was operated in San Diego County at any time within one-year prior to the date on which the permit requirements became applicable to the unit and provided a District permit application for the unit is submitted within one-year after the date upon which permit requirements became applicable to the unit. An emission unit to which this subsection applies, shall be included in the calculation of a stationary source's aggregate potential to emit, as provided in Subsection (d)(1)(ii).

(2) The following changes, unless previously limited by permit conditions, ~~or,~~ i If not limited by permit conditions, the following changes shall be exempt only if there is no ~~such changes do not result in an~~ emission increase ~~in the potential to emit~~ of any air contaminant including those not previously emitted:

(i) Repair or routine maintenance of an existing emission unit.

(ii) A change of ownership.

(iii) An increase in the hours of operation.

(iv) Use of alternate fuel or raw material.

(3) Portable and stationary abrasive blasting equipment for which the California Air Resources Board has established standards pursuant to Sections 41900 and 41905 of the Health and Safety Code, and which comply with the requirements of 17 CCR 92000 et seq. This exemption shall not apply if the abrasive blasting equipment would be, by itself, a major stationary source, nor to any equipment used in conjunction with the abrasive blasting equipment the use of which may cause the issuance of air contaminants.

(4) Oxides of nitrogen (NOx) emission increases from new, modified or replacement emission units subject to the requirements of Rule 69(d)(9) ~~and operated by a utility, as defined in Rule 69, or by a company in which a utility has a controlling interest,~~ shall not

be subject to the offset provisions of Rules 20.2(d)(5) ~~and~~ or 20.3(d)(5). Only those oxide of nitrogen (NOx) emission increases in compliance with Rule 69 and associated with generating capacity which the California Energy Commission or California Public Utilities Commission has determined a need for shall be eligible for this exemption.

(5) Pending applications for Authority to Construct or modified Permit to Operate received on or before *(31 days prior to date of adoption)*, provided that:

(i) the application was deemed complete before *(date of adoption)*, and

(ii) the application is not for equipment located at a major stationary source, and

(iii) construction pursuant to an Authority to Construct will be completed within one year after issuance of the Authority to Construct.

Such applications shall be subject to the provisions of Rules 20.1, 20.2, 20.3, 20.4, and 20.7 as they were in effect prior to *(date of adoption)*.

(c) DEFINITIONS

For purposes of Rules 20.1, 20.2, 20.3, 20.4 and 20.5, the following definitions shall apply:

(1) "**Actual Emissions**" means the emissions of an emission unit calculated pursuant to Subsection (d)(2) ~~of this rule~~.

(2) "**Actual Emission Reductions**" means emission reductions which are real, ~~permanent,~~ surplus, enforceable, and quantifiable and may be permanent or temporary in duration. Actual emission reductions shall be ~~determined~~ calculated pursuant to ~~as provided for in~~ Subsection (d)(4)~~(ii)~~.

(3) "**Aggregate Potential to Emit**" means the sum of the post-project potential to emit of all emission units at the stationary source, calculated ~~as contained in~~ pursuant to Section (d) ~~of this rule~~.

(4) "**Air Quality Impact Analysis (AQIA)**" means an analysis of the air quality impacts of the air contaminant emissions from an emission unit or a stationary source, as applicable, conducted by means of modeling or other method as the Air Pollution Control Officer and the federal Environmental Protection Agency may approve. An air quality impact analysis shall include, but not be limited to, an analysis of the impacts on State and National Ambient Air Quality Standards.

(5) "**Air Quality Increment**" means any of the following maximum allowable cumulative increases in air contaminant concentration within an impact area (see Tables 20.1-1 and 20.1-2).

TABLE 20.1 - 1
Air Quality Increments
(Class I Areas)

Nitrogen Dioxide (NO_2)	
Annual arithmetic mean	2.5 $\mu g/m^3$
Sulfur Dioxide (SO_2)	
Annual arithmetic mean	2.0 $\mu g/m^3$
24-hr. maximum	5.0 $\mu g/m^3$
3-hr. maximum	25.0 $\mu g/m^3$
Particulate Matter (PM_{10})	
Annual arithmetic mean	4.0 $\mu g/m^3$
24-hr. maximum	8.0 $\mu g/m^3$

TABLE 20.1 - 2
Air Quality Increments
(Class II Areas)

Nitrogen Dioxide (NO_2)	
Annual arithmetic mean	25.0 $\mu g/m^3$
Sulfur Dioxide (SO_2)	
Annual arithmetic mean	20.0 $\mu g/m^3$
24-hr. maximum	91.0 $\mu g/m^3$
3-hr. maximum	512.0 $\mu g/m^3$
Particulate Matter (PM_{10})	
Annual arithmetic mean	17.0 $\mu g/m^3$
24-hr. maximum	30.0 $\mu g/m^3$

(6) "**Attainment**" means designated as attainment of the National Ambient Air Quality Standards pursuant to Section 107(d)(1)(D) or (E) of the federal Clean Air Act or of the State Ambient Air Quality Standards pursuant to Section 39608 of the California Health and Safety Code, as applicable.

(7) "**Baseline Concentration**" means the ambient concentration of an air contaminant for which there is an air quality increment, which existed in an impact area on the major and non-major source baseline dates. As specified by 40 CFR §52.19(b)(13), the baseline concentration includes the impact of actual emissions from any stationary source in existence on the baseline date and the impacts from the potential to emit of PSD stationary sources which commenced construction but were not in operation by the baseline date. The baseline concentration excludes impacts of actual emission increases and decreases at any stationary source occurring after the baseline date and actual emissions from any PSD stationary source which commenced construction after January 6, 1975. There are two baseline concentrations for any given impact area, a baseline concentration as of the major source baseline date and a baseline concentration as of the non-major source baseline date.

(8) "**Baseline Date**" means either the major source baseline date or non-major source baseline date, as applicable.

(9) "**Best Available Control Technology (BACT)**" means the lowest emitting of any of the following. In no event shall application of best available control technology result in the emission of any air contaminant which would exceed the emissions allowed by any District rule or regulation, or by any applicable standard under 40 CFR Part 60 (New Source Performance Standards) or 40 CFR Part 61 (National Emission Standards for Hazardous Pollutants).:

(i) The most stringent emission limitation, or the most effective emission control device or control technique, which has been proven in field application and which is cost-effective for such emission unit category, or

(ii) Any emission control device, emission limitation or control technique determined by the Air Pollution Control Officer to be technologically feasible and cost-effective, or

(iii) Any alternative basic equipment, replacement of an emission unit with a lower emitting emission unit, installation of control equipment, process modifications, changes in raw material including alternate fuels, and substitution of equipment or processes with alternative equipment or processes determined by the Air Pollution Control Officer on a case-by-case basis to be technologically feasible and cost-effective, including transfers of technology from another category of source, or

(iv) The most stringent emission limitation, or the most effective emission control device or control technique, contained in any State Implementation Plan (SIP) approved by the federal Environmental Protection Agency for such emission unit category, unless the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that such limitation or technique has not been proven in field application or that it is not cost-effective.

(10) "**Class I Area**" means any area designated as Class I under Title I, Part C of the federal Clean Air Act. As of *(date of adoption)*, the Agua Tibia National Wilderness Area was the only area so designated within San Diego County. As of *(date of adoption)*, the following ~~areas~~ were the only designated Class I areas ~~so designated~~ within 100 km of San Diego County (see Table 20.1-3 ~~and Figure 20.1-1~~):

TABLE 20.1 - 3
Class I Areas

Class I Area	Approximate Location
Agua Tibia Wilderness Area	San Diego County
Cucamonga Wilderness Area	80 km North - San Bernardino County
Joshua Tree Wilderness Area	40 km NE - Riverside County
San Gabriel Wilderness Area	90 km NW - Los Angeles County
San Gorgonio Wilderness Area	70 km North - San Bernardino County
San Jacinto Wilderness Area	30 km North - Riverside County

(11) "**Class II Area**" means any area not designated as a Class I area ~~(see Figure 20.1-1)~~.

(12) "**Contemporaneous Emissions Increase**" means the sum of emission increases and emission reductions occurring at a stationary source within the preceding five years from the date the subject application was deemed complete, including all complete applications under District review.

(~~12~~ 13) "**Contiguous Property**" means two or more parcels of land with a common boundary or separated solely by a public or private roadway or other public or private right-of-way. Non-adjoining parcels of land separated solely by bodies of water designated "navigable" by the U.S. Coast Guard, shall not be considered contiguous properties.

(~~13~~ 14) "**Cost-Effective**" means that the annualized cost in dollars per pound of emissions of air contaminant(s) reduced does not exceed the highest cost per pound of emissions of other control measures required to meet stationary source emission standards contained in these rules and regulations, for the specific air contaminant(s) under considera tion, multiplied by the BACT Cost Multiplier indicated ~~below (see~~ in Table 20.1 - ~~4~~). When determining the highest cost per pound of emissions of other control measures, the cost of measures used to comply with the requirements of New Source Review shall be excluded.:

~~**FIGURE 20.1 - 1**~~

(Figure 20.1-1 has been deleted.)

TABLE 20.1 - 4
BACT Cost Multiplier

Stationary Source's Post-Project Aggregate Potential to Emit	BACT Cost Multiplier
Potential ≤ ~~10~~ 15 tons/year	1.1
~~10 tons/year ≤ Potential < 25 tons/year~~	~~1.5~~
Potential ≥ ~~25~~ 15 tons/year	~~3.0~~ 1.5

(~~14~~ 15) "**Emergency Equipment**" means an emission unit used to drive an electrical generator ~~for the exclusive purpose of providing electrical power due to failure of the serving utility~~ or ~~to drive~~ a pump ~~for the exclusive purpose of pumping water or other liquid for extinguishing fires~~ in emergency situations. ~~In order to be classified as emergency equipment, the emission unit shall operate only during emergency situations, except for maintenance operation.~~ Except for operation for maintenance purposes, ~~Emission~~ emission units ~~used for fire fighting training or~~ not used exclusively ~~for~~ during emergency situations ~~purposes~~ shall not be considered emergency equipment. Maintenance operation shall be limited to no more than 52 hours per year. Emission units used for supplying power for distribution to an electrical grid shall not be considered emergency equipment. ~~Additionally, an emergency equipment emission unit whose post-project potential to emit during maintenance operation is equal to or greater than five tons per year shall not be considered emergency equipment.~~

(16) "**Emergency Situation**" means an unforeseen electrical power failure from the serving utility or of on-site electrical transmission equipment such as a transformer, an unforeseen flood or fire, or a life-threatening situation. In addition, operation of emergency generators at Federal Aviation Administration licensed airports for the purpose of providing power in anticipation of a power failure due to severe storm activity shall be considered an emergency situation. Emergency situations do not include operation for purposes of supplying power for distribution to an electrical grid, operation for training purposes, or other foreseeable event.

(~~15~~ 17) "**Emission Increase**" means an increase in the potential to emit, calculated pursuant to Subsection (d)(3).

(~~16~~ 18) "**Emission Unit**" means any article, machine, equipment, contrivance, process or process line, ~~including related emission units, under one permit, and~~ which emit(s) or reduce(s) or may emit or reduce the emission of any air contaminant.

(~~17~~ 19) "**Emission Offsets**" means emission reductions calculated pursuant to Subsection (d)(5).

(~~18~~ 20) "**Enforceable**" means can be enforced by the District, the California Air Resource Board and the federal Environmental Protection Agency through either SIP revisions or by inclusion of conditions on a permit.

(~~19~~ 21) "**Essential Public Services**" means any of the following, ~~as determined by the Air Pollution Control Officer~~:

(i) Water, wastewater and wastewater-sludge treatment plants which are publicly owned or are public-private partnerships under public control, excluding facilities processing hazardous materials.

(ii) ~~Municipal~~ Solid waste landfills and ~~municipal~~ solid waste recycling facilities which are publicly owned or are public-private partnerships under public control, not including trash to energy facilities or facilities processing hazardous waste.

(~~20~~ 22) "**Federal Land Manager**" means the National Park Service's Western Regional Director, ~~and~~ the U.S. Forest Service's Pacific Southwest Regional Air Program Manager and the U.S. Fish and Wildlife Service.

(~~19~~ 23) "**Fugitive Emissions**" means those quantifiable emissions which ~~do~~ could not reasonably pass through a stack, chimney, flue, vent or other functionally equivalent opening.

(~~22~~ 24) "**Impact Area**" means the circular area with the emission unit as the center and having a radius extending to the furthest point where a significant impact is expected to occur.

(~~23~~ 25) "**Increment Consuming**" means emission increases which consume an air quality increment. Emission increases which consume increment are those not accounted for in the baseline concentration, including:

(i) Actual emission increases occurring at any major stationary source after the major source baseline date, and

(ii) Actual emission increases from any non-major stationary source, area source, or mobile source occurring after the non-major source baseline date.

(~~24~~ 26) "**Increment Expanding**" means actual emission reductions which increase an available air quality increment. Actual ~~Emission~~ emission reductions which increase available increment include:

(i) actual emission ~~decreases~~ reductions occurring at any major stationary source after the major source baseline date, and

(ii) actual emission reductions from any non-major stationary source, area source, or mobile source occurring after the non-major source baseline date.

~~(25) "**Initial Permit Issuance**" means the first instance an Authority to Construct is issued to an emission unit pursuant to the *(date of adoption)* version of Rules 20.1, 20.2 and 20.3.~~

(27) "**Lowest Achievable Emission Rate**" means the same as Best Available Control Technology, except that cost-effectiveness shall not be considered.

(~~26~~ 28) "**Major Source Baseline Date**" means January 6, 1975 for sulfur dioxide (SO_2) and particulate matter (PM_{10}), and February 8, 1988 for nitrogen dioxide (NO_2).

(~~27~~ 29) "**Major Stationary Source**" means any 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 ~~(see~~ listed in Table 20.1 - 5~~)~~:

TABLE 20.1 - 5
Major Stationary Source

Air Contaminant:	Emission Rate (Ton/yr)
Particulate Matter (PM_{10})	~~15~~ 100
Oxides of Nitrogen (NOx)	25
Volatile Organic Compounds (VOC)	25
Oxides of Sulfur (SOx)	~~40~~ 100
Carbon Monoxide (CO)	100
Lead (Pb)	0.6

(~~28~~ 30) "**Modeling**" means the use of an applicable California Air Resources Board or federal Environmental Protection Agency approved air quality model to estimate ambient concentrations of air contaminants or to evaluate other air quality related data. Applicable state or federal guidelines shall be followed when performing modeling.

(~~29~~ 31) "**Modified Emission Unit**" means any physical or operational change which results or may result in an increase in an emission unit's potential to emit, including those air contaminants not previously emitted. The following shall not be considered a modified emission unit, provided such a change is not limited by permit condition ~~and provided such a change, if not limited by permit condition,~~ and the change does not result in an increase in the potential to emit of any air contaminant including those not previously emitted:

(i) The movement of a portable ~~or transportable~~ emission unit from one stationary source to another~~, provided operating the emission unit at the new location does not result in an increase in the portable or transportable emission unit's potential to emit~~.

(ii) Repair or routine maintenance of an existing emission unit.

(iii) An increase in the hours of operation.

(iv) Use of alternate fuel or raw material.

(~~30~~ 32) "**Modified Stationary Source**" means a stationary source where a new or modified emission unit is or will be located or where a change in the aggregation of emission units occurs, including, but not limited to, the movement of a relocated emission unit to or from a stationary source, or where a modification of an existing unit occurs. The following shall not be considered a modification of a stationary source: ~~, provided the replacement, or portable or transportable emission unit does not increase the potential to emit of any other emission unit at the stationary source~~

(i) The replacement of an emission unit, provided there is no increase in the unit's potential to emit or in the potential to emit of any other unit at the stationary source.

(ii) The movement to or from the stationary source of any portable ~~or transportable~~ emission unit, provided there is no increase in the potential to emit of any other unit at the stationary source.

(~~31~~ 33) "**National Ambient Air Quality Standards (NAAQS)**" means maximum allowable ambient air concentrations for specified air contaminants and monitoring periods as established by the federal Environmental Protection Agency (see Table 20.1 - 6).

(~~32~~ 34) "**New Emission Unit**" means any of the following:

(i) Any emission unit not constructed, installed~~,~~ or operated in San Diego County as of *(date of adoption)*, or which does not hold a valid Authority to Construct or Permit to Operate from the District, except as provided for in Subsection (b)(1).~~Any emission unit constructed, installed or operated without first obtaining a permit shall not be considered a new emission unit if it was exempt from Rule 10 permit requirements at the time construction or installation was completed or operation commenced and has since lost its permit exempt status due solely to a change in Rule 11 requirements.~~

(ii) Any emission unit which was inactive for a one-year period or more and which did not hold a valid Permit to Operate during ~~the~~ that period.

(~~33~~ 35) "**New Major Stationary Source**" means a new or modified stationary source which was not major before the modification or new construction.

(~~34~~ 36) "**New Stationary Source**" means a stationary source which prior to the project under review, did not contain any other permitted equipment.

(~~35~~ 37) "**Non-Criteria Pollutant Emissions Significance Level**" means a contemporaneous ~~an~~ emissions increase ~~from~~ occurring at any new or modified ~~emission unit located at a major~~ PSD stationary source, equal to or greater than the amounts listed ~~below~~ (~~see~~ in Table 20.1 - 7~~)~~.

TABLE 20.1 - 7
Non-Criteria Pollutant Emissions Significance Levels

Air contaminant:	Emission Rate (Ton/yr)
Asbestos	0.007
Beryllium	0.0004
Fluorides	3
Hydrogen Sulfide (H_2S)	~~5~~ 10
Mercury	0.1
Reduced Sulfur Compounds	~~5~~ 10
Sulfuric Acid Mist	~~3~~ 7
Vinyl Chloride	1
Trichlorofluoromethane (CFC-11)	0.0
Dichlorodifluoromethane (CFC-12)	0.0
(CFC-112)	0.0
Dichlorotetrafluoroethane (CFC-114)	0.0
Chloropentafluoroethane (CFC-115)	0.0
Bromochlorodifluoromethane (Halon - 1191)	0.0
Bromotrifluoromethane (Halon - 1301)	0.0
Dibromotetrafluoroethane (Halon - 2402)	0.0

(~~36~~ 38) "**Non-Major Source Baseline Date**" means December 8, 1983 for sulfur dioxide (SO_2). For particulate matter (PM_{10}) and nitrogen dioxide (NO_2), the non-major source baseline date is the date after August 7, 1977 or February 8, 1988, respectively, when the first Authority to Construct application for any stationary source which will be a PSD Major Stationary Source for PM_{10} or NOx or which is a PSD Major Modification for PM_{10} or NOx as applicable, is deemed complete. As of *(date of adoption)*, neither the particulate matter nor the nitrogen dioxide non-major source baseline date have ~~had not~~ been established.

(~~37~~ 39) "**Offset Ratio**" means the ~~stipulated~~ required proportion of emission offsets to emission increases, as specified in Rules 20.2, ~~or~~ 20.3 or 20.4.

(~~38~~ 40) "**Particulate Matter (PM_{10})**" means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 microns as measured by an applicable reference test method or methods found in Article 2, Subchapter 6 Title 17, of the California Code of Regulations Section 94100 et seq.

(~~39~~ 41) "**Permanent**" means enforceable and which will exist for an unlimited ~~specified~~ period of time. ~~, whether limited or unlimited in duration~~.

(~~40~~ 42) "**Portable Emission Unit**" means an emission unit which is designed and equipped to be easily movable and, as installed, easily capable of being moved from one stationary source to another, as determined by the Air Pollution Control Officer. Portable emission units are periodically moved and may not be operated more than 180 days at any one stationary source within any consecutive 12 month period. In order for an emission unit to qualify as a portable emission unit, the applicant must request such a classification. Emission units intended to be used exclusively at one stationary source shall not be considered portable emission units. Emission units which exceed the 180 day limit will be considered as relocated equipment and will be subject to the applicable requirements for relocated emission units contained in Rules 20.1, 20.2 and 20.3. ~~The portable emission unit must have a potential to emit not greater than 10 tons per year of any single air contaminant and cannot be operated for more than 30 cumulative calendar days per year at any one stationary source. An emission unit which exceeds the 10 ton per year or 30 day per year criteria may qualify as a transportable emission unit if it meets the definition of transportable emission unit and the applicant requests such a classification.~~

(~~41~~ 43) "**Post-Project Potential to Emit**" means an emission unit's potential to emit after issuance of an Authority to Construct for the proposed project, calculated pursuant to Section (d). ~~The post-project potential to emit reflects an emission unit's potential to emit after the application of best available control technology.~~

(~~42~~ 44) "**Potential to Emit**" means the maximum quantity of air contaminant emissions, including fugitive emissions, that an emission unit is capable of emitting or permitted to emit, calculated pursuant to Section (d).

(~~43~~ 45) "**Precursor Air Contaminants**" means any air contaminant which forms or contributes to the formation of a secondary air contaminant for which an ambient air quality standard exists. For purposes of this rule, ~~The~~ the precursor relationships are ~~(see~~ listed in Table 20.1 - 8~~)~~:

TABLE 20.1 - 8
Precursor Air Contaminants

Precursor Air Contaminant	Secondary Air Contaminant
NOx	NO_2 * PM_{10} Ozone
VOC	PM_{10} Ozone
SOx	SO_2 PM_{10}

(~~44~~ 46) "**Pre-Project Actual Emissions**" means an emission unit's actual emissions prior to issuance of an Authority to Construct for the proposed project, calculated pursuant to Section (d).

(~~45~~ 47) "**Pre-Project Potential to Emit**" means an emission unit's potential to emit prior to issuance of an Authority to Construct for proposed project, calculated pursuant to Section (d).

(~~46~~ 48) "**Project**" means ~~one or more new, modified, replacement, relocated, portable, or transportable, emission units~~ an emission unit for which an application for Authority to Construct or modified Permit to Operate is under District review.

(~~47~~ 49) "**Proven in Field Application**" means demonstrated to be reliable, ~~(~~in continuous compliance~~)~~ and ~~effective (~~maintaining a stated emission level~~)~~ for a period of at least one year, as determined by the Air Pollution Control Officer.

(48 50) "**PSD ~~Major~~ Modification**" means a contemporaneous emissions increase occurring at a ~~new or~~ modified ~~emission unit, located at a major~~ PSD stationary source ~~, which results in an emissions increase~~ equal to or greater than the amounts listed ~~below (see~~ in Table 20.1 - ~~9~~) :

TABLE 20.1 - 9
PSD ~~Major~~ Modification

Air contaminant:	Emission Rate (Ton/yr)
Particulate Matter (PM_{10})	15
Oxides of Nitrogen (NOx)	40
Volatile Organic Compounds (VOC)	40
Oxides of Sulfur (SOx)	40
Carbon Monoxide (CO)	100
Lead and Lead Compounds (Pb)	0.3

(~~49~~ 51) "**PSD ~~Major~~ Stationary Source**" means any 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 ~~(see~~ listed in Table 20.1 - ~~10~~):

TABLE 20.1 - 10
PSD ~~Major~~ Stationary Source

Air Contaminant:	Emission Rate (Ton/yr)
Particulate Matter (PM_{10})	~~15~~ 100
Oxides of Nitrogen (NOx)	~~25~~ 100
Volatile Organic Compounds (VOC)	~~25~~ 100
Oxides of Sulfur (SOx)	~~40~~ 100
Carbon Monoxide (CO)	100
Lead (Pb)	0.6

(~~50~~ 52) "**Quantifiable**" means that a reliable basis for calculating the amount, rate, nature and characteristics of an emission reduction can be established, as determined by the Air Pollution Control Officer.

(~~51~~ 53) "**Related Emission Units**" means emission units where the operation of one emission unit is dependent upon, or affects the process or operation (~~including~~ which may include duration of operation) of another emission unit, as determined by the Air Pollution Control Officer.

(~~52~~ 54) "**Relocated Emission Unit**" means a currently permitted emission unit or grouping of such units, which is to be moved within San Diego County from one stationary source to another stationary source. The moving of a portable ~~or transportable~~ emission unit shall not be considered a relocated emission unit.

(~~53~~ 55) "**Replacement Emission Unit**" means an emission unit which supplants another emission unit where the replacement emission unit serves the same function and purpose as the emission unit being replaced, as determined by the Air Pollution Control Officer. Identical replacements as specified in Rule 11 shall not be considered to be a replacement emission unit.

(~~54~~ 56) "**Secondary Emissions**" means emissions which would result in a significant impact in the impact area of the emissions unit and which emissions would occur as a result of the construction, ~~or~~ operation or modification of a major stationary source ~~or a major modification at a stationary source~~, but which are not directly emitted from any emission unit at the stationary source. Except as provided below, secondary emissions exclude emissions which come directly from mobile sources. Secondary emissions include, but are not limited to:

(i) Emissions from ships or trains coming to or from the stationary source, unless such emissions are regulated by Title II of the federal Clean Air Act, and

(ii) Emission increases from any emission unit at a support facility not located at the stationary source, but which would not otherwise be constructed or increase emissions, and

(iii) Emissions from any emission unit~~,~~ mounted on a ship, boat, barge, train, truck or trailer, where the operation of the emission unit is dependent upon, or affects the process or operation (including duration of operation) of any emission unit located on the stationary source.

(~~55~~ 57) "**Significant Impact**" means an increase in ambient air concentration, resulting from ~~the~~ emission increases at a new or modified stationary source including secondary emissions, equal to or greater than any of the ~~following~~ levels ~~(see~~ listed in Tables 20.1 - 11 and 20.1 - 12~~)~~:

TABLE 20.1 - 11
A Stationary Source Impacting Any Class I Area

Particulate Matter (PM_{10})	
24-hr maximum	1.0 $\mu g/m^3$
Nitrogen Dioxide (NO_2)	
24-hr. maximum	1.0 $\mu g/m^3$
Sulfur Dioxide (SO_2)	
24-hr. maximum	1.0$\mu g/m^3$
Carbon Monoxide (CO)	
24-hr. maximum	1.0 $\mu g/m^3$

TABLE 20.1 - 12
A Stationary Source Impacting Any Class II Area

Particulate Matter (PM_{10})	
Annual arithmetic mean	1.0 $\mu g/m^3$
24-hr. maximum	5.0 $\mu g/m^3$
Nitrogen Dioxide (NO_2)	
Annual arithmetic mean	1.0 $\mu g/m^3$
Sulfur Dioxide (SO_2)	
Annual arithmetic mean	1.0 $\mu g/m^3$
24-hr. maximum	5.0 $\mu g/m^3$
Carbon Monoxide (CO)	
8-hr. maximum	500.0 $\mu g/m^3$
1-hr. maximum	2000.0 $\mu g/m^3$

~~(56) **"Special Event Emission Unit Group"** means an aggregation of portable or transportable emission units to be used for the sole purpose of supporting or staging a public event such as an air show, regatta, fair or other event occurring no more than once per calendar year at a stationary source, and operated for a period of not more than 15 days at a stationary source. The aggregation of portable or transportable emission units shall be grouped temporarily under one permit and be limited to a potential to emit of not more than the emission rates listed in Table 20.2 - 1 or Table 20.3 - 1.~~

(~~57~~ 58) **"State Ambient Air Quality Standards (SAAQS)"** means the maximum allowable ambient air concentrations for specified air contaminants and monitoring periods as established by the California Air Resources Board (see Table 20.1 - 6).

(~~58~~ 59) "**Stationary 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. ~~Emission units which are on the same or contiguous property but which are not under the same ownership or entitlement to use and which are not related, shall not be considered a single stationary source.~~ Related emission units on the same or contiguous property shall also be considered to be part of the stationary source regardless of the ownership or entitlement to use of the emission unit or property. Stationary sources also include those emission units or aggregation of emission units located in the California Coastal Waters.

(~~59~~ 60) "**Surplus**" means in excess of the State Implementation Plan, federal Clean Air Act and California Clean Air Act requirements, Regional Air Quality Strategy, of any District, State or federal law, rule, regulation, order or permit condition, and in excess of emission reductions which have been banked or otherwise committed for air quality purposes.

(61) "**Temporary**" means enforceable, existing and valid for a specified, limited period of time.

(~~60~~) ~~"**Transportable Emission Unit**" means an emission unit designed and equipped to be capable of being moved from one stationary source to another, as determined by the Air Pollution Control Officer. In order for an emission unit to qualify as a transportable emission unit, the applicant must request such a classification. The transportable emission unit must not, by itself, constitute a major stationary source nor be operated at any one stationary source for more than 90 cumulative calendar days per year. Emission units installed in a configuration which makes the emission unit not easily movable, as determined by the Air Pollution Control Officer, shall not be considered to be a transportable emission unit.~~

(~~61~~ 62) "**Volatile Organic Compound (VOC)**" means any volatile compound containing at least one atom of carbon excluding methane, carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonates, and exempt compounds. Exempt compound means any of the ~~following (see~~ compounds listed in Table 20.1 - 13~~)~~:

TABLE 20.1 - 13
~~VOC~~ Exempt Compounds

Chlorodifluoromethane (HCFC-22)
Dichlorotrifluoroethane (HCFC-123)
2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124)
Pentafluoroethane (HFC-125)
1,1,2,2-tetrafluoroethane (HFC-134)
Tetrafluoroethane (HFC-134a)
Dichlorofluoroethane (HCFC-141b)
Chlorodifluoroethane (HCFC-142b)
1,1,1-trifluoroethane (HFC-143a)
1,1-difluoroethane (HFC-152a)
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
Methylene chloride
1,1,1-trichloroethane
Trifluoromethane (HFC-23)
Trichlorofluoromethane (CFC-11)
Dichlorodifluoromethane (CFC-12)
Trichlorotrifluoroethane (CFC-113)
Dichlorotetrafluoroethane (CFC-114)
Chloropentafluoroethane (CFC-115)
Tetrachloroethylene (perchloroethylene)

(d) EMISSION CALCULATIONS

(1) POTENTIAL TO EMIT

The potential to emit of each air contaminant shall be calculated on an hourly, daily and yearly basis. ~~If an emission unit's pre-project potential to emit is not limited by specific limiting conditions contained in a permit, the emission unit's pre-project potential to emit shall be determined pursuant to Subsection (d)(1)(i).~~

(i) Calculation of Potential to Emit

Except as provided in Subsections (d)(1)(i)(A) and (B), the potential to emit shall be calculated based on the maximum design capacity or other operating conditions which reflect the maximum potential emissions, including fugitive emissions.

(A) Permit Limitations Shall be Used

If specific limiting conditions contained in an Authority to Construct or Permit to Operate restrict or will restrict emissions to a lower level, these limitations shall be used to calculate the potential to emit.

(B) Potential to Emit Shall Not Exceed Maximum Potential

If specific conditions limiting a unit's pre-project potential to emit are not contained in an Authority to Construct or Permit to Operate, ~~The~~ the pre-project potential to emit ~~may~~ shall be limited to the emission unit's actual emissions or ~~any other~~ to a lower level of emissions, as the applicant and the Air Pollution Control Officer may agree, provided ~~the level of emissions does not exceed the emission unit's maximum potential emissions and~~ such limitation is enforceable through permit conditions and does not violate any District, state or federal law, rule, regulation, order or permit condition. The Air Pollution Control Officer may base the pre-project potential to emit on the highest level of emissions occurring during a one year period within the five year period preceding the receipt date of the application, provided that the emission level was not in excess of any District, state or federal law, rule, regulation, order or permit condition. If the potential to emit is being determined for purposes of calculating an actual emission reduction, the provisions of Subsection (d)(2) shall apply.

(ii) **Calculation of Aggregate Potential to Emit - Stationary Source**

Except as provided for below in Subsections (d)(1)(ii)(A), (B), and (C), the aggregate potential to emit of a stationary source shall be calculated as the sum of the post-project potential to emit of all emission units permitted for the stationary source, including ~~permitted and unpermitted~~ emission units under District review for permit and those to which Subsection (b)(1) applies.

(A) Permit Exempt Equipment

The potential to emit of emission units exempt from permit requirements by Rule 11 shall not be included in the aggregate potential to emit of a stationary source, unless the applicant and the Air Pollution Control Officer agree to place all such ~~an~~ emission units which would be classified under the same class or category of source under permit for purposes of creating emission reduction credits. In such case, the potential to emit of each such emission unit shall be included in the stationary source's aggregate potential to emit.

(B) Emergency Equipment

The potential to emit from the maintenance operation of emergency equipment shall be included in the calculation of a stationary source's aggregate potential to emit. The potential to emit from operation of emergency equipment during emergency situations shall be excluded from the calculation of a stationary source's aggregate potential to emit.

(C) Portable ~~and Transportable~~ Emission Units

Portable ~~and transportable~~ emission units shall be excluded from the calculation of a stationary source's aggregate potential to emit.

(2) **ACTUAL EMISSIONS**

Actual emissions are calculated based on the actual operating history of the emission unit.

(i) **Time Period for Calculation**

(A) Actual emissions of an existing emission unit shall be calculated on an operating hour, day and year basis averaged over the most representative two consecutive years ~~period~~ within the five years preceding the ~~date of~~ receipt date of an application, as determined by the Air Pollution Control Officer.

(B) For emission units which have not been operated ~~during~~ for a consecutive two-year period which is representative of actual operations within the five years preceding the ~~date of~~ receipt date of the application, the calculation of actual emissions shall be based on ~~the longest continuous operational~~ any two-year operating ~~time~~ period determined by the Air Pollution Control Officer to be representative ~~of actual operations~~ within that five-year period. If a representative two year operating time period does not exist, the calculation of actual emissions shall be based on the total operational time period within that five-year period. ~~In no case shall a period of less than six months be used to determine actual emissions.~~

(ii) **Time Periods Less Than Six Months - Potential to Emit**

For determining potential to emit, actual emissions for emission units operated for a period less than six months shall be based on the longest operating time period determined by the Air Pollution Control Officer to be most representative of actual operations.

~~For emission units operated for a period less than six months, the following shall apply:~~

~~(A) For determining actual emission reductions, the emission unit shall be considered to have no actual emissions.~~

~~(B) For determining potential to emit, the emission unit's actual emissions shall be based on the longest operating time period determined by the Air Pollution Control Officer to be most representative of actual operations.~~

(iii) **For Purposes of Actual Emission Reductions**

For determining actual emission reductions, actual emissions for emission units operated for a period less than two years shall be calculated as the unit's actual emissions times the actual operating time period in days divided by 730 days.

(ii iv) **Adjustments ~~Due to Rule Violations~~**

(A) Adjustments for Rule Violations

If an emission unit was operated in violation of any District, state or federal law, rule, regulation, order or permit condition during the period used to determine actual emissions, the actual emissions shall be adjusted to reflect the level of emissions which would have occurred if the emission unit had not been in violation.

(B) Adjustments for Federal RACT

Actual emission reductions shall exclude emission reductions which would have occurred had Reasonably Available Control Technology requirements promulgated pursuant to the 1990 federal Clean Air Act Amendments been applied.

(3) **EMISSION INCREASE**

An emission unit's emission increase shall be calculated as follows:

(i) **New Emission Units**

Emission increases from a new emission unit shall be calculated by using the potential to emit for the emission unit.

(ii) **Modified Emission Units**

Emission increases from a modified emission unit shall be calculated as the emission unit's post-project potential to emit minus the emission unit's pre-project potential to emit.

(iii) **Relocated Emission Units**

Emission increases from a relocated emission unit shall be calculated as the emission unit's post-project potential to emit minus the emission unit's pre-project potential to emit.

(iv) **Replacement Emission Units**

Emission increases from a replacement emission unit shall be calculated as the replacement emission unit's post-project potential to emit minus the existing emission unit's pre-project potential to emit.

(v) **Portable Emission Units**

Emission increases from a portable emission unit shall be calculated as the emission unit's post-project potential to emit minus the emission unit's pre-project potential to emit.

~~(vi) Transportable Emission Units~~

~~Emission increases from a transportable emission unit shall be calculated as the emission unit's post-project potential to emit minus the emission unit's pre-project potential to emit.~~

(4) **EMISSION REDUCTION - POTENTIAL TO EMIT & ACTUAL EMISSION REDUCTION**

An emission unit's emission reduction shall be calculated as follows:

(i) **Reduction in the Potential to Emit**

(A) Modified Emission Unit

Reduction in the potential to emit for a modified emission unit shall be calculated as the emission unit's pre-project potential to emit minus the emission unit's post-project potential to emit.

(B) Relocated Emission Unit

Reduction in the potential to emit for a relocated emission unit shall be calculated as the emission unit's pre-project potential to emit minus the emission unit's post-project potential to emit.

(C) Replacement Emission Unit

Reduction in the potential to emit for a replacement emission unit shall be calculated as the existing emission unit's pre-project potential to emit minus the replacement emission unit's post-project potential to emit.

(D) Portable Emission Unit

Reduction in the potential to emit for a portable emission unit shall be calculated as the emission unit's pre-project potential to emit minus the emission unit's post-project potential to emit.

~~(E) Transportable Emission Unit~~

~~Reduction in the potential to emit for a transportable emission unit shall be calculated as the emission unit's pre-project potential to emit minus the emission unit's post-project potential to emit.~~

(ii) **Actual Emission Reduction**

Notwithstanding any other provision of this rule, actual emissions shall be calculated pursuant to Subsection (d)(2) for purposes of determining an actual emission reduction. An actual emission reduction must be real, ~~permanent,~~ surplus, enforceable ~~and~~ quantifiable and may be permanent or temporary in duration. A temporary actual

emission reduction shall be identified as temporary and shall include a specific date beyond which the reductions are no longer valid.

(A) Shutdowns

Actual emission reductions from the shutdown of an emission unit shall be calculated based on the emission unit's pre-project actual emissions.

(B) Modified Emission Unit

Actual emission reductions from a modified emission unit shall be calculated as the emission unit's pre-project actual emissions minus the emission unit's post-project potential to emit.

(C) Relocated Emission Unit

Actual emission reductions from a relocated emission unit shall be calculated as the emission unit's pre-project actual emissions minus the emission unit's post-project potential to emit.

(D) Replacement Emission Unit

Actual emission reductions from a replacement emission unit shall be calculated as the existing emission unit's pre-project actual emissions minus the replacement emission unit's post-project potential to emit.

(E) Portable Emission Unit

Actual emission reductions from a portable emission unit shall be calculated as the emission unit's pre-project actual emissions minus the emission unit's post-project potential to emit.

~~(F) Transportable Emission Unit~~
~~Actual emission reductions from a transportable emission unit shall be calculated as the emission unit's pre-project actual emissions minus the emission unit's post-project potential to emit.~~

(5) **EMISSION OFFSETS**

Emission offsets are actual emission reductions which are provided to mitigate emission increases. Emission offsets must meet the applicable criteria specified in Rules 20.1, 20.2, ~~and~~ 20.3 and 20.4.

(i) Emission offsets shall consist of actual emission reductions ~~real, permanent, surplus, enforceable and quantifiable emission reductions,~~ calculated in accordance with Subsection (d)(4)(ii) or shall be Class 'A' Emission Reduction Credits pursuant to Rule 26.0 et seq. In order to be considered an emission offset, actual ~~E~~ emission reductions or Emission Reduction e Credits ~~shall be enforceable and permanent~~ must be valid for the life of the emission increase which they are offsetting.

(ii) In order to qualify as an emission offset, actual emission reductions shall be banked pursuant to District Banking Rules 26.0 et seq., unless the actual emission reductions are being proposed to offset emission increases occurring concurrently at the stationary source., ~~in~~ In ~~which~~ such a case, the Air Pollution Control Officer may choose to administratively forego the issuance of Emission Reduction Credits.

(iii) Emission offsets shall be in effect and enforceable at the time of startup of the emission unit requiring the offsets. Emission offsets shall be federally enforceable if the source is major for the pollutant for which offsets are being provided. If interpollutant offsets are being provided, the offsets shall be federally enforceable if the pollutant they are offsetting is major.

(iv) Emission offsets shall be provided on a ton per year basis.

(v) Emission offsets shall be located in San Diego County.

(e) OTHER PROVISIONS

(1) CONTINUITY OF EXISTING PERMITS

All of the conditions contained in any ~~existing~~ Authority to Construct or Permit to Operate issued prior to *(date of adoption)* shall remain valid and enforceable for the life of the Authority to Construct or Permit to Operate, unless specifically modified by the District.

RULE 20.2
NEW SOURCE REVIEW
NON - MAJOR STATIONARY SOURCES

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RULE 20.2
NEW SOURCE REVIEW
NON-MAJOR STATIONARY SOURCES

(a) APPLICABILITY

This rule applies to any new or modified stationary source, to any new or modified emission unit~~,~~ and to any relocated~~, portable or transportable~~ emission unit being moved from ~~one~~ a stationary source ~~to another~~, ~~which~~ provided that after completion of the project, the stationary source is not a major stationary source. ~~nor a major modification and will not be located at a major stationary source.~~

(b) EXEMPTIONS

The exemptions contained in Rule 20.1, Section (b) apply to this rule.

(c) DEFINITIONS

The definitions contained in Rule 20.1, Section (c) apply to this rule.

(d) STANDARDS

(1) BEST AVAILABLE CONTROL TECHNOLOGY (BACT)

The Air Pollution Control Officer shall deny an Authority to Construct for any emission unit subject to this rule unless the applicant demonstrates that the following requirements will be satisfied:

(i) New or Modified Emission Units

Any new or modified emission unit which has ~~results in~~ any ~~emission~~ increase in its potential to emit and which unit has a post-project potential to emit of ten ~~of five~~ pounds per day or more of particulate matter (PM_{10}), oxides of nitrogen (NOx), volatile organic compounds (VOC), oxides of sulfur (SOx), or carbon monoxide (CO), shall be equipped with best available control technology (BACT) for each such air contaminant. BACT shall apply only to the increase in the emission unit's potential to emit.

(ii) Relocated or Replacement Emission Units

Any relocated or replacement emission unit with a post-project potential to emit ~~five~~ of ten pounds per day or more of particulate matter ~~PM_{10}~~, oxides of nitrogen ~~NOx~~, volatile organic compounds ~~VOC~~, oxides of sulfur ~~SOx~~, or carbon monoxide ~~CO~~, shall be equipped with best available control technology for each such air contaminant.

~~(iii)~~ ~~**Portable Emission Units**~~

~~At initial permit issuance, any portable emission unit with a potential to emit five pounds per day or more of PM_{10}, NOx, VOC, SOx, or CO, shall be equipped with best available control technology for each such air contaminant.~~

~~(iv)~~ ~~**Transportable Emission Units**~~

~~At initial permit issuance, any transportable emission unit with a potential to emit five pounds per day or more of PM_{10}, NOx, VOC, SOx, or CO, shall be equipped with best available control technology for each such air contaminant.~~

(2) **AIR QUALITY IMPACT ANALYSIS (AQIA)**

The Air Pollution Control Officer shall deny an Authority to Construct for any emission unit subject to this rule unless ~~the applicant demonstrates that~~ the following requirements are satisfied. ~~Modeling shall be used to conduct any air quality impact analysis.~~

(i) **AQIA for New or Modified Emission Unit**

For each new or modified emission unit which results in an emission increase equal to or greater than any of the amounts listed in Table 20.2 - 1, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that the new or modified emission unit will not cause or contribute to a violation of any ~~State~~ state or national ambient air quality standard nor interfere with the attainment or maintenance of those standards. ~~An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.~~ If a particulate matter air quality impact analysis is required, the AQIA shall include both directly emitted particulate matter and particulate matter which would be formed by precursor air contaminants, and would be measured by San Diego APCD Modified Test Method 5.

TABLE 20.2 - 1
AQIA Trigger Levels

Air Contaminant	Emission Rate (lb/hr)	Emission Rate (lb/day)
Particulate Matter (PM_{10})	---	~~85~~ 80
Oxides of Nitrogen (NOx)	25	250
Oxides of Sulfur (SOx)	25	250
Carbon Monoxide (CO)	100	550
Lead and Lead Compounds	0.3	0.6

(ii) **AQIA for Replacement Emission Units**

For each replacement emission unit which results in an emission increase equal to or greater than any of the amounts listed in Table 20.2-1, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that the replacement emission unit will not cause or contribute to a violation of any ~~State~~ state or national ~~Ambient Air Quality Standard~~ ambient air quality standard nor interfere with the attainment or maintenance of those standards. ~~An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.~~ If a particulate matter air quality impact analysis is required, the AQIA shall include both directly emitted particulate matter and particulate matter which would be formed by precursor air contaminants, and would be measured by San Diego APCD Modified Test Method 5.

(iii) **AQIA for Relocated~~, Portable or Transportable~~ Emission Units**

Prior to issuance of a permit allowing a relocated~~, portable or transportable~~ emission unit to move from one stationary source to another, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that operating the emission unit at the new location will not cause or contribute to a violation ~~, nor interfere with the attainment or maintenance,~~ of any ~~State~~ state or national ~~Ambient Air Quality Standard~~ ambient air quality standard nor interfere with the attainment or maintenance of those standards. This demonstration is required for each air contaminant for which the relocated~~, portable or transportable~~ emission unit has a potential to emit equal to or greater than the amounts listed in Table 20.2-1. ~~An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.~~ If a particulate matter air quality impact analysis is required, the AQIA shall include both directly emitted particulate matter and particulate matter which would be formed by precursor air contaminants, and would be measured by San Diego APCD Modified Test Method 5.

~~(iv) AQIA for Special Event Emission Unit Group (SEEUG)~~

~~Prior to issuance of a permit for a special event emission unit group, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that operating the special event emission unit group will not cause or contribute to a violation, nor interfere with the attainment or maintenance, of any State or National Ambient Air Quality Standard. This demonstration is required for each air contaminant for which the special event emission unit group has a potential to emit equal or greater than the amounts listed in Table 20.2-1. An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.~~

~~(A) Temporary Limitation on Existing Emission Units~~

~~With the written concurrence of the permit holder, the Air Pollution Control Officer may temporarily place limitations on the operation of any existing emission unit(s) at the stationary source where a special event emission unit group is to be located, for the duration of the period the special event emission unit group is located at the stationary source. Such limitation(s) in operation shall be taken into account in performing the air quality impact analysis required by Subsection (d)(2)(iv).~~

(iv) **AQIA May be Required**

Notwithstanding any other requirements of this rule, the Air Pollution Control Officer may require an air quality impact analysis for any new or modified stationary source or any emission unit if the stationary source or emission unit may be expected to cause or contribute to a violation of any ~~State~~ state or national ~~Ambient Air Quality Standard~~ ambient air quality standard or ~~if it may be expected to~~ interfere with the attainment or maintenance of those standards.

(vi) **AQIA not Required for NOx Impacts on Ozone**

Notwithstanding the requirements of Subsections (d)(2)(i), (ii), or (iii) ~~or (iv),~~ a demonstration shall not be required for determining the impacts from an emission unit's oxides of nitrogen ~~NOx~~ emissions on the ~~State~~ state or national ~~Ambient Air Quality Standard~~ ambient air quality standard for ozone, unless the Air Pollution Control Officer determines that adequate procedures exist for determining the impacts of oxides of nitrogen ~~NOx~~ emissions from point sources on ozone ambient air quality standards~~,~~ and that such procedures are acceptable to the California Air Resources Board or the federal Environmental Protection Agency.

(vii) **AQIA Requirements for PM_{10} Impacts May be Waived**

Notwithstanding the requirements of Subsection (d)(2)(i), (ii), or (iii) ~~or (iv),~~ the Air Pollution Control Officer may waive the air quality impact analysis requirements for particulate matter ~~PM_{10}~~ impacts on the ~~State Ambient Air Quality Standard~~ state ambient air quality standard, provided the new, modified or relocated emission unit will result in a particulate matter air quality impact of less than 5 $\mu g/m^3$ (24-hour average basis), and emission increases are offset at a ratio of 2.0 to 1.0 in accordance with Subsection (d)(5)(ii)(C). ~~:~~ In no case shall the Air Pollution Control Officer waive the air quality impact analysis requirements for particulate matter ~~PM_{10}~~ impacts on the ~~National Ambient Air Quality Standard~~ national ambient air quality standards.

~~(A) the new or modified emission unit will result in a maximum PM_{10} air quality impact of 1 $\mu g/m^3$ (24-hour average basis); and~~

~~(B) the requirements of Subsections (d)(4) and (d)(5), including (d)(5)(ii)(C), are satisfied; and~~

~~(C) the best available control technology or lowest achievable emission rate requirements of Subsection (d)(1) as applicable are satisfied.~~

(3) **PREVENTION OF SIGNIFICANT DETERIORATION (PSD)**

The Air Pollution Control Officer shall not issue an Authority to Construct for any emission unit which is expected to have a significant impact on any Class I area, as determined by an air quality impact analysis required pursuant to Subsection (d)(2), unless the following requirements are satisfied. The Air Pollution Control Officer shall:

~~The Air Pollution Control Officer shall deny an Authority to Construct for any emission unit subject to this rule unless the applicant demonstrates that the following requirements are satisfied.~~

~~(i) Non-Major Source Applicability~~

~~The following provisions shall apply to any emission unit which is expected to have a significant impact on any Class I area, as determined by an air quality impact analysis required pursuant to Subsection (d)(2):~~

~~(A) The requirements of Subsection (d)(4) shall be satisfied, and~~

(~~B~~ i) **Federal Land Manager and federal EPA Notification**

Notify ~~The~~ the Federal Land Manager and the federal Environmental Protection Agency ~~have been be notified in writing~~ . This notification shall include ~~and~~ all of the information specified by Subsection (d)(4)(iv), ~~has been submitted. In addition to providing~~ the location of the emission unit, the approximate distance from all Class I areas within 100 km of San Diego County (as specified in Table 20.1 - 3) and the results of the air quality impact analysis ~~shall be provided~~, and

(~~C~~ ii) **CARB, SCAQMD and Imperial County APCD Notification**

Notify and submit to ~~The~~ the California Air Resources Board, the South Coast Air Quality Management District and the Imperial County Air Pollution Control District ~~have been notified and have been provided~~ the information specified in Subsection (d)(4)(iv).

(4) **PUBLIC NOTICE AND COMMENT**

The Air Pollution Control Officer shall not issue an Authority to Construct for any emission unit subject to the requirements of Subsection (d)(2) or (d)(3), unless the following requirements are satisfied. ~~No later than 10 days after close of the public comment period described in Subsection (d)(4)(i), the applicant may submit written responses to any~~

~~comment received during the public comment period. Responses submitted by the applicant shall be considered prior to the District taking final action. The applicant's responses shall be made available for review at the District's offices.:~~

(i) **Public Comment Period**

At least 40 days before taking final action on an application subject to the requirements of Subsection (d)(2) or (d)(3), the Air Pollution Control Officer shall:

(A) provide the public with notice of the proposed action in the manner prescribed by Subsection (d)(4)(iii), and

(B) make available for public inspection all information relevant to the proposed action as specified in Subsection (d)(4)(iv), and

(C) provide at least a 30-day period within which comments may be submitted, and

(D) consider all comments submitted.

~~(ii) **Comment Period - California Air Resources Board and Federal Environmental Protection Agency**~~

~~At least 40 days before taking final action on an application subject to the requirements of Subsection (d)(2) or (d)(3), the Air Pollution Control Officer shall:~~

~~(A) provide the California Air Resources Board and the federal Environmental Protection Agency with notice of the proposed action, and~~

~~(B) provide at least 30-day period within which comments may be submitted, and~~

~~(C) provide a copy of all of the information specified in Subsection (d)(4)(iv), and~~

~~(D) consider all comments submitted.~~

(ii) **Applicant Response**

No later than ten days after close of the public comment period, the applicant may submit written responses to any comment received during the public comment period. Responses submitted by the applicant shall be considered prior to the Air Pollution Control Officer taking final action. The applicant's responses shall be made available for public review.

(iii) **Publication of Notice**

The Air Pollution Control Officer shall publish a A notice of the proposed action ~~has been published~~ in at least one newspaper of general circulation in San Diego County. The notice shall:

(A) describe the proposed action, and

(B) identify the location(s) where the public may inspect the information relevant to the proposed action, and

(C) indicate the date by which all comments must be received by the District for consideration prior to taking final action.

(iv) **Information to be Made Available for Public Inspection**

The relevant information to be made available for public inspection shall include but not be limited to:

(A) the application and all analyses and documentation used to support the proposed action, ~~support documentation,~~ the District's compliance evaluation, a copy of the draft Authority to Construct or Permit to Operate and any information submitted by the applicant not previously labeled Trade Secret pursuant to Regulation IX, and

(B) the proposed District action on the application, including the preliminary decision to approve, conditionally approve or deny the application and the reasons thereof.

(5) **EMISSION OFFSETS**

The Air Pollution Control Officer shall not issue an Authority to Construct for any emission unit subject to this rule unless emission offsets are provided on a pollutant specific basis for emission increases of non-attainment air contaminants and their precursors. Emission offsets shall be provided for emission increases for which the stationary source's post-project aggregate potential to emit is equal to or greater than ~~10~~ 15 tons per year, ~~or~~ as specified below~~, at the offset ratios specified~~. Interpollutant offsets may be used, provided such offsets meet the requirements of Subsection (d)(5)(vi).

(i) **Offset Requirements for VOC and NOx Emission Increases - New or Modified Emission Units**

(A) Offset Requirements for VOC Emission Increases

The volatile organic compound (VOC) emission increase from a new or modified emission unit located at a stationary source with a volatile organic compound ~~VOC~~ post-project aggregate potential to emit equal to or greater than ~~10~~ 15 tons per year, shall be offset at the offset ratio specified in Table 20.2 - 2.

(B) Offset Requirements for NOx Emission Increases

The oxides of nitrogen (NOx) emission increase from a new or modified emission unit located at a stationary source with a oxides of nitrogen ~~NOx~~ post-

project aggregate potential to emit equal to or greater than ~~10~~ 15 tons per year, shall be offset at the offset ratio specified in Table 20.2 - 2

TABLE 20.2 - 2
VOC and NOx Offset Ratio

Stationary Source's Post-Project Aggregate VOC or NOx Potential to Emit	Offset Ratio NOx	VOC
Potential < ~~10~~ 15 tons/year	None	None
~~10~~ 15 tons/year ≤ Potential < 25 tons/year	~~1.10~~ 1.0:1.0	~~1.10~~ 1.0:1.0
Potential ≥ 25 tons/year	Rule 20.3 applies	

(ii) **Offset Requirements for PM_{10} and SOx Emission Increases - New or Modified Emission Units**

(A) Offset Requirements for SOx Emission Increases

The oxides of sulfur (SOx) emission increase from a new or modified emission unit located at a stationary source with a oxides of sulfur ~~SOx~~ post-project aggregate potential to emit equal to or greater than ~~10~~ 15 tons per year shall be offset at the offset ratio specified in Table 20.2 - 3.

(B) Offset Requirements for PM_{10} Emission Increases

The particulate matter (PM_{10}) emission increase from a new or modified emission unit located at a stationary source with a particulate matter ~~PM_{10}~~ post-project aggregate potential to emit equal to or greater than ~~10~~ 15 tons per year shall be offset at the offset ratio specified in Table 20.2 - 3.

TABLE 20.2 - 3
PM_{10} and SOx Offset Ratio

Stationary Source's Post-Project Aggregate PM_{10} or SOx Potential to Emit	Offset Ratio PM_{10}	SOx
Potential < ~~10~~ 15 tons/year	None	None
~~10~~ 15 tons/year ≤ Potential < ~~40~~ 100 tons/year	1.0:1.0	1.0:1.0
~~15 tons/year ≤ Potential < 40 tons/year~~	~~Rule 20.3~~	~~1.0:1.0~~
Potential ≥ ~~25~~ 100 tons/year	Rule 20.3 applies	

(C) PM_{10} Waiver Provisions

To qualify for the AQIA waiver provisions of Subsection (d)(2)(~~vii~~ vi), emission offsets for particulate matter (PM_{10}) must be provided at a 2.0 to 1.0 offset ratio. ~~the following must be satisfied:~~

~~(1) For stationary sources with a PM_{10} post-project aggregate potential to emit less than 10 tons/year, emission increases from the new or modified emission unit shall be offset at a ratio of 1.0:1.0.~~

~~(2) For stationary sources with a PM_{10} post-project aggregate potential to emit equal to or greater than 10 tons/year, emission increases from the new or modified emission unit shall be offset at ratio of 2.0:1.0.~~

(iii) **Offset Requirements for CO Emission Increases - New or Modified Emission Units**

(A) Offset Requirements for CO Emission Increases

The carbon monoxide (CO) emission increase from a new or modified emission unit located at a stationary source with a carbon monoxide ~~CO~~ post-project aggregate potential to emit equal to or greater than ~~10~~ 15 tons per year, shall be offset at the offset ratio specified in Table 20.2 - 4.

TABLE 20.2 - 4
CO Offset Ratio

Stationary Source's Post-Project Aggregate CO Potential to Emit	Offset Ratio CO
Potential < ~~10~~ 15 tons/year	None
~~10~~ 15 tons/year ≤ Potential < 100 tons/year	1.0:1.0
Potential ≥ ~~25~~ 100 tons/year	Rule 20.3 applies

(B) CO Offset Requirements May Be Waived

Notwithstanding the offset provisions of Subsection (d)(5)(iii)(A), if an applicant demonstrates to the satisfaction of the Air Pollution Control Officer, by means of an air quality impact analysis, that the new or modified emission unit will not cause or contribute to a violation, nor interfere with the attainment or maintenance, of any ~~State~~ state or ~~National~~ national ~~Ambient Air Quality Standard~~ ambient air quality standard for carbon monoxide ~~CO~~, emission offsets for carbon

monoxide ~~CO~~ shall not be required. ~~This demonstration shall be performed by means of an air quality impact analysis.~~

(~~iv~~ ii) **Offset Requirements - Relocated and Replacement Emission Units**

For each pollutant for which a stationary source has a post-project potential to emit equal to or greater than ~~10~~ 15 tons per year, the volatile organic compounds ~~VOC~~, oxides of nitrogen ~~NOx~~, particulate matter ~~PM_{10}~~, oxides of sulfur ~~SOx~~, or carbon monoxide ~~CO~~ emission increase from a relocated or replacement emission unit shall be offset at the offset ratio specified in Tables 20.2 - 2, 20.2 - 3 or 20.2 - 4, as applicable.

(i v) **Offset Requirements - Essential Public Services**

(A) If emission offsets are required pursuant to Subsection (d)(5)(i) through (iii) for emission increases ~~resulting~~ from new or modified emission units located at essential public services, the Air Pollution Control Officer may allow emission offsets to be provided at an emission offset ratio lower than that specified, ~~of 1.0:1.0~~ for that portion of the emission increase for which the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that:

(1) the emission unit constitutes an essential public service ~~or is part of a stationary source which is an essential public service~~, and

(2) on a pollutant specific basis, the emission offsets cannot be provided at the offset ratios specified in Subsection (d)(5)(i) through (iii) ~~Table 20.2-2~~ because it can be demonstrated that the cost in dollars per pound of obtaining emission offsets at that ratio exceeds five times the cost of control measures required to meet stationary source emission standards contained in these rules and regulations.

(B) If the Air Pollution Control Officer ~~determines~~ finds, pursuant to Subsection (d)(5)(v), that the applicant for an essential public service is unable to obtain sufficient emission offsets despite all reasonable efforts, the Air Pollution Control Officer ~~shall~~ may do any of the following:

(1) provide the remaining required offsets from a District bank created pursuant to Rule 26.4,

(2) determine that Reasonable Further Progress can be achieved without obtaining the remaining emission offsets and demonstrate that a no net increase permit program from sources which emit 15 tons per year or more is being achieved,

(3) notify ~~recommend to~~ the Air Pollution Control Board that the essential public service project cannot be approved because of the applicant's inability to obtain emission offsets in an amount necessary to satisfy the offset ratio requirements of this rule. The Air Pollution Control Officer can make specific recommendations for revising the State Implementation Plan (SIP) and measures which the Board could adopt in order to ensure that there will be a no net increase in permitted emissions. ~~requirement to provide emission offsets be waived.~~

~~(v) Offset Requirements - New, Modified, Replacement Emission Units for the Purpose of Compliance with Prohibitory Regulations~~

~~(A) If a new, modified or replacement emission unit being installed or modified for the purpose of complying with regulations adopted by the District results in an NOx emission increase for which emission offsets are required pursuant to Subsection (d)(5)(i), the Air Pollution Control Officer may allow emission offsets to be provided at an emission offset ratio of 1.0:1.0 for that portion of the emission increase for which the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that:~~

~~(1) the new, modified or replacement emission unit is being installed or modified for the purpose of complying with regulations adopted by the District, and~~

~~(2) on a pollutant specific basis, the emission offsets cannot be provided at the offset ratios specified in Table 20.2-2 because it can be demonstrated that the cost in dollars per pound of obtaining emission offsets at that ratio exceeds five times the cost of control measures required to meet stationary source emission standards contained in these rules and regulations.~~

~~(vi) Offset Requirements - Portable and Transportable Emission Units~~

~~(A) Transportable Emission Unit - Initial Permit Issuance~~

~~At the time of initial permit issuance, the VOC, NOx, PM_{10}, SOx, and CO potential to emit from a transportable emission unit, shall be offset at the offset ratio specified in Tables 20.2-2, 20.2-3 and 20.2-4, as applicable. The offset ratio to be used shall be based on the transportable emission unit's post-project potential to emit. Those air contaminants for which the transportable emission unit has a post-project potential to emit less than 10 tons per year, shall be offset at a 1.0:1.0 offset ratio.~~

~~(B) Portable and Transportable Emission Units - Modifications After Initial Permit Issuance~~

~~(1) Portable Emission Units~~

~~If the post-project potential to emit of a modified portable emission unit is equal to or greater than 10 tons per year, the emission unit shall be classified as a transportable emission unit and shall satisfy the requirements of Subsection (d)(5)(vi)(A) for all pollutants.~~

~~(2) Transportable Emission Unit~~

~~After initial permit issuance, the VOC, NOx, PM_{10}, SOx, or CO emission increase from a modified transportable emission unit, shall be offset at the offset ratio specified in Tables 20.2-2, 20.2-3 or 20.2-4 as applicable. The offset ratio to be used shall be based on the emission unit's post project potential to emit. Those air contaminants for which the transportable emission unit has a post-project potential to emit less than 10 tons per year shall be offset at a 1.0:1.0 offset ratio, if there is an emission increase in that pollutant.~~

~~(C) Portable and Transportable Emission Units - Addition to a Stationary Source~~

~~Except as provided for in Subsection(e)(1), the addition of a portable or transportable emission unit to a stationary source shall not require emission offsets, provided the portable or transportable emission unit has undergone initial permit issuance.~~

(vi ii) **Interpollutant Offset Ratios**

The Air Pollution Control Officer may allow the use of interpollutant emission offsets at the ratios ~~contained~~ specified in Table 20.2 - 5 to satisfy the offset requirements of Subsection (d)(5), provided the applicant demonstrates to the satisfaction of the Air Pollution Control Officer, that the air quality impact analysis requirements of Subsection (d)(2), as applicable, are satisfied for the emission increase. The interpollutant ratios shall be multiplied by the emission offset ratios required by Subsection (d)(5) to determine the final offset ratio.

TABLE 20.2 - 5
Interpollutant Offset Ratio

Emission Increase	Emission Decrease	Interpollutant Ratio
Particulate Matter (PM_{10})	PM_{10}	1.0
	VOC	1.1
	NOx	1.1
	SOx	1.1
Oxides of sulfur (SOx)	SOx	1.0
	PM_{10}	1.1
	VOC	1.1
	NOx	1.1
Oxides of Nitrogen (NOx)	NOx	1.0
	VOC	**To be determined**
Volatile Organic Compounds (VOC)	VOC	1.0
	NOx	**To be determined**

~~(e) ADDITIONAL REQUIREMENTS~~

~~(1) PROHIBITIONS~~

~~(i) Portable Emission Units~~

~~(A) At any one time, the sum of the potential to emit of all portable emission units located at a stationary source shall not equal or exceed 10 tons per year nor equal or exceed the emission rates listed on Table 20.2 – 1. Additionally, all of the portable emission units located at a stationary source shall not be operated at that stationary source an aggregate of more than 30 days per calendar year.~~

~~(B) A portable emission unit shall not be located at a major stationary source unless such emission unit first complies with the requirements of Rule 20.3(d)(5)(vi).~~

~~(ii) Transportable Emission Unit~~

~~(A) At any one time, there shall not be more than one transportable emission unit located at a stationary source. Additionally, all of the transportable emission units located at a stationary source shall not be operated at that stationary source an aggregate of more than 90 days per calendar year.~~

~~(B) A transportable emission unit shall not be located at a major stationary source, unless such emission unit first complies with the requirements of Rule 20.3(d)(5)(vi).~~

RULE 20.3
NEW SOURCE REVIEW
MAJOR STATIONARY SOURCES
AND
PSD STATIONARY SOURCES

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RULE 20.3
NEW SOURCE REVIEW
MAJOR STATIONARY SOURCES
PSD STATIONARY SOURCES

(a) APPLICABILITY

This rule applies to any new or modified major stationary source ~~;~~ , to any new or modified emission unit and to any relocated emission unit being moved from a stationary source, if, after completion of the project, the stationary source will be a major stationary source, or a ~~to any major modification; including new or modified~~ PSD ~~major~~ stationary source. ~~s and PSD major modifications; to any non-major stationary source which will become a major stationary source after modification of the stationary source; to any emission unit, including any relocated emission unit, portable or transportable emission unit being moved from one stationary source to another which is or will be a major stationary source~~.

(b) EXEMPTIONS

The exemptions contained in Rule 20.1, Section (b) apply to this rule.

(c) DEFINITIONS

The definitions contained in Rule 20.1, Section (c) apply to this rule.

(d) STANDARDS

(1) BEST AVAILABLE CONTROL TECHNOLOGY (BACT) AND LOWEST ACHIEVABLE EMISSION RATE (LAER)

The Air Pollution Control Officer shall deny an Authority to Construct for any emission unit ~~located at any major stationary source,~~ subject to this rule unless the applicant demonstrates that the following requirements will be satisfied:

(i) New or Modified Emission Units

Any new or modified emission unit which has ~~results in an~~ any ~~emission~~ increase in its potential to emit and which unit has a post-project potential to emit ten ~~of five~~ pounds per day or more of particulate matter (PM_{10}), oxides of nitrogen (NOx), volatile organic compounds (VOC), oxides of sulfur (SOx), ~~or~~ carbon monoxide (CO), or lead (Pb) shall be equipped with best available control technology (BACT) for each such air contaminant. Lowest achievable emission rate (LAER) shall be required instead of BACT for those air contaminants and their precursors for which the stationary source is major and for which the District is classified as non-attainment of a national ambient air quality standard.

(ii) **New or Modified Emission Units - Non-Criteria Pollutants**

Any new or modified emission unit at a PSD stationary source, which emission unit results in a emission increase equal to or greater than the non-criteria pollutant emissions significance levels, shall be equipped with best available control technology for each such air contaminant.

(iii) **Relocated or Replacement Emission Units**

Any relocated or replacement emission unit with a post-project potential to emit ~~five~~ of ten pounds per day or more of particulate matter PM_{10}, oxides of nitrogen ~~NOx~~, volatile organic compounds ~~VOC~~, oxides of sulfur ~~SOx~~, carbon monoxide ~~CO~~, or lead shall be equipped with best available control technology (BACT) for each such air contaminant. Lowest achievable emission rate (LAER) shall be required instead of BACT for those air contaminants and their precursors for which the stationary source is major and for which the District is classified as non-attainment of a national ambient air quality standard.

~~(iv) Portable Emission Units~~

~~Any portable emission unit to be located at a major stationary source shall first comply with the initial permit issuance requirements for portable emission units of Rule 20.2.~~

~~(v) Transportable Emission Units~~

~~Any transportable emission unit to be located at a major stationary source shall comply with the initial permit issuance requirements for transportable emission units of Rule 20.2.~~

(2) AIR QUALITY IMPACT ANALYSIS (AQIA)

The Air Pollution Control Officer shall deny an Authority to Construct for any emission unit subject to this rule unless ~~the applicant demonstrates that~~ the following requirements are satisfied. ~~Modeling shall be used to conduct any air quality impact analysis.~~

(i) **AQIA for New or Modified Units**

For each new or modified emission unit which results in an emissions increase equal to or greater than any of the amounts listed in Table 20.3 - 1, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that the new or modified emission unit will not cause or contribute to a violation of any ~~State or National Ambient Air Quality Standard~~ state or national ambient air quality standard nor interfere with the attainment or maintenance of those standards. ~~An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.~~ If a particulate matter air quality impact analysis is required, the AQIA shall include both directly emitted particulate matter and particulate matter which would be formed by precursor air contaminants, and would be measured by San Diego APCD Modified Test Method 5.

TABLE 20.3 - 1
AQIA Trigger Levels

Air Contaminant	Emission Rate (lb/hr)	Emission Rate (lb/day)
Particulate Matter (PM_{10})	---	~~85~~ 80
Oxides of Nitrogen (NOx)	25	250
Oxides of Sulfur (SOx)	25	250
Carbon Monoxide (CO)	100	550
Lead and Lead Compounds	0.3	0.6

(ii) **AQIA for Replacement Emission Units**

For each replacement emission unit which results in an emission increase equal to or greater than any of the amounts listed in Table 20.3 - 1, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that the replacement emission unit will not cause or contribute to a violation of any ~~State or National Ambient Air Quality Standard~~ state or national ambient air quality standard nor interfere with the attainment or maintenance of those standards. ~~An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.~~ If a particulate matter air quality impact analysis is required, the AQIA shall include both directly emitted particulate matter and particulate matter which would be formed by precursor air contaminants, and would be measured by San Diego APCD Modified Test Method 5.

(iii) **~~AQIA for Relocated, Portable or Transportable Emission Units~~**

Prior to issuance of a permit allowing a relocated~~, portable or transportable~~ emission unit to move to a major stationary source, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that operating the emission unit at the new location will not cause or contribute to a violation, nor interfere with the attainment or maintenance, of any ~~State or National Ambient Air Quality Standard~~ state or national ambient air quality standard. This demonstration is required for each air contaminant for which the relocated~~, portable or transportable~~ emission unit has a potential to emit equal to or greater than the amounts listed in Table 20.3 - 1. ~~An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.~~ If a particulate matter air quality impact analysis is required, the AQIA shall include both directly emitted particulate matter and particulate matter which would be formed by precursor air contaminants, and would be measured by San Diego APCD Modified Test Method 5.

~~(iv)~~ **~~AQIA for Special Event Emission Unit Group (SEEUG)~~**

~~Prior to issuance of a permit for a special event emission unit group, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that operating the special event emission unit group will not cause or contribute to a violation, nor interfere with the attainment or maintenance, of any State or National Ambient Air Quality Standard. This demonstration shall be required for each air contaminant for which the special event emission unit group has a potential to emit equal or greater than the emission rates listed in Table 20.3 - 1. An air quality impact analysis shall not be required for NOx or SOx as precursors to PM_{10}.~~

~~(A) Temporary Limitation on Existing Emission Units~~

~~With the written concurrence of the permit holder, the Air Pollution Control Officer may temporarily place limitations on the operation of any existing emission unit(s) at the stationary source where a special event emission unit group is to be located, for the duration of the period the special event emission unit group is located at the stationary source. Such limitation(s) in operation shall be taken into account in performing the air quality impact analysis required by Subsection (d)(2)(iv).~~

(iv) **AQIA May be Required**

Notwithstanding any other requirements of this rule, the Air Pollution Control Officer may require an air quality impact analysis for any new or modified stationary source or any emission unit if the stationary source or emission unit may be expected to cause or contribute to a violation of any ~~State or National Ambient Air Quality Standard~~ state or national ambient air quality standard~~,~~ or ~~if it may be expected to~~ interfere with the attainment or maintenance of those standards.

(v i) **AQIA not Required for NOx Impacts on Ozone**

Notwithstanding the requirements of Subsections (d)(2)(i), (ii), or (iii) ~~or (iv),~~ a demonstration shall not be required for determining the impacts from an emission unit's oxides of nitrogen ~~NOx~~ emissions on the ~~State or National Ambient Air Quality Standard~~ state or national ambient air quality standard for ozone, unless the Air Pollution Control Officer determines that adequate procedures exist for determining the impacts of oxides of nitrogen ~~NOx~~ emissions from point sources on ozone ambient air quality standards~~,~~ and that such procedures are acceptable to the California Air Resources Board or the federal Environmental Protection Agency.

(vi i) **AQIA Requirements for PM_{10} Impacts May be Waived**

Notwithstanding the requirements of Subsections (d)(2)(i), (ii), or (iii) ~~or (iv)~~, the Air Pollution Control Officer may waive the air quality impact analysis requirements for particulate matter ~~PM_{10}~~ impacts on the ~~State~~ state ambient air quality standards, provided the new, modified or relocated emission unit will result in a particulate matter

air quality impact of less than 5 $\mu g/m^3$ (24-hour average basis), and emission increases are offset at a ratio of 2.0 to 1.0 in accordance with Subsection (d)(5)(ii)(C). : In no case shall the Air Pollution Control Officer waive the air quality impact analysis requirements for particulate matter ~~PM_{10}~~ impacts on the ~~National Ambient Air Quality Standard~~ national ambient air quality standards.

~~(A) the new or modified emission unit will result in a maximum PM_{10} air quality impact of 1 $\mu g/m^3$ (24-hour average basis); and~~

~~(B) the requirements of Subsections (d)(4), and (d)(5), including (d)(5)(ii)(C), are satisfied; and~~

~~(C) the best available control technology requirements of Subsection (d)(1), are satisfied.~~

(3) **PREVENTION OF SIGNIFICANT DETERIORATION (PSD)**

The Air Pollution Control Officer shall deny an Authority to Construct for any emission unit subject to this rule unless the applicant demonstrates that the following requirements are satisfied.

(i) **Applicability**

(A) New PSD ~~Major~~ Stationary Source and PSD ~~Major~~ Modification

The provisions of Subsections (d)(3)(ii), (iii), (iv), (v), (vi), and (vii) shall apply to any new PSD ~~major~~ stationary source and to any PSD ~~major~~ modification, for those air contaminants for which the District is classified as attainment or unclassified of the national ambient air quality standard.

(B) Significant Impact

The provisions of Subsections (d)(3)(ii), (iii), (iv), (v), (vi), and (vii) shall apply to any emission unit which is expected to have a significant impact on any Class I area, as determined by an air quality impact analysis required pursuant to Subsection (d)(2), regardless of the Class I area's national attainment or non-attainment classification. For Class II areas, the provisions of Subsections (d)(3)(ii), (iii), (iv), (v), (vi), and (vii) apply only if, in addition to causing a significant impact, the Class II area where the significant impact occurs is classified as attainment of the ~~National Ambient Air Quality Standard~~ national ambient air quality standard for that pollutant.

(C) Non-Criteria Pollutant Emissions Significance Levels

The provisions of Subsections (d)(3)(ii), (iii), (v), and (vii)(C) shall apply to any air contaminant experiencing an emission increase of a non-criteria air contaminant with a potential to emit equal to or greater than a ~~increase in the~~

~~aggregate potential to emit of a major stationary source, which is equal to or greater than the~~ non-criteria emissions significance levels, occurring at a PSD stationary source.

(ii) **Notification Requirements**

(A) Notification of Federal Land Manager - Before Application Submittal

The applicant shall provide written notification to the Federal Land Manager of the applicant's intent to file an application for an Authority to Construct, Permit to Operate, or Determination of Compliance, not less than 30 days prior to application submittal. The applicant's notification to the Federal Land Manager shall include copies of all of the analyses required by Subsection (d)(3). Concurrently, the applicant shall notify the federal Environmental Protection Agency and the District, and provide copies of the written notification given to the Federal Land Manager.

(B) Notification of Federal Land Manager - After Application Submittal

If a project is modified prior to issuance of an Authority to Construct such that it becomes subject to Subsection (d)(3), the ~~applicant~~ Air Pollution Control Officer shall provide the notification required by Subsection (d)(3)(ii)(A) no later than 15 days after it is determined that the ~~Air Pollution Control Officer notifies the applicant that the~~ provisions of Subsection (d)(3) apply.

(C) Failure to Notify

If the applicant has failed to provide the notification required by Subsection (d)(3)(ii)(A) within the time periods described in that subsection, the applicant shall provide the notification required by Subsection (d)(3)(ii)(A) no later than 15 days after the Air Pollution Control Officer informs the applicant that the provisions of Subsection (d)(3) apply.

(iii) **Air Quality Impact Analysis**

Notwithstanding the emission threshold requirements of Subsection (d)(2), the applicant shall perform an air quality impact analysis as prescribed in Subsection (d)(2)~~.~~, The Air Pollution Control Officer shall comply with the public comment and notice provisions of Subsection (d)(4) and with the following:

(A) ~~Notification of~~ Federal Land Managers and federal EPA Notification

Notify the Federal Land Manager and the Environmental Protection Agency ~~in writing, submit~~ . This notification shall include all of the analyses required by Subsection (d)(3), ~~and provide~~ the location of the emission unit, the emission unit's approximate distance from all Class I areas within 100 km of San Diego County (as specified in Table 20.1 - 3), and the results of the air quality impact

analysis, at least 60 days prior to the public comment period required by Subsection (d)(4).

(B) ~~Notification to California Air Resources Board, the South Coast~~ AQMD and ~~the~~ Imperial County APCD Notification

Notify and submit to the California Air Resources Board, the South Coast Air Quality Management District and the Imperial County Air Pollution Control District all of the information required by Subsection (d)(3) and (d)(4).

(iv) **Air Quality Increment**

If the stationary source is located in an area designated as attainment or unclassified for the sulfur dioxide ~~(SO_2),~~ ~~or~~ nitrogen dioxide ~~(NO_2),~~ or particulate matter ~~N~~ national ~~A~~ ambient ~~A~~ air ~~Q~~ quality ~~S~~ standard pursuant to Section 107(d)(1)(D) or (E) of the federal Clean Air Act, the following shall be satisfied:

(A) The applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer, using procedures approved by the Air Pollution Control Officer, that the applicable air quality increments are not exceeded within the emission unit's impact area.

(B) The demonstration required above by Subsection (d)(4)(iv)(A), shall include the following:

(1) a description of the federal attainment area where a significant impact occurs and the attainment area's corresponding non-major source baseline date, and

(2) an analysis of the air quality impacts of all increment consuming and increment expanding emissions within the impact area, and

(3) an analysis of the air quality impacts of increment consuming and increment expanding emissions outside the impact area that may have a significant impact within the impact area.

(v) **Additional Impacts Analyses**

The analyses required by Subsections (d)(3)(v)(A) through (C) below, shall include the impacts of total emissions which exceeds a non-criteria emissions significance level.

(A) Growth Analysis

The applicant shall prepare a growth analysis containing all of the following:

(1) an assessment of the availability of residential, commercial, and industrial services in the area surrounding the stationary source,

(2) a projection of the growth in residential, industrial and commercial sources, construction related activities, and permanent and temporary mobile sources which will result from the construction of the new major

stationary source or major modification, including any secondary emissions associated with the construction,

(3) an estimate of the emission of all pollutants from the projected growth, and

(4) a determination of the air quality impacts occurring due to the combined emissions from the projected growth and the stationary source's emissions increase.

(B) Soils & Vegetation Analysis

The applicant shall perform an analysis of the impacts from air contaminants on soils and vegetation containing all of the following:

(1) the analysis shall be based on an inventory of the soils and vegetation types found in the impact area, including all vegetation with any commercial or recreational value, and

(2) consider the impacts of the combined emissions from projected growth as determined above, pursuant to Subsection (d)(3)(v)(A) and the stationary source's emissions increase.

(C) Visibility Impairment Analysis

The applicant shall perform a visibility impairment analysis. The analysis shall focus on the effects of the emission increases from the new ~~major~~ PSD stationary source or ~~major~~ PSD modification and their impacts on visibility within the impact area. The analysis shall include a catalog of scenic vistas, airports, or other areas which could be affected by a loss of visibility within the impact area, a determination of the visual quality of the impact area, and an initial screening of emission sources to assess the possibility of visibility impairment. If the screening analysis so dictates, as determined by the Air Pollution Control Officer, a more in-depth visibility analysis shall be prepared.

(vi) **Protection of Class I Areas**

(A) Requirements

The following requirements shall be satisfied:

(1) An Air Quality Impact Analysis (AQIA) shall be prepared as prescribed in Subsection (d)(2) for all emission increases attributable to the new or modified stationary source, notwithstanding the emission threshold requirements of Subsection (d)(2). The air quality impact analysis shall include a demonstration that the new or modified stationary source will not cause or contribute to a violation of any ~~National Ambient Air Quality Standard~~ national ambient air quality standard nor interfere with the attainment or maintenance of those standards.

(2) The analyses contained in Subsections (d)(3)(iii) through (v) shall be prepared for all emission increases which result in a significant impact.

(B) Application Denial - Federal Land Manager/Air Pollution Control Officer Concurrence

The Air Pollution Control Officer shall deny an Authority to Construct for a new or modified stationary source subject to Subsection (d)(3)(vi), if the Federal Land Manager demonstrates, and the Air Pollution Control Officer concurs, that granting the Authority to Construct would result in an adverse impact on visibility, soils, vegetation or air quality related values of a Class I area. The Air Pollution Control Officer shall take into consideration mitigation measures identified by the Federal Land Manager in making the determination.

(vii) **Additional Requirements**

(A) Tracking of Air Quality Increment Consumption Sources

The Air Pollution Control Officer shall track air quality increment consumption, consistent with current requirements established by the federal Environmental Protection Agency.

~~(B) PSD Applicability for Stationary Sources Which are Major for PM_{10}~~

~~Any new major stationary source or major modification which is, or after permit issuance will be, major for PM_{10} shall obtain a PSD permit from the federal Environmental Protection Agency, unless the District has been delegated authority to issue such permits.~~

(~~C~~ B) Stack Height Requirement

Any new or modified ~~major~~ PSD stationary source with a stack height greater than 65 meters must demonstrate to the satisfaction of the Air Pollution Control Officer that the new or modified stationary source complies with the most recent Good Engineering Practice (GEP) requirements contained in the Code of Federal Regulations.

(C) Preconstruction Monitoring Requirement

The applicant shall submit at least one year of continuous monitoring data, unless the Air Pollution Control Officer determines that a complete and adequate analysis can be accomplished with monitoring data gathered over a shorter period. The requirement for monitoring may be waived by the Air Pollution Control Officer if representative monitoring data is already available.

(D) Authority to Construct Cancellation

Any Authority to Construct issued to a PSD stationary source subject to the provisions of Rule 20.3(d)(3), shall become invalid if construction is not commenced within 18 months after its issuance or if construction is discontinued for a period of 18 months or more after its issuance. The 18 month period may be extended if the Air Pollution Control Officer determines that such an extension is justified.

(4) **PUBLIC NOTICE AND COMMENT**

The Air Pollution Control Officer shall not issue an Authority to Construct for any emission unit subject to the requirements of Subsection (d)(2) or (d)(3) unless the following requirements are satisfied. ~~No later than 10 days after close of the public comment period described in Subsection (d)(4)(i), the applicant may submit written responses to any comment received during the public comment period. Responses submitted by the applicant shall be considered prior to the District taking final action. The applicant's responses shall be made available for review at the District's offices.~~

(i) **Public Comment Period - General Public**

At least 40 days before taking final action on an application, the Air Pollution Control Officer shall:

(A) provide the public with notice of the proposed action in the manner prescribed in Subsection (d)(4)(iii), and

(B) provide the California Air Resources Board and federal Environmental Protection Agency with notice of the proposed action and all of the information specified in Subsection (d)(4)(iv), and

(~~B~~ C) make available for public inspection all information relevant to the proposed action as specified in Subsection (d)(4)(iv), and

(~~C~~ D) provide at least a 30-day period within which comments may be submitted, and

(~~D~~ E) consider all comments submitted.

~~(ii) Comment Period - California Air Resources Board & Environmental Protection Agency~~

~~At least 40 days before taking final action on an application the Air Pollution Control Officer shall:~~

~~(A) provide the California Air Resources Board and the federal Environmental Protection Agency with notice of the proposed action, and~~
~~(B) provide at least a 30-day period within which comments may be submitted, and~~
~~(C) provide a copy of all of the information specified in Subsection (d)(4)(iv), and~~
~~(D) consider all comments submitted.~~

(ii) **Applicant Response**

No later than 10 days after close of the public comment period, the applicant may submit written responses to any comment received during the public comment period. Responses submitted by the applicant shall be considered prior to the Air Pollution

Control Officer taking final action. The applicant's responses shall be made available for public review.

(iii) **Publication of Notice**

The Air Pollution Control Officer shall publish a ~~The~~ notice of the proposed action ~~shall be published~~ in at least one newspaper of general circulation in San Diego County. The notice shall:

(A) describe the proposed action, and

(B) identify the location(s) where the public may inspect the information relevant to the proposed action, and

(C) indicate the date by which all comments must be received by the District for consideration prior to taking final action.

(iv) **Information to be Made Available for Public Inspection**

The relevant information to be made available for public inspection shall include, but not be limited to:

(A) the application and all analyses and documentation used to support the proposed action, ~~support documentation,~~ the District's compliance evaluation, a copy of the draft Authority to Construct or Permit to Operate and any information submitted by the applicant not previously labeled Trade Secret pursuant to Regulation IX, and

(B) the proposed District action on the application, including the preliminary decision to approve, conditionally approve or deny the application and the reasons thereof.

(5) **EMISSION OFFSETS**

The Air Pollution Control Officer shall not issue an Authority to Construct for any emission unit subject to this rule unless emission offsets are provided on a pollutant specific basis for emission increases of non-attainment air contaminants and their precursors. Emission offsets shall be provided for emission increases for which the stationary source's post-project aggregate potential to emit is equal to or greater than ~~10~~ 15 tons per year ~~or~~ as specified below~~, at the offset ratios specified~~. As provided for in Subsection (d)(5)(v), interpollutant offsets may be used.

(i) **Offset Requirements for VOC and NOx Emission Increases - New or Modified Emission Units**

(A) Offset Requirements for VOC ~~and NOx~~ Emission Increases

The volatile organic compound (VOC) emission increase from a new or modified emission unit located at a stationary source with a volatile organic compound ~~VOC~~ post-project aggregate potential to emit equal to or greater than ~~10~~ 15 tons per year, shall be offset at the offset ratio specified in Table 20.3 - 2.

(B) Offset Requirements for NOx Emission Increases

The oxides of nitrogen (NOx) emission increase from a new or modified emission unit located at a stationary source with a oxides of nitrogen ~~NOx~~ post-project aggregate potential to emit equal to or greater than ~~10~~ 15 tons per year, shall be offset at the offset ratio specified in Table 20.3 - 2

TABLE 20.3 - 2
VOC and NOx Offset Ratio

Stationary Source's Post-Project Aggregate VOC or NOx Potential to Emit	Offset Ratio NOx	Offset Ratio VOC
Potential < ~~10~~ 15 tons/year	None	None
~~10~~ 15 tons/year ≤ Potential < 25 tons/year	~~1.10~~ 1.0:1.0	~~1.10~~ 1.0:1.0
~~25 tons/year ≤ Potential < 40 tons/year~~	~~1.15:1.0~~	~~1.15:1.0~~
~~40 tons/year ≤ Potential < 100 tons/year~~	~~1.25:1.0~~	~~1.25:1.0~~
Potential ≥ ~~100~~ 25 tons/year	1.30:1.0	1.30:1.0

(ii) **Offset Requirements for PM_{10} and SOx Emission Increases - New ~~of~~ or Modified Emission Units**

(A) Offset Requirements for SOx Emission Increases

The oxides of sulfur (SOx) emission increase from a new or modified emission unit located at a stationary source with a oxides of sulfur ~~SOx~~ post-project aggregate potential to emit equal to or greater than ~~10~~ 15 tons per year shall be offset at the offset ratio specified in Table 20.3 - 3.

(B) Offset Requirements for PM_{10} Emission Increases

The particulate matter (PM_{10}) emission increase from a new or modified emission unit located at a stationary source with a particulate matter ~~PM_{10}~~ post-project aggregate potential to emit equal to or greater than ~~10~~ 15 tons per year shall be offset at the offset ratio specified in Table 20.3 - 3.

TABLE 20.3 - 3
PM_{10} and SOx Offset Ratio

Stationary Source's Post-Project Aggregate PM_{10} or SOx Potential to Emit	Offset Ratio PM_{10}	Offset Ratio SOx
Potential < ~~10~~ 15 tons/year	None	None
15 tons/year ≤ Potential < ~~40~~ 100 tons/year	1.0:1.0	1.0:1.0
Potential ≥ ~~40~~ 100 tons/year	1.0:1.0	1.0:1.0

(C) PM_{10} Waiver Provisions

To qualify for the AQIA waiver provisions of Subsection (d)(2)(~~vii~~), emission offsets for particulate matter must be provided at a 2.0 to 1.0 offset ratio. ~~the following must be satisfied:~~

~~(1) For stationary sources with a PM_{10} post-project aggregate potential to emit less than 10 tons per year, emission increases from the new or modified emission unit shall be offset at a ratio of 1.0:1.0.~~

~~(2) For stationary sources with a PM_{10} post-project aggregate potential to emit equal to or greater than 10 tons per year but less than 40 tons per year, emission increases from the new or modified emission unit shall be offset at a ratio of 2.0:1.0.~~

~~(3) For stationary sources with a PM_{10} post-project aggregate potential to emit equal to or greater than 40 tons per year, emission increases from the new or modified emission unit shall be offset at a ratio of 2.5:1.0.~~

(iii) **Offset Requirements for CO Emission Increases - New or Modified Emission Units**

(A) Offset Requirements for CO Emission Increases

The carbon monoxide (CO) emission increase from a new or modified emission unit located at a stationary source with a carbon monoxide ~~CO~~ post-project aggregate potential to emit equal to or greater than ~~10~~ 15 tons per year, shall be offset at the offset ratio specified in Table 20.3 - 4.

TABLE 20.3 - 4
CO Offset Ratio

Stationary Source's Post-Project Aggregate CO Potential to Emit	Offset Ratio CO
Potential < ~~10~~ 15 tons/year	None
~~10~~ 15 tons/year ≤ Potential < 100 tons/year	1.0:1.0
Potential ≥ 100 tons/year	1.0:1.0

(B) CO Offset Requirements May Be Waived

Notwithstanding the offset provisions of Subsection (d)(5)(iii)(A), if an applicant demonstrates to the satisfaction of the Air Pollution Control Officer, by means of an air quality impact analysis, that the new or modified emission unit will not cause or contribute to a violation, nor interfere with the attainment or maintenance, of any ~~State~~ state or ~~National Ambient Air Quality Standard~~ national ambient air quality standard for carbon monoxide ~~CO~~, emission offsets for carbon

monoxide ~~CO~~ shall not be required. ~~This demonstration shall be performed by means of an air quality impact analysis.~~

~~(iv) Offset Requirements - Essential Public Services~~

~~(A) If emission offsets are required pursuant to Subsection (d)(5)(i) for emission increases resulting at essential public services, the Air Pollution Control Officer may allow emission offsets to be provided at an emission offset ratio of 1.0:1.0 for that portion of the emission increase for which the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that:~~

~~(1) the emission unit constitutes an essential public service or is part of a stationary source which is an essential public service, and~~

~~(2) on a pollutant specific basis, the emission offsets cannot be provided at the offset ratios specified in Table 20.3 - 2 because it can be demonstrated that the cost in dollars per pound of obtaining emission offsets at that ratio exceeds five times the cost of control measures required to meet stationary source emission standards contained in these rules and regulations.~~

~~(B) If the Air Pollution Control Officer determines that the applicant for an essential public service is unable to obtain sufficient emission offsets despite all reasonable efforts, the Air Pollution Control Officer shall do any of the following:~~

~~(1) provide the remaining required offsets from a District bank created pursuant to Rule 26.4,~~

~~(2) determine that Reasonable Further Progress can be achieved without obtaining the remaining emission offsets, and~~

~~(3) recommend to the Air Pollution Control Board that the requirement to provide emission offsets be waived.~~

~~(v) Offset Requirements - New, Modified, Replacement Emission Units for the Purpose of Compliance with Prohibitory Regulations~~

~~(A) If a new, modified or replacement emission unit being installed or modified for the purpose of complying with regulations adopted by the District results in an NOx emission increase for which emission offsets are required pursuant to Subsection (d)(5)(i), the Air Pollution Control Officer may allow emission offsets to be provided at an emission offset ratio of 1.0:1.0 for that portion of the emission increase for which the applicant demonstrates to the satisfaction of the Air Pollution Control Officer that:~~

~~(1) the new, modified or replacement emission unit is being installed or modified for the purpose of complying with regulations adopted by the District, and~~

~~(2) on a pollutant specific basis, the emission offsets cannot be provided at the offset ratios specified in Table 20.3 - 2 because it can be demonstrated that the cost in dollars per pound of obtaining emission offsets at that ratio exceeds five times the cost of control measures required to meet stationary source emission standards contained in these rules and regulations.~~

~~(vi) Offset Requirements - Portable and Transportable Emission Units~~

~~(A) Portable and Transportable Emission Unit - Addition to a Major Stationary Source, Non-major Pollutants~~

~~The addition of a portable or transportable emission unit to a stationary source shall not require emission offsets for any pollutant which is not nor will be major after addition of the portable or transportable emission unit to the stationary source provided the portable or transportable emission unit has undergone initial permit issuance pursuant to Rule 20.2.~~

~~(B) Portable and Transportable Emission Unit - Addition to a Stationary Source, Major Pollutants~~

~~The addition of a portable or transportable emission unit to a stationary source shall require emission offsets for any pollutant which is major at the stationary source or which will be major after the addition of the portable or transportable emission unit to the stationary source. Emission offsets must be provided for the difference between the offset ratio used for most recent permit issuance of the portable or transportable emission unit and the offset ratio required for the stationary source pursuant to Rule 20.3(d)(5)(i) through (iv) based on the stationary source's post-project aggregate potential to emit, including the portable or transportable emission unit's post-project potential to emit.~~

(~~iv~~ ii) **Offset Requirements - Relocated and Replacement Emission Units**

For each pollutant for which a stationary source has a post-project potential to emit equal to or greater than ~~10~~ 15 tons per year, the volatile organic compounds ~~VOC~~, oxides of nitrogen ~~NOx~~, particulate matter ~~PM_{10}~~, oxides of sulfur ~~SOx~~, or carbon monoxide ~~CO~~ emission increase from a relocated or replacement emission unit shall be offset at the offset ratio specified in Tables 20.3 - 2, 20.3 - 3 or 20.3 - 4, as applicable.

(v ~~iii~~) **Interpollutant Offset Ratios**

The Air Pollution Control Officer may allow the use of interpollutant emission offsets at the ratios ~~contained~~ specified in Table 20.3 - 5 to satisfy the offset requirements of Subsection (d)(5), provided the applicant demonstrates to the satisfaction of the Air Pollution Control Officer, that the air quality impact analysis requirements of Subsection (d)(2), as applicable, are satisfied for the emission increase. The interpollutant ratios shall be multiplied by the emission offset ratios required by Subsection (d)(5), to determine the final offset ratio.

TABLE 20.3 - 5
Interpollutant Ratio

Emission Increase	Emission Decrease	Interpollutant Ratio
Particulate Matter (PM_{10})	PM_{10}	1.0
	VOC	1.1
	NOx	1.1
	SOx	1.1
Oxides of sulfur (SOx)	SOx	1.0
	PM10	1.1
	VOC	1.1
	NOx	1.1
Oxides of Nitrogen (NOx)	NOx	1.0
	VOC	**To be determined**
Volatile Organic Compounds (VOC)	VOC	1.0
	NOx	**To be determined**

(e) **ADDITIONAL REQUIREMENTS**

(1) **Compliance Certification**

Prior to receiving an Authority to Construct pursuant to this rule, an applicant for any new or modified stationary source required to satisfy the lowest achievable emission rate provisions of Subsection (d)(1) or the major source offset requirements of Subsection (d)(5) shall certify that all major stationary sources owned or operated by such person or by any entity controlling, controlled by or under common control with such a person, in the state are in compliance, or on an approved schedule for compliance, with all applicable emission limitations and standards under the federal Clean Air Act.

(2) **Alternative Siting and Alternatives Analysis**

The applicant for any new major stationary source required to satisfy the lowest achievable emission rate provisions of Subsection (d)(1) or the major source offset requirements of Subsection (d)(5), shall conduct an analysis of alternative sites, sizes, production processes, and environmental control techniques for such proposed source which demonstrates that the benefits of the proposed source outweigh the environmental and social costs imposed as a result of its location or construction. Analyses conducted in conjunction with state or federal statutory requirements may be used.

~~(1) PROHIBITIONS~~

~~(i) Portable Emission Units~~

~~(A) At any one time, the sum of the potential to emit of all portable emission units located at a stationary source shall not equal or exceed 10 tons per year nor equal or exceed the emission rates listed in Table 20.3 - 1. Additionally, all of the portable emission units located at a stationary source shall not be operated at that stationary source an aggregate of more than 30 days per calendar year.~~

~~(B) A portable emission unit shall not be located at a major stationary source unless such emission unit first complies with the requirements of Rule 20.3(d)(5)(vi).~~

~~(ii) Transportable Emission Unit~~

~~(A) At any one time, there shall not be more than one transportable emission unit located at a stationary source. Additionally, all of the transportable emission units located at a stationary source shall not be operated at that stationary source an aggregate of more than 90 days per calendar year.~~

~~(B) A transportable emission unit shall not be located at a major stationary source, unless such emission unit first complies with the requirements of Rule 20.3(d)(5)(vi).~~

RULE 20.4
NEW SOURCE REVIEW
PORTABLE EMISSION UNITS

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RULE 20.4
NEW SOURCE REVIEW
PORTABLE EMISSION UNITS

(a) APPLICABILITY

This rule applies to any new or modified portable emission unit and to any portable emission unit being moved from one stationary source to another.

(b) EXEMPTIONS

The exemptions contained in Rule 20.1, Section (b) apply to this rule. In addition, the provisions of this rule, excluding the requirements of Subsection (d)(2)(ii), shall not apply to any previously permitted portable emission unit, unless such unit is modified.

(c) DEFINITIONS

The definitions contained in Rule 20.1, Section (c) shall apply to this rule. In addition, for purposes of this rule, the following definitions shall apply.

(1) "**Initial Permit Issuance**" means the first instance an Authority to Construct is issued for an emission unit pursuant to the *(date of adoption)* version of Rules 20.1 and 20.4.

(2) **"Previously Permitted"** means a portable emission unit which has a valid Authority to Construct or Permit to Operate issued pursuant to these Rules and Regulations prior to *(date of adoption)* and that the emission unit has not been modified since *(date of adoption)* or otherwise undergone initial permit issuance.

(3) "**Type I Portable Emission Unit**" means a portable emission unit that can be operated only at stationary sources which have an aggregate potential to emit of less than 15 tons per year of particulate matter (PM_{10}), oxides of nitrogen (NOx), volatile organic compounds (VOC), oxides of sulfur (SOx) and carbon monoxide (CO).

(4) "**Type II Portable Emission Unit**" means a portable emission unit that can be operated only at stationary sources which have an aggregate potential to emit of less than the emission rates listed in Table 20.4 - 1. A Type II portable emission unit may also operate at stationary sources which have an aggregate potential to emit greater than the emission rates listed in Table 20.4 - 1 if emission offsets at the ratios specified for Type III portable

emission units, are provided for the period of time the portable emission unit is located at such a stationary source.

TABLE 20.4 - 1

Air Contaminant:	Emission Rate (Ton/yr)
Particulate Matter (PM_{10})	100
Oxides of Nitrogen (NOx)	25
Volatile Organic Compounds (VOC)	25
Oxides of Sulfur (SOx)	100
Carbon Monoxide (CO)	100
Lead (Pb)	0.6

(5) "**Type III Portable Emission Unit**" means a portable emission unit that can be operated at any stationary source, regardless of the source's aggregate potential to emit.

(d) **STANDARDS**

(1) **BACT FOR NEW OR MODIFIED PORTABLE EMISSION UNITS**

The Air Pollution Control Officer shall deny an Authority to Construct for any new or modified portable emission unit which has any increase in its potential to emit and which unit has a post-project potential to emit of ten pounds per day or more of particulate matter (PM_{10}), oxides of nitrogen (NOx), volatile organic compounds (VOC), oxides of sulfur (SOx), or carbon monoxide (CO), unless the applicant demonstrates that such unit will be equipped with best available control technology (BACT) for each such air contaminant. BACT shall apply only to the increase in the emission unit's potential to emit.

(2) Air Quality Impact Analysis (AQIA)

The Air Pollution Control Officer shall deny an Authority to Construct or modified Permit to Operate for any portable emission unit unless the following requirements are satisfied. Modeling shall be used to conduct any air quality impact analysis. The air quality impact analysis shall be performed using maximum expected ambient air contaminant concentrations within San Diego County, based on existing data, unless the applicant agrees to enforceable permit conditions that requires a new AQIA whenever the equipment is to be located at a stationary source for which the initial AQIA was not representative.

(i) **AQIA for Portable Emission Units**

(A) Initial Permit Issuance

For each new or modified portable emission unit which results in an emissions increase equal to or greater than the amounts listed in Table 20.4 - 2, the applicant shall demonstrate to the satisfaction of the Air Pollution Control Officer that the new or modified portable emission unit will not cause or contribute to a violation of any state or national ambient air quality standard nor interfere with the attainment or maintenance of those standards. If a particulate matter air quality impact analysis is required, the AQIA shall include both directly emitted particulate matter and particulate matter which would be formed by precursor air contaminants, and would be measured by San Diego Air Pollution Control District Modified Test Method 5.

TABLE 20.4 - 2
AQIA Trigger Levels

Air Contaminant	Emission Rate (lb/hr)	(lb/day)
Particulate Matter (PM_{10})	---	80
Oxides of Nitrogen (NOx)	25	250
Oxides of Sulfur (SOx)	25	250
Carbon Monoxide (CO)	100	550
Lead and Lead Compounds	0.3	0.6

(B) Previously Permitted

For each previously permitted portable emission unit which has a potential to emit equal to or greater than the amounts listed in Table 20.4 - 2, the owner or operator shall demonstrate to the satisfaction of the Air Pollution Control Officer, on or before *(one year after date of adoption)* that the portable emission unit will not cause or contribute to a violation of any state or national ambient air quality standard nor interfere with the attainment or maintenance of those standards. A previous AQIA may be used to satisfy part or all of this requirement, with the approval of the Air Pollution Control Officer, if it is determined that the AQIA is representative of proposed operating conditions and background concentrations have not increased. If a particulate matter air quality impact analysis is required, the AQIA shall include both directly emitted particulate matter and particulate

matter which would be formed by precursor air contaminants, and would be measured by San Diego Air Pollution Control District Modified Test Method 5.

(ii) **AQIA May be Required**

Notwithstanding any other provision of this rule, the Air Pollution Control Officer may require an air quality impact analysis for any portable emission unit, or aggregation of portable emission units, if it may be expected to cause or contribute to a violation of any state or national ambient air quality standard or interfere with the attainment or maintenance of those standards. This provision may be invoked notwithstanding the equipment being previously permitted or having undergone initial permit issuance.

(iii) **AQIA not Required for NOx Impacts on Ozone**

Notwithstanding any other provision of this rule, a demonstration shall not be required for determining the impacts from a portable emission unit's oxides of nitrogen emissions on the state or national ambient air quality standards for ozone, unless the Air Pollution Control Officer determines that adequate procedures exist for determining the impacts of oxides of nitrogen emissions from point sources on ozone ambient air quality standards and that such procedures are acceptable to the California Air Resources Board or the federal Environmental Protection Agency.

(iv) **AQIA Requirements for PM_{10} Impacts May be Waived**

Notwithstanding the requirements of Subsection (d)(2)(i), the Air Pollution Control Officer may waive the air quality impact analysis requirements for particulate matter impacts on the state ambient air quality standards, provided the new or modified portable emission unit will result in a particulate matter air quality impact of less than 5 $\mu g/m^3$ (24-hour average basis), and the unit's particulate matter emission increase is offset at a ratio of 2.0 to 1.0 in accordance with Subsection (d)(5)(i). In no case shall the Air Pollution Control Officer waive the air quality impact analysis requirements for particulate matter (PM_{10}) impacts on the national ambient air quality standards.

(3) **PREVENTION OF SIGNIFICANT DETERIORATION (PSD)**

The Air Pollution Control Officer shall deny an Authority to Construct for any portable emission unit which is expected to have a significant impact on any Class I area, as

determined by an air quality impact analysis required pursuant to Subsection (d)(2), unless the following requirements are satisfied.

(i) **Federal Land Manager and Federal EPA Notification**

The Federal Land Manager and the federal Environmental Protection Agency have been notified in writing. This notification shall include all of the information specified by Subsection (d)(4)(iv), the location(s) where operation of the portable emission unit may cause a significant impact on any Class I area, the approximate distance from all Class I areas within 100 km of San Diego County (as specified in Table 20.1-3) and the results of the air quality impact analysis, and

(ii) **CARB, SCAQMD and Imperial APCD Notification**

The California Air Resources Board, the South Coast Air Quality Management District and the Imperial County Air Pollution Control District have been notified and have been provided the information specified in Subsection (d)(4)(iv).

(4) **PUBLIC NOTICE AND COMMENT**

The Air Pollution Control Officer shall not issue an Authority to Construct for any portable emission unit subject to the requirements of Subsection (d)(2) or (d)(3), unless the following requirements are satisfied.

(i) **Public Comment Period**

At least 40 days before taking final action on an application subject to the requirements of Subsection (d)(3) or (d)(4), the Air Pollution Control Officer shall:

(A) provide the public with notice of the proposed action in the manner prescribed in Subsection (d)(4)(iii), and

(B) make available for public inspection all information relevant to the proposed action as specified in Subsection (d)(4)(iv), and

(C) provide at least a 30-day period within which comments may be submitted, and

(D) consider all comments submitted.

(ii) **Applicant Response**

No later than 10 days after closure of the public comment period, the applicant may submit written responses to any comment received during the public comment period. Responses submitted by the applicant shall be considered by the Air Pollution Control Officer prior to taking final action. The applicant's responses shall be made available for public review at the District's offices.

(iii) **Publication of Notice**

The Air Pollution Control Officer shall publish a notice of the proposed action in at least one newspaper of general circulation in San Diego County. The notice shall:

(A) describe the proposed action, and

(B) identify the location(s) where the public may inspect the information relevant to the proposed action, and

(C) indicate the date by which all comments must be received by the District for consideration prior to taking final action.

(iv) **Information to be Made Available for Public Inspection**

The relevant information to be made available for public inspection shall include, but is not limited to:

(A) the application and all analyses and documentation used to support the proposed action, the District's compliance evaluation, a copy of the draft Authority to Construct or Permit to Operate and any information submitted by the applicant not previously labeled Trade Secret pursuant to Regulation IX, and

(B) the proposed District action on the application, including the preliminary decision to approve, conditionally approve or deny the application and the reasons thereof.

(5) **EMISSION OFFSETS**

The Air Pollution Control Officer shall not issue an Authority to Construct for any portable emission unit unless emission offsets are provided on a pollutant specific basis for emission increases of non-attainment air contaminants and their precursors. Emission offsets

shall be provided based on the portable emission unit Type, as specified below. As provided for in Subsection (d)(5)(iii), interpollutant offsets may be used.

TABLE 20.4 - 3
VOC and NOx Offset Ratio

Portable Emission Unit Type	Offset Ratio NOx	VOC	PM10	SOx	CO
Type I	None	None	None	None	None
Type II	1.0:1.0	1.0:1.0	1.0:1.0	1.0:1.0	1.0:1.0
Type III	1.3:1.0	1.3:1.0	1.0:1.0	1.0:1.0	1.0:1.0

(i) **PM_{10} Waiver Provisions**

To qualify for the AQIA waiver provisions of Subsection (d)(2)(iv), emission offsets for particulate matter must be provided at a 2.0 to 1.0 offset ratio, regardless of portable emission unit Type.

(ii) **CO Offset Requirements May Be Waived**

Notwithstanding the offset provisions of Subsection (d)(5), if an applicant demonstrates to the satisfaction of the Air Pollution Control Officer, by means of an air quality impact analysis, that the new or modified portable emission unit will not cause or contribute to a violation, nor interfere with the attainment or maintenance, of any state or national ambient air quality standard for carbon monoxide, emission offsets for carbon monoxide shall not be required.

(iii) **Interpollutant Offset Ratios**

The Air Pollution Control Officer may allow the use of interpollutant emission offsets at the ratios specified in Table 20.4 - 4 to satisfy the offset requirements of Subsection (d)(5), provided the applicant demonstrates to the satisfaction of the Air Pollution Control Officer, that the air quality impact analysis requirements of Subsection (d)(2), as applicable, are satisfied for the emission increase. The interpollutant ratios shall be multiplied by the emission offset ratios required by Subsection (d)(5), to determine the final offset ratio.

TABLE 20.4 - 4
Interpollutant Offset Ratio

Emission Increase	Emission Decrease	Interpollutant Ratio
Particulate Matter (PM_{10})	PM_{10}	1.0
	VOC	1.1
	NOx	1.1
	SOx	1.1
Oxides of sulfur (SOx)	SOx	1.0
	PM_{10}	1.1
	VOC	1.1
	NOx	1.1
Oxides of Nitrogen (NOx)	NOx	1.0
	VOC	**To be determined**
Volatile Organic Compounds (VOC)	VOC	1.0
	NOx	**To be determined**

(iv) **Alternative Offsetting**

Emission offsets required by Subsection (d)(5), in addition to being provided on a unit by unit basis, may be provided in the following manner.

(A) Emission Offset Pool

The owner or operator of a portable emission unit may satisfy the offset requirements of Subsection (d)(5), by the use of an emission offset pool. An emission offset pool shall consist of emission offsets which are designated for use by any number of portable emission units. Prior to renting, leasing or otherwise making portable emission units available for use, the owner or operator shall reserve the appropriate amount of offsets based on the portable emission unit Type. The following recordkeeping requirements shall apply:

(1) The owner of portable emission units shall maintain daily records containing sufficient information to ensure compliance with the provisions of this rule and compile these records into a log. The daily logs shall be kept and shall include the following information for each portable emission unit: the permit number, the portable equipment type, the date, the potential to emit of the unit (tons per year), the name of the stationary source where the unit is available for use, the stationary source's potential to emit, the sum of all portable emission unit's potentials to emit which are available for use on that day, and a comparison between the sum of all portable

emission units' potentials to emit, the required offset ratio, and the total amount of offsets (tons per year) in the offset pool.

(2) The owner shall summarize the daily logs into an annual compliance log and make the daily and annual logs and supporting documentation available to the District upon request.

(B) Temporary Limitation on Existing Emission Units

With the written concurrence of the permit holder, the Air Pollution Control Officer may place temporary limitations on the operation of any existing emission unit(s) at the stationary source where a portable emission unit is to be located, in order to create temporary offsetting emission reductions. Temporary emission reductions shall be provided for the entire period of time that the portable emission unit is located at the stationary source. Emission reductions created by the temporary shutdown or curtailment of existing unit(s) at the stationary source shall be used to offset the portable emission unit's potential to emit, provided the reductions satisfy the offset ratio requirements of Subsection (d)(5).

If a portable emission unit is brought onto a stationary source to remedy an immediately occurring emergency situation, notice of temporary credits to offset the portable emission unit emissions shall be made within 24 hours from the time the portable emission unit is made available for use at the affected stationary source.