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## RULE 219

### Equipment Not Requiring a Permit

#### (A) Purpose

- (1) The purpose of this rule is:
  - (a) To describe equipment that does not require a permit pursuant to District Rules 201 and 203; and
  - (b) To describe equipment which does not need to be listed on an application for a Federal Operating Permit (FOP) or on a FOP issued pursuant to District Regulation XXX – *Title V Permits*.

#### (B) General Provisions

- (1) The Air Pollution Control Officer (APCO) shall not require an owner/operator to obtain a permit for particular equipment pursuant to District Rules 201 and 203 if all of the following are true:
  - (a) Such equipment is contained in the list of particular Equipment in section (E) below; and
  - (b) Such Equipment does not emit air contaminants in excess of any of the following:
    - (i) 2 tons per year of any Regulated Air Pollutant for which a National Ambient Air Quality Standard has been promulgated;
    - (ii) A de minimis level for a Hazardous Air Pollutant promulgated pursuant to 42 U.S.C. §7412 (FCAA §112).
    - (iii) A significance level defined in 40 CFR 52.21(b)(23)(i);
    - (iv) 0.5 tons per year of a Hazardous Air Pollutant.
  - (c) Such Equipment does not constitute any of the following:
    - (i) A Major Facility as defined in Rule 1301, or
    - (ii) A Major Modification as defined in Rule 1301, or
    - (iii) A Major PSD Facility as defined in Rule 1700, or
    - (iv) A Major PSD Modification as defined in Rule 1700.
  - (d) The owner/operator has not been required to obtain a written permit or registration by the APCO pursuant to subsection (B)(4) below.

- (2) The APCO shall not require an Owner/Operator to list particular equipment on an application for a FOP or require the listing of such equipment within a FOP issued pursuant to District Regulation XXX – *Title V Permits* if:
- (a) Such equipment is described in the list of particular equipment in section (E) below; and
  - (b) Such equipment emits Air Pollutants, in an amount less than the threshold levels set forth in subsection (D)(1) below; and
  - (c) Such equipment is not subject to an Applicable Requirement and information regarding such equipment is not required to determine the applicability of an Applicable Requirement; and
  - (d) Such equipment is not included in section (E) below solely due to size or production rate.
- (3) The APCO shall not require an owner/operator of an Agricultural Facility to obtain a permit for equipment located at such a Facility which would otherwise be subject to permit pursuant to District Rules 201 and 203 if:
- (a) The Agricultural Facility emits Air Contaminants in an amount less than the threshold levels listed in subsection (D)(2)(b); or
  - (b) The Agricultural Facility is a Confined Animal Facility eligible for exclusion under subsection (D)(2)(a); and
  - (c) The Agricultural Facility is or particular agricultural equipment potentially exempt under this subsection is not otherwise:
    - (i) A Major Facility pursuant to District Regulation XIII – *New Source Review* or a Major PSD Facility pursuant to District Regulation XVII – *Prevention of Significant Deterioration*; and
    - (ii) Subject to regulation pursuant to the Federal Clean Air Act (“FCAA”, 42 U.S.C. Sec. 7401 et. seq.).
- (4) Notwithstanding subsections (B)(1), (B)(2), and (B)(3) above, the APCO may require a written permit or registration for equipment listed in section (E) below, making the equipment thereafter subject to District Rules 201 and 203, if:
- (a) Written notification is given to the equipment Owner/Operator; and
  - (b) The APCO determines that:
    - (i) The equipment, process material or Air Contaminant is subject to provisions of District Regulation IX – *Standards of Performance for New Stationary Sources*, or District Regulation X – *National Emissions Standards for Hazardous Air Pollutants*, or District Rule 1401 – *New Source Review for Toxic Air Contaminants*; or

- (ii) The process, article, machine, equipment, other contrivance, process material or Air Contaminant is subject to the emission limitation requirements of the state Air Toxic Control Measure (ATCM), New Source Performance Standards (NSPS) National Emission Standards for Hazardous Air Pollutants (NESHAP), Maximum Available Control Technology (MACT) or any source specific prohibitory rule; or
  - (iii) The process, article, machine, equipment, or other contrivance emits, in quantities determined to be appropriate for review by the APCO, substances identified as Toxic Air Contaminants or which are under review as candidate Toxic Air Contaminants by the California Air Resources Board, or United States Environmental Protection Agency (USEPA); or
  - (iv) The equipment may not operate in compliance with all applicable District Rules and Regulations.
- (5) Nothing in this rule shall be interpreted to exempt the emissions from such equipment from being considered in any emissions calculations required pursuant to District Regulation XIII – *New Source Review*, District Rule 1401 – *New Source Review for Toxic Air Contaminants*; Regulation XVII – *Prevention of Significant Deterioration* and/or Regulation XXX – *Title V Permits* unless such emissions are specifically exempted by the terms of those Regulations.
- (6) Nothing in this rule shall be interpreted to exempt Equipment, materials used by such Equipment and/or associated air pollution Control Equipment from any applicable provisions of any other District Rule or Regulation.
- (7) Nothing in this Rule shall be interpreted to exempt air pollution Control Equipment venting otherwise permit exempt Equipment from obtaining permits. This provision does not apply if all Equipment venting to the Control Equipment is exempt and all relevant provisions of Section (E) specifically exempt such Control Equipment. In no case shall air pollution Control Equipment be used to meet any permit exemption threshold as set forth in Section (E) of this Rule.
- (8) Nothing in this Rule shall be interpreted to exempt internal combustion engines, general combustion equipment, and/or heat transfer Equipment used in conjunction with or to power exempt Equipment unless the internal combustion engine, general combustion, or heat transfer Equipment itself is also exempt pursuant to the applicable provisions of subsection (E)(2). This provision does not apply to Equipment which is exempt pursuant to (E)(1).
- (9) The burden of proof regarding the applicability of this rule to particular equipment shall be upon the Owner/Operator of such equipment. Failure to provide proof of the applicability of this rule to particular Equipment shall be considered a violation of District Rules 201 and/or 203 and may also constitute a violation of District Regulation XII – *Federal Operating Permits*, Regulation XIII – *New Source Review* or Regulation XVI – *Prevention of Significant Deterioration* if applicable.

## (C) Definitions

For the purposes of this Rule the definitions contained in District Rules 102 – *Definition of Terms*, 1301 – *New Source Review Definitions*, Section (C) of Rule 1401 – *New Source Review for Toxic Air Contaminants*, Section (B) of Rule 1700 – *Prevention of Significant Deterioration* and 3001 - *Definitions* shall apply unless otherwise defined herein. In case of a conflict the provisions of this Rule shall apply followed by District Rule 1301 then District Rule 1700(B) then District Rule 1401(C) then District Rule 102 unless a definition from another District Rule is specifically referenced.

- (1) “Agricultural Facility” – Any equipment or group of equipment potentially subject to District Rules 201 and 203 used in an Agricultural Operation and which are located on contiguous property under common ownership or control.
- (2) “Agricultural Operation” – The growing and harvesting of crops or the raising of fowl or animals for the primary purpose of making a profit, providing a livelihood, or conducting agricultural research or instruction by an educational institution. Agricultural Operations do not include activities involving the processing or distribution of crops or fowl.
- (3) “Confined Animal Facility” – A facility where animals are corralled, penned, or otherwise caused to remain in restricted areas for commercial purposes and primarily fed by a means other than grazing for at least 45 days in any 12-month period.

## (D) Threshold Criteria

- (1) Threshold Criteria for Exclusion from Federal Operating Permit
  - (a) To be eligible for exclusion from a FOP pursuant to subsection (B)(2) above, any equipment proposed to be excluded shall not emit Air Pollutants in an amount greater than any of the following:
    - (i) 2 tons per year of any Regulated Air Pollutant for which a National Ambient Air Quality Standard has been promulgated; or
    - (ii) A de minimis level for a Hazardous Air Pollutant promulgated pursuant to 42 U.S.C. §7412(g) (Federal Clean Air Act §112(g));  
or
    - (iii) Any significance level defined in 40 CFR 52.21(b)(23)(i); or
    - (iv) 0.5 ton per year of such Hazardous Air Pollutant, whichever is less.
- (2) Threshold Criteria for Agricultural Facilities
  - (a) To be eligible for exclusion from permitting requirements pursuant to subsection (B)(3)(b) a Confined Animal Facility must have, at all times, less than the following numbers of animals:
    - (i) 1,000 milk-producing dairy cows;
    - (ii) 3,500 beef cattle;

- (iii) 7,500 calves, heifers or other cattle;
- (iv) 650,000 chickens other than laying hens;
- (v) 650,000 laying hens;
- (vi) 650,000 ducks;
- (vii) 100,000 turkeys;
- (viii) 3,000 swine;
- (ix) 2,500 horses;
- (x) 15,000 sheep, lambs, or goats; or
- (xi) 30,000 rabbits or other animals.

(b) To be eligible for exclusion from permitting requirements pursuant to subsection (B)(3)(a), an Agricultural Facility must, in aggregate, produce Actual Emissions less than all of the following:

- (i) 12.5 tons per year of NO<sub>x</sub> and VOC; or
- (ii) Fifty (50) tons per year of any other Air Pollutant for which a National Ambient Air Quality Standard has been promulgated; or
- (iii) 5 tons per year of any Hazardous Air Pollutant; or
- (iv) 12.5 tons per year of any combination of Hazardous Air Pollutants;  
or
- (v) A lesser quantity of a Hazardous Air Pollutant as USEPA has established by rule.

For the purposes of determining permitting applicability, Fugitive Emissions, except Fugitive Dust Emissions, are included in determining Aggregate Emissions.

## (E) Specific Equipment Not Requiring a Permit

### (1) Vehicles and Transportation Equipment

- (a) Motor Vehicles defined by sections 415 and/or 670 of the California Vehicle Code (as effective on the date of the last amendment of this rule). This exemption does not apply to any article, machine, Equipment, or other contrivance mounted on such Vehicle that would otherwise require a permit under the provisions of these Rules and Regulations.
- (b) Equipment mounted on Vehicles that are used exclusively to transport materials on streets or highways including, but not limited to, cement trucks and Gasoline tanker trucks or if such Equipment does not emit Air Contaminants. This exemption does not apply to asphalt or coal tar pitch roofing kettles.
- (c) Locomotives, airplanes, and watercraft used to transport passengers or freight.

- (2) Combustion and Heat Transfer Equipment
- (a) Internal Combustion Engines and Gas Turbines - Piston type internal combustion engines with a manufacturer's continuous rating of 50 brake horsepower (bhp) or less, or gas turbine engines with a maximum heat input rate of 2,975,000 Btu (749,866 kg cal) per hour at International Standardization Organization (ISO) Standard Day Conditions or less. The ratings of all engines or turbines used in the same process will be aggregated to determine whether this exemption applies.
  - (b) General Combustion Equipment - Boilers, process heaters or any combustion equipment that has a maximum heat input rate of 2,000,000 Btu (504,000 kg cal) per hour (gross) or less and is equipped to be fired exclusively with, Public Utilities Commission regulated natural gas, methanol, liquefied petroleum gas or any combination thereof that does not include piston type internal combustion engines. The ratings of all combustion Equipment used in the same process will be aggregated to determine whether this exemption applies.
  - (c) Fuel cells which use phosphoric acid, molten carbonate, proton exchange membrane or solid oxide technologies.
  - (d) Test cells and test stands used for testing internal combustion engines provided that the internal combustion engines use less than 800 gallons of diesel fuel or 3,500 gallons of gasoline fuel per year, or use other fuels with equivalent or less emissions.
  - (e) Internal combustion engines used exclusively for training at educational institutions.
  - (f) Portable internal combustion engines, including any turbines, qualified as military tactical support equipment, registered pursuant to the California Statewide Portable Engine Registration Program pursuant to Health & Safety Code 41750 et seq. and the regulations promulgated thereunder as in effect on the date of the last amendment of this rule such engines have been determined to be stationary pursuant to the provisions of that program or are otherwise required to have a permit pursuant to the provisions of subsection (B)(4) above.
- (3) Structures and Equipment - General
- (a) Structural changes which cannot change the quality, nature or quantity of Air Contaminant emissions.
  - (b) Repairs or maintenance not involving structural changes to any Equipment for which a permit has been granted.
  - (c) Replacement of floating roof tank seals provided that the replacement seal is of a type and model which the APCO has determined in writing is capable of complying with the requirements of District Rule 463.

- (d) Equipment utilized exclusively in connection with any structure which is designed for and used exclusively as a dwelling for not more than 4 families, and where such Equipment is used by the owner or occupant of such a dwelling.
  - (e) Laboratory testing Equipment, and quality control testing Equipment used exclusively for chemical and physical analysis, and non-production bench scale research Equipment. This exemption does not apply to engine test stands or test cells.
  - (f) Vacuum-producing devices used in laboratory operations or in connection with other Equipment not requiring a written permit.
  - (g) Vacuum-cleaning systems used exclusively for industrial, commercial or residential housekeeping purposes.
  - (h) Hoods, stacks or ventilators.
  - (i) Passive and intermittently operated active venting systems used at and around residential structures to prevent the accumulation of naturally occurring methane and associated gases in enclosed spaces.
- (4) Utility Equipment - General
- (a) Comfort air conditioning or ventilating systems which are not designed or used to remove Air Contaminants generated by, or released from, specific Equipment.
  - (b) Refrigeration units. This exemption does not apply to refrigeration units used as or in conjunction with air pollution Control Equipment.
  - (c) Water-cooling towers and water-cooling ponds in which no chromium compounds are contained. This exemption does not apply to water-cooling towers and water-cooling ponds used for evaporative cooling of water from barometric jets or from barometric condensers.
  - (d) Equipment used exclusively to generate ozone and associated ozone destruction Equipment for the treatment of cooling tower water or for water treatment processes.
  - (e) Equipment used exclusively for steam cleaning.
  - (f) Equipment used exclusively for space heating.
  - (g) Equipment used exclusively to compress or hold Public Utilities Commission regulated natural gas.
  - (h) Emergency ventilation systems used exclusively to scrub ammonia from refrigeration systems during process upsets or Equipment breakdowns.

- (i) Emergency ventilation systems used exclusively to contain and control emissions resulting from the failure of a compressed gas storage system.
  - (j) Refrigerant recovery and/or recycling units. This exemption does not apply to refrigerant reclaiming facilities.
  - (k) Carbon arc lighting Equipment.
  - (l) Passive carbon adsorbers using no mechanical ventilation with a volume of 55 gallons or less, used exclusively for foul air odor control from sanitary sewer systems such as sanitary sewer lines, manholes and pump stations.
- (5) Glass, Ceramic, Metallurgical Processing and Fabrication Equipment
- (a) Crucible-type or pot-type furnaces with a capacity of less than 452 in<sup>3</sup> of any molten metal.
  - (b) Crucible furnaces, pot furnaces or induction furnaces with a capacity of 992 pounds or less each, where no sweating or distilling is conducted and where only the following materials are poured or held in a molten state (provided the materials do not contain alloying elements of arsenic, beryllium, cadmium, chromium and/or lead):
    - (i) Aluminum or any alloy containing over 50 percent aluminum by weight. ASTM E34-11 – *Standard Test Methods for Chemical Analysis of Aluminum and Aluminum-based Alloys*.
    - (ii) Magnesium or any alloy containing over 50 percent magnesium by weight.
    - (iii) Tin or any alloy containing over 50 percent tin by weight.
    - (iv) Zinc or any alloy containing over 50 percent zinc by weight. ASTM E536-16 – *Standard Test Methods for Chemical Analysis of Zinc and Zinc Alloys*.
    - (v) Copper. ASTM E34-11 – *Standard Test Methods for Chemical Analysis of Aluminum and Aluminum-based Alloys*.
    - (vi) Precious metals (gold, silver, palladium, and platinum). ATSM E1335-08 – *Standard Test Methods for Determination of Gold in Bullion by Fire Assay Cupellation Analysis*.

Percent by weight of such metals shall be determined by the referenced test method, or an equivalent method approved by CARB, USEPA and the APCO.
  - (c) Molds used for the casting of metals.
  - (d) Inspection Equipment used exclusively for metal, plastic, glass, or ceramic products and Control Equipment exclusively venting such Equipment.
  - (e) Ovens used exclusively for curing potting materials or castings made with epoxy resins.



- (f) Hand-held or automatic brazing and soldering Equipment, and Control Equipment exclusively venting such Equipment, provided that the Equipment uses 1 quart per day or less of material containing Volatile Organic Compounds (VOC). This exemption does not apply to hot oil, hot air, or vapor phase solder leveling Equipment and related Control Equipment.
- (g) Brazing ovens where no materials containing VOC (except flux) are present.
- (h) Welding Equipment, oxygen gaseous fuel-cutting Equipment and control Equipment exclusively venting such Equipment. This exemption does not apply to facilities primarily engaged in the activities listed in 40 CFR 63.11514 using plasma arc-cutting Equipment or laser cutting Equipment to cut stainless steel or alloys containing cadmium, chromium, lead, manganese or nickel or laser cutters that are rated more than 400 W.
- (i) Sintering Equipment used exclusively for the sintering of metal (excluding lead) or glass where no coke or limestone is used, and control equipment exclusively venting such Equipment.
- (j) Mold forming Equipment for foundry sand to which no heat is applied, and where no VOC materials are used in the process, and Control Equipment exclusively venting such Equipment.
- (k) Equipment used exclusively for forging, rolling, or drawing of metals provided that any lubricants used have 50 grams per liter VOC or less, or a VOC composite partial pressure of 0.4 psi or less at 68°F, or Equipment used for heating metals prior to forging, pressing, rolling or drawing.
- (l) Heat treatment Equipment used exclusively for heat treating glass or metals (provided no VOC materials are present), or Equipment used exclusively for case hardening, carburizing, cyaniding, nitriding, carbonitriding, siliconizing or diffusion treating of metal objects.
- (m) Ladles used in pouring molten metals.
- (n) Tumblers used for the cleaning or de-burring of solid materials.
- (o) Die casting machines. This exemption does not apply to die casting machines used for copper base alloys, those with an integral furnace having a capacity of more than 992 pounds.
- (p) Furnaces or ovens used for the curing or drying of porcelain enameling, or vitreous enameling.
- (q) Wax burnout kilns where the total internal volume is less than 7 ft<sup>3</sup> or kilns used exclusively for firing ceramic ware.
- (r) Shell-core and shell-mold manufacturing machines.

- (s) Furnaces used exclusively for melting titanium materials in a closed evacuated chamber where no sweating or distilling is conducted.
  - (t) Vacuum metalizing chambers which are electrically heated or heated with equipment that is exempt pursuant to subsection (E)(2)(b). This exemption includes Control Equipment exclusively venting such Equipment so long as the Control Equipment is equipped with a mist eliminator or the vacuum pump used with Control Equipment demonstrates operation with no visible emissions from the vacuum exhaust.
- (6) Abrasive Blasting Equipment
- (a) Blast cleaning cabinets in which a suspension of abrasive in water is used and Control Equipment exclusively venting such Equipment.
  - (b) Glove-box type abrasive blast cabinet, vented to a dust-filter where the total internal volume of the blast section is 53 ft<sup>3</sup> or less, and any dust filter exclusively venting such Equipment.
  - (c) Enclosed Equipment used exclusively for shot blast removal of flashing from rubber and plastics at sub-zero temperatures and Control Equipment exclusively venting such Equipment.
  - (d) Shot peening operations, provided no surface material is removed, and Control Equipment exclusively venting such Equipment.
  - (e) Portable sand/water blaster equipment and associated piston type internal combustion engine provided the operation of such Equipment is performed in conformance with the manufacturer's specifications.
- (7) Machining Equipment
- (a) Equipment used exclusively for buffing, polishing, carving, mechanical cutting, drilling, machining, pressing, routing, sanding, surface grinding or turning provided that any lubricants used have 50 grams per liter VOC or less, or a VOC composite partial pressure of 0.4 psi or less at 68°F, and Control Equipment exclusively venting such Equipment. This exemption does not apply to automatic tire buffers, semi-automatic tire buffers, and asphalt pavement grinders.
  - (b) Equipment used exclusively for shredding of wood, or the extruding, handling, or storage of wood chips, sawdust, or wood shavings and control equipment exclusively venting such equipment.
  - (c) Equipment used exclusively to mill or grind Coatings or molding compounds where all materials charged are in the paste form.

- (8) Printing and Reproduction Equipment
- (a) Printing and related Coating and/or laminating Equipment used in Graphic Arts Operations, and associated dryers (provided said dryers are also exempt pursuant to subsection (E)(2)(b)) not emitting more than 3 pounds of VOC emissions per day, or not using more than 6 gallons per day of ultraviolet, electron beam, or plastisols type, including cleanup solvent, or 2 gallons per day of any other graphic arts materials. Graphic arts materials are any Inks, Coatings, Adhesives, fountain solutions (excluding water), thinners (excluding water), retarders, or cleaning solutions (excluding water), used in printing or related Coating or Laminating processes.
  - (b) Photographic process Equipment by which an image is reproduced upon material sensitized by radiant energy and Control Equipment exclusively venting such Equipment.
  - (c) Lithographic printing Equipment which uses laser printing.
  - (d) Printing Equipment used exclusively for training and non-production at educational institutions.
  - (e) Flexographic plate-making and associated processing Equipment.
  - (f) Corona treating Equipment and associated air pollution control equipment used for surface treatment in printing, laminating and coating operations.
  - (g) Hand application of materials used in printing operations including but not limited to the use of squeegees, screens, stamps, stencils and any hand tools.
- (9) Food Processing and Preparation Equipment
- (a) Smokehouses for preparing food in which the maximum horizontal inside cross-sectional area does not exceed 21.5 square feet.
  - (b) Smokehouses exclusively using liquid smoke, and which are completely enclosed with no vents to any Control Equipment or to the atmosphere.
  - (c) Confection cookers where products are edible and intended for human consumption.
  - (d) Grinding, blending or packaging Equipment used exclusively for tea, cocoa, roasted coffee, flavor, fragrance extraction, dried flowers, or spices, and Control Equipment exclusively venting such Equipment.

- (e) Equipment used in eating establishments for the purpose of preparing food for human consumption. This exemption does not apply to commercial direct-fired chain-driven char broilers (regardless of the Btu rating). Direct-fired char broilers include, but are not limited to, gas, electric, wood, or charcoal-fired.
  - (f) Equipment used to convey or process materials in bakeries or used to produce noodles, macaroni, pasta, food mixes or drink mixes where products are edible and intended for human consumption and Control Equipment exclusively venting such Equipment.
  - (g) Cooking kettles where all of the product in the kettle is edible and intended for human consumption. This exemption does not include deep frying Equipment used in facilities other than eating establishments.
  - (h) Coffee roasting Equipment with a maximum capacity of 10 pounds or less per batch.
- (10) Plastics, Composite and Rubber Processing Equipment
- (a) Presses or molds used for curing, post curing or forming rubber products, composite products and plastic products where no VOC or chlorinated blowing agent is present, and Control Equipment exclusively venting these presses or molds.
  - (b) Presses or molds with a ram diameter of less than or equal to 26 inches used for curing or forming rubber products and composite rubber products excluding those operating above 400°F.
  - (c) Ovens used exclusively for the forming of plastics or composite products, which are concurrently being vacuum held to a mold, and where no foam forming or expanding process is involved.
  - (d) Equipment used exclusively for softening or annealing plastics.
  - (e) Extrusion Equipment used exclusively for extruding rubber products or plastics where no organic plasticizer is present, or for pelletizing polystyrene foam scrap. This exemption does not apply to Equipment used to extrude or to pelletize acrylics, polyvinyl chloride, polystyrene, and their copolymers.
  - (f) Injection or blow molding Equipment for rubber or plastics where no blowing agent other than compressed air, water or carbon dioxide is used, and Control Equipment exclusively venting such Equipment.
  - (g) Mixers, roll mills and calendars for rubber or plastics where no material in powder form is added and no organic solvents, diluents or thinners are used.

- (h) Ovens used exclusively for the curing of vinyl plastisols by the closed-mold curing process.
  - (i) Equipment used exclusively for conveying and storing plastic materials, provided they are not in powder form.
  - (j) Hot wire cutting of expanded polystyrene foam and woven polyester film.
  - (k) Photocurable stereolithography Equipment.
  - (l) Laser sintering Equipment used exclusively for the sintering of nylon or plastic powders and Control Equipment exclusively venting such Equipment.
  - (m) Roller to roller coating systems that create three-dimensional images provided:
    - (i) The VOC emissions from such Equipment (including cleanup) are three (3) pounds per day or less or not to exceed 66 pounds per calendar month; or
    - (ii) The coatings contain 25 grams or less of VOC per liter of material provided that the coating used on such Equipment is 12 gallons per day or less, not to exceed 264 gallons per calendar month; or
    - (iii) The coatings contain 50 grams or less of VOC per liter of material, and exclusively using cleanup solvents containing 25 grams or less of VOC per liter of material, and the total quantity of VOC emissions do not exceed 1 ton per calendar year.
- (11) Mixing and Blending Equipment
- (a) Batch mixers which have a capacity of 55 gallons or 7.35 ft<sup>3</sup> (0.21 m<sup>3</sup>) or less.
  - (b) Equipment used exclusively for mixing and blending of materials where no VOC containing solvents are used and no materials in powder form are added.
  - (c) Equipment used exclusively for mixing and blending of materials to make water emulsions of asphalt, grease, oils or waxes where no materials in powder or fiber form are added.
  - (d) Equipment used to blend, grind, mix, or thin liquids to which powders may be added, with a capacity of 251 gallons or less, where no supplemental heat is added and no ingredient charged (excluding water) exceeds 135°F.
  - (e) Concrete mixers, with a rated working capacity of 1 yd<sup>3</sup> or less.

(12) Miscellaneous Process Equipment

- (a) Equipment, including dryers, used exclusively for dyeing, stripping, or bleaching of textiles where no organic solvents, diluents or thinners are used.
- (b) Equipment used exclusively for bonding lining to brake shoes, where no organic solvents are used and Control Equipment exclusively venting such Equipment.
- (c) Equipment used exclusively to liquefy or separate oxygen, nitrogen, or the rare gases from air.
- (d) Equipment used exclusively for surface preparation, cleaning, passivation, deoxidation, and/or stripping which uses water-based cleaners containing 2 percent or less of VOC by volume (20 grams per liter or less), or containing formic acid, acetic acid, phosphoric acid, sulfuric acid, hydrochloric acid (12 percent or less by weight), alkaline oxidizing agents, hydrogen peroxide, salt solutions, sodium hydroxide and/or water. This exemption does apply to anodizing, hard anodizing, chemical milling, circuit board etching using ammonia-based etchant, or the stripping of chromium, except sulfuric acid anodizing with a bath concentration of 20 percent or less by weight of sulfuric acid and using 10,000 amp-hours per day or less of electricity.
- (e) Equipment used exclusively for the plating, stripping, or anodizing of metals as described below:
  - (i) Electrolytic plating of exclusively brass, bronze, copper, iron, tin, lead, zinc, and precious metals, providing no chromic, hydrochloric or sulfuric acid is used;
  - (ii) Electroless nickel plating, provided that the process is not air-sparged and no electrolytic reverse plating occurs;
  - (iii) The electrolytic stripping of brass, bronze, copper, iron, tin, zinc, and precious metals, provided no chromic, hydrochloric, nitric or sulfuric acid is used;
  - (iv) The non-electrolytic stripping of metals, providing the stripping solution is not sparged and does not contain nitric acid;
  - (v) Anodizing using exclusively sulfuric acid and/or boric acid with a total bath concentration of 20 percent acids or less by weight and using 10,000 amp-hours per day or less of electricity;
  - (vi) Anodizing using exclusively phosphoric acid with a bath concentration of 15 percent or less phosphoric acid by weight and using 20,000 amp-hours per day or less of electricity; or
  - (vii) Water and associated rinse tanks and waste storage tanks used exclusively to store the solutions drained from equipment used for the plating, stripping or anodizing of metals.
- (f) Equipment used exclusively for the packaging of lubricants or greases.

- (g) Equipment used exclusively for tableting vitamins, herbs, dietary supplements, or pharmaceuticals, packaging vitamins, herbs, dietary supplements, or pharmaceuticals and cosmetics, or coating vitamins, herbs, dietary supplements or pharmaceutical tablets, provided no organic solvents are used, and Control Equipment used exclusively to vent such Equipment.
- (h) Equipment used exclusively for coating objects with oils, melted waxes or greases which contain no organic solvents, diluents or thinners.
- (i) Equipment used exclusively for coating objects by dipping in waxes or natural and synthetic resins which contain no organic solvents, diluents or thinners.
- (j) Unheated, non-conveyorized, cleaning or coating equipment:
  - (i) With an open surface area of 10.8 square feet or less and an internal volume of 92.5 gallons or less, having an organic solvent loss of 3 gallons per day or less; or
  - (ii) Using only organic solvents with an initial boiling point of 302°F (150° C) or greater as determined by ASTM D1078-11 *Standard Test Method for Distillation Range of volatile Organic Liquids*; or
  - (iii) Using materials with a VOC content of 2 percent (20 grams per liter) or less by volume.

This exemption does not apply to Equipment with a capacity of more than 2 gallons (7.57 liters), which was designed as a solvent cleaning and drying machine, using solvents that are greater than 5 percent by weight of perchloroethylene, methylene chloride, carbon tetrachloride, chloroform, 1,1,1-trichloroethane, trichloroethylene, or any combination thereof.

- (k) Batch ovens with 53 ft<sup>3</sup> or less internal volume where no melting occurs. This exemption does not apply to ovens used to cure vinyl plastisols or debond brake shoes.
- (l) Batch ovens used exclusively to cure 30 pounds per day or less of powder coatings.
- (m) Equipment used exclusively for the washing and subsequent drying of materials and Control Equipment exclusively venting such Equipment, provided that no VOC are.
- (n) Equipment used exclusively for manufacturing soap or detergent bars, including mixing tanks, roll mills, plodders, cutters, wrappers, where no heating, drying or chemical reactions occur.
- (o) Spray coating equipment operated within permitted Control Equipment.

- (p) Coating or adhesive application or laminating Equipment such as air, airless, air-assisted airless, high volume low pressure (HVLP), and electrostatic spray equipment, and roller coaters, dip coaters, vacuum coaters and flow coaters and spray machines provided that:
  - (i) The VOC emissions from such Equipment (including clean-up) is 3 pounds per day or less; or
  - (ii) The total quantity of UV or electron beam (non-solvent based and non-waterborne) coatings, adhesives and associated VOC containing solvents (including cleanup) used in such Equipment is 6 gallons per day or less.; or
  - (iii) The total quantity of solvent type coating and/or adhesive used is 1 gallon per day or less, including cleanup solvent; or
  - (iv) The total quantity of water reducible or water based type coating and adhesives and associated VOC containing solvents (including clean-up) is 3 gallons per day or less; or
  - (v) The total quantity of polyester resin or gel coat type material and associated VOC containing solvents (including clean-up) is 1 gallon per day or less.

If a combination of the Coatings, Adhesives and polyester resin and gel coat type materials identified in (ii), (iii), (iv) and/or (v) are used in any Equipment, this exemption is only applicable if the operations meet the criteria specified in (i) or (vi), or the total usage of Coatings, Adhesives, polyester resin and gel coat type materials and associated VOC containing Solvents (including cleanup) meets the most stringent applicable limit in (ii), (iii), (iv) or (v). For exemptions based on usage, Solvent-based UV and waterborne UV materials are subject to the usage limits in (iii) and (iv), respectively.

- (q) Spray coating and associated drying equipment and Control Equipment used exclusively for educational purposes in educational institutions.
- (r) Portable coating equipment and pavement stripers used exclusively for the application of architectural coatings according to District Rule 1113.
- (s) Inert gas generators.
- (t) Hammermills used exclusively to process aluminum and/or tin cans, and Control Equipment exclusively venting such Equipment. {
- (u) Heated degreasers with a liquid/vapor interface surface area of 1 square foot or less, or using aqueous cleaning materials with a VOC content of 2 percent (20 grams per liter) or less by volume provided such degreasers have an organic solvent loss of 3 gallons per day or less. This exemption does not apply to heated degreasers with a capacity of more than 2 gallons using solvents that are greater than five (5) percent by weight of perchloroethylene, methylene chloride, carbon tetrachloride, chloroform, 1,1,1-trichloroethane, trichloroethylene, or any combination thereof.



- (v) Paper shredding and associated conveying systems, baling Equipment.
- (w) Chemical vapor type sterilization Equipment where no Ethylene Oxide is used, and with a chamber volume of 2 ft<sup>3</sup> or less used by healthcare facilities.
- (x) Hand application of resins, adhesives, dyes, coatings and solvents using devices such as brushes, daubers, rollers trowels, rags, swabs and squeeze bottles.
- (y) Drying Equipment such as flash-off ovens, drying ovens, or curing ovens associated with coating or adhesive application or laminating Equipment provided the drying equipment is exempt pursuant to paragraph (E)(2)(b), and provided that:
  - (i) The total quantity of VOC emissions from all coating and/or adhesive application, and laminating Equipment that the drying equipment serves is 3 pounds per day or less or not to exceed 66 pounds per calendar month; or
  - (ii) The total quantity of UV or electron beam (non-solvent based and non-waterborne) coatings and adhesives, and associated VOC containing solvents (including clean-up) used in all coating and/or adhesive application, and laminating Equipment that the drying Equipment serves is 6 gallons per day or less or not to exceed 132 gallons per calendar month; or
  - (iii) The total quantity of solvent based coatings and adhesives and associated VOC containing solvents (including clean-up) used in all coating and/or adhesive application, and laminating Equipment that the drying equipment serves is 1 gallon per day or less or not to exceed 22 gallons per calendar month; or
  - (iv) The total quantity of water reducible or waterborne coating and adhesives and associated VOC containing solvents (including clean-up) used in all coating and/or adhesive application, and laminating equipment that the drying Equipment serves is 3 gallons per day or less or not to exceed 66 gallons per calendar month; or
  - (v) The total quantity of polyester resin and gel coat type materials and associated VOC containing solvents (including clean-up) used in all coating, adhesive application, and laminating Equipment that the drying equipment serves is 1 gallon per day or less or not to exceed 22 gallons per calendar month; or
  - (vi) All coatings, adhesives, polyester resin and gel coat type materials and associated VOC containing solvents (excluding cleanup solvents) contain 50 grams or less of VOC per liter of material and all cleanup solvents contain 25 grams or less of VOC per liter of material, and the total quantity of VOC emissions do not exceed 1 ton per calendar year.

If combination of the coatings, adhesives and polyester resin and gel coat type materials identified in (ii), (iii), (iv) and/or (v) are used in any equipment, this exemption is only applicable if the operations meet the criteria specified in (i) or (vi), or the total usage of coatings, adhesives, polyester resin and gel coat type materials and associated VOC containing solvents (including cleanup) meets the most stringent applicable limit in (ii), (iii), (iv) or (v). For exemptions based on usage, solvent based UV and waterborne UV materials are subject to the usage limits in (iii) and (iv), respectively.

- (z) Hot melt adhesive Equipment.
- (aa) Pyrotechnical Equipment, especial effects or fireworks paraphernalia Equipment used for entertainment purposes.
- (bb) Ammunition or explosive testing Equipment.
- (cc) Fire extinguishing Equipment using halons.
- (dd) Industrial wastewater treatment Equipment which only does pH adjustment, precipitation, gravity separation and/or filtration of the wastewater, including equipment used for reducing hexavalent chromium and/or destroying cyanide compounds. This exemption does not apply to treatment processes where VOC and/or toxic materials are emitted, or where the inlet concentration of cyanide salts through the wastewater treatment process prior to pH adjustment exceeds 200 mg per liter.
- (ee) Equipment used exclusively for the packaging of sodium hypochlorite-based household cleaning or pool products.
- (ff) Foam packaging Equipment using 20 gallons per day or less of liquid foam material.
- (gg) Foam application Equipment using 2 component polyurethane foam where no VOC containing blowing agent is used, excluding chlorofluorocarbons or methylene chloride, and Control Equipment exclusively venting this Equipment.
- (hh) Industrial wastewater evaporators treating water generated from on-site processes only, where no VOC and/or toxic materials are emitted.
- (ii) High efficiency particulate air (HEPA) filtration Equipment and negative air machines used in asbestos demolition and/or renovation activities regulated pursuant to District Rule 1403 – *Asbestos Emissions from Demolition/Renovation Activities*.
- (jj) Closed loop solvent recovery systems used for the recovery of waste solvent generated on-site using refrigerated or liquid cooled condenser, or air-cooled (where the solvent reservoir capacity is less than 10 gallons) condenser.

- (kk) Toner refilling and Control Equipment used exclusively to vent such Equipment.
  - (ll) Evaporator used at dry cleaning facilities to dispose of separator wastewater and Control Equipment exclusively venting the Equipment.
  - (mm) Cleaning Equipment using materials with a VOC content of 25 grams of VOC per liter of material or less, and associated dryers exclusively serving these cleaners.
  - (nn) Gravity-type oil water separators with a total air/liquid interfacial area of less than 45 square feet and the oil specific gravity of 0.8251 or higher (40.0 API or lower).
- (13) Storage and Transfer Equipment
- (a) Equipment used exclusively for the storage and transfer of fresh, commercial or purer grades of:
    - (i) Sulfuric acid or phosphoric acid with an acid strength of 99 percent or less (weight by weight) as determined by test method ASTM E223-16 – *Standard Test Methods for Analysis of Sulfuric Acid* or an equivalent method approved by CARB, USEPA and the APCO.
    - (ii) Nitric acid with an acid strength of 70 percent or less (weight by weight) as determined by test method ASTM D891-18 – *Standard Test Methods for Specific Gravity, Apparent, of Liquid Industrial Chemicals* or an equivalent method approved by CARB, USEPA and the APCO.
    - (iii) Water based solutions of salts or sodium hydroxide.
  - (b) Equipment used exclusively for the storage and/or transfer of liquefied gases. This exemption does not apply to LPG storage greater than 19,815 gallons or hydrogen fluoride storage greater than 1,057 gallons.
  - (c) Equipment used exclusively for the transfer of less than 20,000 gallons per day of unheated organic materials, with an initial boiling point of 302°F or greater, or with an organic vapor pressure of 0.1 psia or less at 70°F.
  - (d) Equipment used exclusively for the storage of unheated organic materials with an initial boiling point of 302°F (150° C) or greater, or with an organic vapor pressure of 0.1 psi absolute or less at 70°F. This exemption does not apply to liquid fuel storage greater than 40,000 gallons.
  - (e) Equipment used exclusively for transferring organic liquids, materials containing organic liquids, or compressed gases into containers of less than 60 gallons capacity. This exemption does not apply to Equipment used for transferring more than 1,057 gallons of materials per day with a vapor pressure greater than 0.5 psia at operating conditions.

- (f) Equipment used exclusively for the storage and transfer of liquid soaps, liquid detergents, vegetable oils, fatty acids, fatty esters, fatty alcohols, waxes and wax emulsions.
- (g) Equipment used exclusively for the storage and transfer of refined lubricating oils.
- (h) Equipment used exclusively for the storage and transfer of crankcase drainage oil.
- (i) Equipment used exclusively for organic liquid storage or transfer to and from such storage, of less than 251 gallons (950.13 liters) capacity. This exemption does not apply to asphalt storage.
- (j) Equipment used exclusively for the storage and transfer of "top white" (i.e., Fancy) or cosmetic grade tallow or edible animal fats intended for human consumption and of sufficient quality to be certifiable for United States markets.
- (k) Equipment used exclusively for the storage, holding, melting and transfer of asphalt or coal tar pitch with a capacity of less than 159 gallons.
- (l) Pumps used exclusively for pipeline transport of liquids.
- (m) Equipment used exclusively for the unheated underground storage of 6,077 gallons or less, and equipment used exclusively for the transfer to or from such storage of organic liquids with a vapor pressure of 1.5 psia or less at actual storage conditions as determined by ASTM D2879-10 – *Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope* or an equivalent method approved by CARB, USEPA and the APCO, and Equipment used exclusively for the transfer from such storage.
- (n) Equipment used exclusively for the storage and/or transfer of an asphalt-water emulsion heated to 150°F or less.
- (o) Liquid fuel storage tanks piped exclusively to emergency internal combustion engine-generators, turbines or pump drivers.
- (p) Bins used for temporary storage and transport of material with a capacity of 550 gallons or less.
- (q) Equipment used for material storage where no venting occurs during filling or normal use.
- (r) Equipment used exclusively for storage, blending, and/or transfer of water emulsion intermediates and products, including latex, with a VOC content of 5 percent by volume or less or a VOC composite partial pressure of 0.1 psi absolute or less at 68°F.

- (s) Equipment used exclusively for storage and/or transfer of sodium hypochlorite solution.
  - (t) Equipment used exclusively for the storage of organic materials which are stored at a temperature at least 234°F below its initial boiling point, or have an organic vapor pressure of 0.1 psi absolute or less at the actual storage temperature. To qualify for this exemption, the operator shall, if the stored material is heated, install and maintain a device to measure the temperature of the stored organic material. This exemption does not apply to liquid fuel storage greater than 40,000 gallons, asphalt storage, or coal tar pitch storage.
  - (u) Stationary equipment used exclusively to store and/or transfer organic compounds that do not contain VOCs.
  - (v) Unheated equipment including associated control equipment used exclusively for the storage and transfer of fluorosilicic acid at a concentration of 30 percent or less by weight and a vapor pressure of 0.5 psi or less at 77°F. The hydrofluoric acid concentration within the fluorosilicic acid solution shall not exceed one percent (1%) by weight.
- (14) Agricultural Sources
- (a) Orchard wind machines powered by an internal combustion engine with a manufacturer's rating greater than 50 bhp, provided the engine is operated no more than 30 hours per calendar year.
  - (b) Orchard heaters approved by the California Air Resources Board to produce no more than one (1) gram per minute of unconsumed solid carbonaceous material.

## (F) Recordkeeping

- (1) Any person claiming exemptions under the provisions of this rule shall:
  - (a) Provide, upon District request, adequate records to verify and maintain any exemption. Adequate records can include, but are not limited to, any of the following:
    - (i) Materials Safety Data Sheets (MSDS) or other materials specifications as issued by the manufacturer of such materials containing the data necessary to demonstrate compliance;
    - (ii) Purchase records;
    - (iii) On site inventory records;
    - (iv) Consistently maintained and retained logs of Equipment run time, hours of operation; gallons of fuel used; Control Efficiency of the Control Equipment; and/or amount of materials consumed as applicable for the particular exemption;

- (v) Manufacturer's data plate or similar information indicating size, capacity, Bhp, heat input value and/or other relevant information useful to determine compliance with an exemption.
  - (vi) Control Efficiency of any attached air pollution Control Equipment if such Control Equipment is also exempt pursuant to the particular exemption.
  - (vii) Records of Visual Emissions Evaluations performed pursuant to USEPA Method 9 – *Visual determination of the Opacity of Emissions from Stationary Sources*; and/or USEPA Method 22 - *Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares* as applicable.
  - (viii) Records which are deemed adequate pursuant to the provisions of District Rule 109.
- (b) Any Person claiming an exemption based upon an emissions limitation, including but not limited to those exemptions including but not limited to those found in subsections (E)(8)(a), (E)(10)(i), (E)(10)(iii), (E)(12)(p)(i), (E)(12)(y)(i) and (E)(12)(y)(vi) shall provide the following to verify and maintain such emissions limitation:
- (i) Materials Safety Data Sheets (MSDS) or other materials specifications as issued by the manufacturer of such materials containing the data necessary to demonstrate compliance; and
  - (ii) Consistently maintained use logs indicating the amount of materials used or consumed on a daily, monthly and/or annual basis as applicable. Purchase and inventory records can be used in lieu of use logs so long as such records are maintained and updated on a periodic basis sufficient to show continuous compliance with the specific emissions limitation; and
  - (iii) Any applicable records which are deemed adequate pursuant to the provisions of District Rule 109.
- (2) All records shall be maintained and retained on-site for at least 5 years.
- (3) Any test method used to verify the percentages, concentrations, vapor pressures, etc., as required by this Rule or by any other applicable District Rule or Regulation shall be CARB, USEPA, and District approved.
- (4) Failure to provide records shall be considered a violation of District Rule 201 – *Permit to Construct* and/or Rule 203 – *Permit to Operate* and may also constitute a violation of District Regulation XIII – *New Source Review*, Rule 1401 – *New Source Review for Toxic Air Contaminants*, Regulation XVII – *Prevention of Significant Deterioration*, and/or Regulation XXX – *Title V Permits* if applicable.

(G) Compliance Date

- (1) The Owner/Operator of equipment previously not requiring a permit pursuant to the provisions of this shall comply with the provisions of District Rule 201 – *Permit to Construct* and/or Rule 203 – *Permit to Operate* within 1 year from the date the rule is amended to remove the exemption unless compliance is required before that time by written notification from the APCO.

See SIP Table at [www.avaqmd.ca.gov](http://www.avaqmd.ca.gov)

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