

RULE 2530 FEDERALLY ENFORCEABLE POTENTIAL TO EMIT (Adopted June 15, 1995; Amended April 25, 2002; Amended December 18, 2008, but not in effect until June 10, 2010)

1.0 Purpose

The purpose of this rule is to restrict the potential to emit of a stationary source so that the source may be exempt from the requirements of Rule 2520 (Federally Mandated Operating Permits).

2.0 Applicability

This rule shall apply to any stationary source which is a major source of regulated air pollutants or of hazardous air pollutants.

3.0 Definitions

All terms shall retain the definitions provided under Rule 2520 unless otherwise defined in this section.

3.1 12-month period: a period of twelve consecutive months determined on a rolling basis with a new 12-month period beginning on the first day of each calendar month.

3.2 Actual Emissions: the emissions of a regulated air pollutant from a stationary source for every 12-month period. Valid continuous emission monitoring data or source test data shall be preferentially used to determine actual emissions. In the absence of valid continuous emissions monitoring or source test data, the basis for determining actual emissions shall be: throughput of process materials; throughput of materials stored; usage of materials; data provided in manufacturer's product specifications; material volatile organic compound content reports or laboratory analyses; other information required by this rule and applicable District, state, and federal regulations; or information requested in writing by the District. All calculations of actual emissions shall use EPA, CARB, or District approved methods, including emission factors and assumptions.

3.3 HAP: a hazardous air pollutant listed in section 112(b) of the federal Clean Air Act.

3.4 Major Source of Hazardous Air Pollutants: a stationary source with potential to emit (including fugitive emissions) 10 tons per year or more of a single HAP, or 25 tons per year or more (including fugitive emissions) of a combination of HAPs. Emissions from any oil or gas production well (with its associated equipment) and emissions from any pipeline compressor station shall not be aggregated with emissions from other similar units to determine whether such units or stations are major sources of HAPs.

3.5 Process Statement: an annual report on permitted emission units from an owner or operator of a stationary source certifying under penalty of perjury the following: throughput of process materials; throughput of materials stored; usage of materials; fuel usage; any available continuous emissions monitoring data; hours of operation; and any other information required by this rule or requested in writing by the District.

#### 4.0 General Provisions

4.1 Any stationary source that is in compliance with the applicable requirements of this rule shall not be considered a major source for the purpose of compliance with District Rule 2520.

4.2 Provision for Air Pollution Control Equipment: The owner or operator of a stationary source may take into account the operation of air pollution control equipment on the capacity of the source to emit an air contaminant if the equipment is required by Federal, State, or District rules and regulations or permit terms and conditions. The owner or operator of the stationary source shall maintain and operate such air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. This provision shall not apply after January 1, 1999 unless such operational limitation is federally enforceable or unless the District Board specifically extends this provision and it is submitted to the EPA. Such extension shall be valid unless, and until, the EPA disapproves the extension of this provision.

4.3 Within three years of the effective date of District Rule 2520, the District shall maintain and make available to the public upon request, for each stationary source subject to this rule, information identifying the provisions of this rule applicable to the source.

4.4 This rule shall not relieve any stationary source from complying with requirements pertaining to any otherwise applicable preconstruction permit, or to replace a condition or term of any preconstruction permit, or any provision of a preconstruction permitting program. This does not preclude issuance of any preconstruction permit with conditions or terms necessary to ensure compliance with this rule.

4.5 Unless the owner or operator has chosen to operate the stationary source under an alternative operational limit specified in section 6.2, the owner or operator of a stationary source subject to this rule shall obtain any necessary permits prior to commencing any physical or operational change or activity which will result in actual emissions that exceed the limits specified in section 6.1.

4.6 The owner or operator of a stationary source subject to this rule shall obtain any necessary permits prior to commencing any physical or operational change or

activity which will result in an exceedance of an applicable operational limit specified in section 6.2.

## 5.0 Exemptions

- 5.1 The provisions of this rule shall not apply to a stationary source with valid Part 70 permits, or a stationary source that has applied for Part 70 permit in accordance with timelines required in District Rule 2520. Nothing in this rule shall prevent any stationary source which has had a Part 70 permit from qualifying to comply with this rule in the future in lieu of maintaining an application for a Part 70 permit or upon rescission of a Part 70 permit if the owner or operator demonstrates that the stationary source is in compliance with the applicable requirements of this rule.
- 5.2 The provisions of this rule shall not apply to stationary source whose actual emissions, throughput, or operation, at any time after the effective date of this rule, exceed the limits specified in this rule, provided that the following conditions are met:
  - 5.2.1 The owner or operator has notified the District at least 30 days prior to any exceedance, and will submit an application for a Part 70 permit, or otherwise obtain federally-enforceable permit limits, and
  - 5.2.2 A complete Part 70 permit application is received by the District, or the permit action to otherwise obtain federally-enforceable limits is completed, within 12 months of the date of notification.
- 5.3 This rule shall not apply to any stationary source which has a valid operating permit with federally enforceable conditions or other federally enforceable limits limiting its potential to emit to below the applicable threshold(s) for a major source.
- 5.4 The recordkeeping and reporting requirements of this rule shall not apply to the following:
  - 5.4.1 Any stationary source that emits no more than the following quantity of emissions in any 12-month period:
    - 5.4.1.1 5 tons per year of a regulated air pollutant (excluding HAPs),
    - 5.4.1.2 2 tons per year of NO<sub>x</sub> or VOC, or of a single HAP,
    - 5.4.1.3 5 tons per year of any combination of HAPs, and
    - 5.4.1.4 20 percent of any lesser threshold for a single HAP that the EPA may establish by rule.

- 5.4.2 Any stationary sources for which 90 percent of the stationary sources emissions from the permitted emissions units in every 12-month period are associated with an operation for which the throughput is less than or equal to one of the following quantities:
- 5.4.2.1 560 gallons of any combination of solvent containing material but no more than 220 gallons of any one solvent-containing material, provided that the materials do not contain methyl chloroform (1,1,1-trichloroethane), methylene chloride (dichloromethane), tetrachloroethylene (perchloroethylene), or trichloroethylene;
  - 5.4.2.2 300 gallon of any combination of solvent containing materials where the material contain methyl chloroform (1,1,1-trichloroethane), methylene chloride (dichloromethane), tetrachloroethylene (perchloroethylene), or trichloroethylene, but no more than 120 gallons of any one solvent-containing material;
  - 5.4.2.3 500 gallons of solvent-containing (or volatile organic compound containing) material used at a paint spray unit(s);
  - 5.4.2.4 2,862,000 gallons of gasoline dispensed from equipment with Phase I and Phase II Vapor Recovery Systems as defined in Rule 4621;
  - 5.4.2.5 188,000 gallons of gasoline dispensed from equipment without Phase I and Phase II Vapor Recovery Systems as defined in Rule 4621;
  - 5.4.2.6 560 gallons of gasoline combusted;
  - 5.4.2.7 6,640 gallons of diesel fuel combusted; or
  - 5.4.2.8 28,560,000 cubic feet of natural gas combusted.

- 5.5 The reporting requirements of this rule shall not apply to stationary sources which emit in every 12-month period less than or equal to the following quantities:
- 5.5.1 25 tons per year of sulfur dioxide or carbon monoxide;
  - 5.5.2 2.5 tons per year for oxides of nitrogen, or volatile organic compounds;
  - 5.5.3 15 tons per year for particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM<sub>10</sub>);
  - 5.5.4 2.5 tons per year of a single HAP;
  - 5.5.5 6.25 tons per year of any combination of HAPs; and
  - 5.5.6 25 percent of any lesser threshold for a single HAP as the EPA may establish by rule.
- 5.6 Within 30 days of written request by the District or the EPA, the owner or operator of stationary source claiming exemption from the recordkeeping and reporting requirements of this rule shall demonstrate the stationary source's emissions or throughput are not in excess of the applicable quantities set forth in section 5.4.1, 5.4.2, or 5.5 of this rule.

## 6.0 General Requirements

Each stationary source shall meet either the emission limits prescribed in section 6.1 or the alternative operational limits in section 6.2 of this rule.

### 6.1 Emission Limits:

In every 12-month period, the stationary source shall not emit more than the following quantity of emissions:

- 6.1.1 5 tons per year of oxides of nitrogen or volatile organic compounds;
- 6.1.2 35 tons per year of sulfur dioxide or particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM<sub>10</sub>);
- 6.1.3 50 tons per year of carbon monoxide;
- 6.1.4 5 tons per year of a single HAP,
- 6.1.5 12.5 tons per year of any combination of HAPs,
- 6.1.6 50 percent of any lesser threshold for a single HAP as the EPA may establish by rule, and

6.1.7 50 percent of the major source threshold for any other regulated air pollutant not listed in 6.1.1 through 6.1.6.

## 6.2 Alternative Operational Limits:

Stationary sources for which 90 percent of the stationary sources emissions from the permitted emissions units in every 12-month period are associated with one of the following operations, shall comply with the following operational limits for that operation:

### 6.2.1 Gasoline Dispensing Facility with Phase I and II Vapor Recovery Systems

No more than 7,000,000 gallons of gasoline dispensed in any 12-month period.

### 6.2.2 Degreasing or Solvent-Using Units

6.2.2.1 If the solvents do not include methyl chloroform (1,1,1-trichloroethane), methylene chloride (dichloromethane), tetrachloroethylene (perchloroethylene), or trichloroethylene, no more than 2,700 gallons of any combination of solvent-containing materials and 2,200 gallons of any one solvent-containing material is used in any 12-month period; or

6.2.2.2 If the solvents include methyl chloroform (1,1,1-trichloroethane), methylene chloride (dichloromethane), tetrachloroethylene (perchloroethylene), or trichloroethylene, no more than 2,900 gallons of any combination of solvent-containing materials and 1,200 gallons of any one solvent-containing material is used in any 12-month period.

### 6.2.3 Paint Spraying Units

The total usage rate of all VOC-containing materials, including but not limited to coatings, thinners, reducers, and clean-up solution is no more than 2,100 gallons in any 12-month period.

### 6.2.4 Diesel-Fueled Emergency Stand-by Engine(s) of less than 1,000 Brake Horsepower

Fuel usage is no more than 26,400 gallons in any 12-month period.

## 7.0 Recordkeeping and Reporting Requirements

- 7.1 The recordkeeping and reporting requirements of this rule shall not replace any recordkeeping or reporting requirement contained in an operating permit or in a District, State, or Federal rule or regulation.
- 7.2 Any stationary source previously exempt from the recordkeeping and reporting requirements of this rule in accordance with section 5.4 of this rule, shall comply with applicable recordkeeping and reporting requirements of this rule if the stationary source exceeds the quantities specified in sections 5.4.1, or 5.4.2 of this rule.
- 7.3 Immediately after the effective date of this rule, the owner or operator of a stationary source subject to this rule shall comply with any applicable recordkeeping requirements in this section.
- 7.4 Any additional information requested by the APCO shall be submitted to the APCO within 30 days of the date of request.
- 7.5 Except for stationary sources operating under the alternative operational limits of this rule, the owner or operator shall comply with the following recordkeeping requirements:
- 7.5.1 The owner or operator of a stationary source subject to this rule shall keep and maintain records for each permitted emission unit or groups of permitted emission units sufficient to determine actual emissions. Such information shall be summarized in a monthly log, maintained on site by the owner or operator for five years, and be made available to District, CARB, or EPA staff upon request. (In some cases it may be appropriate to keep records on groups of emissions units which are connected in series. Examples are internal combination engines in the oil fields with a common fuel line, or a series of paint spray booths with a common feed.)
- 7.5.2 Coating/Solvent Emission Unit
- The owner or operator of a stationary source subject to this rule that contain a coating/solvent emission unit or uses a coating, solvent, ink or adhesive shall keep and maintain the following records:
- 7.5.2.1 A current list of all coatings, solvents, inks and adhesives in use. This list shall include: information on the manufacturer, brand, product name or code, VOC content in grams per liter or pounds per gallon, HAPs content in grams per liter or pounds per gallon, or manufacturer's product specifications, material VOC content reports or laboratory analyses providing this information;

- 7.5.2.2 A description of any equipment used during and after coating/solvent application, including type, make and model; maximum design process rate or throughput; control device(s) type and description (if any); and a description of the coating/solvent application/drying method(s) employed;
- 7.5.2.3 A monthly log of the consumption of each solvent (including solvents used in clean-up and surface preparation), coating, ink and adhesive used; and
- 7.5.2.4 All purchase orders, invoices, and other documents to support information in the monthly log.

### 7.5.3 Organic Liquid Storage Unit

The owner or operator of a stationary source subject to this rule that contains a permitted organic liquid storage unit shall keep and maintain the following records:

- 7.5.3.1 A monthly log identifying the liquid stored and monthly throughput; and
- 7.5.3.2 Information on the tank design and specifications including control equipment.

### 7.5.4 Combustion Emission Unit

The owner or operator of a stationary source subject to this rule that contains a combustion emission unit shall keep and maintain the following records:

- 7.5.4.1 Information on equipment type, make and model, maximum design process rate or maximum power input/output, minimum operating temperature (for thermal oxidizers) and capacity, control device(s) type and description (if any) and all source test information; and
- 7.5.4.2 A monthly log of hours of operation, fuel type, fuel usage, fuel heating value (for non-fossil fuels; in terms of BTU/lb or BTU/gal), percent sulfur for fuel oil and coal, and percent nitrogen for coal.



#### 7.5.5 Emission Control Unit

The owner or operator of a stationary source subject to this rule that contains an emission control unit shall keep and maintain the following records:

- 7.5.5.1 Information on equipment type and description, make and model, and emission units served by the control unit;
- 7.5.5.2 Information on equipment design including where applicable: pollutant(s) controlled; control effectiveness; maximum design or rated capacity; inlet and outlet temperatures, and concentrations for each pollutant controlled; catalyst data (type, material, life, volume, space velocity, ammonia injection rate and temperature); baghouse data (design, cleaning method, fabric material, flow rate, air/cloth ratio); electrostatic precipitator data (number of fields, cleaning method, and power input); scrubber data (type, design, sorbent type, pressure drop); other design data as appropriate; all source test information; and
- 7.5.5.3 A monthly log of hours of operation including notation of any control equipment breakdowns, upsets, repairs, maintenance and any other deviations from design parameters.

#### 7.5.6 General Emission Unit

The owner or operator of a stationary source subject to this rule that contains an emission unit not included in section 7.5.2 through 7.5.4 above shall keep and maintain the following records:

- 7.5.6.1 Information on the process and equipment including the following: equipment type, description, make and model; maximum design process rate or throughput; control device(s) type and description (if any);
- 7.5.6.2 Any additional information requested in writing by the APCO;
- 7.5.6.3 A monthly log of operating hours, each raw material used and its amount, each product produced and its production rate; and
- 7.5.6.4 Purchase orders, invoices, and other documents to support information in the monthly log.

7.5.7 At the time of annual District review of a permit to operate under Rule 2520, each owner or operator of a stationary source subject to this rule shall submit to the District a process statement. The statement shall be signed by the owner or operator and certify that the information provided is accurate and true.

7.6 Upon choosing to operate a stationary source subject to this rule under any one alternative operational limit, the owner or operator shall operate the stationary source in compliance with the alternative operational limit as prescribed in section 6.2 and shall comply with the following recordkeeping and reporting requirements:

7.6.1 The owner or operator shall report within 24 hours to the APCO any exceedance of the alternative operational limit.

7.6.2 The owner or operator shall maintain all purchase orders, invoices, and other documents to support information required to be maintained in a monthly log. Records required under this section shall be maintained on site for five years and be made available to District or EPA staff upon request.

7.6.3 Gasoline Dispensing Facility Equipment with Phase I and II Vapor Recovery Systems

The owner or operator shall operate the gasoline dispensing equipment in compliance with the following requirements:

7.6.3.1 A monthly log of gallons of gasoline dispensed in the preceding month with a monthly calculation of the total gallons dispensed in the previous 12 months shall be kept on site.

7.6.3.2 A copy of the monthly log shall be submitted to the APCO at the time of annual permit renewal. The owner or operator shall certify that the log is accurate and true.

7.6.4 Degreasing or Solvent-Using Unit

The owner or operator shall operate the degreasing or solvent-using unit(s) in compliance with the following requirements:

7.6.4.1 A monthly log of amount and type of solvent used in the preceding month with a monthly calculation of the total gallons used in the previous 12 months shall be kept on site.

7.6.4.2 A copy of the monthly log shall be submitted to the APCO at the time of annual permit renewal. The owner or operator shall certify that the log is accurate and true.

#### 7.6.5 Paint Spraying Unit

The owner or operator shall operate the paint spraying unit(s) in compliance with the following requirements:

7.6.5.1 A monthly log of the gallons of VOC-containing materials used in the preceding month with a monthly calculation of the total gallons used in the previous 12 months shall be kept on site.

7.6.5.2 A copy of the monthly log shall be submitted to the APCO at the time of annual permit renewal. The owner or operator shall certify that the log is accurate and true.

#### 7.6.6 Diesel-Fueled Emergency Standby Engine(s) with Output Less Than 1,000 Brake Horsepower

The owner or operator shall operate the emergency standby engine(s) in compliance with the following requirements:

7.6.6.1 A monthly log of hours of operation, gallons of fuel used, and a monthly calculation of the total hours operated and gallons of fuel used in the previous 12 months shall be kept on site.

7.6.6.2 A copy of the monthly log shall be submitted to the APCO at the time of annual permit renewal. The owner or operator shall certify that the log is accurate and true.

### 8.0 Violations

8.1 Failure to comply with any of the applicable provisions of this rule shall constitute a violation of this rule. Each day during which a violation of this rule occurs is a separate offense.

8.2 A stationary source subject to this rule shall be subject to applicable federal requirements for a major source, including Rule 2520 when the conditions specified in either subsections 8.2.1 or 8.2.2 below, occur:

8.2.1 Commencing on the first day following every 12-month period in which the stationary source exceeds a limit specified in section 6.1 above and any applicable alternative operational limit specified in section 6.2, above, or

8.2.2 Commencing on the first day following every 12-month period in which the owner or operator can not demonstrate that the stationary source is in

compliance with the limits in section 6.1 above or any applicable alternative operational limit specified in section 6.2 above.

- 8.3 The APCO shall evaluate a stationary source's compliance with the emission limitations in section 6.1 above as part of the District's annual permit review process required by Health & Safety Code section 42301(e). In performing the evaluation, the APCO shall consider any annual process statement submitted pursuant to section 7.0 reporting requirements. In the absence of valid continuous emission monitoring data or source test data, actual emissions shall be calculated using emissions factors approved by the EPA, CARB, or the APCO.