

3.0, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 1/28/81
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REGULATION III

PROHIBITION - STATIONARY EMISSION SOURCES

- Rule 3.0 Visible Emissions: As provided by Section 41701 of the California Health and Safety Code, a person shall not discharge into the atmosphere from any single source of emissions whatsoever, any air contaminants for a period or periods aggregating more than three minutes in any one hour which is:
- a. As dark or darker in shade as that designated as No. 2 on the Ringlemann Chart, as published by the United States Bureau of Mines; or
 - b. Of such opacity as to obscure an observers view to a degree equal to or greater than does smoke described in Subsection 'a', above.
- Rule 3.1 Exceptions to Rule 3.0: In accordance with Section 41704 of the California Health and Safety Code, nothing in Rule 3.0 shall be construed to prohibit:
- a. Open burning as authorized under Rule 2.1;
 - b. The use of orchard and citrus grove heaters which are in compliance with Rule 2.15;
 - c. Emissions resulting from food preparation, heating or comfort fires in single or two-family dwellings, providing prohibited materials as outlined in Rule 2.9 of these Rules and Regulations, are not burned.
- Rule 3.2 Particulate Matter Concentration: A person shall not discharge into the atmosphere from any source, except as allowed by Rule 3.1, section a and c of these Rules and Regulations, particulate matter in excess of 0.3 grains per cubic foot of gas at standard conditions.
- When the source involves a combustion process, the concentration must be calculated to 12 per cent carbon dioxide (CO₂). In measuring the combustion contaminants from incinerators used to dispose of combustible refuse by burning the carbon dioxide (CO₂) produced by combustion of any liquid or gaseous fuels shall be excluded from the calculation to 12 per cent of carbon dioxide (CO₂).
- Rule 3.3 Dust and Fumes: A person shall not discharge in any one hour from any source whatsoever, except as provided by Rule 3.1, section a and c of these Rules and Regulations, dust or fumes in total quantities in excess of the amounts shown in the following table:
- To use the following table, take the process weight per hour as such is defined in the attached definitions. Then find this figure on the table opposite which is the maximum number of pounds of contaminants which may be discharged into the atmosphere in any one hour. As an example; if "A" has a process which emits contaminants into the atmosphere and which process takes four (4) hours to complete, he will divide the weight of all materials in the specific process, in this example, 2,400 lbs., by '4', giving a process weight per hour of 600 lbs. The table shows that "A" may not discharge more than 1.83 lbs., in any one hour during the process. Interpolation of the data in the table for process weights up to 60,000 pounds/hour shall be accomplished by use of the equation:

$$E = 4.10 p^{0.67}$$

and interpolation and extrapolation of the data for process weight rates in excess of 60,000 pounds/hour shall be accomplished by use of the equation:

$$E = (55.0 p^{0.11}) - 40$$

E = Rate of emission in pounds/hour;
p = Process weight rate in tons/hour.

ALLOWABLE RATE OF EMISSION BASED ON
PROCESS WEIGHT RATE

Process Weight Rate		Rate of Emission	Process Weight Rate		Rate of Emission
Lb. Hr.	Tons Hr.	Lb. Hr.	Lb. Hr.	Tons Hr.	Lb. Hr.
100	0.05	0.551	16,000	8.00	16.5
200	0.10	0.877	18,000	9.00	17.9
400	0.20	1.40	20,000	10.00	19.2
600	0.30	1.83	30,000	15.	25.2
800	0.40	2.22	40,000	20.	30.5
1,000	0.50	2.58	50,000	25.	35.4
1,500	0.75	3.38	60,000	30.	40.0
2,000	1.00	4.10	70,000	35.	41.3
2,500	1.25	4.70	80,000	40.	42.5
3,000	1.50	5.38	90,000	45.	43.6
3,500	1.75	5.96	100,000	50.	44.6
4,000	2.00	6.52	120,000	60.	46.3
5,000	2.50	7.58	140,000	70.	47.8
6,000	3.00	8.56	180,000	80.	49.0
7,000	3.50	9.49	200,000	100.	51.2
8,000	4.00	10.4	1,000,000	500.	69.0
9,000	4.50	11.2	2,000,000	1,000.	77.6
10,000	5.00	12.0	6,000,000	3,000.	92.7
12,000	6.00	13.6			

Table for Rule 3.3

Rule 3.4 Separation of Emissions: If air contaminants from a single source operation are emitted through two or more emission points, the total emitted quantity of any air contaminant limited in this Regulation cannot exceed the quantity which would be the allowable emission through a single emission point; the total emitted quantity of any such air contaminant shall be taken as the product of the highest concentration measured in any of the emission points and the combined exhaust gas volume from all emission points, unless the person responsible for the source operation establishes, to the satisfaction of the Air Pollution Control Officer, the correct total emitted quantity.

Rule 3.5 Combination of Emissions:

- a. If air contaminants from two or more source operations are combined prior to emission and there are adequate and reliable means reasonably susceptible to confirmation and use by the Air Pollution Control Officer for establishing a separation of the components of the combined emission to indicate the nature, extent, quantity and degree of emission arising from each source operation, then all of the applicable prohibitions shall apply to each such source operation separately.
- b. If the air contaminants from two or more source operations are combined prior to emission, and the combined emissions cannot be separated according to the requirements of section 'a', of this Rule, then all applicable prohibitions shall be applied to the combined emission as if it originated in a single source operation, subject to the most stringent limitations and requirements placed by these prohibitions on any of the source operations whose air contaminants are so combined.

Rule 3.6 Sand Blasting: All sand blasting must be in compliance with the following:

- a. Performed under permit issued by the Air Pollution Control Officer.
 - 1) The Air Pollution Control Officer may impose permit conditions necessary to protect the health, safety and welfare, of the citizens of Sutter County.
- b. All sand blasting shall be in accordance with regulations promulgated by the California Air Resources Board pursuant to Article 4 (Commencing with Section 41900) of Chapter 3 of Part 4 of Division 26 of the California Health and Safety Code.

Rule 3.7 Reduction of Animal Matter: A person shall not operate or use any article, machine, equipment or other contrivance for the reduction of animal matter unless all gases, vapor and gas-entrained effluents from such an article, machine, equipment or other contrivance are:

- a. Incinerated at temperatures of not less than 1,200 degrees Fahrenheit, for a period of not less than 0.3 seconds; or,
- b. Processed in such a manner determined by the Air Pollution Control Officer to be equally or more effective for the purpose of air pollution control than Subsection 'a' of this Rule.

A person incinerating or processing gases, vapors or gas-entrained effluents pursuant to this Rule shall provide, properly install and maintain in calibration, in good working order and in operation devices, as specified in the Permit to Construct or to Operate or as specified by the Air Pollution Control Officer, for indicating temperature, pressure or other operating conditions.

For the purpose of this Prohibition "reduction" is defined as any heated process, including rendering, cooking, drying, dehydrating, digesting, evaporating, and protein concentrating.

The provisions of this Rule shall not apply to any article, machine, equipment or other contrivance used exclusively for the processing of food for human consumption.

~~Rule 3.8 Storage and Transfer of Gasoline:~~

- a. Any person who installs after December 31, 1970, any gasoline storage tank with a capacity of 250 gallons or more which is not equipped with a permanent submerged fill pipe or other equipment referred to in this rule is guilty of a misdemeanor. This provision does not apply to any storage tank which is used primarily for the fueling of implements of husbandry, as such vehicles are defined in Division 16 (commencing with Section 3600) of the Vehicle Code.

b. Transfer of Gasoline into Stationary Storage Containers

- 1) A person shall not transfer or permit the transfer of gasoline from any delivery vessel (i.e., tank truck or trailer) into any stationary storage container with a capacity of more than 250 gallons unless 90% by weight of the vapors displaced from such transfer are prevented from being released to the atmosphere.

The provisions of this Section shall be subject to the following exceptions:

- a) The transfer of gasoline into any stationary storage container used primarily for the fueling of implements of husbandry as such vehicles are defined in Division 16 (Section 3600 et seq.) of the California Vehicle Code.
- b) The transfer of gasoline into any stationary storage container in existence prior to date of adoption of this rule when such container is served by a delivery vessel exempted by the Air Pollution Control Officer pursuant to Section 3a of this rule.
- c) The transfer of gasoline into any stationary storage container in existence prior to adoption of this regulation which is equipped with an offset fill pipe.
- d) The transfer of gasoline into any stationary storage container installed prior to the effective date of this regulation for which the total monthly throughput of the facility does not exceed 25,000 gallons.
- 2) No person shall store gasoline in or otherwise use or operate any gasoline vessel unless such vessel is designed and maintained to be vapor tight. Any delivery vessel into which gasoline vapors are required to be transferred shall be filled only at a loading facility that is equipped with a system that prevents at least 90% by weight of the gasoline vapors displaced from entering the atmosphere.
- 3) a) The owner or operator of any bulk loading facility which was in operation prior to the date of adoption of this rule and for which the annual throughput to stationary storage containers that are not exempted from Section 1a does not exceed 500,000 gallons, may petition the Air Pollution Control Officer to have the facility's delivery vessels and other independently owned gasoline delivery vessels which are exclusively serviced at such facility exempted from the provisions of Section 2. The owner or operator of such a facility must petition annually to renew such exemptions.
- b) A person shall not load gasoline into any delivery vessel from any loading facility granted an exemption pursuant to Section 3a of this rule unless such delivery vessel is loaded through a submerged fill pi

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Rule 3.9 Incinerator Burning. Except for the burning of residential rubbish, a person shall not burn any combustible refuse within the boundaries of the Sutter County Air Pollution Control District, except in a multiple chamber incinerator or in equipment found by the Air Pollution Control Officer to be equally effective for the purpose of air pollution control.

Rule 3.10 Sulfur Oxides: A person shall not discharge into the atmosphere from any single source of emission whatsoever, any sulfur oxides in excess of 0.2 per cent by volume (2,000ppm) collectively calculated as sulfur dioxide (SO₂).

Rule 3.12 Organic Solvents:

- a. A person shall not discharge into the atmosphere more than 15 pounds of organic materials in any one day nor more than 3 pounds in any one hour, from any article, machine, equipment or other contrivance in which any organic solvent or any material containing organic solvent comes into contact with flame or is baked, heat-cured or heat-polymerized, in the presence of oxygen, unless said discharge had been reduced by at least 85 per cent. Those portions of any series of articles, machines, equipment or other contrivances designed for processing a continuous web, strip or wire which emit organic materials and using operations described in this Section shall be collectively subject to compliance, with this Section.
- b. A person shall not discharge into the atmosphere more than 10 pounds of organic materials in any one day, nor more than 3 pounds in any one hour from any article, machine, equipment or other contrivance used under conditions other than described in Section 'a' of this Rule, for employing, or applying, any photochemically reactive solvent, as defined in Section '1' of this Rule, or material containing such photochemically reactive solvent unless said discharge has been reduced by at least 85 per cent. Emissions of organic materials into the atmosphere resulting from air or heated drying of products for the first 12 hours after their removal from any article, machine, equipment, or other contrivance described in this Section shall be included in determining compliance with this Section. Emissions resulting from baking, heat-curing, or heat-polymerizing as described in Section 'a' of this Rule shall be excluded from determination of compliance with this Section. Those portions of any series of articles, machines, equipment or other contrivances designed for processing a continuous web, strip or wire which emit organic materials and using operations described in this Section shall be collectively subject to compliance with this Section.

- c. A person shall not discharge into the atmosphere more than 3,000 pounds of organic materials in any one day, nor more than 450 pounds in any one hour from any article, machine, equipment or other contrivance in which any photochemically reactive organic solvent or any material containing such solvent is employed or applied, unless said discharge has been reduced by at least 85 per cent. Emissions of organic materials into the atmosphere resulting from air or heated drying of products for the first 12 hours after their removal of any article, machine, equipment, or other contrivance described in this Section shall be included in determining compliance with this Section. Emissions resulting from baking, or heat-polymerizing as described in Section 'a' of this Rule, shall be excluded from determination of compliance with this Section. Those portions of any series of articles, machines, equipment, or other contrivances designed for processing a continuous web, strip or wire which emit organic materials and use operations described in this Section shall be collectively subject to compliance with this Section.
- d. A person shall not sell or offer for sale for use in containers of one quart capacity or larger, any architectural coating containing photochemically reactive solvent, as defined in Section '1' of this Rule.
- e. A person shall not employ, apply, evaporate or dry any architectural coating purchased in containers of one quart capacity or larger, containing photochemically reactive solvent, as defined in Section '1' of this Rule.
- f. A person shall not thin or dilute any architectural coating with a photochemically reactive solvent, as defined in Section '1' of this Rule.
- g. For the purpose of this Rule, an architectural coating is defined as a coating used for residential or commercial buildings and their appurtenances or industrial buildings.
- h. A person shall not, during any one day dispose of a total of more than $1\frac{1}{2}$ gallons of any photochemically reactive solvent, as defined in Section '1' of this Rule, or of any material containing more than $1\frac{1}{2}$ gallons of any such photochemically reactive solvent by any means which will permit the evaporation of such solvent into the atmosphere.
- i. Emissions of organic materials into the atmosphere from the clean-up with photochemically reactive solvent, as defined in Section '1' of this Rule of any article, machine, equipment or other contrivances described in Sections 'a', 'b' or 'c', of this Rule, shall be included with the other emissions of organic materials from that article, machine, equipment or other contrivances for determining compliance with this Rule.
- j. Emissions of organic materials into the atmosphere required to be controlled by Section 'a', 'b' or 'c', of this Rule, shall be reduced by:
 - 1) Incineration, provided that 90 per cent or more of the carbon in the organic material being incinerated is oxidized to carbon dioxide; or,
 - 2) Adsorption; or,
 - 3) Processing in a manner determined to be not less effective than '1', or '2', above.
- k. For the purposes of this Rule, organic solvents include dilutents and thinners and are defined as organic materials which are liquid at standard conditions and which are used as dissolvers, viscosity reducers or cleaning agents, except that such materials which exhibit a boiling point higher than 220 degrees Fahrenheit at 0.5 millimeter mercury absolute pressure or having an equivalent vapor pressure shall not be considered to be solvents unless exposed to temperatures exceeding 220 degrees Fahrenheit.

1. For the purpose of this Rule, a photochemically reactive solvent is any solvent with an aggregate of more than 20 per cent of its total volume composed of the chemical compounds classified below or which exceeds any of the following individual percentage composition limitations, referred to the total volume of solvent:
 - 1) A combination of hydrocarbons, alcohols, aldehydes, esters, ethers or ketones having a olefinic or cycle-olefinic type of unsaturation: 5 per cent;
 - 2) A combination of aromatic compounds with eight or more carbon atoms to the molecule except ethylbenzene: 8 per cent;
 - 3) A combination of ethylbenzene, ketones having branched hydrocarbon structures, trichloroethylene or toluene: 20 per cent.

Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical group, that is that group having the least allowable per cent of the total volume of solvents.

- m. For the purpose of this Rule, organic materials are defined as chemical compounds of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides, metallic carbonates and ammonium carbonate.
- n. A person incinerating, adsorbing, or otherwise processing organic materials pursuant to this Rule shall provide, properly install and maintain in calibration, in good working order and in operation, devices as specified in an Authorization to Construct or a Permit to Operate, or as specified by an Air Pollution Control Officer for indicating temperatures, pressures, rates of flow or other operating conditions necessary to determine the degree and effectiveness of air pollution control.
- o. Any person using organic solvents or any materials containing organic solvents shall supply written evidence of the chemical composition, physical properties and amount consumed for each organic solvent used.
- p. The provisions of this Rule shall not apply to:
 - 1) The manufacture of organic solvents or the transport or storage of organic solvents or materials containing organic solvents;
 - 2) The spraying or other employment of insecticides, pesticides or herbicides;
 - 3) The employment, application, evaporation or drying of saturated halogenated hydrocarbons or perchloroethylene;
 - 4) The use of any material in any article, machine, equipment or other contrivance described in Section 'a', 'b', 'c', or 'i', of this Rule, if:
 - a) The volatile content of such material consists only of water and organic solvents; and,
 - b) The organic solvents comprise not more than 20 per cent by volume of said volatile content; and,
 - c) The volatile content is not photochemically reactive as defined in Section '1' of this Rule; and,
 - d) The organic solvent or any material containing organic solvent does not come into contact with flame.
 - 5) The use of any material in any article, machine, equipment or other contrivance described in Sections 'a', 'b', 'c', or 'i', of this Rule, if:
 - a) The organic solvent content of such material does not exceed 20 per cent by volume of said material; and,
 - b) The volatile content is not photochemically reactive as defined in Section '1' of this Rule; and,
 - c) The organic solvent or any material containing organic solvent does not come into contact with flame.

- 6) The use of equipment for which other requirements are specified by or which are exempt from air pollution control requirements by said Prohibitions.
- 7) In addition to other restrictions contained in these regulations:
 - a) A person shall not use, in any dry-cleaning operation, organic solvents containing 4 per cent or more by volume of any photochemically reactive organic material as defined in Section 'l', of this Rule, unless the emissions of the discharged organics are reduced by 90 per cent or more by use of any of the methods described in Section 'j', of this Rule.
 - b) A person shall not discharge into the atmosphere any organic materials from surface degreasing operations unless they are either reduced by at least 85 per cent, or unless such materials are not photochemically reactive as defined in Section 'l', of this Rule.
 - c) A person shall not manufacture nor use any photochemically reactive solvent as defined in Section 'l' of this Rule for the purpose of thinning or diluting any metal surface coating.

Rule 3.13 Circumvention: A person shall not build, erect, install, or use any article, machine, equipment or other contrivance, the use of which, without resulting in a reduction in the total release of air contaminants to the atmosphere, reduces or conceals an emission which would otherwise constitute a violation of the Health and Safety Code of the State of California or of these Rules and Regulations. This Rule shall not apply to cases in which the only violation involved is of Section 41700 of the Health and Safety Code of the State of California.

~~Rule 3.14 Solvent Degreasing: After January 1, 1980, any containers of solvent which exceed 55 gallons capacity shall contain instructions to store in a closed condition.~~

Rule 3.15 Architectural Coatings:

a. Definitions:

- 1) Architectural Coatings: For the purpose of this rule, an architectural coating is defined as any coating applied to stationary structures and their appurtenances, to mobile homes, to pavements, or to curbs.
- 2) Bituminous Coatings Materials: Black or brownish materials, soluble in carbon disulfide, consisting mainly of hydrocarbons and which are obtained from natural deposits, or as residues from the distillation of crude petroleum oils, or of low grades of coal.
- 3) Fire Retardant Coatings: Architectural coatings which are designed to retard fires and which will significantly:
 - a) Reduce the rate of flame spread on the surface of a material to which such a coating has been applied, or,
 - b) Resist ignition when exposed to high temperatures, or,
 - c) Insulate a substrate to which such a coating has been applied and prolong the time required to reach ignition temperature.
- 4) Graphic Arts Coatings: Coatings which are marketed solely for application to indoor and outdoor signs and include lettering enamels, poster colors and bulletin colors.
- 5) Industrial Maintenance Finishes: High performance coatings which are formulated for the purpose of heavy abrasion, water immersion, chemical, corrosion, temperature, electrical or solvent resistance.

REGULATION IX

ENFORCEMENT PROCEDURES

Rule 9.0 Enforcement: The Rules and Regulations of the Sutter County Air Pollution Control District and all State statutes so authorizing and concerning air pollution controls shall be enforced by the Air Pollution Control Officer and any officer as authorized by the state and/or local law.

- a. This rule specifically includes inspectors and officers of the Sutter County Air Pollution Control District.

Rule 9.1 Emission Monitoring: The Air Pollution Control Officer may require the owner or operator of any air contaminant source to install, use and maintain monitoring equipment; sample emissions; establish and maintain records; and make periodic emission reports. All of these actions shall be accomplished in a manner approved by the Air Pollution Control Officer.

Rule 9.2 Records and Reports: Air Pollution monitoring records and such fuel composition data as deemed necessary shall be recorded, compiled and submitted on forms furnished by the Air Pollution Control Officer.

Rule 9.3 Tests: All tests shall be made and the results calculated in accordance with test procedures approved by the Air Pollution Control Officer. All tests shall be made under the direction of person qualified by training and experience in the field of air pollution control and approved by the Air Pollution Control Officer.

- a. The Air Pollution Control Officer may conduct tests of emissions or air contaminants from any source. Upon request of the Air Pollution Control Officer, the person responsible for the source to be tested shall provide necessary holes in stacks or ducts and such other safe and proper sampling and testing facilities, exclusive of instruments and sensing devices as may be necessary for proper determination of the emission of air contaminants.

Rule 9.4 Field Inspection: Each source of air pollution subject to permit or registration shall be inspected or tested at such intervals of time so that no extended periods of violations will occur.

Rule 9.5 Air Pollution Equipment - Scheduled Maintenance: In the case of shut-down or re-start of air pollution equipment for necessary scheduled maintenance, the intent to shut down such equipment shall be reported to the Air Pollution Control Officer at least twenty-four (24) hours prior to the planned shutdown. Such prior notice shall include, but is not limited to the following:

- a. Identification of the specific facility to be taken out of service as well as its location and permit number;
- b. The expected length of time that the air pollution control equipment will be out of service;
- c. The nature and quantity of emissions of air contaminants likely to occur during the shut-down period;

- d. Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shut-down period;
 - e. The reasons that it would be impossible or impractical to shut down the source operation during the maintenance period;
- During the testing period moderate emission of air pollution will be allowed.

Rule 9.6 Equipment Breakdown: In the event that any emission source, air pollution control equipment, or related facility breaks down in such a manner which may cause the emission of air contaminants in violation of this article, the person responsible for such equipment shall immediately notify the Air Pollution Control Officer of such failure or breakdown and subsequently a written statement giving all pertinent facts, including the estimated duration of the breakdown. The Air Pollution Control Officer shall be notified when the condition causing the failure or breakdown has been corrected and the equipment is again in operation.

Rule 9.7 Permit Actions: The Air Pollution Control Officer may request the Hearing Board to hold a public hearing to determine whether a permit should be revoked.

The Air Pollution Control Officer may also suspend a permit if a permittee fails to furnish all required information. He may then request that the Hearing Board hold a public hearing to determine whether the suspended permit should be reinstated, or he may reinstate the permit if, in his opinion, good reason exists to do so. Within ten (10) days after the receipt of a Notice of Suspension, the permittee may file a demand with the Hearing Board for a public hearing to determine whether or not the permit was properly suspended.

The Hearing Board must hold a public hearing to consider permit matters within thirty (30) days after receiving a request for the hearing from either the Air Pollution Control Officer or the permittee. The board must notify all concerned persons of the date, time and place of the hearing not less than ten (10) days before the hearing.

Regarding permit matters, the hearing board may:

- a. Revoke an existing permit;
- b. Find that no violation exists and reinstate a suspended permit;
- c. Remove the suspension of a suspended permit pending the furnishing, by the permittee, of the required information; or,
- d. Continue the suspension of the permit.

Rule 9.8 Variance Action: Except in the case of an emergency, as determined by the Hearing Board, the Hearing Board shall hold a hearing pursuant to Chapter 9 (commencing with Section 40800) of Part 3, of the California Health and Safety Code, to determine under what conditions, and to what extent a variance shall be granted.