

**RULE 105. DEFINITIONS** (Adopted 8/02/76; Last revision 11/13/2013)

A. Except as otherwise specifically provided in these Rules and Regulations and except where the context otherwise indicates, words used in these Rules are used in exactly the same sense as the same words used in Division 26 of the Health and Safety Code.

1. "Affected Pollutants": All pollutants for which an ambient air quality standard has been established by the Environmental Protection Agency or the Air Resources Board and the precursors to such pollutants, all pollutants regulated by the Environmental Protection Agency under the Clean Air Act or by the Air Resources Board under the Health and Safety Code, including reactive organic gas (ROG), nitrogen oxides (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), particulate matter less than ten microns (PM-10), carbon monoxide (CO), ethylene, lead, asbestos, beryllium, mercury, vinyl chloride, fluorides, sulfuric acid mist, hydrogen sulfide, total reduced sulfur, and reduced sulfur compounds. Also all the pollutants which the Environmental Protection Agency, after the notice and opportunity for public comment, or the Air Resources Board, or the Air Pollution Control District after public hearing, determine may have significant adverse effect on the environment, the public health, or the public welfare.
2. "Agricultural Burning":
  - a. Open outdoor fires used in agricultural operations in the growing of crops or raising of fowl or animals, or open outdoor fires used in forest management, range improvement, or the improvement of land for wildlife and game habitat, or disease or pest prevention.
  - b. Open outdoor fires used in the operation or maintenance of a system for the delivery of water for the purposes specified in Subsection A.2.a above.
  - c. Open outdoor fires used in wildland vegetation management burning.
3. "Agricultural Wastes": Unwanted or unmarketable materials produced wholly from agricultural operation, other than forest or range management operations, directly related to the following:
  - a. the growing and harvesting of crops or raising of animals if such crops or animals are grown for the primary purpose of making a profit or for a livelihood; or
  - b. conducting agricultural research; or
  - c. instruction in an educational institution.

Agricultural wastes include, but are not limited to, grass or weeds growing in or adjacent to fields used in the growing of crops or animals, and paper fertilizer and pesticide sacks or containers when such sacks or containers have been emptied in the field, or materials not produced wholly from such operations, but which are intimately related to growing or harvesting of crops and which are used in the field, except as prohibited by District Regulations.
4. "Air Contaminant" or "Air Pollutant": Any discharge, release, or other propagation into the atmosphere including, but not limited to, smoke, charred paper, dust, soot, grime, carbon, noxious acids, fumes, gases, odors, or particulate matter, or any combination thereof.
5. "Alteration": Any physical change in, or any change in method of operation of an existing stationary source which does not qualify for new source review.

6. "Ambient Air Quality Standards": Specified concentrations and durations of air pollutants which reflect the relationship between the intensity and composition of air pollution to undesirable effects established by the state board or, where applicable, by the federal government.
7. "Architectural Coating": A coating to be applied to stationary structures or their appurtenances at the site of installation, to portable buildings at the site of installation, to pavements, or to curbs. Coatings applied in shop applications or to non-stationary structures such as airplanes, ships, boats, railcars, and automobiles, and adhesives are not considered architectural coatings.
8. "APCO" or "Control Officer": The Air Pollution Control Officer of the Air Pollution Control District of San Luis Obispo County.
9. "Atmosphere": Air that envelopes or surrounds the earth. Where air pollutants are emitted into a building not designed specifically as a piece of air pollution control equipment such emission into the building shall be considered an industrial hygiene problem unless such emission subsequently is released to escape from the building.
10. "Best Available Control Technology (BACT)": The most stringent emission limitation or control technique which:
  - a. has been achieved in practice for such permit unit category or class or source; or
  - b. is contained in any state implementation plan (SIP) approved by the United States Environmental Protection Agency (EPA) for such permit unit category or class of source. A specific limitation or control technique shall not apply if the owner or operator of the proposed permit unit demonstrates to the satisfaction of the Air Pollution Control Officer that such limitation or control technique is not presently achievable; or
  - c. is any other emission limitation or control technique, including process and equipment changes of basic and control equipment, found by the Air Pollution Control Officer to be technologically feasible for such class or category of sources or for a specific source, and cost-effective as compared to measures as listed in the Clean Air Plan (CAP) or rules adopted by the Board.
11. "Best Available Retrofit Control Technology (BARCT)": An emission limitation that is based on the maximum degree of reduction achievable, taking into account environmental, energy, and economic impacts by each class or category of source.
12. "Board": Air Pollution Control Board of the Air Pollution Control District of San Luis Obispo County.
13. "Brush Treated": Material to be burned that has been felled, crushed or uprooted with mechanical equipment, or has been desiccated with herbicides, and that such material has been dried for the minimum drying times specified in Rule 502.
14. "Building, Structure, or Facility": All pollutant emitting activities, including activities located in California coastal waters adjacent to the South Central Coast Air Basin boundaries and those areas of the Outer Continental Shelf waters for which the District has been designated the corresponding onshore area by the EPA which:
  - a. belong to the same industrial grouping, and

- b. are located on one or more contiguous or adjacent properties (except for activities located in coastal waters), and
- c. are under the same common ownership, operation, or control or which are owned or operated by entities which are under common control.

Pollutant emitting activities shall be considered as part of the same industrial grouping if they are part of a common production process. Common production process includes industrial processes, manufacturing processes, and any connected processes involving a common raw material.

- 15. "California Coastal Waters": That area between the California coastline and a line starting at the California-Oregon border at the Pacific Ocean

thence to 42.0 N	125.5 W
thence to 41.0 N	125.5 W
thence to 40.0 N	125.5 W
thence to 39.0 N	125.0 W
thence to 38.0 N	124.5 W
thence to 37.0 N	123.5 W
thence to 36.0 N	122.5 W
thence to 35.0 N	121.5 W
thence to 34.0 N	120.5 W
thence to 33.0 N	119.5 W
thence to 32.5 N	118.5 W

and ending at the California-Mexico border at the Pacific Ocean.

- 16. "Cargo Carriers": Trains or marine vessels dedicated to a specific source. The emissions from all marine vessels which load or unload at the source shall be considered as emissions from the stationary source while such vessels are operating in District waters and in California coastal waters adjacent to the District and in those areas of Outer Continental Shelf waters for which the District has been designated the corresponding onshore area by EPA.
- 17. "Clean Air Plan (CAP)": Refers to the most recently adopted version of the San Luis Obispo County Clean Air Plan originally adopted by the Board on January 21, 1992.
- 18. "Combustible Refuse": Any solid or liquid combustible waste material containing carbon in a free or combined state.
- 19. "Combustion Contaminants": Solid or liquid particles discharged into the atmosphere from the burning of any kind of material containing carbon in a free or combined state.
- 20. "Common Operations": Operations which are related through dependent processes, storage or transportation of the same or similar products or raw material. The emissions within District boundaries, California coastal waters, and those areas of the Outer Continental Shelf waters for which the District has been designated the corresponding onshore area by the EPA from cargo carriers associated with the stationary source shall be considered emissions from the stationary source.
- 21. "Community Bank": An emission reduction account which contains community bank credits which can be used as offsets for emission increases from new, replacement, modified, and relocated sources located at small businesses and essential public services.
- 22. "Community Bank Credit (CBC)": Emission reduction credits from the community bank.

23. "Condensed Fumes": Minute solid particles generated by the condensation of vapors from solid matter after volatilization from the molten state, or may be generated by sublimation, distillation, calcination, or chemical reaction, when these processes create airborne particulate.
24. "Containing Device": Any stack, duct, flue, oven, kettle, or other structure or device which so contains an air contaminant, as essentially to prevent its entering the atmosphere except through such openings as may be incorporated for emission purposes.
25. "Control Equipment": Air pollution control equipment.
26. "Control Measure": A measure contained in the CAP.
27. "Control Strategy": A physical change, change in method of operation, hours of operation, throughput or other process variable that, combined with a change in permit conditions, results in enforceable emission reductions.
28. "Days": Working calendar days unless otherwise stated.
29. "Designated Agency": Any agency designated by the Air Resources Board as having authority to issue agricultural burning permits. The U.S. Forest Service and the California Division of Forestry are so designated within their respective areas of jurisdiction.
30. "District": Air Pollution Control District of San Luis Obispo County.
31. "Dusts": Minute solid particles released into the air by natural forces or by mechanical processes such as crushing, grinding, milling, drilling, demolishing, shoveling, conveying, covering, bagging, sweeping, etc.
32. "Emission": The act of passing into the atmosphere of an air contaminant or gas stream which contains an air contaminant, or the air contaminant so passed into the atmosphere.
33. "Emission Increase": A change in emissions with a value greater than zero, as calculated pursuant to Rule 213, Section D.
34. "Emission Point": The place, located in a horizontal plane and vertical elevation, at which an emission enters the atmosphere.
35. "Emission Reduction": The difference between the emissions an "emission unit" actually emits in compliance with these Rules or the permitted emissions, whichever is lower, and the emissions which that "emission unit" emits following the implementation of a control strategy, as calculated pursuant to Rule 213, Section E.
36. "Emission Reduction Credit (ERC)": The banked emission reductions available for use as an offset for emission increases from new, replacement, modified, or relocated sources.
37. "Emission Unit": Any operation, article, machine, equipment or other contrivance which may emit or reduce the emission of any air contaminant or pollutant.
38. "Enforceable Emission Reduction": An emission reduction which is assured by changes to a Permit to Operate that reflect a reduced potential to emit or assured by the surrender or revocation of a Permit to Operate.

39. "Equivalent Control Technology": Technology which results in a control efficiency equal to or greater than the degree of control which existed or was required prior to the replacement or relocation.
40. "Essential Public Service": Publicly owned or non-profit:
- a. sewage treatment facility which is publicly owned and operated consistent with an approved regional growth plan; or
  - b. prison, jail, correctional facility; or
  - c. police or fire fighting facility; or
  - d. school or hospital; or
  - e. construction and operation of a landfill gas control or processing facility; or
  - f. water delivery operations; or
  - g. any other facility or operation so deemed by the APCO.
41. "Flue": Any duct or passage for air, gases, or the like, such as a stack or chimney.
42. "Forest Management Burning": The use of open fires, as part of a forest management practice, to remove forest debris. Forest management practices include timber operations, silvicultural practices, and forest protection practices.
43. "Fugitive Emissions": Those emissions which could not reasonably pass through a stack, chimney, vent or other functionally equivalent opening.
44. "Graphic Arts Materials": Any inks, coatings, adhesives, fountain solutions, thinners, retarders, or cleaning solutions used in printing or related coating or laminating processes.
45. "Hearing Board": Five member Board appointed by the Air Pollution Control Board of San Luis Obispo County pursuant to Division 26, Part 1, Chapter 8, Article 1, of the California Health and Safety Code with the powers and duties prescribed for Hearing Boards in Chapter 8, Division 26, of the California Health and Safety Code.
46. "Household Rubbish": The following waste material and trash normally accumulated by a family in the course of ordinary day-to-day living; garden trash and prunings, paper, paper products and wood waste.
47. "Installation": Any operation, article, machine, equipment, contrivance, or grouping of equipment belonging to the same two-digit standard industrial classification code, which emits or may emit any affected pollutant, located on contiguous properties, and under common control.
48. "Major Stationary Source": Shall be defined as in Title 40 of Chapter I of the Code of Federal Regulations, Section 70.2.
49. "Modified Emission Unit":
- a. Any physical change to any emission unit or any change in method of operation of any emission unit which will increase emissions of any air contaminant from an existing emission unit.

- b. Any change in hours of operation, throughput, or other process variable, which would result in an emission increase and would necessitate a revision to a permit condition.

A change in ownership, or routine maintenance or repair, shall not be considered a physical change or change in method of operation.

50. "Multiple Chamber Incinerator": Any equipment, article, machine, contrivance, structure or part of a structure, used to dispose of combustible refuse by burning, consisting of three (3) or more refractory lined combustion furnaces in series, physically separated by refractory walls, interconnected by gas passage ports or ducts employing adequate design parameters necessary for maximum combustion of materials to be burned. The refractories shall have a Pyrometric Cone Equivalent of at least 17, tested according to the methods described in the American Society for Testing Materials, Method C-24.
51. "Natural Gas": Fuel gas supplied to commercial, industrial, and residential subscribers by Public Utility Commission regulated gas companies. (This Natural Gas will typically contain less than 1 gram per 100 cubic feet of sulfur compounds calculated as hydrogen sulfide.)
52. "Net Emission Increase": The sum of all emission increases after August 10, 1993 in a stationary source's potential to emit of a subject pollutant which were not offset and occurred during the most recent three year period prior to application submittal.
53. "No-Burn Day": Any day on which agricultural burning is prohibited by the Air Resources Board or the Air Pollution Control District. The San Luis Obispo County Air Pollution Control District may declare any permissive day designated by the State Air Resources Board to be a no-burn day if necessary to maintain suitable air quality.
54. "Offset": An emission reduction credit or community bank credit which is used to mitigate an emission increase from a new, replacement, modified, or relocated emission unit.
55. "Oil-Effluent Water Separator": Any tank, box, sump or other container in which any petroleum or product thereof, floating on or entrained or contained in water entering such tank, box, sump or other container, is physically separated and removed from such water prior to outfall, drainage, or recovery of such water.
56. "Open Outdoor Fire": Any combustion of combustible material of any type outdoors, in the open, not in any enclosure, where the products of combustion are not directed through a flue.
57. "Orchard or Citrus Grove Heaters": Any article, machine, equipment or other contrivance burning any type of fuel, capable of emitting air contaminants, used or capable of being used for the purpose of giving protection from frost damage.
58. "Particulate Matter": Any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.
59. "Particulate Matter Less Than 10 Microns (PM10)": Particulate matter with an aerodynamic diameter equal to or less than 10 micrometers as measured by applicable State and Federal reference test methods.
60. "Permanent Emission Reduction": An emission reduction that can be assured for the period during which any emission reduction credits obtained from the emission reduction are available for use as offsets. This time period may be limited or unlimited.

61. "Permissive Burn Day": Any day on which the Air Resources Board or the Air Pollution Control District does not prohibit burning of agricultural wastes.
62. "Person": Any person, firm, association, organization, partnership, business trust, corporation, company, contractor, supplier, installer, user, owner, state or local governmental agency or public district, or any officer or employee thereof.
63. "Potential to Emit": The potential to emit is an emission limit which specifies the maximum quantity of each air pollutant which may be emitted by an emission unit during a 12 calendar month rolling period. This limit shall be based on any period of 12 consecutive calendar months and shall be expressed in the units of tons per year.  
  
The potential to emit shall be calculated based on the maximum design capacity or other operating conditions which reflect the maximum potential emissions, unless specific limiting conditions on the Authority to Construct and/or Permit to Operate restrict emissions to a lower level.
64. "Precursor": A pollutant, that when emitted into the atmosphere, may undergo either a chemical or physical change which then produces another pollutant.
65. "Prescribed Burning": The planned application of fire to vegetation to achieve any specific objective on lands selected in advance of that application. The planned application of fire may also include natural or accidental ignition.
66. "Process Weight": The total weight of all materials introduced into any specific process, which process may cause any discharge into the atmosphere. Solid fuels charged will be considered a part of the process weight, but liquid and gaseous fuels and combustion air will not. The Process Weight Per Hour will be derived by dividing the total process weight by the number of hours in one complete operation from the beginning of any given process to the completion thereof excluding any time during which equipment is idle.
67. "PPM": Parts per million by volume.
68. "Quantifiable Emission Reduction": An emission reduction for which the District can establish a reliable basis for calculating the amount and rate of the reduction, and describing the characteristics of the reduction.
69. "Range Improvement Burning": The use of open fires to remove vegetation for a wildlife, game, or livestock habitat, or for the initial establishment of an agricultural practice on previously uncultivated land.
70. "Reactive Organic Gas (ROG)": That portion of a VOC that is emitted into the air and has the capacity to photochemically react to form ozone.
71. "Reasonably Available Control Technology (RACT)": The lowest emission limit that a particular source is capable of meeting by the application of control technology that is reasonably available, considering technological and economic feasibility.
72. "Real Emission Reduction": An emission reduction that is not artificially generated.
73. "Reduction": Any heated process, including rendering, cooking, drying, dehydrating, digesting, evaporating and protein concentrating.
74. "Regulation": One of the major subdivisions of the Rules and Regulations of the San Luis Obispo County Air Pollution Control District.

75. "Rule": A rule of the Air Pollution Control District of San Luis Obispo County.
76. "Section": A Section of the Health and Safety Code of the State of California unless some other statute is specifically mentioned.
77. "Silvicultural": The establishment, development, care and reproduction of stands of timber.
78. "Single Source": Any single stack, duct, flue, structure, device, or operation which is capable of emitting air contaminants into the atmosphere.
79. "Small Business": A business which is independently owned and operated and meets the following criteria, or if affiliated with another concern, the combined activities of all concerns shall meet these criteria:
  - a. the number of employees is 20 or less; and
  - b. the total gross annual receipts are \$2,000,000 or less.
80. "South Central Coast Air Basin": San Luis Obispo County, Santa Barbara County and Ventura County.
81. "State Board": The State Air Resources Board, or any person authorized to act on its behalf.
82. "Stationary Source": Any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission (also see individual definitions for "Building, Structure, or Facility", "Common Operations", "Fugitive Emissions", and "Installation").
83. "Subsection": A subsection of a rule of the Air Pollution Control District of San Luis Obispo County.
84. "Surplus Emission Reduction": An emission reduction that is not otherwise required by any federal, state, or district law, rule, order, permit or regulation with the exception of Rule 204.A.
85. "Timber Operations": Cutting or removal of timber or other forest vegetation.
86. "Total Cumulative Increase": The sum of all emission increases in a stationary source's potential to emit which were exempt from offsets by Rule 204.C.2.
87. "Volatile Organic Compound (VOC)": Any volatile compound containing at least one atom of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. This includes any such organic compound other than those duly noticed in the Federal Register and codified in Title 40, Part 51, Subpart F of the Code of Federal Regulations (40 CFR 51.100, Definitions) which have been determined to have negligible photochemical reactivity.
88. "Voluntary Control Strategy": A control strategy which is not required by any federal, state, or district law, rule, order, permit, or regulation.
89. "Wildland Vegetation Management Burning": The use of prescribed burning conducted by a public agency, or through a cooperative agreement or contract involving a public agency, to burn land predominantly covered with chaparral (as defined in Title 14, California Code of Regulations, Section 1561.1), trees, grass, or standing brush.



90. "Wildlife or Game Habitat": Any area used or planned to be used for conservation or management of wild plants or animals.