

## SAN LUIS OBISPO COUNTY AIR POLLUTION CONTROL DISTRICT

### **RULE 204 - REQUIREMENTS**

*(Adopted 11/5/91; Revised 8/10/93)*

#### **A. CONTROL TECHNOLOGY**

The Air Pollution Control Officer (APCO) shall deny an application for an Authority to Construct for any new, replacement, modified, or relocated emission unit which would have the potential to emit any affected pollutants unless:

1. The new or modified emission unit is equipped with the current Best Available Control Technology (BACT) for all subject air contaminants for which the emission unit's potential to emit is 25 pounds per day or more and with the current Reasonably Available Control Technology (RACT) for all subject air contaminants for which the emission unit's potential to emit is less than 25 pounds per day, except for carbon monoxide for which the potential to emit values above shall be 10 times the amount shown; or
2. The replacement or relocated emission unit is equipped with RACT for all subject pollutants which were not controlled prior to this action and with equivalent control technology for all subject pollutants which were controlled prior to this action; or
3. The proposed modification to an existing emission unit consists of the voluntary application of control equipment or the voluntary modification of an existing emission unit for the purpose of reducing air contaminants where there is no increase in throughput; or
4. The proposed modification to an existing emission unit is done solely to comply with regulatory requirements or prohibitory rules and where there is no increase in throughput.

#### **B. OFFSETS**

1. The APCO shall deny an application for an Authority to Construct for any new, replacement, modified, or relocated emission unit which would have the potential to emit ROG, NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub> or CO unless all of the following are satisfied:
  - a. For emission units at stationary sources where the proposed potential to emit ROG will be equal to 25.0 tons per year or more, offsets shall be provided for any emission increase of ROG or NO<sub>x</sub>;
  - b. For emission units at stationary sources where the proposed potential to emit NO<sub>x</sub> will be equal to 25.0 tons per year or more, offsets shall be provided for any emission increase of ROG or NO<sub>x</sub>;
  - c. For emission units at stationary sources where the proposed potential to emit PM<sub>10</sub> will be equal to 25.0 tons per year or more, offsets shall be provided for any emission increase of PM<sub>10</sub>, SO<sub>x</sub>, ROG or NO<sub>x</sub>;
  - d. For emission units at stationary sources where the proposed potential to emit SO<sub>x</sub> will be equal to 25.0 tons per year or more, offsets shall be provided for any emission increase of SO<sub>x</sub>; and
  - e. For emission units at stationary sources where the proposed potential to emit CO will be equal to 250.0 tons per year or more, offsets shall be provided for any emission increase of CO.
1. For those stationary sources that are not initially subject to the requirements of Subsection B.1 above but become subject after August 10, 1993, the offsets required under that subsection shall be for any net emissions increase of the subject pollutant.

2. Offsets for all emission units in San Luis Obispo County or its adjacent California Coastal Waters, as defined in Rule 105, shall be provided at a ratio of 1.0:1. All offsets shall be obtained from either Emission Reduction Credits (ERC's) pursuant to Rule 211 or Community Bank Credits (CBC's) pursuant to Rule 212.
3. For any applicant proposing to use emission reduction credits to provide offsets, the quarterly emissions profile of the emission unit requiring offsets and the quarterly emissions profile of the proposed emission reduction credits shall satisfy the profile check for offsets as calculated pursuant to Rule 213.F.
4. Calculations
  - a. Emission increases shall be calculated according to the requirements of Rule 213.
  - b. All emission reduction credits (ERC's) issued to a stationary source shall be included in that source's potential to emit when determining the offset thresholds in Rule 204.B.1.

### **C. EXEMPTIONS FROM BACT AND OFFSETS**

1. Applications for Permit to Operate shall be exempt from Rule 204.A. and 204.B. provided that the emission unit was previously exempt from the permit provisions of these Rules and Regulations and a Permit to Operate is required solely because of a change in permit exemptions.
2. An emission unit shall be exempt from Rule 204.A. and Rule 204.B., if the stationary source's net emissions increase of the subject pollutant is less than 0.1 tons per year.
3. The total cumulative increase which is exempt under C.2 above shall be limited to 0.5 tons per year for each subject pollutant.

### **D. PROTECTION OF AMBIENT AIR QUALITY STANDARDS**

The APCO shall deny an applicant an Authority to Construct for any new, replacement, modified, or relocated emission unit which would cause the violation of any ambient air quality standard. In making this determination the APCO shall take into account any offsets which were provided for the purpose of mitigating the emission increase.

### **E. CERTIFICATION OF STATEWIDE COMPLIANCE**

The APCO shall deny an applicant an Authority to Construct for any new, replacement, modified, or relocated emission unit located at a stationary source which would have the potential to emit equal to or greater than 25 tons per year of any subject air contaminant, unless the applicant certifies that all emission units located in California which would be classified as a major stationary source, as defined in Rule 105, and which are owned or operated by the applicant, or by any entity controlling, controlled by or under common control with such applicant, are in compliance or on a schedule for compliance with all applicable emission limitations and standards.

### **F. STANDARDS FOR GRANTING AUTHORITY TO CONSTRUCT OR PERMIT TO OPERATE**

1. The Air Pollution Control Officer shall deny an Authority to Construct, Permit to Operate or Permit to Sell or Rent, except as provided in Rule 206, if the applicant does not show that every article, machine, equipment or other contrivance, the use of which may cause the issuance of air contaminants, or the use of which may eliminate or reduce or control the issuance of air contaminants, is so designed, controlled, or equipped with such air pollution control equipment, that it may be expected to operate without emitting or causing to be emitted, air contaminants in violation of these Rules and Regulations and Section 42301.6 and 44300 (et. seq.) of the Health and Safety Code. No Permit to Operate shall be granted either by the Control Officer or the Hearing Board unless the applicant provides such information or analysis as will disclose the nature, extent, quantity or degree of air contaminants which the emission unit may discharge.

The Air Pollution Control Officer may require that the disclosure be certified by a professional engineer registered in the State of California.

2. Before an Authority to Construct or a Permit to Operate is granted, the Air Pollution Control Officer may require the applicant to provide and maintain such facilities as are necessary for sampling and testing purposes in order to secure information that will disclose the nature, extent, quantity, or degree of air contaminants discharged into the atmosphere from the article, machine, equipment or other contrivance described in the Permit to Operate. In the event of such a requirement, the Air Pollution Control Officer shall notify the applicant in writing of the required size, number and location of sampling holes, the size and location of the sampling platform, and the utilities for operating the sampling and testing equipment. The platform and access shall be constructed in accordance with the General Industry Safety Orders of the State of California.
3. Compliance with emission standards set forth in these Rules and Regulations shall be determined by test methods approved by the Air Pollution Control Officer. Where an ARB and/or EPA test method exists for such a test, the test methods shall be equivalent to the ARB and/or EPA approved method.