

(Adopted October 5, 1979)(Amended March 7, 1980)(Amended September 10, 1982)
(Amended July 12, 1985)(Amended September 5, 1986) (Amended June 28, 1990)
(Amended December 7, 1995)(October 3, 2008)

RULE 1301. GENERAL

(a) Purpose

This regulation sets forth pre-construction review requirements for new, modified, or relocated facilities, to ensure that the operation of such facilities does not interfere with progress in attainment of the national ambient air quality standards, and that future economic growth within the South Coast Air Quality Management District (District) is not unnecessarily restricted. The specific air quality goal of this regulation is to achieve no net increases from new or modified permitted sources of nonattainment air contaminants or their precursors.

In addition to nonattainment air contaminants, this regulation will also limit emission increases of attainment air contaminants, ammonia, and Ozone Depleting Compounds (ODCs) from new, modified or relocated facilities by requiring the use of Best Available Control Technology (BACT).

(b) Applicability

- (1) The provisions of this regulation shall apply to the installation of a new source and to the modification of an existing source which may cause the issuance of any nonattainment air contaminant, ~~any ODC, or ammonia~~ at any facility. For facilities subject to Regulation XX - RECLAIM, Regulation XIII only applies to pollutants not specifically regulated by Regulation XX.
- (2) Construction of new, or modification of existing power plants subject to Public Resources Code 25500 and following sections shall be evaluated and processed in accordance with the regulations of the California Energy Resources Conservation and Development Commission governing such facilities.
- (3) Any non-road or qualifying portable internal combustion engine as defined in Rule 301(b)(~~H21~~) and (b)(~~H23~~) subject to EPA regulations, shall upon approval by the Executive Officer or designee be exempt from Regulation XIII.

~~(4) — Any equipment registered pursuant to Rule 2100 — Registration of Portable Equipment shall be exempt from Regulation XIII.~~

(4) The provisions of Rule 1303 (a) shall apply to the installation of a new source and to the modification of an existing source which may cause the issuance of any attainment air contaminant, any ODC, or ammonia at any facility. For facilities subject to Regulation XX – RECLAIM, Regulation XIII only applies to air pollutants not specifically regulated by Regulation XX.

(c) Effective Date

(1) Implementation Date

This regulation, as amended on December 7, 1995 shall become effective on February 1, 1996. Applications received by the District shall be subject to Regulation XIII as amended and in effect at the time such application is deemed complete, regardless of the date of equipment installation.

(2) NSR Balance

All positive NSR balances will be adjusted to zero on December 7, 1995.

(d) State Standards

For the purpose of this regulation, all references to the national ambient air quality standards and nonattainment shall be interpreted to include state ambient air quality standards. This subsection shall not be included as part of any revision to the District's portion of the State Implementation Plan (SIP).

(e) Compliance

Failure to comply with the requirements of Regulation XIII - New Source Review, shall result in enforcement action pursuant to the California Health and Safety Code and/or the federal Clean Air Act.