(Adopted October 7, 1988)(Amended January 6, 1989)(Amended August 13, 1999)(October 3, 2008)

RULE 1702. DEFINITIONS

(a) Attainment Air Contaminant means any air pollutant:

(1) for which there is a national ambient air quality standard which has been designated attainment or unclassifiable pursuant to final rulemaking by EPA published in the Federal Register; or

(2) regulated under the Clean Air Act and no applicable NAAQS exists.

(b) Baseline Areas

The areas, as defined in 40 CFR 81.305, if designated as attainment or unclassifiable under 107(d)(1)(D) or (E) of the Clean Air Act. The applicable baseline areas for each contaminant are:

SO_2 - Orange County, South Coast Air Basin (SCAB) Portion of Los Angeles County, SCAB Portion of San Bernardino County, SCAB Portion of Riverside County, .Salton Sea Air Basin excluding Imperial County, and the Riverside County Portion of Mojave Desert Air Basin. Salton Sea Air Basin excluding Imperial County, and the Riverside County Portion of Mojave Desert Air Basin.

Pb and NO_2 – Orange County, SCAB Portion of Los Angeles County, SCAB Portion of San Bernardino County, SCAB Portion of Riverside County, Salton Sea Air Basin excluding Imperial County, and the Riverside County Portion of Mojave Desert Air Basin.

c) Baseline Concentration

The ambient concentration level which exists in the impact area at the time of the establishment of the applicable baseline date. The baseline concentration shall include the actual emissions of sources in existence on the applicable baseline date, except major stationary sources that commenced construction after January 6, 1975, will not be included.

(d) Baseline Date

The earliest date after August 7, 1977, for each baseline area on which the first complete application is submitted or was submitted because of a significant emission increase at a major stationary source that located in the baseline area or if the significant emission increase had an impact of 1 ug/m^3 (annual average) or 5 ug/m^3 (24-hour average) on any baseline area, the baseline date for that area will be established. The Executive Officer shall publish the applicable baseline date for each criteria air contaminant.

(e) Best Available Control Technology (BACT) means the most stringent emission limitation or control technique which:

(1) has been achieved in practice for such permit unit category or class of source~~. For permit units not located at a major stationary source, a specific limitation or control technique shall not apply if the owner or operator of the proposed sources demonstrates to the satisfaction of the Executive Officer that such limitation or control technique is not attainable for that permit unit~~; or

(2) is contained in any State Implementation Plan (SIP) approved by the 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 source demonstrates to the satisfaction of the Executive Officer that such limitation or control technique is not presently achievable; or

(3) is any other emission control technique, including process and equipment changes of basic and control equipment, found by the Executive Officer to be technologically feasible and cost-effective for such class or category of sources or for a specific source. No emissions limitation or control technique, the application of which would result in emissions from a new or modified source in excess of the amount allowable under applicable new source performance standards specified in Regulation IX of these Rules and Regulations or promulgated by the EPA pursuant to Section III of the Clean Air Act, may be considered BACT.

(f) Class I Areas: Cucamonga Wilderness, San Gabriel Wilderness, San Gorgonio Wilderness, San Jacinto Wilderness, Joshua Tree National Monument, Agua Tibia

Wilderness and any other Class I area under Part C of the Clean Air Act. All other areas in the District are Class II Areas.

(g) Criteria Air Contaminant means carbon monoxide, sulfur dioxide, nitrogen oxides, particulate matter, reactive organic gases, lead, or any pollutant which has a National Ambient Air Quality Standard specified in Title 40 of the Code of Federal Regulations, Part 50.

(h) Federal Land Manager
With respect to any lands in the United States, the Secretary of the department with authority over such lands.

(i) Fugitive Emission means those quantifiable emissions of air contaminants released directly to the atmosphere which do not pass through a stack, vent, chimney, or other functionally equivalent opening.

(j) Good Engineering Practice (GEP) means, with respect to stack heights, the height necessary to ensure that emissions from the stack do not result in excessive concentrations of any air pollutant in the immediate vicinity of the source. For the purposes of this regulation, such height shall not exceed two and one-half times the height of such source, and shall not be greater than 65 meters (213 ft), unless the owner or operator of the source demonstrates to the satisfaction of the Executive Officer that a greater height is necessary.

(k) Impact Area means a circular area, the radius of which is equal to the greatest distance to which approved dispersion modeling shows the proposed emissions from a new major stationary source or major modification would have an air quality impact equal to or greater than 1 ug/m^3 (annual average, or 5 ug/m^3 (24-hour average).

(l) Major Modification means any physical change in the method of operation of a major stationary source that would result in a significant emission increase.

(m) Major Stationary Source means:

(1) one of the following source categories:

Fossil fuel-fired steam electric plants of more than 250 million BTU/hr input, coal cleaning plants (with thermal dryers), Kraft pulp

mills, Portland cement plants, Primary zinc smelters, Iron and steel mill plants, Primary aluminum ore reduction plants, Primary copper smelters, Municipal incinerators capable of charging more than 250 tons of refuse per day, Hydrofluoric acid plants, Sulfuric acid plants, Nitric acid plants, Petroleum refineries, Lime plants, Phosphate rock processing plants, Coke oven batteries, Sulfur recovery plants, Carbon black plants (furnace process), Primary lead smelters, Fuel conversion plants, Sintering plants, Secondary metal production plants, Chemical process plants, Fossil fuel boilers (or combinations thereof) totaling more than 250 million BTU/hr heat input, Petroleum storage and transfer units with a total storage capacity exceeding 300,000 barrels, Taconite ore processing plants, Glass fiber processing plants, and Charcoal production plants; which emits or has the potential to emit 100 tons per year or more of any contaminant regulated by the Act; or

(2) an unlisted stationary source that emits or has the potential to emit 250 tons per year or more of any pollutant regulated by the Act; or

(3) a physical change in a stationary source not otherwise qualifying under paragraph (1) or (2) if a modification would constitute a major stationary source by itself.

(n) NAAQS means any National Ambient Air Quality Standard contained in Title 40 of the Code of Federal Regulations, Part 50.

(o) Permit Unit means any article, machine, equipment, or other contrivance, or combination thereof, which may cause the issuance or control the issuance of air contaminants, and which:

(1) requires a written permit pursuant to Rules 201 and/or 203, or

(2) is in operation pursuant to the provisions of Rule 219.

(p) Potential to Emit means the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design only if the limitation or the effect it would have on emissions is required by a permit condition for permits to construct and operate issued pursuant to an EPA

approved version of this regulation. Secondary emissions do not count in determining the potential to emit of a stationary source.

(q) Prevention of Significant Deterioration (PSD) Increment

In areas designated as Class I or II, increases in pollution concentration over the baseline concentration shall be limited to the following:

MAXIMUM ALLOWABLE INCREASE
(Micrograms Per Cubic Meter)

~~POLLUTANT~~ POLLUTANT	CLASS I	
Nitrogen Dioxide	Annual arithmetic mean	2.5
Particulate Matter		
PM-10	Annual arithmetic mean	4
	24-hr maximum	8
Sulfur Dioxide		
	Annual arithmetic mean	2
	24-hr maximum	5
	3-hr maximum	25
	CLASS II	
Nitrogen Dioxide	Annual arithmetic mean	25
Particulate Matter		
	Annual arithmetic mean	17
	24-hour maximum	30
Sulfur Dioxide		
	Annual arithmetic mean	20
	24-hr maximum	91
	3-hr maximum	512

(r) Secondary Emissions means emissions which would occur as a result of the construction or operation of a major stationary source or major modification itself. For the purpose of this regulation, secondary emissions must be specific, well defined, quantifiable and impact the same general area as the stationary source or modification which causes the secondary emissions. Secondary emissions may include, but are not limited to:

(1) emissions from ships or trains coming to or from the new or modified stationary source, and

(2) emissions from any offsite support facility which would not otherwise be constructed to increase its emissions as a result of the construction or operation of the major stationary source or major modification.

(s) Significant Emission Increase means any attainment air contaminant for which the net cumulative emission increase of that air contaminant from a major stationary source is greater than the amount specified as follows:

Contaminant	Emission Rate (Tons/Year)
Carbon Monoxide	100
Sulfur Dioxide	40
Nitrogen Oxides	40
Particulate Matter	25
PM_{10}	15
Volatile Organic Compounds	40
Lead Compounds	0.6
Asbestos	0.007
Beryllium	0.0004
Mercury	0.1
Vinyl Chloride	1.0
Fluorides	3
Sulfuric Acid Mist	7
Hydrogen Sulfide	10
Total Reduced Sulfur (including H_2S)	10
Reduced Sulfur Compounds (including H_2S)	10

or; any emission rate or any net emissions increase associated with a major stationary source which would construct within 10 kilometers of a Class I area, and have an impact on such area equal to or greater than 1 ug/m^3, (24-hour average).

(t) Stationary Source means any grouping of permit units or other air contaminant-emitting activities which are located on one or more contiguous properties within the District, in actual physical contact or separated solely by a public roadway or other public right-of-way, and which are owned or operated by the same person (or by persons under common control). Such above described groupings, if remotely located and connected only by land carrying a pipeline, shall not be considered one stationary source.

(u) Volatile Organic Compound (VOC) is as defined in Rule 102