

VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 26 - NEW SOURCE REVIEW - GENERAL

(Adopted 10/22/91, amended 3/14/06)

A. General

Rule 26, which includes Rules 26 through 26.11, specifies the New Source Review provisions that are applicable to new, replacement, modified or relocated emissions units in Ventura County. These provisions shall be applicable on a pollutant-by-pollutant and an emissions unit-by-emissions unit basis.

Applications received by the Air Pollution Control District shall be subject to the version of this rule in effect at the time such application is deemed complete, regardless of the date on which the new or replacement emissions unit is installed, or the date on which the emissions unit is modified or relocated.

Rule 26.1 contains definitions of terms that are used throughout Rule 26.

Rule 26.2 specifies the requirements for new, replacement, modified or relocated emissions units in Ventura County. These requirements shall be applicable on a pollutant-by-pollutant and an emissions unit-by-emissions unit basis.

Rule 26.3 provides exemptions from specific requirements of Rule 26 for certain stationary sources or emissions units.

Rule 26.4 provides for the banking of emission reductions of reactive organic compounds, nitrogen oxides, particulate matter, and sulfur oxides. Eligibility standards and administrative practices are included to ensure that any emission reductions intended to be banked are real, quantifiable, permanent, enforceable, and surplus.

Rule 26.5 provides for the banking of emission reductions of reactive organic compounds and nitrogen oxides as essential public service credits and the disbursement of these credits.

Rule 26.6 contains the provisions by which emission increases, emission reductions, and offset profile checks are calculated. These calculation provisions shall be applicable on a pollutant-by-pollutant and an emissions unit-by-emissions unit basis.

Rule 26.7 specifies the cases in which notification shall be provided of the Air Pollution Control Officer's preliminary decision to, grant an Authority to Construct, or issue a Certificate of Emission Reduction Credit. In addition, Rule 26.7 specifies the process by which such notification shall be made.

Rule 26.8 specifies provisions which apply to the cases where an Authority to Construct or Permit to Operate was required but was not obtained, additional offsets are required, or a startup period may be allowed for a replacement emissions unit.

Rule 26.9 specifies the process by which the Air Pollution Control Officer shall review an Application for Certification for a power plant proposed for construction in Ventura County.

Rule 26.10 incorporates by reference the requirements of Title 40 Code of Federal Regulations 52.21, Prevention of Significant Deterioration.

Rule 26.11 specifies the process by which the Air Pollution Control Officer shall determine if emission reduction credits are surplus at the time of use. In addition, it provides for the creation and implementation of an annual equivalency demonstration program.

B. Previous District New Source Review and Banking Rules

Prior to October 22, 1991 the District's New Source Review rule consisted of the following:

1. Rule 26, New Source Review (Authority to Construct and Permit to Operate) (Adopted 5/23/72, Revised 7/18/72, 10/31/72, 9/28/76, 6/14/77, 6/20/78, 6/19/79, 8/14/79, 4/22/80, 9/9/80, 5/5/81, 6/23/81, 7/21/81, 1/10/84, 2/26/85)
2. Rule 26.1, All New or Modified Major Stationary Sources (Revised 6/23/81, 1/10/84, 2/26/85, 11/19/85)
3. Rule 26.2, New or Modified Non-Major Sources (Revised 9/29/81, Renumbered and Revised 1/10/84, Revised 2/26/85, 11/19/85)
4. Rule 26.3, New or Modified Stationary Sources - Prevention of Significant Deterioration (PSD) (Added 1/10/84, Revised 6/5/84, 2/26/85, 11/19/85)
5. Rule 26.4, Emission Banking (Adopted 6/19/79, Revised 7/21/81, 12/19/89)
6. Rule 26.5, Power Plants (Revised 1/10/84)
7. Rule 26.6, Air Quality Impact Analysis and Notification (Revised 1/10/84)
8. Rule 26.7, Food Processors - Exemptions from "New Source Review" Requirements (Adopted 12/11/85, Repealed 1/1/88)

On October 22, 1991 the Ventura County Air Pollution Control Board repealed Rules 26 through 26.7, which are listed in this Section, and adopted new Rules 26 through 26.10.