

## VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT

### **RULE 29 - CONDITIONS ON PERMITS**

*(Adopted 5/23/72, Revised 7/18/72, 6/19/79, 10/14/80, 1/11/83, 7/1/83, 1/10/84, 2/26/85, 5/30/89, 10/22/91, 3/14/06)*

#### **A. Rules Compliance**

1. The Air Pollution Control Officer (APCO) shall apply any reasonable conditions to an Authority to Construct or a Permit to Operate which are necessary to assure or demonstrate that a stationary source and all emissions units at the stationary source will operate in compliance with applicable state and federal emission standards and with these Rules, including permit conditions required by Rule 26, New Source Review.
2. Upon annual renewal, each permit shall be reviewed by the APCO to determine that permit conditions are adequate to ensure compliance with applicable state and federal emission standards and with these Rules, including permit conditions required by Rule 26 which were in effect at the time the permit was issued or modified, or which have subsequently been adopted and made retroactively applicable to an existing emissions unit. If the conditions are not in compliance, the permit shall be revised by the APCO to specify permit conditions in accordance with applicable state and federal emission standards and with these Rules, including permit conditions required by Rule 26. The permittee shall be notified in writing of any revisions to permit conditions made pursuant to this subsection, such notice shall be given at the time of the notification of the renewal fee due.

#### **B. Permitted Emissions**

1. The APCO shall apply conditions to permits which will limit the amount of air contaminants a stationary source may emit. These emission limits are called permitted emissions and shall be expressed in pounds per hour and tons per year. In addition, conditions may include restrictions on production rates, fuel use rates, raw material use rates, hours of operation or other reasonable conditions to insure that the permitted emission limits are not exceeded.
2. Upon annual renewal, each permit shall be reviewed by the APCO to insure that permitted emission limits are not in violation of applicable state and federal emission standards and these Rules, including permit conditions required by Rule 26 which were in effect at the time the permit was issued or modified, or which have subsequently been adopted and made retroactively applicable to an existing emissions unit. If the permitted emissions are not in compliance, the permit shall be revised by the APCO to specify permitted emissions in compliance with applicable state and federal emissions standards and with these Rules, including

permit conditions required by Rule 26. The permittee shall be notified in writing of any revisions to permitted emissions made pursuant to this subsection, such notice shall be given at the time of the notification of the renewal fee due.

3. a. Permitted emissions shall be calculated for each emissions unit at a stationary source. Permitted emissions for a stationary source shall be determined by aggregating the permitted emissions for each emissions unit at the stationary source.

For emissions units for which a permit has been issued on or before October 22, 1991, annual permitted emissions shall be the permitted emissions attributed to the emissions unit on October 22, 1991. For new, modified, replacement or relocated emissions units for which a permit is issued after October 22, 1991, annual permitted emissions shall be the annual emissions used to determine compliance for issuance of the permit. For emissions units which require a permit solely as a result of a change in Rule 23, annual permitted emissions shall be calculated as 1.2 times the maximum emissions from the emissions unit during any 12 month consecutive period in the five years immediately prior to application for the permit corrected for compliance with any applicable federal, state or district laws, rules, regulations, agreements or orders. Annual permitted emissions shall be based on a 12 calendar month rolling period and shall be expressed in the units of tons per year.

For all emissions units, hourly permitted emissions shall be calculated based on the maximum quantity of each air pollutant which may be emitted from the emissions unit during a one hour period, as limited by any applicable rules or permit conditions. Hourly permitted emissions shall be expressed in the units of pounds per hour.

- b. Upon annual renewal, any permitted emissions unit that has been permanently removed from the stationary source shall be removed from the Permit to Operate and the permitted emissions for the stationary source shall be reduced by the permitted emissions calculated for the emissions unit. If any piece of combustion equipment can no longer use a fuel it was permitted to use, the permitted emissions for the stationary source shall be reduced as appropriate. The permittee shall be notified in writing of, the removal of any permitted equipment from a Permit to Operate, and any revisions to permitted emissions, made pursuant to this subsection. Such notice shall be given at the time of notification of the renewal fee due.
- c. Upon annual renewal, the APCO may revise the permitted emissions of any emissions unit based on better emission rate information if the correction will not result in the violation of any applicable federal, state or district laws, rules, regulations, agreements or orders. The permittee shall

be notified in writing of any revisions to permitted emissions, made pursuant to this subsection. Such notice shall be given at the time of notification of the renewal fee due.

- d. Notwithstanding Subsection B.3.a above, during the first annual renewal between March 14, 2006, and June 14, 2007, the permitted emissions for an existing stationary source used to dispense gasoline into motor vehicles or marine pleasure craft shall be calculated based on the number, size, and type of gasoline storage tanks at the source, the control equipment at the source, and the gasoline throughput requested by the permittee.

If the permittee requests an increase in permitted throughput and the revised permitted emissions equal or exceed 5 tons per year of reactive organic compounds, the permittee shall submit an application to modify the existing permit and provide offsets as necessary. In all other cases, the permitted emissions shall be modified as part of the renewal process.

- e. Notwithstanding Subsection B.3.a above, during the first annual renewal between March 14, 2006, and June 14, 2007, the permitted emissions for an existing drycleaning facility as classified by the Standard Industrial Classification Manual will be calculated based on the number, size, and type of drycleaning machines at the source, the control equipment at the source, and the solvent throughput requested by the permittee.

If the permittee requests an increase in permitted throughput and the revised permitted emissions equal or exceed 5 tons per year of reactive organic compounds, the permittee shall submit an application to modify the existing permit and provide offsets as necessary. In all other cases, the permitted emissions shall be modified as part of the renewal process.

- 4. a. If any permitted emissions unit is capable of operating at a rate greater than its contribution to the permitted emissions of the stationary source, the operator may submit an application requesting the APCO to increase the permitted emissions component of that emissions unit up to its operating capacity. If any such increase in permitted emissions results from a modified emissions unit, as defined in Rule 26.1, then the application shall be reviewed pursuant to Rule 26, and not pursuant to this subsection.

The APCO shall review the data relating to the increased level of operation of that emissions unit to determine if the change in operation would cause a violation of applicable state and federal emission standards or these Rules, including permit conditions applied pursuant to Section A of this rule.

If no violation of any applicable state and federal emission standards or these Rules, including permit conditions applied pursuant to Section A of this Rule is expected to occur, the APCO shall issue a new Permit to Operate incorporating new permitted emissions upon receipt of the additional fees specified in Rule 42.

- b. If a stationary source holding a valid Permit to Operate is not being operated at the level of the permitted emissions shown on the Permit to Operate, the operator may submit an application requesting the APCO to revise the Permit to Operate to decrease the permitted emissions. If the permittee desires to have the next permit renewal fee based on the reduced permitted emissions, then the permittee shall submit the application to reduce permitted emissions to the APCO at least 90 days before the permit expiration date.

C. Violation of Permit Conditions

- 1. Construction or operation of any stationary source in violation of the conditions of an Authority to Construct or a Permit to Operate issued pursuant to these Rules is prohibited.
- 2. Any violation of the conditions of an Authority to Construct or a Permit to Operate issued pursuant to these Rules shall constitute a violation of these Rules. Any such violation is subject to the penalties provided for in Part 4 of Division 26 of the California Health and Safety Code.

D. Federal Enforceability

All requirements of this Rule and conditions of a valid Authority to Construct and a valid Permit to Operate (both of which together for the purposes of this section of Rule 29 shall be considered as equivalent to a Federal Authority to Construct) granted for a new or modified major stationary source under this and other of the District's Rules shall be federally enforceable by the Environmental Protection Agency.