VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT

RULE 23 - EXEMPTIONS FROM PERMIT
(Adopted 10/22/68, Revised 5/23/72, 7/18/72, 8/26/74, 3/9/76, 6/14/77, 1/17/78, 6/20/78,11/21/78, 6/17/80, 5/5/81, 7/2/85, 10/21/86, 11/22/88, 5/16/89, 6/20/89, 6/27/89, 9/12/89, 5/8/90, 1/8/91, 7/16/91, 1/28/92, 6/8/93, 3/22/94, 12/13/94, 7/9/96, 11/11/03, 4/13/04, 10/12/04, 9/12/06, 4/8/08, 4/12/11, 11/12/13)

The following operations, equipment or emission sources are exempt from the requirements of Rule 10, but must comply with emission standards and prohibitions. The owner or operator shall provide, as required by the District, calculations, usage records, emissions records and/or operational data as necessary to substantiate any exemptions that apply to the subject facility.

A. Burning, Incineration, Smoke

1. Open outdoor fires used only for recreational purposes, heating or occasional cooking of food for human consumption, where such use is accomplished in a fireplace or barbecue pit.

2. Smoke generators that are intentionally operated for purposes of training observers in observing the shade or opacity of emissions.

3. Acceptable incinerators used exclusively in connection with any structure designed and used exclusively as a residential dwelling for not more than four (4) families. (Revised 5/23/72)

4. After July 1, 2011, safety flares rated at less than one million BTU per hour used exclusively used for emergency standby for the disposal of process gases in the event of unavoidable process upsets. (Adopted 6/14/77, Revised 4/12/11)

B. Dust and Metalworking Fluids

1. Material stock piles.

2. Blasting with explosives.

3. Mobile equipment that is used solely for the movement of solid materials. (Revised 5/23/72)

4. Equipment used for buffing (except automatic or semi-automatic tire buffers), polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding or turning of ceramic artwork, ceramic precision parts, leather, metals, plastics, rubber, fiberboard, masonry, carbon or graphite. This exemption applies to equipment used with metalworking fluids, direct contact lubricants, or vanishing oils that are Super Compliant Materials containing 50 grams ROC per

liter of material or less, including, but not limited to, metal protecting (corrosion inhibitor application equipment) and metal treating quench tanks, except metal forging operations are still subject to permit requirements.

The following equipment using any metalworking fluid is exempt from permit requirements regardless of the ROC content of the fluid being used:

a. Lapping
b. Sinker Electrical Discharge Machining
c. Carbide grinding machine tools where the machine tool manufacturer specifies the viscosity of the fluid
d. Machining of aluminum or magnesium in single or multiple spindle automatic machines.

5. Equipment used for carving, cutting, drilling, surface grinding, planing, routing, sanding, sawing, shredding, or turning of wood or paper, or the pressing or storing of sawdust, wood chips or wood shavings.

6. Blast cleaning equipment using a suspension of abrasives in water.

7. Abrasive blast cabinet-dust filter integral combination units where the total internal volume of the blast section is 50 cubic feet or less.

8. Batch mixers of 5 cubic feet rated working capacity or less.

9. Tumblers used for the cleaning or deburring of metal products without abrasive blasting.

10. Lint traps used exclusively in conjunction with dry cleaning tumblers.

11. Laundry dryers, extractors or tumblers used for fabrics cleaned only with water solutions of bleach or detergents.

C. Heaters, Boilers

1. Space heating and heat transfer equipment rated at less than one million BTU/s per hour, except reboilers that are part of a glycol dehydration unit. (Revised 6/14/77, 12/13/94)

2. Equipment rated at less than one million BTUs per hour and used exclusively for steam cleaning. (Revised 6/20/89)

3. Natural draft hoods, natural draft stacks or natural draft ventilators.

D. Vehicles, Engines

1. Vehicles, as defined by the Vehicle Code of the State of California. A vehicle may have an engine that both propels the vehicle and powers equipment mounted on the vehicle. Not included is any equipment mounted on a vehicle that would otherwise require a permit under the provisions of these Rules and Regulations.

2. Locomotives, aircraft, marine vessels, and recreational watercraft used to transport passengers or freight. Not included is any equipment mounted on a locomotive, aircraft or marine vessel that would otherwise require a permit under the provisions of these Rules and Regulations.

3. (Reserved)

4. Internal combustion engines used exclusively for frost protection.
5. (Reserved)

6. Internal combustion engines with a maximum continuous design power rating of less than 50 brake horsepower and gas turbines with a rated full load output of less than 0.30 megawatts (300 kilowatts) at ISO Standard Day Conditions.

7. Emergency internal combustion engines, as follows:

   a. Spark-ignited internal combustion engines used exclusively for the emergency pumping of water for either fire protection or flood relief. The engines may either drive pumps directly or generate electricity to drive pumps. Such engines may be operated for engine maintenance.

   b. Spark-ignited emergency internal combustion engines used only when electrical power line or natural gas service fails. Such engines may be operated for engine maintenance.

   c. Portable engines used for emergency purposes. An engine powering a generator connected to a facility's electrical grid in preparation for a future emergency shall not be considered a portable emergency engine.

   Engine maintenance operation is limited to 50 hours per calendar year per engine.

   An emergency internal combustion engine may not be operated to replace an internal combustion engine or a turbine that has failed or requires maintenance; to supplement a primary power source when the load capacity or rating of the primary power source has been either reached or exceeded; nor to reduce the demand for electrical power when normal electrical power line service has not failed.

8. (Reserved)

9. Portable internal combustion engines, including any turbines qualified as military technical support equipment under Health and Safety Code Section 41754, used pursuant to registration in the California Statewide Portable Engine Registration Program (PERP) under Health and Safety Code Section 41753.

E. Food Preparation, Processing, Household

1. Equipment used in connection with any structure designed and used exclusively as a residential dwelling.

2. (Reserved)

3. Vacuum cleaning systems used exclusively for industrial, commercial, institutional or residential housekeeping purposes.

4. Comfort air conditioning or ventilating systems which are not designed to remove air contaminants generated by or released from specific units of equipment.

5. Refrigeration units except those used as, or in conjunction with, air pollution control operations.

6. Smokehouses for food preparation in which the maximum horizontal inside cross-sectional area does not exceed 2 square meters (21.5 square feet).

7. Smokehouses that use liquid smoke exclusively and are completely enclosed. To qualify, a smokehouse must vent to neither a control device nor the atmosphere.

8. Confection cookers where products are edible and intended for human consumption.

9. Grinding, blending or packaging equipment used exclusively for tea, cocoa, roasted coffee, flavor, fragrance extraction, dried flowers, or spices, and control equipment used exclusively with such equipment, provided no organic solvents are used.

10. Equipment used for the purpose of preparing food for human consumption, except conveyorized charbroilers and coffee roasting equipment with a maximum capacity of greater than 25 pounds, in either eating establishments or retail establishments.

11. Equipment used to produce noodles, macaroni, pasta, food mixes or drink mixes, and control equipment used exclusively with such equipment, where products are edible and intended for human consumption, provided no organic solvents are

used. Not included are storage bins located outside buildings and combustion equipment not exempt pursuant to Subsection C.1.

12. Non-retail cooking kettles, excluding deep-frying equipment, where the product is edible and intended for human consumption.

13. Coffee roasting equipment with a maximum capacity of 25 pounds or less.

14. Ovens, mixers, scales, blenders used in bakeries, and control equipment used exclusively with such equipment, where products are edible and intended for human consumption and where total production is less than 1,000 pounds of product per operating day.

F. Organic Compound Emissions

1. Storage in or loading into any tank having a capacity of 550 gallons or less that is equipped with a submerged fill pipe and is not required to have a vapor recovery system. (Revised 11/22/88)

2. Equipment for loading and storing of a reactive organic compound liquid into any stationary storage tank having a capability of holding 250 gallons or less. (Revised 5/23/72)

3. Equipment for loading of reactive organic compound liquid into transportable containers of 100 gallons or less.

4. Equipment for loading of a maximum of 500 gallons per calendar day or less of reactive organic compound liquid into transportable containers.

5. Containers for the storage of unheated asphalt. (Revised 5/23/72)

6. Nonrefillable aerosol cans.

7. Products used for facility, grounds, and building maintenance and repair, including solvents, coatings, adhesives, lubricants, and sealants. Facility maintenance and repair does not include the use of these products for maintenance and repair of process and industrial equipment when this activity is being conducted by contractors.

8. Janitorial services and use of products for routine janitorial maintenance, including graffiti removal.

9. Office and administrative use of products such as ink, marking pens, ink pads, glues and adhesives, and cleaning solvents. Office and administrative use does not include production activities by facilities involved in graphic arts operations.

10. Cleaning operations and materials as follows:

    a. Cleaning agents certified by the SCAQMD as Clean Air Solvents.

    b. Cleaning agents that contain no more than 25 grams per liter of ROC as used or applied, and no more than 5 percent by weight combined of methylene chloride, perchloroethylene, trichloroethylene, 1,1,1-trichloroethane, carbon tetrachloride, and chloroform.

    c. Cold cleaners using non-boiling organic solvent(s) with an initial boiling point (excluding water) greater than 150 ^{o}C (302 ^{o}F) having a liquid surface area of less than 1 square meter (10.8 square feet), at any stationary source where less than 1000 pounds of ROC, are lost to the atmosphere from all such cold cleaners during every rolling period of 12 consecutive calendar months.

    d. Solvent cleaning operations, including cold cleaners, vapor degreasers, wipe cleaning, dip cleaning and flush cleaning, but excluding coating, graphic arts, adhesive/sealant and polyester resin operations, where less than 200 pounds each of ROC, methylene chloride, 1,1,1 trichloroethane, and perchloroethylene are lost to the atmosphere from all such activities at the stationary source during any rolling period of 12 consecutive calendar months. Emissions from activities exempted by subsections a, b, and c, above, shall not be included in this determination.

11. Coating operations and materials as follows:

    a. (Reserved)

    b. Coating operations, other than motor vehicle or mobile equipment coating operations, where less than 200 pounds each of ROC, methylene chloride, 1,1,1 trichloroethane, and perchloroethylene are lost to the atmosphere during every rolling period of 12 consecutive calendar months.

       For the purpose of this section, coating operations shall include emissions from coatings, thinning, substrate surface preparation, and application equipment cleaning, associated with the coating operation. Emissions from cold cleaners and vapor degreasers shall not be included in this determination. Emissions included in a graphic arts operation shall not be included in this determination.

    c. Coatings used in mobile automotive touch-up operations where application is done using either a paint brush or an air brush with a cup that holds no more than 4 ounces of paint.

12. Adhesive/sealant operations where less than 200 pounds each of ROC, methylene chloride, 1,1,1 trichloroethane, and perchloroethylene are lost to the atmosphere during every rolling period of 12 consecutive calendar months.

    For the purpose of this section, adhesive/sealant operations shall include emissions from adhesives, sealants, adhesive/sealant primers, thinning, substrate surface preparation, and application equipment cleaning, associated with the adhesive/sealant operation. Emissions from cold cleaners and vapor degreasers shall not be included in this determination. Emissions included in a graphic arts operation shall not be included in this determination.

13. Graphic arts operations (including but not limited to packaging gravure, publication gravure, flexographic printing, screen printing, letterpress, lithographic printing, or ink jet printing) where less than 200 pounds each of ROC, methylene chloride, 1,1,1 trichloroethane, and perchloroethylene are lost to the atmosphere during every rolling period of 12 consecutive calendar months.

    For the purpose of this section, graphic arts operations shall include emissions from inks, ink additives, fountain solutions, substrate surface preparation, application equipment cleaning, coatings, and adhesives for binding or gluing printed substrates, associated with the graphic arts operation. Emissions from cold cleaners and vapor degreasers shall not be included in this determination.

14. Polyester resin operations using less than 240 gallons of polyester resin materials over a rolling period of 12 consecutive calendar months, including unsaturated polyester resins, cross-linking agents, catalysts, gel coats, inhibitors, accelerators, promoters, and any other material containing ROC and used in the polyester resin operation. Inert filler and cleaning material is specifically excluded from this determination.

15. Operations using organic solvent (other than solvent cleaning operations, coating operations, adhesive operations, graphic arts operations, polyester resin operations, semiconductor manufacturing, dry cleaning, and other defined exempted uses) that emit less than 200 pounds each of ROC, methylene chloride, 1,1,1 trichloroethane, and perchloroethylene during every rolling period of 12 consecutive calendar months.

16. Equipment for melting and applying coatings of oils, waxes, greases, resins, and like substances where no reactive organic solvents, diluents or thinners are used.

17. Equipment used exclusively for the manufacture of water emulsions of asphalt, greases, oils or waxes or the manufacture of waterbased adhesives or waterbased paints.

18. Equipment used to compress, store, liquefy or separate gases from the air or to compress or store natural hydrocarbon gases, other than engines. (Revised 5/23/72)

19. Equipment used exclusively to mill or grind coatings and molding compounds where all materials charged are in a paste form.

20. Oilfield wastewater sumps, pits or ponds, where the ROC content of the wastewater entering the sump, pit or pond is less than 5 milligrams per liter.

21. Any tank or container used to hold or store reactive organic compound liquids, except gasoline and crude oil, that is not required to have reactive organic compound vapor emission controls.

22. (Reserved)

23. Any soil aeration project exempt from the soil aeration limit in Rule 74.29 pursuant to Subsection C.1 or C.2 of Rule 74.29. This exemption applies only to soils contaminated with gasoline, diesel fuel or jet fuel.

24. Any soil remediation project where collected organic vapors are not emitted to the atmosphere by any means. For the purpose of this subsection, this may include, but is not limited to, routing the vapors into the ground.

G. Experimental Operations

Bench scale experimental or research operations and equipment used exclusively for investigation, experimentation or research to advance the state of air pollution control knowledge or to improve techniques. This exemption is subject to express prior approval from the Air Pollution Control Officer and shall include a time limitation. (Revised 5/23/72, 4/13/04)

H. Plastics and Rubber

1. Presses used for the curing of rubber products and plastic products.

2. Ovens used exclusively for the curing of plastics that are concurrently being vacuum held to a mold or for the softening or annealing of plastics.

3. Equipment used for compression molding or injection moulding of plastics.

4. Mixers for rubber or plastics where no material in powder form is added and no organic solvents, diluents or thinners are used.

5. Ovens used exclusively for the curing of vinyl plastisols by the closed mold curing process.

6. Roll mills or calendar for rubber or plastics where no organic solvents, diluents or thinners are used.

7. Ovens used exclusively for curing potting materials or castings made with epoxy resins.

8. Equipment used exclusively for conveying and storing plastic pellets.

9. Presses used exclusively for extruding plastics where no heat is applied.

I. Metals and Ceramics

1. Porcelain enameling furnaces, porcelain enameling drying ovens, vitreous enameling furnaces or vitreous enameling drying ovens of one million BTU/s per hour or less heat input. (Revised 5/23/72)

2. Kilns used for firing ceramic ware of one million BTU/s per hour or less heat input. (Revised 6/14/77)

3. Equipment used exclusively for heat treating or sintering glass or metals or for case hardening metals of one million BTU/s per hour or less heat input. (Revised 5/23/72)

4. Presses used exclusively for extruding metals, minerals or wood where no heat is applied.

5. Equipment used for hydraulic or hydrostatic testing.

6. Equipment used for inspection of metal products.

7. Brazing, soldering or welding equipment.

8. Molds used for the casting of metals.

9. Equipment using dilute aqueous solutions for surface preparation, cleaning, stripping, etching (does not include chemical milling) or the electrolytic plating, electrolytic polishing or the electrolytic stripping of brass, bronze, cadmium, copper, iron, lead, nickel, tin, and zinc. This exemption does not apply to chrome plating or chromic acid anodizing. (Revised 5/23/72, 6/27/89)

10. Equipment used for washing or drying products fabricated from metal or glass, provided that no volatile organic materials are used in the process and that no oil or solid fuel is burned.

11. Crucible furnaces, pot furnaces, or induction furnaces, with a capacity of 1000 pounds or less each with fail-safe temperature controllers preventing vapor boil-off, in which no sweating or distilling is conducted and from which only the following metals are poured or in which only the following metals are held in a molten state. (Revised 5/23/72)

    a. Aluminum or any alloy containing over 50 percent aluminum.

    b. Magnesium or any alloy containing over 50 percent magnesium.

    c. Lead or any alloy containing over 50 percent lead.

    d. Tin or any alloy containing over 50 percent tin.

    e. Zinc or any alloy containing over 50 percent zinc.

    f. Copper

    g. Precious metals

12. Crucible furnaces, pot furnaces or induction furnaces with a brimful capacity of less than 450 cubic inches of any molten metal. (Revised 6/14/77)

13. Wax burnout kilns with an internal volume of 0.2 cubic meters (7.0 cubic feet) or less and a rated capacity of less than one million BTUs per hour.

J. Miscellaneous

1. Bench scale laboratory equipment used exclusively for chemical or physical analyses or experiments. (Revised 6/14/77)

2. Vacuum producing devices in laboratory operations or in connection with other equipment that is exempt by this Rule.

3. Fuel cells that use phosphoric acid, molten carbonate, proton exchange membrane or solid oxide technologies.

4. Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy.

5. Equipment used exclusively to package pharmaceuticals or cosmetics or to coat pharmaceutical tablets.

6. Shell-core and shell-mold manufacturing machines.

7. Die casting machines.

8. Equipment used exclusively for bonding lining to brake shoes.

9. Valves and flanges.

10. Cooling towers and ponds that are not in contact with contaminated process water.

11. Equipment used exclusively for the dyeing or stripping (bleaching) of textiles where no organic solvents, diluents, thinners or sulfur compounds are used.

12. Any article, machine, equipment, contrivance or their exhaust systems, the discharge from which contains airborne radioactive materials and which is emitted into the atmosphere in concentrations above the natural radioactive background concentration in air. "Air-borne radioactive material" means any radioactive material dispersed in the air in the form of dusts, fumes, smoke, mists, liquids, vapors or gases.

    Nuclear energy development and radiation protection are controlled by the State of California, to the extent it has jurisdiction thereof, by the California Energy Commission and the California Department of Health Services. Such development and protection are fully regulated by the United States Nuclear Regulatory Commission to the extent that such authority has not been delegated to the states.

13. Repairs, including the replacement of worn or defective parts, to any article, machine, equipment or other contrivance where a Permit to Operate had previously been granted for such equipment, so long as such repairs do not constitute a substantial replacement of the equipment as a whole. (Revised 1/17/78)

14. Any sterilizer or aerator at a stationary source where the amount of ethylene oxide charged to all sterilizers at the stationary source is no more than 4 pounds per year (lb/yr).

15. Equipment used exclusively to generate ozone and associated ozone destruction equipment for the treatment of cooling tower water or for water treatment processes.

16. Emission units used exclusively in agricultural operations, except where the total actual annual emissions, excluding fugitive PM10 emissions, from an agricultural source is equal to or greater than 50 percent of any of the following federal major source thresholds:

Pollutant	Threshold (Tons Per Year)

Any single HAP	10
Combination of HAPs	25
CO, PM10, or SOx	100
Greenhouse Gases (CO_2e)(effective July 1, 2011)	100,000
Greenhouse Gases (CO_2e)(until July 1, 2011)	No Applicable Threshold

Attainment / Nonattainment Classification (Ozone)	Threshold (TPY) (ROC, NOx)
Attainment, Marginal, or Moderate	100
Serious	50
Severe	25
Extreme	10

This provision shall not exempt any large confined animal facility or any major source or any major modification to a major source required to be issued a permit pursuant to Title I (42 U.S.C. Sec. 7401 et seq.) or Title V (42 U.S.C. Sec. 7661 et seq.) For the purpose of this subsection, agricultural operations are operations conducted in the raising of fowl or animals or the production of products of the soil, including crops, orchard fruits, trees, vines, rose bushes, ornamental plants, floricultural crops, and other horticultural crops. An agricultural source includes all emissions units that are not exempt pursuant to other provisions of this rule which are used in agricultural operations located on contiguous property under common ownership or control.

For the purpose of this subsection a "large confined animal facility" is defined as follows:

(i) 1,000 milk-producing dairy cows;
(ii) 3,500 beef cattle;
(iii) 7,500 calves, heifers or other cattle;
(iv) 650,000 chickens other than laying hens;
(v) 650,000 laying hens;
(vi) 650,000 ducks;
(vii) 100,000 turkeys;
(viii) 3,000 swine;
(ix) 2,500 horses;
(x) 15,000 sheep, lambs, or goats; or
(xi) 30,000 rabbits or other animals.

[Source: CCR Title 17, Division 1, Chapter 1, Subchapter 2.7, §86500(a)]