BAY AREA AIR QUALITY MANAGEMENT DISTRICT

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REGULATION 2
PERMITS
RULE 2
NEW SOURCE REVIEW

(Readopted and Renumbered July 17, 1991)

2-2-100 GENERAL

2-2-101 Description:
This Rule shall apply to all new and modified sources which are subject to the requirements of Regulation 2-1-301. The purpose of this Rule is to provide for the review of new and modified sources and provide mechanisms, including the use of Best Available Control Technology (BACT), Best Available Control Technology for Toxics (TBACT), and emission offsets, by which authorities to construct such sources may be granted. This rule implements the no net increase requirements of Section 40919 (a)(2) of the Health and Safety Code as demonstrated by the requirements of Section 2-2-316. The New Source Review provisions of 40 CFR 51.165 and the Prevention of Significant Deterioration provisions of 40 CFR 51.166 are hereby incorporated by reference. (Amended 6/15/94; 10/7/98; 5/17/00)

2-2-110 Deleted October 7, 1998

2-2-111 Exemption, PSD Monitoring:
The APCO may exempt an applicant from the requirements of subsection 2-2-414.3 provided that the applicant demonstrates by modeling to the satisfaction of the APCO that the cumulative emission increase minus the emission reduction credits from the new or modified facility would cause air quality impacts less than the following, or may exempt an applicant from the requirements of subsection 2-2-414.3 if the existing ambient air quality concentrations in the impact area are no greater than the following:

	(micrograms per cubic meter, µg/m^3)	
Carbon monoxide: 8-hr average	575	
PM_{10}: 24-hr average	10	
Sulfur dioxide: 24-hr average	13	
Lead: 3-month average	0.1	–
Mercury: 24-hr average	0.25	–
Beryllium: 24-hr average	0.0001	–
Fluorides: 24-hr average	0.25	–
Vinyl chlorides: 24-hr average	15	–
Total reduced sulfur: 1-hr average	10	–
Hydrogen sulfide: 1-hr average	0.2	–
Reduced sulfur compounds: 1-hr average	10	
Nitrogen dioxide: annual average	14	

(Amended June 15, 1994)

2-2-112 Exemption, Secondary Emissions From Abatement:
The BACT requirements of Section 2-2-301 shall not apply to emissions of secondary pollutants which are the direct result of the use of an abatement device or emission reduction technique which complies with the BACT or BARCT requirements for control of another pollutant. However, the APCO shall require the use of Reasonably Available Control Technology (RACT) for control of these secondary pollutants. The Air Pollution Control Officer shall determine which pollutants are primary and which are secondary for the

equipment being evaluated. (Amended 6/15/94; 10/7/98)

2-2-113 Deleted June 15, 1994

2-2-114 Exemption, MACT Requirement:
The MACT requirement of Section 2-2-317 shall not apply to the following:

114.1 Any source, where the combined increase in potential to emit from all related sources in a proposed construction or modification is less than 10 tons per year of any HAP and less than 25 tons per year of any combination of HAPs.
114.2 Any source that has been specifically regulated under a standard promulgated pursuant to Sections 112(d), 112(h), or 112(j) of the federal Clean Air Act prior to the date that the APCO has issued an Authority to Construct.
114.3 Any source that has been specifically exempted from regulation under a standard issued pursuant to Sections 112(d), 112(h), or 112(j) of the federal Clean Air Act.
114.4 Any Electric Utility Steam Generating Unit as defined in 40 CFR 63.41, unless and until such time as these units are added to the source category list pursuant to Section 112(c)(5) of the federal Clean Air Act.
114.5 Any Research and Development Activities as defined in 40 CFR 63.41.
114.6 Any source that is within a source category that has been deleted from the source category list pursuant to Section 112(c)(9) of the federal Clean Air Act.
(Adopted May 17, 2000)

2-2-200 DEFINITIONS

2-2-201 Emission Reduction Credit:
Except as provided by subsection 2-2-201.3 an emission reduction, calculated in accordance with Section 2-2-605, which exceeds the emission reductions required by measures in the current Clean Air Plan approved by the BAAQMD or required by federal, state, or District laws, rules, and regulations. To qualify as an emission reduction credit, the emission reduction must be in excess of the reductions achieved by, or achievable by, the source using Reasonably Available Control Technology (RACT), and must also be real, permanent, quantifiable, and enforceable.

201.1 Unless calculated in accordance with the procedures of Section 2-2-605, that portion of an NSR emission cap, which was part of an APCO approved alternative baseline, shall not qualify as an emission reduction credit.
201.2 All emission reduction credits shall be enforceable by permit conditions in the authority to construct and permit to operate, except that, in the case of source closures where no permit is required for the source being shut down, the emission reduction credit shall be enforceable through appropriate contractual provisions in a legally binding and irrevocable written agreement in which provisions will be made expressly for the benefit of the District.
201.3 For the purpose of complying with the PSD requirements of Sections 2-2-111, 304, 305, 306, 308 of this Rule and 40 CFR 51.166, emission reduction credits shall not be adjusted for reductions required by measures in the current Clean Air Plan approved by the BAAQMD which exceed the reductions required by use of Reasonably Available Control Technology (RACT).

The permanence of a closure shall be identified in a letter from the source and/or in a Banking Certificate.

(Amended June 15, 1994)

2-2-202 Baseline Area, PSD:
All intrastate Air Quality Control Regions, as defined in 40 CFR 52.21, and every part thereof, designated as attainment or unclassifiable under 107(d)(1)(D) or (E) of the Clean Air Act in which a source establishing a baseline date would construct or would have an air quality impact equal to or greater than 1 μg/m3 (annual average) of the pollutant for which the baseline date is established.

2-2-203 Baseline Concentration, PSD:
The ambient concentration level which exists in the baseline area on the applicable baseline date. A baseline concentration is determined for each pollutant for which a baseline date is established. The baseline concentration shall include the actual emissions representative of sources in existence on the applicable baseline date. (Amended October 7, 1998)

2-2-204 Baseline Date, PSD:
The earliest date after December 20, 1977, for sulfur dioxide and PM10, or after February 8, 1988, for nitrogen dioxide, for each baseline area on which the first complete application under Section 2-2-304 is submitted or was submitted to EPA under 40 CFR 52.21. The baseline date is established for each pollutant for which PSD increments have been established.

2-2-205 Baseline Period, PSD:
The period against which a change in emissions is to be measured.

2-2-206 Best Available Control Technology (BACT): For any new or modified source, except cargo carriers, the more stringent of:

206.1 The most effective emission control device or technique which has been successfully utilized for the type of equipment comprising such a source; or
206.2 The most stringent emission limitation achieved by an emission control device or technique for the type of equipment comprising such a source; or
206.3 Any emission control device or technique determined to be technologically feasible and cost-effective by the APCO; or
206.4 The most effective emission control limitation for the type of equipment comprising such a source which the EPA states, prior to or during the public comment period, is contained in an approved implementation plan of any state, unless the applicant demonstrates to the satisfaction of the APCO that such limitations are not achievable. Under no circumstances shall the emission control required be less stringent than the emission control required by any applicable provision of federal, state or District laws, rules or regulations.

The APCO shall publish and periodically update a BACT/TBACT Workbook specifying the requirements for commonly permitted sources. BACT will be determined for a source by using the workbook as a guidance document or, on a case-by-case basis, using the most stringent definition of this Section 2-2-206. (Amended October 7, 1998)

2-2-207 California Coastal Waters:
That area between the California-Oregon border at the Pacific Ocean and ending at the California-Mexico border at the Pacific Ocean:

thence to 42.0oN 125.5°W
thence to 41.0°N 125.5°W
thence to 40.0°N 125.5°W
thence to 39.0°N 125.5°W
thence to 38.0°N 124.0°N
thence to 37.0°N 123.5°W
thence to 36.0°N 122.5°W
thence to 35.0°N 121.5°W
thence to 34.0°N 120.5°W
thence to 33.0°N 119.5°W
thence to 32.5°N 118.5°W

2-2-208 CEQA:
The California Environmental Quality Act, Public Resources Code, Section 21000, et seq., and the CEQA guidelines, Title 14, California Code of Regulations, Section 15000, et seq. (Amended May 17, 2000)

2-2-209 Class I Areas, PSD:
Point Reyes National Seashore and any other Class I Area under Part C of the Clean Air Act. All other areas in the District are Class II Areas.

2-2-210 Deleted May 17, 2000

2-2-211 Contiguous Properties:
Two or more parcels of land with a common boundary or separated solely by a public roadway or other public right-of-way.

2-2-212 Cumulative Increase:
The aggregate sum of all increases in emissions of any given pollutant from a facility pursuant to authorities to construct or permits to operate issued after April 5, 1991 (unless a PSD Baseline Date is applicable), excluding emissions from a source which has lost its permit exemption per Regulation 2-1-424. (Amended 6/15/94; 10/7/98)

2-2-213 EIR:
Environmental Impact Report, as defined in Section 21061 of the Public Resources Code.

2-2-214 Emission Offsets:
Emission reduction credits which are used to mitigate cumulative increases of emissions. Emission offsets are emission reduction credits, from the District Emissions Bank, approved in accordance with Regulation 2, Rule 4; emission reduction credits from adjacent Districts, provided the applicant demonstrates that the requirements of Clean Air Act Section 173(c)(1) (42 U.S.C. Section 7503(c)(1)) and Health and Safety Code Section 40709.6 have been met or do not apply, or onsite contemporaneous emission reduction credits occurring after the submittal of an application for a new or modified source but prior to the issuance of the permit to operate any such source, calculated in accordance with Section 2-2-605. Notwithstanding any existing permit conditions, that portion of an NSR emission cap, which was based on an APCO approved alternative baseline, may not be used as a source of offsets unless the proposed reduction is calculated in accordance with procedures specified in Section 2-2-605. (Amended 6/15/94; 5/17/00)

2-2-215 Facility:
Any property, building, structure or installation (or any aggregation of facilities) located on one or more contiguous or adjacent properties and under common ownership or control of the same person that emits or may emit any air pollutant and is considered a single major industrial grouping (identified by the first two-digits of the applicable code in The Standard Industrial Classification Manual). In addition, facilities which include cargo loading or unloading from cargo carriers other than motor vehicles shall include the cargo carriers as part of the source which receives or loads the cargo. Accordingly, all emissions from such carriers while operating in the District, or within California Coastal Waters adjacent to the District, shall be included as part of the source emissions.

215.1 For determining the cumulative increase at a facility subject to the offset requirements of Sections 2-2-302 and 303, related sources on a single property or contiguous properties, even though under different ownership, or related sources on non-contiguous properties under the same ownership shall be considered one facility. Related sources are those sources where the operation of one is dependent upon or affects the operation of the other.
215.2 Notwithstanding the definition in Section 2-2-215 above, the emissions related to cargo carriers shall not be included when determining applicability of the requirements of Sections 2-2-304, 2-2-308, 2-6-301, and 2-6-310.
215.3 For determining the cumulative increase at a facility subject to the offset requirements of Sections 2-2-302 and 303, facilities under the same ownership or entitlement to use that are located within a distance of three miles, property line to property line, shall be considered one facility if the facilities have the same first two digits in their Standard Industrial Classification codes, as determined from The Standard Industrial Classification Manual. (Amended November 3, 1993)

2-2-216 Feasible:
Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors, not in conflict with the mandated responsibilities and duties of the District.

2-2-217 Federal Land Manager:
With respect to any lands in the United States, the Secretary of the department with authority over such lands.

2-2-218 Federally Enforceable:
All limitations and conditions that are enforceable by the Administrator of the U. S. EPA, including requirements developed pursuant to 40 CFR Parts 60 (NSPS), 61 (NESHAPS), 63 (HAP), 70 (State Operating Permit Programs) and 72 (Permits Regulation, Acid Rain), requirements contained in the State Implementation Plan (SIP) that are applicable to the District, any District permit requirements established pursuant to 40 CFR 52.21 (PSD) or District regulations approved pursuant to 40 CFR Part 51, Subpart I (NSR), and any operating permits issued under an EPA-approved program that is a part of the SIP and expressly requires adherence to any permit issued under such program.
(Amended November 3, 1993).

2-2-219 Impact Area:
The area in which a new or modified facility would have a significant air quality impact.

2-2-220 Deleted May 17, 2000

2-2-221 Major Modification of a Major Facility:
Any modification, as defined in Regulation 2-1-234, at an existing major facility that the APCO determines will cause an increase of the facility's emissions by the following amounts or more:

POC: 40 tons per year
NOx: 40 tons per year
SO2: 40 tons per year
PM10: 15 tons per year
CO: 100 tons per year
(Amended June 15, 1994)

2-2-222 Modeling, PSD:
Estimates of ambient concentrations of pollutants based on applicable air quality models, data bases and other requirements acceptable to the APCO. For modeling required by Sections 2-2-304 through 308 and 414, the air quality models, data bases and other requirements shall also be in accordance with the "Guideline on Air Quality Models", EPA-450/2-78-027R, July 1986 or as revised). Where an air quality impact model specified in the "Guideline on Air Quality Models" is inappropriate, the model may be modified or another model substituted provided that written approval from the Administrator of the EPA is obtained and the application is submitted for public comment in accordance with Section 2-2-405. Methods such as those outlined in the "Workbook for the Comparison of Air Quality Models", April 1977 (or as revised) shall be used to determine the comparability of air quality models. For modeling compliance with air quality standards, other than federal ambient air quality standards or federal PSD increments, applicable models must be approved by the APCO.

2-2-223 Deleted May 17, 2000

2-2-224 Net Air Quality Benefit:
A net improvement of air quality as determined by the APCO resulting from emission reduction credits impacting the same general area affected by the new or modified source and which will be consistent with reasonable further progress towards the attainment of the applicable air quality standard. (Amended June 15, 1994)

2-2-225 Deleted May 17, 2000
2-2-226 Deleted October 7, 1998
2-2-227 Deleted October 7, 1998
2-2-228 Deleted October 7, 1998
2-2-229 Deleted October 7, 1998
2-2-230 Deleted October 7, 1998

2-2-231 Point of Maximum Ground Level Impact:
The ground level geographic location where the projected air pollution concentrations for a given pollutant resulting from the new or modified facility emissions together with the background pollutant concentration for that given pollutant results in the maximum ground level pollutant concentration. The background pollutant concentration means the ambient concentration level resulting from the actual emissions of

sources in existence and the projected ambient concentration levels for sources already permitted but not yet in operation. If the general public is effectively excluded from the property on which the point of maximum ground level impact is located, and the property is owned or controlled by the owner of the new or modified facility, such property shall not be considered as the point of maximum ground level impact.

2-2-232 Prevention of Significant Deterioration (PSD) Increments:
In areas designated as Class I, II or III, increases in pollutant concentration over the baseline concentration shall be limited to the following:

MAXIMUM ALLOWABLE INCREASE
(micrograms per cubic meter, µg/m3)

POLLUTANT	CLASS I	CLASS II	CLASS III
Particulate Matter:			
PM_{10} Annual arithmetic mean	4	17	34
PM_{10} 24-hr maximum	8	30	60
Sulfur Dioxide:			
Annual arithmetic mean	2	20	40
24-hr maximum	5	91	182
3-hr maximum	25	512	700
Nitrogen Dioxide:			
Annual arithmetic mean	2.5	25	50

For any period other than an annual period, the applicable increase may be exceeded during one such period per year at any one location. (Amended June 15, 1994)

2-2-233 Significant Air Quality Impacts, PSD: Ambient air concentrations, resulting from new or modified facility emissions, that exceed any of the following levels:

SIGNIFICANT AIR QUALITY IMPACTS
(micrograms per cubic meter, µg/m3)

POLLUTANT	
Particulate Matter:	
PM_{10}, Annual arithmetic mean	1.0
PM_{10}, 24-hr maximum	5
Sulfur Dioxide:	
Annual arithmetic mean	1.0
24-hr maximum	5
3-hr maximum	25
Nitrogen Dioxide:	
Annual arithmetic mean	1.0
1-hr maximum	19
Carbon Monoxide:	
8-hr maximum	500
1-hr maximum	2000

(Amended June 15, 1994)

2-2-234 Source:
Any article, machine, equipment, operation, contrivance or related groupings of such which may produce and/or emit air pollutants.

2-2-235 Year, Month, and Day:
Unless otherwise defined, a year shall be any rolling 365 consecutive day period, a month shall be any rolling 31 consecutive day period and a day shall be any rolling 24 consecutive hour period.

2-2-236 Hazardous Air Pollutant (HAP):
Any pollutant that is listed pursuant to Section 112(b) of the federal Clean Air Act. (Adopted 11/3/93; Amended 5/17/00)

2-2-237 Major Facility Review (MFR):
Plantwide review of sources, emissions and regulatory requirements at facilities including, but not limited to, major facilities, phase II acid rain facilities, subject solid waste incinerator facilities, designated facilities, and synthetic minor facility candidates, which are potentially subject to the permitting requirements of Regulation 2, Rule 6, and Title V of the federal Clean Air Act. (Adopted November 3, 1993)

2-2-238 Deleted May 17, 2000
2-2-239 Deleted May 17, 2000

2-2-240 Best Available Retrofit Control Technology (BARCT):
An emission limitation that is based on the maximum degree of reduction achievable, taking into account environmental, energy and economic impacts by each class or category of source and has been adopted or proposed to be adopted as part of the current Clean Air Plan required by the California Clean Air Act of 1988. (Adopted June 15, 1994)

2-2-241 Deleted May 17, 2000

2-2-242 Contemporaneous:
The five year period of time immediately prior to the date of application for an authority to construct or permit to operate. (Adopted June 15, 1994)

2-2-243 Reasonably Available Control Technology (RACT):
For sources which are to continue operating, RACT is the lowest emission limit that can be achieved by the specific source by the application of control technology taking into account technological feasibility and cost-effectiveness, and the specific design features or extent of necessary modifications to the source. For sources which are or will be shut-down, RACT is the lowest emission limit that can be achieved by the application of control technology to similar, but not necessarily identical categories of sources, taking into account technological feasibility and cost-effectiveness of the application of the control technology to the category of sources only and not to the shut-down source. (Adopted June 15, 1994)

2-2-244 Best Available Control Technology for Toxics (TBACT):
For any new or modified source, except cargo carriers, the more stringent of:

244.1 The most effective emission control device or technique which has been successfully utilized for the type of equipment comprising such a source; or
244.2 The most stringent emission limitation achieved by an emission control device or technique for the type of equipment comprising such a source; or
244.3 Any control device or technique or any emission limitation that the APCO has determined to be technologically feasible for the type of equipment comprising such a source, while taking into consideration the cost of achieving emission reductions, any non-air quality health and environmental impacts, and energy requirements; or
244.4 The most stringent emission control for a source type or category for which a Maximum Achievable Control Technology (MACT) standard has been proposed, or for which the CARB has developed an Airborne Toxic Control Measure (ATCM). Under no circumstances shall the emission control required be less stringent than the emission control required by any applicable provision of federal, state or District laws, rules, regulations or requirements.
The APCO shall publish and periodically update a BACT/TBACT Workbook specifying the requirements for commonly permitted sources. TBACT will be determined for a source by using the workbook as a guidance document or, on a case-by-case basis, using the most stringent definition of this Section 2-2-244. (Adopted May 17, 2000)

2-2-245 Fully Offset:
An emission cap or emission rate contained in a permit condition is fully offset if offsets were provided for the entire amount of the emission cap or emission rate, and the entire amount of offsets is composed of contemporaneous emission reductions or banked emission reduction credits. (Adopted May 17, 2000)

2-2-246 Adjustment to Emission Reductions for Federal Purposes:
An adjustment made, for purposes of the equivalence demonstration in 2-2-423, to an emission reduction, due to changes in federal requirements between issuance of a banking certificate and its use. The adjustment is made as if the source providing the offsets were in operation, at the original baseline levels, on the date of credit use. (Adopted May 17, 2000)

2-2-300 STANDARDS

2-2-301 Best Available Control Technology Requirement:

An applicant for an authority to construct or a permit to operate shall apply BACT to any new or modified source:

301.1 Which results in an emission from a new source or an increase in emissions from a modified source and which has the potential to emit 10.0 pounds or more per highest day of precursor organic compounds (POC), non-precursor organic compounds (NPOC), nitrogen oxides (NOx), sulfur dioxide (SO2), PM10 or carbon monoxide (CO). BACT shall be applied for any of the above pollutants which meets both criteria. (Amended 6/15/94; 10/7/98; 5/17/00)

2-2-302 Offset Requirements, Precursor Organic Compounds and Nitrogen Oxides, NSR:

Except as provided by Sections 2-2-313 or 421, before the APCO may issue an authority to construct or a permit to operate for a new or modified source at a facility which emits 50 tons per year or more or will be permitted to emit 50 tons per year or more, on a pollutant specific basis, of precursor organic compounds or nitrogen oxides, federally enforceable emission offsets shall be provided, for the emission from the new or modified source and any pre-existing cumulative increase, minus any onsite contemporaneous emission reduction credits determined in accordance with Section 2-2-605, at a 1.15 to 1.0 ratio; additionally, the applicant must reimburse the District Small Facility Banking Account for any unreimbursed offsets previously provided by the District, at a 1.0 to 1.0 ratio. Before the APCO may issue an authority to construct or a permit to operate for a new or modified source at a facility which emits or will be permitted to emit more than 15 tons per year but less than 50 tons per year, on a pollutant specific basis, of precursor organic compounds or nitrogen oxides, emission offsets shall be provided, by the District (or by the applicant, if the Small Facility Banking account has been exhausted) at a 1.0 to 1.0 ratio for the emission from the new or modified source and any pre-existing cumulative increase, minus any onsite contemporaneous emission reduction credits determined in accordance with Section 2-2-605, from the Small Facility Banking account in the District's Emissions Bank in accordance with the provisions of Regulations 2-4-414. The APCO shall determine the total facility emissions, on a pollutant specific basis, by adding the emissions from the proposed new or modified source(s) to the most recent District Emissions Inventory, adjusted for any errors and adjusted upward for any permitted levels of emissions not currently being emitted.

302.1 Deleted May 17, 2000

302.2 Emission reduction credits of precursor organic compounds may be used to offset increased emissions of nitrogen oxides at the offset ratio specified above in Section 2-2-302, provided that the PSD requirements of Section 2-2-304, if applicable, are met. (Amended 11/20/91; 6/15/94; 10/7/98; 5/17/00)

2-2-303 Offset Requirement, PM10 and Sulfur Dioxide, NSR:

Except as provided by Section 2-2-421, before the APCO may issue an authority to construct or a permit to operate for a new or modified source, of PM10 or sulfur dioxide located at a Major Facility, which will result in a cumulative increase minus any contemporaneous emission reduction credits at the facility, for that pollutant, in excess of 1.0 ton per year since April 5, 1991, emission offsets shall be provided, for the emission from the new or modified source and any pre-existing cumulative increase, minus any onsite contemporaneous emission reduction credits determined in accordance with Section 2-2-605, at a 1.0:1.0 ratio or at a ratio, approved by the APCO, in accordance with subsection 2-2-303.1.

303.1 Emission reduction credits of nitrogen oxides and/or sulfur dioxide may be used to offset increased emissions of PM10 at offset ratios determined by the APCO to result in a net air quality benefit. This determination shall be made after a case-by-case analysis that includes adequate modeling, public notice and opportunity for public comment, and EPA concurrence.

A facility which emits less than 100 tons of any pollutant, subject to this section, may voluntarily provide emission offsets for all, or any portion, of their cumulative increase, at the ratio required above. (Amended 11/20/91; 6/15/94; 5/17/00)

2-2-304 PSD Requirement: In accordance with the Prevention of Significant Deterioration provisions of 40 CFR 51.166 of the Code of Federal Regulations, the APCO shall not issue an authority to construct or a permit to operate to:

304.1 A new major facility which will emit 100 tons per year or more, if, it is one of the twenty eight (28) PSD source categories listed in Section 169(1) of the federal Clean Air Act, or 250 tons per year or more for an unlisted category, of any pollutant subject to regulation under the federal Clean Air Act unless the applicant demonstrates by modeling in accordance with Section 2-2-414 to the satisfaction of the APCO that such emissions will not interfere with the attainment or maintenance of the applicable sulfur dioxide or nitrogen dioxide NAAQS at the point of maximum ground level impact and will not cause an exceedance of a sulfur dioxide or a nitrogen dioxide PSD increment.
304.2 A major modification of a major facility if the cumulative increase, from the PSD Baseline Date, minus the contemporaneous emission reduction credits at the facility are in excess of 40 tons per year of sulfur dioxide or nitrogen oxides unless the applicant demonstrates by modeling in accordance with Section 2-2-414 to the satisfaction of the APCO that such emissions will not interfere with the attainment or maintenance of the applicable sulfur dioxide or nitrogen dioxide NAAQS at the point of maximum ground level impact and will not cause an exceedance of a sulfur dioxide or a nitrogen dioxide PSD increment.
304.3 A major modification of a major facility if the cumulative increase, from the PSD Baseline Date, minus the contemporaneous emission reduction credits at the facility are in excess of 15 tons per year of PM10 unless the applicant demonstrates by modeling in accordance with Section 2-2-414 to the satisfaction of the APCO that such emission will not interfere with the attainment or maintenance of the PM10 federal ambient air quality standard at the point of maximum ground level impact and will not cause an exceedance of a PM10 PSD increment.
304.4 A major modification of a major facility if the cumulative increase, from the PSD Baseline Date, minus the contemporaneous emission reduction credits at the facility are in excess of 0.6 tons per year of lead unless the applicant demonstrates by modeling in accordance with Section 2-2-414 to the satisfaction of the APCO that such emission will not interfere with the attainment or maintenance of the lead federal ambient air quality standard at the point of maximum ground level impact and will not cause an exceedance of a lead PSD increment. (Amended 6/15/94; 5/17/00)

2-2-305 Carbon Monoxide Modeling Requirement, PSD:
In accordance with the Prevention of Significant Deterioration provisions of 40 CFR 51.166 of the Code of Federal Regulations, the APCO shall not issue an authority to construct or a permit to operate for:

305.1 A new major facility which will emit 100 tons per year or more, if it is one of the twenty eight (28) PSD source categories listed in Section 169(1) of the federal Clean Air Act, or 250 tons per year or more for an unlisted category, of any pollutant subject to regulation under the federal Clean Air

Act, unless the applicant demonstrates by modeling in accordance with Section 2-2-414, to the satisfaction of the APCO, that the net air quality impact of the cumulative increase of emissions of CO from the new or modified facility and all contemporaneous emission reduction credits to be provided by the applicant will not interfere with the attainment or maintenance of the CO NAAQS in the District or any contiguous air basin, or

1.1 The cumulative increase minus the contemporaneous emission reduction credits from the facility are less than or equal to zero.

305.2 A major modification of a major facility with an increase of 100 tons per year or more of carbon monoxide, unless the applicant demonstrates by modeling in accordance with Section 2-2-414, to the satisfaction of the APCO, that the net air quality impact of the cumulative increase of emissions of CO from the new or modified facility and all contemporaneous emission reduction credits to be provided by the applicant will not interfere with the attainment or maintenance of the CO NAAQS in the District or any contiguous air basin, or

2.1 The cumulative increase minus the contemporaneous emission reduction credits from the facility are less than or equal to zero.

(Amended 6/15/94; 5/17/00)

2-2-306 Non-Criteria Pollutant Analysis, PSD:
In accordance with the Prevention of Significant Deterioration provisions of 40 CFR 51.166 of the Code of Federal Regulations, unless the applicant has performed all analysis required by Sections 2-2-414 and 417 for the applicable pollutants, the APCO shall not issue an authority to construct or a permit to operate to a new or modified facility if the new or modified facility will emit greater than 100 tons per year of carbon monoxide, PM10, sulfur dioxide, precursor organic compounds or nitrogen oxides, and the increase in emissions due to the permit application, minus the onsite contemporaneous emission reduction credits associated with the permit application are in excess of the annual average amounts specified below:

	ANNUAL AVERAGE		DAILY	
	kg/yr	**(ton/yr)**	**g/day**	**(lb/day)**
Lead	530	(0.6)	1450	(3.2)
Asbestos	6	(0.007)	17	(0.04)
Beryllium	0.3	(0.0004)	0.9	(0.002)
Mercury	88	(0.1)	240	(0.5)
Fluorides	2720	(3)	7450	(16)
Sulfuric Acid Mist	6350	(7)	17400	(38)
Hydrogen Sulfide	9050	(10)	24800	(55)
Total Reduced Sulfur	9050	(10)	24800	(55)
Reduced Sulfur Compounds	9050	(10)	24800	(55)

(Amended 6/15/94; 5/17/00)

2-2-307 Denial, Failure of all Facilities to be in Compliance:
The APCO shall deny an authority to construct for a new major facility or a major modification of an existing major facility unless the applicant provides a list, certified under penalty of perjury, of all major facilities within the state of California owned or operated by the applicant or by any entity controlling, controlled by, or under common control with the applicant and demonstrates by certifying under penalty of perjury that they are either in compliance, or on a schedule of compliance, with all applicable state and federal emission limitations and standards. The APCO may request the applicant to provide any technical information used by the applicant to certify compliance. (Amended June 15, 1994)

2-2-308 Class I Area Requirements, PSD:
A facility for which the cumulative increases minus the contemporaneous emission reduction credits occurring since the PSD Baseline Date, are greater than zero, and which would construct in a Class I Area or within 10 kilometers (6.2 miles) of a Class I Area, and would have an impact on such area equal to or greater than 1 microgram per cubic meter, shall use BACT on the new or modified facility and shall not cause or contribute to the exceedance of any NAAQS at the point of maximum ground level impact or any PSD increment set forth in Section 2-2-232, and shall perform all analyses required by Sections 2-2-414 and 417. (Amended June 15, 1994)

2-2-309 Denial for Air Quality Related Values, PSD:
The APCO shall deny any permit application subject to the requirements of Section 2-2-308 where it has been demonstrated by the Federal Land Manager that the permit would authorize emissions which would have an adverse impact on the air-quality-related values (including visibility) of a Class I Area, provided that such demonstration is completed prior to the termination of the public comment period and that the APCO concurs with that demonstration.

2-2-310 Denial, Failure to Use BACT:
The APCO shall deny an authority to construct if the APCO finds that the application is subject to Section 2-2-301 and, after notification in writing, the applicant has not provided a control device or technique meeting the requirements defined in Section 2-2-206.

2-2-311 Denial, Failure to Provide Offsets:
The APCO shall deny an authority to construct if the APCO finds that the application is subject to Sections 2-2-302 or 303 and, after notification in writing, the applicant has not provided the required offsets to mitigate the emissions increase.

2-2-312 Denial, Failure to Meet Permit Conditions:
The APCO shall deny a permit to operate, after providing written notification to the applicant, if the equipment is operating in violation of any condition specified in the authority to construct, or if any source used to provide offsets for the project that is owned or operated by the applicant is operating in violation of any permit condition limiting emissions such that the required offsets are not being provided.

2-2-313 Deleted May 17, 2000

2-2-314 Federal New Source Review Applicability:
The requirements of 40 CFR 51.165 are incorporated, by reference, as part of this rule. (Adopted June 15, 1994)

2-2-315 Federal Prevention of Significant Deterioration Applicability:
The requirements of 40 CFR 51.166 are incorporated, by reference as part of this rule. (Adopted June 15, 1994)

2-2-316 No Net Increase Status Report:
The APCO shall publish in conjunction with the triennial update of the Clean Air Plan (CAP), a report demonstrating that the District's permitting program complies with the no net increase requirements of Section 40919 (b) of the Health and Safety Code. This report shall demonstrate that sufficient offsets have been provided, as required by Section 2-2-302, for all permits issued during the previous three year CAP period. This report shall be forwarded to the California Air Resources Board, Stationary Source Division for approval. (Adopted June 15, 1994)

2-2-317 Maximum Achievable Control Technology (MACT) Requirement:
The APCO shall not issue an Authority to Construct for a new or modified source at a Major Facility of Hazardous Air Pollutants unless the source will meet Best Available Control Technology for Toxics (TBACT), except as provided in Section 2-2-114. (Adopted May 17, 2000)

2-2-400 ADMINISTRATIVE REQUIREMENTS

2-2-401 Application: In addition to the requirements of Regulation 2-1-402, applications for authorities to construct facilities subject to Rule 2 shall include all of the following:

401.1 For new facilities, which will emit, and for a modification which will increase emissions more than 100 tons per year of carbon monoxide or 40 tons per year of either precursor organic compounds or nitrogen oxides, an analysis of alternative sites, sizes, production processes, and environmental control techniques for such proposed source which demonstrate that benefits of the proposed source significantly outweigh the environmental and social costs imposed as a result of its location, construction or modification.
401.2 The information required by the lists and criteria adopted pursuant to Section 65940 of the California Government code that are in effect on the date the application is filed.
401.3 CEQA-related information which satisfies the requirements of Regulation 2-1-426.
401.4 All information specified in 40 CFR 63.43(e), if the application is subject to the MACT requirement of Section 2-2-317.

(Amended 11/20/91; 6/15/94; 5/17/00)

2-2-402 Determination of Complete Application:
Except for an application which is subject to the publication and public comment requirements of Section 2-2-405, the APCO shall determine whether an application for an authority to construct is complete not later than 15 working days following receipt of the application, or after a longer time period agreed upon by both the applicant and the APCO. If the APCO determines that the application is not complete, the applicant shall be notified in writing of the decision, specifying the information that is required. Upon receipt of any resubmittal of the application a new 15 working day period to determine completeness shall begin. For an application which is subject to the publication and public comment requirements of Section 2-2-405, the completeness review period(s) shall be 30 days. The application shall be deemed complete on the date of receipt of all information required for completeness. Upon determination that the application is complete, the APCO shall notify the applicant in writing. If applicable, such written notification shall include the

District's determination that its evaluation of the application will be covered by the specific procedures, fixed standards and objective measurements set forth in the District's Permit Handbook and that the District's evaluation of that permit application will be classified as ministerial and will accordingly be exempt from CEQA review. Thereafter only information regarding offsets, or information to clarify, correct or otherwise supplement the information submitted in the application may be requested. (Amended 6/7/95; 10/7/98)

2-2-403 Deleted October 7, 1998

2-2-404 Authority to Construct, Preliminary Decision:
Within 90 days following the acceptance of an application as complete, which is subject to the requirements of Section 2-2-405, or longer period necessary to satisfy the requirements of Section 2-2-414, providing that any fees required in accordance with Regulation 3 are paid, or with the consent of the applicant, such longer period as may be agreed upon, the APCO shall make a preliminary decision as to whether an authority to construct shall be approved, or denied. Final action on this application will be taken in accordance with the requirements of Section 2-2-407.

404.1 When the District is the CEQA Lead Agency for a project, the 90-day limit for issuing a preliminary decision shall be suspended until the draft EIR or Negative Declaration is available for the APCO's consideration and public review. (Amended 11/20/91; 5/17/00)

2-2-405 Publication and Public Comment:
If the application is for a new major facility or a major modification of an existing major facility, or requires a PSD analysis, or is subject to the MACT requirement, the APCO shall within 10 days of the notification of the applicant, cause to have published in at least one newspaper of general circulation within the District, a prominent notice stating the preliminary decision of the APCO, the location of the information available pursuant to Section 2-2-406, and inviting written public comment for a 30 day period following the date of publication. Written notice of the preliminary decision shall be sent to the ARB, the regional office of the EPA and adjacent districts. A copy of this notice shall be provided to any person who requests such specific notification in writing. During this period, which may be extended by the APCO, the APCO may elect to hold a public meeting to receive verbal comment from the public. The written notice shall contain the degree of PSD increment consumed.

405.1 In addition to the above requirements, for any application for which the District is a Lead Agency under CEQA, the public notice required pursuant to this Section 2-2-405 shall provide public notice of the availability of a Draft EIR, a Negative Declaration or a Notice of Exemption, as applicable. (Amended May 17, 2000)

2-2-406 Public Inspection:
The APCO shall make available for public inspection, at District headquarters, the information submitted by the applicant, and if applicable the APCO's analysis, and the preliminary decision to grant or deny the authority to construct including any proposed conditions, including the reasons therefore. In making information available for public inspection, the confidentiality of trade secrets, as designated by the applicant prior to completion of the application, shall be considered in accordance with Section 6254.7 of the Government Code. Furthermore, all such information shall be transmitted, upon the date of publication, to the ARB and the regional office of the EPA if the application is subject to the requirements of Section 2-2-405.

2-2-407 Authority to Construct, Final Action:
If the application is for a new major facility or a major modification of an existing major facility, or requires a PSD analysis, or is subject to the MACT requirement, the APCO shall within 180 days following the acceptance of the application as complete, or a longer time period agreed upon, take final action on the application after considering all public comments. Written notice of the final decision shall be provided to the applicant, the ARB and the EPA, and, if the District is a Lead Agency under CEQA, to any person who has commented on a Draft EIR. The final action will also be published in at least one newspaper of general circulation within the District, and the notice and supporting documentation shall be available for public inspection at District headquarters.
407.1 Notwithstanding the requirement of this Section 2-2-407 that the APCO shall act within 180 days after the application is accepted as complete, the APCO shall not take final action on the application for any project for which an Environmental Impact Report or a Negative Declaration has been prepared pursuant to the requirements of CEQA until a Final EIR for that project has been certified and the APCO has considered the information contained in that Final EIR, or a Negative Declaration for that project has been approved. If the specified 180 day period has elapsed prior to the certification of the Final EIR or the approval of the Negative Declaration, the APCO shall take final action on the application within 30 days after the certification of the Final EIR or approval of the Negative Declaration. (Amended May 17, 2000)

2-2-408 Deleted May 17, 2000.

2-2-409 Requirements, Permit to Operate:
As a condition for the issuance of a Permit to Operate, the APCO shall require that the new or modified source and the sources which provide offsets be operated in the manner assumed in making the analysis required to determine compliance with this Regulation.

> 409.1 The permit to operate of any source used to provide offsets shall be conditioned to insure that the emission reductions will be enforceable and shall continue for the reasonably expected life of the proposed source. If offsets are obtained from a source for which there is no permit to operate, either a permit shall be obtained or a written contract shall be required between the applicant and the owner or operator of such source, which contract, by its terms, shall be enforceable by the APCO to ensure that such reductions will continue for the duration of the life of the proposed source.

2-2-410 Issuance, Permit to Operate:
The APCO shall issue a permit to operate a source subject to the requirements of this Rule if it is determined that any offsets required, as a condition of an authority to construct or amendment to a permit to operate, will commence no later than the initial operation of the new source or within 90 days after initial operation of the modified source, and that the offsets shall be maintained throughout the operation of the new or modified source which is the beneficiary of the offsets. Further, the APCO shall determine that all conditions specified in the authority to construct have been or will be likely complied with by any dates specified. Where a new or modified source is, in whole or in part, a replacement for an existing source on the same property, the APCO may allow a maximum of 90 days as a start-up period for simultaneous operation of the existing source and the new source or replacement.

2-2-411 Permit to Operate, Final Action:
The APCO shall take final action to approve, approve with conditions, or disapprove a permit to operate a source subject to this Rule within 60 days after start-up of the new or modified source. However, failure to act within the 60 day period, unless the time period is extended with the written concurrence of the

applicant, shall be deemed to be a denial of the permit. Such denial may be appealed to the Hearing Board in accordance with the provisions of Regulation *2-1-410. (Amended November 20, 1991)*

2-2-412 Source Obligation, Relaxation of Enforceable Conditions:
At such time as the applicability of any requirement of this Rule would be triggered by an existing source or facility, solely by virtue of a relaxation of any enforceable limitation on the capacity of the source or facility to emit a pollutant, then the requirements of this Rule shall apply to the source or facility in the same way as they would apply to a new or modified source or facility otherwise subject to this Rule.

2-2-413 Deleted May 17, 2000.

2-2-414 PSD Air Quality Analysis:
An application for an authority to construct a facility subject to the requirements of Sections 2-2-304, 305, 306 or 308 shall contain the following:

414.1 A modeling analysis, as defined in Section 2-2-222, demonstrating to the satisfaction of the APCO the air quality impacts of the new or modified facility (including impacts of non-criteria pollutants if required under Section 2-2-306). The analysis shall include meteorological and topographic data necessary to estimate such impact. If the maximum air quality impacts of the new or modified facility do not exceed the significance levels for air quality impacts, as defined in Section 2-2-233, no further analysis under this Section will be required unless the facility is subject to the Class I area requirements of Section 2-2-308.
414.2 A demonstration by modeling to the satisfaction of the APCO that the allowable emission increases from the new or modified facility, in conjunction with all other applicable emissions, would not cause or contribute to a violation of an air quality standard or an exceedance of any applicable PSD increment. A new or modified facility will be considered to cause or contribute to a violation of an air quality standard when the increase in emissions would cause a significant air quality impact at any locality that does not or would not meet the applicable air quality standard.
414.3 For determining whether the emission increases from the new or modified facility would cause or contribute to an air quality standard violation or an exceedance of a PSD increment, an analysis of the existing air quality in the impact area of the new or modified facility that includes one year of continuous ambient air quality monitoring data. The continuous air quality monitoring data shall have been gathered over a period of at least one year preceding the receipt of a complete application. The APCO may approve a shorter period (but not less than four months) provided that the period of monitoring includes the time frame when maximum concentrations are expected. The APCO may approve modeling in lieu of ambient air quality monitoring for pollutants for which no air quality standard exists.
414.4 For pollutants for which PSD increments have been established, a PSD increment consumption analysis that includes:

4.1 Establishment of the baseline area(s) affected by the new and modified facility, the corresponding baseline date(s);
4.2 An analysis of the air quality impact of all increment-consuming emissions within the impact area of the new or modified facility, and those increment-consuming emissions outside the impact area that may have a significant air quality impact within the impact area; and,
4.3 An analysis of the air quality impact, and the nature and extent of any or all general

commercial, residential, industrial, and other growth which has occurred since the baseline date in the impact area of the new or modified facility.

2-2-415 Notice to EPA and Federal Land Manager:
On the date of a complete application subject to Section 2-2-308, the APCO shall provide a copy of the complete application to the EPA, the Federal Land Manager for the affected Class I Area, and to the federal official charged with direct responsibility for management of any lands within the Class I area. The APCO shall also send a copy of the preliminary decision and the APCO's analysis to the above agencies.

2-2-416 Report, PSD Increment Consumption:
The District shall conduct an annual review of the increment status for each attainment pollutant, and the APCO, upon request of the Board of Directors, shall provide a report on the consumption of PSD increments which have occurred during the period of interest.

2-2-417 Visibility, Soils, and Vegetation Analysis:
An application for a permit subject to the requirements of Section 2-2-414 shall contain an analysis of the impairment to visibility, soils and vegetation that would occur as a result of the new or modified source and the general commercial, residential, industrial and other growth associated with the source or modification. The applicant need not provide an analysis of the impact on vegetation if it has no significant commercial or recreational value.

2-2-418 PSD Analysis Stack Heights:
For the purposes of modeling, stack heights beyond what is required by good engineering practices shall not be allowed. This requirement should not be perceived to be a limit on the actual constructed height of a stack. The method to calculate good engineering stack height is referenced in Section 2-2-602.

2-2-419 Permit Conditions:
The APCO may require any permit condition necessary to insure compliance with this Rule to be included in an authority to construct or permit to operate. This may include conditions controlling the operation of the source, of its abatement equipment, or of sources used to provide mitigation (offsets). Conditions may have a future effective date and may be made conditional on the results of source tests, ground level monitors or public complaints.

419.1 All emission reduction credits shall be enforceable by permit conditions; such permit conditions shall constitute applicable requirements of the State Implementation Plan for purposes of Section 113 and 304 of the Clean Air Act and are enforceable in the same manner as other SIP requirements. (Amended June 15, 1994)

2-2-420 Deleted March 1, 2000 (October 20, 1999)

2-2-421 Offset Deferral, Annual Permit Renewal:
Whenever offsets are required by Section 2-2-302 or 303, a person has the option to defer providing the offsets until the time of the annual permit renewal provided:

421.1 The facility demonstrates that they have valid Banking Certificates adequate to cover their offset obligation. Offsets deferred under the provisions of this Section shall be provided by the facility at least 30 days prior to the date of annual permit renewal, and

421.2 The facility does not have a cumulative increase greater than 15 tons per year for the pollutant or pollutants subject to the offset requirement(s). (Adopted June 15, 1994)

2-2-422 Offset Refunds:
Whenever an authorized source is either not constructed or is constructed and operated to result in lower emissions than the amount authorized, the APCO shall issue a certificate refunding the excess offsets. The APCO shall add appropriate conditions to the operating permits to make the new emission levels enforceable. (Adopted October 7, 1998)

2-2-423 Demonstration of Offset Program Equivalence:
By March 1 of each year, the District shall submit to EPA a demonstration that offsets provided for all new and modified sources within the District, less adjustments to those offsets for federal purposes occurring between credit generation and use, exceed federal offset requirements for new major sources or major modifications at major stationary sources. Adjustment to emission reductions for federal purposes will be required if any of the following occur between the time the credit is generated and the time the credit is used:

423.1 BAAQMD adopts a relevant measure or rule that is required for purposes of federal attainment demonstration requirements.
423.2 A relevant rule or measure is approved into the State Implementation Plan applicable in the BAAQMD;
423.3 EPA promulgates a relevant final rulemaking for either a New Source Performance Standard or a Maximum Achievable Control Technology Standard.
The demonstration shall include:
423.4 Emission increases represented by all authorities to construct new major facilities and major modifications at major facilities issued during the three calendar years preceding the demonstration date;
423.5 A list of all emission reductions used to offset those emission increases;
423.6 The emission baselines that were used to calculate the emission reduction;
423.7 The source type, size and category that had generated the emission reduction credit;
423.8 All relevant rules that have been adopted or promulgated since the emission reduction had occurred.
423.9 Adjustments to emission reduction fro federal purposes for all affected projects.
423.10 All of the above for as many non-major projects as are needed to demonstrate equivalence.
If the analysis fails to make the required demonstration, the District shall provide sufficient offsets to make up the difference out of the small facility bank. If the small facility bank does not contain the necessary surplus emission reductions, the District shall obtain the necessary surplus emission reductions. (Adopted May 17, 2000)

2-2-500 MONITORING AND RECORDS

2-2-501 PSD Pre-Construction Ambient Air Monitoring: An applicant subject to the requirements of subsection 2-2-414.3 shall meet the following requirements:

501.1 Prior to commencing pre-construction ambient air monitoring, receive written approval from the APCO regarding the selection and operation of monitoring stations.
501.2 Operate the monitoring stations in accordance with the provisions of Appendix B to 40 CFR 58. The APCO may approve the use of District air monitoring data as part of the PSD air quality

analysis required by Section 2-2-414.

2-2-502 PSD Post-Construction Monitoring:
The owner or operator of a facility subject to the requirements of Section 2-2-414 shall, after construction of the facility or modification, conduct such ambient air quality monitoring as the APCO specifies in the authority to construct or the permit to operate. The monitoring shall determine the effect emissions from the facility or modification may have, or are having, on air quality in the area. All air monitoring shall be performed in accordance to the Manual of Procedures, Volume VI and 40 CFR Appendix B.

2-2-600 MANUAL OF PROCEDURES

2-2-601 Ambient Air Quality Monitoring:
Any person subject to the ambient air quality monitoring requirements of this Rule shall use the methods prescribed in the Manual of Procedures, Volume VI.

2-2-602 Good Engineering Practice (GEP) Stack Height:
The method for calculating GEP stack height is contained in the FEDERAL REGISTER: Volume 50, Number 130; Monday, July 18, 1985.

2-2-603 PSD Air Quality Evaluation Procedure:
As a guideline to preparing an air quality impact analysis the applicant is encouraged to review "Guidelines for Air Quality Maintenance Planning and Analysis," Volume 10 (Revised): Procedures for Evaluating Air Quality Impact of New Stationary Sources, EPA-450/4-77-001.

2-2-604 Emission Increase Calculation Procedures, New or Modified Sources:
The APCO shall determine the annual emission increase, expressed as tons per year, from:

604.1 A new source based on the maximum emitting potential of the new source or the maximum permitted emission level of the new source, approved by the APCO, subject to federally enforceable limiting conditions.
604.2 A modified source by subtracting either the baseline annual emission rate, as calculated using the methodology in Section 2-2-605, from the new maximum permitted emission level of the modified source, approved by the APCO, subject to federally enforceable limiting conditions. (Amended 6/15/94; 5/17/00)

2-2-605 Emission Calculation Procedures, Emission Reduction Credits:
The following methodology shall be used to calculate emission reduction credits.

605.1 The baseline period consists of the 3 year period immediately preceding the date that the application is complete (or shorter period if the source is less than 3 years old). The applicant must have sufficient verifiable records of the source's operation to substantiate the emission rate and throughput during the entire baseline period.
605.2 Baseline throughput is the lesser of:

2.1 actual average throughput during the baseline period; or
2.2 average permitted throughput during the baseline period, if limited by permit condition.

605.3 Baseline emission rate, expressed in the units of mass of emissions per unit of throughput, is the average actual emission rate during the baseline period. Periods where the actual emission rate exceeded regulatory or permitted limits shall be excluded from the average.
605.4 Baseline Throughput and Emission Rate - Fully Offset Source: For a source which has, contained in a permit condition, an emission cap or emission rate which has been fully offset by the facility (without using emission reductions from the Small Facility Banking Account), the baseline throughput and baseline emission rate shall be based on the levels allowed by the permit condition.
605.5 The adjusted baseline emission rate shall be determined by adjusting the baseline emission rate downward, if necessary, to comply with the most stringent of RACT, BARCT, and District rules and regulations in effect or contained in the most recently adopted Clean Air Plan.
605.6 Emission reduction credits shall be the difference between the adjusted baseline emission rate times the baseline throughput, and the emission cap or emission rate accepted by the applicant as a federally enforceable limiting conditions. (Amended 6/15/94; 5/17/00)

2-2-606 Emission Calculation Procedures, Offsets:
Except as provided by the offset deferral provision of Section 2-2-421, before the APCO may issue an authority to construct for a new or modified source, offsets shall be provided, as required by Sections 2-2-302, 303 or 313 by the applicant from credits in the District's Emissions Bank and/or from contemporaneous emission reduction credits which qualify in accordance with Sections 2-2-201 and 605, or by the District from the small facility banking account for the amounts calculated as follows:

606.1 For precursor organic compounds (POC) and nitrogen oxides (NOx) for the total of all emission increases as determined in Section 2-2-604 plus any pre-existing cumulative increase from April 5, 1991, multiplied by the offset ratio required by Section 2-2-302.
606.2 If required by Section 2-2-303, for, PM10, and sulfur dioxide for the total of all emission increases as determined in Section 2-2-604 multiplied by the appropriate offset ratio specified in Section 2-2-303.
Emission offsets provided in excess of those required, which meet the requirements of a bankable reduction per Regulation 2-4, may be banked. Banking fees shall be waived for this transaction. (Amended 6/15/94; 5/17/00)

2-2-607 Emission Calculation Procedures, Emission Reduction Credits for Mobile Sources:
Emission reduction credits for mobile sources shall be determined by the Mobile Source Emission Reduction Credits procedures published February 1994 (or subsequent revisions) by the California Air Resources Board or other District approved procedures in the Manual of Procedures. (Adopted June 15, 1994)

2-2-608 Deleted May 17, 2000